

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, 21 JANUARY 2020
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.

INDEX

1	Meeting Opened.....	1
1.1	Evacuation Procedures	
2	Present	1
3	Apologies	1
4	Confirmation of Minutes.....	1
5	Disclosure Statements	1
6	Reports of the Assessment Manager	2
6.1	27 Wilson Street, COWANDILLA, 240 & 242 Sir Donald Bradman Drive, COWANDILLA	2
6.2	17 Kinnaird Avenue, RICHMOND.....	51
6.3	8 Gray Street, PLYMPTON	92
6.4	15B Sherriff Street, UNDERDALE	159
6.5	336 Marion Road, NORTH PLYMPTON.....	192
6.6	154-156 Railway Terrace, MILE END SOUTH	222
6.7	14 Rowells Road, LOCKLEYS	256
7	Confidential Reports of the Assessment Manager.....	303
	Nil	
8	Summary of Court Appeals.....	303
8.1	Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - January 2020	303
9	Other Business	304
10	Meeting Close	304

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 10 December 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 27 Wilson Street, COWANDILLA, 240 & 242 Sir Donald Bradman Drive, COWANDILLA

Application No 211/854/2019

Appearing before the Panel will be:

Representor: **Kenneth Lester** and **Carol William** of 20 Wilson Street, Cowandilla wish to appear in support of the representation.

Applicant: **Michael Richardson** of Master Plan wishes to appear in response to the representation.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Installation of two x light box advertisements, two x 6m high banner signs, one x illuminated letterbox sign, two entry and exit signs (non-complying)
APPLICANT	A Atighi
LODGEMENT DATE	4 September 2019
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20 and Cowandilla / Mile End West Policy Area 23
APPLICATION TYPE	Non-complying
PUBLIC NOTIFICATION	Category 3
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	Sonia Gallarello

SUBJECT LAND AND LOCALITY

The subject land comprises three contiguous allotments formally described as the following parcels:

Address	Allotment	Filed Plan	Volume / Folio
27 Wilson Street, Cowandilla	7	F143635	CT 5534/478
240 Sir Donald Bradman Drive, Cowandilla	2	F126325	CT 5231/571
242 Sir Donald Bradman Drive, Cowandilla	1	F126324	CT 5231/537

The subject site has a primary street frontage to Sir Donald Bradman Drive of 29 metres (m) and a secondary frontage to Wilson Street of 18m. The site has varying depths and a total site area of approximately 2500 square metres (m²).

Construction of a child care centre and verandahs have commenced on the subject site. The locality is mixed use in nature comprised of residential and commercial land uses. Residential properties are located north, east and west of the subject site. There are a variety of dwelling types including detached dwellings, group dwellings and residential flat buildings. Buildings are a mixture of both single and double storey.

Commercial land uses are located south of the subject site on the opposite side of Sir Donald Bradman Drive with a moderate degree of signage. The uses include take away restaurants, pet food, window tinting and grocery shops.

Sir Donald Bradman Drive is a secondary arterial road under the care and control of the Department of Planning, Transport and Infrastructure (DPTI).

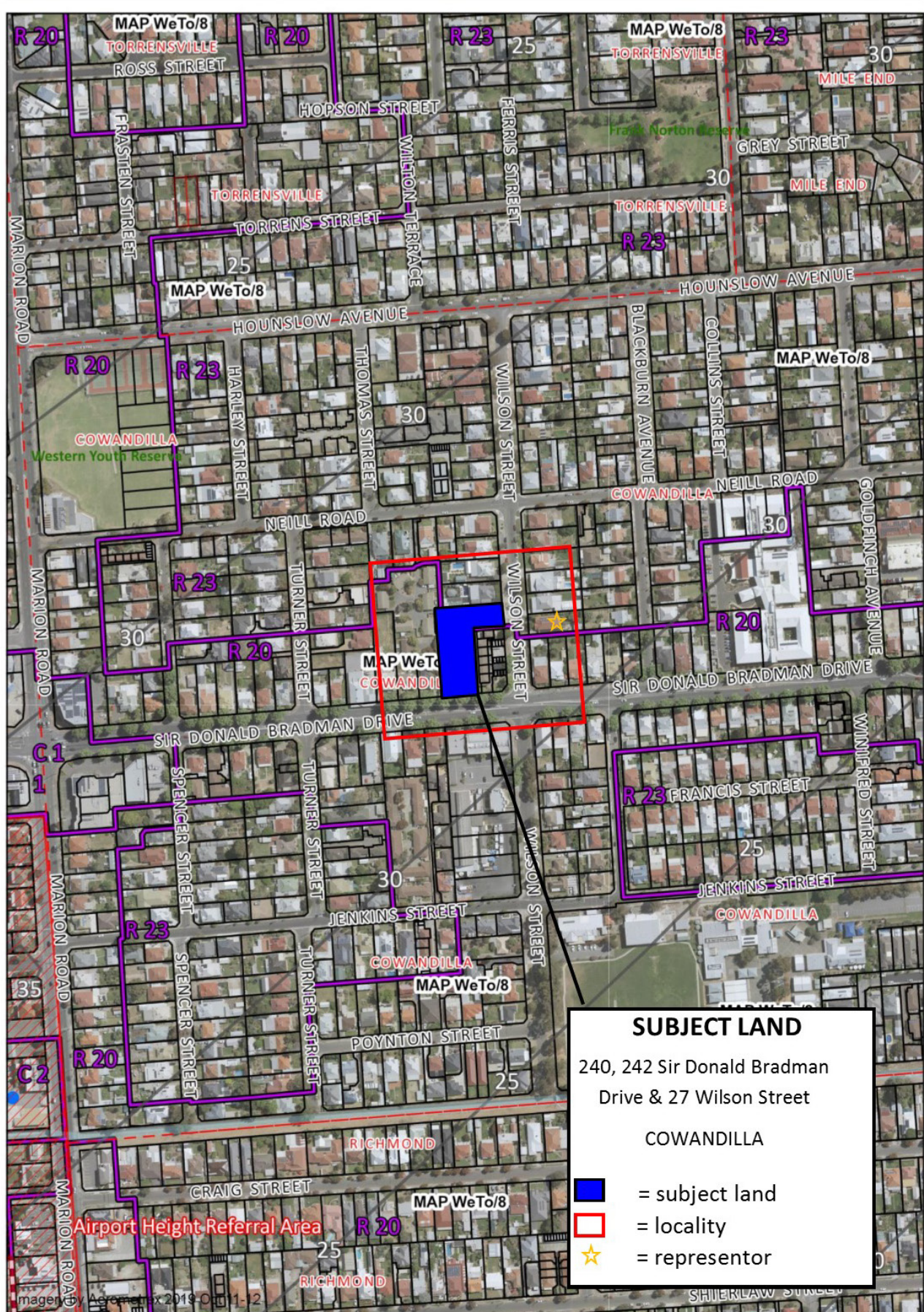
The site and locality are shown on the following figures, map and aerial imagery.



Figure 1: Northern view of the subject land toward 240 and 242 Sir Donald Bradman Drive, Cowandilla



Figure 2: Western view of the subject land toward 27 Wilson Street, Cowandilla





RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/1256/2017	Change of use and construction of a single storey building to operate as a child care centre with outdoor play area, associated car parking, landscaping and 2.7m high acoustic fencing	Planning Consent Granted (via ERD Court)	21 November, 2018
211/1057/2019	Six freestanding verandahs and landscaping	Planning Consent Granted	1 November, 2019

PROPOSAL

The proposed development involves the installation of:

1) Two light box advertisements:

- one is located on the fascia of the east elevation of the building under construction above the entrance. The face size is 1m x 1m and is illuminated;
- one is located on the gable end wall, below the roof line and under the verandah of the south elevation of the building under construction. The face size is 1.2m x 1.2m and is illuminated.

2) Two banner signs:

- one is located on the Wilson Street frontage. The sign will have a face of 0.9m x 2.2m mounted on a 6m high pole. This sign is not illuminated;
- one is located on the Sir Donald Bradman Drive frontage. The sign will have a face of 0.9m x 2.2m mounted on a 6m high pole. This is not illuminated.

3) Letterbox sign:

- located on the Wilson Street frontage. It is attached to a lightweight compressed fibre cement (CFC) façade panel. It measures 1.8m x 0.7m and is illuminated.

4) Entry and exit signage:

- located in the garden bed. The face is 1m high with a 0.6m x 0.4m face at the entrance of the driveway. This is not illuminated.

The applicant amended the application via email to limit the signage facing Wilson Street to only be illuminated between the hours of 6.00am and 9.00pm during the days that the child care centre is operating.

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

NATURE OF DEVELOPMENT

The application is a non-complying form of development as advertisements and / or advertising hoarding are listed as a non-complying forms of development in the Residential Zone.

The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008* (refer **Attachment 3**). This document highlights a number of positive social, economic and environmental impacts associated with the proposed development as follows:

- the signage provides clear identification of the approved child care centre, providing a positive social effect to the community;
- reduced distraction or obstruction to existing road users who pass the signs;
- no environmental damage will occur from the signage;
- the sign has been designed to complement the appearance of the child care and complement existing development in close proximity to the site; and
- minimal economic impact other than assisting users visit the site.

The applicant has not indicated any negative impacts likely to arise from the proposed development.

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 application is a Category 3 form of development pursuant to Schedule 9 of the *Development Regulations 2008* as it does not fit into Part 1 or Part 2 and therefore defaults to a Category 3 form of development.

Properties notified:	65 properties were notified during the public notification process.
Representations:	One (1) representation was received.
Persons wishing to be heard:	<ul style="list-style-type: none"> • Kenneth Lester and Carol William
Summary of representation:	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • the application is non-compliant for the area of Wilson Street; • advertising is not suitable for the residential area of Wilson Street; • prefer no illuminated signage or banners forming part of the development and facing Wilson Street.
Applicant's response to representation	<p>Summary of applicant's response:</p> <ul style="list-style-type: none"> • the site is not located in a Historic Conservation Zone, or a State or Local Heritage place; • this is a non-complying development, however, given the allowance of non-residential uses including child care facilities, it is reasonable to anticipate that some advertising signage will be associated with such facilities; • the advertising is restrained, and limited on Wilson Street to façade signage setback from the road, banner signage, and letterbox signage; • the signage is high quality, simple and limited in area; • overall the signage is considered reasonable and appropriate; • the applicant has suggested an amendment which would limit the illumination timeframe for those signs facing Wilson Street to be between 6am to 9pm Monday to Friday; • the signage on Sir Donald Bradman Drive will retain the ability to be illuminated at all times.

A copy of the representation and the applicant's response is contained in **Attachment 4**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Low Density Policy Area 20 and Cowandilla / Mile End West Character Policy Area 23 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	5

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

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

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

QUANTITATIVE STANDARDS

There are no quantitative provisions of relevance to the proposal.

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 statements for the Residential Zone and the two subject policy areas are silent with respect to advertising. Accordingly, there is little guidance to assess advertising when proposed within a residential zone in terms of the desired character.

While the desired character statements do not specifically refer to signage, there is a statement in the Residential Zone that notes the importance of the appearance of buildings when viewed from the street by pedestrians. The intention of this is to provide an appropriate transition between the public and private realm.

Overall it is considered that the size, siting, design and appearance of the signage will not offend the desired character of the zone or the policy area. This is discussed in more detail under Design and Appearance below.

Land Use and Zoning

As noted, the child care centre is currently under construction and near completion. A small scale child care facility is deemed to be an envisaged form of development in the Residential Zone. Notwithstanding advertising in the Residential Zone is non-complying and contrary to PDC 6(d) of the Advertisement module, the signage that forms part of this development application is in association with an approved and appropriate form of development within that zone.

There is no other signage (third party) proposed as part of the child care centre development. The advertisement directly relates to the land use and is therefore consistent with PDC 4 of the Advertisements module. Accordingly, the proposed signage is considered to be appropriate given its ancillary nature to the recently approved child care centre.

Design and Appearance

Each of the proposed signs will be visible by pedestrians, vehicle occupants, users or residents from different views from either Sir Donald Bradman Drive or Wilson Street.

The wall signage is small in context with both the eastern and the southern building face. The face areas are a maximum of 1m² (eastern) and 1.4m² (southern) and this is considered to be discreet when viewed against the total face area. The eastern wall signage is attached to a 47m² section of the building (when including the parapet, entrance and windows of that section). The southern wall signage is located on a gable end wall of around 46m². Both wall signs are minor when considering the size of the background walls they are fixed onto. The illumination of these two signs is described as moderately bright.

As noted, the applicant amended the application to eliminate the potential for glare toward Wilson Street and for the signage illumination to be limited to the hours of 6am to 9pm when the child care centre is in operation. Condition 2 has been added to re-affirm this.

The distance of the signage facing east to the nearest affected interface (25 Wilson Street) is a minimum of 15m and the effect of the signage on this property is moderated further by a carport and verandah on its southern boundary. The distance between this sign and the front of the representor's dwelling is 64m with any impact similarly moderated by landscaping in the front yard.

The banner signs are of a height of 6m which sits higher than the top of the child care building. However these signs are narrow with small banners toward the top of the poles that are unobtrusive in terms of visual impact. They are not illuminated and have corporate messages on the banners that relate to the associated land use. The height of the structures are consistent with the existing lightpoles on the subject land and the height of the two storey residential flat building on the corner of Wilson Street and Sir Donald Bradman Drive.

The letter box sign (1.8m wide and 0.7m high) is within the garden bed facing Wilson Street. In context with the width of the site and the height of the building, the siting and the mass of the structure is considered to be compatible. The sign is to be illuminated within limited hours and is approximately 28m from the representor's dwelling. This is shielded by landscaping within the front yard of 20 Wilson Street.

The directional signage is located adjacent the entrance / exit location of the car park. It is double sided, small and discreet and offers directional advice for traffic. This is not illuminated and has been conditioned to ensure that it remains so.

Overall, the proposed signage meets Objectives 1 and 2 of the Advertisements module of the Development Plan. Individually and collectively, the forms of advertising are not considered to disfigure the urban landscape by way of their size and placement. The signs are modest in size and all incorporate colours that are not considered to be a distraction to motorists. The signage does not create a hazard by way of the proposed construction method or illumination.

The proposed signage meets PDC 13 of the Design and Appearance module which seeks signage that has a co-ordinated appearance that maintains the amenity of the locality. While the development of the signage is not considered to 'enhance' the child care centre building in accordance with Objective 3 of the Advertisements module, it is considered that the size and placement of each sign will not detract from the amenity of the locality.

Overall the design and appearance of the signage is considered to be compatible with both the building and the broader locality.

SUMMARY

The proposed development is fairly minor and meets the majority of the Development Plan provisions. It provides advertising that is in association with an approved child care centre. The size, siting, design and appearance of the signage is considered to be reasonable and sits well within the context of the building currently under construction.

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 does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 12 July 2018 and warrants Development Plan Consent subject to the concurrence of SCAP.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/854/2019 by A Atighi to install two light boxes, two x 6m high banner signs, illuminated letterbox sign at 27 Wilson Street, Cowandilla, 240 Sir Donald Bradman Drive, Cowandilla, 242 Sir Donald Bradman Drive, Cowandilla (CT 5534/478; CT 5231/571; CT 5231/537) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application except where varied by any conditions listed below:

- a) site plan by Matthews Architects, Job No. 17024, Drawing No. DPC 01;
- b) external elevations - east and west - Job No. 17024, Drawing No. DPC 02;
- c) four signage diagrams.

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

2. The signage facing Wilson Street shall be limited by way of illumination to between the hours of 6.00am and 9.00pm during the days that the child care centre is in operation.

Reason: To ensure the proposed signage does not undue disturbance, annoyance or inconvenience to the general public and adjoining landowners.

3. The entry and exit signs shall not be internally or externally illuminated at any time without the prior approval of Council.

Reason: To reduce unnecessary distraction to motorists and assist in preserving the amenity for residents of the adjoining dwellings.

4. The illumination of the signage shall be such that no hazard, nuisance or discomfort is caused to any person beyond the site, including passing motorists and adjoining residents to the satisfaction of Council.

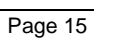
Reason: To ensure the proposed signage does not undue disturbance, annoyance or inconvenience to the general public, adjoining landowners.

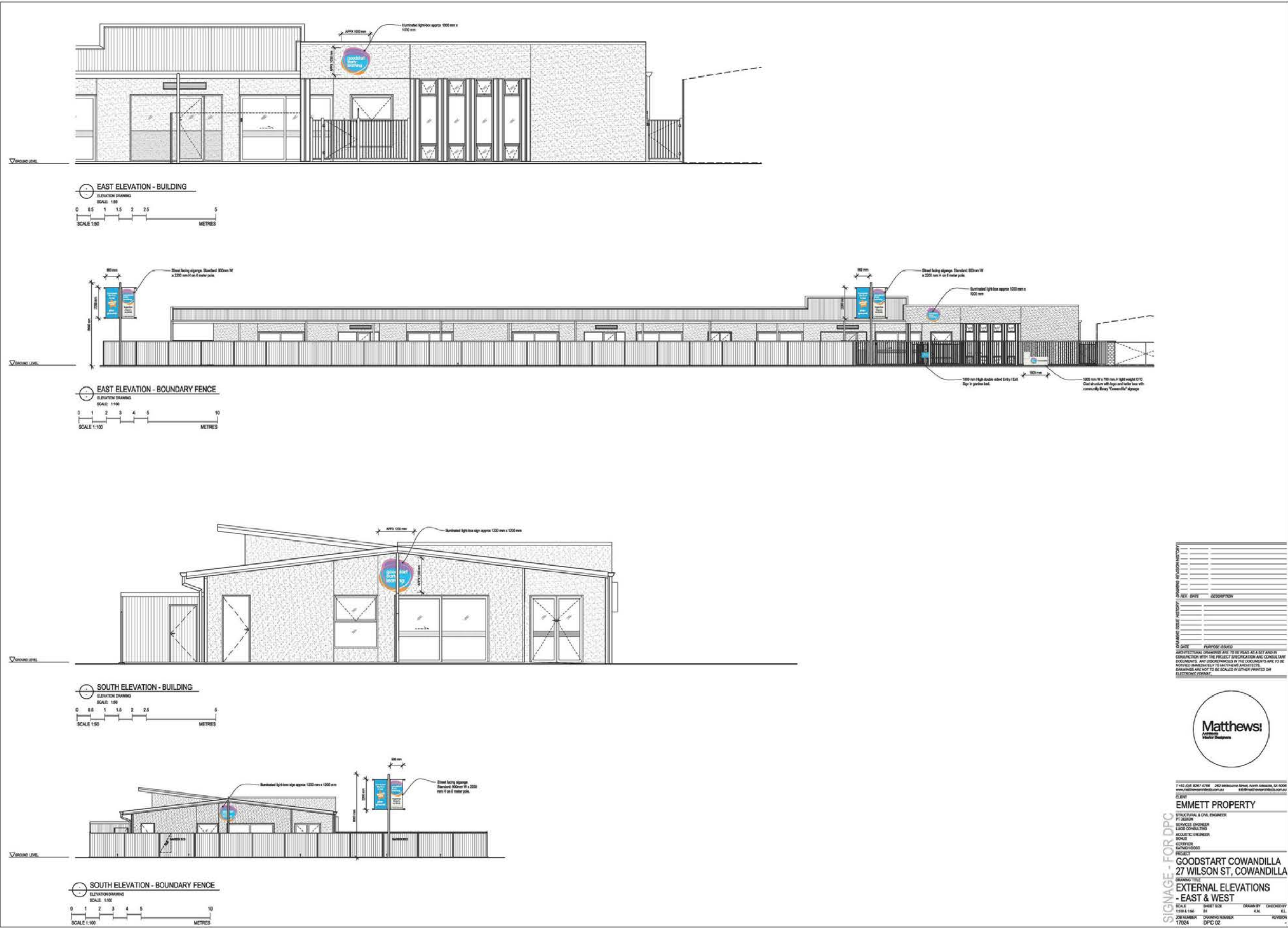
Attachments

1. **Relevant Development Plan provisions**
2. **Proposed plans and details**
3. **Statement of effect**
4. **Representation and response to representation**

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, 8, 11, 15
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	3
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1
Orderly and Sustainable Development	<i>Objectives</i>	1, 3, 4, 5
	<i>Principles of Development Control</i>	1
Siting and Visibility	<i>Objectives</i>	-
	<i>Principles of Development Control</i>	4, 5





Carpark signage

* need to confirm standard of upper and lower case



Standard size:

600mm wide x 400mm deep

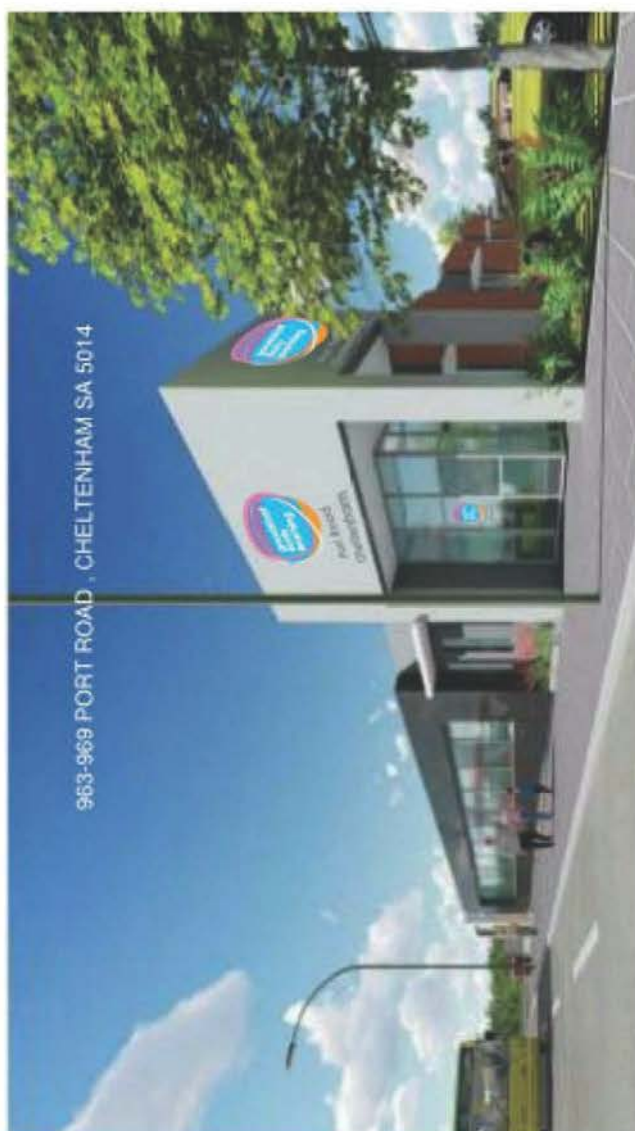
Note: needs to have rounded edges – see artwork file

Arrows

A custom set of arrows is available to assist with directional and wayfinding signage requirements.



External façade signage



Grey painted sides and digital to face with
UV protectant - Dynabolt to wall



Logo can be illuminated in high density or suitable
areas

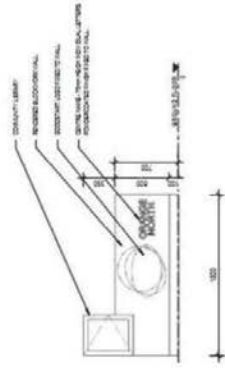
Street facing signage



- Requires DA from Council
- Standard: 900mm wide x 2200 h on 6m pole



Street frontage signage (mesh banner display option)



STATEMENT OF EFFECT

Advertising Signage

at 240-242 Sir Donald Bradman Drive
& 27 Wilson Street, Cowandilla
for Emmett Property



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2015 Certified
33 Carrington Street, Adelaide SA 5000
Telephone: 8193 5600, masterplan.com.au

November 2019



1.0 INTRODUCTION

This Statement of Effect has been prepared on behalf of the Emmett Property Pty Ltd ('Emmett Property') in respect of a development application which seeks Development Plan Consent to install advertising signage in association with an approved childcare centre located at 240-242 Sir Donald Bradman Drive and 27 Wilson Street, Cowandilla, which is currently under construction.

The subject site ('the site') comprises three allotments located within the Residential Zone ('the Zone'), two of which are located in the Residential – Low Density Policy Area 20 fronting Sir Donald Bradman Drive and one fronting Wilson Street located within the Residential – Cowandilla / Mile End West Character Policy Area 23 of the West Torrens Development Plan (consolidated on 12 July 2018), where 'advertisement' is listed as a non-complying form of development in the Residential Zone Procedural Matters.

The Statement of Effect has been prepared in accordance with Regulation 17(5) of the *Development Regulations 2008*. It contains:

- a description of the subject site;
- a description of the nature of the development and the nature of its locality;
- a statement as to the provisions of the Development Plan which are relevant to an assessment of the proposed development;
- an assessment of the extent to which the proposed development complies with the provisions of the Development Plan; and
- an assessment of the expected social, economic and environmental effects of the development on its locality.

In preparing this Statement of Effect we have:

- examined the proposed set of plans;
- inspected the site and locality; and
- examined the relevant provisions of the Development Plan.

We are satisfied that the proposal exhibits sufficient planning merit and appropriately accords with relevant provisions of the Development Plan such as to warrant Development Plan Consent.



2.0 PLANNING BACKGROUND

Development Application 211/1256/2017 was granted Development Plan Consent on 10 July 2018 and allowed for a *change of use and construction of a single storey building to operate as a childcare centre with, outdoor play area associated car parking, landscaping and 2.7m high acoustic fencing*. The application has subsequently been granted Building Rules Consent and Development Approval and is currently under construction.

3.0 SUBJECT SITE

The site comprises three allotments, which are formally referred to as:

- Allotment 7 in Filed Plan 143635, Hundred of Adelaide – Certificate of Title, Volume 5534 Folio 478 (known as 27 Wilson Street, Cowandilla);
- Allotment 2 in Filed Plan 126325, Hundred of Adelaide – Certificate of Title Volume 5231 Folio 571 (known as 240 Sir Donald Bradman Drive, Cowandilla); and
- Allotment 1: Filed Plan 126324, Hundred of Adelaide – Certificate of Title Volume 5231 Folio 537 (known as 242 Sir Donald Bradman Drive, Cowandilla).

Copies of Certificate of Title Register Searches for the allotments comprising the site are **attached** as **Appendix A**.

4.0 LOCALITY

Land uses within the immediate locality of the subject site are mixed and further discussed below. The relationship of the subject site to surrounding uses and the wider locality, including the mix of residential and non-residential uses is shown on the Locality Plan **attached** as **Appendix B**.

North (adjacent 27 Wilson Street)

- a single storey dwelling with carport and garage / shed to the common boundary shared with the subject site.

South (opposing side of Sir Donald Bradman Drive)

- a double storey building comprising ground level shops and what appears to be upper level residential apartments;
- adjacent this building is a single storey building comprising retail activities.



East (adjacent 240 Sir Donald Bradman Drive)

- double storey cream brick residential flat building comprising a total 12 units;
- vehicle parking for this is gained via Wilson Street, with a concreted car park fronting the street, with no landscaping;
- abutting the fence line of the subject site is the service yard areas for the ground level units.

West (adjacent 242 Sir Donald Bradman Drive)

- a single storey residential flat building comprising a total of six units;
- a 2.0-metre-wide landscaping strip runs along the entire length of the common boundary shared with the subject site;
- adjacent this landscaping strip is the common driveway which services the common car park located to the rear of the site;
- four more properties to the west is another single storey commercial premise, with car parking located to the rear, adjacent existing residential.

5.0 PROPOSED DEVELOPMENT

The proposed development seeks to install signage with the approved childcare facility, as illustrated on the proposal plans **attached** as **Appendix C** prepared by Matthews Architects Interior Designers. Signage comprises signage attached to the building and freestanding signage.

The detail of each sign is outlined below.

Two Light Box Advertisements

- One located on the fascia of the approved buildings east elevation, illuminated with 1,000 millimetres x 1,000 millimetre dimensions.
- One located below the roof line of the approved buildings south elevation, illuminated with 1,200 millimetres x 1,200 millimetres dimensions.
- Each to display content related to the childcare centre with use of a light soft colour scheme.

Two Banner Signs

- One located on the Wilson Street frontage, non-illuminated, two attached banners (each at 900 millimetres x 2,200 millimetres) mounted onto 6.0-metre-high pole.



- One located on the Sir Donald Bradman Drive frontage, non-illuminated, two attached banners (each at 900 millimetres x 2,200 millimetres) mounted onto 6.0-metre-high pole.
- Each will sit in within a small garden bed.
- Each to display content related to the childcare centre with use of a light soft colour scheme.

Letterbox Sign

- Located on the Wilson Street frontage, illuminated, attached to light weight CFC clad wall with 1,800 millimetres x 700 millimetres dimensions.
- To display content related to the childcare centre with use of a light soft colour scheme.

6.0 DEVELOPMENT PLAN PROVISIONS

The site comprises three allotments located within the Residential Zone ('the Zone'), two of which are located in the Residential – Low Density Policy Area 20 fronting Sir Donald Bradman Drive and one fronting Wilson Street located within the Residential – Cowandilla / Mile End West Character Policy Area 23 of the West Torrens Development Plan (consolidated on 12 July 2018).

The following provisions of the Development Plan are considered to be the most relevant to an assessment of this application:

Residential Zone

Objective: 4.

Principles: 1 and 3.

Residential – Low Density Policy Area 20

Principles: 1.

Residential – Cowandilla / Mile End West Character Policy Area 23

Principles: 1.

General Provisions - Advertisements

Objectives: 1, 2 and 3.

Principles: 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15 and 17.



7.0 DEVELOPMENT PLAN

The Zone and relevant Policy Area seeks to promote small scale non-residential development including childcare facilities, as described in the Principles of Development Control (PDC), Objectives, Desired Character of both the Residential – Low Density Policy Area (20) and Cowandilla / Mile End West Character Policy Area (23).

The Zone.

Desired Character:

There may also be some small scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations.

Objective 4: Development that contributes to the desired character of the zone.

PDC 1 The following forms of development are envisaged in the zone:

- small scale non-residential use that serves the local community,

PDC 3 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:

- (a) serves the local community
- (b) is consistent with the character of the locality
- (c) does not detrimentally impact on the amenity of nearby residents.

Low Density Policy Area 20.

PDC 1 The following forms of development are envisaged specifically in the policy area:

- small scale non-residential use that serves the local community,

Low Density Policy Area 23.

Desired Character:

There will also be some small-scale non-residential activities such as offices, shops and consulting rooms in certain locations.

PDC 1 The following forms of development are envisaged specifically in the policy area:

- small scale non-residential use that serves the local community,

The site has an active approval for a childcare centre with associated buildings and car parking facilities, which is expressly envisaged in the Objectives, Desired Character and PDC's of the Zone and Policy Area's. This development is currently under construction. The installation of the proposal identification signs will complement the design of the approved building, site and locality. The signs will display content that is directly associated with the approved use of the site. Given the signs will be ancillary to an envisaged and approved use, we consider that the proposal is an appropriate use and accords with the intent of the Zone and Policy Areas in which the site is located.



The General Section for Advertisement contains a range of provisions, including those listed below.

General Section - Advertisements

- Objective 1:** Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.
- Objective 2:** Advertisements and/or advertising hoardings that do not create a hazard.
- Objective 3:** Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.
- PDC 1** The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:
- (a) consistent with the predominant character of the urban landscape
 - (b) in harmony with any buildings or sites of historic significance or heritage value in the area
 - (c) coordinated with and complement the architectural form and design of the building they are to be located on.
- PDC 2** The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:
- (a) clutter
 - (b) disorder
 - (c) untidiness of buildings and their surrounds.
 - (d) driver distraction
- PDC 4** The content of advertisements should be limited to information relating to the legitimate use of the associated land.
- PDC 5** Advertisements and/or advertising hoardings should:
- (a) be completely contained within the boundaries of the subject allotment
 - (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees
 - (c) not obscure views to vistas or objects of high amenity value
- PDC 6** Advertisements and/or advertising hoardings should not be erected on:
- (a) a public footpath or veranda post
 - (b) a road, median strip or traffic island
 - (c) a vehicle adapted and exhibited primarily as an advertisement
 - (d) residential land.
- PDC 7** Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.



- PDC 8** The total advertisement area on the fascias, parapets, gable ends, windows and other surfaces of buildings should not exceed:
- 20 per cent of the sides of the building
 - in relation to the front wall of a building, 20 per cent of the area above 3.7 metres or above a canopy.
- PDC 10** Advertisements should be designed to conceal their supporting advertising hoarding from view.
- PDC 11** Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.
- PDC 14** Advertisements and/or advertising hoardings should not create a hazard by:
- being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road
 - being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals
 - distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high
 - obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices).
- PDC 15** Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.
- PDC 17** Except where otherwise specified in a particular zone, policy area or precinct, free standing advertisements should be designed within the following parameters:

Zone/Policy Area	Advertisement area (square metres)	Additional advertisement area per metre of site frontage with a public road or public thoroughfare (square metres)	Maximum height (metres)
District Centre Zone Neighbourhood Centre Zone	6	0.15	9
Arterial Roads Policy Area 1 Local Centre Zone	4	0.1	7
Other non-residential zones	2	0.1	6

The proposal satisfies the intent of the general provisions of the Development Plan (as listed above), for the following reasons:

- the signs are for identification purposes only and no third-party signage is proposed;
- the proposed signs are clearly associated with the business approved on and to be operated from the site;



- the signs are of a size, composition and heights sympathetic to the approved built form and surrounding development; therefore, the proposed signs will not create cluttered or disordered patterns of development, particularly when viewed in context with the approved development and existing streetscape(s);
- each proposed sign maintains similar design, material and colour features to allow it to integrate seamlessly with the associated site and built form, further avoiding displacement and cluttering displays of advertising;
- when viewed in context with approved and surrounding built form, the proposed signs are considered sympathetic in size, shape, colour and material and provides a uniform and coordinated appearance for the approved building;
- the proposed development should not disfigure the existing landscape of the site and locality and will integrate seamlessly with the locality;
- the signs attached the building will not sit above the silhouette of the buildings fascia's or roofing structures;
- the wider locality maintains a variety of identification signs, some of which maintain similar heights, scale and bulk to that proposed;
- the proposed signs are located wholly within the boundaries of the site;
- no traffic lights are located in close proximity to the site; thus, the advertisements should not be confused for any other forms of lighting, thereby reducing the potential hazardous effects of the proposed illuminated signs;
- the proposed illuminated signs should not be overly bright to cause discomfort to approaching drivers, nor will it create difficulty to a driver's perception;
- furthermore, the identification signs will not scroll, flash or move, reducing distraction to motorists and the proposed signs will be viewed and read in a similar manner to any other static advertising signs;
- each banner is less than 0.2 square metres and sits on a free-standing pole that does not exceed six metres in height;
- the proposed dimension of each sign is considered suitable given the approved use of the site, the overall site area and the length of each frontage; and
- the proposed signs should have no material impacts on surrounding residential properties given the proposed setbacks in the modest size and generous setback of each proposed illuminated sign from the nearest dwellings.

For all the above reasons, the proposed development is considered to generally satisfy the relevant provisions of the Development Plan.



8.0 EXPECTED SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS

Erection of the proposed signs provides the opportunity for the community to easily identify the approved childcare centre, providing a positive social effect.

There are social benefits involved in avoiding significant interface issues with neighbouring properties, particularly residential properties, and there will be no discomfort, distraction or obstruction to existing road users who pass the signs.

The proposed signs pose no environmental impact and will have little to no impact on the surrounding physical environment. The sign has been designed to complement the appearance of the childcare and complement existing development in close proximity to the site.

The signs will have minimal economic impacts; however, it will ensure the wider community can easily identify the site, thereby attracting additional users of the child care.

It is not expected that there will be any negative social, economic or environmental effects on the locality as a result of the proposed development.

9.0 CONCLUSION

Taking account of the relevant provisions of the Development Plan, it is concluded that the proposed identification signs has substantial planning merit for the following reasons:

- the proposed signs are ancillary and subordinate to the approved use of the property, namely a childcare centre;
- the proposed signs suitably accord with the General Council-wide provisions relating to advertisements;
- the proposed signs are located wholly within the boundaries of the site;
- the signs are appropriately designed and sited so as to preserve the character and amenity of the locality;
- the signs will not flash or move, thereby reducing potential hazardous impacts on passing drivers;
- the signs are to be of a contemporary design with modern technology to maintain an appropriate lighting ambiance for the surrounding locality; and
- the proposed signs should not create or add to any clutter, visual disorder or untidiness of the space in which it is situated.



Having regard to the nature of the subject site and locality, the proposed development and relevant provisions of the Development Plan, the proposal represents an appropriate development of the subject site that warrants Development Plan Consent.

A handwritten signature in black ink, appearing to read 'Michael Richardson', with a large, sweeping loop at the end.

Michael Richardson

Bachelor of Urban and Regional Planning (Hons)

20 November 2019

APPENDIX A



Product	Register Search (CT 5534/478)
Date/Time	20/11/2019 04:59PM
Customer Reference	EmmettCow
Order ID	20191120010617



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5534 Folio 478

Parent Title(s) CT 1486/60

Creating Dealing(s) CONVERTED TITLE

Title Issued 13/05/1998 Edition 4 Edition Issued 25/03/2019

Estate Type

FEE SIMPLE

Registered Proprietor

GOODSTART EARLY LEARNING LTD. (ACN: 139 967 794)
OF METROPLEX AVENUE MURARRIE QLD 4172

Description of Land

ALLOTMENT 7 FILED PLAN 143635
IN THE AREA NAMED COWANDILLA
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes NIL

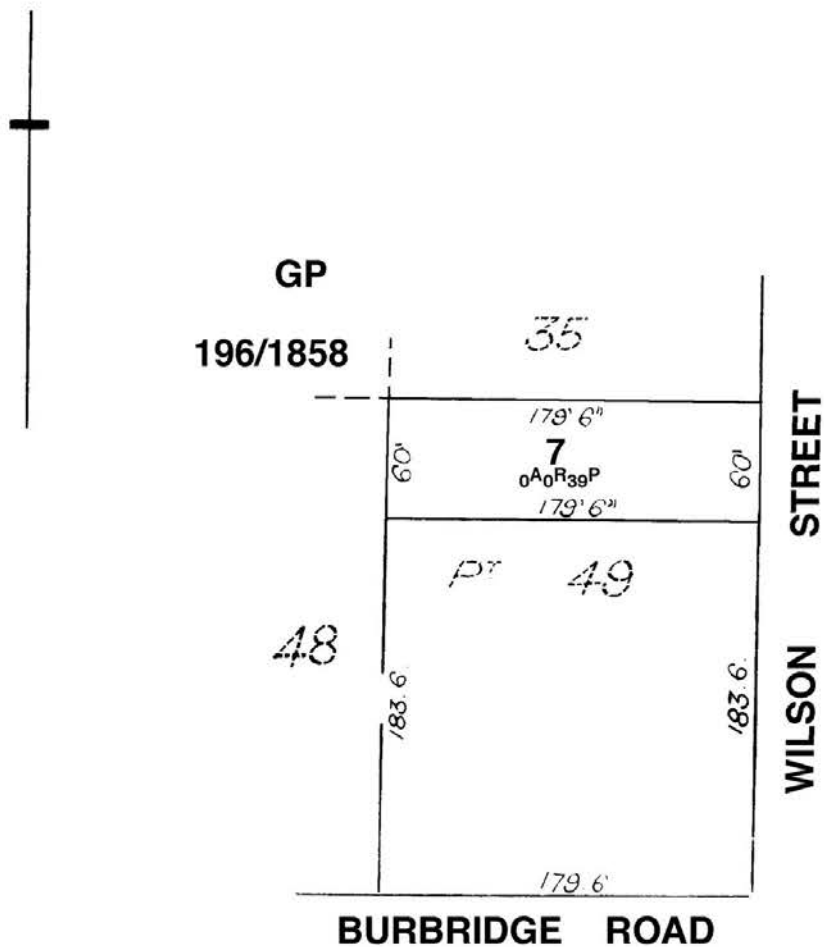
Administrative Interests NIL



Product Register Search (CT 5534/478)
 Date/Time 20/11/2019 04:59PM
 Customer Reference EmmettCow
 Order ID 20191120010617

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 1486/60

LAST PLAN REF: GP 196/1858



100 50 0 100 FT

FOR METRIC CONVERSION
 1 FOOT = 0.3048 METRES
 1 INCH = 0.0254 METRES
 1 ACRE = 0.404686 HECTARES
 1 ROOD = 1011.7m²
 1 PERCH = 25.29 m²

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



Product	Register Search (CT 5231/537)
Date/Time	20/11/2019 05:00PM
Customer Reference	EmmettCow
Order ID	20191120010629



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5231 Folio 537

Parent Title(s)	CT 1486/58			
Creating Dealing(s)	CONVERTED TITLE			
Title Issued	30/11/1994	Edition	5	Edition Issued 25/03/2019

Estate Type

FEE SIMPLE

Registered Proprietor

GOODSTART EARLY LEARNING LTD. (ACN: 139 967 794)
OF METROPLEX AVENUE MURARRIE QLD 4172

Description of Land

ALLOTMENT 1 FILED PLAN 126324
IN THE AREA NAMED COWANDILLA
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes

AMENDMENT TO DIAGRAM VIDE 2/2001

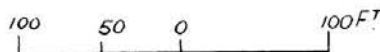
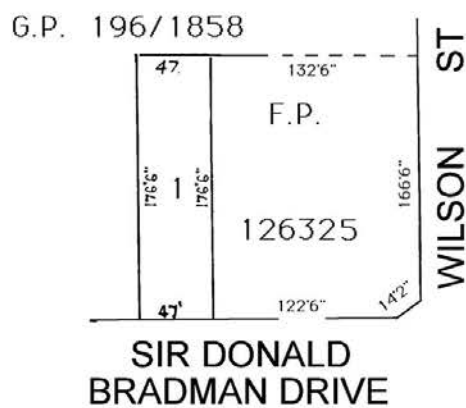
Administrative Interests NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5231/537)
20/11/2019 05:00PM
EmmettCow
20191120010629

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 1486/58 LAST PLAN REF: GP 196/1858



DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5231/571)
Date/Time	14/09/2017 09:15AM
Customer Reference	50424
Order ID	20170914001416
Cost	\$28.25

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5231 Folio 571

Parent Title(s) CT 3296/191

Creating Dealing(s) CONVERTED TITLE

Title Issued 30/11/1994 Edition 4 Edition Issued 19/09/2012

Estate Type

FEE SIMPLE

Registered Proprietor

EKATERINE SIANNIS
OF 240 SIR DONALD BRADMAN DRIVE COWANDILLA SA 5033

Description of Land

ALLOTMENT 2 FILED PLAN 126325
IN THE AREA NAMED COWANDILLA
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes

AMENDMENT TO DIAGRAM VIDE 2/2001

Administrative Interests NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5231/571)
Date/Time	14/09/2017 09:15AM
Customer Reference	50424
Order ID	20170914001416
Cost	\$28.25



100 0 100 FT

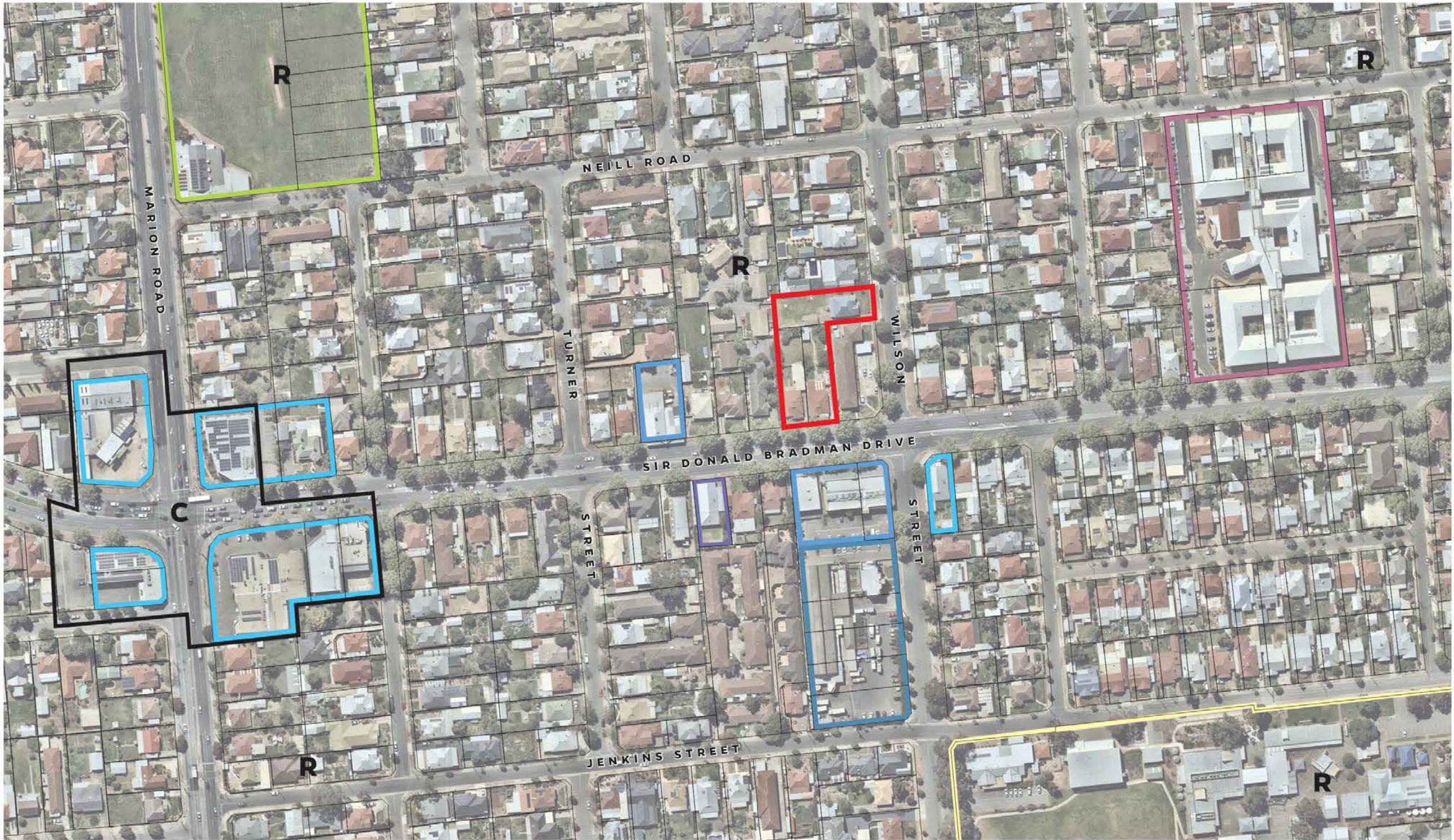
**DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION**

1 FOOT = 0.3048 METRES

1 INCH = 0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

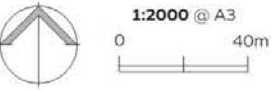
APPENDIX B



- Subject Site
- Zone Boundary
- C

 Commercial Zone
- R

 Residential Zone
- NON RESIDENTIAL LAND USES
- Commercial
- Commercial/Retail
- Food industry
- Education
- Non private residential
- Public Institution6
- Recreation



MASTERPLAN.COM.AU
SA | NT | QLD
© OCT 2017 HM:50424 A

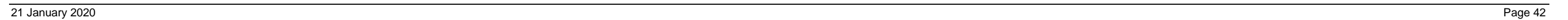
Locality Plan

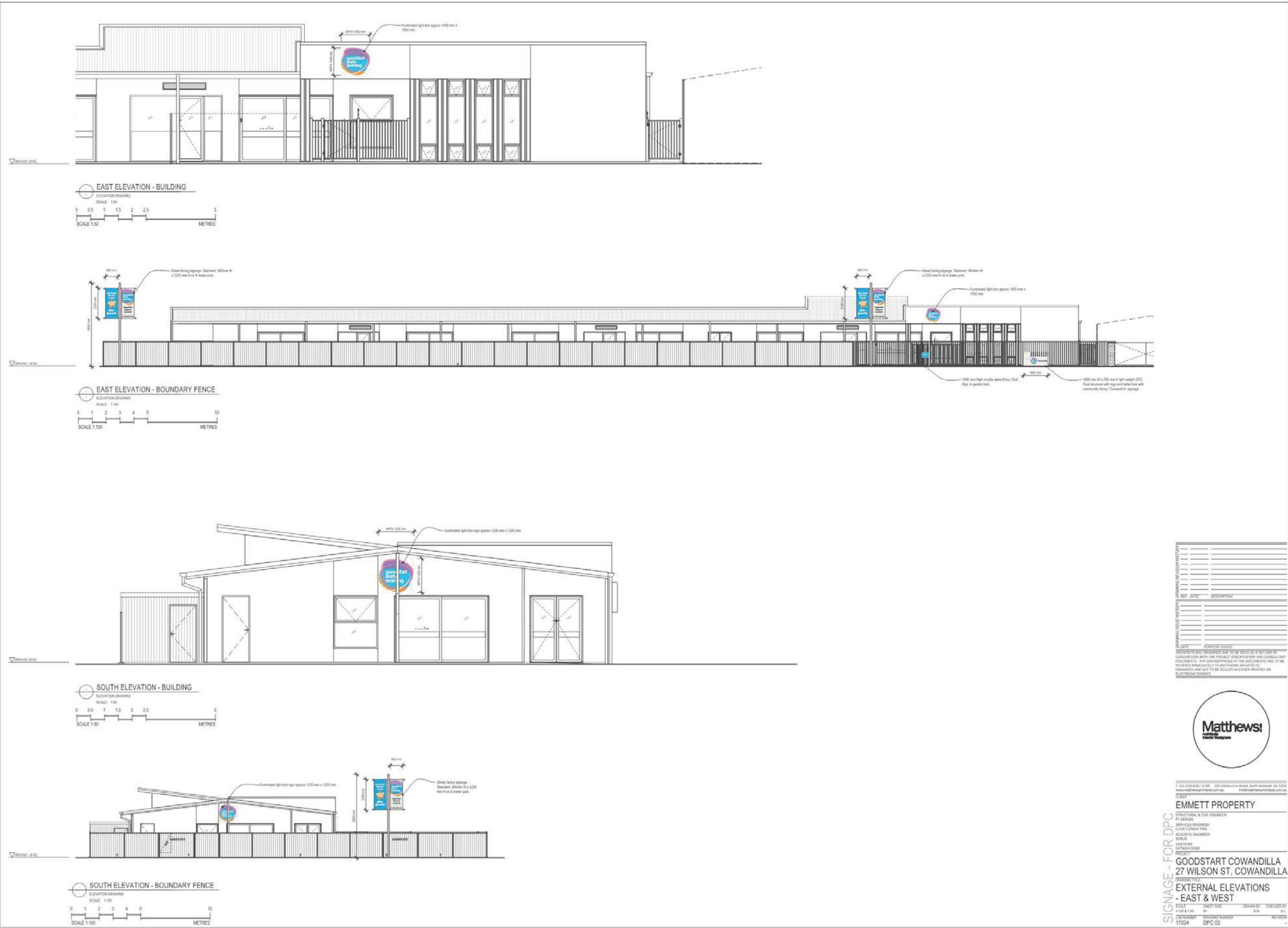
240 - 242 SIR DONALD BRADMAN DRIVE
COWANDILLA

FOR EMMETT PROPERTY



APPENDIX C





Carpark signage

** need to confirm standard of upper and lower case*



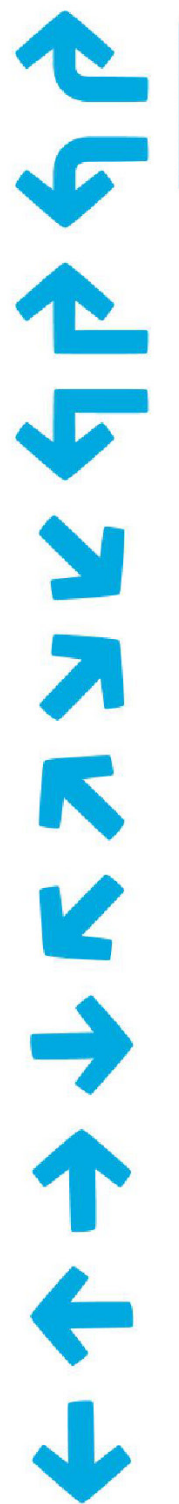
Standard size:

600mm wide x 400mm deep

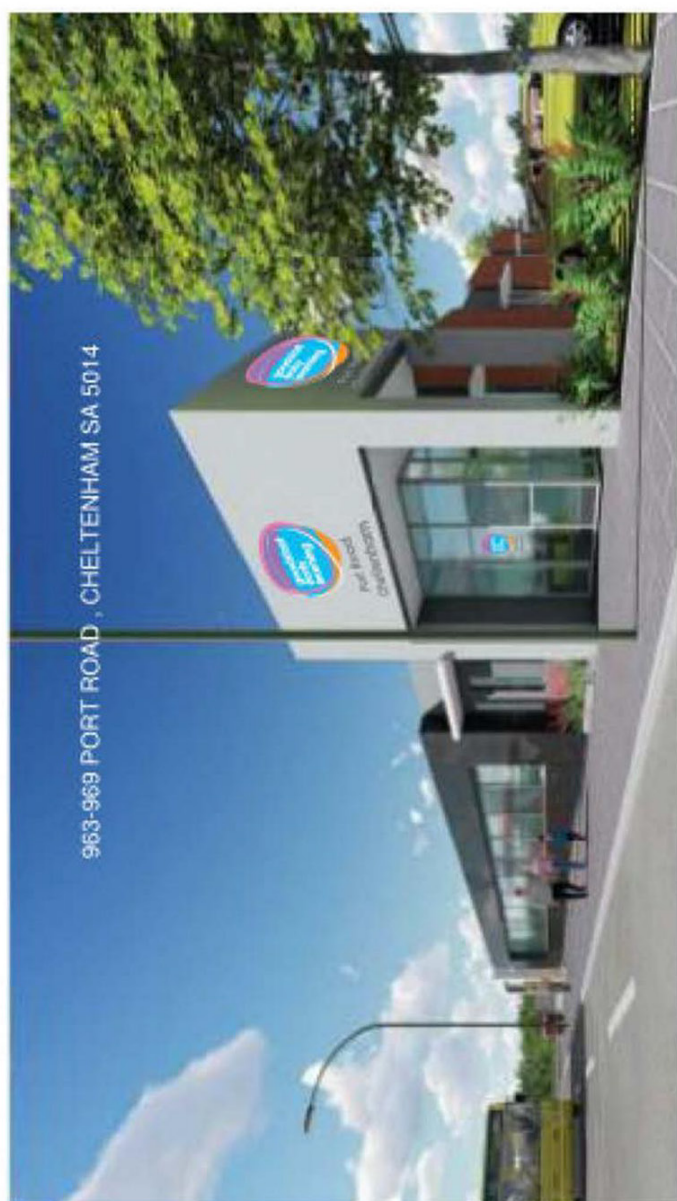
Note: needs to have rounded edges – see artwork file

Arrows

A custom set of arrows is available to assist with directional and wayfinding signage requirements.



External façade signage



Grey painted sides and digital to face with
UV protectant - Dynabolt to wall



Logo can be illuminated in high density or suitable
areas



Street facing signage



- Requires DA from Council
- Standard: 900mm wide x 2200 h on 6m pole



[illegible]

City of West Torrens

23 DEC 2019

City Development

20 DEC 2019

STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act 1993

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



DEVELOPMENT No. 211/854/2019
PROPERTY ADDRESS: 27 Wilson Street, COWANDILLA SA 5033, 240 Sir Donald Bradman Drive, COWANDILLA SA 5033, 242 Sir Donald Bradman Drive, COWANDILLA SA 5033

YOUR FULL NAME	KENNETH ALLAN LESTER & CAROL ANNE WILLIAMS
YOUR ADDRESS	20 WILSON St COWANDILLA 5033
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED] (For further correspondence on this application)
NATURE OF INTEREST	Owner of land opposite entry/exit. (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	In a classified heritage area, where any alterations to our fence & front of property (eg no carports at front of building) needs approval. — This application is totally non compliant for the area on Wilson St & would have made the whole building noncompliant if done at same time as original application.
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	Advertising not suitable for Wilson St - residential No illuminated signage on Wilson St. No banners at all on Wilson St. Logo on building at Wilson St allowable (not illuminated) Letter box with number only on Wilson St (no illuminated sign)

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

I DO **NOT** WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY _____ ☐

(PLEASE SPECIFY)

SIGNED
DATE

20.12.19

[Signature]

Responsible Officer: Sonia Gallarello
Ends: Friday 20 December 2019

If space insufficient, please attach sheets

Good Morning Sonia

Thank you for providing the one representation received during the public notification of the above application.

We note that the representor raises a number of issues in respect of the proposal.

These issues include:

- The site being in a 'heritage area';
- The application being 'non-compliant for the area; and
- Advertising not being suitable for Wilson Street.

We'll deal with each of these issues in turn.

The site is not located in a Historic Conservation Zone, nor it is a State or Local Heritage Place. No State or Local Heritage Places are located in the immediate vicinity of the subject site. The site is located in the Residential Zone, and within that Zone, in the Cowandilla/Mile End West Character Policy Area. The policy area specifically envisages non-residential uses including childcare facilities, as is approved and under construction on the subject site.

In respect of the proposed advertising, it is acknowledged that it is a non-complying form of development, as is all advertising within the entire Residential Zone. However, given the Residential Zone, and the Cowandilla/Mile End West Character Policy Area specifically envisage non-residential development, including childcare facilities, it is reasonable to anticipate that some advertising signage will be associated with such facilities.

The advertising proposed is very restrained, being limited, on Wilson Street, to façade signage above the entrance (which is set well back from the road), banner signage, and gateway/letterbox signage.

The signage is high quality, simple and limited in overall area. In the context of the locality, and the childcare facility approved on the site, it is considered reasonable and appropriate.

Notwithstanding that the signage is considered reasonable, the applicant has considered the representation in detail. Noting the comments of the representor in respect of illumination, the applicant has determined that they will amend their proposal such that illumination of the proposed signage facing Wilson Street will only occur between the hours of 6.00am and 9.00pm on those days the facility is operating. The illumination will be set on a timer system such that it is not illuminated at other times. The signage facing Sir Donald Bradman Drive will retain the ability to be illuminated at all times.

We consider that with the limit on hours of illumination now proposed, the potential impact of the proposal on the locality, which was previously considered to be reasonable, will be even less. The proposal is an appropriate development that warrants Development Plan Consent being granted.

We will attend the CAP meeting at which the application is considered to respond to any verbal representation and answer any question that CAP members may have. Please advise the writer of the timing and location of the relevant meeting.

Kind Regards

Michael Richardson

0417 828 979

www.masterplan.com.au

6.2 17 Kinnaird Avenue, RICHMOND

Application No 211/670/2019

Appearing before the Panel will be:

Representor: **Gordan Griff** of 19 Kinnaird Avenue, Richmond wishes to appear in support of the representation.

Applicant: **Franca Papalia** of Five Star Homes wishes to appear in response to the representation

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined Application - Land division - Torrens Title; SCAP No. 211/D088/19; Creating one additional allotment and the construction of one (1) two-storey detached dwelling and one (1) two-storey residential flat building containing two dwellings and a combined retaining wall and fence with a maximum height of 2.25 metres
APPLICANT	Five Star Homes
APPLICATION NUMBER	211/670/2019
LODGEMENT DATE	15 July 2019
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	<p>Internal</p> <ul style="list-style-type: none"> • City Assets • Arboriculture Advisor (Street Tree) • Waste Management <p>External</p> <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. • The relevant application is for a merit, Category 2 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions
AUTHOR	Brendan Fewster

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 27 in Deposited Plan 4229 in the area named Richmond, Hundred of Adelaide, Volume 5704 Folio 405, and is more commonly known as 17 Kinnaird Avenue, Richmond. The subject site is rectangular in shape with a 16.76 metre (m) wide frontage to Kinnaird Avenue and a site area of 669 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.

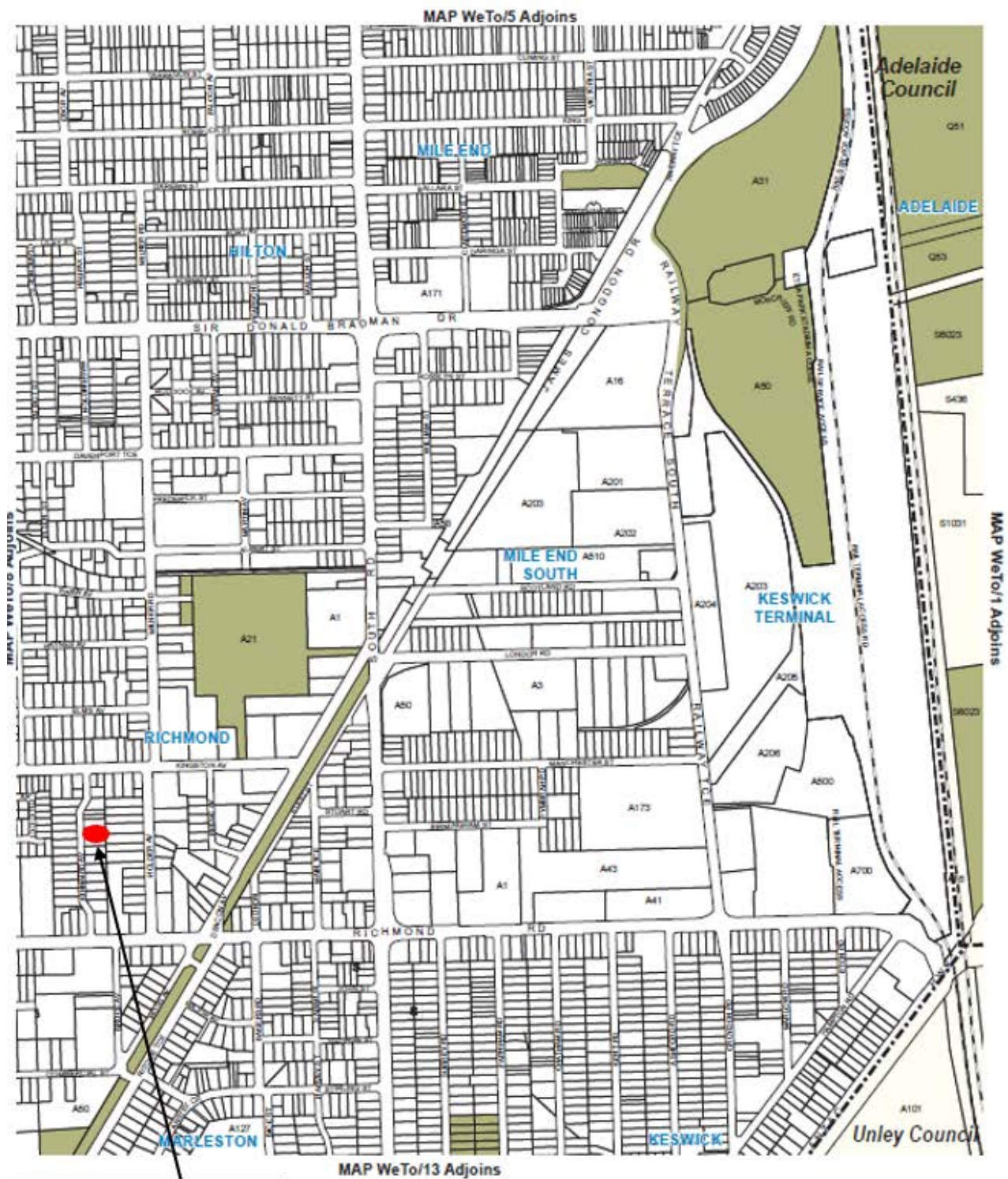
The site is relatively flat and currently contains a single storey dwelling and several outbuildings.

The locality comprises an established residential area with a mixed built form character. Existing development includes predominantly detached dwellings with some group dwellings and residential flat buildings up to two storeys in height observed along Kinnaird Avenue and surrounding streets. The original allotment pattern has been fragmented as a result of recent infill development.

The amenity of the locality is considered only moderate due to the mixed housing stock and the interface-related impacts associated with existing industrial activities on land to the east and south.

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

PROPOSAL

The application is for a combined land division and built form (i.e. dwelling) proposal.

The proposed division of land is in the form of a Torrens Title land division to create one additional allotment. The proposed allotments have the following site areas and frontage widths.

Lot	Site Area (m ²)	Frontage (m)	Dwelling Type
50	183	10.66	Detached
51	486	6.10	Residential flat building containing two dwellings

The application includes the construction of a two-storey detached dwelling (Dwelling 1) and a two-storey residential flat building containing two dwellings (Dwellings 2 and 3).

Dwelling 1 is designed and sited with exclusive frontage to Kinnaird Avenue. The main front wall of the dwelling is setback 3m from the road boundary with the garage setback at 5.5m. Dwellings 2 and 3 within the residential flat building are to be located behind Dwelling 1 in a battle-axe configuration and accessed via a new driveway that follows the southern side boundary.

The proposed dwellings are of a modern design with a common architectural style and form. The building facades include recesses to the upper levels, cantilevered front porticos, feature blade walls and a series of flat and pitched roofs. External materials and finishes include rendered Hebel cladding (surfmist and dune), colorbond® garage doors (windspray), aluminium frame windows and doors (silver) and colorbond® roof sheeting (dune).

A combined retaining wall and good neighbour fence with a maximum height of 2.25m is to be constructed along a section of the rear and northern side boundaries. A mix of landscaping will be provided along the road frontage and the common driveway for Dwellings 2 and 3.

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

PUBLIC NOTIFICATION

The application is a Category 2 form of development pursuant to Section 38 of the *Development Act 1993* and Schedule 9, Part 2, 18(a) of the *Development Regulations 2008*.

Properties notified	23 properties were notified during the public notification process.
Representations	Two (2) representations were received.
Persons wishing to be heard	One (1) representor wishes to be heard. <ul style="list-style-type: none"> Gordan Griff of 19 Kinnaird Avenue, Richmond
Summary of representations	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> Windows overlooking rear of house and pool area; Inappropriate turning circles for vehicles; and Dwelling should be single storey.
Applicant's response to representations	<ul style="list-style-type: none"> All windows to the upper floor are compliant with the legislation with obscured glazing to the required areas; The vehicle manoeuvrability has been calculated, engineered and achieved. A plan has been provided with a diagram showing that vehicles can enter and exit in a single three point turn; The traffic /noise / insulation /run off concerns have been accounted for in the site works and drainage plans that have been provided; and The request for two single storey dwellings in not valid.

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

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> To preserve the ability for flood flows to move through this site, it will also be required that the flood flow corridors indicated above and the general site levels be maintained within 200mm of the existing natural site levels. It is recommended that the letterbox should be relocated outside the common driveway area. No aboveground structure(s) such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area. Proposed location of stormwater connections is acceptable. The revised access driveway is acceptable. Current revised crossover is acceptable. However the revised crossover is within 2m of the existing street tree. The provided vehicle manoeuvrability is incomplete. There should be a provision of on-site visitor car parking spaces at a rate of 0.25 spaces per dwelling. The current proposal does not allow for this. <p>Amended Comments</p> <ul style="list-style-type: none"> It would be reasonable to accept one flood corridor for this property as only a small portion area is 250mm-500mm depth inundated (FYI: 100-250mm depth - flood corridor is required along 1 boundary, 250mm-500mm - flood corridor is required along all boundaries). Based on the Site Plan, Dwelling 3 is currently 900mm away from southern boundary. Hence flood corridor should be provided along southern boundary. <p>To preserve the ability for flood flows through this site, it will also be required that the flood flow corridors along the southern boundary and the general site levels be maintained within 200mm of the existing natural site levels. The only exception to this being the works necessary to provide access into the garage, although the servicing of such access locations must not be permitted to impact on the critical flow corridors.</p> <p>Initial concerns raised by City Assets have been resolved by way of amendments, particularly in relation to flood management. City Assets are now satisfied with the proposal subject to the inclusion of conditions that are outlined in the recommendation.</p>
Arboriculture Advisor	<ul style="list-style-type: none"> As a result of the proposed crossover for 17 Kinnaird Avenue, City Operations has considered the health, structure, form, useful life expectancy and age of the street tree and in this instance will support the removal. A fee of \$1150.00 will be required prior to the commencement of any work.
Waste Management	<ul style="list-style-type: none"> Whilst restrictive, there is sufficient space for kerbside presentation for up to 6 bins per week. An estimated 5.85m of kerb side is required for presentation of: <ul style="list-style-type: none"> 3 x 140L general waste - weekly service 3 x 240L comingled recycle - fortnightly service 3 x 240L organics - fortnightly service

EXTERNAL REFERRALS

Department	Comments
SCAP	<ul style="list-style-type: none"> SCAP raised no concerns with the proposal. Standard conditions of consent have been included in the recommendation.
SA Water	<ul style="list-style-type: none"> 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 are contained in **Attachment 4**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Medium Density Policy Area 19 as described in the West Torrens Council Development Plan.

The 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, 5, 6, 7, 9, 10, 11, 12, 13 & 14

Medium Density Policy Area 19 - Desired Character	
<p><i>Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.</i></p> <p><i>New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3, 5 & 7

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>Medium Density Policy Area 19 PDC 4 & PDC 5 (within 400m of centre)</i>	250m ² (min. detached dwelling) 150m ² (avg. residential flat building)	Dwelling 1 - 183m ² Does Not Satisfy Dwellings 2 & 3 - 243m ² Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 19 PDC 4 & PDC 5 (within 400m of centre)</i>	9m (min. detached dwelling) 15m (min. complete residential flat building)	Dwelling 1 - 10.66m Dwellings 2 & 3 - 16.76m Satisfies
SITE COVERAGE <i>Medium Density Policy Area 19 PDC 3</i>	60% (max.)	40% (overall coverage) Satisfies
PRIMARY STREET SETBACK <i>Medium Density Policy Area 19 PDC 3</i>	3m (min.)	3m Satisfies

SIDE SETBACK <i>Residential Zone</i> PDC 11	1m (min.) - side wall is 3m or less 2m (min.) - side wall is between 3 - 6m	<u>Dwelling 1</u> 0m & 4.9m – ground level 2m – upper level Satisfies <u>Dwellings 2 & 3</u> 0.9m – ground level 2m – upper level Satisfies (minor departure)
REAR SETBACK <i>Medium Density Policy Area 19</i> PDC 3	6m (min.)	3m (ground level) 5.2m (upper level) Does Not Satisfy
BUILDING HEIGHT <i>Medium Density Policy Area 19</i> PDC 3	2 storeys or 8.5m (min.)	2 storeys or 7.21m Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> PDC 9	100m ² (min.)	155m ² Satisfies
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	24m ² (min. area) 3m (min. dimension) 16m ² (min. area accessible from a habitable room).	<u>Dwelling 1</u> 38m ² (area) 3.65m (dimension) 38m ² (accessed from habitable room) <u>Dwellings 2 & 3</u> 35m ² (area) 3m (dimension) 35m ² (accessed from habitable room) Satisfies
STORAGE <i>Residential Development</i> PDC 31	8m ³ (min.)	8m ³ approx. (under stairs and garage) Satisfies

CAR PARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	Detached dwellings 2 car-parking spaces required (1 covered)	2 spaces - Dwelling 1 Satisfies
	Residential Flat Buildings 2 car-parking spaces required (1 covered) + 0.25 spaces per dwelling (visitors)	2 spaces - Dwellings 2 & 3 Does Not Satisfy

ASSESSMENT

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

Land Division

Principle of Development Control (PDC) 7 of Medium Density Policy Area 19 prescribes a minimum allotment area of 270m², unless where combined with an application for dwellings. When considered in isolation, the land division demonstrates a significant shortfall in site area, although in this case the application is combined.

Accordingly, consideration of PDC 5 which seeks a minimum site area of 250m² for a detached dwelling and an 'average' site area of 150m² for dwellings within a residential flat building is required. While the proposed dwellings on Lot 51 would achieve an average site area greater than 150m², the proposed detached dwelling on Lot 50 would have a site area of only 183m² - a shortfall of 67m² or 26%. While this shortfall is significant in percentage terms, the streetscape and character impacts would not be significant given that the proposed frontage is wide enough for a dwelling to suitably address the street. In addition, the overall site density would be within the desired medium density range. It is also noted that Lot 50 would satisfy the minimum site area for a group dwelling, which would be the case if the dwelling was to be designed with common access.

The intent of minimum allotment sizes is to achieve a residential density that is consistent with the desired character for the area. The Desired Character for Medium Density Policy Area 19 is for allotments to be at medium densities. On the basis of the land having a total area of 669m², the 'net' residential density of the development has been calculated at 45 dwellings per hectare. As defined by the *Planning Strategy (30 Year Plan for Greater Adelaide - 2017 Update)*, the proposed development is of 'medium' density.

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

Desired Character and Density

The Desired Character for Medium Density Policy Area 19 envisages medium density development and more specifically:

"Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones".

As previously considered, the proposed development has an overall dwelling density that is within the envisaged medium density range. The subject land is also located within 200 metres of Richmond Road, which has local shopping facilities and high frequency public transport (bus) routes.

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

From a streetscape perspective, the proposed detached dwelling at the front of the site would not appear cramped or visually overbearing due to the modest building height and separation to both side boundaries and the residential flat building would be setback 21.6m from the road boundary and thus would have a 'recessive' appearance.

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

Setbacks

Front and rear setbacks

The front setback for dwellings in Medium Density Policy Area 19 should be a minimum of 3m as recommended by PDC 3. The main front wall is setback approximately 3m from the road boundary. The front building setbacks are therefore acceptable and the front façade is relatively well-articulated and landscaped.

Dwellings 2 and 3 are setback from the rear boundary at a minimum distance of 3m at ground level and 5.2m at the upper level. PDC 3 of Medium Density Policy Area 19 recommends a minimum setback distance of 6m to both ground and upper levels.

Typically, Development Plan policies allow for single storey buildings to be located closer to rear boundaries than two storey buildings as there is potentially less visual and overshadowing impacts associated with single storey buildings. This is recognised in PDC 11 of the Residential Zone and similarly in the complying standards under Schedule 4 of the *Development Regulations 2008*. These policies only require the ground floor of a dwelling to be setback 3m from a rear boundary. The complying standards are a material planning consideration in this case given that the subject land is situated within a code complying area, as determined by the Minister for Planning. Whilst the proposed development is not complying, it would however be possible to develop the subject land with a dwelling or dwellings located within 3m of the rear boundary 'as-of-right'.

Accordingly, the rear boundary setbacks are considered acceptable for the followings reasons:

- Most of the ground floors are setback 4.5 metres, with only a laundry located within 3 metres of the boundary;
- The upper storey setbacks are only 800mm less than the recommended standard;
- The building height is well within the maximum height parameters;
- The locality is characterised by dwellings and outbuildings located in close proximity to rear boundaries; and
- There is adequate area within the rear yard for landscaping.

The proposal is therefore considered to satisfy the intent of PDC 3 of Medium Density Policy Area 19.

Side setbacks

The ground floor of Dwellings 2 and 3 are setback 900mm, which is only 100mm less than the side setback of 1m recommended by PDC 11 of the Residential Zone. It is noted that the garage wall of Dwelling 1 is sited on the northern side boundary, however the length and height of the wall (6m long x 2.7m high) is well within the parameters outlined in PDC 13(b) for boundary development.

Similarly, the side setbacks to the upper floors of all dwellings meet the minimum setback requirement of 2m.

Design and Appearance

The proposed development would be located amongst a variety of dwelling types, sizes and styles, including single storey detached dwellings and two storey residential flat buildings, some of modern appearance.

The proposed dwellings are of a modern design with a common architectural style and form. The building facades include recesses to the upper levels, cantilevered front porticos, feature blade walls and a series of flat and pitched roofs. External materials and finishes include rendered Hebel cladding (surfmist and dune), colorbond® garage doors (windspray), aluminium frame windows and doors (silver) and colorbond® roof sheeting (dune).

The façades include windows to both the ground and upper floors that facilitate passive surveillance of the adjacent footpath while the internal driveway and the dwelling entrances are readily identifiable and accessible from the road frontage and vehicle parking areas. The facades are also recessed at certain points to break up the building mass and proportions and different materials and colour variations provide visual interest.

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

The Desired Character and PDC 3 of Medium Density Policy Area 19 envisage building heights of two storeys or 8.5m above ground level. The proposal comprises two storey buildings with a maximum height of 7.21m. While it is noted that the locality contains many single storey buildings, this policy area is seeking a transition to medium density development with buildings of up to two storeys. The proposed building height is therefore considered appropriate.

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

Retaining and Fencing

The proposal includes the construction of a retaining wall and fence with a maximum combined height of 2.25m. A retaining wall height of no more than 450mm is required along a section of the rear and northern side boundaries as the land falls away slightly from the road and will need to be built-up so stormwater runoff can drain to the street. A 1.8m high fence on top of the retaining wall will ensure that adjoining properties are afforded adequate privacy.

The proposed retaining wall and fence would only be 150mm higher than a fence that can be erected without approval and is not considered unreasonable from a visual amenity perspective.

Vehicle Access and Car Parking

A common driveway onto Kinnaird Avenue will provide vehicular access to Dwellings 2 and 3 within the residential flat building. Dwelling 1 at the front of the site will have a single crossover as it will have its own exclusive frontage. There would be adequate lines of sight in both directions for all access points with no obstructions with street infrastructure, noting that the existing street tree is to be removed. The access arrangements are considered safe and convenient.

All of the proposed dwellings are provided with a single garage and a tandem visitor space (2 designated spaces) in accordance with PDC 34 of the General Section (Transportation and Access).

In addition to the resident parking, *Table WeTo/2 – Off Street Vehicle Parking Requirements* prescribes an additional requirement of 0.25 spaces per dwelling for a residential flat building for visitors. As there would be two dwellings within the residential flat building, there is a Development Plan requirement for 0.5 additional car parks (rounded up to one space). It is considered that this shortfall would not adversely affect the existing flow and safety of vehicular traffic on the surrounding road network as there is sufficient area immediately in front of the site for one on-street car park for visitors. This has been supported by Council's City Assets Department.

Accordingly, there is considered to be sufficient on-site car parking to meet the anticipated demand generated by the proposed development. Accordingly, the proposal satisfies the intent of PDC 34 of the General Section (Transportation and Access).

Landscaping

The proposal is considered to meet the minimum landscaping requirement of 10 per cent of the site. The applicant has provided a landscaping scheme for the development that includes a mix of trees, shrubs and drought tolerant grass to the front and rear yards and along the new common driveway. The proposed landscaping would enhance the internal amenity and external appearance of the development in accordance with PDCs 1 and 4 of the General Section (Landscaping, Fences and Walls).

Private Open Space

The proposed dwellings would be provided with at least 35m² of private open space, which satisfies PDC 19 of the General Section (Residential Development). The rear yards achieve the minimum dimension guidelines and would also be accessible from a habitable room. Suitable private open space for entertaining, clothes drying and other domestic functions would therefore be provided for occupants of the proposed dwelling.

Overlooking

The development has been designed with all side and rear upper storey windows having either raised sills or fixed obscure glazing to a height of 1.7m above the floor level.

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

Overshadowing

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

Although shadow diagrams have not been provided, it is evident that the shadow cast over the adjoining property at 15A Kinnaird Avenue would primarily affect the northern side of the dwelling, which does not appear to contain window openings to its main living areas. It is also apparent that the neighbouring dwelling is located only 900mm from the side and therefore has a direct outlook onto the boundary fence.

Dwelling 1 is setback 5m from the southern side boundary which would minimise the extent of shadowing toward the front of the adjoining dwelling and the rear boundary setback of 4.5m to Dwellings 2 and 3 would ensure the rear yard of the adjoining dwelling continues to receive at least two hours of natural light up until 12.00pm during winter.

The proposal is therefore considered to satisfy PDCs 10, 11 and 12 of the General Section (Residential Development).

Stormwater and Flood Management

Stormwater runoff from each dwelling will be directed to a 3,000L rainwater retention tank and plumbed into all toilets and the laundry. Overflow from the rainwater tanks and hard paved surfaces will be discharged to the street water table in accordance with Council's standard requirements. Council's City Assets Department has confirmed that the proposed stormwater management system is acceptable.

As illustrated below, the subject land is situated within a flood hazard area with an anticipated flood depth of between 250mm to 500mm. In order to preserve flood flows through the site, Council's City Assets Department has recommended that a flood corridor be provided along the southern boundary with a minimum width of 900mm and with levels that are within 200mm of the existing natural site levels. The proposal has been amended to meet this requirement and is acceptable from a flood management perspective. Objective 4 and PDC 6 of the General Section (Hazards) are satisfied.



Extract from Council's 1 in 100 year flood extent mapping

Waste collection

The proposed development can adequately cater for on-street waste collection with sufficient verge space available. Council's Waste Management Department has confirmed that *"whilst restrictive, there is sufficient space for kerbside presentation for up to 6 bins each week. An estimated 5.85m of kerb side is required for presentation of:*

- 3 x 140L general waste - weekly service
- 3 x 240L comingled recycle - fortnightly service
- 3 x 240L organics - fortnightly service"

A private waste contractor is therefore not required. The proposal is consistent with Objective 2 of the General Section (Waste).

SUMMARY

When balanced against the existing site and locality characteristics and the Desired Character for Medium Density Policy Area 19, the proposed division of land and associated residential development is considered to be an orderly and desirable form of development.

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

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/670/2019 by Five Star Homes to undertake a Combined Application - Land division - Torrens Title; SCAP No. 211/D088/19; Creating one additional allotment and the construction of one (1) two-storey detached dwelling and one (1) two-storey residential flat building containing two dwellings and a combined retaining wall and fence with a maximum height of 2.25 metres at 17 Kinnaird Avenue, Richmond (CT 5704/405) 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.
2. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*
3. The stormwater connection through the road verge area shall be constructed of a shape and material to satisfy Council's standard requirements as follows:
 - 100 x 50 x 2mm RHS Galvanised Steel; or
 - 125 x 75 x 2mm RHS Galvanised Steel; or
 - Multiples of the above.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater that maintains existing Council infrastructure.

4. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times to the satisfaction of Council.

Reason: To ensure safe and convenient vehicle access and to suppress dust.

5. That all landscaping shall be planted in accordance with the approved plans (Site Plan prepared by Five Star Homes dated 25 July 2019) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

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

6. That the side and rear upper storey windows of all dwellings shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

Reason: To minimise the impact on privacy to residents of adjoining dwellings.

7. No aboveground structures, such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.

Reason: To provide safe and convenient vehicle access, parking and manoeuvring areas for users of the development.

Land Division Consent Conditions

Council Requirements

8. 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 development is undertaken in an orderly manner.

State Commission Assessment Panel Requirements

9. The financial requirements of the SA Water Corporation 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.

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

10. Payment of \$7616.00 into the Planning and Development fund (1 Allotment @ \$7,616.00/lot). 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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.

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

11. 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 and Documents**
- 3. Representations and Applicant's Response**
- 4. Referral Responses**

Relevant Development Plan Provisions

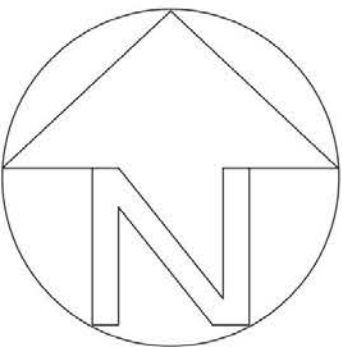
General Section		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7 & 8
<i>Design and Appearance</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 16, 21, 22 & 23
<i>Energy Efficiency</i>	<i>Objectives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

ANY LEVELS SHOWN THROUGHOUT THESE DOCUMENTS ARE APPROXIMATE ONLY AND ARE AN ASSUMED DATUM. ALL SITE DIMENSIONS AND LEVELS ARE ASSUMED, BASED ON THE INFORMATION AVAILABLE AT THE TIME OF MEASURING. THESE SHOULD BE CONFIRMED BY THE BUILDER.

ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED AND REPLACED WITH NON-COMBUSTIBLE MATERIALS. ENSURE COMPLIANCE WITH MINISTERS SPECIFICATION SA.76C" PROTECTION OF BUILDINGS EXPOSED TO BRUSH FENCES.

TERMITE PROTECTION TO BE UTILIZED AT THE PROPERTY IN ACCORDANCE WITH ASS3660.1-2014. ASS3660.1 TERMITE WORK: TERMITICIDE LIQUID BARRIER TREATMENT TO BE APPLIED TO THE NEW DWELLING, INCLUDING THE PRE-TREATMENT OF FOOTINGS, AND EDGES OF FOOTINGS IS REQUIRED.

THIS DRAWING IS INTENDED FOR INDICATIVE PURPOSES ONLY. REFER TO CIVIL ENGINEERING OR SURVEYORS DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS & EARTHWORK DESIGNS. FINAL BOUNDARY AND BUILDING SET TO BE CONFIRMED & CERTIFIED BY A LICENSED SURVEYOR PRIOR TO CONSTRUCTION. ALL MEASUREMENTS ARE INDICATIVE ONLY AND SHOULD BE CONFIRMED ON SITE.



SCALE 1:200

DWELLING 1

NG	74.11m ²
RCH	1.10m ²
RAGE	17.97m ²

E COVER	93.18m ² (50.91%)
E AREA	183m ²

38.35m67.7m²

ING	67.7m ²
RCH	1.63m ²
RAGE	18.4m ²

87.73m³(58.467.7m²67.7m² NG

ING	67.7m ²
RCH	1.63m ²
RAGE	18.4m ²

COVER AREA	87.73m ² (58.4%)
AREA	150m ²

34.55m³/23%67.7m²

- CIRCLES DENOTE
BOUNDARY POINTS



info@fivestarthomes.com.au
www.fivestarthomes.com.au
08 8352 5275

SITE ADDRESS
17 KINNAIRD AVENUE
RICHMOND SA 5033

COUNCIL ISSUE: PLANNING
ENGINEER: TBC
SCALE: 1:200
DATE: 03JULY19
PAGE NO: SITE PLAN
REVISION: 4

AMENDMENTS
6AUG19 - CROSSOVER,
LETTERBOX & SERVICE
LOCATIONS, VEHICLE
MANEUVERABILITY

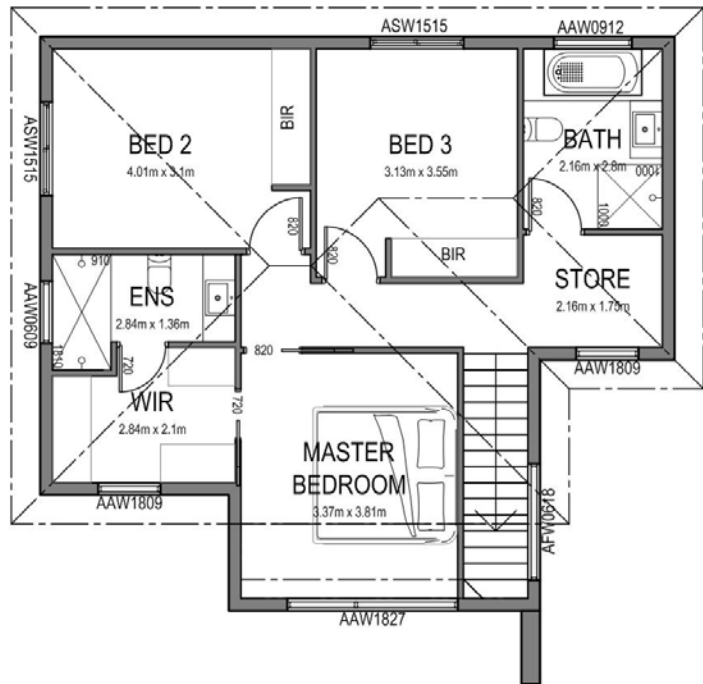
SCALE 1:100

FIVE STAR H O M E S	
info@fivestarhomes.com.au www.fivestarhomes.com.au 08 8352 5275	
CLIENT DANIEL COVINO	
SITE ADDRESS 17 KINNAIRD AVENUE RICHMOND SA 5033	
COUNCIL ISSUE:	PLANNING
ENGINEER:	TBC
SCALE:	1:100
DATE:	03 JULY 19
PAGE NO:	FLOORPLAN
REVISION:	4
AMENDMENTS 6AUG19 - CROSSOVER, LETTERBOX & SERVICE LOCATIONS, VEHICLE MANEUVERABILITY	

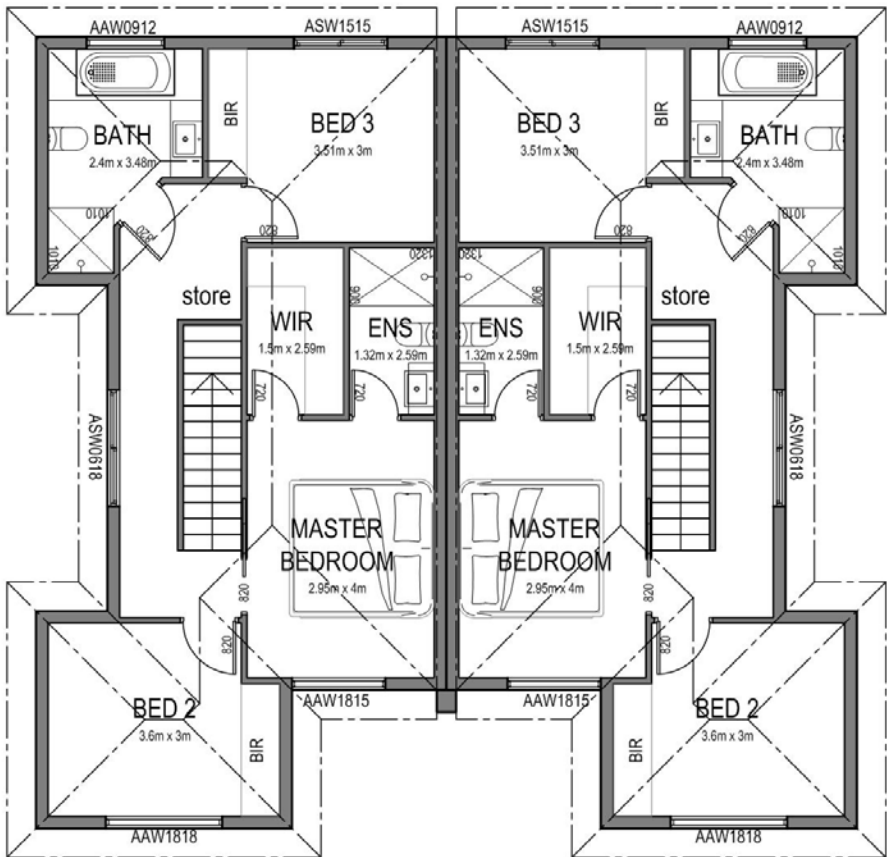
D1-3 - UPPER FLOORPLANS

SCALE 1:100

D1



D2



D3

FIVE STAR
H O M E S

info@fivestarhomes.com.au
www.fivestarhomes.com.au
08 8352 5275

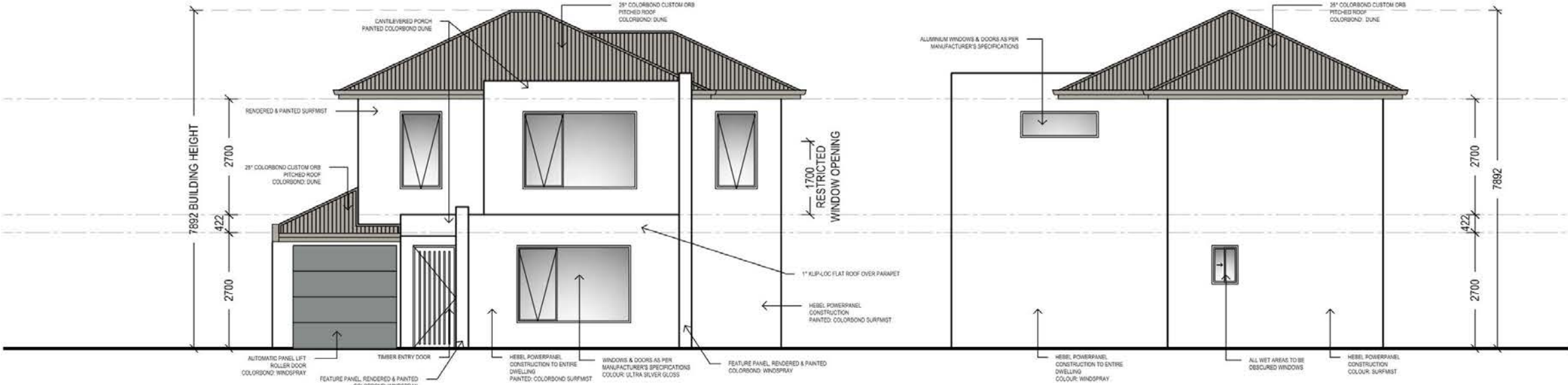
CLIENT
DANIEL COVINO
SITE ADDRESS
17 KINNAIRD AVENUE
RICHMOND SA 5033

COUNCIL ISSUE: PLANNING
ENGINEER: TBC
SCALE: 1:100
DATE: 03JULY19
PAGE NO: FLOORPLAN
REVISION: 4

AMENDMENTS
6AUG19 - CROSSOVER, LETTERBOX &
SERVICE LOCATIONS, VEHICLE
MANEUVERABILITY

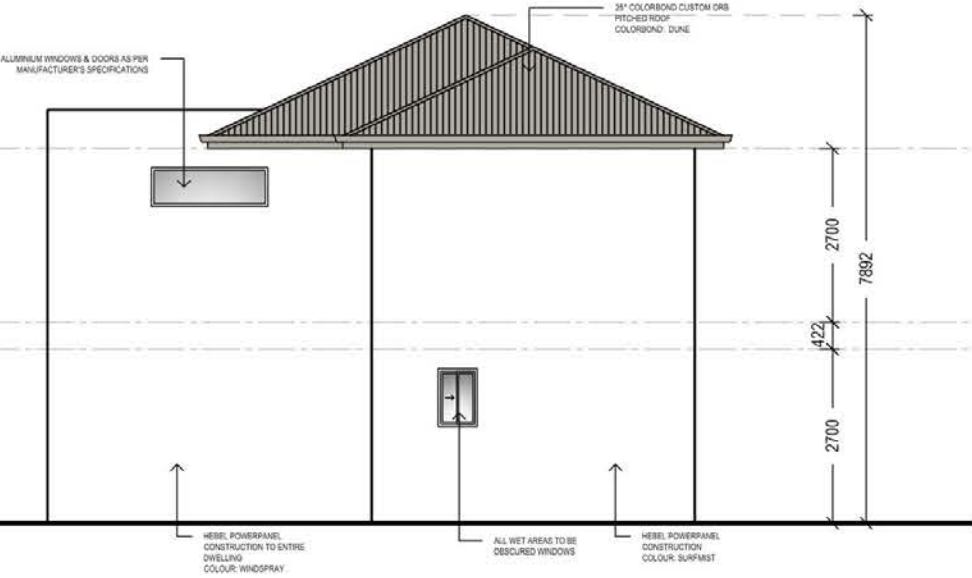
D1 - WESTERN ELEVATION

SCALE 1:100



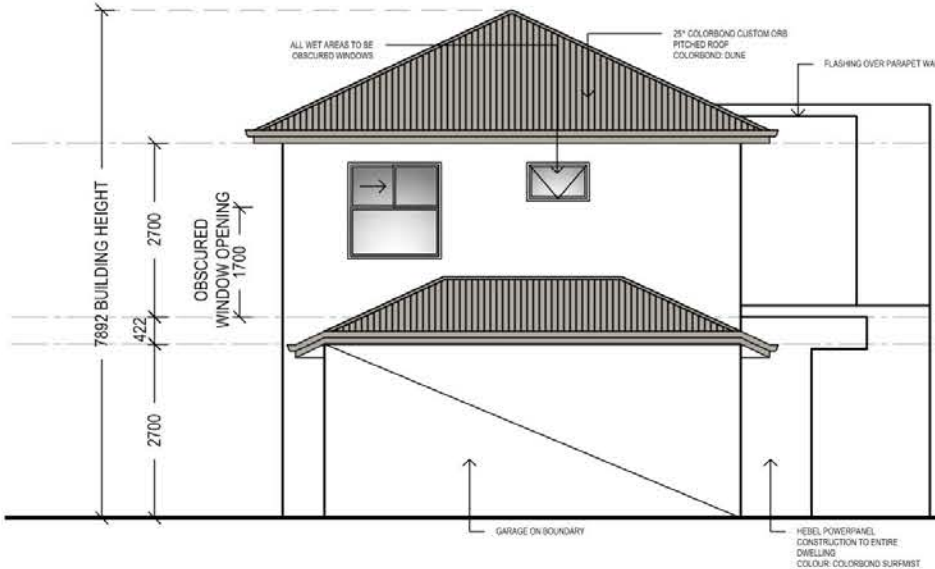
D1 - SOUTHERN ELEVATION

SCALE 1:100



D1 - NORTHERN ELEVATION

SCALE 1:100



D1 - EASTERN ELEVATION

SCALE 1:100



FIVE STAR

HOMES

info@fivestarthomes.com.au

www.fivestarthomes.com.au

08 8352 5275

CLIENT

DANIEL COVINO

SITE ADDRESS

17 KINNAIRD AVENUE

RICHMOND SA 5033

COUNCIL ISSUE: PLANNING

ENGINEER: TBC

SCALE: 1:100

DATE: 03JULY19

PAGE NO: ELEVATIONS

REVISION: 4

AMENDMENTS

6AUG19 - CROSSOVER,

LETTERBOX & SERVICE

LOCATIONS, VEHICLE

MANEUVERABILITY

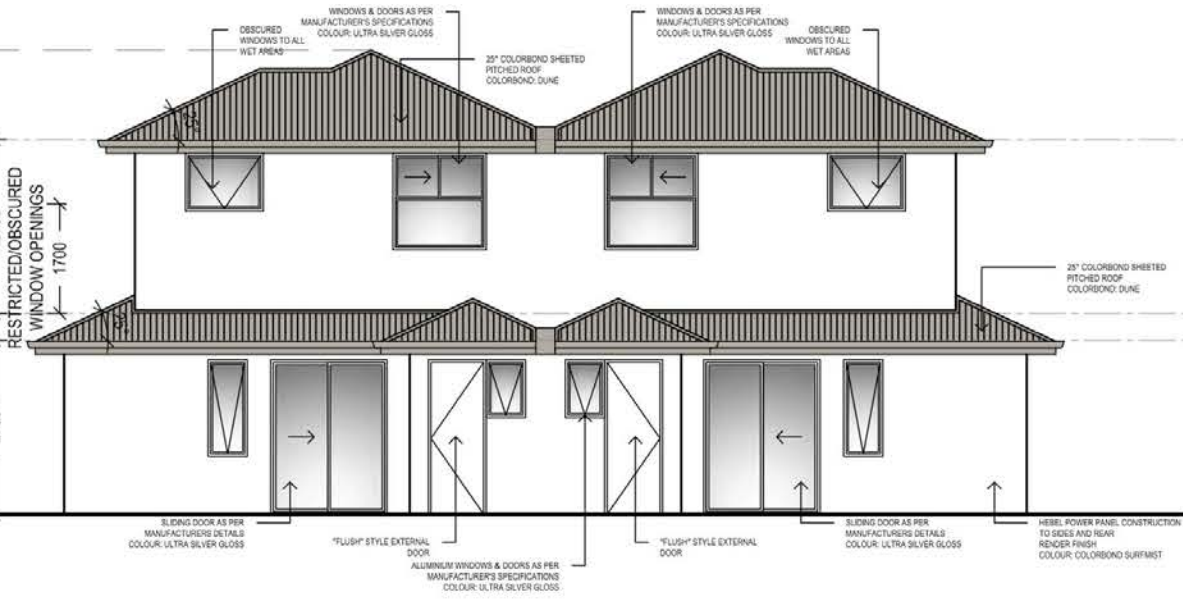
D2+3 - WESTERN ELEVATION

SCALE 1:100



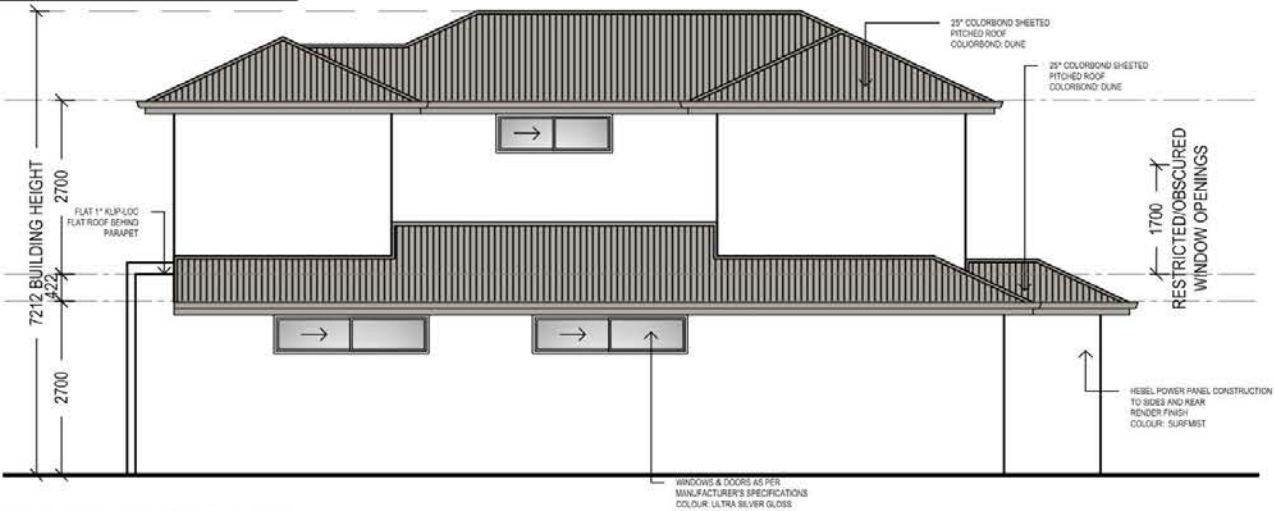
D2+3 - EASTERN ELEVATION

SCALE 1:100



D3 - SOUTHERN ELEVATION

SCALE 1:100



D2 - NORTHERN ELEVATION

SCALE 1:100



FIVE STAR

HOMES

info@fivestarhomes.com.au

www.fivestarhomes.com.au

08 8352 5275

CLIENT

DANIEL COVINO

SITE ADDRESS

17 KINNAIRD AVENUE

RICHMOND SA 5033

COUNCIL ISSUE: PLANNING

ENGINEER: TBC

SCALE: 1:100

DATE: 03 JULY 19

PAGE NO: ELEVATIONS

REVISION: 4

AMENDMENTS

6 AUG 19 - CROSSOVER,

LETTERBOX & SERVICE

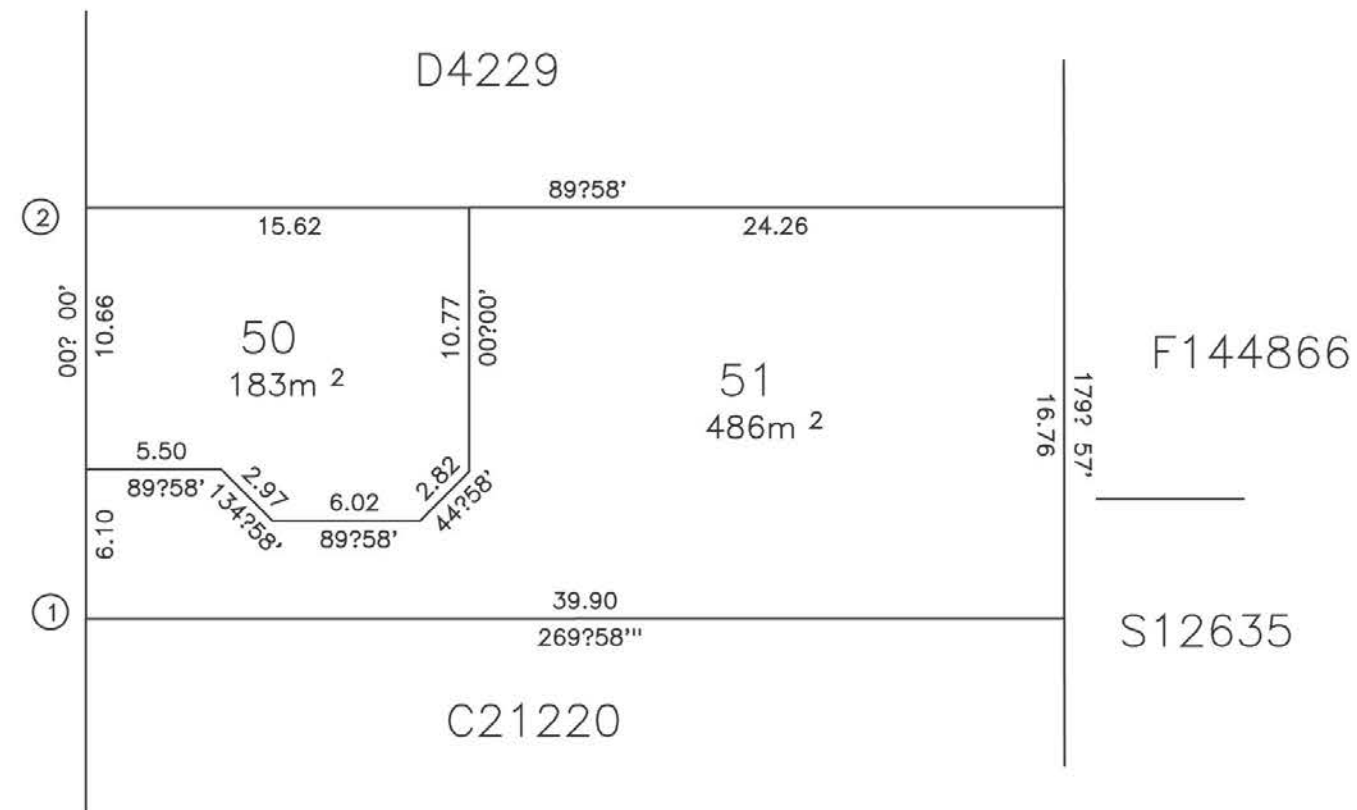
LOCATIONS, VEHICLE

MANEUVERABILITY

PROPOSED PLAN OF DIVISION ALLOTMENT 27 IN DP 4229

HUNDRED OF ADELAIDE
AREA RICHMOND
COUNCIL CITY OF WEST TORRENS
CT 5704/405
TOTAL AREA 669m²
SCALE 1 : 250

KINNARD AVENUE



NOTE: ALL DATA IS SUBJECT TO
CERTIFIED SURVEY AND
APPROVAL BY THE LANDS
TITLES OFFICE

WESTERN SURVEYING SERVICES
19 CHATSWOOD CRES
KIDMAN PARK
SA 5025
PH/FAX 83565040

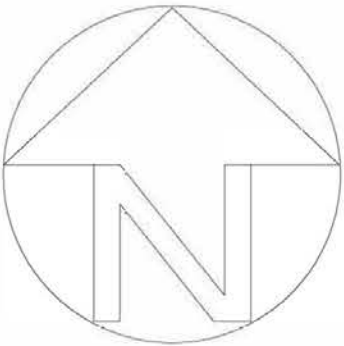
BEARING DATUM ① - ② 360° 00'
DERIVED FROM ASSUMED

LEVELS
ANY LEVELS SHOWN THROUGHOUT THESE DOCUMENTS ARE APPROXIMATE ONLY AND ARE AN ASSUMED DATUM. ALL SITE DIMENSIONS AND LEVELS ARE ASSUMED, BASED ON THE INFORMATION AVAILABLE AT THE TIME OF MEASURING. THESE SHOULD BE CONFIRMED BY THE BUILDER.

BRUSH FENCE
ANY BRUSH FENCES WITHIN 3 METRES OF THE DWELLING ARE TO BE REMOVED AND REPLACED WITH NON-COMBUSTIBLE MATERIALS. ENSURE COMPLIANCE WITH MINISTERS SPECIFICATION SA78C" PROTECTION OF BUILDINGS EXPOSED TO BRUSH FENCES.

TERMITE PROTECTION
TERMITE PROTECTION TO BE UTILIZED AT THE PROPERTY IN ACCORDANCE WITH ASS680.1:2014, ASS680.1 TERMITE WORK: TERMITICIDE LIQUID BARRIER TREATMENT TO BE APPLIED TO THE NEW DWELLING, INCLUDING THE PRE-TREATMENT OF FOOTINGS, AND EDGES OF FOOTINGS IS REQUIRED.

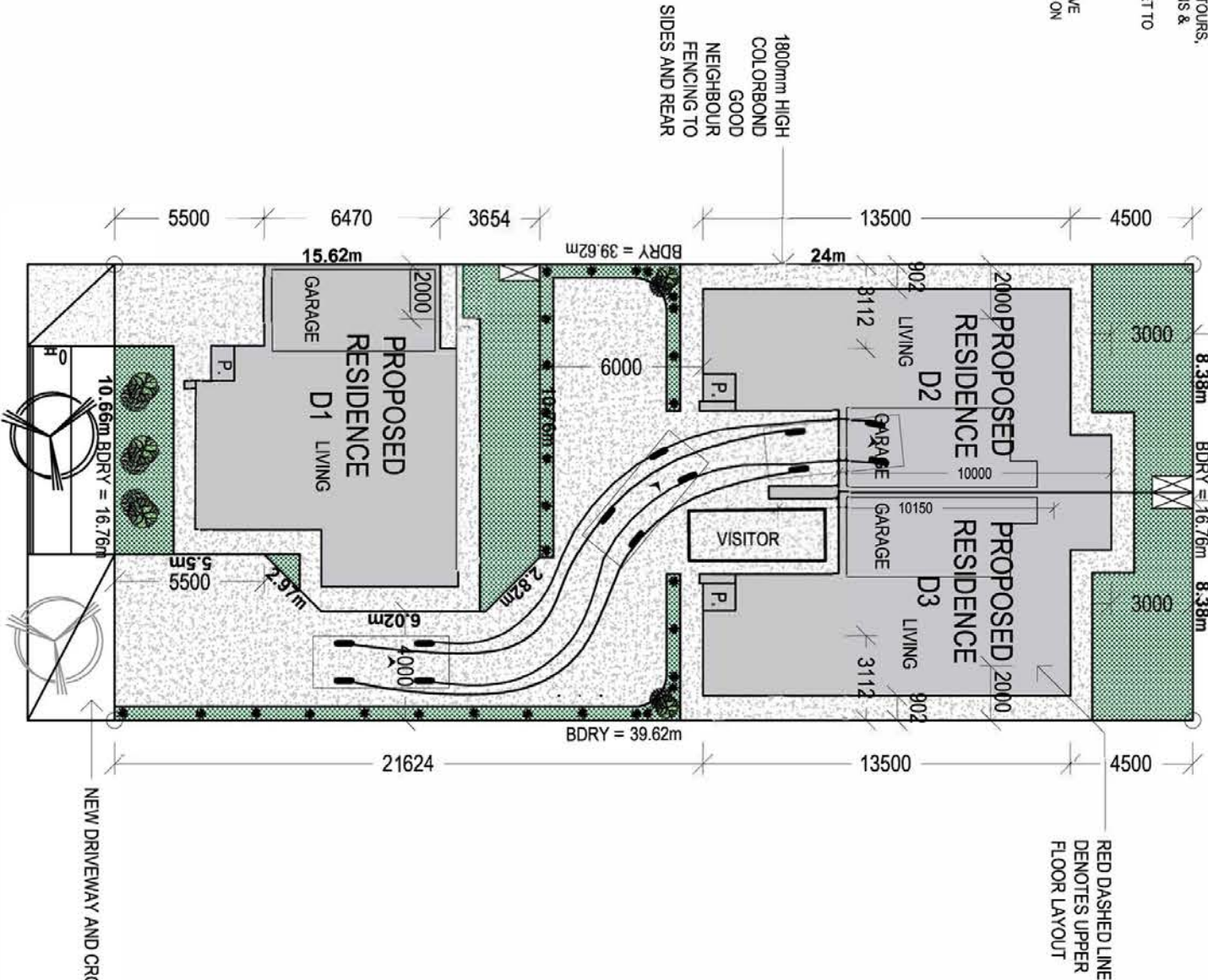
BOUNDARY/SURVEY
THIS DRAWING IS INTENDED FOR INDICATIVE PURPOSES ONLY. REFER TO CIVIL ENGINEERING OR SURVEYORS DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS & EARTHWORK DESIGNS. FINAL BOUNDARY AND BUILDING SET TO BE CONFIRMED & CERTIFIED BY A LICENSED SURVEYOR PRIOR TO CONSTRUCTION. ALL MEASUREMENTS ARE INDICATIVE ONLY AND SHOULD BE CONFIRMED ON SITE.



SITE PLAN
SCALE 1:200

1800mm HIGH COLORBOND GOOD NEIGHBOUR FENCING TO SIDES AND REAR

3000L RAINWATER TANKS TO BE PLUMBED INTO ALL TOILET AND LAUNDRY AND COLD WATER OUTLETS, FOR EACH DWELLING



KINNAIRD AVENUE

3000 7664 6100

AREA OF DWELLINGS	
DWELLING 1	
LIVING	74.11m ²
PORCH	1.10m ²
GARAGE	17.97m ²
SITE COVER	93.18m ² (50.91%)
SITE AREA	183m ²
POS	38.35m ² (20.9%)
Upper Story	74.5m ²
DWELLING 2	
LIVING	67.7m ²
PORCH	1.63m ²
GARAGE	18.4m ²
SITE COVER	87.73m ² (58.4%)
SITE AREA	150m ²
POS	34.55m ² (23%)
Upper Story	67.7m ²
DWELLING 3	
LIVING	67.7m ²
PORCH	1.63m ²
GARAGE	18.4m ²
SITE COVER	87.73m ² (58.4%)
SITE AREA	150m ²
POS	34.55m ² (23%)
Upper Story	67.7m ²

Ornamental Pear Trees
"Purus Calleryana Capital "

Danella
"King Alfred"

Drought Tolerant lawn
"Kikuyu"

☐

CIRCLES DENOTE
BOUNDARY POINTS

C:\Users\michael\Documents\Drawings\Drawings\136

email info@investatohomes.com.au

web www.investatohomes.com.au

ph 08 8352 5275

Address:

17 Kinnaird Avenue,
RICHMOND SA 5033

Clients:

DANIEL COVINO

Title:

Site Plan

Sheet Size:

Drawn: Date:

A3 RA 23JULY19

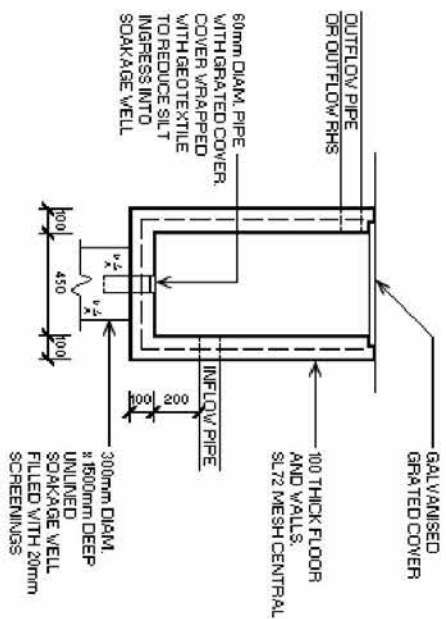
Issue:

BUILDING RULES CONSENT

Amendments:

rev. Date Description

Notes:



JUMP UP SUMP DETAIL
Not to scale

LEGEND

3000 LITRE RAINWATER TANK TO BE PLUMBED INTO ALL TOILET AND LAUNDRY COLD WATER OUTLETS. (MAY ALSO BE CONNECTED TO LAUNDRY HOT WATER OUTLETS IF DESIRED). DOWNPIPE LABELED DPT TO DISCHARGE INTO TANK. 90mm DIAMETER OVERFLOW AT TOP OF TANK TO DISCHARGE INTO STORMWATER LINE TO STREET. SEALED SYSTEM FROM DPT TO TANK. PROVIDE MINIMUM 80% OF RISER STOP VALVE, 20% OF DOWNPIPE AND 20% OF OVERFLOW. PUMPS AND PLUMBING TO TANK ONLY (WATER TREATMENT AND PUMPING TO BE PROVIDED BY THE CITY). RAINWATER COLLECTION AND RISEL SYSTEM SHALL BE INSTALLED BEFORE OPERATION OF THE DWELLINGS.

AMENDED

STORMWATER PIPE 90mm DIAMETER uPVC, SEALED SYSTEM

GRATED INLET PIT / PAVING SUMP 90mm DIAMETER

GRATED INLET PIT / SILT TRAP. 300mm SQUARE

FLUSHING POINT IN SUMP.

450 SQUARE SUMP, CLASS 'D' COVER

450 SQUARE JUMP UP SUMP. REFER TO DRAWING DETAIL

900 WIDE FLOOD FLOW CORRIDOR WITHIN 200mm OF EXISTING NATURAL SITE LEVELS, TO COMPLY WITH COUNCIL REQUIREMENTS

1. GRADE BENCHES AWAY FROM DWELLINGS:
 - 1. IN 12 FOR GRASSSED AREAS, 1 IN 20 FOR PAVED AREAS.
2. MAXIMUM LEVEL OF PATHS AT FLOOD GULLIES TO BE 165mm BELOW FINISHED FLOOR LEVEL.
3. WHERE A LINE AT 90° FROM ANY FOOTING BASE INTERSECTS A SERVICE TRENCH, OR PROPOSED SERVICE TRENCH, FOOTING PIERS WILL BE REQUIRED. REFER TO THIS OFFICE PRIOR TO FURTHER CONSTRUCTION.
4. LEVELS SHOWN ARE APPROXIMATE ONLY AND ARE TO AN ASSUMED DATUM AS INDICATED. SITE DIMENSIONS ARE ASSUMED ACCORDING TO INFORMATION AVAILABLE, AND TO BE CONFIRMED BY OWNER AND/OR BUILDER.
5. FLEXIBLE CONNECTIONS ARE REQUIRED TO SEWER AND STORMWATER DRAINS ON THIS SITE.
6. PROVIDE MINIMUM 100mm COVER TO STORMWATER PIPES IN NON TRAFFICABLE AREAS OR CONCRETE ENCASE. CONCRETE ENCASE STORMWATER PIPES IN THE COMMON DRIVEWAY OR PROTECT WITH REINFORCED CONCRETE. PROTECTION TO STORMWATER PIPES SHALL COMPLY WITH AS 3600.
7. CONTRACTORS SHALL ENSURE THAT ADJACENT STRUCTURES ARE NOT UNDERMINED OR SURCHARGED. REFER TO THIS OFFICE FOR FURTHER ADVICE IF REQUIRED.
8. CONTRACTORS SHALL LOCATE ALL EXISTING UNDERGROUND SERVICES BEFORE COMMENCEMENT OF EXCAVATIONS.
9. WHERE NECESSARY, EXISTING GAS METERS, WATER METERS, TREES, CROSSOVERS, ETC. SHALL BE REMOVED /RELOCATED TO SUIT, AND TO COMPLY WITH STATUTORY AUTHORITY REQUIREMENTS.
10. FLOOD LEVELS MAY NEED TO BE INCREASED TO ACCOMMODATE SEWER GRADE REQUIREMENTS. OWNER AND /OR BUILDER TO CHECK SEWER INVERTS PRIOR TO SITEWORKS COMMENCING.
11. ALL WORKS BEYOND THE PROPERTY BOUNDARY SHALL BE TO COUNCIL REQUIREMENTS AND DETAILS.

**SITeworks / STORMwater
DRAINAGE PLAN
17 KINNAIRD AVENUE
RICHMOND**

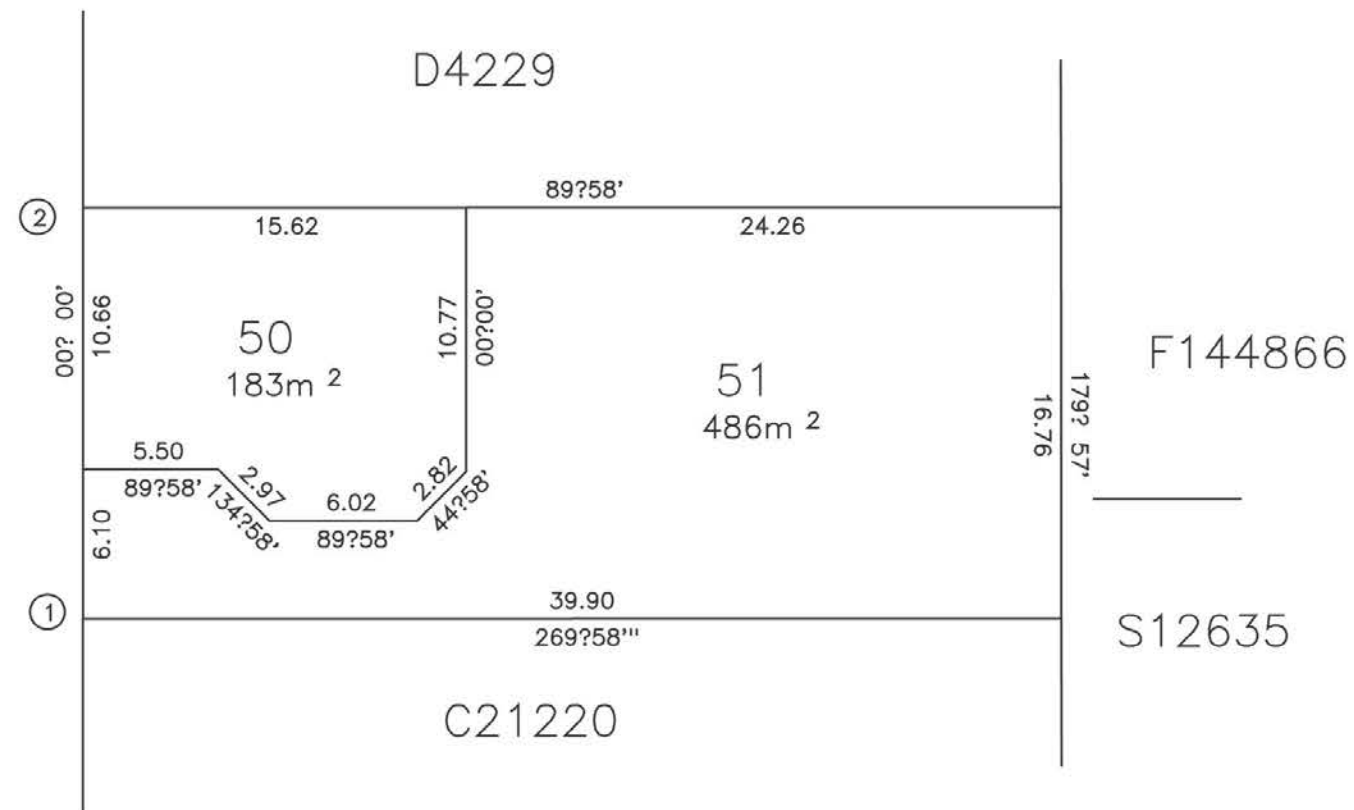
Mobile 0419 039 426

DATE	3/12/19
A3SCALE	1:200 UNLESS SHOWN OTHERWISE
DRAWN	
DWG NO	1588-1/D

PROPOSED PLAN OF DIVISION ALLOTMENT 27 IN DP 4229

HUNDRED OF ADELAIDE
AREA RICHMOND
COUNCIL CITY OF WEST TORRENS
CT 5704/405
TOTAL AREA 669m²
SCALE 1 : 250

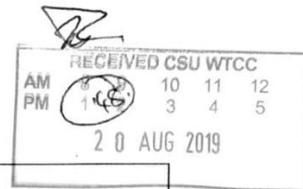
KINNARD AVENUE



NOTE: ALL DATA IS SUBJECT TO
CERTIFIED SURVEY AND
APPROVAL BY THE LANDS
TITLES OFFICE

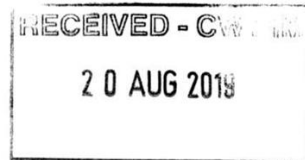
WESTERN SURVEYING SERVICES
19 CHATSWOOD CRES
KIDMAN PARK
SA 5025
PH/FAX 83565040

BEARING DATUM ① - ② 360° 00'
DERIVED FROM ASSUMED



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

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



DEVELOPMENT No. 211/670/2019
 PROPERTY ADDRESS: 17 Kinnaird Avenue, RICHMOND SA 5033

YOUR FULL NAME	GORDON GORDON GRACE
YOUR ADDRESS	19 KINNAIRD AVENUE RICHMOND SA 5033
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	ADJOINING NEIGHBOUR <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
REASON/S FOR REPRESENTATION => WINDOWS OVERLOOKING BACK OF HOUSE, BACKYARD POOL AREA => INAPPROPRIATE TURNING CIRCLES FOR GROUND BACK PROPERTIES => TRUCK DRIVING / NOISE / INSULATION / RUN OFF - GREENS AROUND FLOOR => SHOULD BE 2x SINGLE STOREY DWELLING ONLY	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) 2x SINGLE STOREY DWELLING + APPROPRIATE ACCESS/EGRESS	

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

I DO NOT WISH TO BE HEARD I WANT TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I DESIRE TO BE REPRESENTED BY

(PLEASE SPECIFY)

SIGNED
 DATE

20-8-19

Responsible Officer: Jordan Leverington
 Ends: Thursday 29 August 2019

If space insufficient, please attach sheets

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

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

City of West Torrens

29 AUG 2019

City Development

DEVELOPMENT No. 211/670/2019
 PROPERTY ADDRESS: 17 Kinnaird Avenue, RICHMOND SA 5033

YOUR FULL NAME	STACIA ANNE SORENSEN
YOUR ADDRESS	18 KINNAIRD AVE RICHMOND S.A 5033
YOUR PHONE No	
YOUR EMAIL	—
NATURE OF INTEREST	NEIGHBOUR OPPOSITE. (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION CONCERN RE REMOVAL OF ASBESTOS GRANNY FLAT. WISHING CORRECT PROCEEDURE FOR REMOVAL OF SAME. CONCERNED TOLD BY DAUGHTER AND GRANDSON OF PREVIOUS OWNER THERE IS A WALL UNDERGROUND WATER STORAGE IN THE BACK GARDEN. BUILDING ON MY REPRESENTATIONS WOULD BE OVERCOME BY TOP OF IT SINKING (state action sought) OVER TIME	

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

I DO **NOT** WISH TO BE HEARD



I DESIRE TO BE HEARD PERSONALLY



I DESIRE TO BE REPRESENTED BY _____



(PLEASE SPECIFY)

SIGNED

DATE

Stacia Sorensen
29/8/19

Responsible Officer: Jordan Leverington

Ends: Thursday 29 August 2019

If space insufficient, please attach sheets



Po Box 218
Fulham Gardens SA 5024
P: 08 8352 5275
ABN: 68 107 275 650
info@fivestarhomes.com.au
www.fivestarhomes.com.au

17-10-19

RE: 17 Kinnaird Ave Richmond,

DA: 211/670/2019

To whom it may concern,

I write with response to the representations made by Gordon of 19 Kinnaird Ave Richmond.

- A) All windows to the upper floor are compliant with the legislation with obscured glazing to the required areas. This response is invalid.
- B) The vehicle manoeuvrability has been calculated, engineered and achieved. A plan has been provided with a diagram showing that vehicles can enter and exit in a single three point turn.
- C) The traffic /noise / insulation /run off concerns have been accounted for in the site works and drainage plans that have been provided.
- D) The request for X 2 single storey dwelling is also invalid.

With regards to the representations made by Stacda of 18 Kinnaird Ave Richmond,

- A) Thankyou for your concern regarding the asbestos, this will be handled by a professional removalist upon demolition.
- B) As for the underground water storage, the engineering that is yet to be completed will accommodate and account for this.

Overall these homes will contribute to the locality and enhance the values of the surrounding properties.

Regards,

A handwritten signature in blue ink, appearing to read "Pat Papalia", is written over a horizontal line.

Pat Papalia

(director of Five Star Homes)

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/670/2019

Assessing Officer: Jordan Leverington
Site Address: 17 Kinnaird Avenue, RICHMOND SA 5033
Certificate of Title: CT-5704/405
Description of Development: Combined application - Land division - Torrens Title; SCAP No. 211/D088/19; Creating one additional allotment and the construction of one detached dwelling and residential flat building containing two dwellings

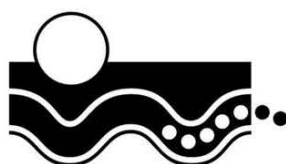
TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Jordan Leverington **DATE** **12 August, 2019**



City of **West Torrens**

Between the City and the Sea

Memo

To Jordan Leverington
From Richard Tan
Date 12-Aug-2019
Subject 211/670/2019, 17 Kinnaird Avenue, RICHMOND SA 5033

Jordan Leverington,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

1.1 This has been previously accepted in City Asset's assessment dated 27/07/2019

1.2 No further assessment provided. Item still considered outstanding.

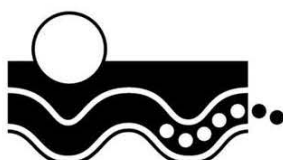
In the '250mm to 500mm' anticipated flood depth zone, it is typically requested that a minimum 1000mm wide flood corridor be provided along all boundaries.

To preserve the ability for flood flows to move through this site, it will also be required that the flood flow corridors indicated above and the general site levels be maintained within 200mm of the existing natural site levels. The only exception to this being the works necessary to provide access into the garage, although the servicing of such access locations must not be permitted to impact on the critical flow corridors.

It would consequently be requested that as part of the application detailed information on the proposed site levels also be provided and include details of ramps and building access

2.0 Verge Interaction

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



City of **West Torrens**

Between the City and the Sea

New driveways and stormwater connections are typically desired to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary). An absolute minimum offset of 0.5m from new crossovers and stormwater connections to other existing road verge elements is acceptable in cases where space is limited.

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

2.1.1 Proposed stormwater connections location is acceptable.

2.1.2 Current revised crossover is acceptable. However I noted that the revised crossover is within 2m distance from existing street tree. I noted that City Operation report has not included the assessment for this tree as it is located at neighbouring property and in previous plan the crossover has greater than 2m distance from this tree.

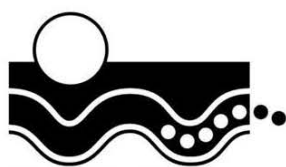
It is recommended that further assessment from Council's Arboriculture team is required.

2.2 No further clarification provided. Item considered outstanding.

It would seem like existing crossover has been maintained as access to Dwelling 1. If this is not the case, then the proposed crossover should be separated from the existing crossover servicing the adjacent property. The offset between the crossovers is required to be a minimum of 1m (measured at the front property boundary). The 1m separation allows for a pedestrian refuge. The extension and separation of the driveway crossover shall be undertaken prior to the completion of any building works at the expense of the applicant. It should be noted that this may have impact on existing stobie pole, which requires relocation.

It is recommended that further clarification regarding the access to Dwelling 1 should be provided to Council.

3.0 Traffic Requirements



City of **West Torrens**

Between the City and the Sea

3.1 The revised access driveway is acceptable

3.2 It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar. Proposed letterbox is within the 300mm landscaping area of the common driveway area and should be relocated.

It is recommended that the letterbox should be relocated outside the common driveway area.

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

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

3.3 The provided vehicle manoeuvrability is incomplete. Only vehicle driving out the garage has been provided. Internal check has indicated that there is issue with vehicle driving in and park at the car port, particularly when there is another vehicle parked at car port of adjacent property.

It is recommended that a full traffic assessment report should be provided, which at minimum should include the ingress and egress movement of a vehicle.

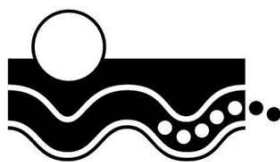
3.4 No further assessment provided. Item still considered outstanding.

The internal garage width for Dwelling 2 & 3 is currently proposed as 2.91m. Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), traffic engineering best practice guides that the minimum internal width of an enclosed garage or enclosed carport space should be a minimum of 3m.

It is recommended that revised plans be submitted, showing a garage internal width of 3m.

3.5 No further assessment provided. Item still considered outstanding.

It is understood that for group and flat dwellings it is recommended that there should be a provision of an on-site visitor car parking spaces at a rate of 0.25 spaces per dwelling. The current proposal does not allow for this.



City of **West Torrens**

Between the City and the Sea

It is recommended that revised plans showing the provision of this additional visitor parking space be provided to Council.

4.0 Waste Management

4.1 Refer to comments provided by Waste Management Team

5.0 Stormwater

5.1 Provided information, 'Siteworks/Stormwater Drainage Plan' (JB, Ref: 1588-1/C, dated 7/8/19), would indicate that the applicant has chosen to adopt the 'Alternate' approach for desired stormwater management for this site.

This approach providing a good consideration of stormwater detention, stormwater volume reduction, stormwater quality improvement and stormwater re-use within each dwelling.

Based on the scale and nature of this specific development, the 'Alternate' approach is considered an appropriate solution.

Stormwater management has been assessed as acceptable in accordance with the provided.

It is recommended that in association with any approval for this development condition(s) similar to the following should be included;

- **All stormwater management measures for a dwelling, including harvest tanks and supply mechanisms, must be installed and operation prior to occupancy of that dwelling.**
- **A minimum of 90 percent of the roof area of each dwelling must be plumbed to direct stormwater runoff to the rainwater tank for that dwelling.**

Regards
Richard Tan
Civil Engineer

Arboricultural Assessment of Street Trees

Development Application No: 211/670/2019

REFERRAL DUE DATE: 8 August 2019

Assessing Officer: **Jordan Leverington**
Site Address: **17 Kinnaird Avenue, RICHMOND SA 5033**
Certificate of Title: **CT-5704/405**
Description of Development **Land division - Torrens Title; SCAP No. 211/D088/19; Create one (1) additional allotment and the construction of one detached two storey dwelling and residential flat building containing two dwellings**

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Jordan Leverington

DATE 24 July 2019

FROM THE TECHNICAL OFFICER

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

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

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

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

A site investigation together with the information provided has revealed that the location of the proposed crossover for D2 and D3 on Kinnaird Avenue will directly impact the Southern *Koelreuteria paniculata* (Golden Rain Tree) street tree.

Furthermore to protect the remaining street tree on the verge in front of proposed residents of D1 please ensure that all services are maintained 2.0 metres clear from existing *Koelreuteria paniculata*.

With reference to the City of West Torrens, Fees and Charges Document 2019-2020 "Tree removal for driveway construction", once Council has assessed all circumstances and considered it acceptable that a street tree can be removed, a fee is calculated based on Council's standard schedule of fees and charges.

The fee is used to offsets the loss of the asset (street tree) to the community, with funds received invested in Council's annual Greening Program.

As a result of the proposed crossover for 17 Kinnaird Avenue, City Operations has considered the health, structure, form, useful life expectancy and age of the street tree and in this instance will support the removal.

A fee of \$1150.00 will be required prior to the commencement of any work.

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

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

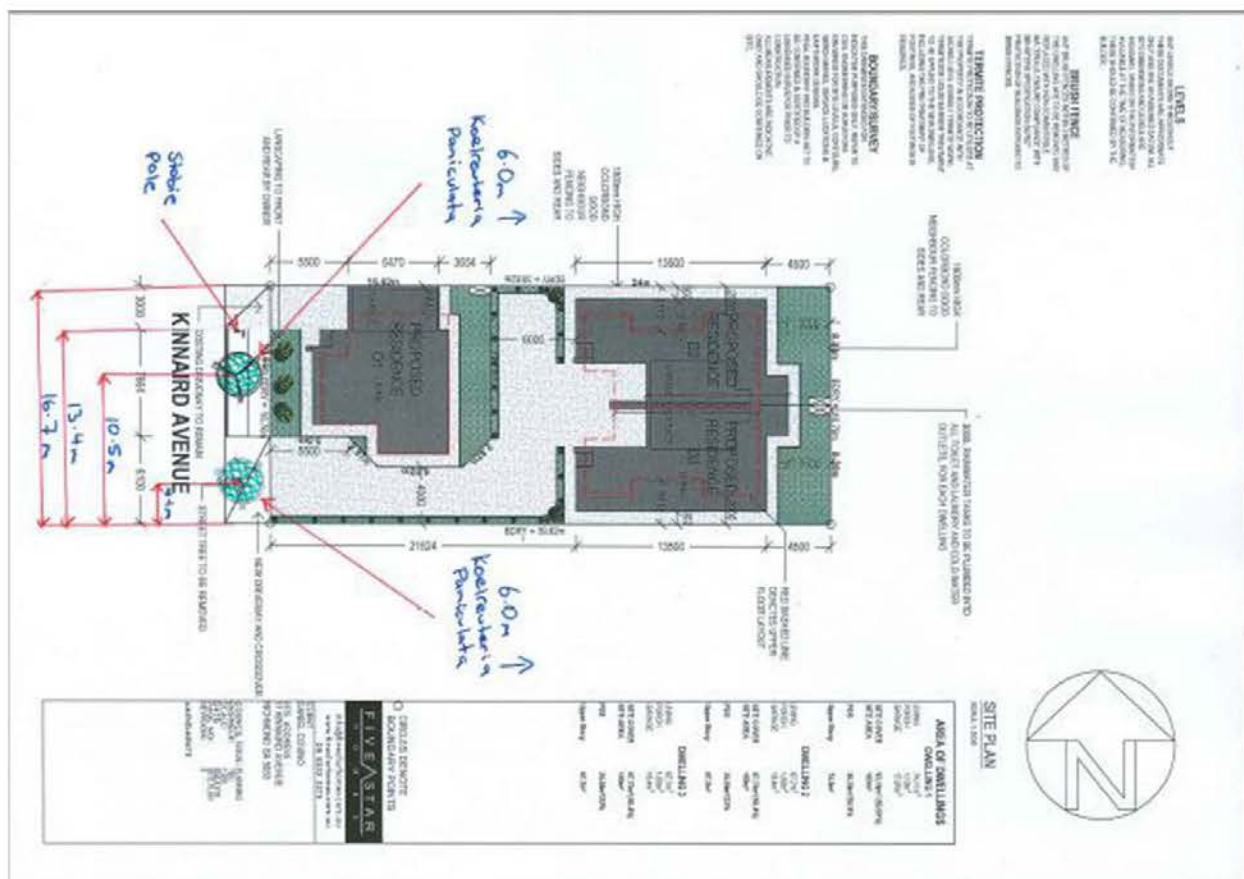
Sam Harvey
Technical Support Officer Arboriculture (Acting)
165 Sir Donald Bradman Drive
Hilton SA 5033

Telephone: 8416 6333

Fax: 8443 5709

Email: sharvey@wtcc.sa.gov.au

DATE: 2/08/2019







Memo

To Jordan Leverington
From Nick Teoh
Date 2 August 2019
Subject 211/670/2019, 17 Kinnaird Avenue, Richmond SA 5033

Dear Jordan,

The following Waste Management comments are provided with regards to the assessment of the above develop application:

Whilst restrictive, there is sufficient space for kerbside presentation for up to 6 bin each week. An estimated 5.85m of kerbside is required for presentation of:

- 3 x 140L general waste - weekly service
- 3 x 240L comingled recycle - fortnightly service
- 3 x 240L organics - fortnightly service

There are concerns regarding bin storage for each dwelling and it is recommended that proposed bin storage locations are identified or included on the design that do not obstruct paths of travel externally from the rear of the property.

Regards,
Nick Teoh
Team Leader Waste Management

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



26 July 2019

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D088/19 (ID 65652)
for Land Division by FIVE STAR HOMES

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 11 July 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 \$7616 into the Planning and Development Fund (1 allotment(s) @ \$7616/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 B.', is written over a light blue grid background.

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



26 July 2019

Our Ref: H0087784

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/D088/19 AT RICHMOND

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

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

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

6.3 8 Gray Street, PLYMPTON

Application No 211/518/2019

Appearing before the Panel will be:

Representors: **Craig and Jiana Thompson** of 24A Tudor Street, Dulwich wish to appear in support of the representation.

Applicant: **Mario Civitarese** and **Phil Harnett** (URPS) wish to appear in response to the representation.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Construction of a residential flat building containing two 2-storey dwellings and front fence
APPLICANT	Mario Civitarese
LODGEMENT DATE	29 May 2019
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> City Assets External <ul style="list-style-type: none"> Nil
DEVELOPMENT PLAN VERSION	12 July 2018
DELEGATION	<ul style="list-style-type: none"> The relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions
AUTHOR	Phil Smith

BACKGROUND

211/1086/2011 - Land division (Community Title) to create one additional allotment was approved in December 2011 at the rear of the site.

DA 211/803/2019 - Land division (Community Title) to create one additional allotment has been lodged to accommodate the two proposed dwellings. This application has been approved.

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 11, Primary Community Plan 27249 in the area named Plympton, Hundred of Adelaide, Volume 6093 Folio 819, more commonly known as 8 Gray Street, Plympton. The subject site is mostly rectangular in shape with a 10.87 metre (m) wide frontage to Gray Street, and a site area of 323 square metres (m²).

It is noted that there are no easements 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 one dwelling.

The locality consists of residential land uses of varying architectural styles in all directions. More recent infill development is occurring in close proximity to the subject site and in the wider locality.

Anzac Highway is located within 70m of the site to the south and Kurralta Central Shopping Centre is located 200m to the east

The subject land and locality are shown in the photos, aerial imagery and maps below.



Figure 1 - Subject site



Figure 2 - 6, 6A and 6B Gray Street



Figure 3 - 10 Gray Street



Figure 4 - Subject site existing common driveway



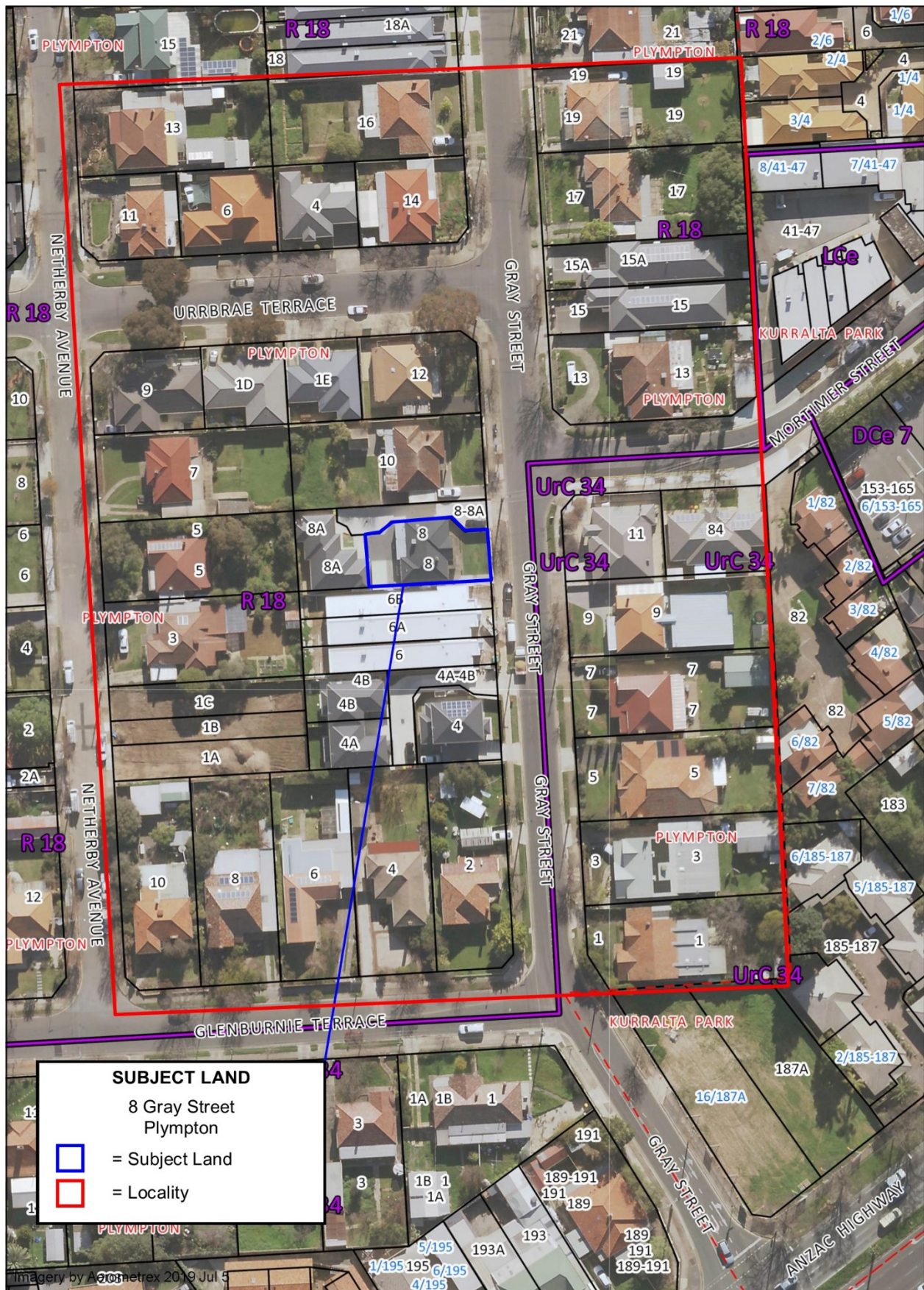
Figure 5 - Close up of existing built form and shadowing between 8 Gray and 6B Gray

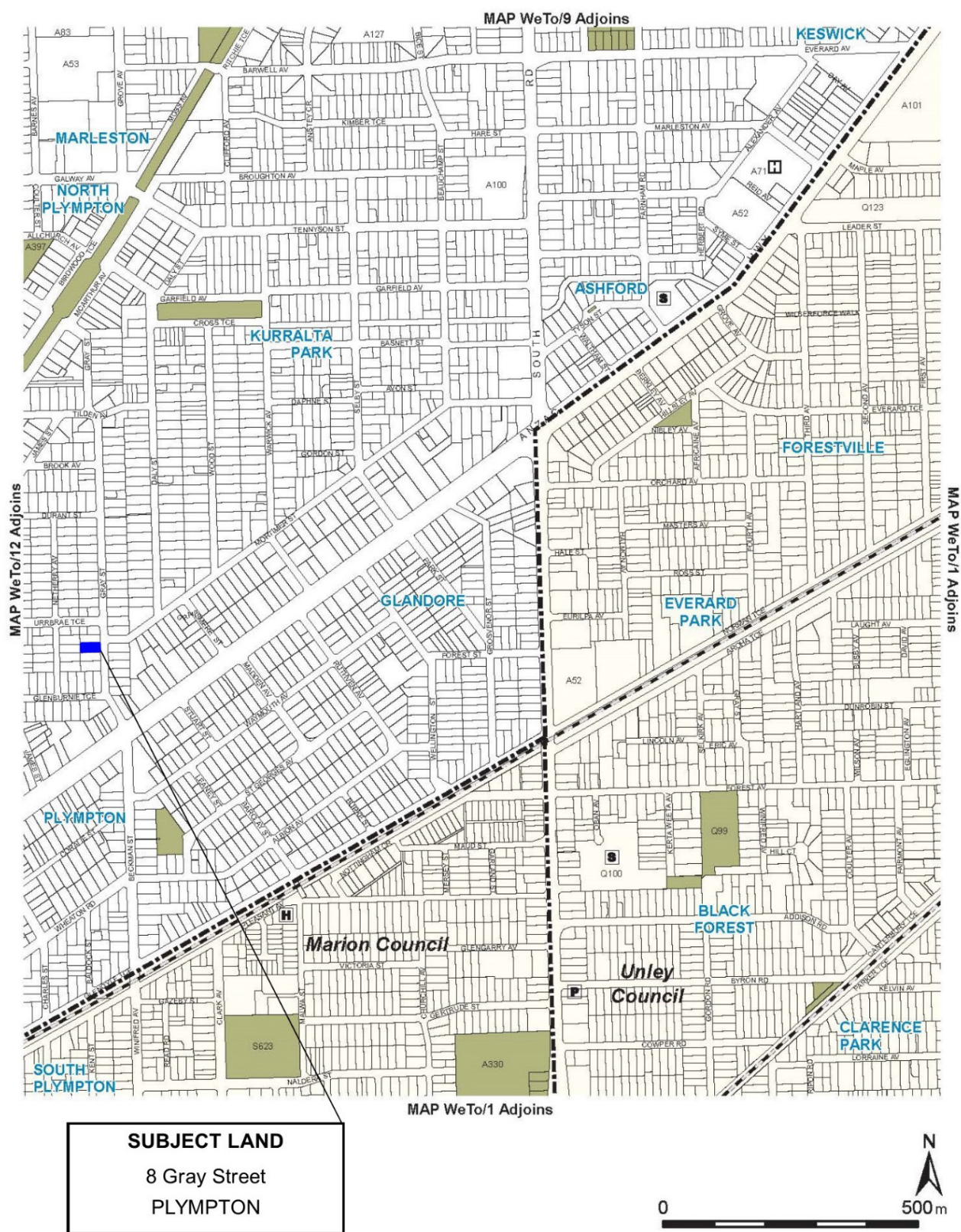


Figure 6 - Subject site existing front setback and landscaping



Figure 7 - 4, 4A and 4B Gray Street





PROPOSAL

The proposal involves the construction of a two storey, residential flat building containing two dwellings and a front fence. The details of this application are as follows:

- Each dwelling comprises a single garage and an uncovered parking space;
- The ground floor levels contain living, kitchen and meals areas in addition to a laundry and toilet;
- The upper floor levels contain a master bedroom with ensuite, two bedrooms, a second bathroom and a retreat area;
- Materials, finishes and colours include:
 - Face Brickwork - Liquorice;
 - Steel Wall Cladding - Monument or Basalt;
 - Timber Wall Cladding - Natural Timber look;
 - Rendered Wall Cladding - Off-white;
 - Skillion Roof - Custom Orb Roof Cladding - Ironstone/Woodland Grey;
 - Flat Roof - Trimdek - Zinalume;
 - Door/Window Frames - aluminium - Matt Black;
- Landscaping is proposed in the front setback of Dwelling 1 and to the front of Dwelling 2;
- Species include *Prunus cerasifera* "Oakville Crimson Spire" (Tree), *Viburnum odoratissimum* (tall screen planting), Kangaroo Paw, Lily Turf (low medium shrubs) and *Myoporum parvifolium*, *Eremophila* 'Kalbarri carpet' (ground covers);
- The front fence is proposed to be constructed to a height of 1.8m with a rendered finish, in addition to 1.8m high custom orb fencing.

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

PUBLIC NOTIFICATION

The proposed development is a Category 2 form of development pursuant to Schedule 9 of the *Development Regulations 2008*.

Properties notified	16 properties were notified during the public notification process.
Representations	1 representation was received.
Persons wishing to be heard	<ul style="list-style-type: none"> • Craig and Jiana Thompson
Summary of representations	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> • Overshadowing. • Energy efficiency. • Rear yard setback.
Applicant's response to representations	<ul style="list-style-type: none"> • The private open space area of 6B Gray Street receives at least 2 hours of direct sunlight from 12pm onwards. Any other overshadowing after 12pm is from the existing single storey dwelling at 8A Gray Street. • PDC 5 of the Policy Area allows for a maximum building height of 3 storeys or 12.5 metres. The proposal will have a building height of 2 storeys and 6.7 metres.

	<ul style="list-style-type: none"> The representor has not shown the location of the future photovoltaic cells at 6B Gray Street and therefore the impact of the proposal cannot be accurately determined. No evidence has been presented to suggest the proposed development would inhibit the efficient use of the future photovoltaic cells. <p>The applicant's interpretation is that the rear boundary of the land abuts 8A Gray Street not 6B Gray Street as explained by the representor.</p>
--	--

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

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> The FFLs of the proposed development satisfy the minimum requirements in consideration of street and/or flood level information.

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, 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	1, 2, 3, 4
Principles of Development Control	1, 5, 7, 13

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, 5, 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	
		D1	D2
SITE AREA <i>Medium Density Policy Area 18</i> <i>PDC 6</i>	150m ² (avg.)	152.5m ² (avg.) Satisfies	152.5m ² (avg.) Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 18</i> <i>PDC 6</i>	15m (complete building)	25.6m Satisfies	

SITE COVERAGE <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	70% (max.)	58% Satisfies	65% Satisfies
PRIMARY STREET SETBACK <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	3m (min.)	3m Satisfies	
SIDE SETBACKS (COMPLETE BUILDING) <i>Residential Zone</i> <i>PDC 11</i>	Ground floor 0/1m Upper floor - 2m	6m (north) 0m (south) Satisfies 6m (north) 2m (south) Satisfies	
REAR SETBACK (Complete Building) <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	4m (min.)	16m Satisfies	
SIDE SETBACKS (Dwellings) <i>Residential Zone</i> <i>PDC 11</i>	Ground floor 0/1m Upper floor 2m	3m (east) 0m (west) Satisfies 0m (east) 0m (west) Does not satisfy	0m (east) 1m (west) Satisfies 1m (east) 1m (west) Does not satisfy
REAR SETBACK (Dwellings) <i>Medium Density Policy Area 18</i> <i>PDC 5</i>	4m (min.)	2m Does not satisfy	2m Does not satisfy
INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i>	100m ² (min.)	160m ² Satisfies	160m ² Satisfies
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	24m ² (min. area) 3m (min. dimension). 16m ² (min. accessible from habitable room).	30m ² Satisfies	28m ² Satisfies

STORAGE <i>Residential Development</i> PDC 31	8m ³ (min.)	21m ³ Satisfies	21m ³ Satisfies
CAR PARKING SPACES <i>Transportation and Access</i> PDC 34	2 spaces (1 covered) + 0.25 visitor spaces per dwelling	2 spaces (1 covered) Satisfies No visitor spaces Does not satisfy	2 spaces (1 covered) Satisfies No visitor spaces Does not satisfy
LANDSCAPING <i>Landscaping, Fences and Walls</i> PDC 4	10% (min.)	8.9% (27m ²) Does not satisfy	

ASSESSMENT

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

Land Use

With respect to land use, the development proposes two, two storey dwellings within a residential flat building. Within Medium Density Policy Area 18, Principle of Development Control (PDC) 1 specifically notes that a residential flat building is an envisaged use. This is re-emphasised in the first paragraph of the Desired Character Statement for the policy area.

On this basis, it is considered that Development Plan provisions relating to land use are satisfied.

Desired Character and Pattern of Development

The desired character implicitly states that allotments in this policy area will be medium density accommodating a range of dwelling types including residential flat buildings. The desired character statement encourages development to maximise density by amalgamating sites in close proximity to Centre Zones. Whilst this site has not been amalgamated, it is nonetheless in close proximity (approximately 60m) to a District Centre Zone.

The proposed pattern of development is consistent with the existing pattern of development, which is highly variable owing to the amount of redevelopment occurring across the locality. There are examples of single dwellings on allotments, allotments that have been split into three in a Torrens Title alignment and other allotments that have been split into 2-3 Community Title alignments. The proposed development is consistent with this variability as it proposes two additional dwellings to make a total of three on the subject site.

On balance, it is considered that the proposed development is consistent with the Desired Character and Pattern of Development within the policy area.

Built Form

The dwellings are considered to be of a high design standard and are enhanced by the variety of materials, colours and finishes incorporated into the design. On this basis, Objective 1 and PDC 1 of the Design and Appearance module and PDC 4 of the Residential module are satisfied. Furthermore, the variety of materials, colours and finishes of the proposed dwellings gives them a well-articulated appearance that permits the design to differentiate itself in a positive way from other recent development (illustrated in Figures 2 and 7) which is characterised by a lack of articulation and a bland palette of colours, finishes and materials.

In terms of the built form, it is noted that the dwellings satisfy the building height requirements by 5.7m, thus there are no issues in this regard. There are other examples of two-storey development in close proximity to the subject site, most notably at 4-4B Gray Street, which is developed with 3, two-storey dwellings incorporating a pitched roof form. On this basis, the proposed dwellings fit into the context of the locality.

The design of the proposed dwellings incorporates a flat roof appearance, which assists in reducing the visual bulk of the proposed dwellings while limiting overshadowing to adjoining properties to the south.

Front fencing is proposed for Dwelling 1 fronting Gray Street and comprises a rendered wall and Colorbond® Custom Orb fencing, consistent with the selected palette of colours, materials and finishes. The mixture of fencing materials breaks up the length and monotony of a singular material and is more attractive when viewed from the street. The fence height proposed at 1.8m is a standard fence height and is supported.

Overall, it is considered that the proposed dwellings present well to the street which should help improve its aesthetic character.

Amenity

With respect to amenity, it is noted that the site is not located on an arterial road, or in close proximity to the airport, therefore noise attenuation devices such as double glazed windows and acoustic insulation are not considered to be necessary.

The orientation of the site in an east-west direction does allow for northern solar access into the private open space areas and habitable spaces, however this is unavoidable.

With respect to overlooking, all upper level windows including those that overlook the driveway will be obscured. It should be noted that the majority of windows are high light windows thus already satisfying the 1.7m above finished floor level requirement. Overall, there is unlikely to be any issues with respect to overlooking.

The proposed development will overshadow the adjoining property (6B Gray Street) to the south, however the overshadowing impacts are considered to be reasonable. The proposed development projects shadows into the private open space of 6B Gray Street in the morning hours but not in the afternoon hours. As a result, the private open space of 6B Gray Street will receive the 2 hours of direct solar access required by the Development Plan. Figure 5 shows that the north facing windows of this property will receive little to no solar access as a result of the close proximity of the existing single storey dwelling on the site. The increased setback of the proposed dwellings, albeit at a greater height, should nonetheless assist in allowing for solar access to these windows.

There do not appear to be any solar panels on adjoining properties to the south therefore there are no overshadowing issues in this regard. It should be noted that 3 storey dwellings at a height of 12.5m are permissible in Policy Area 18 under PDC 5, therefore some overshadowing impacts are to be expected.

Private open space areas are located to the side of both dwellings and not to the rear which is considered to lessen the visual impacts of the proposed development when viewed from the adjoining dwelling to the south (6B Gray Street) as it provides for greater separation.

Setbacks

Within the Quantitative Standards table, it is noted that there are two sets of provisions for setbacks, one for the complete building and one for each dwelling. The standards for the building assumes that the front setback of the building is the setback facing the street. If one dwelling was to be contemplated, then this is the orientation the dwelling would satisfy. On the other hand, with a residential flat building comprising two dwellings, the orientation of the dwellings shifts so that they are effectively facing the common driveway. This has repercussions for the setbacks of the dwellings when they are looked at individually.

Looking at the completed building, it is noted that all setbacks comply with the Development Plan requirements. However, if one were to take the approach of assessing the dwellings individually, then some of the required setbacks do not satisfy the relevant setback provisions found within the Development Plan.

The internal boundary setbacks do not satisfy the required upper level setbacks, however this is not considered to be an issue as the dwellings abut each other. It is considered that the rear setbacks should be given the greatest scrutiny.

A 4m setback is required from the rear boundary. The development proposes staggered setbacks at ground level of 0-3m and 2-3m at upper level. While these setbacks do not satisfy PDC 11 of the Residential Zone, it is important to recognise that the relevant policy provisions would allow for a double storey dwelling to be constructed with private open space directed towards the western boundary with 2m side setbacks which would result in a significantly greater impact to 6B Gray Street. Complying development also envisages outbuildings and garages for a length of 8m on shared boundaries which would similarly have a potentially greater impact.

Taking a balanced approach, it is considered that the outcome proposed is an appropriate one, with lesser heights and greater setbacks than what could otherwise be achieved.

Overall, it is considered that the design of the dwellings, taking into consideration their setbacks and resultant impacts, present an appropriate outcome that is consistent with the built form within the locality and the intent of the Development Plan.

Landscaping

The proposed development improves on the existing situation as there is very little landscaping to speak of on the site. There is no landscaping along the driveway, which the development will improve somewhat with landscaping proposed in front of the dwellings along the driveway. Landscaping in the front setback of Dwelling 1 incorporates a variety of species while selected pavers along pathways and in the private open spaces will markedly improve the current appearance of the site.

The Landscaping, Fences and Walls module requires that a minimum of 10% of the development site be landscaped. The proposal achieves 8.9% which is a minor shortfall of 1.1%. Given the current appearance of the site, it is considered that the shortfall is not fatal to the application and that the site when viewed from the street, will be significantly improved.

Overall, it is considered that the proposal achieves a satisfactory outcome with respect to landscaping.

Parking and Access

The application was referred to Council's City Assets team to review traffic management matters. Matters raised include the distance of the driveway from the base of the existing street tree and three point turn manoeuvring from the garages allowing vehicles to enter and exit the site in a forward direction.

It has been confirmed that the driveway would be approximately 1.9m from the base of the street tree if the driveway was to be widened. This is considered acceptable for a number of reasons. First, Council's accepted standard setback of driveways from street trees ranges between 1.5 and 2 metres, thus the proposed setback falls within this range. Second, expansion of the driveway width would be located at the outer edge of the tree canopy as shown in the photo below and not over the tree protection zone (TPZ). Third, in order to expand the driveway, a small amount of hard surface (i.e. concrete) would be required, approximately 1m² in area also shown in the photo below.



Figure 8 - Small portion to be paved for driveway (blue box)

As noted earlier, entering and exiting the garages in a forward direction has been raised by City Asset's engineers as a matter worthy of consideration.

The driveway as proposed is nonetheless considered to be acceptable. The aisle width which allows for turning while reversing is setback 6.1m from the rear of the vehicle to the fence, noting that the typical accepted aisle width is 6m. There is no landscaping or any other obstructions in this section of the driveway, therefore vehicles should have no issues reversing and exiting in a forward direction.

The proposal generates a requirement for 2 covered spaces and 2 uncovered spaces and these requirements are achieved. The proposal also generates a requirement for 0.5 visitor spaces which is not achieved. However, as there is ample unrestricted on-street car parking available in the locality, this is not considered to be an issue.

On balance, it is considered that traffic management matters have been adequately addressed.

Waste Management

A waste management plan was not required given that there is ample space (approximately 7m) to place 6 bins on any given rubbish collection day, which would be consistent for other properties in the street.

Stormwater Management

The City Assets team consider the proposed development to be acceptable from a stormwater management perspective. While there are no issues with the finished floor levels for the dwellings, there are some technical matters relating to stormwater re-use and stormwater detention that could be resolved by taking a different approach. On this basis, it is considered that these matters would best be addressed as a reserved matter given that they do not form a critical part of the assessment.

SUMMARY

The application is considered to be an appropriate balance between the maximum scale of development achievable on the site whilst respecting the amenity of adjoining properties.

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/518 /2019 by Mario Civitarese to undertake the construction of a residential flat building containing two 2-storey dwellings and front fence at 8 Gray Street, Plympton (CT 6093/819) subject to the following Reserved Matters and conditions of consent:

Reserved Matter

The following detailed information shall be submitted for further assessment and approval by the Council as reserved matter pursuant to Section 33(3) of the *Development Act 1993*:

- An amended Stormwater Management Plan that specifies the following matters:
 - The installation of a 3,000 litre rainwater tank (no detention element).
 - A rainwater tank plumbed to deliver recycled water to all toilets and the laundry cold water outlet (which may also be connected to the hot water service if desired).
 - A minimum of 90% of the dwelling roof area to have stormwater runoff directed to the rainwater tank.
 - Mains water backup, pump and plumbing arrangements as typically required to support such an installation are to be compliant with the standard Building Code requirements associated with a compulsory rainwater tank installation.
 - The stormwater collection and re-use system is to be installed and operational prior to occupancy of the dwelling.

Pursuant to Section 42(1) of the *Development Act 1993*, the Council reserves its decision on the form and substance of any further Development Plan consent conditions that it considers appropriate to impose in respect of the reserved matter set out above.

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 established in accordance with plans and documents lodged with Council.

2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

3. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times.

Reason: To ensure the ongoing use and safety of vehicle parking and manoeuvring areas.

4. That all planting and landscaping shall be completed within the first planting season after the completion of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.

Reason: To enhance the amenity of the site and locality and reduce heat loading.

5. That the upper level windows of the dwellings including the windows facing the driveway shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable condition at all times.

Reason: To maintain the level of privacy to residents of adjoining dwellings.

Attachments

1. **Relevant provisions**
2. **Plans and Information**
3. **Representation and Applicant's Response**
4. **City Assets Advice**

Relevant Development Plan Provisions

General Section		
Design and Appearance	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25
Energy Efficiency	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 & 40
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 & 15
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39 & 40
Residential Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34 & 35
	<i>Principles of Development Control</i>	1, 2, 3, 4 & 5
Transportation and Access	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 & 47
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 & 18

Development Application form

Civic Centre: 165 Sir Donald Bradman Drive, Hilton SA 5033. Office hours: Mon - Fri 8.30am - 5pm.
Phone: (08) 8416 6333. Email: development@wtcc.sa.gov.au. Web: westtorrens.sa.gov.au.



Section 1 - correspondence method

By selecting 'I ACCEPT' below, you agree (as the applicant, the owner and/or the authorised agent) to be legally bound by the 'Terms and conditions' of this service and you consent that all correspondence relevant to this application, or which is otherwise required to be provided to you under the *Development Act 1993* - including Decision Notification forms, stamped plans and relevant documents, be provided to you in **electronic format** only. Please tick **ONLY** one of the following boxes.

☐ I ACCEPT

or, if you do not wish to correspond electronically, three complete sets of hardcopy documents will be required

☐ I choose only to receive general assessment correspondence via email. All stamped plans and Decision Notification forms must be sent by hardcopy mail.

Email address:

Section 2 - consent sought

Select **one** type of consent you wish to apply for:

☒ Development Plan consent
(Planning only)

☐ Building Rules consent
(Building only)

☐ Development Approval
(Planning and Building)

If unsure what type of consent is needed, contact Council on 8416 6333.

Section 3 - location of proposed development

8	11	D3690 L165	5453	685
House number	OR Lot number	DP	CT volume	Folio
GRAY ST		PLYMPTON		
Street name		Suburb		
SA	5038			
State	Post code			

Section 4 - applicant details

Please note that all correspondence will be sent to the applicant (this section must be completed).

MARIO	CIVITARESE	
Given name	Surname	Phone
37 KINGWILLIAM ST		KENT TOWN
Postal address		Suburb
SA	5067	
State	Post code	Email

Section 5 - owner's details of the subject land

If same as applicant details, please leave blank and go to section 6.

GITTA	LINDBLOM	0409 892 856
Given name	Surname	Phone
8 GRAY ST		PLYMPTON
Postal address		Suburb
SA	5038	
State	Post code	Email

Section 6 - contact for further information

Please note - this section is to be completed if the contact person is not the applicant.

<input type="text"/>	<input type="text"/>
Given name	Surname
<input type="text"/>	<input type="text"/>
Email	Phone

Section 7 - builder's details

This section must be completed by the applicant for Building and Development approval.

☐ Owner builder OR ☐ Builder

<input type="text" value="T. B. A."/>		<input type="text"/>
Name of builder (company)		Licence number
<input type="text"/>		<input type="text"/>
Postal address		Mobile/Contact number
<input type="text"/>	<input type="text"/>	<input type="text"/>
State	Post code	Email

Section 8 - description of development and associated details

Please describe the development (e.g. single storey detached dwelling, domestic garage, warehouse with office, tree removal).

2 x 2 STOREY SEMI - DETACHED
 DWELLINGS + SINGLE GARAGE

Existing site use:

Does the proposal affect a regulated or significant tree?

☐ Yes ☒ No

Note: a regulated or significant tree may be on the adjoining land that may be affected (including damage to tree roots) by the proposed development. If unsure what a regulated or significant tree is, visit Council's website for more information.

Is there a brush fence within three metres of the proposed building work?

☐ Yes ☒ No

Are there any easements on the land?

☐ Yes ☒ No**Section 9 - costing and floor area**

Council may require written justification to verify costs (this section must be completed).

<input type="text" value="\$ 460,000.00."/>	<input type="text" value="320."/>	m ²
Estimated total cost of works (excluding fitout)	Estimated floor area of work	

Section 10 - building classification

If unsure, contact Council on 8416 6333 or visit the Council office during business hours.

<input type="text"/>	<input type="text"/>
Current classification	Classification sought

If Class 5, 6, 7, 8, or 9, state number of employees: Male Female.....

Section 11 - declarationCouncil is required by the *Development Act 1993* to make Category 2 and 3 Developments available for public inspection and the public may obtain copies of this material for a fee. If you have concerns over the confidentiality or security content of such documents, you should discuss these with a member of Council's planning staff before lodging.

I declare that the information I have provided on this application form is correct to the best of my knowledge and give permission to make this information available for public inspection.


Signature:  Date: 27/5/2019☒ Applicant ☐ Owner ☐ Authorised agent

Powerline Clearance Declaration form

Development Regulations 2008

Civic Centre: 165 Sir Donald Bradman Drive, Hilton SA 5033. Office hours: Mon - Fri 8.30am - 5pm.
Phone: (08) 8416 6333 Email: development@wtcc.sa.gov.au Web: westtorrens.sa.gov.au



Date of Application: 27/5/2019.			
Applicant:	Given Name: MARIO	Family Name: CIVITARESE	
Address:	Lot No: 11	House No: 8	Street: GRAY ST
	Suburb: PLUMPTON		P/Code: 5030.
Volume: 5453	Folio: 685.		
Nature of proposed development:			
2 x 2 storey semi-detached dwellings +			
single garages			
<p>I <u>MARIO CIVITARESE</u> being the applicant / a person acting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i>. I make this declaration under clause 2A(1) of Schedule 5 of the <i>Development Regulations 2008</i>.</p>			
Date: 27/5/2019			
Signature: 			

Last updated 24 May 2019



Product	Title Details
Date/Time	12/09/2019 10:22AM
Customer Reference	
Order ID	20190912002494

Certificate of Title

Title Reference	CT 6093/819
Status	CURRENT
Easement	NO
Owner Number	1508354*
Address for Notices	8 GRAY ST PLYMPTON 5038
Area	323M ² (CALCULATED)

Estate Type

FEE SIMPLE

Registered Proprietor

GITTA LINDBLOM
OF 8 GRAY STREET PLYMPTON SA 5038

Description of Land

LOT 11 PRIMARY COMMUNITY PLAN 27249
IN THE AREA NAMED PLYMPTON
HUNDRED OF ADELAIDE

Last Sale Details

There are no sales details recorded for this property

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	11441456	HOMESTART FINANCE

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
2128327108	CURRENT	8 GRAY STREET, PLYMPTON, SA 5038

Notations

Dealings Affecting Title

NIL

Notations on Plan



Product
Date/Time 12/09/2019 10:22AM
Customer Reference
Order ID 20190912002494

Lodgement Date	Dealing Number	Descriptions	Status
10/04/2012 11:50	11743356	BY-LAWS	FILED

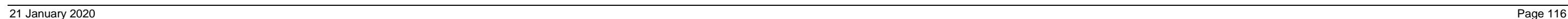
Registrar-General's Notes

NIL

Administrative Interests

NIL

PURPOSE:	PRIMARY COMMUNITY	AREA NAME:	PLYMPTON	APPROVED:	ANGELA WESTTHORP 16/03/2012	 C27249 SHEET 1 OF 2 31910_text_01_v03_Version_3																				
MAP REF:	6628/50/C	COUNCIL:	CITY OF WEST TORRENS	DEPOSITED:	DEAN WATSON 04/05/2012																					
LAST PLAN:	F56432	DEVELOPMENT NO:	211/C106/11/001/31666																							
AGENT DETAILS:	RICHARD RETALLACK PO BOX 154 DAW PARK SA 5041 PH: (08) 83570428 FAX: (08) 83578438		SURVEYORS CERTIFICATION:	I Richard Alan Retallack , a licensed surveyor under the Survey Act 1992, certify that (a) I am uncertain about the location of that part of the service infrastructure shown between the points marked > and < on the plan; and (b) This community plan has been correctly prepared in accordance with the Community Titles Act 1996 13th day of March 2012 Richard Retallack Licensed Surveyor																						
AGENT CODE:	RIRE																									
REFERENCE:	R10113LIN																									
SUBJECT TITLE DETAILS: <table border="1"> <thead> <tr> <th>PREFIX</th> <th>VOLUME</th> <th>FOLIO</th> <th>OTHER</th> <th>PARCEL</th> <th>NUMBER</th> <th>PLAN</th> <th>NUMBER HUNDRED / IA / DIVISION</th> <th>TOWN</th> <th>REFERENCE NUMBER</th> </tr> </thead> <tbody> <tr> <td>CT</td> <td>5453</td> <td>685</td> <td></td> <td>ALLOTMENT(S)</td> <td>165</td> <td>D</td> <td>3690 ADELAIDE</td> <td></td> <td></td> </tr> </tbody> </table>							PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER	CT	5453	685		ALLOTMENT(S)	165	D	3690 ADELAIDE		
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER																	
CT	5453	685		ALLOTMENT(S)	165	D	3690 ADELAIDE																			
OTHER TITLES AFFECTED:																										
EASEMENT DETAILS:																										
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION																			
ANNOTATIONS: THE SERVICE INFRASTRUCTURE COULD NOT BE FOUND DUE TO THE AGE AND NATURE OF THE SCHEME AND THE UNAVAILABILITY OF RECORDS																										



LOT ENTITLEMENT SHEET

SCHEDULE OF LOT ENTITLEMENTS		
LOT	LOT ENTITLEMENT	SUBDIVIDED
11	5679	
12	4321	
AGGREGATE	10000	

COMMUNITY PLAN NUMBER

C 27249

SHEET 1 OF 1

DEPOSITED

4 MAY 2012



PRO REGISTRAR-GENERAL

DEV. No. 211 : C106 : 11

APPLICATION 11743355.

CERTIFICATE OF LAND VALUER

I, KOFI ADIH OF 507 SOUTH ROAD ASHFORD 5035 being
 A land Valuer within the meaning of the Land Valuers Act 1994
 Certify that this schedule is correct for the purposes of the
 Community Titles Act 1996

Dated the ...28th.... Day of ...February 2012.....



Signature of Land Valuer

Ref: 19ADL-0071

6 August 2019

Mr Phil Smith
Senior Development Officer – Planning
City of West Torrens – City Development
By Email:



URPS

Suite 12
154 Fullarton Road
ROSE PARK SA 5067

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

Dear Phil

**8 Gray Street, Plympton – Response to Council Information Request – Development
Application Number 211/518/2019.**

Introduction

As you are aware URPS has been engaged by the applicant to provide planning advice and respond to your letter dated 11 June 2019, regarding Development Number 211/518/2019.

In responding, I now attach the following:

- Amended Site Plan.
- Amended Lower Floor Plan.
- Plan of Division – C27249 – V02 by Richard Retallack Licensed Surveyor.

In considering the comments you have provided I have reviewed the West Torrens Council Development Plan consolidated 12 July 2018.

Each of your concerns is addressed in corresponding order below.

Car Parking and Manoeuvrability Plan

You have stated the following:

“A Car parking and Manoeuvrability Plan (minimum scale of 1:200) clearly demonstrating compliance of manoeuvrability for parking spaces using suitable techniques as outlined within AS/NZS 2890.1:2004. It is recommended that the applicant seek advice from someone suitably experienced in traffic design, to assist them in producing a vehicle manoeuvrability design for this site which complies with the Australian Standard requirements”.

“Elements of the vehicle manoeuvrability within this development appear to be unsatisfactory. An assessment has been performed for vehicle manoeuvrability and the vehicles are unable to enter and exit the carpark within a single 3-point-turn”.

shaping great communities

The applicant has worked closely with CIRQA (traffic engineers) to ensure vehicles can enter and exit the proposed car parking areas within a single 3-point turn. This has meant the following amendments which have been applied to the proposal:

- Each carport and car parking area widened by 100 millimetres on each side.
- Carport roller doors widened to 2.6 metres.
- Carport length reduced to 5.8 metres.
- Blade wall length reduced to 2 metres.
- Minimum car parking length of 5.4 metres achieved throughout the development.
- Driveway landscaping adjusted to ensure suitable vehicle turn-paths.

In addition, the existing driveway and its proposed modifications are suitable for the anticipated traffic because:

- All motorists and pedestrians will have clear sight lines.
- All components of the driveway will have an all-weather surface that is free from mud and dust.
- The driveway has been designed so that it drains appropriately and without discharge onto a neighbouring property.
- The appearance of the driveway will be enhanced with a more open street frontage and some low level landscaping.
- Vehicles can safely, efficiently and conveniently manoeuvre.

Driveway Landscaping

You have stated the following:

“The site plan amended to show a minimum of 600mm landscaping on each side of the driveway width”.

“There is no landscaping proposed along the driveway”.

We acknowledge that the driveway does not provide a 600 millimetre landscaping strip on either side. This is acceptable for the following reasons:

- The common driveway already exists. We respectfully suggest that it is acceptable to not retrospectively apply current planning policies to a long-standing and existing situation.
- In any case:
 - > The proposal enhances the appearance of the existing driveway by providing garden beds in the common driveway area. These have been updated to ensure they do not conflict with vehicle movements.
 - > The proposal has been designed to ensure space for landscaping parallel to Gray Street and the proposed allotment frontage.
 - > An established street tree in front of the subject land will remain.
 - > Each dwelling has generous private open space areas that allow for additional landscaping within the site.

Land Division

You have stated the following:

“Development Plan requirements for land division:

The minimum allotment size for Residential Flat Buildings in a Residential Zone - Policy Area 18 is:

$\geq 150m^2$

Without combining this application with a lodged land division on EDALA, pursuant to Development Control 8 (Residential Zone (Medium Density Policy Area 18), an area of 250m² per allotment or greater is required.

As such, this requirement is not satisfied”.

The proposal is for a “residential flat building” comprising 2 dwelling.

In this circumstance, an existing dwelling situated on 8A Gray Street, will continue to have frontage and vehicle access to the same common driveway as the dwellings proposed within the residential flat building.

The dwelling situated on 8A Gray Street is best defined as a “group dwelling” in accordance with Schedule 1 of the Development Regulations. This is because:

- The dwelling forms 1 of a group of 2 or more detached buildings (i.e. 2 detached buildings being the dwelling on 8A Gray Street and the proposed “residential flat building”).
- Each building is used to comprise a dwelling(s).
- 1 of the buildings has a site without a frontage to a public road.

Principle 6 within the Policy Area guides that:

- A dwelling within a residential flat building should have an “average” site area of 150 square metres and the complete building should have a minimum frontage to Daly Street of 15 metres.
- Group dwellings should have a “minimum” site area of 150 square metres and a minimum frontage of 7 metres.

The frontage of the subject land to Gray Street is 17.37 metres and therefore clearly meets the frontage expectations for residential flat buildings within the Policy Area.

One detached building within the group must have a site without a frontage to a public road so as to satisfy the “group dwelling” definition in Schedule 1 of the Development Regulations. In this circumstance 8A Gray Street does not currently, and will continue to not, have frontage to a public road. As such, the 7 metre frontage guideline is redundant in this circumstance.

In respect to site area for “residential flat buildings”, we have previously explained to this council that an “average” approach, that includes the driveway area, be adopted.

The ERD (Environment, Resources and Development) Court has provided more insight into how site areas are to be determined (see Gregory & Noor v City of Charles Sturt & George Majda & Associated on 13 August 2018). The following noteworthy remarks were made by Commissioner Rumsby:

“It was generally agreed that density can be expressed in many ways and that the term must be calibrated against the various numeric values and policy provisions of each applicable residential zone and policy areas.

... Dwellings in the nature of a group dwelling or residential flat building are expected to achieve an average...

... the key feature distinguishing dwellings in the nature of a residential flat building or group dwelling from the listed dwelling types is that they do not occupy exclusive, street fronting, dwelling sites but functionally rely on common areas – typically the driveway and associated landscape areas and often visitor parking. In these circumstances, the term ‘average’ serves little purpose if the common land is excluded from the calculations.

Moreover, some residential flat buildings can involve dwellings which do not have any at-ground ‘site’ i.e. where occupying floor levels exclusively above the at-ground floor level. It would be a nullity in these circumstances if the common land is excluded from the calculation of average dwelling site areas”.

(my emphasis)

In this circumstance the Development Plan also uses the term “average” in reference to the calculation of site area for “residential flat buildings”. However the term “minimum” is used with respect to “group dwellings”.

On this basis, the proposed dwellings within the residential flat building achieve an average site area of 237 square metres each (i.e. 169 (common property) + 160 (lot 10) + 145 (lot 11) = 474m² / 2 = 237m²) which satisfies the average 150 square metre guideline.

8A Gray Street will continue to have a site area of 229 square metres. This site area has not changed from its current size and continues to satisfy the minimum 150 square metre guideline.

It is clear the use, dwelling types, form of development, density, site area and frontage are acceptable when tested against the pertinent sections of the Development Plan.

The density of the development is well within the expectations of the Development Plan. The allotment is approximately 701.57 square metres in area. The proposal will achieve a net density equivalent of 43 dwellings per hectare. Such a density is consistent with what is considered “medium density” by Principle 4 of the Policy Area (i.e. between 40 and 67 dwellings per hectare) and therefore this part of the desired character is achieved.

The above approach and rationale has previously been used to support numerous infill housing developments within this council area with such developments granted Development Plan Consent both under delegated authority and via the Council Assessment Panel.

Setbacks

You have stated the following:

“Setbacks from the rear boundary do not comply Residential Zone (Medium Density Policy Area 18, Principle of Development Control 5 - requirement of 4 metres”.

The Development Plan prescribes setback guidelines from particular boundaries. Our interpretation of those boundaries on the subject land are as follows:

- The front boundary is the eastern boundary which has primary frontage to Gray Street.
- The rear boundary is the western boundary.
- The side boundaries are the northern and southern boundaries.

We believe this to be the correct interpretation for the following reasons:

- **This is how the Council has historically approached this guideline:**
 - > The City of West Torrens Council Assessment Panel has accepted this approach for several years and numerous developments, many of which I have personally been involved in as a member of staff and as a consultant acting for applicants.
- **Consistent with expectations of neighbours:**
 - > The purpose of side and rear setback guidelines is to ensure minimal impact upon neighbouring land, particularly regarding visual intrusion, overshadowing and overlooking. In my view, neighbours to the subject land would reasonably expect setbacks to be taken from those boundaries as explained above, because these are consistent with what would be determined the front, side and rear boundaries of their respective allotments. I.e.:
 - The rear boundary of the subject land has the same orientation as the rear boundary of 6B and 10 Gray Street.
 - The front and side boundaries of the subject land are also the front and side boundaries of 6B and 10 Gray Street.

Neighbours therefore have a reasonable expectation that boundary setbacks would be interpreted as above, to suitably minimise the impact of development upon them.
- **Alternate approaches are illogical:**
 - > As per Principle 6 of the Policy Area, a minimum frontage of 15 metres for residential flat buildings is encouraged.

A 4-metre setback from a side boundary (as explained above) is illogical, particularly given provision of a 6-metre-wide common driveway on the opposing side. This approach only leaves 5 metres to develop a residential flat building (i.e. $15\text{m} - 4\text{m} - 6\text{m} = 5\text{m}$) which is specifically envisaged in the Policy Area.
 - > To adopt a different approach would make it near impossible to develop residential flat buildings and suitably increase residential densities, both of which are specifically envisaged in the Policy Area, and reasonably satisfy the setback guidelines – this cannot be what was intended.

An assessment of the proposal against setback guidelines is in **Table 1** below. And again, the assessment within **Table 1** matches many previous approvals issued by the City of West Torrens Council Assessment Panel, some of which include:

- 20 Wood Street, Kurralta Park.
- 16 Warwick Avenue, Kurralta Park.
- 17 Daly Street, Kurralta Park.

Table 1: Setback Assessment.

	Development Plan Parameter (metres)	Dwelling 1 (metres)	Dwelling 2 (metres)
Setback from Primary Road Frontage	3	3	N/A
Setback from Rear Boundary	4	N/A	1
Walls up to 3m - Setback from Side Boundaries	1	1 up to 4 (excluding garage)	1 up to 4 (excluding garage)
Walls between 3m and 6m - Setback from Side Boundaries	2	2	2

As you have explained, the rear boundary setback does not satisfy the 4 metre guideline. In this circumstance, this is acceptable for the following reasons:

- A single storey structure is already positioned on the rear boundary of the subject land, abutting the eastern boundary of 8A Gray Street.
- In relation to 8A Gray Street, a view of the proposed building will only be from within the established common driveway, rather than private areas of 8A Gray Street. As such, the proposal will not impose an unreasonable visual impact.
- The proposal will not overshadow north facing windows or the private open space areas of the dwelling at 8A Gray Street.
- Upper level west facing windows have been design to prevent overlooking, or the perception of overlooking, with minimum sill heights being at least 1.7 metres above the internal floor level.
- The maximum building height allowable on the land in accordance with the Policy Area is 12.5 metres. The proposed building is much lower with an approximate total height of 6.2 metres.
- It is not uncommon for dwellings within a residential flat building to abut each other in an east to west fashion, much like that proposed.
- Increased density is anticipated in the Policy Area.
- The proposed setback arrangement does not unreasonably impact upon the amenity of other properties in the locality.

For all of these reasons, the proposed setback arrangement is considered to be highly acceptable.

Overshadowing

You have stated the following:

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

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

Based on the shadow diagrams provided, it would appear that 6B Gray Street, will receive little if any solar access between 9:00am and 3:00pm as a result of this development”.

In response, the applicant has now arranged shadow diagrams which depict the shadow cast by the development at:

- 9am, 21 June (winter solstice).
- 12pm, 21 June.
- 3pm, 21 June.

In accordance with General Section Principle 12, which you have prescribed in your comments above, the proposal ensures:

- 10 Gray Street, receives suitable direct sunlight. This is because 10 Gray Street is situated north of the subject land and will not be overshadowed by the development in any respect.
- The existing private open space area of 6B Gray Street receives at least 2 hours of direct sunlight. This dwelling is a row-dwelling and neighbours the subject land to the south. We understand that the private open space area to this dwelling is situated behind and adjacent the rear boundary to the west. All of this space will receive direct sunlight from at least 12pm onwards which satisfies Principle 12.
- The proposal will not impose additional overshadowing upon the existing private open spaces area of 8A Gray Street.

On this basis, the proposal does not create an overshadowing situation that is contrary to the Development Plan.

In addition, it is important to note:

- The land is situated in ‘Medium Density Policy Area 18’ which anticipates maximum building heights up to 3 storeys or 12.5 metres. The proposal is 2 storeys with an approximate total height of 6.2 metres (i.e. 1 storey or 6.3 metres lower than what is anticipated). On this basis, the proposal could be taller which in effect would impose greater overshadowing while remaining compliant with the more specific Policy Area guidelines.
- The common driveway is already situated on the northern side of the allotment. As such, the position of the private open space areas for the proposed dwellings is unavoidably on the southern side. That being said, the land has excellent access to ‘Weigall Oval Reserve’ which is only 230 metres from the subject land and has expansive, un-shaded open space areas.

For all of these reasons, the extent of overshadowing upon private open space areas is acceptable.

Conclusion

In simple terms, residential flat buildings and medium density residential development are specifically anticipated forms of development within the Zone and Policy Area provided they do not compromise the desired streetscape character or the amenity of dwellings within respective localities.

The proposal satisfies these objectives because:

- The proposed site frontage supports an attractive street presentation with adequate setbacks and landscaping. The proposed development will enhance the appearance of the subject land.
- Proposed garages are discreetly sited to the rear so as to not impact on the streetscape.
- Each dwelling has appropriate boundary setbacks that ensure sufficient landscaping is provided throughout the development with minimal impact upon neighbouring amenity by way of overshadowing, privacy and visual intrusion.

Further, the proposal satisfies the quantitative provisions relating to site area, site coverage, height, private open space, overshadowing, car parking, vehicle manoeuvring and storage.

For all of these reasons the proposal is considered to perform admirably when tested against the most relevant provisions of the Development Plan. As such, Development Plan Consent is warranted.

We look forward to receiving your support for this project. As required, please do not hesitate to contact the undersigned on 8333 7999 should you have any questions.

Yours sincerely



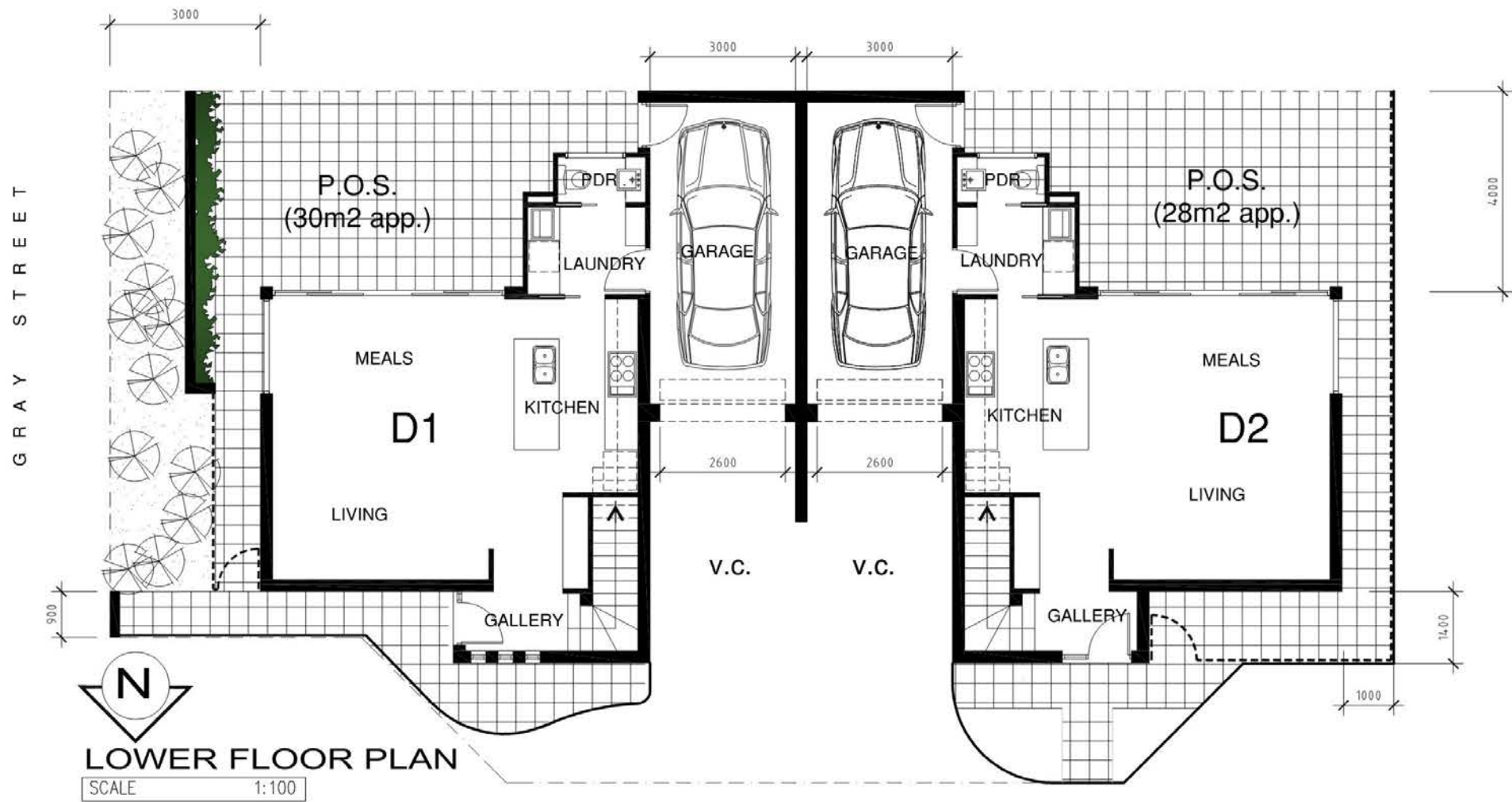
Phil Harnett
Associate



CONTRACTOR TO VERIFY LOAD BEARING WALLS PRIOR TO REMOVING ANY WALLS.

© COPYRIGHT

Page 126



- 02.8.19
AMENDED PLANNING DRAWINGS
- GARAGE WIDTHS INCREASED BY 100mm EACH
 - ROLLADOORS INCREASES BY 100mm IN WIDTH
 - BLADE WALL REDUCED IN LENGTH
 - KERBING ALTERED TO ALLOW FOR TURNING

AREAS	D1 (m2)	D2 (m2)
GROUND FL.		
LIVING	59.00 m2	59.00 m2
GARAGE	20.00 m2	20.00 m2
UPPER FL.		
LIVING	81.00 m2	81.00 m2
Total	160.00 m2	160.00 m2
P.O.S. Private Open Space	30.00 m2	28.00 m2

LAND SIZE
TOTAL AREA 324 m2 (approx.)

AREAS

CONSTRUCTION

TIMBER FRAMED ROOF & WALLS TO BE IN ACCORDANCE WITH THE TIMBER FRAME LAYOUT AND TIMBER FRAMING CODE AS1684

EXTERNAL SWING DOORS TO BE FITTED WITH DRAUGHT PROTECTION WEATHER SEALS TO BOTTOM EDGE OF EACH LEAF.

WC DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE APPENDIX D10.1

STAIR TREADS & LANDINGS MUST HAVE A SLIP- RESISTANT FINISH OR A SUITABLE NON-SKID STRIP NEAR THE EDGE OF THE NOSINGS

⊙ DENOTES SMOKE DETECTOR, HARD WIRED 50 IN ACCORDANCE WITH AS 3786.

⊕ CONTROL JOINTS TO BE IN ACCORDANCE WITH ENGS DETAILS

GLAZING TO BE IN ACCORD. WITH AS1288

HOT WATER SYSTEM TO BE DESIGNED AND INSTALLED (External wall unless otherwise stated) IN ACCORDANCE WITH SECTION 8A OF AS/NZS 3500.4.2 OR CLAUSE 3.38 OF AS/NZS 3500.5 WATER HEATER TO HAVE AN ENERGY RATING OF 5.0 STARS OR BETTER AND COMPLY WITH AS 4552 BCA-PART 3.12.5

THE BUILDING SHALL BE SPRAYED AGAINST TERMITES IN ACCORDANCE WITH AS3660.1-2000.

R 5.0 INSULATION TO CEILINGS

R 2.5 INSULATION TO EXTERNAL WALLS

PROVIDE SARKING TO ALL ROOF DECKING

DEMOLITION

PRIOR TO COMMENCEMENT OF ANY WORKS, ALL SERVICES INCLUDING GAS, WATER SUPPLY, ELECTRICAL & COMMUNICATIONS TO BE EITHER DISCONNECTED OR MADE SAFE TO THE EFFECTED AREAS WHERE WORKS IS TO BE TAKEN.

CONTRACTOR TO VERIFY LOAD BEARING WALLS PRIOR TO REMOVING ANY WALLS.

2	02.8.19	AMENDED PLANNING DRAWINGS
1	20.5.19	PLANNING APPROVAL DRAWINGS
REV	DATE	AMENDT



PROJECT
PROPOSED 2 x 2 STOREY DWELLINGS + GARAGES

CLIENT
G LINDBLOM

PROJECT ADDRESS
LOT 11 (No 8) GRAY STREET
PLYMPTON

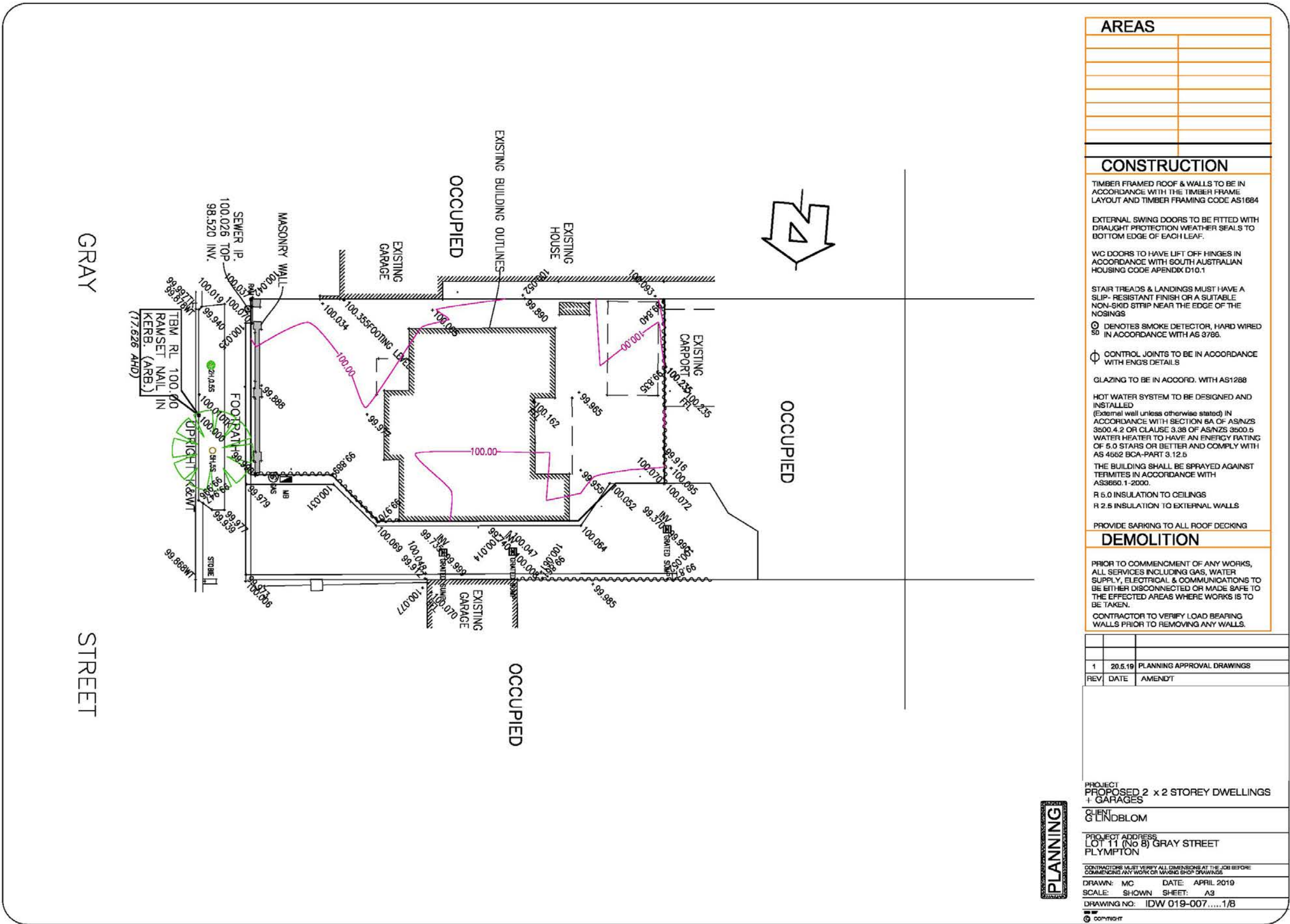
CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS

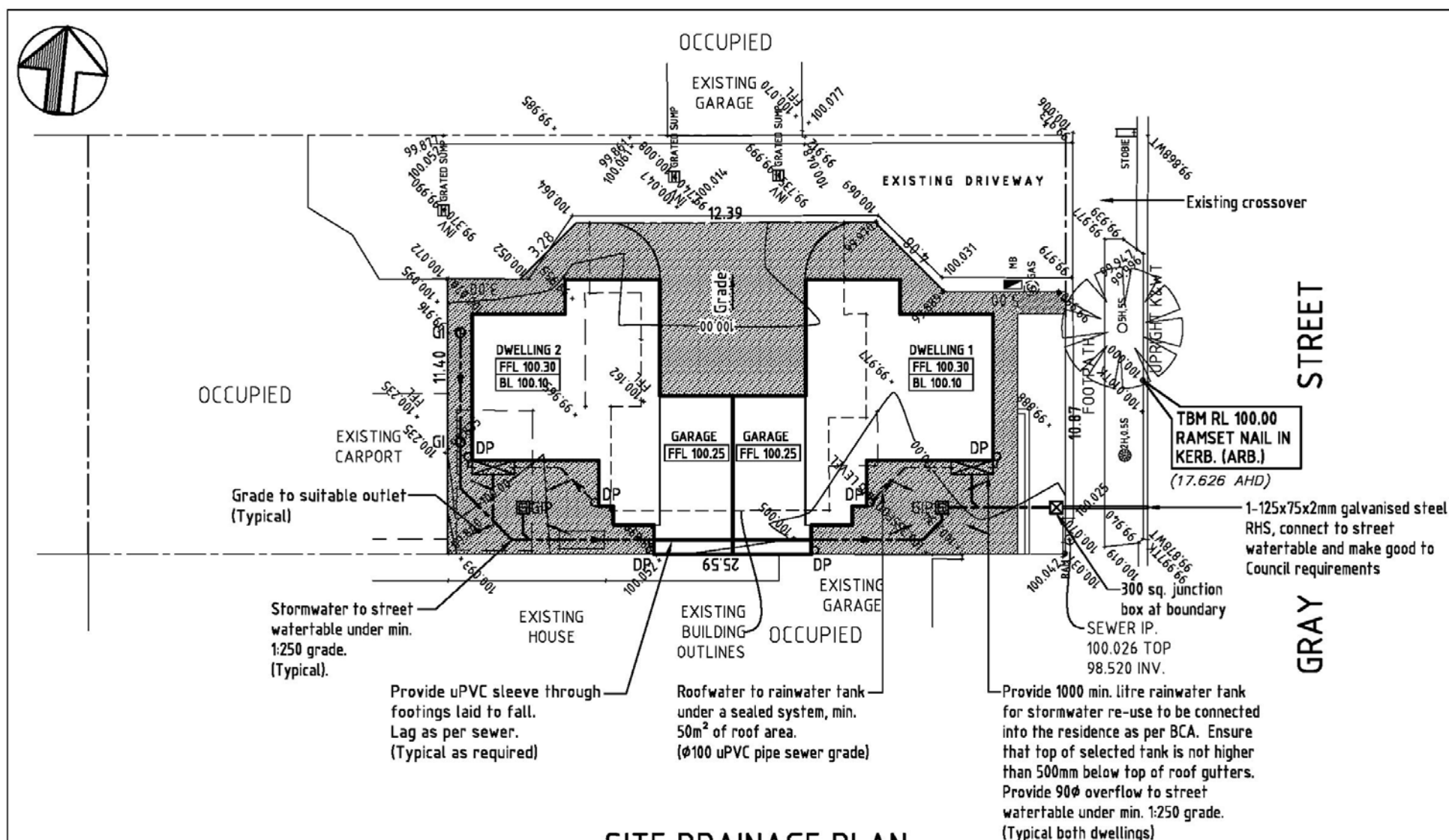
DRAWN: MC DATE: APRIL 2019

SCALE: SHOWN SHEET: A3

DRAWING NO: IDW 019-007.....3/8

© COPYRIGHT





SITE DRAINAGE PLAN

Scale 1:200

LEGEND:

FFL 100.30	- FINISHED FLOOR LEVEL		- EXISTING LEVEL
BL 100.10	- BENCH LEVEL		- GRATED INLET
	- DOWNPIPE		- 300 SQ. GRATED INLET PIT
	- STORMWATER PIPE TO STREET		- PERIMETER PAVING TO ARCH. REQUIREMENTS
	- 100mm uPVC PIPE TO RETENTION TANK		

SITE NOTES

- These drawings shall be read in conjunction with the Architect's drawings and specifications. Any discrepancies between drawings, specifications or site conditions shall be reported to the Engineer and resolved before proceeding. Refer to Architectural drawings for setout dimensions of roadway and buildings. Do not scale from this drawing.
- Extent of earthworks shown indicative only. Do not scale from drawing.
- Stormwater drain to be 90 dia. PVC pipe Min. Grade 1:250 to street water table Unless noted otherwise. Use sewer grade pipe beneath driveways.
- Stormwater by owner.
- Retaining walls by owner.
- Provide 300mm cover to top of stormwater pipes unless below concrete paving.
- The site shall be graded and drained so that stormwater will be directed away from the building platform.

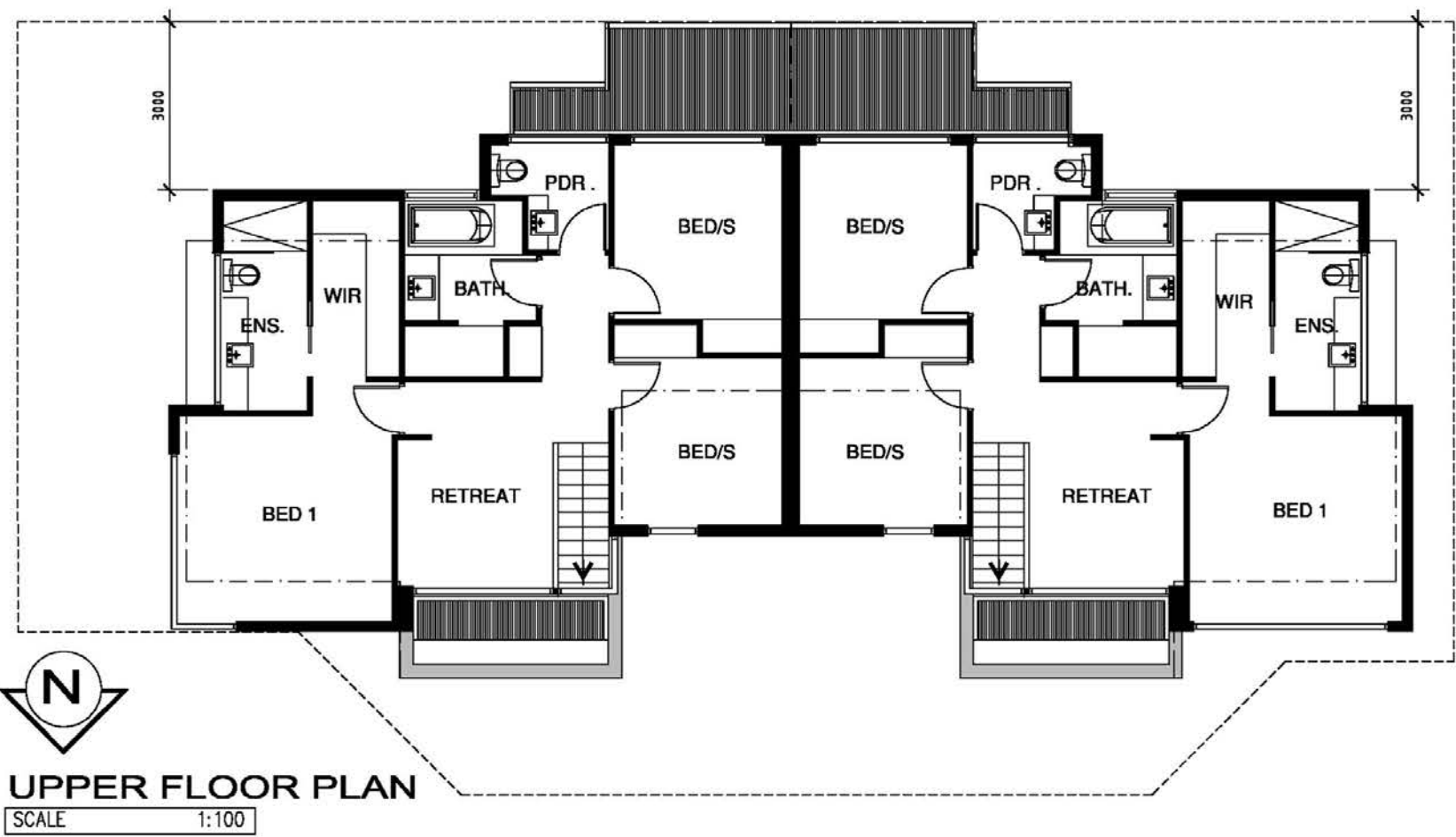
NOTE:

The location of down pipes & retention tanks are indicative only. Refer to final Architectural drawings for exact locations.

NOTE:

The CONTRACTOR is responsible for locating and depth of ALL existing services prior to any construction commencing. All trenching to be reinstated to the satisfaction of the relevant authorities.

					sheet title	client	LELIO BIBBO CONSULTING ENGINEERS PTY LTD ABN 80 752 110 403 civil . structural . soil testing 40 franklin street adelaide s.a. 5000 phone: 8212 7966 fax: 8212 4911 email: engineering@leliobibbo.com.au	design	AT	date	16.5.19
					SITE & DRAINAGE PLAN	G. LINDBLOM		drawn	AT	scale	AS SHOWN
								ref. no.		sheet no.	
no	AMENDMENT	date	initial								
						site					
						LOT 11 (No.8) GRAY STREET					
						PLYMPTON					
				</							



AREAS	

CONSTRUCTION

TIMBER FRAMED ROOF & WALLS TO BE IN ACCORDANCE WITH THE TIMBER FRAME LAYOUT AND TIMBER FRAMING CODE AS1684

EXTERNAL SWING DOORS TO BE FITTED WITH DRAUGHT PROTECTION WEATHER SEALS TO BOTTOM EDGE OF EACH LEAF.

WC DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE APPENDIX D10.1

STAIR TREADS & LANDINGS MUST HAVE A SLIP- RESISTANT FINISH OR A SUITABLE NON-SKID STRIP NEAR THE EDGE OF THE NOSINGS

⊙ DENOTES SMOKE DETECTOR, HARD WIRED SD IN ACCORDANCE WITH AS 3786.

⊕ CONTROL JOINTS TO BE IN ACCORDANCE WITH ENGS DETAILS

GLAZING TO BE IN ACCORD. WITH AS1288

HOT WATER SYSTEM TO BE DESIGNED AND INSTALLED
(External wall unless otherwise stated) IN ACCORDANCE WITH SECTION 8A OF AS/NZS 3600.4.2 OR CLAUSE 3.38 OF AS/NZS 3600.5
WATER HEATER TO HAVE AN ENERGY RATING OF 5.0 STARS OR BETTER AND COMPLY WITH AS 4552 BCA-PART 3.12.5

THE BUILDING SHALL BE SPRAYED AGAINST TERMITES IN ACCORDANCE WITH AS3660.1-2000.

R 5.0 INSULATION TO CEILINGS
R 2.5 INSULATION TO EXTERNAL WALLS

PROVIDE SARKING TO ALL ROOF DECKING

DEMOLITION

PRIOR TO COMMENCEMENT OF ANY WORKS, ALL SERVICES INCLUDING GAS, WATER SUPPLY, ELECTRICAL & COMMUNICATIONS TO BE EITHER DISCONNECTED OR MADE SAFE TO THE EFFECTED AREAS WHERE WORKS IS TO BE TAKEN.

CONTRACTOR TO VERIFY LOAD BEARING WALLS PRIOR TO REMOVING ANY WALLS.

REV	DATE	AMENDT



PROJECT
PROPOSED 2 x 2 STOREY DWELLINGS + GARAGES

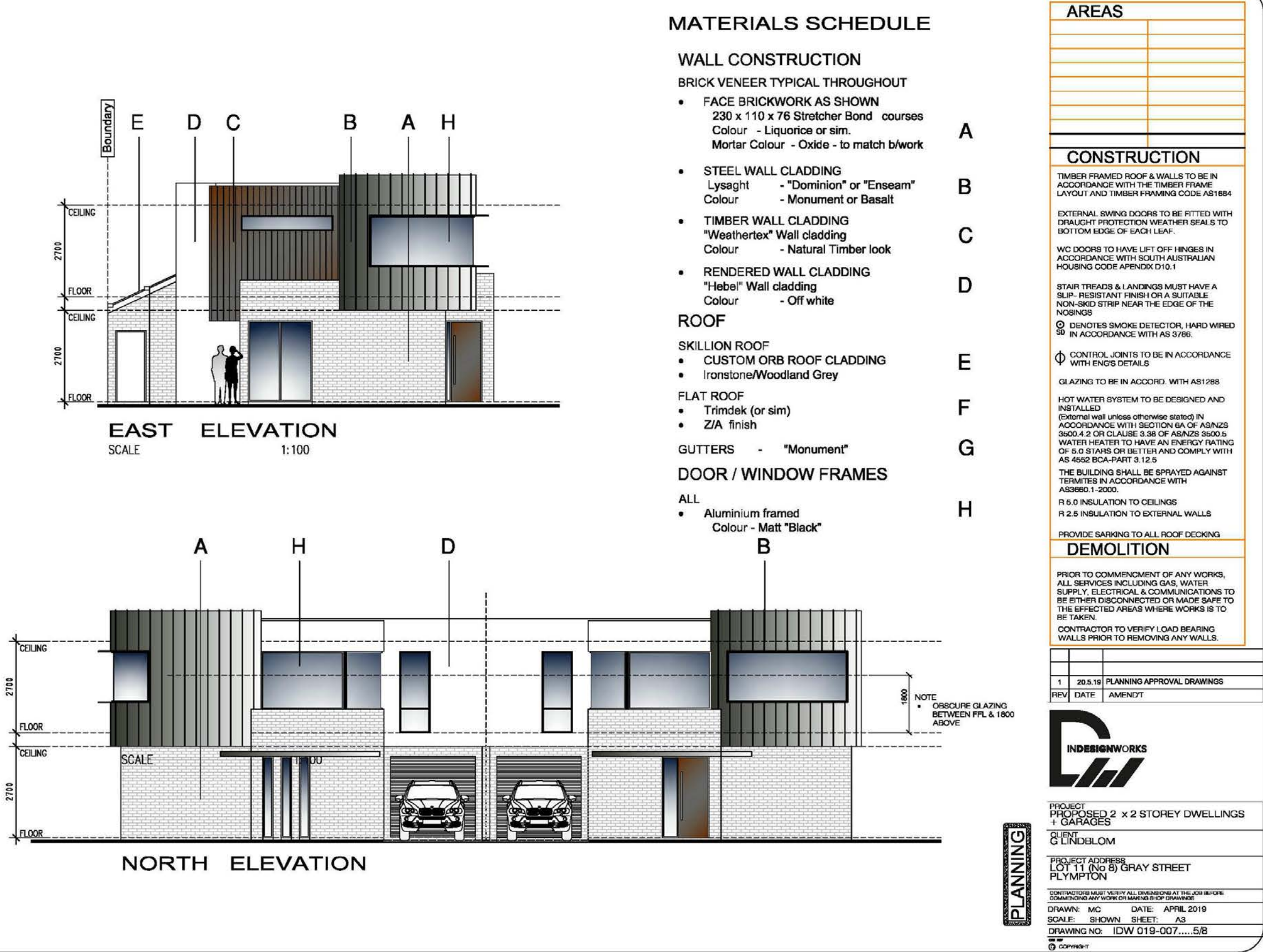
CLIENT
G LINDBLOM

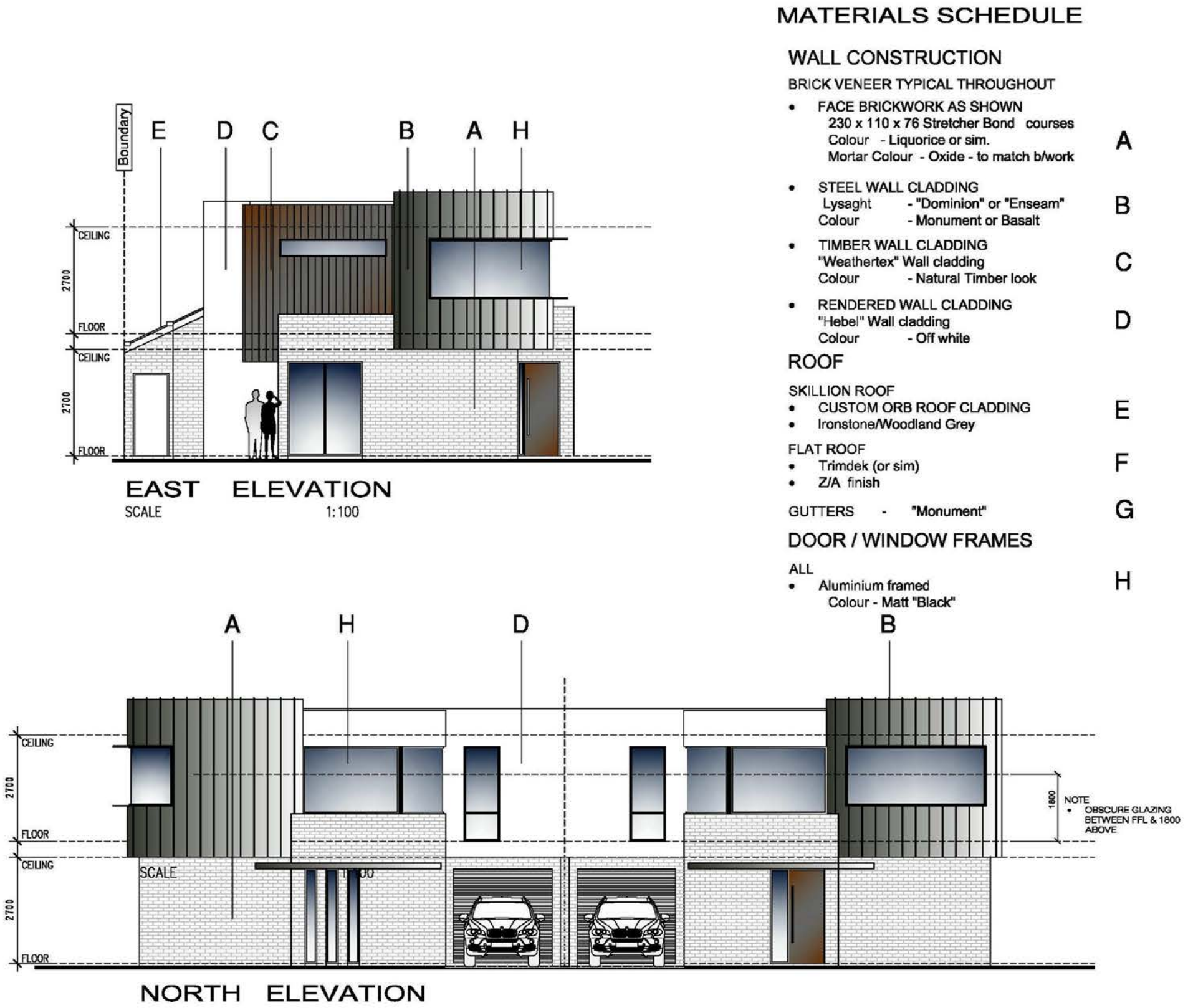
PROJECT ADDRESS
LOT 11 (No 8) GRAY STREET
PLYMPTON

CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS

DRAWN: MC DATE: APRIL 2019
SCALE: SHOWN SHEET: A3
DRAWING NO: IDW 019-007.....4/8

© COPYRIGHT





MATERIALS SCHEDULE

WALL CONSTRUCTION

BRICK VENEER TYPICAL THROUGHOUT

- FACE BRICKWORK AS SHOWN
230 x 110 x 76 Stretcher Bond courses
Colour - Liquorice or sim.
Mortar Colour - Oxide - to match b/work

- STEEL WALL CLADDING
Lysaght - "Dominion" or "Enseam"
Colour - Monument or Basalt

- TIMBER WALL CLADDING
"Weathertex" Wall cladding
Colour - Natural Timber look

- RENDERED WALL CLADDING
"Hebel" Wall cladding
Colour - Off white

ROOF

SKILLION ROOF

- CUSTOM ORB ROOF CLADDING
Ironstone/Woodland Grey

FLAT ROOF

- Trimdek (or sim)
Z/A finish

GUTTERS - "Monument"

DOOR / WINDOW FRAMES

- ALL
Aluminium framed
Colour - Matt "Black"

AREAS

CONSTRUCTION

TIMBER FRAMED ROOF & WALLS TO BE IN ACCORDANCE WITH THE TIMBER FRAME LAYOUT AND TIMBER FRAMING CODE AS1684

EXTERNAL SWING DOORS TO BE FITTED WITH DRAUGHT PROTECTION WEATHER SEALS TO BOTTOM EDGE OF EACH LEAF.

WC DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE APPENDIX D10.1

STAIR TREADS & LANDINGS MUST HAVE A SLIP- RESISTANT FINISH OR A SUITABLE NON-SKID STRIP NEAR THE EDGE OF THE NOSINGS

⊙ DENOTES SMOKE DETECTOR, HARD WIRED 50 IN ACCORDANCE WITH AS 3786.

⊕ CONJOL JOINTS TO BE IN ACCORDANCE WITH ENG'S DETAILS

GLAZING TO BE IN ACCORD. WITH AS1288

HOT WATER SYSTEM TO BE DESIGNED AND INSTALLED
(External wall unless otherwise stated) IN ACCORDANCE WITH SECTION 6A OF AS/NZS 3600.4.2 OR CLAUSE 3.38 OF AS/NZS 3600.5 WATER HEATER TO HAVE AN ENERGY RATING OF 5.0 STARS OR BETTER AND COMPLY WITH AS 4652 BCA-PART 3.12.5

THE BUILDING SHALL BE SPRAYED AGAINST TERMITES IN ACCORDANCE WITH AS3660.1-2000.

R 5.0 INSULATION TO CEILINGS

R 2.5 INSULATION TO EXTERNAL WALLS

PROVIDE SARKING TO ALL ROOF DECKING

DEMOLITION

PRIOR TO COMMENCEMENT OF ANY WORKS, ALL SERVICES INCLUDING GAS, WATER SUPPLY, ELECTRICAL & COMMUNICATIONS TO BE EITHER DISCONNECTED OR MADE SAFE TO THE EFFECTED AREAS WHERE WORKS IS TO BE TAKEN.

CONTRACTOR TO VERIFY LOAD BEARING WALLS PRIOR TO REMOVING ANY WALLS.

1 20.5.19 PLANNING APPROVAL DRAWINGS

REV DATE AMENDT



PROJECT
PROPOSED 2 x 2 STOREY DWELLINGS
+ GARAGES

CLIENT
G LINDBLOM

PROJECT ADDRESS
LOT 11 (No 8) GRAY STREET
PLYMPTON

CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS

DRAWN: MC DATE: APRIL 2019

SCALE: SHOWN SHEET: A3

DRAWING NO: IDW 019-007.....6/8

© COPYRIGHT

PLANNING



STREETSCAPE ELEVATION

SCALE 1:100



"COMMON DRIVEWAY" ELEVATION

SCALE 1:100

AREAS	

CONSTRUCTION	
TIMBER FRAMED ROOF & WALLS TO BE IN ACCORDANCE WITH THE TIMBER FRAME LAYOUT AND TIMBER FRAMING CODE AS 1684	
EXTERNAL SWING DOORS TO BE FITTED WITH DRAUGHT PROTECTION WEATHER SEALS TO BOTTOM EDGE OF EACH LEAF.	
WC DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH SOUTH AUSTRALIAN HOUSING CODE APPENDIX D10.1	
STAIR TREADS & LANDINGS MUST HAVE A SLIP- RESISTANT FINISH OR A SUITABLE NON-SKID STRIP NEAR THE EDGE OF THE NOSINGS	
⊙ DENOTES SMOKE DETECTOR, HARD WIRED SD IN ACCORDANCE WITH AS 3786.	
⊕ CONTROL JOINTS TO BE IN ACCORDANCE WITH ENG'S DETAILS	
GLAZING TO BE IN ACCORD. WITH AS1288	
HOT WATER SYSTEM TO BE DESIGNED AND INSTALLED (External wall unless otherwise stated) IN ACCORDANCE WITH SECTION 6A OF AS/NZS 3600.4.2 OR CLAUSE 3.38 OF AS/NZS 3600.6 WATER HEATER TO HAVE AN ENERGY RATING OF 5.0 STARS OR BETTER AND COMPLY WITH AS 4552 BCA-PART 3.12.5	
THE BUILDING SHALL BE SPRAYED AGAINST TERMITES IN ACCORDANCE WITH AS3660.1-2000.	
R 5.0 INSULATION TO CEILINGS R 2.5 INSULATION TO EXTERNAL WALLS	
PROVIDE SARKING TO ALL ROOF DECKING	
DEMOLITION	
PRIOR TO COMMENCEMENT OF ANY WORKS, ALL SERVICES INCLUDING GAS, WATER SUPPLY, ELECTRICAL & COMMUNICATIONS TO BE EITHER DISCONNECTED OR MADE SAFE TO THE EFFECTED AREAS WHERE WORKS IS TO BE TAKEN	
CONTRACTOR TO VERIFY LOAD BEARING WALLS PRIOR TO REMOVING ANY WALLS.	

1	20.5.19	PLANNING APPROVAL DRAWINGS
REV	DATE	AMENDT



PROJECT
PROPOSED 2 x 2 STOREY DWELLINGS
+ GARAGES

CLIENT
G LINDBLOM

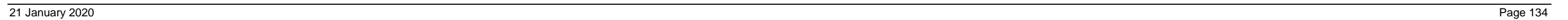
PROJECT ADDRESS
LOT 11 (No 8) GRAY STREET
PLYMPTON

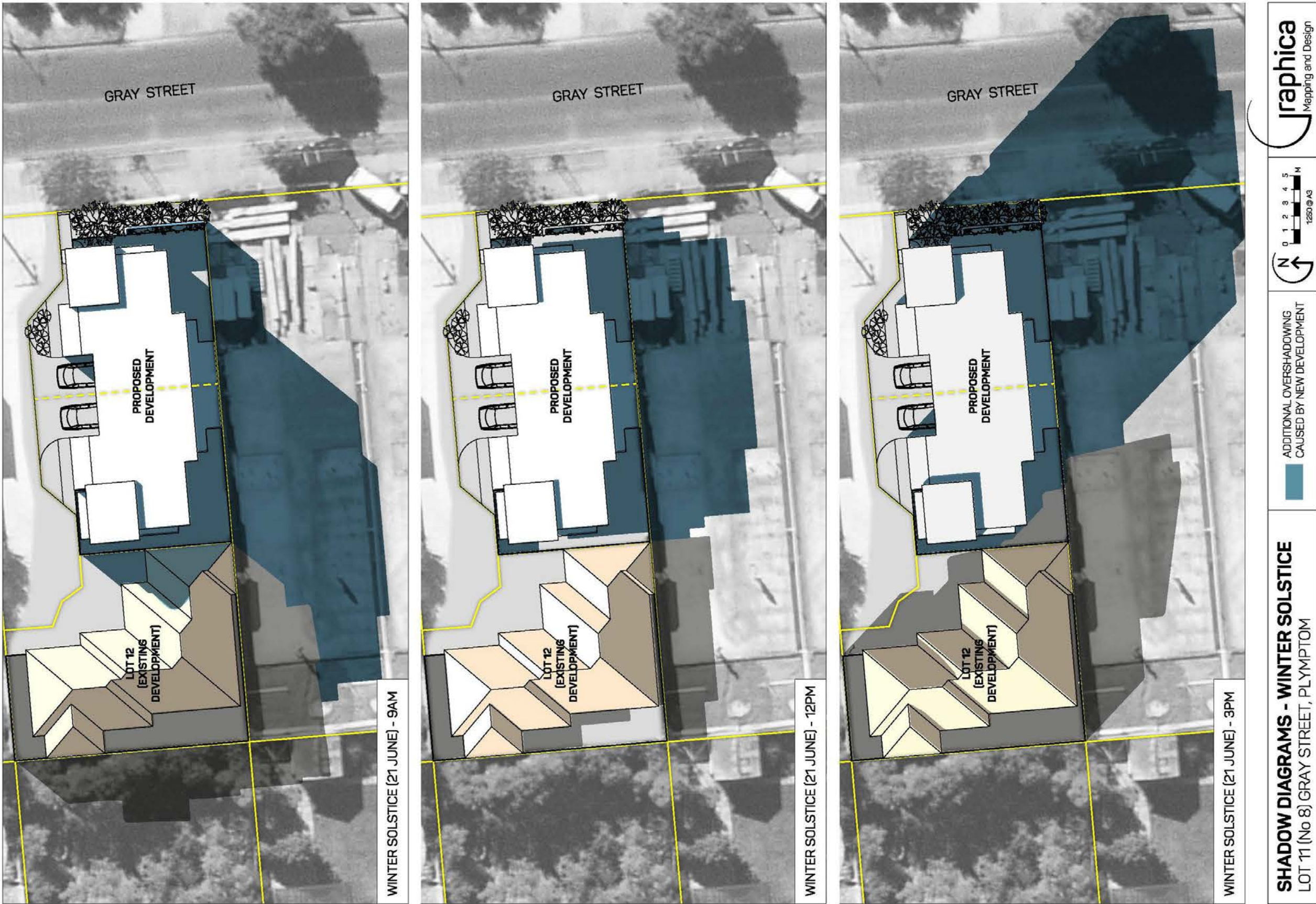
CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS

DRAWN: MC DATE: APRIL 2019
SCALE: SHOWN SHEET: A3
DRAWING NO: IDW 019-007.....7/8

© COPYRIGHT

PLANNING





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

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

DEVELOPMENT No. 211/518/2019
 PROPERTY ADDRESS: 8 Gray Street, PLYMPTON SA 5038

YOUR FULL NAME	Craig & Jiana Thompson
YOUR ADDRESS	24A Tudor St. Dulwich, SA 5065
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	Adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
REASON/S FOR REPRESENTATION	1) Overshadowing 2) Energy efficiency 3) Set back } Please see attached for detailed reasons
MY REPRESENTATIONS WOULD BE OVERCOME BY <small>(state action sought)</small>	Nothing

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY _____ ☐

(PLEASE SPECIFY)

SIGNED



DATE
 23/09/2019

Responsible Officer: Phil Smith
 Ends: Friday 27 September 2019

If space insufficient, please attach sheets

Date : 23/09/2019

RE: 8 Gray St.Plympton redevelopment - Application Number 211/518/2019

We refer to the recent letter we received from the council regarding application 211/518/2019. This application refers to the proposed development as a "residential flat building", however it presents as two large semi-detached townhouse dwellings (two identical side by side 3-2-1 with two living areas).

We raise the following objections to this development application in respect to its impacts on the adjacent dwellings 6B Gray Street, Plympton:

1. **Overshadowing:** The General Section of the Development Plan specifies the following principles for Overshadowing:

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

(a) Windows of habitable rooms, particularly living areas

(d) access to solar energy

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

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

(a) half of the existing ground-level open space

(b) 35 square meters of the existing ground-level open space

13. Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

The northern boundary of 6B Gray Street is adjacent to the proposed development. Based on the shadow diagrams provided by the applicant, the two storey townhouses overshadow the bathroom and all three habitable bedrooms of 6B Gray between 9.00am and 12.00pm on 21 June, which is contrary to principle 10(a) and 11 above, and prevents adequate natural light.

Photovoltaic solar panel contracts were entered into on 4 June 2019 for 6B, 6A & 6 Gray Street, with deposits paid, electrical provisioning undertaken, and a commitment to complete installation at key handover in early October 2019. The proposed development, as seen by the applicant's shadow diagram, causes substantial areas of 6B roof area (including skylights) to be overshadowed between 9.00am and 3.00pm on 21 June, significantly impairing access to solar energy, which is contrary to principle 10(d) above, and increases the ongoing energy costs of this dwelling.

There is 56.34 square meters of ground-level open space available at 6B Gray Street, of which only 8.79 square meters to the rear of the property receives direct sunlight between 9.00am and 3.00pm on 21 June after factoring in existing overshadowing from 8A Gray Street as well as the council approved pergola covering 17.48 square meters. Most of the current ground-level open space for 6B Gray Street is along the pathway on the northern boundary adjacent to the proposed development, and all of this section of 25.29 square meters would receive no sunlight as a result of the proposed development, which is contrary to principle 13 above.

The property at 8A Gray Street already exceeds the above overshadowed requirements in relation to ground level private open space, living area windows, and access to solar energy for 6B Gray Street as seen from the applicant's shadow diagrams at 9.00am and 12.00pm. The additional overshadowing caused by the proposed development increases the overshadowed area by a significant margin above the 20 per cent limit, which is contrary to principle 13 above.

The overshadowing also impacts on 4 skylights (2 hallway skylights and 2 bathroom skylights) for 6B, as seen from the applicants shadow diagrams at 9.00am and 12.00pm. These skylights provide natural light to the house and reduce energy costs.

2. **Energy Efficiency:** The General Section of the Development Plan specifies the following requirements for Overshadowing:

2. Buildings should be sited and designed:

(a) To ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings.

On-site Energy Generation

3. Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:

(a) taking into account overshadowing from neighbouring buildings.

Photovoltaic solar panel contracts have been entered into for 6B, 6A & 6 Gray Street, and deposits have been paid and electrical provisioning undertaken on 3 dwellings. The proposed development as seen by the applicant's shadow diagram causes substantial areas of 6B roof area to be overshadowed between 9.00am and 3.00pm on 21 June, significantly impairing access to solar energy, which is contrary to section 3(a).

3. **Rear yard Setback:**

The Medium Density Policy Area 18, Principle of Development Control 5, outlines the following:

Minimum setback from boundary 4 metres

The proposed developments characteristics are its front entrance on the northern boundary, and ground level private open courtyard on the southern boundary, adjacent to 6B Gray Street. These characteristics mean the rear boundary is on its southern boundary adjacent to 6B Gray Street. The proposed development has no setback for the garage, a 2 metre setback for the lower and upper level Powder rooms and bedrooms, which is all encroaching on the 4 meters setback in principle 5 above. The courtyard entertainment area is 1 metre away from two habitable bedroom windows of 6B Gray Street, which causes noise and privacy issues to the occupants, in what can only be described as an unsympathetic and intrusive design that has complete disregard for the council's planning principles.

This development proposal is contrary to many of the council's development planning principles in several areas, which has a significant negative impact on neighbouring property and the health and wellbeing of its occupants.

Regards,

Craig & Jiana Thompson

GENERAL NOTES:

VERROCCHI BUILDING DESIGN HEREBY TAKES NO RESPONSIBILITY FOR ANY STRUCTURAL DESIGN OR DETAILS IF CHANGES OR ALTERATIONS ARE MADE TO THE PLANS DURING OR PRIOR TO CONSTRUCTION WITHOUT WRITTEN NOTICE AND APPROVAL.

IT IS THE BUILDERS/CONTRACTOR'S RESPONSIBILITY TO CHECK AND CONFIRM ALL DRAWINGS AND DETAILS PRIOR TO ORDERING OF MATERIALS AND OR QUOTING OF PROJECT AND OR COMMENCEMENT OF CONSTRUCTION. VERRCCHI BUILDING DESIGN WILL NOT ACCEPT ANY RESPONSIBILITY FOR ERRORS AND OR OMISSIONS.

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

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

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

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

BUILDER NOTE:

PROPOSED BUILDING IS TO BE CONSTRUCTED FROM HEBEL POWER PANEL CONSTRUCTION COMPRISING OF 75mm THK HEBEL, 25mm CAVITY AND 90mm TIMBER STUD WALL. ALL INTERNAL WALLS TO BE LINED WITH 10mm PLASTERBOARD WALL LINING. VILLABOARD TO VET AREAS.

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

REMOVABLE HINGE NOTE:

WC AND ENSUITE DOORS ARE TO BE INSTALLED WITH HINGES WHICH ARE READILY REMOVABLE FROM THE OUTSIDE COMPLIANT WITH BCA - PART 2.4.3 & 3.8.3 - OTHERWISE DOOR SHALL SWING OUTWARD.

HOT WATER SERVICE NOTE:

HOT WATER SYSTEMS SHALL HAVE AN EFFICIENCY RATING ENERGY RATING LABEL OF AT LEAST 5 STARS COMPLYING WITH AS4522 AND BCA P2.6.2 (b) - ALSO REFER ENERGY EFFICIENCY REPORT FOR FURTHER REQUIREMENTS/DETAILS. CONFIRM LOCATION ON SITE.

STORMWATER NOTE:

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

WET AREA NOTE:

WET AREA CONSTRUCTION, WATERPROOFING AND TILING SHALL COMPLY WITH AS3740 AND ART 3.8.1 AND SA 3 OF VOL. 2.

TERMITE TREATMENT:

TERMITE RISK MANAGEMENT IS TO COMPLY WITH PART 3.1.3 BCA 2007 WHERE THE CONCRETE SLAB ON GROUND OF A TERMITE BARRIER IS TO BE AS PART SYSTEM, THE SLAB MUST BE DESIGNED & CONSTRUCTED TO COMPLY WITH AS 2870

SLABS MUST HAVE PENETRATIONS, CONTROL JOINTS AND THE PERIMETER PROTECTED

THE SLAB ON GROUND MAY BE USED AS PERIMETER PROTECTION PROVIDED THAT THE SLAB IS EXPOSED 75 mm ABOVE FINISHED GROUND LEVEL AND THE SLAB EDGE DOES NOT HONEYCOMBED, ROUGH OR CONTAIN RIPPLES

CHEMICAL TERMITE TREATMENT TO UNDERSIDE OF CONCRETE SLAB IN ACCORDANCE WITH 3660.1 (BIFLEX OR SIMILAR)

OR
STAINLESS STEEL MESH BARRIER EITHER FULL OR PARTIAL PROTECTION (TERMIMESH OR SIMILAR)
OR
GRADED STONE BARRIER
OR
KORDON TERMITE BARRIER

NOTE: BUILDER TO SELECT IN CONSULTATION WITH OWNER

ROOF NOTE:

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

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

WINDOW AND DOOR NOTE:

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

PROVIDE SAFETY GLASS IN ACCORDANCE WITH 1288-2006.

RWT NOTE:

1000 LITS (MIN) RWT COLLECTING 50M² ROOF CATCHMENT AREA. PLUMBED TO EITHER TOILET, HOT WATER SYSTEM OR ALL LAUNDRY COLD WATER OUTLETS. RWT MUST BE FITTED WITH OVERFLOW DEVICE. INLET & OVERFLOW MUST BE FITTED WITH MOSQUITO-PROOF SCREENS. MUST COMPLY WITH BCA REQUIREMENTS.

BOUNDARY/SURVEY NOTE:

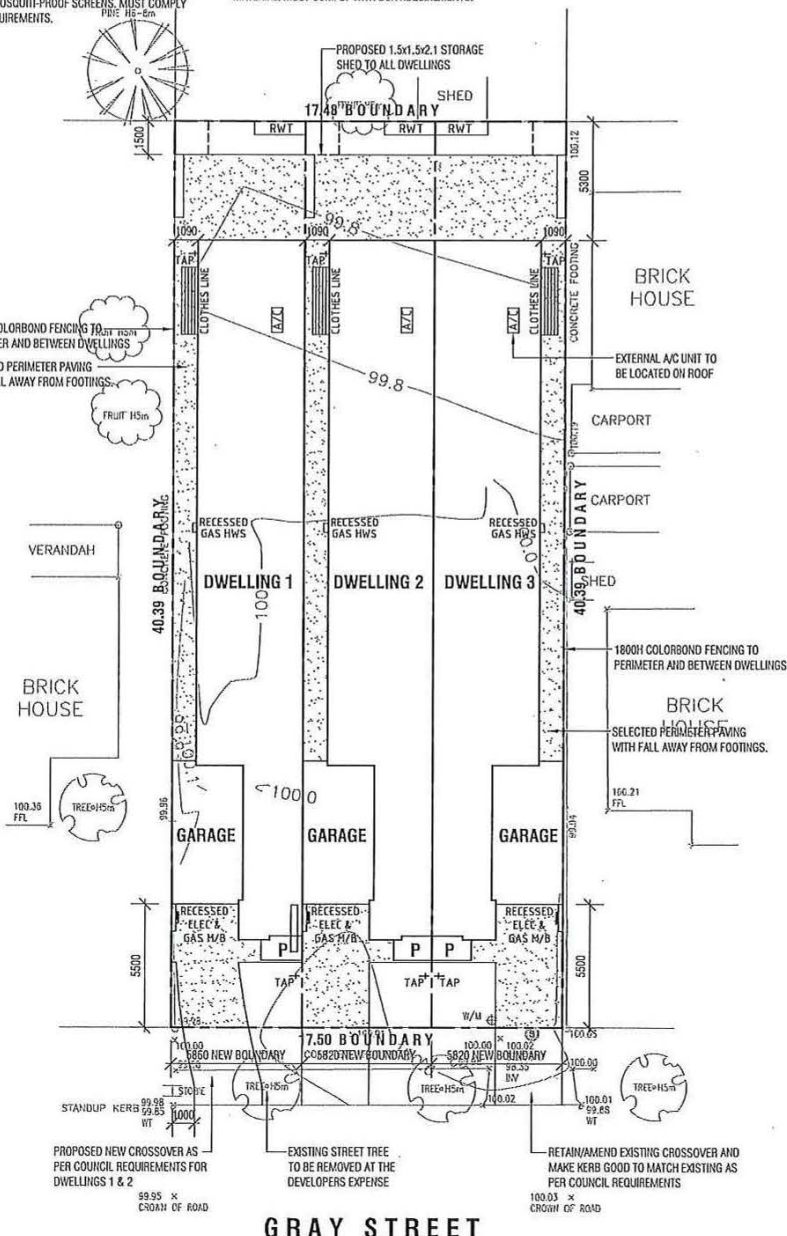
THIS DRAWING IS INTENDED FOR INDICATIVE BUILDING SETOUT PURPOSES ONLY. REFER TO CIVIL ENGINEER / SURVEYOR DRAWINGS FOR SITE LEVELS, CONTOURS, BENCH MARKS, SERVICE LOCATIONS, & EARTHWORK DESIGN. FINAL BOUNDARY & BUILDING SETOUT SHALL BE CONFIRMED & CERTIFIED BY LICENSED SURVEYOR PRIOR TO ANY CONSTRUCTION.

BRUSH FENCE NOTE:

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

PARTY WALL NOTE:

COMMON STRUCTURAL PARTY WALL BETWEEN ALL DWELLINGS. WHERE INDICATED PARTY WALLS TO BE EITHER A SINGLE LEAF OR DOUBLE LEAF HEBEL PARTY WALL SYSTEM. PARTY WALL IS A SHARED WALL WITH RECIPROCAL RIGHTS.



GRAY STREET

SITE PLAN

SCALE 1:200



AREAS (D1)	sq.m	AREAS (D2&D3)	sq.m
LIVING	132.46	LIVING	131.24
GARAGE	19.92	GARAGE	19.92
PORCH	1.96	PORCH	1.82
TOTAL	154.34	TOTAL	152.98
SITE	236.69	SITE	235.07
P.O.S.	31.00	P.O.S.	31.00
SITE COVERAGE	65.21%	SITE COVERAGE	65.08%

rev	date	description
A	20/10	PLANNING DRAWINGS
B	13/1	MIRRORED D2
C	18/12	AMENDED AS PER CLIENT'S REQUEST
D	13/2	AMENDED POS
E	29/3	AMENDED AS PER COUNCIL'S REQUEST
F	16/5	WORKING DRAWINGS
G	25/5	AMENDED AS PER CLIENT'S REQUEST

WORKING DRAWINGS

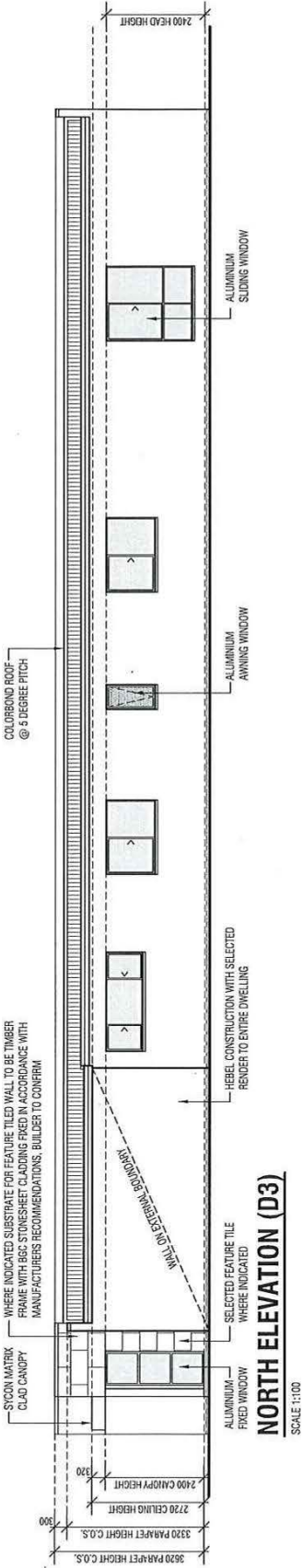
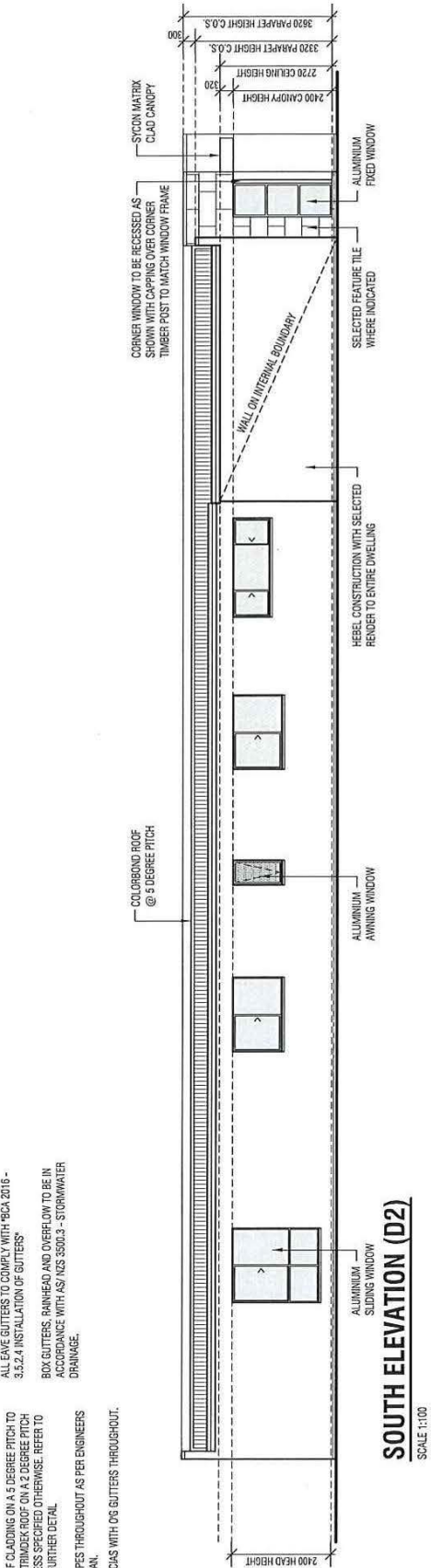
verrocchi building design

126a Moorings Ave North Plympton 5037
m: 0407 820 946 e: dina.verrocchi@gmail.com

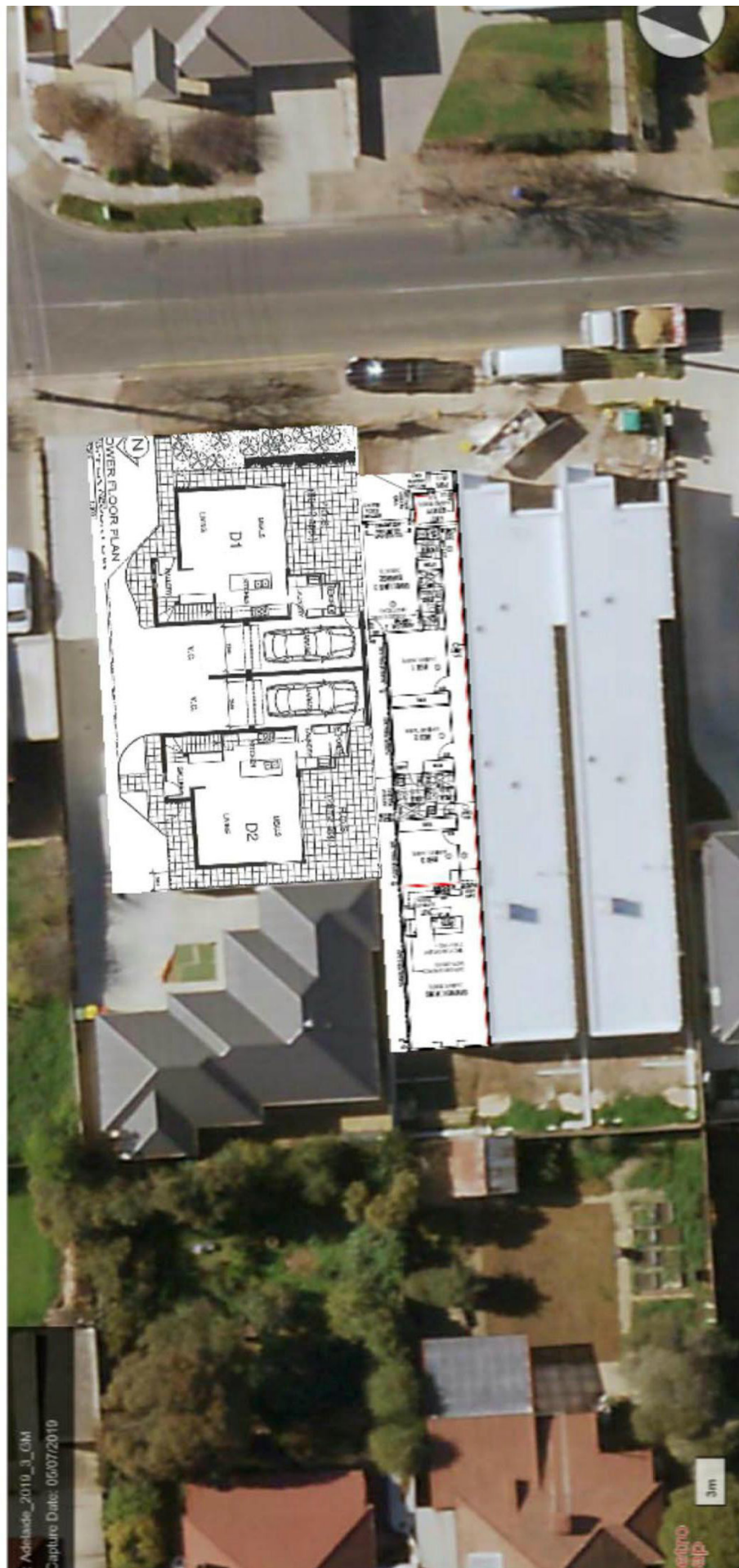
project:	GRAY STREET DEVELOPMENT	date:	OCT 2016	drawn by:	LD
at:	6 GRAY STREET PLYMPTON SA 5038	scale:	1:200	drawing no:	02
project no:		sheet no:		sheet size:	
client:	C. THOMPSON & J. LIU	VBD.254	A3		

ROOF NOTES:

- COLORBOND ROOF CLADDING ON A 5 DEGREE PITCH TO MAIN DWELLING. TRUCKER'S RAMP TO BE IN ACCORDANCE WITH AS/NZS 3500.3 - STORMWATER DRAINAGE.
- BOX GUTTERS, RAINHEAD AND OVERFLOW TO BE IN ACCORDANCE WITH AS/NZS 3500.3 - STORMWATER DRAINAGE.
- 500 PVC DOWNPIPES THROUGHOUT AS PER ENGINEERS STORMWATER PLAN.
- COLORBOND FASCIAS WITH OG GUTTERS THROUGHOUT.



WORKING DRAWINGS		NOTES		project: GRAY STREET DEVELOPMENT		date: OCT 2016		drawn by: LD	
A	20/10 PLANNING DRAWINGS			at: 6 GRAY STREET		scale: 1:100		drawing no: D7	
B	13/11 MIRRORED D2			at: 6 GRAY STREET		project no: VBD.254		sheet no: 07	
C	18/12 AMENDED AS PER CLIENT'S REQUEST			at: 6 GRAY STREET		client: C. THOMPSON & J. LU		sheet size: A3	
D	13/2 AMENDED POS			at: 6 GRAY STREET		project no: VBD.254		sheet size: A3	
E	25/3 AMENDED AS PER COUNCIL'S REQUEST			at: 6 GRAY STREET		project no: VBD.254		sheet size: A3	
F	16/5 WORKING DRAWINGS			at: 6 GRAY STREET		project no: VBD.254		sheet size: A3	
G	25/5 AMENDED AS PER CLIENT'S REQUEST			at: 6 GRAY STREET		project no: VBD.254		sheet size: A3	





Ref: 2019-0071

16 October 2019

Mr Phil Smith
Senior Planning Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033



URPS

Suite 12
154 Fullarton Road
ROSE PARK SA 5067

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

Dear Phil

Response to Representation – Development Number 211/518/2019

Thank you for your letter dated 2 October 2019 advising of the Category 2 representation received for the development at 8 Gray Street, Plympton (Development Number 211/518/2019).

Following the request of the applicant, I provide you with our response to the provided representation.

Response to Representation

The following representation was received during Category 2 public notification.

No	Representor	Address	Wishes to be heard by CAP?
1	Craig and Jiana Thompson	24A Tudor Street, Dulwich	Yes

I have addressed the concerns under their corresponding headings below.

Dwelling Type

The representor has stated:

"This application refers to the proposed development as a "residential flat building", however it presents as two large semi-detached townhouse dwellings (two identical side by side 3-2-1 with two living areas".

"Residential flat building" and "semi-detached dwelling" are defined by Schedule 1 of the Development Regulations 2008 as follows:

"Residential flat building means a single building in which there are 2 or more dwellings, but does not include a semi-detached dwelling, a row dwelling or a group dwelling".

"Semi-detached dwelling means a dwelling—

shaping great communities

(a) occupying a site that is held exclusively with that dwelling and has a frontage to a public road or to a road proposed in a plan of land division that is the subject of a current planning authorisation; and

(b) Comprising 1 of 2 dwellings erected side by side, joined together and forming, by themselves, a single building”.

The proposal better fits the definition of “residential flat building” because:

- Each proposed site is not held exclusively with a particular dwelling (i.e. each proposed dwelling shares a common driveway).
- Each proposed dwelling will not have frontage to a public road.
- The proposal is for a single building in which there are 2 dwellings.
- The proposal does not meet the definition of a semi-detached dwelling.

On this basis, we entirely agree with the Council’s description of the proposal as being for:

“Construction of a residential flat building containing two 2-storey dwellings and front fence”.

Overshadowing

The representor has stated the following:

“The northern boundary of 6B Gray Street is adjacent to the proposed development. Based on the shadow diagrams provided by the applicant, the two-storey townhouses overshadow the bathroom and all three habitable bedrooms of 6B Gray between 9.00am and 12.00pm on 21 June, which is contrary to Principle 10(a) and 11 above, and prevents adequate natural light”.

“There is 56.34 square metres of ground level open space available at 6B Gray Street, of which only 8.79 square metres to the rear of the property receives direct sunlight between 9.00am and 3.00pm on 21 June...”

“The property at 8A Gray Street already exceeds the above overshadowed requirements in relation to ground level private open space, living area windows, and access to solar energy for 6B Gray Street as seen from the applicants shadow diagrams at 9.00am and 12.00pm. The additional overshadowing caused by the proposed development increased the overshadowed area by a significant margin above the 20 percent limit...”

“The overshadowing also impacts on 4 skylights (2 hallway skylights and 2 bathroom skylights) for 6B...”

General Section, Residential Development, Principles 10, 11, 12 and 13 state:

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

(a) windows of habitable rooms, particularly living areas

(b) ground-level private open space

(c) upper-level private balconies that provide the primary open space area for any dwelling

(d) access to solar energy.

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

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

(a) half of the existing ground-level open space

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

13 Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

(Underlining added)

The applicant arranged shadow diagrams which depict the shadow cast by the development at:

- 9am, 21 June (winter solstice).
- 12pm, 21 June.
- 3pm, 21 June.

These diagrams were available during the public notification period and present the worst case scenario with lesser overshadowing impacts throughout the remainder of the year.

In accordance with General Section Principle 12 above, the private open space area of 6B Gray Street receives at least 2 hours of direct sunlight from at least 12pm onwards. Any other overshadowing after 12pm is from the existing single storey dwelling at 8A Gray Street.

In relation to Principle 11 above, "habitable room" is defined by Schedule 4 of the Development Regulations 2008 as follows:

"habitable room means a room used for domestic purposes but does not include a bathroom, laundry, hallway, lobby or other service or access area or space that is not occupied for extended periods".

Importantly, as shown on the plans provided by the representor, the living room of the authorised dwelling on 6B Gray Street has large west facing windows that are almost the full width of the dwelling. These windows will continue to ensure sufficient sunlight and ventilation to dining and living areas.

It is acknowledged that some increased overshadowing to the north facing windows of Bedrooms 1, 2 and 3 will be encountered however it is also important to acknowledge the following:

- Allotments throughout the locality are orientated from east to west or vice versa. Given the northern path of the sun, some overshadowing is to be expected.
- Principle 5 of the Policy Area guides a maximum building height of 3 storeys or 12.5 metres. The proposal will have a building height of 2 storeys and 6.7 metres. This is 5.8 metres lower and therefore the proposal naturally minimises overshadowing upon neighbouring properties.
- The proposal satisfies side setbacks from the boundary shared with 6B Gray Street as discussed below.

- North facing windows of the dwelling at 6B Gray Street will continue to receive ambient light.
- The shadow diagrams present the worst case scenario with more light being received throughout the remainder of the year.

On this basis, the proposal has clearly been designed to minimise overshadowing impacts upon 6B Gray Street while attempting to increase density as encouraged by the Policy Area.

Furthermore, it is important to note the following:

- The proposal will not impose additional overshadowing upon the existing private open spaces area of 8A Gray Street which is a single storey dwelling.
- 10 Gray Street receives suitable direct sunlight. This is because 10 Gray Street is situated north of the subject land and will not be overshadowed by the development in any respect.

For all of these reasons, the proposal is not considered to have unreasonable overshadowing impacts.

Energy Efficiency

The representor has stated the following:

"Photovoltaic solar panel contracts have been entered into for 6B, 6A and 6 Gray Street, and deposits have been paid with electrical provisions undertaken on 3 dwellings. The proposed development as seen by the applicant's shadow diagram causes substantial areas of 6B roof areas to be overshadowed between 9.00am and 3.00pm on 21 June, significantly impairing access to solar energy..."

General Section, Design and Appearance, Principle 9 states:

9 The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of:

- (a) windows of main internal living areas**
- (b) ground-level private open space**
- (c) upper-level private balconies that provide the primary open space area for a dwelling**
- (d) solar collectors (such as solar hot water systems and photovoltaic cells).**

(Underlining added)

General Section, Energy Efficiency, Principle 3 states:

3 Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:

- (a) taking into account overshadowing from neighbouring buildings**
- (b) designing roof orientation and pitches to maximise exposure to direct sunlight.**

(Underlining added)

The representor has not shown the location of the future photovoltaic cells at 6B Gray Street and therefore the impact of the proposal cannot be accurately determined.

Furthermore, no evidence has been presented to suggest the proposed development would inhibit the efficient use of the future photovoltaic cells.

Notwithstanding this, the proposal has clearly been designed to minimise overshadowing impact as explained above.

On this basis, the proposal is considered appropriate despite this matter being raised by the representor.

Boundaries

The representor has stated the following:

“The proposed developments characteristics are its front entrance on the northern boundary, and ground level private open courtyard on the southern boundary, adjacent to 6B Gray Street. These characteristics mean the rear boundary is on its southern boundary adjacent to 6B Gray Street”.

We disagree with this position. Our interpretation is that the rear boundary of the land abuts 8A Gray Street.

The Development Plan prescribes setback guidelines from particular boundaries. Our interpretation of those boundaries on the subject land are as follows:

- The front boundary is the eastern boundary which has primary frontage to Gray Street.
- The rear boundary is the western boundary abutting 8A Gray Street.
- The side boundaries are the northern and southern boundaries abutting 10 and 6B Gray Street.

We believe this to be the correct interpretation for the following reasons:

- **This is how the Council has historically approached this guideline:**
 - The City of West Torrens Council Assessment Panel has accepted this approach for several years and numerous developments, many of which I have personally been involved in as a member of staff and as a consultant acting for applicants.
- **Consistent with expectations of neighbours:**
 - The purpose of side and rear setback guidelines is to ensure minimal impact upon neighbouring land, particularly regarding visual intrusion, overshadowing and overlooking. In my view, setbacks to be taken from those boundaries as explained above, because these are consistent with what would be determined the front, side and rear boundaries of neighbouring allotments. I.e.:
 - The rear boundary of the subject land has the same orientation as the rear boundary of 6B and 10 Gray Street.
 - The front and side boundaries of the subject land are also the front and side boundaries of 6B and 10 Gray Street.
- **Alternate approaches are illogical:**
 - As per Principle 6 of the Policy Area, a minimum frontage of 15 metres for residential flat buildings is encouraged.

A 4-metre setback from a side boundary (as explained above) is illogical, particularly given provision of a 6-metre-wide common driveway on the opposing side. This approach only leaves 5 metres to develop a residential flat building (i.e. $15\text{m} - 4\text{m} - 6\text{m} = 5\text{m}$) which is specifically envisaged in the Policy Area.

- > To adopt a different approach would make it near impossible to develop residential flat buildings and suitably increase residential densities, both of which are specifically envisaged in the Policy Area, and reasonably satisfy the setback guidelines – this cannot be what was intended.

In our opinion, proposed boundary setbacks should be applied on this basis.

Rear Yard Setback

The representor has stated the following:

“The proposed development has no setback for the garage, a 2 metre setback for the lower and upper level powder rooms and bedrooms, which is all encroaching on the 4 metre setback... The courtyard entertainment area is 1 metre away from two habitable bedroom windows of 6B Gray Street, which causes noise and privacy issues to the occupants...”

As discussed above, our interpretation is that the rear boundary of the land abuts 8A Gray Street not 6B Gray Street as explained by the representor.

An assessment of the proposal against setback guidelines based on our interpretation is in **Table 1** below. Again, the assessment within **Table 1** matches many previous approvals issued by the City of West Torrens Council Assessment Panel, some of which include:

- 20 Wood Street, Kurralta Park.
- 16 Warwick Avenue, Kurralta Park.
- 17 Daly Street, Kurralta Park.

Table 1: Setback Assessment.

	Development Plan Parameter (metres)	Dwelling 1 (metres)	Dwelling 2 (metres)	Satisfy Development Plan?
Setback from Primary Road Frontage	3	3	N/A	✓
Setback from Rear Boundary (abutting 8A Gray Street)	4	N/A	1	✗
Walls up to 3m - Setback from Side Boundaries	1	1 up to 4 (excluding garage)	1 up to 4 (excluding garage)	✓
Walls between 3m and 6m - Setback from Side Boundaries	2	2	2	✓

The ground and upper level side setbacks adjacent 6B Gray Street satisfy the Development Plan.

In addition, the proposed garage walls on the side boundary shared with 6B Gray Street satisfies General Section, Residential Development Principle 16 as follows:

- Garage wall height is 2.7 metres. This is 0.3 metres lower than the 3 metre high Development Plan guideline.
- Maximum length along the boundary is 6 metres or 14.8 percent of the side boundary of 6B Gray Street. This is 2 metres or 35.2 percent less than the guideline of 8 metres or 50 percent.

On this basis, the proposed portion of the development on the boundary shared with 6B Gray Street satisfies the Development Plan.

For all of these reasons, the proposed setback arrangement is considered to be highly acceptable.

Conclusion

I trust I have addressed the concerns raised by the representor in sufficient detail.

I look forward to your support acknowledging that this application warrants Development Plan Consent.

Please call me on 8333 7999 if you have any questions in respect of this matter.

Yours sincerely



Phil Harnett
Associate

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/518/2019

Assessing Officer: Phil Smith
Site Address: 8 Gray Street, PLYMPTON SA 5038
Certificate of Title: CT-6093/819
Description of Development: Construction of a residential flat building containing two 2-storey dwellings and front fence

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 - Phil Smith

DATE 11 June, 2019



Memo

To Phil Smith
From Richard Tan
Date 11-Jun-2019
Subject 211/518/2019, 8 Gray Street, PLYMPTON SA 5038

Phil Smith,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

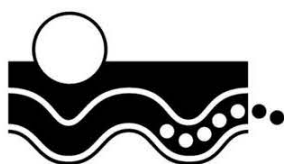
- 1.1 In accordance with the provided 'Site Drainage Plan' (Lelio Bibbo Consulting Engineers, Ref 190464-C1, dated 16/5/19), the FFLs of the proposed development (100.30 minimum) have been assessed as satisfying minimum requirements (100.30) in consideration of street and/or flood level information.

2.0 Verge Interaction

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

New driveways and stormwater connections are typically desired to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the front property boundary). An absolute minimum offset of 0.5m from new crossovers and stormwater connections to other existing road verge elements is acceptable in cases where space is limited.

These new features are also desired to be located a minimum of 2.0 metres from existing street trees, although a lesser offset may be acceptable in some circumstances. If an offset less than the desired 2.0 metres is proposed or if it is requested for the street tree to be



City of **West Torrens**

Between the City and the Sea

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

2.1.1 The offset distance between existing proposed crossover/stormwater connection and existing street tree is less than 2.0m. Refer to dot point 2.2 for more information.

It is recommended that further assessment from Council's Arboriculture team is required.

2.2 The provided 'Site Drainage Plan' (Lelio Bibbo Consulting Engineers, Ref 190464-C1, dated 16/5/19) has indicated that existing crossover has been remained. However, the current existing crossover does not match the approved crossover in DA 211/987/2012 and S221 application form (Objective ID: A1079447). It is also noted that the existing street tree location as indicated in previous DA and S221 application form as mentioned above contradicts to the existing street tree location as indicated in provided civil plan.

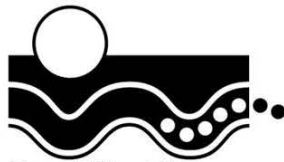
Based on the above mentioned, not only the current crossover does not comply to previously approved DA, it is also not comply to the standard 5.5m crossover servicing more than one property at the rear.

City Assets will not support the existing crossover to be remains. A 5.5m wide crossover with 0.3m wide flaring on both side will be supportable. A minimum 0.5m to 1m offset from existing stobie pole is required, depending on the assessment from Arboriculture team regarding the minimum offset of proposed crossover from existing street tree.

It is recommended that the location of street tree should be clarified. Revised plans should clearly and accurately indicating satisfaction of the above criteria be provided to Council.

3.0 Traffic Requirements

3.1 As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic. The existing common driveway has been assessed as satisfying minimum requirements.



City of **West Torrens**

Between the City and the Sea

- 3.2** It is also important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar.

Letter boxes and services have not been indicated in the plans. However, as the existing driveway is currently measured at approximately 6.5m wide, then these features are likely to be installed outside the 300mm wide landscaping area next to the common driveway.

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

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

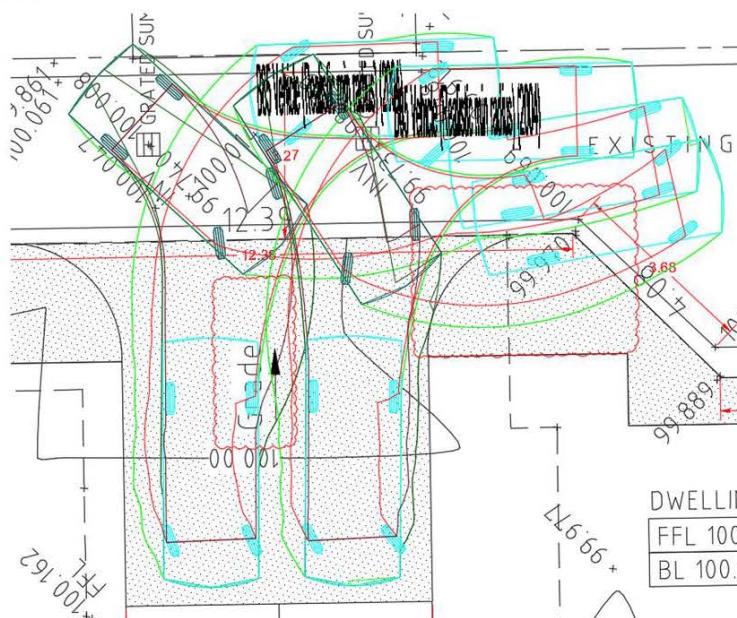
- 3.3** Elements of the vehicle manoeuvrability within this development appear to be unsatisfactory in consideration of the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004).

A quick check has been performed for vehicle manoeuvrability and the vehicles is unable to enter and exit the carpark within a single 3-point-turn (please see the attached demonstration for **internal use only**). It should be noted that a number of changes to the dwelling will be required and no simple solution can be suggested by Council.



City of **West Torrens**

Between the City and the Sea



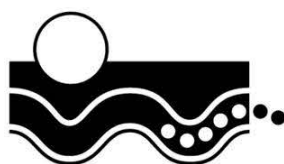
In the revision of the traffic manoeuvrability design, it is required that information be provided to clearly demonstrate the compliance of manoeuvrability for critical parking spaces and movements using suitable techniques as outlined within relevant parking standards.

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

- 3.4** The internal garage width is currently proposed as 2.9m. Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), traffic engineering best practice guides that the minimum internal length of an enclosed garage or enclosed carport space should be a minimum of 3.0m.

It is recommended that revised plans be submitted, showing a garage internal width of 3.0m.

- 3.5** The provided architecture plan has indicated an internal wall between two carpark in front of garages. This has not been indicated in civil plan.



City of **West Torrens**

Between the City and the Sea

It is recommended that further clarification from the applicant is required.

4.0 Waste Management

- 4.1** It is assumed that given the current layout, kerbside bin collection by Council is required. It is noted that on the verge there are existing street tree and crossover which reduce the available area for bins to be placed on collection day. Given the width (approximately 9m wide) of the allotment and the verge elements present (including driveway), there is likely to be space for a maximum of 6 bins to be collected at any one time. As there are 2 dwellings proposed and an existing dwelling, there would therefore be a maximum of 6 bins being required for collection (general waste + recyclables or general waste + food organics).

Although there is sufficient public kerb side space for the presentation of bins, however I noted that the subject site is located next to urban corridor zone, which has high on-street parking demand. In the event that the public kerb side verge has been utilised for parking on the bin collection day, then waste contractor may reject to collect the waste.

It is recommended that further assessment from Council's Waste Management Team is required.

5.0 Stormwater

- 5.1** For the development of this scale, stormwater detention measures will be required to be undertaken to limit the peak discharge rate for the site critical 20 year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient. In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration.

It is noted that the stormwater detention measures are in addition to the compulsory Building Code of Australia (BCA) stormwater re-use requirement that is necessary for the new dwellings. For clarity the BCA required rainwater re-use storage should also be indicated on the plans.

I noted that there is a 5.7kL underground detention tank for the existing rear allotment.

For this scale and nature of proposed development, Council's City Assets Department would consider acceptable an alternate approach



to the provision of conventional stormwater detention calculations and implementation.

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

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

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

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

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

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

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

6.4 15B Sherriff Street, UNDERDALE

Application No 211/1000/2019

Appearing before the Panel will be:

Representor: **P I Karaliamis** of 18 Pearse Street wishes to appear in support of the representation.

Applicant: **S Bollmeyer** of Dechellis Homes wishes to appear in response to the representation.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Construction of a two-storey group dwelling
APPLICANT	Dechellis Homes
LODGEMENT DATE	10 October 2019
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
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 for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions
AUTHOR	Amelia De Ruvo

SUBJECT LAND AND LOCALITY

The subject site is formally described in Certificate of Title Volume 6224 Folio 255, comprising lot 2 in Primary Community Plan 41736, in the area named Underdale, Hundred of Adelaide, more commonly known as 15B Sherriff Street. There are no easements, encumbrances or Land Management Agreements affecting the subject land.

The subject site is an existing residential property located on the eastern side of Sherriff Street, approximately 160 metres (m) north of Henley Beach Road. The subject site is in the form of a battle axe and the land on which the proposed development is to be built is located at the rear of the site. This land does not have direct road frontage to Sherriff Street as access is via common property. The site has a width of 16.76m, an average depth of 17.06m with an overall site area of 302 square metres (m²). The subject site is currently vacant having been cleared of all structures and vegetation. The subject site is generally flat although it slopes down towards the south-east corner of the allotment.

The locality is residential in nature containing a variety of dwellings which include single storey detached dwellings, residential flat buildings and group dwellings. Approximately 50m south of the subject site on the western side of Sherriff Street are 11 independent living dwellings, the first intrusion of higher density living within the locality.

The allotment pattern varies between allotments containing a single dwelling to allotments containing residential flat buildings and group dwellings within the immediate and wider locality. Site areas vary between 150m² to approximately 900m².

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





RELEVANT APPLICATIONS

DA Number	Description of Development	Decision
211/1466/2017	Combined Application: Land division - Community Title; SCAP No. 211/C186/17; Create one (1) additional allotment and the construction of a carport for allotment 1	Development Approval issued 6 November 2019
211/129/2018	Construction of a two-storey group dwelling and combined retaining wall and fence to a maximum height of 2.2m	Planning Consent issued 14 August 2018

The above applications were previously assessed by the Council Assessment Panel (CAP) on 14 August 2018 and both were issued with Planning Consent with no changes to the division or the design of the dwelling.

It should be acknowledged that the current application (211/1000/2019) is essentially the same dwelling that was previously assessed and approved by the CAP in August 2018, with some minor adjustments to the side and rear setbacks and private open space.

PROPOSAL

The proposal seeks to construct a two storey group dwelling on the subject site. The dwelling is to be constructed with a rendered and brick façade and pitched hip roof, and will contain four bedrooms, a double garage and an alfresco area under the main roof. The allotment handle consists of permeable block paving and 500 millimetres (mm) of landscaping on either side of the handle.

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

PUBLIC NOTIFICATION

The application is a Category 2 form of development pursuant to Schedule 9, Part 2 (18)(b) of the *Development Regulations 2008*.

Properties notified	7 properties were notified during the public notification process.
Representations	2 representations were received.
Persons wishing to be heard	<ul style="list-style-type: none"> P I Karaliemis
Summary of representations	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> Privacy concerns from overlooking from upper level windows
Applicant's response to representations	Summary of applicant's response: <ul style="list-style-type: none"> No response provided

A copy of the representations are contained in **Attachment 3**.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> • Verge interaction with the street tree to ensure that the stormwater outlet and driveway widening would not negatively impact this tree; • The crossover to be amended to separate the proposed crossover with the existing crossover servicing 17 Sherriff Street. • Elements of vehicle manoeuvrability did not satisfy the Australian Standards. • All issues have now been addressed.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, the Medium Density Policy Area 19 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

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 & 4
Principles of Development Control	1 & 5

Medium Density Policy Area 19

Allotments in this policy area will be at medium density, accommodating a range of dwelling types including semi-detached, row and group dwellings, as well as some residential flat buildings and some detached dwellings on small allotments. There will be a denser allotment pattern close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

New buildings will contribute to a highly varied streetscape. Buildings will be up to 2 storeys, except for allotments fronting Brooker Terrace, Marion Road and Henley Beach Road, and overlooking the Westside Bikeway, where buildings will be up to 3 storeys in height and provide a strong presence to streets. Garages and carports will be located behind the front facade of buildings.

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

Objectives	1
Principles of Development Control	1, 2 & 3

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 COVERAGE <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	60% (maximum)	66% Does not Satisfy
STREET SETBACK <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	3m (minimum)	30.7m Satisfies
SIDE SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	Vertical side wall 3m or less 1m (minimum) Vertical side wall 3-6m 2m (minimum)	Lower level: 920mm (south) 0m (north) Does Not Satisfy Upper level: 2m (south) 2.34m (north) Satisfies

REAR SETBACK <i>Medium Density Policy Area 19</i> PDC 3	6m (minimum)	1m Does Not Satisfy
BUILDING HEIGHT <i>Medium Density Policy Area 19</i> PDC 3	2 storeys or 8.5m (maximum)	5.8m Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> PDC 9	100m ² (minimum)	185m ² Satisfies
PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	60m ² (minimum)	86m ² Satisfies
CAR PARKING <i>Transportation and Access</i> PDC 34 & Table WeTo/2	2 spaces/dwelling (1 covered) plus 0.25 visitor spaces	3 spaces (2 covered) Satisfies
STORAGE <i>Residential Development</i> PDC 31	8m ³ (minimum)	9m ³ (located under the stairs, within the garage) Satisfies
LANDSCAPING <i>Landscaping, Fences and Walls</i> PDC 4	10% (minimum)	14.2% (excluding driveway handles) Satisfies

ASSESSMENT

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

Land Use

Residential development, in the form of group dwellings, is an envisaged form of development within Medium Density Policy Area 19. Accordingly, the proposed group dwelling is considered to be an appropriate form of development within the Policy Area.

Building Height

Principle of Development Control (PDC) 2 of the Residential Development module seeks to limit the height of dwellings to a single storey when located at the rear of battle-axe allotments. Although the proposed two storey dwelling fails to satisfy this requirement, it is not considered fatal to the application as Medium Density Policy Area 19 allows for residential flat buildings to be constructed to a maximum height of two storeys. Had this application been for a two storey residential flat building rather than a group dwelling, it would have satisfied the intent of Medium Density Policy Area 19. And given that this policy takes precedence over policy in the General section of the Development Plan, the proposal is considered to be an acceptable form of development in the policy area.

Additionally when the proposed dwelling is considered alongside the height of the existing dwelling at the front of the site, which has a roof height of approximately 5m and wall heights of 3.9m, it is evident that the existing dwelling will obscure a significant proportion of the proposed dwelling. As a result, the proposed dwelling is unlikely to negatively impact on the character of the streetscape or the locality more generally.

It is also worth noting that there are a number of two storey dwellings within the locality, indicating that the area is transitioning towards a medium density environment sought by the relevant Desired Character Statement. The proposed height of the dwelling is therefore considered to be appropriate.

Overlooking

It is acknowledged that PDC 2 of the Residential Development module seeks to maintain privacy to adjoining properties by limiting the height of dwellings on battle-axe allotments to single storey. Notwithstanding the above discussion, in order to maintain privacy to the adjoining allotments (which had been raised as a concern by the representors) all upper level windows have been provided with fixed obscured glazing to a height of 1.7m above the upper level floor level. The obscured windows will prevent direct overlooking from the proposed dwelling to adjoining properties, maintaining privacy to surrounding residents, satisfying PDCs 2 and 27 of the Residential Development module.

To add to the above, previous discussions with the State Commission Assessment Panel (SCAP) indicate that the potential for overlooking should be minimised rather than completely mitigated. In this instance the proposed dwelling has undertaken all precautionary measures to minimise the potential for overlooking.

Overshadowing

The applicant has provided an overshadowing diagram for the proposed two storey dwelling. As the dwelling is located at the rear of the site and has a reduced rear setback, it is to be expected that there will be some overshadowing to adjacent properties to the east and south. Given that most of the overshadowing effect will fall on the rear outbuildings (refer to the image below) of these properties, and that the rear yards will receive more than 3 hours of winter sunlight, the proposed development satisfies PDCs 11, 12 and 13 of the Residential Development module and is considered to be acceptable as a result.



Image 1: Location of structures on adjoining site at 13 Sherriff Street, Underdale
Source: West Maps

Site Coverage

PDC 3 of Medium Density Policy Area 19 seeks a maximum site coverage of 60%. The proposed dwelling exceeds this requirement by 6%. While it would be possible to remove the alfresco area in order to satisfy the requirements of the Development Plan, it would result in an undesirable outcome for future residents.

It is unusual to see proposals that have an excessive level of site coverage as well as an over-provision of private open space - in this case by 26m². For this reason, the relatively small exceedance in site coverage is considered to be acceptable and unlikely to detrimentally affect occupiers of adjacent properties.

Side Setbacks

Generally in accordance with PDC 16 of the Residential Development module, a garage with a wall height of 3m is able to be located on the boundary of an allotment for a maximum length of 8m. Notwithstanding the above, boundary walls should be located within 14m of the front boundary in accordance with PDC 13 of the Residential Zone. In this instance satisfying PDC 13 is not able to be achieved due to the length of the common property. The garage will be constructed on the boundary for a maximum length of 6.7m with a predominant wall height of 3m, except for the parapet which is 3.3m in height. The parapet height of 3.3m is located on the boundary for a length of 200mm, which is considered to be a minor departure from the 3m wall height requirement with only a minimal impact on adjoining properties.

The lower level of the proposed dwelling provides for a 920mm offset from the southern boundary. PDC 11 of Residential Zone seeks a minimum offset of 1m from the side boundary where the wall height is less than 3m. In this instance the 80mm shortfall is not considered to fatal to the application as this shortfall will not be readily perceptible to the naked eye.

Where a wall is between 3 and 6m in height, PDC 11 of the Residential Zone seeks a minimum offset of 2m from either side boundary. The proposed dwelling provides an offset of 2m from the southern boundary and 2.34m from the northern boundary satisfying PDC 11 of the Residential Zone.

Rear Setback

The proposed dwelling provides for a rear setback of 1m (measured from the rear of the alfresco area being under the main roof of the dwelling) which clearly does not satisfy the 6m minimum requirement stipulated by PDC 3 of Medium Density Policy Area 19. Although this is a significant discrepancy, it is considered acceptable for the following reasons:

- The upper level setback from the rear boundary is 7.2m and well within the 6m sought by PDC 3 of Medium Density Policy Area 19;
- The rear yard of the adjacent dwelling to the east (16 Pearse Street) has a large domestic outbuilding located on the rear boundary which should mitigate the impact of the proposed dwelling/alfresco area.
- The alfresco is an open structure and therefore the bulk of the wall is effectively reduced.

Storage

A combined total of 9 cubic metres (m³) of storage is provided within the proposed group dwelling. PDC 31 of the Residential Development module stipulates that storage should be located within a non-habitable room of a dwelling or an outbuilding. The applicant has utilised the area located under the stair well for storage as well as an area within the laundry. Additionally, there is space within the garage that could potentially add a further 1.5m³ of storage, providing a total of 10.5m³ for residents to utilise (please note this 1.5m³ of additional storage has not been included within the calculation above). Accordingly, the proposal is considered to satisfy PDC 31 of the Residential Development module.

Landscaping

The proposal meets the minimum landscaping requirement of 10% of the site with a variety of plantings that vary in scale and height. It is also proposed to incorporate permeable paving to the common property/driveway, which includes a 500mm landscaping strip on either side of the driveway. Plantings will include shrubs, ground covers and some trees. These plantings will help to mitigate the extent of hard paved surfaces as well as heat loads on the site, thereby satisfying PDC 1 of the Landscaping, Fences and Walls module.

SUMMARY

It is acknowledged that there are aspects of the proposed development that do not meet the Development Plan requirements, particularly in relation to setbacks and height. When undertaking an 'on-balance' assessment, it is considered that the proposal generally accords with the relevant provisions of the Development Plan. The proposal provides sufficient internal living space, private open space and storage to provide a functional and liveable dwelling for its residents.

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. 211/1000/2019 by Dechellis Homes to undertake the construction of a two-storey group dwelling at 15B Sherriff Street, Underdale (CT 6224/255) 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.
2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*
3. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to occupation, and shall be maintained in reasonable condition at all times.
Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.

4. That all landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.

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

5. That the upper level windows of the dwelling will be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.

Reason: To ensure that the development does not unreasonably diminish the privacy of residents of adjoining properties.

Attachments

1. **Relevant Development Plan Provisions**
2. **Plan Set**
3. **Representations from Public Notification**
4. **Referral Responses**

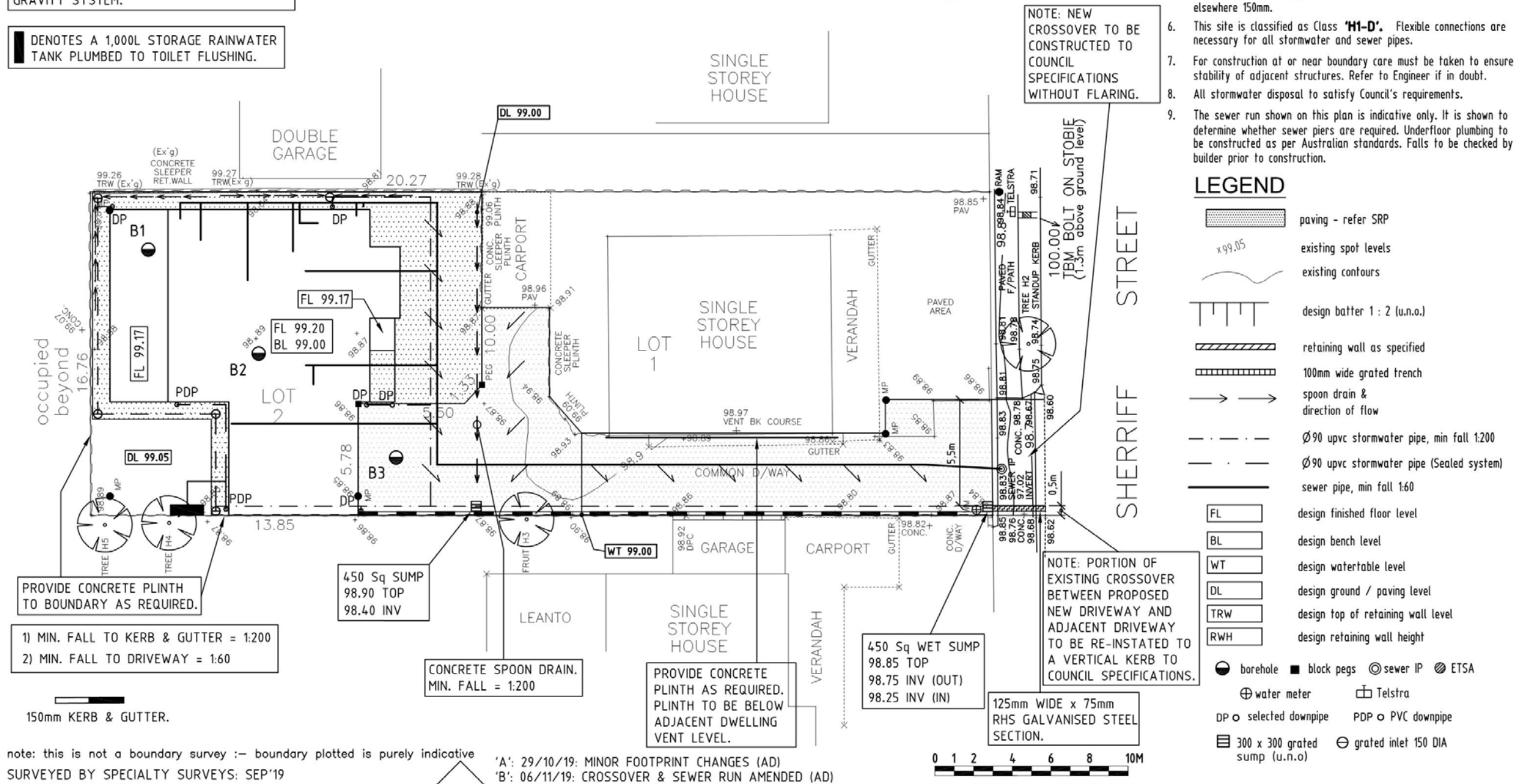
Relevant Development Plan Provisions

General Section		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 6 & 7
<i>Design and Appearance</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 9, 10, 11, 12, 13, 14 & 15
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1 & 2
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4 & 6
<i>Residential Development</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30 & 31
<i>Transportation and Access</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 8, 10, 11, 18, 23, 24, 25, 26, 30, 34, 35, 36, 37, 40, 41 & 44

NOTE: ROOF DOWNPIPES MARKED 'PDP' TO BE DISCHARGED TO 1,000L RAINWATER TANK VIA A SEALED SYSTEM (REFER TO 'SDS'). ALLOW TANK OVERFLOW TO SUMP. DISCHARGE OUTLET TO BE A MINIMUM 500mm ABOVE SUMP INVERT LEVEL. ALL REMAINING DOWNPIPES & SURFACE STORMWATER TO BE DISCHARGED DIRECTLY TO SUMP VIA A GRAVITY SYSTEM.

■ DENOTES A 1,000L STORAGE RAINWATER TANK PLUMBED TO TOILET FLUSHING.

NOTE: RAINWATER TANK LOCATION SHOWN ON THIS DRAWING IS INDICATIVE ONLY. LOCATION MAY BE ALTERED BY BUILDER/OWNER TO SUIT PROVIDING THAT MINIMUM FALLS ARE ACHIEVED.



NOTES

1. This is an engineering survey only and should not be used as a boundary identification survey.
2. Owner to peg site prior to construction
3. All surplus soil to be removed by owner.
4. Stormwater, retaining walls & perimeter paving by owner. Stormwater and perimeter paving to be fully installed within 6 months of handover.
5. Cover to stormwater pipes in areas of vehicular traffic to be 300mm elsewhere 150mm.
6. This site is classified as Class 'H1-D'. Flexible connections are necessary for all stormwater and sewer pipes.
7. For construction at or near boundary care must be taken to ensure stability of adjacent structures. Refer to Engineer if in doubt.
8. All stormwater disposal to satisfy Council's requirements.
9. The sewer run shown on this plan is indicative only. It is shown to determine whether sewer piers are required. Underfloor plumbing to be constructed as per Australian standards. Falls to be checked by builder prior to construction.

LEGEND

- paving - refer SRP
- existing spot levels
- existing contours
- design batter 1:2 (u.n.o.)
- retaining wall as specified
- 100mm wide grated trench
- spoon drain & direction of flow
- Ø90 upvc stormwater pipe, min fall 1:200
- Ø90 upvc stormwater pipe (Sealed system)
- sewer pipe, min fall 1:60
- FL design finished floor level
- BL design bench level
- WT design watertable level
- DL design ground / paving level
- TRW design top of retaining wall level
- RWH design retaining wall height
- borehole
- block pegs
- sewer IP
- ETSA
- water meter
- Telstra
- DP selected downpipe
- PDP PVC downpipe
- 300 x 300 grated sump (u.n.o.)
- grated inlet 150 DIA

GINOS ENGINEERING PTY LTD
Consulting Engineers
A.B.N. 22 621 716 121
452 Pulteney Street
Adelaide SA 5000
Telephone: (08) 8212 4900
Facsimile: (08) 8212 3829

DECHELLIS HOMES PTY LTD
DWELLING FOR: Y & W CHU
LOT 2 (NO 15B) SHERRIFF STREET - UNDERDALE
SITE AND DRAINAGE PLAN

Drawn	AD	Scales	1:200
Design	AD	Drawing Number	
Approved	THL		36482
Date	OCT'19		SR2-1/B

NOTE TO CERTIFIER:
ALL EXTERNAL DOOR FRAMES & INTERNAL GARAGE DOORS TO HAVE AIR INFILTRATION SEALS TO ALL 4 SIDES OF OPENINGS IN ACCORDANCE WITH AUSTRALIAN STANDARD 3.12.3.3:

COMMUNITY TITLE

NOTE:
NBN PROVISION LOCATION AS PER BUILDER'S STANDARD IN THE CLOSEST PROXIMITY TO THE PCD.
PCD TO BE LOCATED AT LEAST 500MM FROM THE GAS HOUSE FEED.

NOTE TO JOINER:
JOINERY PANEL OF O/H & BENCH CPBDS TO RUN INTO ALUMINIUM FRAME OF FIXED WINDOW

NOTE TO OWNER:
PLEASE BE AWARE THE FRIDGE ALCOVE WILL BE APPROXIMATELY 920 WIDE ONCE PLASTERBOARD AND SKIRTINGS ARE INSTALLED

NOTE TO OWNER:
MAX WIDTH FOR STONE IS 3m. JOIN POSITION TO BE CONFIRMED AT SELECTIONS

NOTE TO PLUMBER:
PLUMBING STACK FOR BATH

NOTE TO ENGINEER:
172mm SETDOWN STRIP FOOTING FOR FUTURE PAVING - BY OWNER

NOTE TO PLUMBER:
PLUMBING STACK FOR ENS.

NOTE TO GAS PLUMBER:
300AFL GAS POINT FOR FUTURE BBQ WITH BAYONETTE FITTING

SD SMOKE DETECTOR

SMOKE DETECTORS ARE TO BE INSTALLED IN ACCORDANCE WITH PART 3.7.2 OF THE BCA VOL. 2. COMPLY WITH AS3786. TO BE CONNECTED WITH MAINS POWER AND TO BE INTERCONNECTED WHERE THERE IS MORE THAN ONE DETECTOR INSTALLED.

NOTE: WHEN MORE THAN ONE DETECTOR IS INSTALLED IN A DWELLING THEY MUST BE INTERCONNECTED TO SOUND SIMULTANEOUSLY WHEN ANY ONE OF THE DETECTORS IS TRIPPED.

NOTE OWNER:

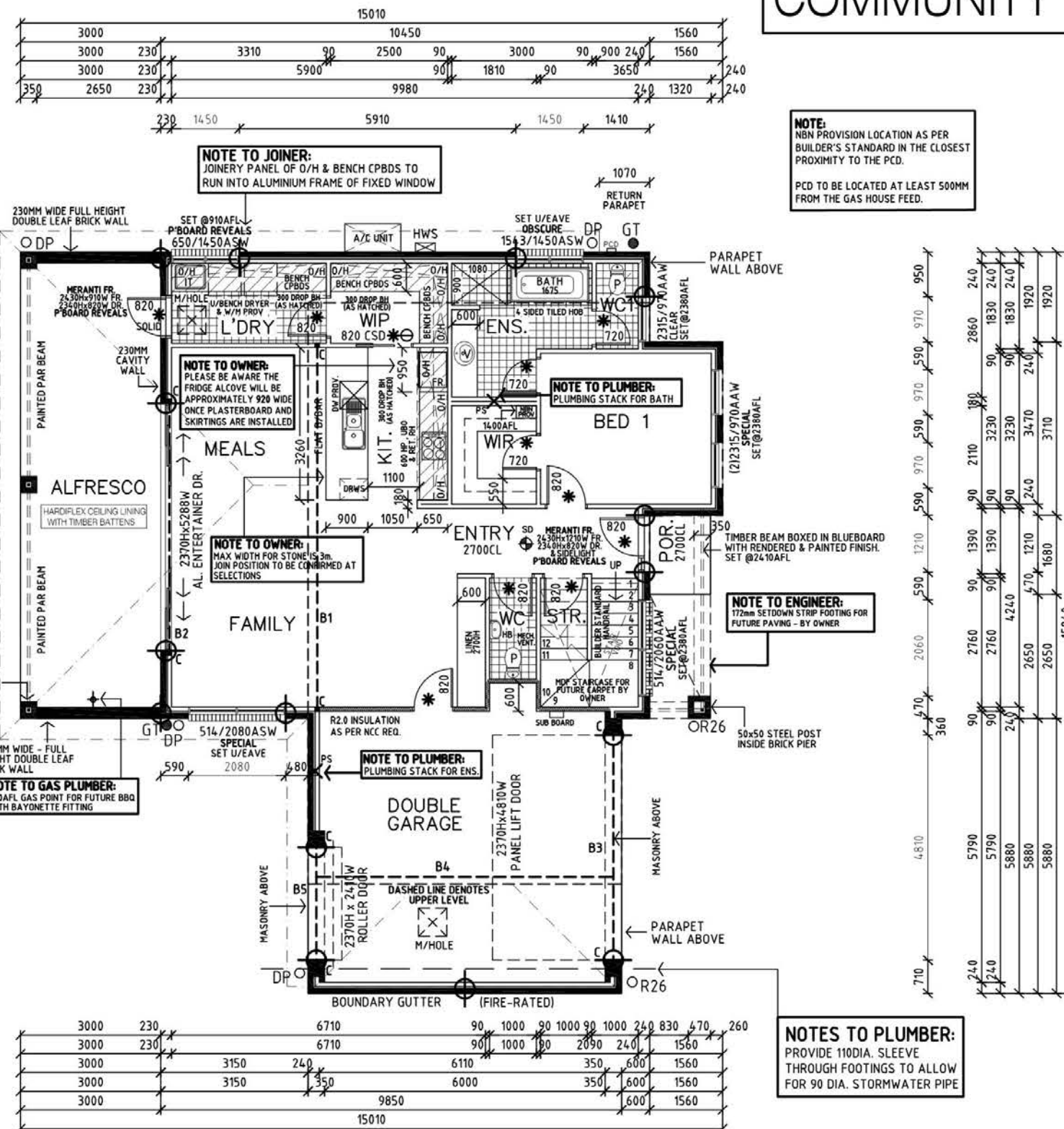
ETSA & APA (GAS) REQUIRES M/BOX'S TO BE A MAXIMUM OF 1200MM FROM FRONT CORNER OF HOUSE.

WRITTEN DIMENSIONS ARE TAKEN FROM ACTUAL FRAME WORK. ACTUAL FINISHED SIZE DOES NOT ALLOW FOR FLOOR COVERINGS, LININGS OR SKIRTING THICKNESSES.

FINAL LOCATION OF SKYLIGHTS (IF ANY) IS SUBJECT TO LOCATION OF ROOF MEMBERS.

NOTE: W.C. DOOR TO BE INSTALLED WITH HINGES WHICH ARE READILY REMOVABLE FROM THE OUTSIDE - OTHERWISE DOOR TO SWING OUTWARDS

WRITTEN DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS. CONTRACTORS TO VERIFY ALL LEVELS AND DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF BUILDING WORKS



INTERNAL & EXTERNAL DOOR HEIGHTS

* : DENOTES 2340mm HIGH DOORS
⊙ : DENOTES 2640mm HIGH DOORS
IF NO ASTRIS IS SHOWN ALL DOORS ARE 2040mm HIGH
⊖ CSD : HUMES SOFT CLOSE CAVITY UNIT WITH EVOLUTION TOUCH CAVITY RELEASE SYSTEM

P □ : DENOTES REINFORCED CONCRETE PIER

DP ○ : DENOTES DOWNPIPES

FFDP ○ : DENOTES FIRST FLOOR DOWNPIPES

C ⊕ : DENOTES FULL HEIGHT CONSTRUCTION JOINT IN BRICKWORK

FINAL PLANS

I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDE ANY PRIOR PLANS SIGNED

CUSTOMER SIGNATURE 1

CUSTOMER SIGNATURE 2

DATE SIGNED

NOTE CARPENTER/ESTIMATOR:

1. TOP & BOTTOM PLATES ARE TO BE TRENCHED ONLY FOR C.L. LEVELS >2400
2. NICHES > THAN 90MM DEEP REQUIRES TRIM TO FRONT & REAR ONLY

DESIGN TYPE	ALBANI
SPECIFICATION	GRANDE
TITLE	COMMUNITY
WIND CATEGORY	N1
CORROSION ZONE	NA
BUSHFIRE LEVEL	NA
MULTITEL BLANKET	NA
SARKING	NA
ROOF BLANKET	NA
SCRIBED RIDGES	NA
ELECTRICAL PHASE	SINGLE

3 PHASE ON SITE TBC

OWNER SUPPLIED ITEMS NO

SEPTIC TANK NA

SYSTEM TYPE NA

SERVICE NA

GAS SERVICE ON SITE YES

GAS BOTTLES NA

EAVE SIZE & TYPE 450 BOXED

KIT. BOTTOM REVEAL NO

HUMES SKIRTING TYPE 90MM MDF L/T

HUMES AVE TYPE 90MM MDF L/T

AVE BLOCKS NO

JAMB TYPE EZI TRIM

NOSING NO

WINDOW HEIGHT 2410AFL

EXTERNAL INSULATION R2.0

INTERNAL INSULATION R2.0

LIVING/GARAGE INSUL. R4.0 CEILING

POR/ALFRESCO R4.0 CEILING

ALL GARAGE WALLS R2.0

BETWEEN STOREYS NA

CORNICE TYPE 90MM TEMPO

© COPYRIGHT LAWS APPLY

PROPOSED : DWELLING
FOR : YEE MAN CHU &
WILLIAM YUNG FAT CHU
AT : LOT 2 NO. 15B
SHERRIFF ST
UNDERDALE

AREAS	m ²
MAIN BUILDING - UPPER FLOOR	94.33
MAIN BUILDING - GROUND FLOOR	109.87
PORTICO (INC. SLAB & STRIP FOOT)	5.63
ALFRESCO	29.88
GARAGE	39.40
TOTAL	279.11

DATE : 07 NOVEMBER 2019

SHEET : 2 of 23

SCALE : 1:100

COUNCIL : WEST TORRENS

**Dechellis
Homes**

170 PAYNEHAM ROAD, EVANDALE SA 5069
PH: (08) 8362 7427 FAX: (08) 8363 0003

JOB No.: DH 1867

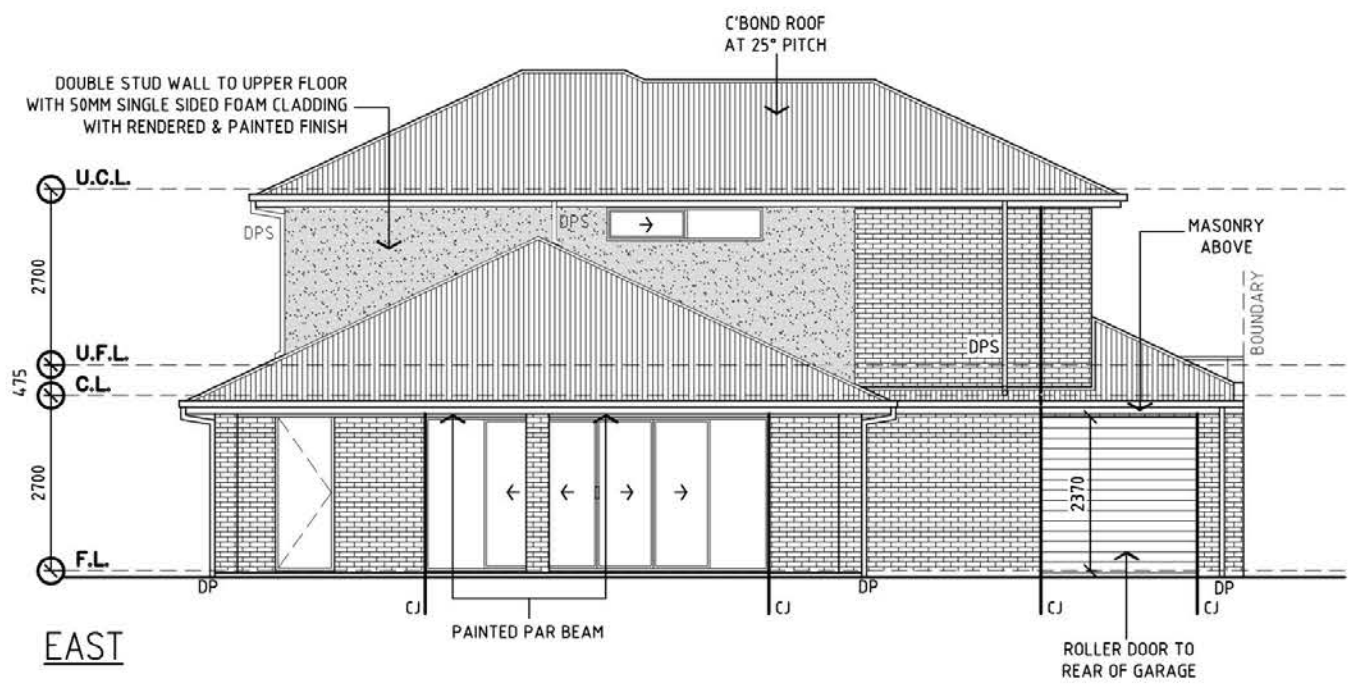
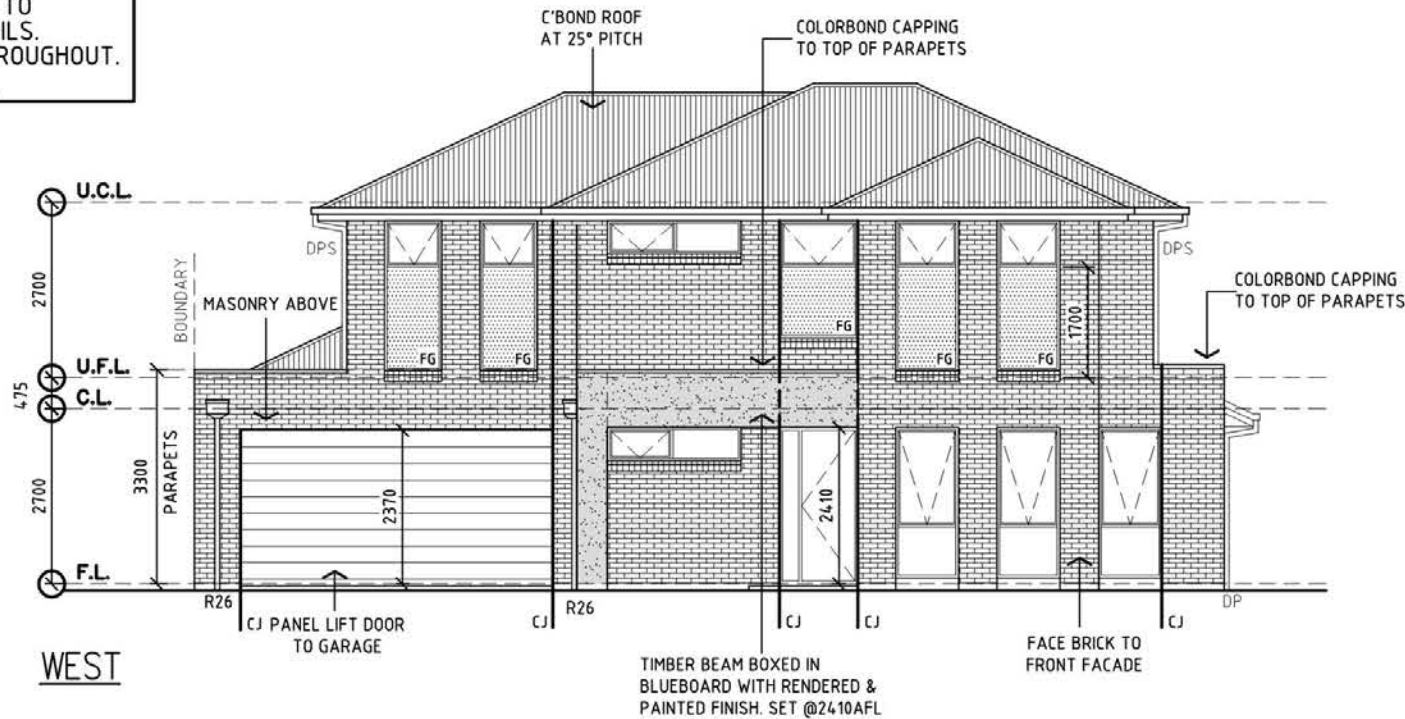
<h3>FINAL PLANS</h3> <p>I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDED ANY PRIOR PLANS SIGNED</p> <p>.....</p> <p>CUSTOMER SIGNATURE 1</p> <p>.....</p> <p>CUSTOMER SIGNATURE 2</p> <p>.....</p> <p>DATE SIGNED</p>	
<p>NOTE CARPENTER/ESTIMATOR:</p> <p>1. TOP & BOTTOM PLATES ARE TO BE TRENCHED ONLY FOR C.L. LEVELS >24.00</p> <p>2. NICHES > THAN 90MM DEEP REQUIRES TRIM TO FRONT & REAR ONLY</p>	

NOTE TO OWNER:
PLEASE NOTE THAT THE
THE UPPER LEVEL ARE D
PRELIMINARY TRUSS LAY
AND APPROVED BY A/C

NOTES TO OWNER:
AS COUNCIL REQUIREMENT, UPPER FLOOR WINDOWS ARE REQUIRED TO BE FIXED OBSCURE UP TO 1700AFL OR **MINIMUM WINDOW SILL HEIGHT TO 1700AFL**, TO AVOID OVER LOOKING INTO ADJOINING NEIGHBOURS PROPERTY

NOTE TO SUPERVISOR & CARPENTER :
75MM HEBEL TO UPPER LEVEL FLOORING TO MANUFACTURERS SPECIFICATIONS/DETAILS. MAINTAIN 400 DEEP FLOOR TRUSSES THROUGHOUT. NO HEBEL TO UPPER FLOOR WET AREAS.

COMMUNITY TITLE



CJ
: DENOTES FULL HEIGHT CONSTRUCTION JOINT IN BRICKWORK

ELEVATIONS
SCALE 1 : 100

FINAL PLANS
I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDE ANY PRIOR PLANS SIGNED

CUSTOMER SIGNATURE 1
CUSTOMER SIGNATURE 2
DATE SIGNED

GARAGE LINTEL SPANS
STANDARD GALINTEL - ANGLE T-BAR

SPAN	SHEET ROOF	TILED ROOF
300 WIDE PLATE FOR 350 BRICK PIER		
200 WIDE PLATE FOR 230 BRICK PIER		

2410MM & 2710MM (150MM BEARING)

L1
200X10MM
200/300X10MM

L2
200X10MM
200/300X10MM

4810MM (300MM BEARING)

L3
250X10MM
200/300X10MM

L4
250X10MM
200/300X10MM

5110MM (300MM BEARING)

L5
250X10MM
200/300X10MM

L6
250X10MM
200/300X10MM

EXTERNAL COLOUR AND MATERIALS SCHEDULE
PLEASE ENSURE YOU SELECT YOUR COLOURS & MATERIALS WITHIN THE BUILDERS STANDARD RANGE. ITEMS CHOSEN OUT OF THIS RANGE WHICH IS NOT REFLECTED IN YOUR PRICE GUIDE OR ADDENDUM WILL BE SUBJECT TO FURTHER COSTS AT SELECTION TIME.
ANY CHANGES AT SELECTIONS MAY DELAY YOUR START DATE DUE TO THE REQUIRED RESUBMISSION TO COUNCIL AND/OR ENCUMBRANCE FOR APPROVAL.

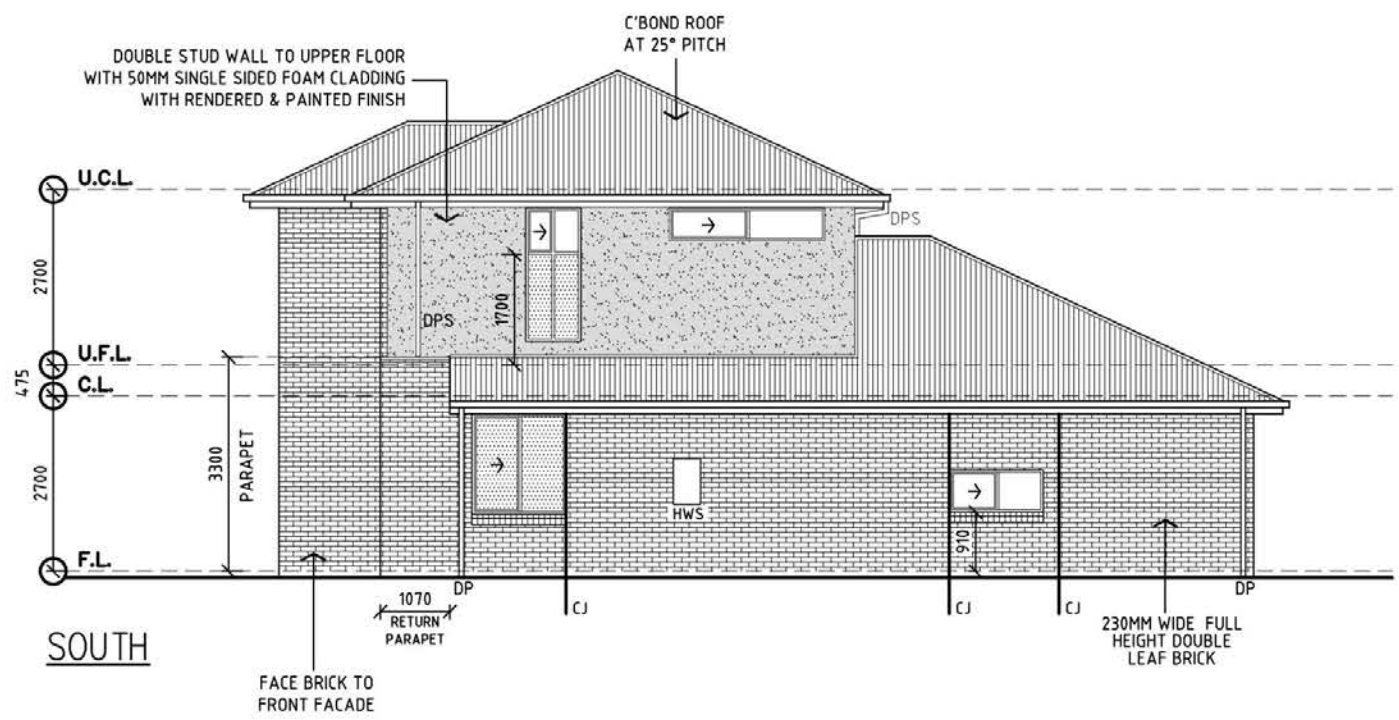
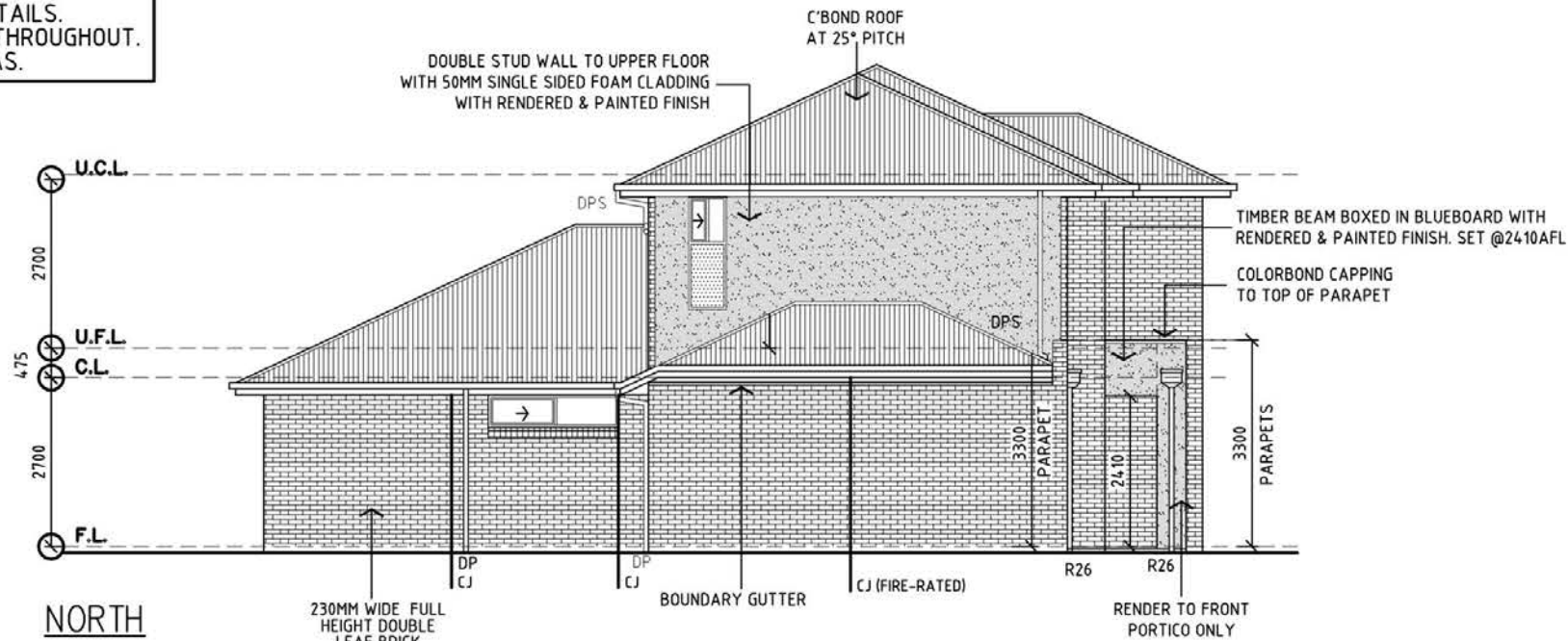
© Copyright laws apply

PROPOSED : DWELLING
FOR : YEE MAN CHU & WILLIAM YUNG FAT CHU
AT : LOT 2 NO. 15B SHERRIFF ST UNDERDALEDATE : 07 NOVEMBER 2019
SHEET : 4 of 23
SCALE : 1:100
COUNCIL : WEST TORRENS**Dechellis Homes**
170 PAYNEHAM ROAD, EVANDALE SA 5069
PH: (08) 8362 7427 FAX: (08) 8363 0093
JOB No.: DH 1867

NOTES TO OWNER:
AS COUNCIL REQUIREMENT, UPPER FLOOR WINDOWS ARE REQUIRED TO BE FIXED OBSCURE UP TO 1700AFL OR **MINIMUM WINDOW SILL HEIGHT TO 1700AFL**, TO AVOID OVER LOOKING INTO ADJOINING NEIGHBOURS PROPERTY

NOTE TO SUPERVISOR & CARPENTER :
75MM HEBEL TO UPPER LEVEL FLOORING TO MANUFACTURERS SPECIFICATIONS/DETAILS. MAINTAIN 400 DEEP FLOOR TRUSSES THROUGHOUT. NO HEBEL TO UPPER FLOOR WET AREAS.

COMMUNITY TITLE



CJ
: DENOTES FULL HEIGHT CONSTRUCTION
JOINT IN BRICKWORK

ELEVATIONS
SCALE 1 : 100

FINAL PLANS
I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDE ANY PRIOR PLANS SIGNED

CUSTOMER SIGNATURE 1

CUSTOMER SIGNATURE 2

DATE SIGNED

GARAGE LINTEL SPANS
STANDARD GALINTEL - ANGLE T-BAR

SPAN	SHEET ROOF	TILED ROOF
300 WIDE PLATE FOR 350 BRICK PIER		
200 WIDE PLATE FOR 230 BRICK PIER		

2410MM & 2710MM (150MM BEARING)	L1 200/300X10MM	L2 200/300X10MM
4810MM (300MM BEARING)	L3 200/300X10MM	L4 200/300X10MM
5110MM (300MM BEARING)	L5 200/300X10MM	L6 200/300X10MM

© Copyright laws apply

PROPOSED : DWELLING
FOR : YEE MAN CHU & WILLIAM YUNG FAT CHU
AT : LOT 2 NO. 15B SHERRIFF ST UNDERDALE

DATE : 07 NOVEMBER 2019

SHEET : 5 of 23

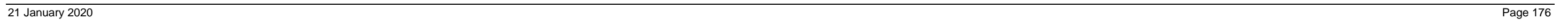
SCALE : 1:100

COUNCIL : WEST TORRENS

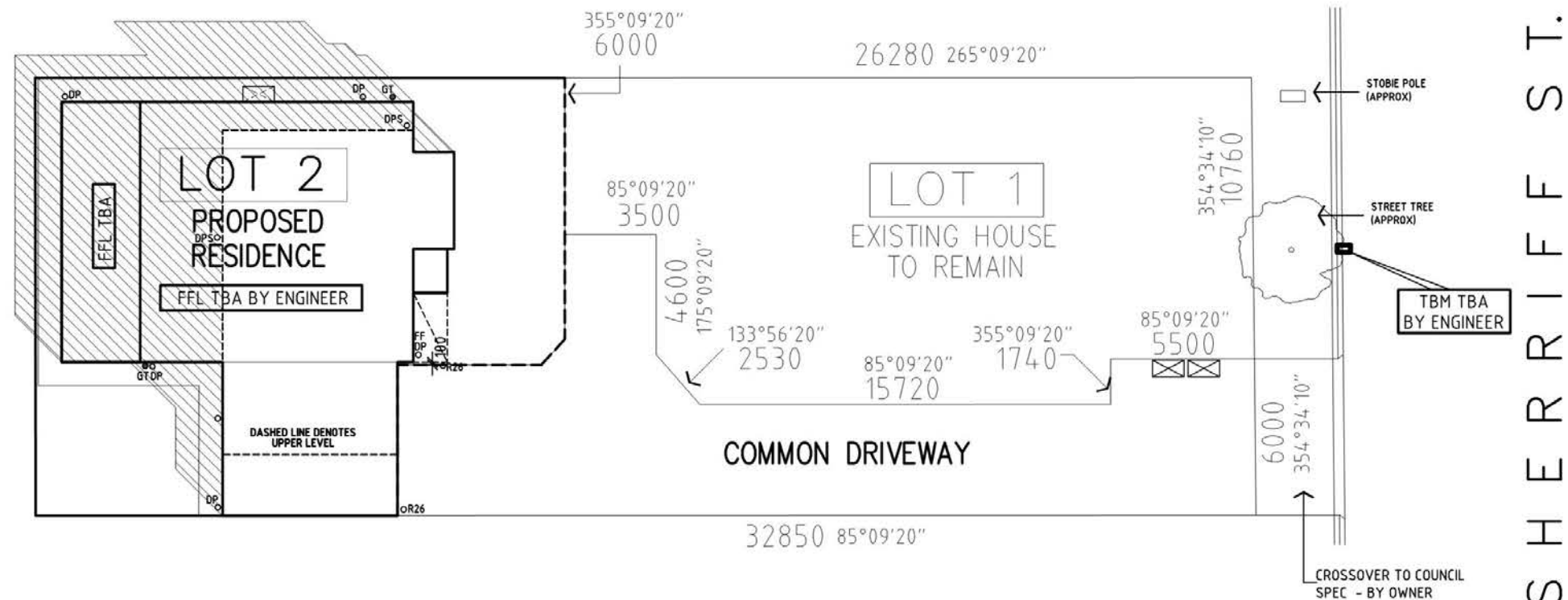
Dechellis Homes

170 PAYNEHAM ROAD, EVANDALE SA 5069
PH: (08) 8362 7427 FAX: (08) 8363 0003

JOB No.: DH 1867



COMMUNITY TITLE



3PM WINTER 21ST JUNE

FINAL PLANS

I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDE ANY PRIOR PLANS SIGNED

CUSTOMER SIGNATURE 1

CUSTOMER SIGNATURE 2

DATE SIGNED

NOTES TO PLUMBER:

- PLUMBER TO SUPPLY & INSTALL RAINWATER LOOP TO DIVERT MAINS WATER AND ALLOW RAIN WATER TO FLOW TO MAIN WC TOILET CISTERN.
- NON RETURN VALVE TO BE INSTALLED AS PER SA WATER REQUIREMENTS BY OWNER. (1000 LITRE TANK BY OWNER)
- UNDERGROUND FEED FROM RAINWATER TANK TO LOOP BY OWNER.
- DRAIN LAYOUT IS SUBJECT TO CHANGE DEPENDING ON SITE CONDITIONS AND FALLS REQUIRED UNDER BCA PLUMBING CODE. FINAL DRAIN LAYOUT WILL BE IN THE HANDOVER PACK

NOTES TO OWNER:

- SWIMMING POOL - IF APPLICABLE, OWNER MUST SUPPLY TEMPORARY FENCING AND PLATFORM CLOSER IF POOL IS CLOSER THAN 1200 FROM THE PROPOSED DWELLING - SEWER CONNECTION POINT FOR BACKWASH TO BE SUPPLIED & INSTALLED BY OWNER

AMENDMENTS

DR	DESCRIPTION	DATE
SB	1ST ISSUE	01/09/2019
MAZ	1ST ISSUE CHECK	01/09/2019
SB	2ND ISSUE	19/09/2019
MAZ	2ND ISSUE CHECK	19/09/2019
SB	3RD ISSUE	22/10/2019
MAZ	3RD ISSUE CHECK	22/10/2019
TA	4TH ISSUE	31/10/2019

PROPOSED: DWELLING
FOR: YEE MAN CHU & WILLIAM YUNG FAT CHU
AT: LOT 2 NO. 15B
SHERRIFF ST
UNDERDALE

AREAS:	m ²
LAND SIZE	302
SITE COVERAGE	59%
PRIVATE OPEN SPACE	86 (28%)

DATE: 07 NOVEMBER 2019

SHEET: 1 of 23

SCALE: 1:200

COUNCIL: WEST TORRENS

**Dechellis
Homes**

170 PAYNEHAM ROAD, EVANDALE SA 5069
PH: (08) 8362 7427 FAX: (08) 8363 0093

JOB No.: DH 1867

© COPYRIGHT LAWS APPLY

WRITTEN DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS CONTRACTORS TO VERIFY ALL LEVELS AND DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF BUILDING WORKS

NOTES:

WINDOWS: AS PER A.S. 1288 (2006) AND/OR A.S. 2047 (2014) - AS APPROPRIATE
ROOF TILES / COLORBOND ROOF: AS PER RELEVANT AUSTRALIAN STANDARD TIMBER FRAMES / BRACING / TIE DOWNS: AS PER A.S. 1684 (2010)
HOT WATER SERVICE: AS PER A.S. 1529
TERMITE PROTECTION: AS PER A.S. 3660.1 (2014)

SITE PLAN
SCALE 1 : 200

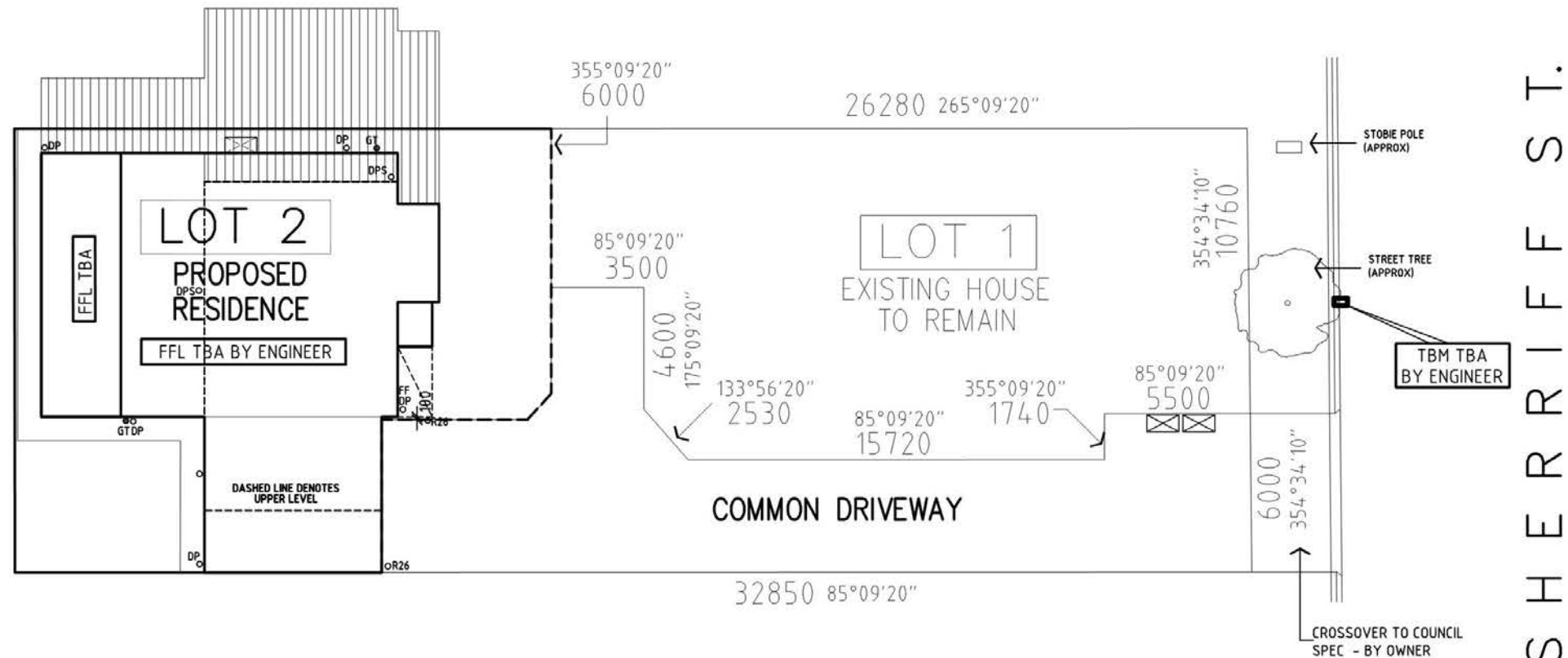
NOTE TO OWNER:

NAMES ON PLANS MUST MATCH THE CURRENT CERTIFICATE OF TITLE. SHOULD YOU BE IN THE PROCESS OF AMENDING THIS PLEASE FORWARD US A COPY OF THE NEW CT SO WE CAN UPDATE THE NAMES ON YOUR PLANS.

LEGEND

- DP : DENOTES DOWNPIPES
- FFDP : DENOTES FIRST FLOOR DOWNPIPES
- R26 : DENOTES RAINWATER HEAD
- GT : DENOTES GARDEN TAPS
- GTR : DENOTES RECYCLED WATER GARDEN TAP
- ⊕ WM : DENOTES WATER METER
- ⊙ IP : DENOTES SEWER INSPECTION POINT
- ⊙ NIP : DENOTES NEW SEWER INSPECTION POINT (OWNER TO SUPPLY LOCATION)

COMMUNITY TITLE



12PM WINTER 21ST JUNE

FINAL PLANS

I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDE ANY PRIOR PLANS SIGNED

CUSTOMER SIGNATURE 1

CUSTOMER SIGNATURE 2

DATE SIGNED

NOTES TO PLUMBER:

- PLUMBER TO SUPPLY & INSTALL RAINWATER LOOP TO DIVERT MAINS WATER AND ALLOW RAIN WATER TO FLOW TO MAIN WC TOILET CISTERN.
- NON RETURN VALVE TO BE INSTALLED AS PER SA WATER REQUIREMENTS BY OWNER. (1000 LITRE TANK BY OWNER)
- UNDERGROUND FEED FROM RAINWATER TANK TO LOOP BY OWNER.
- DRAIN LAYOUT IS SUBJECT TO CHANGE DEPENDING ON SITE CONDITIONS AND FALLS REQUIRED UNDER BCA PLUMBING CODE. FINAL DRAIN LAYOUT WILL BE IN THE HANDOVER PACK

NOTES TO OWNER:

- SWIMMING POOL - IF APPLICABLE, OWNER MUST SUPPLY TEMPORARY FENCING AND PLATFORM CLOSER IF POOL IS CLOSER THAN 1200 FROM THE PROPOSED DWELLING - SEWER CONNECTION POINT FOR BACKWASH TO BE SUPPLIED & INSTALLED BY OWNER

AMENDMENTS

DR	DESCRIPTION	DATE
SB	1ST ISSUE	01/09/2019
MAZ	1ST ISSUE CHECK	01/09/2019
SB	2ND ISSUE	19/09/2019
MAZ	2ND ISSUE CHECK	19/09/2019
SB	3RD ISSUE	22/10/2019
MAZ	3RD ISSUE CHECK	22/10/2019
TA	4TH ISSUE	31/10/2019

PROPOSED: DWELLING
FOR: YEE MAN CHU & WILLIAM YUNG FAT CHU
AT: LOT 2 NO. 15B
SHERRIFF ST
UNDERDALE

AREAS:	m ²
LAND SIZE	302
SITE COVERAGE	59%
PRIVATE OPEN SPACE	86 (28%)

DATE: 07 NOVEMBER 2019

SHEET: 1 of 23

SCALE: 1:200

COUNCIL: WEST TORRENS

**Dechellis
Homes**

170 PAYNEHAM ROAD, EVANDALE SA 5069
PH: (08) 8362 7427 FAX: (08) 8363 0093

JOB No.: DH 1867

© COPYRIGHT LAWS APPLY

WRITTEN DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS CONTRACTORS TO VERIFY ALL LEVELS AND DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF BUILDING WORKS

NOTES:

WINDOWS: AS PER A.S. 1288 (2006) AND/OR A.S. 2047 (2014) - AS APPROPRIATE
ROOF TILES / COLORBOND ROOF: AS PER RELEVANT AUSTRALIAN STANDARD TIMBER FRAMES / BRACING / TIE DOWNS: AS PER A.S. 1684 (2010)
HOT WATER SERVICE: AS PER A.S. 1529
TERMITE PROTECTION: AS PER A.S. 3660.1 (2014)

SITE PLAN
SCALE 1 : 200

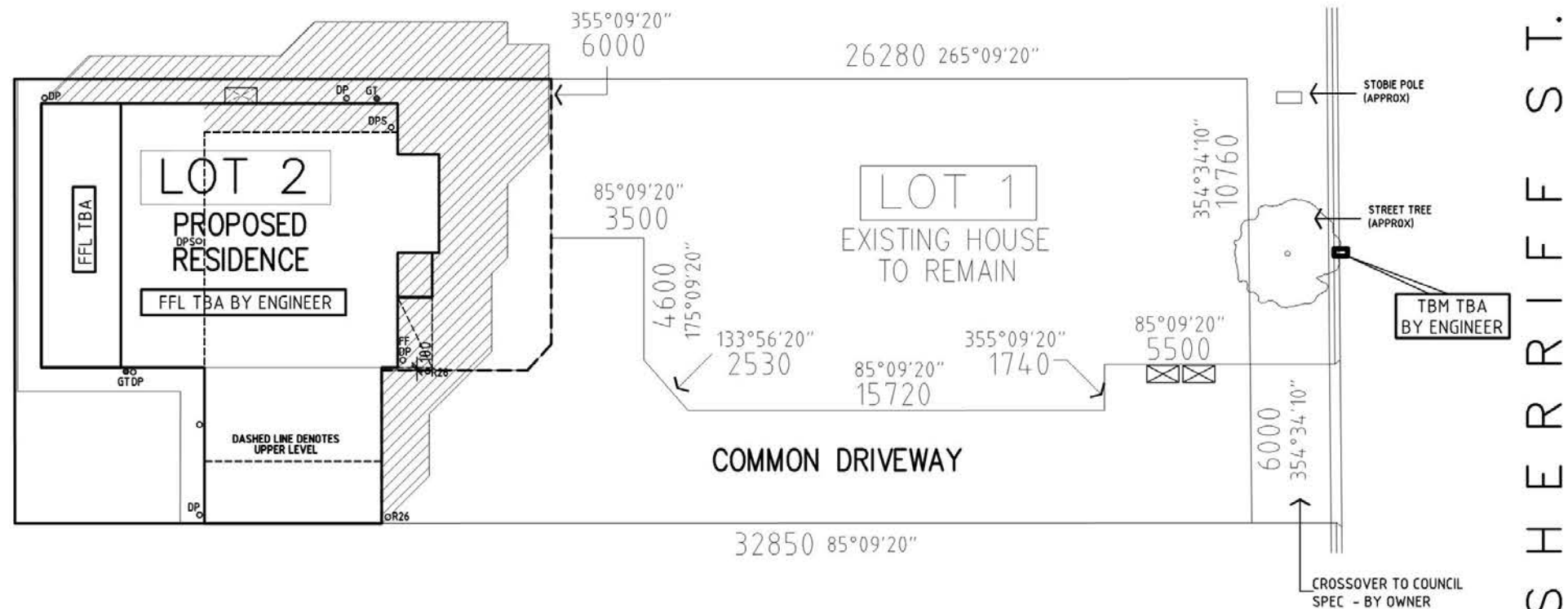
NOTE TO OWNER:

NAMES ON PLANS MUST MATCH THE CURRENT CERTIFICATE OF TITLE. SHOULD YOU BE IN THE PROCESS OF AMENDING THIS PLEASE FORWARD US A COPY OF THE NEW CT SO WE CAN UPDATE THE NAMES ON YOUR PLANS.

LEGEND

- DP : DENOTES DOWNPIPES
- FFDP : DENOTES FIRST FLOOR DOWNPIPES
- R26 : DENOTES RAINWATER HEAD
- GT : DENOTES GARDEN TAPS
- GTR : DENOTES RECYCLED WATER GARDEN TAP
- ⊕ WM : DENOTES WATER METER
- ⊙ IP : DENOTES SEWER INSPECTION POINT
- ⊙ NIP : DENOTES NEW SEWER INSPECTION POINT (OWNER TO SUPPLY LOCATION)

COMMUNITY TITLE



9AM WINTER 21ST JUNE

FINAL PLANS

I/WE (THE OWNER) HAVE ACKNOWLEDGED THESE PLANS AS VARIED AND SUPERSEDE ANY PRIOR PLANS SIGNED

CUSTOMER SIGNATURE 1

CUSTOMER SIGNATURE 2

DATE SIGNED

NOTES TO PLUMBER:

- PLUMBER TO SUPPLY & INSTALL RAINWATER LOOP TO DIVERT MAINS WATER AND ALLOW RAIN WATER TO FLOW TO MAIN WC TOILET CISTERN.
- NON RETURN VALVE TO BE INSTALLED AS PER SA WATER REQUIREMENTS BY OWNER. (1000 LITRE TANK BY OWNER)
- UNDERGROUND FEED FROM RAINWATER TANK TO LOOP BY OWNER.
- DRAIN LAYOUT IS SUBJECT TO CHANGE DEPENDING ON SITE CONDITIONS AND FALLS REQUIRED UNDER BCA PLUMBING CODE. FINAL DRAIN LAYOUT WILL BE IN THE HANDOVER PACK

NOTES TO OWNER:

- SWIMMING POOL - IF APPLICABLE, OWNER MUST SUPPLY TEMPORARY FENCING AND PLATFORM CLOSER IF POOL IS CLOSER THAN 1200 FROM THE PROPOSED DWELLING - SEWER CONNECTION POINT FOR BACKWASH TO BE SUPPLIED & INSTALLED BY OWNER

AMENDMENTS

DR	DESCRIPTION	DATE
SB	1ST ISSUE	01/09/2019
MAZ	1ST ISSUE CHECK	01/09/2019
SB	2ND ISSUE	19/09/2019
MAZ	2ND ISSUE CHECK	19/09/2019
SB	3RD ISSUE	22/10/2019
MAZ	3RD ISSUE CHECK	22/10/2019
TA	4TH ISSUE	31/10/2019

PROPOSED: DWELLING
FOR: YEE MAN CHU & WILLIAM YUNG FAT CHU
AT: LOT 2 NO. 15B SHERRIFF ST UNDERDALE

AREAS:	m ²
LAND SIZE	302
SITE COVERAGE	59%
PRIVATE OPEN SPACE	86 (28%)

DATE: 07 NOVEMBER 2019

SHEET: 1 of 23

SCALE: 1:200

COUNCIL: WEST TORRENS

Dechellis Homes

170 PAYNEHAM ROAD, EVANDALE SA 5069
PH: (08) 8362 7427 FAX: (08) 8363 0093

JOB No.: DH 1867

© COPYRIGHT LAWS APPLY

WRITTEN DIMENSIONS ARE TO BE TAKEN IN PREFERENCE TO SCALED DIMENSIONS CONTRACTORS TO VERIFY ALL LEVELS AND DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF BUILDING WORKS

NOTES:

WINDOWS: AS PER A.S. 1288 (2006) AND/OR A.S. 2047 (2014) - AS APPROPRIATE
ROOF TILES / COLORBOND ROOF: AS PER RELEVANT AUSTRALIAN STANDARD TIMBER FRAMES / BRACING / TIE DOWNS: AS PER A.S. 1684 (2010)
HOT WATER SERVICE: AS PER A.S. 1529
TERMITE PROTECTION: AS PER A.S. 3660.1 (2014)

SITE PLAN
SCALE 1 : 200

NOTE TO OWNER:

NAMES ON PLANS MUST MATCH THE CURRENT CERTIFICATE OF TITLE. SHOULD YOU BE IN THE PROCESS OF AMENDING THIS PLEASE FORWARD US A COPY OF THE NEW CT SO WE CAN UPDATE THE NAMES ON YOUR PLANS.

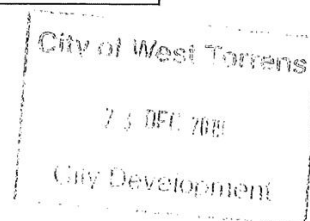
LEGEND

- DP : DENOTES DOWNPIPES
- FFDP : DENOTES FIRST FLOOR DOWNPIPES
- R26 : DENOTES RAINWATER HEAD
- GT : DENOTES GARDEN TAPS
- GTR : DENOTES RECYCLED WATER GARDEN TAP
- ⊕ WM : DENOTES WATER METER
- ⊙ IP : DENOTES SEWER INSPECTION POINT
- ⊙ NIP : DENOTES NEW SEWER INSPECTION POINT (OWNER TO SUPPLY LOCATION)

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

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

DEVELOPMENT No. 211/1000/2019
 PROPERTY ADDRESS: 15B Sherriff Street, UNDERDALE SA 5032



YOUR FULL NAME	Pino Karaliawis
YOUR ADDRESS	18 Pearce St Underdale
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	(eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	
Due to windows and privacy concerns.	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	
obscuring the bedroom 3 and retreat windows to the top floor.	

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

I DO **NOT** WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I DESIRE TO BE REPRESENTED BY _____

(PLEASE SPECIFY)

SIGNED

DATE

Pino Karaliawis
 23/12/2019



Responsible Officer: Amelia DeRuvo
 Ends: Tuesday 24 December 2019

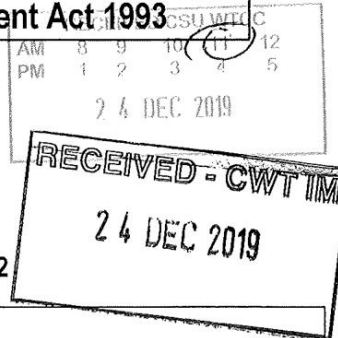
If space insufficient, please attach sheets

STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act 1993

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

DEVELOPMENT No. 211/1000/2019
PROPERTY ADDRESS: 15B Sherriff Street, UNDERDALE SA 5032



YOUR FULL NAME	EDWARD TASSONE
YOUR ADDRESS	16 PEARSE ST. UNDERDALE 5032
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	(eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION	I have come to West Torrens Council to view Plans which affect me I live Directly behind, which the house being built is a two Storey house at the top is a retreat room which has a window I would like that window to be frosted for my privacy
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	I would like window not be there at all but is that that can not be done I would like to be frosted.

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

I DO NOT WISH TO BE HEARD



I DESIRE TO BE HEARD PERSONALLY



I DESIRE TO BE REPRESENTED BY _____



(PLEASE SPECIFY)

SIGNED

DATE 24-12-2019,

E Tassone

Responsible Officer: Amelia DeRuvo
Ends: Tuesday 24 December 2019

If space insufficient, please attach sheets

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1000/2019

Assessing Officer: Amelia DeRuvo
Site Address: 15B Sherriff Street, UNDERDALE SA 5032
Certificate of Title: CT-6224/255
Description of Development: Construction of a two-storey dwelling

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Amelia DeRuvo

DATE 28 October, 2019



Memo

To Amelia DeRuvo
From Richard Tan
Date 28-Oct-2019
Subject 211/1000/2019, 15B Sherriff Street, UNDERDALE SA 5032

Amelia DeRuvo,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

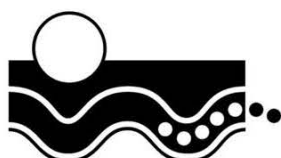
- 1.1 In accordance with the provided 'Site and Drainage Plan' (Ginos Engineering, Ref: 36482-SR2-1, dated 10/2019), the FFLs of the proposed development (99.20 minimum) have been assessed as satisfying minimum requirements (99.10) in consideration of street and/or flood level information.

2.0 Verge Interaction

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

New driveways and stormwater connections are typically desired to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the kerb line, except for driveway separation which will be measured from property boundary). An absolute minimum offset of 0.5m from new crossovers and stormwater connections to other existing road verge elements is acceptable in cases where space is limited.

These new features are also desired to be located a minimum of 2.0 metres from existing street trees, although a lesser offset may be acceptable in some circumstances. If an offset less than the desired 2.0 metres is proposed or if it is requested for the street tree to be



City of **West Torrens**

Between the City and the Sea

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

- 2.1.1** Stormwater connection is proposed to be located in the middle of a combined crossover without modifying existing crossover, which will not be supportable.

As this is a community land title, the stormwater connection should be relocated and comply with the above offset requirements.

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

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

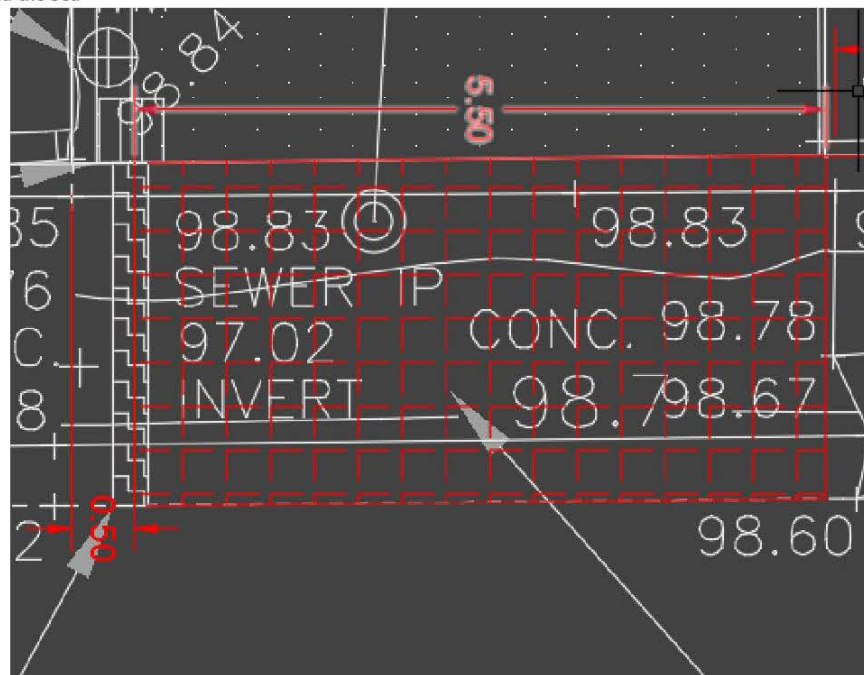
It is recommended that revised plans clearly and accurately indicating satisfaction of the above criteria be provided to Council.

- 2.3** The existing crossover should be separated from the existing crossover servicing the adjacent property. Generally the offset between the crossovers is required to be a minimum of 1m (measured at the front property boundary). The 1m separation allows for a pedestrian refuge. However, I noted that a 0.5m offset distance from property Northern boundary has been approved during land division stage DA 211/1466/2017. Hence in this case, a 0.5m wide offset from property northern boundary to edge of crossover will be supportable. The extension and separation of the driveway crossover shall be undertaken prior to the completion of any building works at the expense of the applicant.

It is recommended that revised plans indicating a crossover separation of 0.6m wide should be provided to Council.

3.0 Traffic Requirements

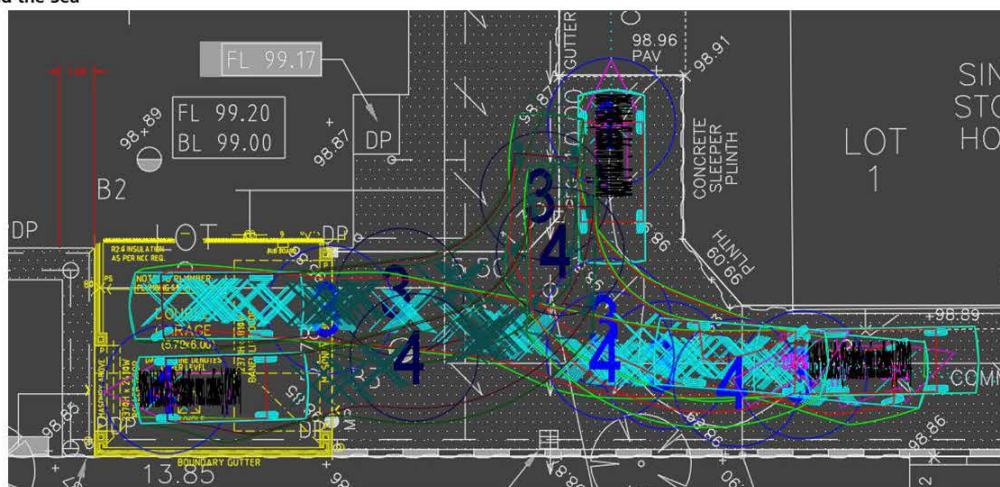
- 3.1** Previously during land division application DA 211/1466/2017, a 5.5m wide crossover (without flaring) has been approved. It should be noted that existing crossover does not meet the approved crossover configuration and should be amended.



It is recommended that crossover should be amended to the above requirements.

- 3.2** Elements of the vehicle manoeuvrability within this development appear to be unsatisfactory in consideration of the requirements of the relevant parking standards.

Internal vehicle manoeuvre check has indicated that a safe and convenient vehicle manoeuvre is not possible when there is a car park in front of the carport of Lot 1. A simple solution to this is to move the garage a meter to the east. However, there is planning consideration regarding private open space that needs to be considered. Alternatively, a wider garage may work as there will be more room for manoeuvrability.



In the revision of the traffic manoeuvrability design, it is required that information be provided to clearly demonstrate that satisfactory access can be provided to the garages.

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

3.3 The garage dimension as indicated in 'Ground Floor Plan' (DH, Ref: DH1867-2/20, dated 19/09/2019) has been assessed as satisfying minimum requirements.

4.0 Waste Management

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

5.0 Stormwater

5.1 Stormwater detention is not required for this development.

Regards
Richard Tan
Civil Engineer

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1000/2019

Assessing Officer: Amelia DeRuvo
Site Address: 15B Sherriff Street, UNDERDALE SA 5032
Certificate of Title: CT-6224/255
Description of Development: Construction of a two-storey dwelling

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Amelia DeRuvo

DATE 21 November, 2019



Memo

To Amelia DeRuvo
From Richard Tan
Date 21-Nov-2019
Subject 211/1000/2019, 15B Sherriff Street, UNDERDALE SA 5032

Amelia DeRuvo,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 This has been previously accepted in City Asset's assessment dated 1/11/2019

2.0 Verge Interaction

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

New driveways and stormwater connections are typically desired to be located a minimum 1.0 metre offset from other existing or proposed driveways, stormwater connections, stobie poles, street lights, side entry pits and pram ramps, etc. (as measured at the kerb line, except for driveway separation which will be measured from property boundary). An absolute minimum offset of 0.5m from new crossovers and stormwater connections to other existing road verge elements is acceptable in cases where space is limited.

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



City of **West Torrens**

Between the City and the Sea

2.1.1 No further assessment provided. Item still considered outstanding.

Stormwater connection is proposed to be located in the middle of a combined crossover without modifying existing crossover, which will not be supportable.

As this is a community land title, the stormwater connection should be relocated and comply with the above offset requirements.

2.2 No further assessment provided. Item still considered outstanding.

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

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

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

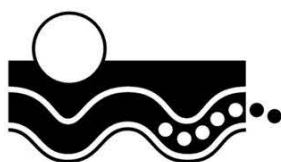
2.3 No further assessment provided. Item still considered outstanding.

The existing crossover should be separated from the existing crossover servicing the adjacent property. Generally the offset between the crossovers is required to be a minimum of 1m (measured at the front property boundary). The 1m separation allows for a pedestrian refuge. However, I noted that a 0.5m offset distance from property Northern boundary has been approved during land division stage DA 211/1466/2017. Hence in this case, a 0.5m wide offset from property northern boundary to edge of crossover will be supportable. The extension and separation of the driveway crossover shall be undertaken prior to the completion of any building works at the expense of the applicant.

It is recommended that revised plans indicating a crossover separation of 0.6m wide should be provided to Council.

3.0 Traffic Requirements

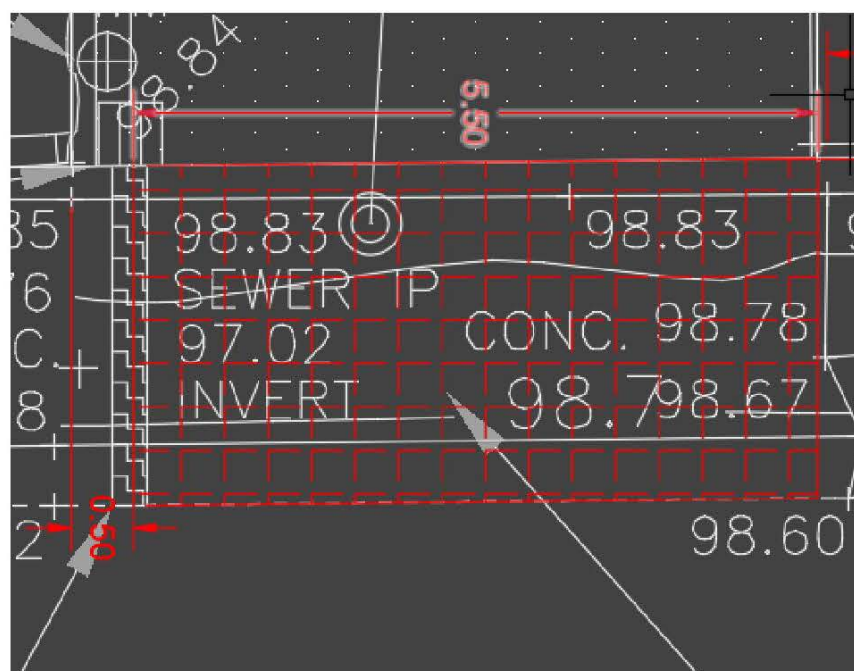
3.1 No further assessment provided. Item still considered outstanding.



City of **West Torrens**

Between the City and the Sea

Previously during land division application DA 211/1466/2017, a 5.5m wide crossover (without flaring) has been approved. It should be noted that existing crossover does not meet the approved crossover configuration and should be amended.

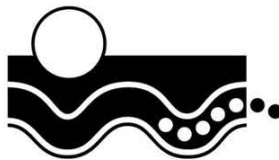


It is recommended that crossover should be amended to the above requirements.

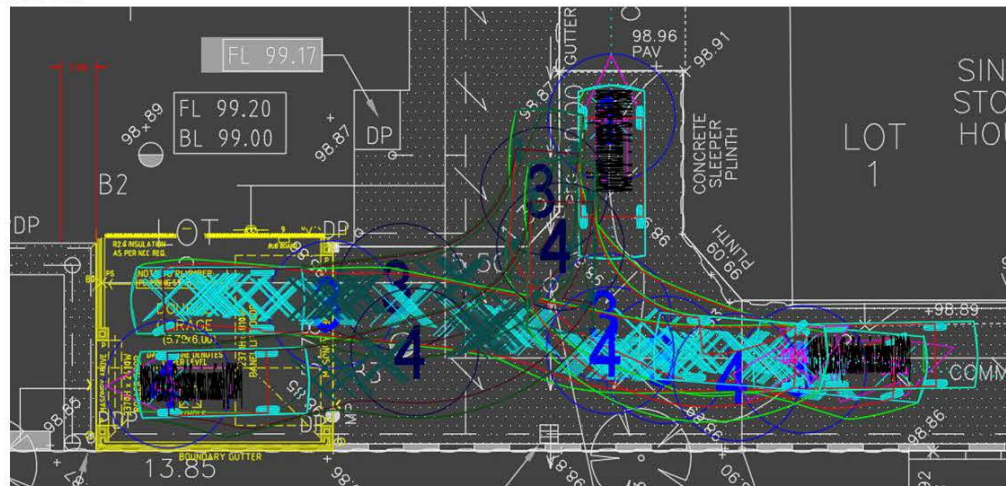
3.2 No further assessment provided. Item still considered outstanding.

Elements of the vehicle manoeuvrability within this development appear to be unsatisfactory in consideration of the requirements of the relevant parking standards.

Internal vehicle manoeuvre check has indicated that a safe and convenient vehicle manoeuvre is not possible when there is a car park in front of the carport of Lot 1. A simple solution to this is to move the garage a meter to the east. However, there is planning consideration regarding private open space that needs to be considered. Alternatively, a wider garage may work as there will be more room for manoeuvrability.

City of **West Torrens**

Between the City and the Sea



In the revision of the traffic manoeuvrability design, it is required that information be provided to clearly demonstrate that satisfactory access can be provided to the garages.

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

3.3 This has been previously accepted in City Asset's assessment dated 1/11/2019

4.0 Waste Management

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

5.0 Stormwater

5.1 Stormwater detention is not required for this development.

Regards
Richard Tan
Civil Engineer

6.5 336 Marion Road, NORTH PLYMPTON

Application No 211/893/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Change of use of portion of building from office / store to consulting rooms including internal and external alterations (non-complying)
APPLICANT	Southern Cross Care (SA, NT, Vic) Inc
LODGEMENT DATE	10 October 2019
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 20
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	Sonia Gallarello

SUBJECT LAND AND LOCALITY

The subject land comprises two allotments. They are formally described as:

- Allotment 16 in Filed Plan 17584 in the area named Netley, Hundred of Adelaide, Volume 6057, Folio 260; and
- Allotment 15 in Filed Plan 17584 in the area named Netley, Hundred of Adelaide, Volume 5705, Folio 154.

The subject land is more commonly known as 336 Marion Road, North Plympton. The site is relatively flat and there are no regulated trees that would be affected by the proposal.

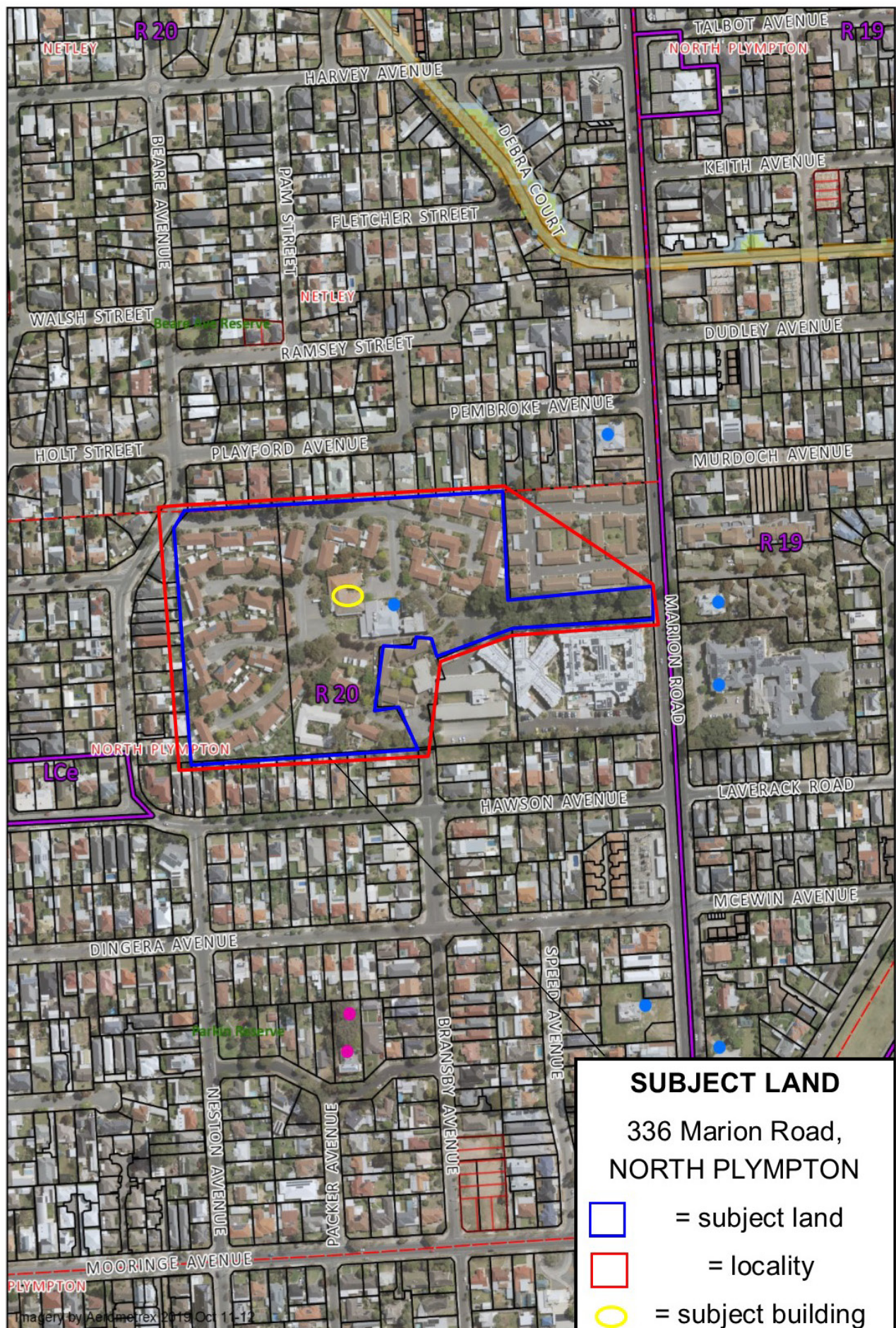
The subject site is irregular in shape with a 24.4 metre (m) wide frontage to Marion Road. A small portion of the subject land abuts Beare Avenue to the north-west. The site area is approximately 3.3 hectares.

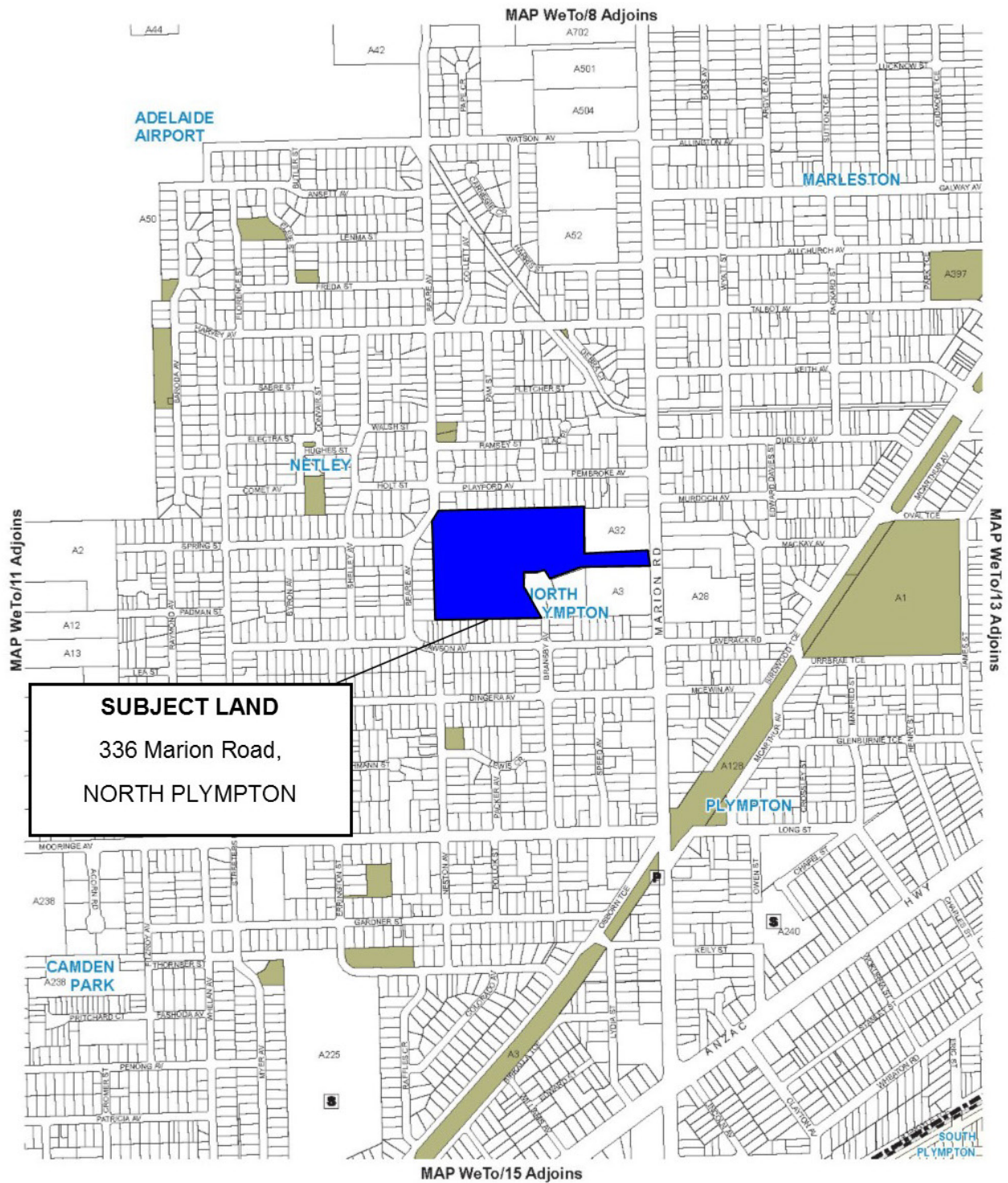
The subject land has two common access points; one via Marion Road and the other via Beare Avenue. There are around 74 independent living units with community buildings sited fairly centrally within the subject land with two common car parking areas. The subject building is known as 'Knights of the Southern Cross', which is also known as the rehabilitation services building. A local heritage place is located to the south-east.

Allotment 16 (eastern portion) has a number of easements and a free and unrestricted right of way. Allotment 15 (western portion) also has a number of easements. The alterations forming part of this application do not impact on any of the easements as the works are to be conducted within an existing building.

The locality consists of a largely single storey retirement village units with a central community 'hub'. Other residential land uses around the retirement village are generally of a low density. There is a Southern Cross aged care facility on the eastern side of Marion Road and adjacent the subject land.

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





Location Map WeTo/12

WEST TORRENS COUNCIL
Consolidated - 12 July 2018

PROPOSAL

The proposal is for a change of use within an existing rehabilitation services building to a consulting room offering health and wellness services. These services are ancillary and secondary to the aged care accommodation facilities on the subject land and the support services provided.

The total floor area of the subject building is 447m². Works associated with the change of use include:

- minor demolition work to the western portion of the subject building including removal of the existing stage, doors and windows together with the removal of the doors and frame that lead to the eastern courtyard of the building;
- replacement of a section of the fascia on the north elevation;
- alterations to the west elevation including demolition of door and installation of new windows and brick up openings;
- demolition of a door and window on the south elevation to be replaced with new window and door and new roof and gutters;
- change of use of a storage area to an exercise and therapy room, reception area, meeting rooms, massage rooms, physiotherapy, occupational therapist and work room for orthopaedic purposes. These areas are located in the western portion of the subject building.

No alterations are to occur to the eastern most rooms of the building which currently consist of offices and consulting areas. Colours are to be amended from those existing to 'off-white' and colorbond® sheet metal 'dune' with anodised aluminium windows.

The hours of operation for the consulting rooms have been described by the applicant as Monday to Friday from 8.30am to 4.30pm.

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

NATURE OF DEVELOPMENT

The application is a non-complying form of development as it involves a change in use and alterations to accommodate consulting rooms involving a total floor area in excess of 100m², which triggers the non-complying process from the Procedural matters of the Residential Zone.

The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008* (refer **Attachment 2**). This document highlights a number of positive social, economic and environmental impacts associated with the proposed development as follows:

- a positive social effect to existing residents through provisions of an additional service to assist their lifestyle;
- a neutral economic effect because the additional service will be provided at no cost to existing residents;
- no impact on the environment as the alterations and change of use is to be accommodated in an existing building.

The applicant has not indicated any negative impacts likely to arise from the proposed development.

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.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Low Density Policy Area 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	2, 5

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

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

QUANTITATIVE STANDARDS

There are no quantitative provisions of relevance to this proposal.

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 statement for the Residential Zone seeks predominantly residential development. Small-scale non-residential activities such as consulting rooms are considered appropriate in certain locations. These types of activities should be complementary to surrounding dwellings.

There will be minimal impact of the change in use to the surrounding dwellings in this instance other than a fairly substantial positive externality. There will be minimal change to the external appearance of the building and this is a use that will be accessed by the existing and surrounding residents of the retirement units.

Given the small-scale nature of what is proposed and minimal change externally to the existing building, the new and proposed activities are considered to be consistent with the desired character and therefore consistent with Objective 4 and Principle of Development Control (PDC) 5 of the Residential Zone.

Land Use and Zoning

Small scale non-residential uses that serve the local community, such as a health and welfare service, are envisaged in the Residential Zone and consistent with PDC 1 of the Zone. Despite the Development Plan describing that non-complying development is generally inappropriate, the consulting room component is within an existing building that contains similar uses. There will be minimal change to the visual appearance of the building other than a positive improvement.

There are sufficient car parks to accommodate the change in use given the existing car parking areas to the east and west of the subject building. In any case, it is likely that residents will walk to the centre where possible. It is worth noting that a review of aerial photography over the last few years demonstrated that these car parks have been at no more than around 30% capacity at all times of the day (indicating an over-provision of car parking spaces). As a result, it is considered that there are ample spaces available to cater for the additional demand (albeit minimal) generated by the development.

There will be minimal noise, light, odour, traffic, or any other external impact on adjacent residents as a result of the development. The applicant has confirmed that the recommended operating hours will be acceptable and allows for some flexibility for practitioners at the beginning or end of the day.

The substantial landscaping around the site will remain and continue to provide a good buffer between the existing building, the car park and adjacent residents.

As the proposed development provides ancillary services for residents of the supported accommodation, meeting their special needs, it is considered to achieve Objective 1 and PDCs 1 and 2 of the Supported Accommodation section of the Development Plan.

Design and Appearance

The amendments to the existing building are minor and will have minimal impact other than an improvement to windows, doors and a new colour combination.

Overall the design and appearance of the proposed alterations is considered to be compatible with both the building and the broader locality. There will be no impact on the adjacent local heritage place.

SUMMARY

The proposed development is fairly minor and meets the majority of the Development Plan provisions. It provides a service to existing residents of a retirement village with minimal additional traffic demand. The alterations and change in land use is considered to be reasonable and sits well within the context of the existing building and combined uses within the subject land.

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 does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 12 July 2018 and warrants Development Plan Consent subject to the concurrence of SCAP.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/893/2019 by Southern Cross Care (SA, NT & Vic) Inc to Change the use of a portion of the building from office to consulting rooms, including internal and external alterations at 336 Marion Road, North Plympton (CT 6057/260) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken, completed and maintained in accordance with the following plans and information detailed in this application (except where varied by any conditions listed below):
 - a) Plans drawn by Douglas Gardner Architect, Job No. 1812, Drawing No's: SK01, W05, W06, W19, W20, SK06G; and
 - b) Letter from MasterPlan dated 11 September 2019.

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

2. The hours of operation of the consulting room uses approved herein shall be limited to the following period:
8.00am to 5pm - Monday to Friday.

Reason: To ensure that the development does not unreasonably diminish the amenity of residents of adjoining properties.

Attachments

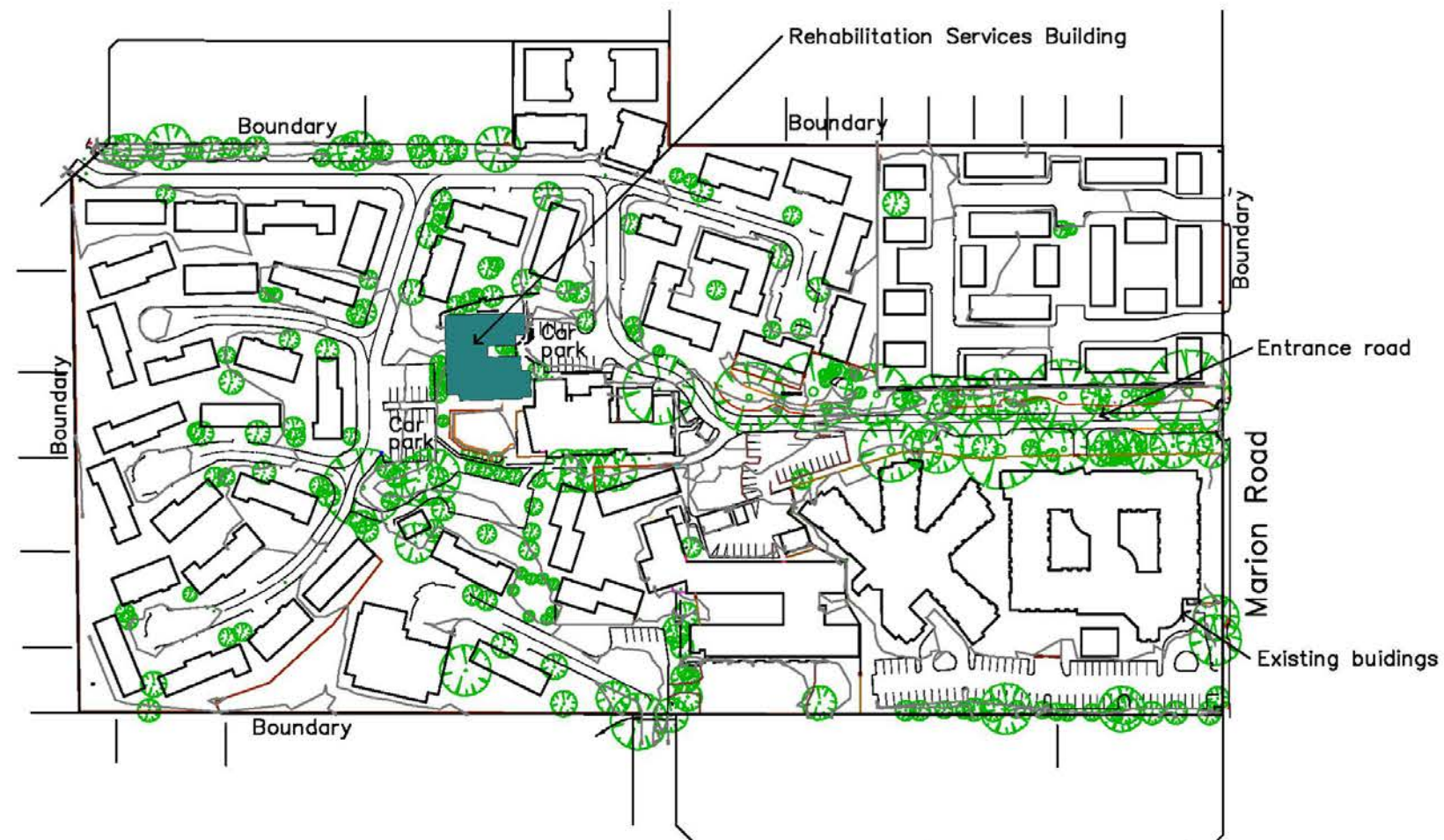
1. Relevant Development Plan provisions
2. Proposal plans and planning report
3. Statement of effect

Relevant Development Plan Provisions

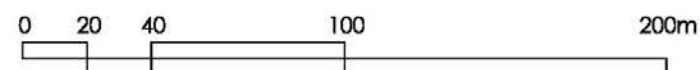
General Section		
Community Facilities	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1
Heritage Places	<i>Objectives</i>	1, 3
	<i>Principles of Development Control</i>	1, 6
Interface between Land Uses	<i>Objectives</i>	1, 2, 3
	<i>Principles of Development Control</i>	1
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
Supported accommodation, Housing for Aged Persons and People with Disabilities	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2
Transportation and Access	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	32, 34

NOTES

This drawing is copyright and the property of DOUGLAS GARDNER ARCHITECT and must not be used without written authorisation. Do not scale this drawing. All dimensions are to be verified on site and any discrepancies reported before commencement of any work or shop drawings.

**SITE PLAN**

Scale 1:2000 at A3



5.9.2019
SK01 | -
1812
SKETCH PLAN

SOUTHERN CROSS CARE - THE PINES RETIREMENT VILLAGE

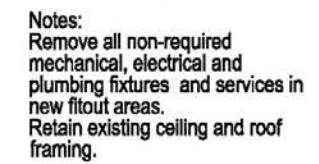
336 Marion Road, North Plympton SA 5037

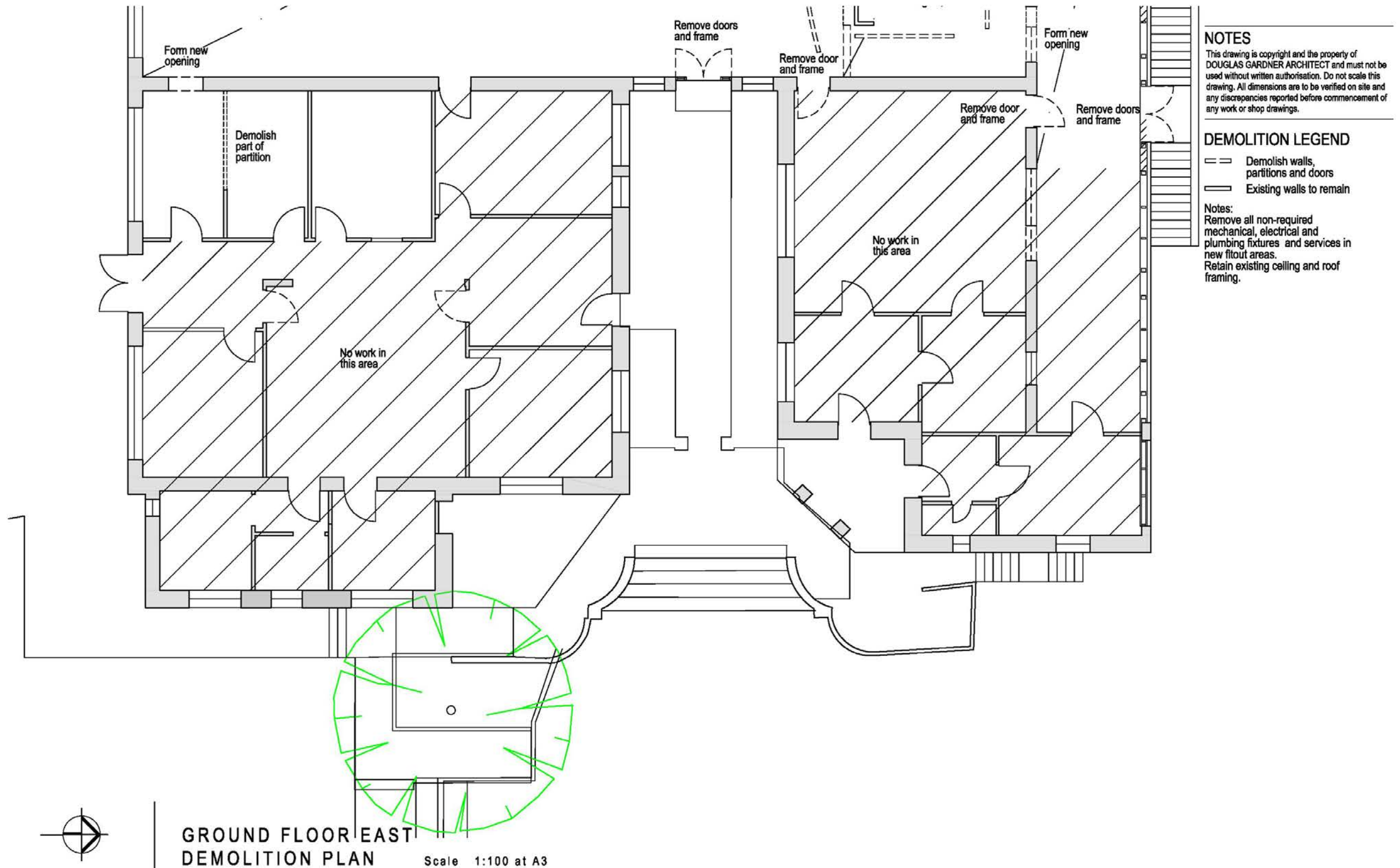
REHABILITATION SERVICES - HEALTH AND WELLNESS RELOCATION

Douglas Gardner Architect

7 Hawke Street, Linden Park SA 5065

0408 379 110



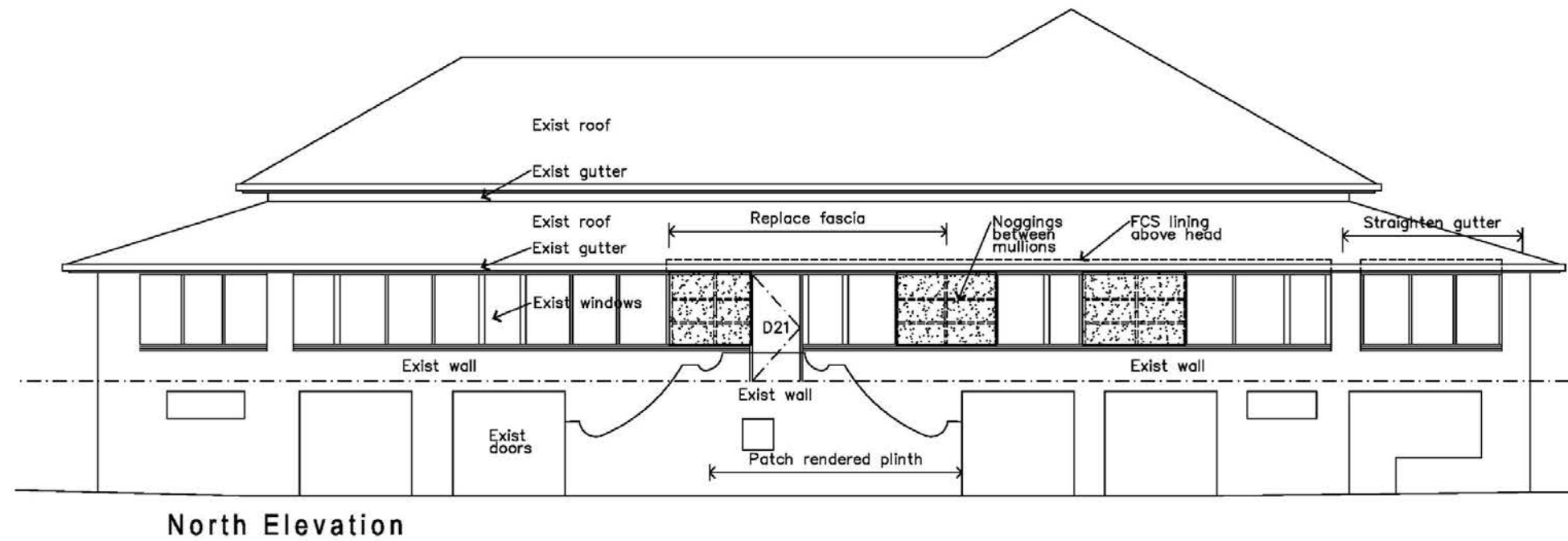


5.9.2019
W06 | -
1812
WORKING DRAWING

SOUTHERN CROSS CARE - THE PINES RETIREMENT VILLAGE
336 Marion Road, North Plympton SA 5037

REHABILITATION SERVICES - HEALTH AND WELLNESS RELOCATION

Douglas Gardner Architect
7 Hawke Street, Linden Park SA 5065 0408 379 110

**NOTES**

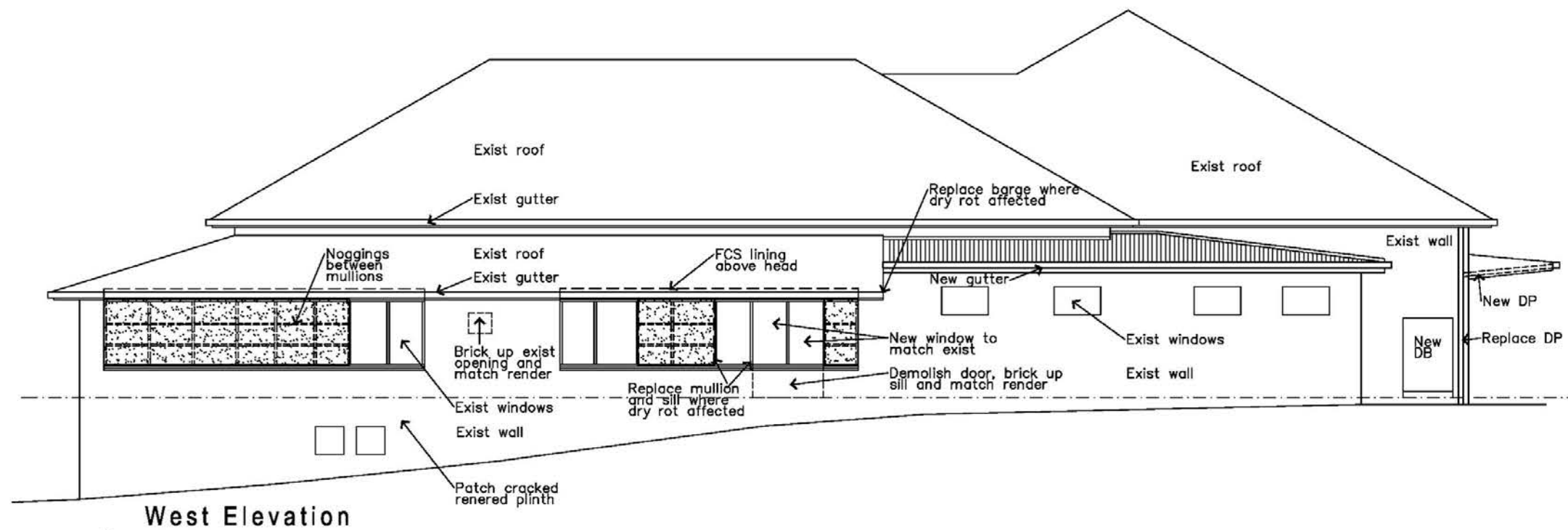
This drawing is copyright and the property of DOUGLAS GARDNER ARCHITECT and must not be used without written authorisation. Do not scale this drawing. All dimensions are to be verified on site and any discrepancies reported before commencement of any work or shop drawings.

ELEVATIONS LEGEND

- New FCS lining over windows
- New corrugated colorbond roofing

1. Patch minor wall cracks to match existing rendered finish prior to painting.
2. Service all openable windows to make them operable.
3. Fit new insect screens to all openable external windows throughout the building.

Colours:
 Walls: Dulux 'Off White'
 Window frames: Dulux 'Off White'
 Soffits, fascia: Dulux 'Off White'
 Gutters, new roof: Colorbond 'Dune'
 New windows: Natural anodised alum.
 North lower doors: Colorbond 'Dune'



ELEVATIONS Scale 1:100 at A3

0 1 2 5 10m

11.11.2019

W19 | -

1812

WORKING DRAWING

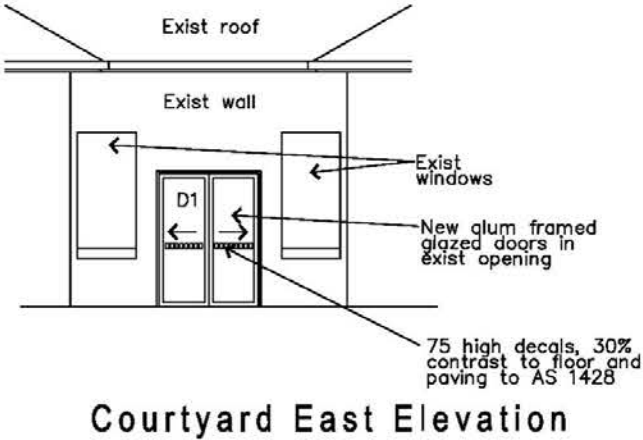
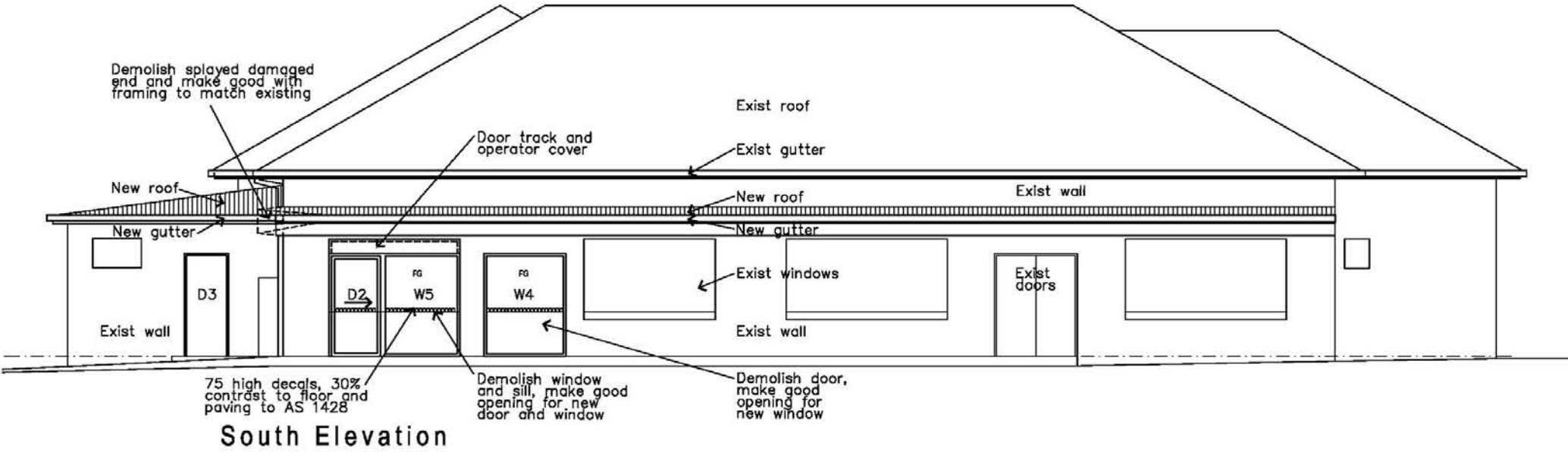
SOUTHERN CROSS CARE - THE PINES RETIREMENT VILLAGE

336 Marion Road, North Plympton SA 5037

REHABILITATION SERVICES - HEALTH AND WELLNESS RELOCATION**Douglas Gardner Architect**

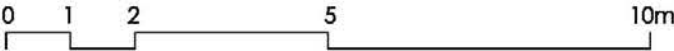
7 Hawke Street, Linden Park SA 5065

0408 379 110



- NOTES**
- This drawing is copyright and the property of DOUGLAS GARDNER ARCHITECT and must not be used without written authorisation. Do not scale this drawing. All dimensions are to be verified on site and any discrepancies reported before commencement of any work or shop drawings.
- ELEVATIONS LEGEND**
- New FCS lining over windows
 - New corrugated colorbond roofing
1. Patch minor wall cracks to match existing rendered finish prior to painting.
 2. Service all openable windows to make them operable.
 3. Fit new insect screens to all openable external windows throughout the building.
- Colours:**
- | | |
|--------------------|------------------------|
| Walls: | Dulux 'Off White' |
| Window frames: | Dulux 'Off White' |
| Soffits, fascia: | Dulux 'Off White' |
| Gutters, new roof: | Colorbond 'Dune' |
| New windows: | Natural anodised alum. |
| North lower doors: | Colorbond 'Dune' |

ELEVATIONS Scale 1:100 at A3



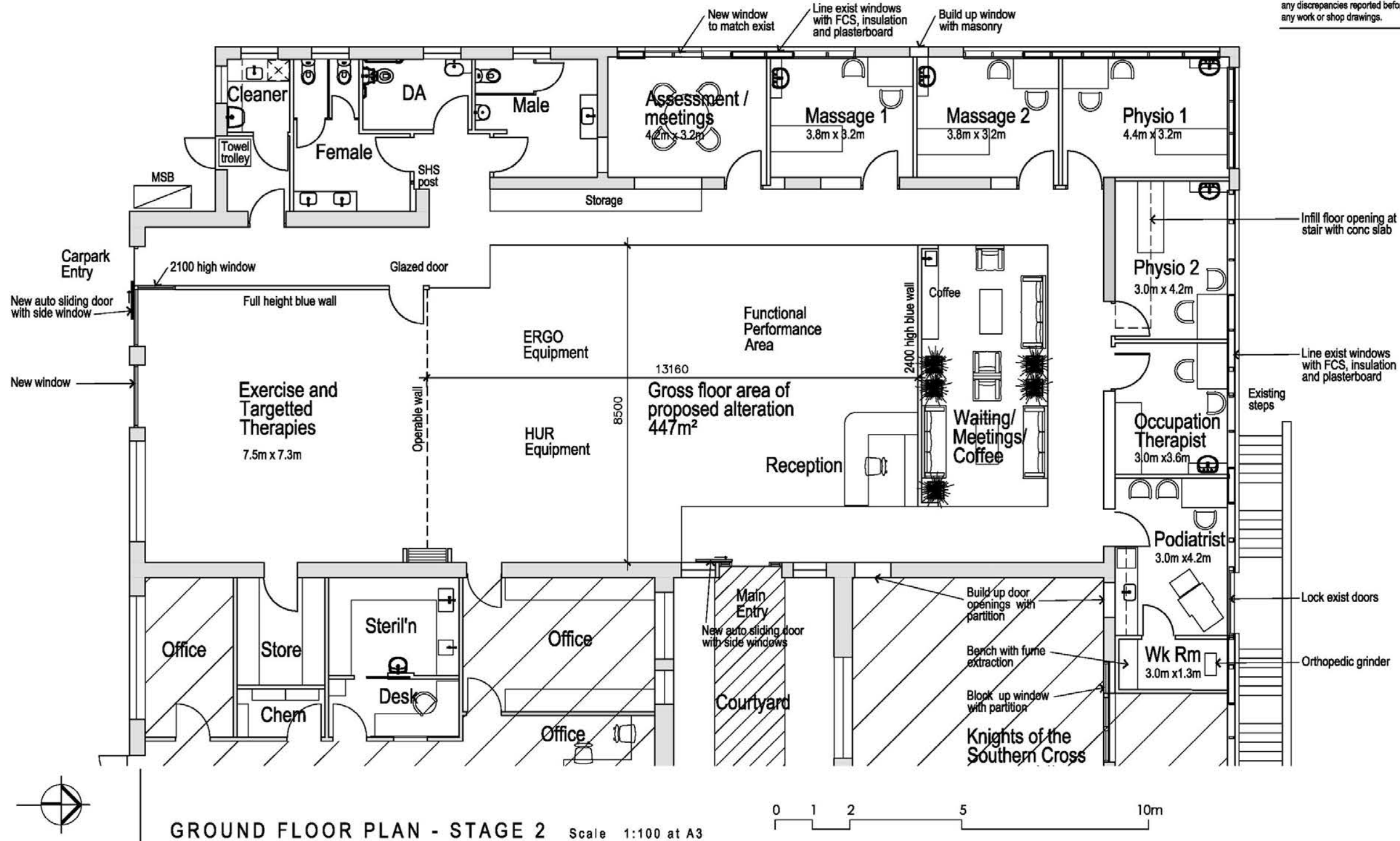
11.11.2019
W20 | -
1812
WORKING DRAWING

SOUTHERN CROSS CARE - THE PINES RETIREMENT VILLAGE
336 Marion Road, North Plympton SA 5037
REHABILITATION SERVICES - HEALTH AND WELLNESS RELOCATION

Douglas Gardner Architect
7 Hawke Street, Linden Park SA 5065 0408 379 110

NOTES

This drawing is copyright and the property of DOUGLAS GARDNER ARCHITECT and must not be used without written authorisation. Do not scale this drawing. All dimensions are to be verified on site and any discrepancies reported before commencement of any work or shop drawings.



17.9.2019
SK06 | G
1812
SKETCH PLAN

SOUTHERN CROSS CARE - THE PINES RETIREMENT VILLAGE

336 Marion Road, North Plympton SA 5037

REHABILITATION SERVICES - HEALTH AND WELLNESS RELOCATION

Douglas Gardner Architect

7 Hawke Street, Linden Park SA 5065

0408 379 110



11 September 2019

165 Sir Donald Bradman Drive
HILTON SA 5033

To whom it may concern

Re: Change to the Nature of Activity in Existing Building to Health and Wellness Services

MasterPlan SA Pty Ltd has been engaged by Southern Cross Care to review the proposal plans and prepare a planning letter to accompany an application to change the nature of activities within the existing building to health and wellness services including minor alterations to the existing building.

In preparing this application we have:

- prepared a development application form (**Attachment 1**);
- inspected the site;
- reviewed associated titles on the site (**Attachment 2**);
- reviewed the plans and drawings prepared by Douglas Gardner Architects (**Attachment 3**);
- reviewed the provisions of the West Torrens Council Development Plan relevant to the site;
- researched the previous uses and existing use rights of the land; and
- provided this letter in support based on our assessment of the proposed development against the relevant planning provisions of the West Torrens Council Development Plan.

In review of the above, we have formed the view that the proposal merits Council's favourable consideration.

33 Carrington Street
Adelaide, 5000
P (08) 8193 5600
masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au



51386LET01



The Subject Site.

The subject site (the site) comprises a range of integrated supported accommodation, including aged care facility and retirement village accommodation, all managed wholly by Southern Cross Care. The sites relevant Certificates of Title are provided in **Attachment 2**. The subject building is currently vacant having previously been used as offices for Southern Cross Care, rehabilitation services and linked to existing community facilities serving the occupants of the site. The subject building is located in the centre of the site and also has elements listed as a local heritage place.

Access to the subject building is via a common driveway from Marion Road to the east and Beare Avenue to the west. The site provides a range of components and land uses associated with retirement village accommodation, supported accommodation service, recreation and open space, common car parking and access arrangements and important environmental and natural features.

The overall site maintains multiple access points and street frontages from Marion Road, Pembroke Avenue, Playford Avenue, Beare Avenue, Hawson Avenue and Bransby Avenue.

The subject building is displayed in the images below:



Image 1 - North Elevation of Subject Building



Image 2 - West Elevation of Subject Building



Image 3 - Subject Building (Local Heritage Elements)



Image 3 - East Elevation of Subject Building

**Subject Locality.**

The site is situated amongst individual living units under the management and care of Southern Cross Care. Dwellings surrounding the Southern Cross Care site are largely detached single storey dwellings used primarily for residential purposes. The West Torrens Historical Society, J & N Hair and Beauty Salon, Adelaide Automatics are located on Marion Road, and the Weigall Oval Reserve is located approximately 350 metres east of the subject land.

The following images depict the area's locality:



Image 5 – Marion Road



Image 6 – Southern Cross Care Buckland Residential Care



Image 7 – Pembroke Avenue



Image 8 – Hawson Avenue

Proposed Development.

The proposed development comprises a change to the nature of activities within the existing rehabilitation services building to health and wellness services.



The following outlines all works proposed as part of this application:

- change in use from office activities associated with Southern Cross Care rehabilitation services to health and wellbeing services being ancillary and subservient to the integrated aged care facilities on the site;
- minor alterations to the existing building;

The relevant plans and drawings prepared by Douglas Gardner Architects depicting the proposed development are provided in **Attachment 3**.

Procedural Matters.

The Southern Cross Care property is located within the Residential Zone (the Zone) and Low-Density Policy Area 20 (the Policy Area) of the West Torrens Council Development Plan (dated 12 July 2018 and shown on Map WeTo/12).

The Council's Development Plan does not list the supported accommodation related activities within the list of non-complying development in the procedural matters. Schedule 4 of Development Regulations 2008 does not list these activities as complying development. On this basis, we believe that the application should be assessed on merit.

Part 1, Category 1 (2)(g) prescribes development (that is of the opinion of the relevant authority) is of a minor nature if it will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development. We contend that the alterations and change in use to the existing building are of a minor nature.

It is our opinion that the proposed works should be considered as minor based on the following:

- the subject building associated with the change of use is centrally located and setback significantly from each boundary of the site;
- the subject building is approximately 80 metres from the nearest residential development adjoining the subject land;
- the proposal will not compromise or alter existing access arrangements for the site;
- the proposed activities will support the existing services offered to the residents of the overall site; and
- the proposed alterations to the building are small-scale and considered to be of a minor nature.

On this basis, we are of the opinion that the application should be classified as Category 1 for the purposes of public notification.



Planning Considerations.

The proposed development accords with the Development Plan as:

- the proposal preserves the sites existing land uses relating to supported accommodation, and will therefore satisfy the intent of the objectives of the Zone and Policy Area, of which encourage low density residential development comprised largely of detached dwellings with associated landscaping to enhance the appearance of buildings when viewed from the street;
- the proposed activities are directly related to the provision of services associated with supported accommodation, thereby aligning with Principle of Development Control (PDC) 1 in the Zone and Policy Area's for envisaged development;
- the site's existing land uses are longstanding and comprise a range of supported accommodation activities that serve the local community, according with Zone PDC 3;
- the subject building is nestled amongst retirement village units and setback significantly from adjacent dwellings, therefore the location of the subject building is well suited for its intended purpose and will not jeopardise the continuation of adjacent residential land uses, as envisaged in Objective 1 of the General Section for supported accommodation;
- the proposal accord with PDC 1 of the General Section for supported accommodation as the site is largely flat, separated significantly from adjoining residential dwellings adjacent the site and is located centrally to the site, thereby reducing the need for occupants to travel or leave;
- the proposal accords with the General Section for Heritage Places as the development will maintain the status quo with respect to the management and conservation of the local heritage place and will not prejudice the existing building's historic or visual form;
- the proposed alterations to the subject building are a minor nature and will have minimal impact both internally and externally;
- surrounding dwellings are setback approximately 80 to 100 metres from the proposed subject building, thereby diffusing potential interface impacts between adjacent residential dwellings and the associated health and wellness activities, satisfying the General Section for interface between land uses;
- the proposed development will not create additional levels of noise, vibration, light spill, glare, hours of operation or traffic impacts;
- the existing character of the site and surrounding locality will be maintained;
- the general pattern of development characterising the locality will be maintained;



- no alteration to the site's existing vehicle parking and access arrangement is proposed, nor will additional service infrastructure be required to undertake the proposal;
- it will not create a need for further parking as the activities support residents who reside on site, of which are not traffic generating land uses;
- no vegetation will require removal;
- the proposal will not alter the existing level of amenity enjoyed by surrounding land uses in the wider locality; and
- the proposal is considered orderly and economic.

We conclude that based on the merits of the proposal, the development satisfies the relevant provisions set out in the West Torrens Council Development Plan and thereby warrants favourable consideration.

Greg Vincent MPIA

B/A in Planning

enc: Development Application Form.
 Certificates of Titles.
 Plans and Drawings.



STATEMENT OF EFFECT

Change to the Nature of Activity in Existing Building to Health and Wellness Services (consulting room)

at 342 Marion Road, North Plympton



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2015 Certified
33 Carrington Street, Adelaide SA 5000
Telephone: 8193 5600, masterplan.com.au

October 2019

33 Carrington Street
Adelaide, 5000
P (08) 8193 5600

masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277

plan@masterplan.com.au



51386SOE01



1.0 INTRODUCTION

This Statement of Effect has been prepared on behalf of the applicant for a development application to change to the nature of activity in an existing building from to health and wellness services (consulting room).

The Southern Cross Care property is located within the Residential Zone (the Zone) and Low-Density Policy Area 20 (the Policy Area) of the West Torrens Council Development Plan (dated 12 July 2018 and shown on Map WeTo/12), where a 'consulting room' is listed as non-complying in the Zone's Procedural Matters.

We note that our original report proposed the change in activity as being an ancillary use that would be subservient to the broader supported accommodation services offered to residents and managed onsite by Southern Cross Care. Notwithstanding this, the Council resolved that the proposal does constitute as a consulting room, and therefore is listed in the Zone's Procedural Matters as noncomplying.

The Statement of Effect has been prepared in accordance with Regulation 17(5) of the *Development Regulations 2008*. It contains:

- a description of the subject site;
- a description of the nature of the development and the nature of its locality;
- a statement as to the provisions of the Development Plan which are relevant to an assessment of the proposed development;
- an assessment of the extent to which the proposed development complies with the provisions of the Development Plan; and
- an assessment of the expected social, economic and environmental effects of the development on its locality.

In preparing this Statement of Effect we have:

- examined the proposed set of plans;
- inspected the subject site and locality; and
- examined the relevant provisions of the Council Development Plan.

We are satisfied that the proposal exhibits substantial planning merit to warrant Development Plan Consent, subject to the concurrence of the State Commission Assessment Panel.

33 Carrington Street
Adelaide, 5000
P (08) 8193 5600

masterplan.com.au

Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277

plan@masterplan.com.au



51386SOE01



2.0 THE SUBJECT SITE

The subject site (the site) comprises a range of integrated supported accommodation, including aged care facility and retirement village accommodation, all managed wholly by Southern Cross Care. The sites relevant Certificates of Title are provided in **Attachment 1**. The subject building is currently vacant having previously been used as offices for Southern Cross Care, rehabilitation services and linked to existing community facilities serving the residents of the site. The subject building is located in the centre of the site and abuts a building comprising a local heritage place.

Access to the subject building is via a common driveway from Marion Road to the east and Beare Avenue to the west. The site has existing use rights for a range of land uses associated with aged care accommodation, supported accommodation, independent living units (retirement village), recreation and open space, common car parking and access arrangements and important environmental and natural features.

The overall site maintains multiple access points and street frontages from Marion Road, Pembroke Avenue, Playford Avenue, Beare Avenue, Hawson Avenue and Bransby Avenue.

3.0 SUBJECT LOCALITY

The site is situated amongst individual living units under the management and care of Southern Cross Care. Dwellings surrounding the Southern Cross Care site are largely detached single storey dwellings used primarily for residential purposes. The West Torrens Historical Society, J & N Hair and Beauty Salon, Adelaide Automatics and Bucklands Aged Care Building are located on Marion Road, and the Weigall Oval Reserve is located approximately 350 metres east of the site.

The following images depict the area's locality:



Image 5: Marion Road



Image 6: Southern Cross Care Buckland Residential Care



Image 7: Pembroke Avenue



Image 8: Hawson Avenue

4.0 PROPOSED DEVELOPMENT

The proposed development comprises a change to the nature of activities within the existing rehabilitation services building to health and wellness services (consulting room).

The health and wellness services (consulting room) are ancillary and subservient to the integrated aged care accommodation facilities and support services provided on the site.

The relevant plans and drawings prepared by Douglas Gardner Architects depicting the proposed development are provided in **Attachment 2**.

The total floor area of the subject building to which the proposal relates is 447 square metres. The Site Plan prepared by Douglas Gardner Architects identifies the location of the subject building in context with the surrounding buildings and associated parking areas.

5.0 RELEVANT PROVISIONS OF THE COUNCIL DEVELOPMENT PLAN

The relevant Development Plan is the West Torrens Council Development Plan, consolidated version dated 12 July 2018. The following Objectives and Principles of Development Control (PDC) are considered to be most relevant to an assessment of the proposal's merits:

Residential Zone

Objectives: 2 and 4.

Principles: 1, 2, 3 and 5.

Low-Density Policy Area 20

Objectives: 1.

Principles: 1 and 2.



Supported Accommodation

Objectives: 1.

Principles: 1 and 2.

Heritage Places

Objectives: 1, 2 and 3.

Principles: 2, 3 and 4.

Interface Between Land Uses

Objectives: 1 and 2.

Principles: 1.

Council Wide - 'Orderly and Sustainable Development'

Objectives: 1, 2, 3 and 4.

6.0 DEVELOPMENT PLAN ASSESSMENT

6.1 Land Use

As detailed in Section 1 of this Statement, the proposal constitutes non-complying development in the form of a consulting room. However, the desired character of the Zone supports small scale consulting rooms, whilst PDC 1 of the Zone and Policy Area expressly envisages supported accommodation. PDC 3 of the Zone supports non-residential land uses that can service the local community, is consistent with the character of the locality and would not detrimentally impact amenity of nearby residents. Additionally, the objectives and desired character of the Zone and Policy Area encourage low density residential development comprised largely of detached dwellings with associated landscaping to enhance the appearance of buildings when viewed from the street.

Given the site maintains an existing supported accommodation facility and the nature of the proposed activities are directly associated with the site's existing land use, the proposal is thereby consistent with a land use expressly envisaged in the objectives of the Zone or Policy Area. The activities are considered small scale as they will simply service existing residents of the supported accommodation facility, of which is managed by Southern Cross Care.

The sites existing land uses are longstanding and comprise of ranging supported accommodation activities. The proposed introduction of this activity will facilitate supported accommodation activities and will improve amenities and services for existing residents.

We consider the introduction of this activity (use) is sympathetic to the intent of the Zone and Policy Area, whilst preserving the surrounding properties existing residential amenities.



Adjacent dwellings not managed by Southern Cross are setback approximately 60 metres from the existing rehabilitation services building to be used as a consulting room. This setback is considered significant and will diffuse potential interface impacts between adjacent residential dwellings and associated services managed by Southern Cross Care.

For these reasons we have formed the view that the proposed use is appropriate when considered against the relevant objectives and PDC's of the Zone and Policy Area.

6.2 General Section - Supported Accommodation

The proposed use is considered an ancillary service provided to residents of the existing supported accommodation facility operated by Southern Cross Care. For this reason, it is important to consider the provisions of the General Section for supported accommodation.

Objective 1 of the General Section for supported accommodation ensures that such development is well designed and appropriately located for community groups with special needs. The subject building is nestled amongst retirement village units, adjacent existing community facilities, behind the existing aged care accommodation and is setback significantly from adjacent dwellings outside Southern Cross Care land. On this basis, we contend that the location of the subject building to be occupied is well suited for its intended purpose and will not jeopardise the continuation of adjacent land uses or prejudice existing residential amenities.

PDC 1 outlines that supported accommodation should be developed within walking distance of services, built on appropriately sloped land, sited to promote interaction with the community whilst maintaining privacy, is consistent with the existing character of the locality and incorporated with private open space and landscaping. The site is located in an existing building used for supported accommodation services, of which is separated significantly from residential dwellings adjacent the subject land. The proposed development will provide enhanced services located centrally to the site, thereby reducing the need for occupants to travel or leave Southern Cross Care land and facilities. The proposed development will complement the locality, integrate with the sites existing development and facilitate better supported accommodation services for the local community and existing residents.

PDC 3 outlines that access roads should be appropriately graded, accommodate emergency vehicles, provide space for car manoeuvrability and have level surface passenger loading areas. The proposal seeks to maintain all existing access and car parking arrangements.

As the proposed use will act as an ancillary activity, we contend that additional onsite parking is not necessary. The proposed use will not create a need for further parking as the activities support residents who reside on site, of which are not traffic generating land uses. As such, the proposed use will simply service the existing residents and patients, of whom have little or no need for a motor vehicle. Further, the proposed development does not increase the total floor area of the subject building, of which is suitably serviced by the numerous car parking areas surrounding the building.



Given minimal impact to the appearance and function of the site's existing built form is proposed, we contend that the proposed use is appropriate and complimentary to the provisions of the General Section for supported accommodation.

6.3 Local Heritage Place

Objective 1 and 3 of the General Section for heritage places seeks the conservation of State and local heritage places. The proposal will maintain the status quo with respect to the management and conservation of the adjoining building (comprising a local heritage place). No alteration or building work is proposed that would materially impact the existing building.

The proposed development will not prejudice the existing buildings historic or visual built form; therefore, we are satisfied that the proposal conforms with the objectives of heritage places prescribed in the Council's Development Plan.

6.4 Interface Between land Uses

The objectives of the General Section for interface between land uses outlines that development should be located and designed to minimise adverse impacts between conflicting land uses and aid in the protection of community health and amenity. The subject building is separated significantly from adjacent dwellings that are not managed by Southern Cross Care. Therefore, no conflicts between adjacent land uses is anticipated or foreseen. The change in use will facilitate enhanced level of service for existing residents, thereby protecting community health and the site's existing amenities.

The proposed development will not increase the levels of noise, vibration, light spill, glare or traffic already experienced. On this basis, we are confident that the proposed development does not conflict or intrude upon adjacent land uses and satisfies the objectives and provisions for interface between land uses prescribed within the Council's Development Plan.

6.6 Orderly and Sustainable Development

The objectives of the General Section of the Development Plan for orderly development seek to ensure development creates safe, convenient and pleasant environments in which to live, that development occurs in an orderly sequence, and does not jeopardise the continuation of adjoining land uses. No change to driveway access or the provision of existing services including power and water is proposed. The development will not hinder or constrain the continuing use of adjacent residential properties. The historical significance of the local heritage place will be retained and maintained as necessary. On this basis, the development is considered to comply with the orderly development provisions of the Development Plan.



7.0 ASSESSMENT OF EXPECTED SOCIAL, ECONOMIC AND ENVIRONMENTAL EFFECTS

7.1 Expected Social Effects

The proposed development is expected to have a positive social effect because it will:

- offer residents of the existing supported accommodation facility an additional service to assist their lifestyle.

7.2 Expected Economic Effects

The proposed development is expected to have a neutral economic effect because it will:

- not result in the need for additional community expenditure; and
- provides additional service at no cost to existing residents.

7.3 Expected Environmental Effects

The proposed development is expected to have no impact on the environment because:

- the proposed use is contained within an existing building.

The proposal is furthermore not expected to detract from the aesthetic appeal of the wider area, nor will it compromise the Zone's existing character and appeal.

8.0 CONCLUSION

We have concluded from our assessment of the proposed development that it warrants Development Plan Consent, subject to the concurrence of the State Commission Assessment Panel, for the following reasons:

- the proposal preserves the site's existing land uses relating to supported accommodation, and will therefore satisfy the intent of the objectives of the Zone and Policy Area, of which encourage low density residential development comprised largely of detached dwellings with associated landscaping to enhance the appearance of buildings when viewed from the street;
- the proposed activities are directly related to the provision of services associated with supported accommodation, thereby aligning with Principle of Development Control (PDC) 1 in the Zone and Policy Area's for envisaged development;
- the site's existing land uses are longstanding and comprise a range of supported accommodation activities that serve the onsite community, as will the proposed consulting room;



- the subject building is nestled amongst retirement village units and setback significantly from adjacent dwellings; therefore, the location of the subject building is well suited for its intended purpose and will not jeopardise the continuation of adjacent residential land uses;
- the proposal accords with PDC 1 of the General Section for supported accommodation as the site is separated significantly from adjoining residential dwellings adjacent the site and is located centrally to the site, thereby reducing the need for occupants to travel or leave;
- the proposal accords with the General Section for heritage places as the development will maintain the status quo with respect to the management and conservation of the local heritage place and will not prejudice the existing building's historic or visual form;
- surrounding dwellings are setback approximately 60 metres from the proposed subject building, thereby diffusing potential interface impacts between adjacent residential dwellings and the associated health and wellness activities (consulting room use);
- the proposed development will not create additional levels of noise, vibration, light spill, glare, hours of operation or traffic impacts;
- the existing character of the site and surrounding locality will be maintained;
- the general pattern of development characterising the locality will be maintained;
- no alteration to the site's existing vehicle parking and access arrangement is proposed, nor will additional service infrastructure be required to undertake the proposal;
- it will not create a demand for further onsite parking as the activities support residents who reside on site, of which are not traffic generating land uses;
- the proposal will not alter the existing level of amenity enjoyed by surrounding land uses in the wider locality; and
- the proposal is considered orderly and economic.

We conclude that based on the merits of the proposal, the development satisfies the relevant provisions set out in the West Torrens Council Development Plan and thereby warrants favourable consideration.

Greg Vincent MPA

B/A in Planning

enc: Certificates of Titles.
Plans and Drawings.

6.6 154-156 Railway Terrace, MILE END SOUTH

Application No 211/1163/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Installation of illuminated signage on building facade
APPLICANT	Coonara Pty Ltd
LODGEMENT DATE	21 November 2019
ZONE	Bulky Goods
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	Josh Banks

SUBJECT LAND AND LOCALITY

The subject land is formally described as:

- Allotment 50 in Deposited Plan 17346 in the area named Mile End South, Hundred of Adelaide, Volume 5429 Folio 606; and
- Allotment 149 in Filed Plan 19721 in the area named Mile End South, Hundred of Adelaide, Volume 5420 Folio 607.

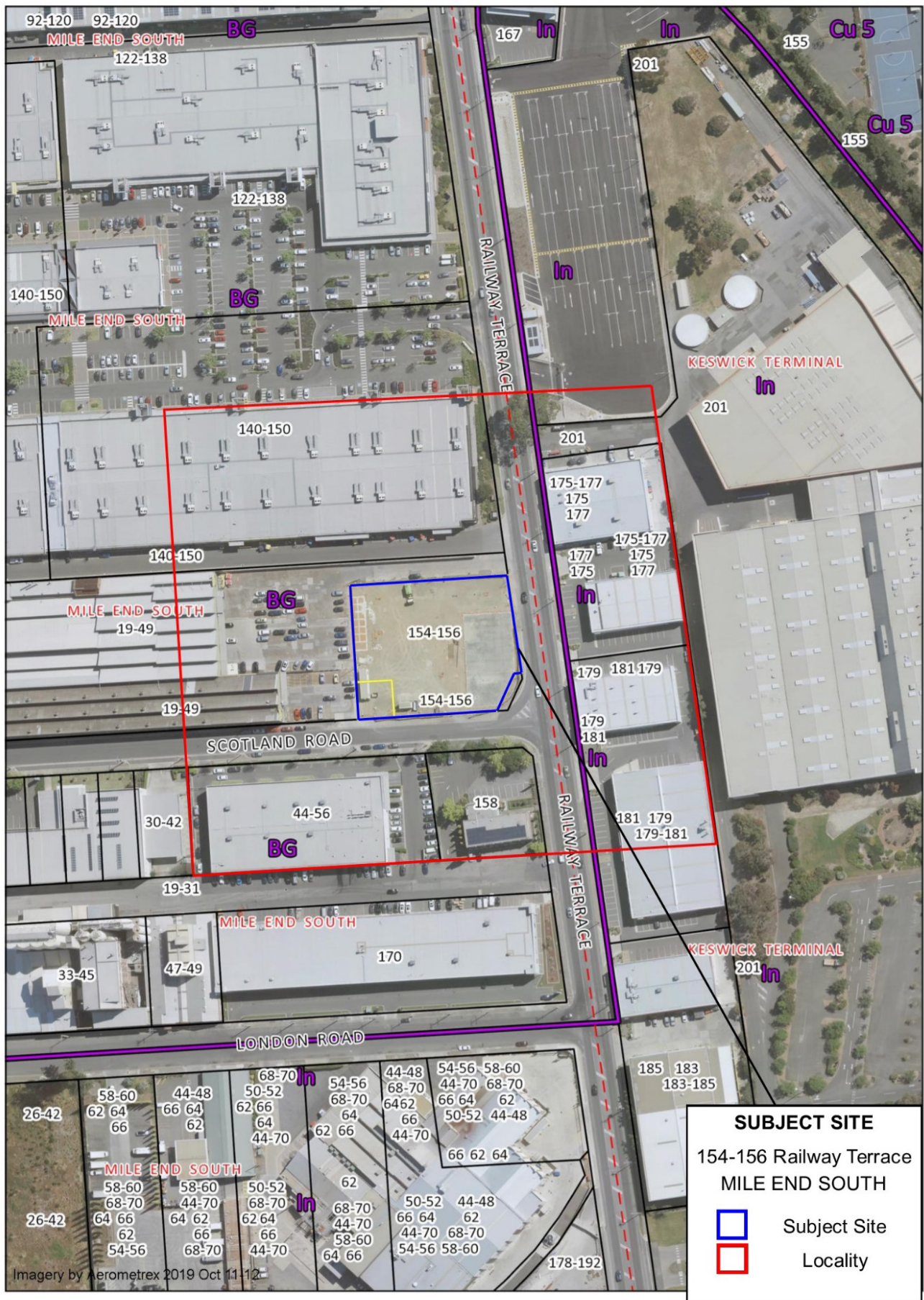
The subject land is more commonly known as 154-156 Railway Terrace, Mile End South. The site is an irregular shape with a 58.04 metre (m) wide frontage to Scotland Road and a 40.83m wide frontage to Railway Terrace. The total site area is 3,661 square metres (m²).

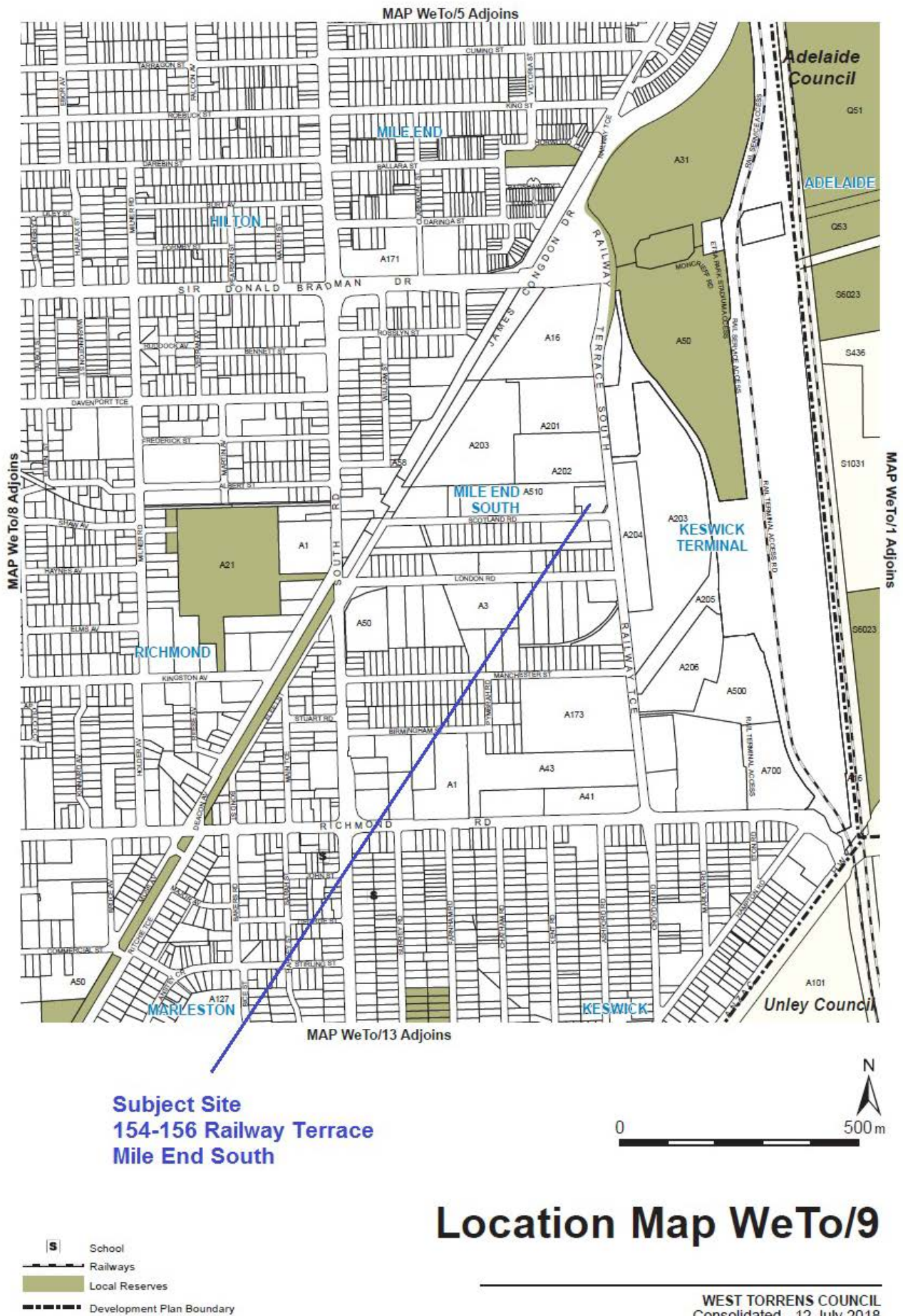
The site currently contains a building under construction. The site appears relatively flat. There are no regulated trees on the subject site or on adjoining land that would be affected by the development.

There is both an easement and an encumbrance over the site, however these were approved for removal in August of this year by way of a boundary realignment (which should be considered of no relevance to this current development application).

The locality is industrial and commercial in nature, and contains large buildings with on-site car parking evident. The locality is undergoing change through a number of recently-built developments which are beginning to create an improved amenity for the locality. The subject site sits between an industrial area to the west, and a more modern, commercial area to the east.

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





RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/365/2019	Construction of a service trade premises (motor vehicle showroom), including outdoor vehicle display area, storage area and car parking area	Development Approval granted	13 Sept 2019

PROPOSAL

The proposed development is for the installation of illuminated fascia signage to the upper level on all four sides of the approved building on the site.

The content of the signage will be the logo and colours of the tenant of the building.

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

NATURE OF DEVELOPMENT

The application is a non-complying form of development as the proposed signs exceed the specified height of 6 metres under the Procedural Matters of the Bulky Goods Zone.

The applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008* (refer **Attachment 3**). This document has considered the potential social, economic and environmental impacts associated with the proposed development as follows:

- The social, economic and environmental impacts are expected to be minimal given the nature of the proposal.
- As no sensitive land uses are located within proximity of the site, and the signage will not be highly illuminated, no conflict with motorists or adjoining land users should occur.
- Apart from identification of the business, it is unlikely the signs would have material economic effects.
- The proposal poses no material environmental impact on the surrounding environment, and will use low-energy LED lighting to minimise energy consumption.

The applicant has indicated that there should not be any negative impacts likely to arise from the proposed development given the nature of the proposal.

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 CAP for a decision.

PUBLIC NOTIFICATION

The application was deemed a Category 1 form of development pursuant to Schedule 9 Part 1(3)(a) of the *Development Regulations 2008*, as one of three clauses specified is met:

- *The alteration of, or addition to, a building which, in the opinion of the relevant authority, is of a minor nature only.*

The proposed signage is considered to be a minor alteration to a building and will be used exclusively to advertise the tenancy occupying the subject land.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Bulky Goods Zone as described in the West Torrens Council Development Plan.

The relevant Desired Character statement is as follows:

Bulky Goods Zone - Desired Character	
<p><i>The zone will accommodate a range of bulky goods tenancies. Development will occur in a coordinated, integrated and holistic manner. Development will be on amalgamated sites or with significant integrated features, in order to achieve an efficient layout, minimise access points and the length of driveways and to maximise pedestrian accessibility. The zone will also provide convenience retail activity at a local centre level in order to satisfy the needs of staff and visitors.</i></p> <p><i>The major bulky goods tenancies will be at least 5000 square metres in floor area. At least half the total floor area space in the zone will be taken up by major tenants. It is expected that the development of the bulky goods zone will occur in stages. Adequate parking and access points will be provided for each stage.</i></p> <p><i>Due to the size of the bulky goods tenancies, the size of the buildings is likely to be large with relatively low building heights. The provision of interesting, articulated and varied facades, through the use of texture, pattern, graphics and colour to the buildings, is important in order to make the scale of the development more human. Buildings facing Railway Terrace, Sir Donald Bradman Drive, Scotland Road, London Road and James Congdon Drive will present an attractive façade.</i></p> <p><i>Buildings will be constructed of durable, attractive materials that weather well and have strong colour schemes that are contemporary to other bulky goods buildings in the zone. Buildings will incorporate glazing to all public frontages to increase the void to solid ratio of external surfaces.</i></p> <p><i>High quality, structured landscaping will also be required to mitigate large scale building facades, provide visual amenity and shade. Landscaping will be provided at vehicular entry points to the zone, along the Sir Donald Bradman Drive frontage, James Congdon Drive frontage and other road verges, in the vehicle parking areas, and in the zone.</i></p> <p><i>Decorative lighting will be incorporated to enhance the night time experience of building facades or landscaping along Railway Terrace, Sir Donald Bradman Drive and James Congdon Drive.</i></p> <p><i>A clear hierarchy of streets, vehicular and pedestrian movement patterns, and car parks will be established across the site. Individual premises will be accessed via internal service roads. Vehicle parking, access and service areas will be shared to achieve efficiency in land use. Generously dimensioned designated pedestrian routes will be developed between car parks and buildings to provide safe, convenient and pleasant pedestrian movement. They will be clearly defined by landscaping, pavement treatment, lighting and street furniture. At least one north-south and east-west major outdoor sheltered pedestrian route will be established linking the various tenancies. Service bays and loading docks will be located away from public areas.</i></p> <p><i>The development of the former Perry Engineering site will accommodate the potential for an internal vehicular link to the western side of the existing Bunnings site.</i></p>	
Objectives	2
Principles of Development Control	1, 2, 11, 21, 22

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

ASSESSMENT

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

Desired Character

Whilst advertisements are not specifically listed as an envisaged form of development, the range of commercial uses described as acceptable in the Bulky Goods Zone would normally anticipate associated signage to identify businesses. It is considered that the proposed signage is an integral part of the associated commercial use of the site and therefore it is considered to be an appropriate form of development.

Design and Appearance

It is considered that the proposed signage is well-designed and will provide for a uniform, neat and professional appearance. The signage will be positioned towards the top of all facades of the associated building and identify the business that will occupy the site upon completion of the building works. The signage will give an integrated appearance to the public realm and is considered to be in keeping with the existing character of the locality.

The proposed signage will cover less than 15% of a single wall face as desired in Principle of Development Control (PDC) 22 of the Bulky Goods Zone. The largest amount of signage is on the Railway Terrace (East) elevation which measures approximately 11% of the building.

It is considered that the locality supports the type of signage proposed given the size of the subject site, the height and scale of the associated building, and appearance of existing signage within the locality. It is considered unlikely that the proposed signage will negatively impact on the existing character of the locality.

Similarly, Objectives 1 and 3 and PDCs 1, 2, 4, 5, 6, 7, 10, and 11 of the Advertisements module are met.

Amenity

The amenity of adjoining properties is unlikely to be negatively impacted by the proposal as these sites are not occupied by sensitive land uses. Whilst the proposed signage will be internally illuminated, it is unlikely to unreasonably impact adjacent land owners and occupiers as the land uses occupying these sites are not sensitive in nature and their business operations are unlikely to be affected. It is anticipated that with careful control of luminance levels, the proposed signage is unlikely to cause nuisance to adjoining land owners or be a hazard to road users.

Safety

The subject site is located on an intersection of two roads, however as it is not signalised there is no chance of the signage being mistaken for a traffic signal. As noted above, it is anticipated that with limitations placed on luminance levels the proposed signage is unlikely to cause a hazard or distraction to road users given the height and placement of the signage. Accordingly, Objective 2 and PDCs 2(d) and 14 of the Advertisements module are satisfied.

SUMMARY

Despite its non-complying status, the signage proposed is considered to be an appropriate form of development in the context of the site and locality. The signage is of a high design standard and has been integrated with the existing building to which it will be attached.

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. 211/1163/2019 by Coonara Pty Ltd for the installation of illuminated signage on building facade at 154-156 Railway Terrace, Mile End South (CT 5420/606 and CT 5420/607) subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

Development Plan Consent Conditions

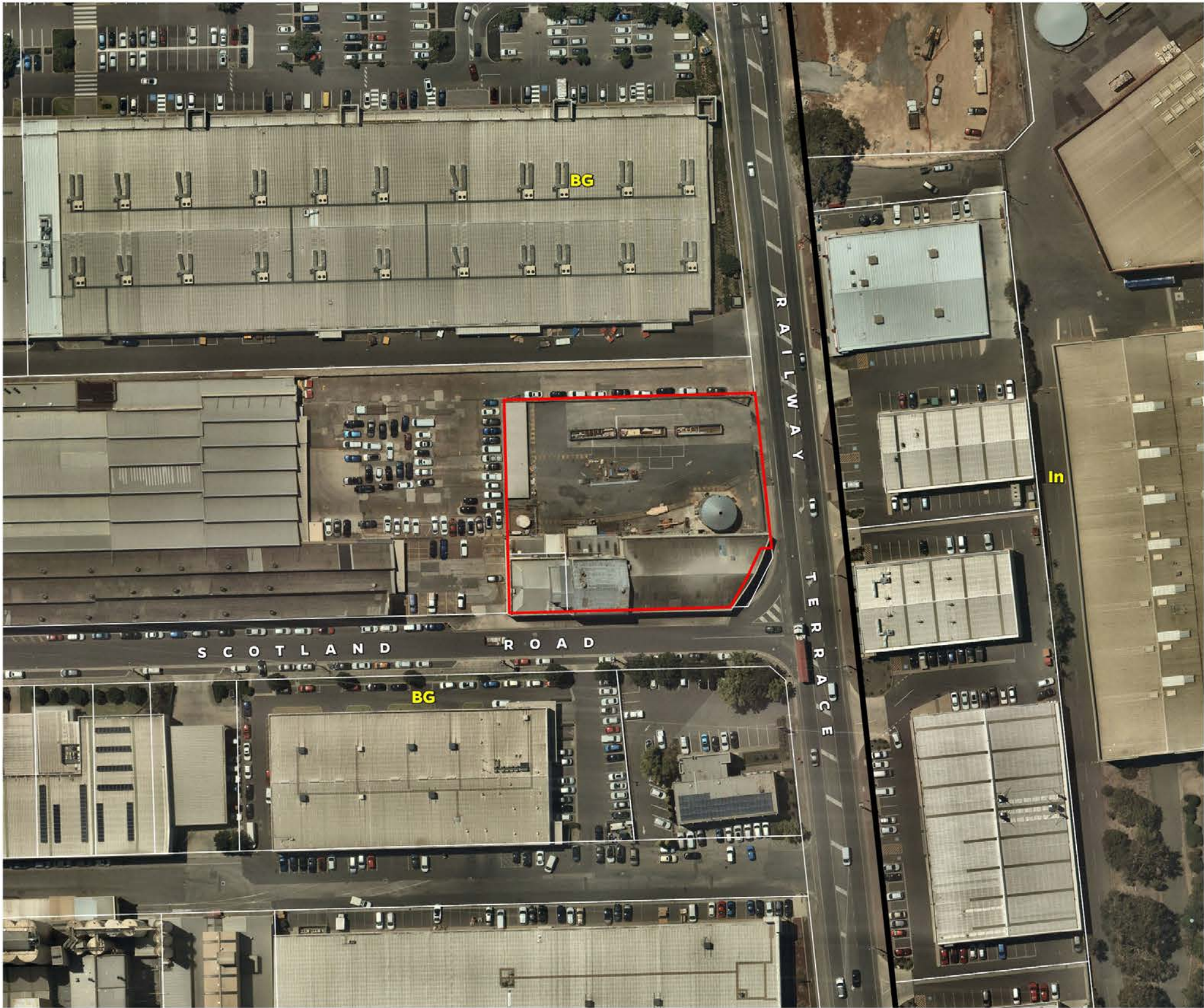
1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. 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 not to cause a light overspill nuisance to adjacent occupiers or 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.

Attachments

1. Additional Development Plan Provisions
2. Proposed Plans and Information
3. Statement of Effect

Relevant Development Plan Provisions

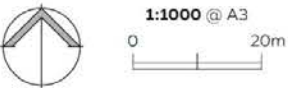
General Section		
<i>Advertisements</i>	<i>Objectives</i>	<i>1, 2 & 3</i>
	<i>Principles of Development Control</i>	<i>1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 & 24</i>



- Subject Land
- Zone Boundary
- BG Bulky Goods
- In Industry
- No Policy Areas or Precincts exist in the locality

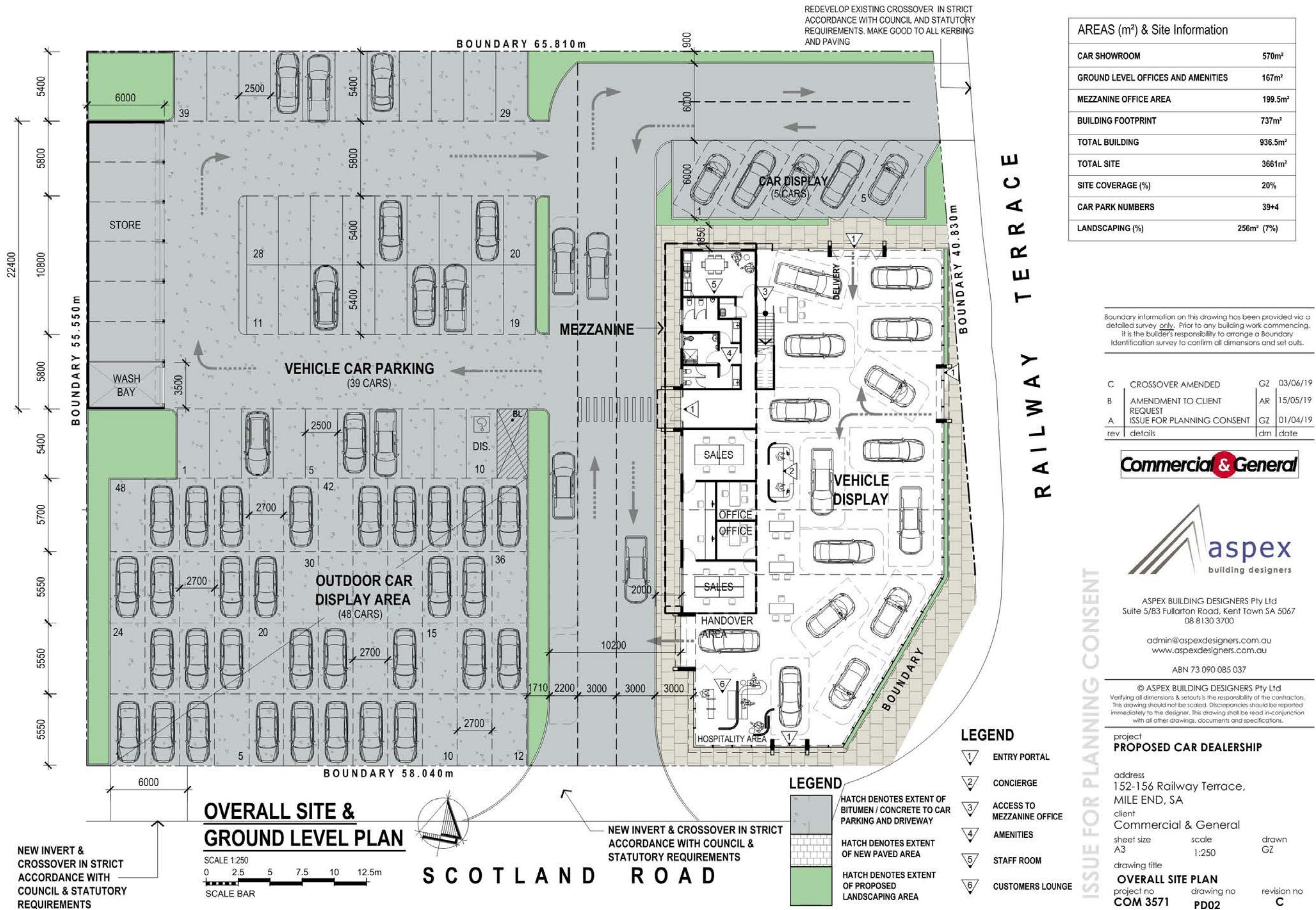
Locality Plan

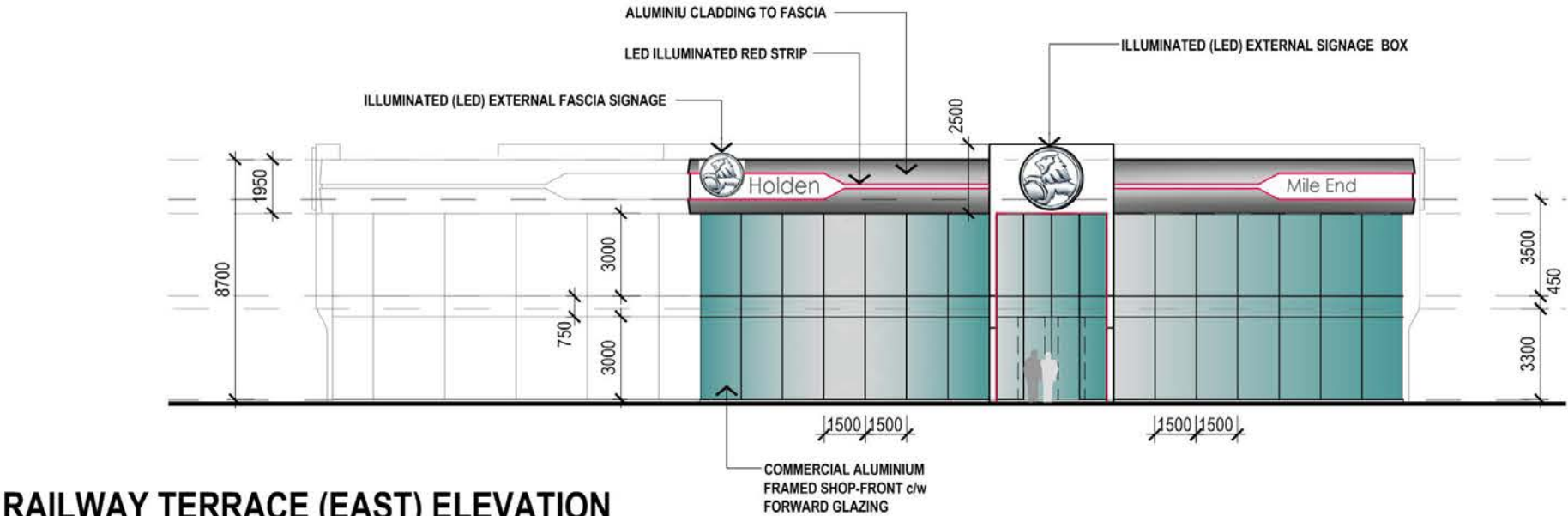
154 - 156 Railway Terrace and 51 Scotland Road
MILE END
for City Holden



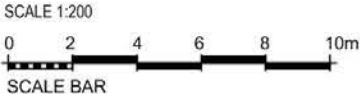
MASTERPLAN.COM.AU
SA | NT | QLD
© NOV 2019 DS:51170 1.0



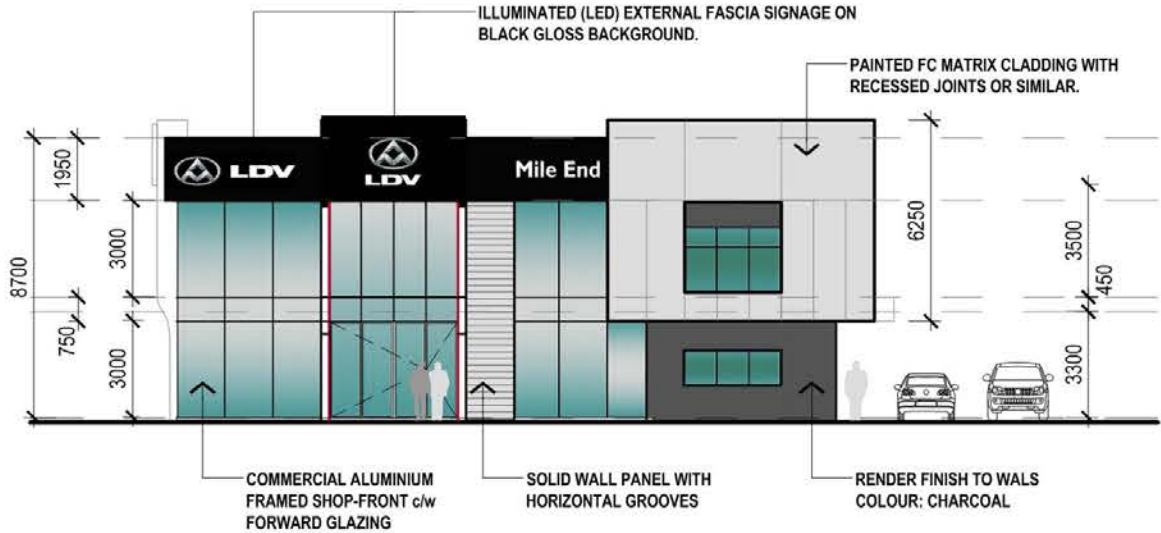




RAILWAY TERRACE (EAST) ELEVATION



A	ISSUE FOR PLANNING CONSENT	GZ	1/04/19
rev	details	drn	date



NORTH ELEVATION
OPTION 1

SCALE 1:200

ISSUE FOR PLANNING CONSENT



ASPEX BUILDING DESIGNERS Pty Ltd
Suite 5/83 Fullarton Road, Kent Town SA 5067
08 8130 3700

admin@aspexdesigners.com.au
www.aspexdesigners.com.au

ABN 73 090 085 037

© ASPEX BUILDING DESIGNERS Pty Ltd
Verifying all dimensions & setbacks is the responsibility of the contractor.
This drawing should not be scaled. Discrepancies should be reported
immediately to the designer. This drawing shall be read in-conjunction
with all other drawings, documents and specifications.

project
PROPOSED CAR DEALERSHIP

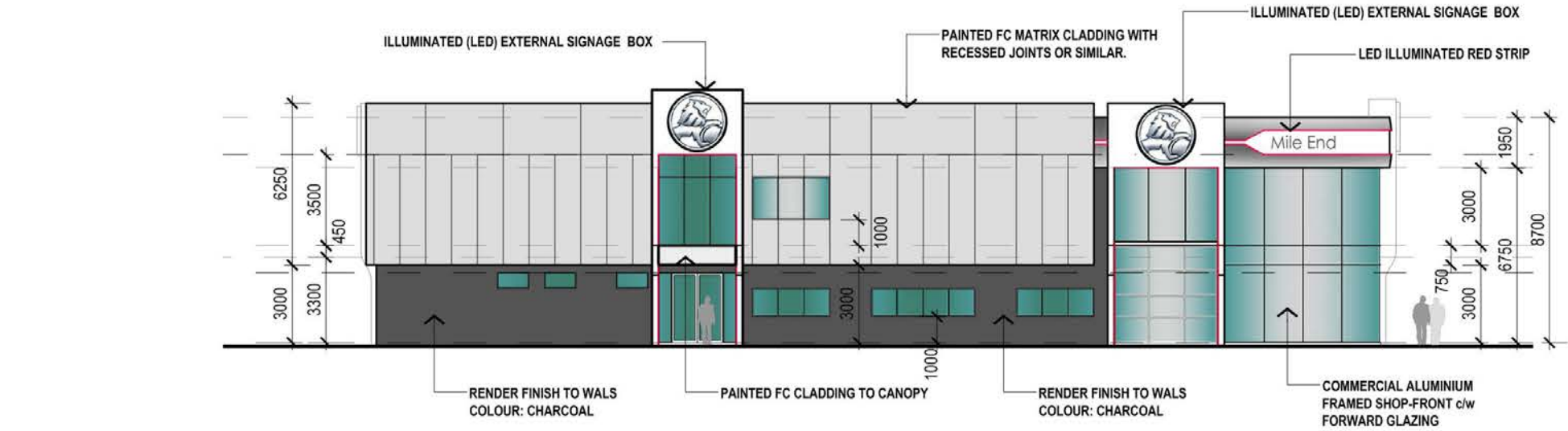
address
152-156 Railway Terrace,
MILE END, SA

client
Commercial & General

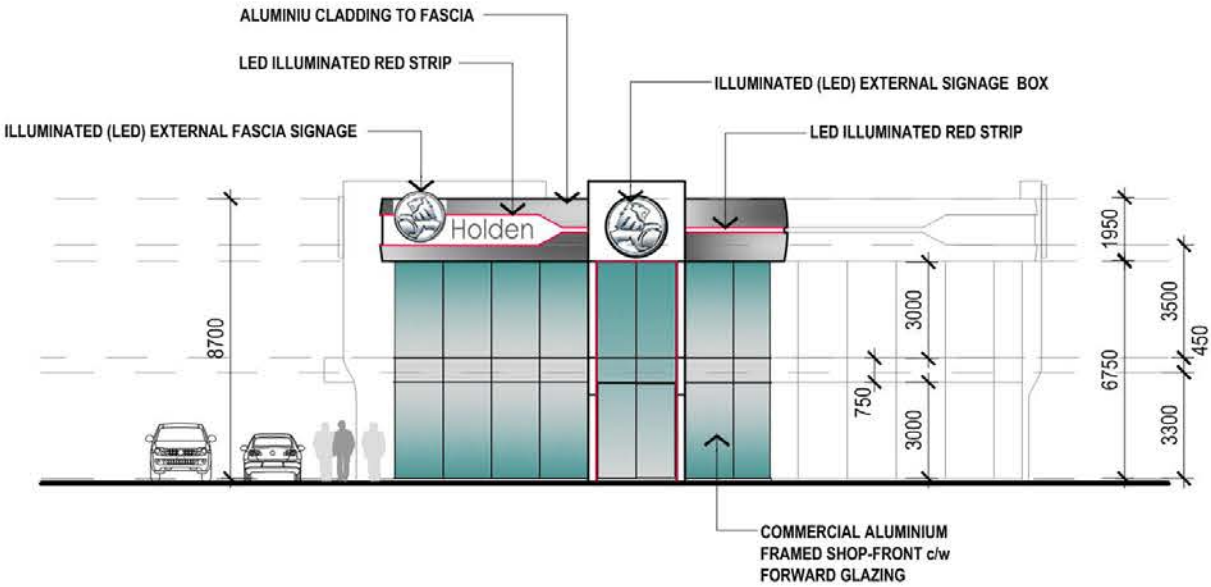
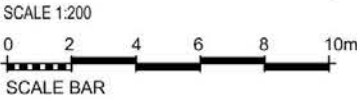
sheet size scale drawn
A3 1:100 GZ

drawing title
ELEVATIONS

project no drawing no revision no
COM 3571 PD06 A



WEST ELEVATION



SOUTH ELEVATION
SCOTLAND ROAD

SCALE 1:200

A	ISSUE FOR PLANNING CONSENT	GZ	1/04/19
rev	details	drn	date



ASPEX BUILDING DESIGNERS Pty Ltd
Suite 5/83 Fullarton Road, Kent Town SA 5067
08 8130 3700

admin@aspexdesigners.com.au
www.aspexdesigners.com.au

ABN 73 090 085 037

© ASPEX BUILDING DESIGNERS Pty Ltd
Verifying all dimensions & setouts is the responsibility of the contractor.
This drawing should not be scaled. Discrepancies should be reported
immediately to the designer. This drawing shall be read in-conjunction
with all other drawings, documents and specifications.

project
PROPOSED CAR DEALERSHIP

address
152-156 Railway Terrace,
MILE END, SA

client
Commercial & General

sheet size scale drawn
A3 1:100 GZ

drawing title
ELEVATIONS

project no drawing no revision no
COM 3571 PD07 A

ISSUE FOR PLANNING CONSENT

STATEMENT OF EFFECT

Advertising Signage

for Coonara Pty Ltd
at 154-156 Railway Terrace, Mile End



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2015 Certified
33 Carrington Street, Adelaide SA 5000
Telephone: 8193 5600, masterplan.com.au

December 2019



1.0 INTRODUCTION

MasterPlan have been engaged by Coonara Pty Ltd ("our client") to respond to Council's request for a Statement of Effect for Development Application 211/1163/2019 which seeks Development Plan Consent to install advertising signage on the fascia of an approved building, which is currently under construction, located at 154-156 Railway Terrace, Mile End ("the site").

The site is located on land situated within the Bulky Goods Zone (the Zone) of the West Torrens Council Development Plan (consolidated 12 July 2018).

We acknowledge that within the Zone, advertising of the scale proposed is listed as non-complying development. Notwithstanding this, it is considered that the proposed development has sufficient merit and suitably complies with the relevant requirements of the Development Plan to warrant a full assessment of the application and ultimately Development Plan Consent being granted.

This Statement of Effect has been prepared in accordance with Regulation 17(5) of the *Development Regulations 2008*.

This Statement of Effect includes a description of the subject land and locality, a description of the proposed development. This Statement of Effect also provides a list of the provisions of the Development Plan which are considered relevant to an assessment of the proposal and the extent to which the proposed development complies with those provisions. It also provides an assessment of the expected social, economic and environmental effects of the development on its locality, and a conclusion that the development exhibits sufficient merit to warrant Development Plan Consent, notwithstanding its non-complying nature.

2.0 PLANNING BACKGROUND

Two previous development applications affecting the subject site, to which the proposed advertising signage relates, have been approved during the course of 2019.

Development Application 211/74/2019 was granted Development Approval on 6 February 2019 and allowed for the demolition of all existing buildings and structures on the site.

Development Application 211/365/2019 was subsequently granted Development Approval on 9 September 2019 and allowed for "*construction of a service trade premises (motor vehicle showroom), including outdoor vehicle display area, storage area and car parking area*".

3.0 SUBJECT SITE

The site comprises two allotments and is located on the north-western corner of Railway Terrace and Scotland Road at Mile End.



3.1 Certificate of Title

A copy of Certificate of Title Register Searches for the allotments comprising the subject site is attached to this report as **Appendix A**.

The site is comprised of two (2) allotments formally described as detailed in Table 1 below.

Table 1: Certificate of Title Details

Allotment	Deposited Plan	Hundred	Volume	Folio
50	17346	Adelaide	5420	606
149	19721	Adelaide	5420	607

It is worth noting the site is affected by both an easement over land marked 'A' and an encumbrance. These are currently being attended to, with the intention of removing both the easement and encumbrance from the title.

It should also be noted that the historical easement relates to the construction, maintenance, repair and use of the land as a railway. Clearly this is no longer the use, or intended use, of the land or adjacent land, and therefore is no longer directly relevant. The applicant has engaged a lawyer to assist them in the process of removing the easement, with initial indications suggesting that consent of the parties with an interest in the easement will be capable of being obtained.

Having regard to the proposal being for signage on a building which has previously been approved and is now under construction, we consider that the presence of the easement does not prevent the Council from considering the application, as the applicant has a reasonable prospect of being able to remove the easement to enable the development, as proposed, to proceed.

In addition, the Title indicates the site as having the following dimensions:

- a frontage to Railway Terrace of 40.83 metres;
- a frontage to Scotland Road of 58.04 metres;
- a site depth of 65.81 metres; and
- a total site area of 3,661 square metres.

It is noted that a small parcel, of some 55 square metres, held in separate ownership (being a piece of an allotment with the remainder located primarily on the southern side of Railway Terrace), is located between the subject allotment and the corner of Railway Terrace and Scotland Road. This small allotment appears to result from a historical railway easement. Notwithstanding that the proposed development has been designed such that it is located entirely within the subject land and does not encroach on this adjacent allotment, the applicant has contracted to acquire this piece of land and has secured Development Approval for a land division (DA 211/D069/2019) amalgamate it with the remainder of the site.



3.2 Zoning

The site is located within the Bulky Goods Zone of the West Torrens Council Development Plan, which was last consolidated on 12 July 2018.

It is worthy to note that the subject site is located within a 'Flood Hazard' area as illustrated on Overlay Map WeTo/9 – Development Constraints.

3.3 Land Use

The previous approved land use for the site was a feed-mill, operated by Ingham's Enterprises. This use has now ceased, with the feed mill use having been located to White Sands, near Murray Bridge. The infrastructure associated with this previous use has now been completely demolished.

Development Approval 211/365/2019 to change the use of the site to service trade premises in the form of motor vehicle sales and display including the built form and structures shown in the proposal plans, which is currently under construction, and is the approved land use for the site to which the proposed signage relates.

3.4 Built Form

The built form shown in the proposal plans is approved in Development Approval 211/365/2019 and is currently under construction on the site. The signage proposed will be attached to the approved buildings and other than its installation the proposal does not alter the approved built form on the site.

3.5 Vehicle Access

Development Approval 211/365/2019 dedicates three vehicle access and movement points between the north-east corner of the site on Railway Terrace and the southern boundary on Scotland Road. The proposal does not alter the approved vehicle access and manoeuvring arrangements.

4.0 LOCALITY

The immediate locality comprises a wide range of land uses and built form as a result of historical industrial zoning and the transition to bulky goods and service trade premises. A more detailed overview of the locality is provided in the sub-sections below and should be read in conjunction with the Locality Plan attached as **Appendix B**.

4.1 Zoning

Adjacent land to the north, south and west is located within the Bulky Goods Zone of the West Torrens Council Development Plan. Land located to the east, on the opposing side of Railway Terrace is located within the Industry Zone.



4.2 Land Use

Land uses within the immediate locality vary from industrial, warehousing, service trade premises and bulky goods. The most notable land uses within the immediate locality include the Mile End Home Maker Centre, which comprises a range of bulky goods outlets located to the north of the subject site together with Revolution Roofing and the motor repair station buildings associated with Solitaire including servicing for brands including Land Rover and Aston Martin located to the south of the subject site.

It is worth noting that the closest residential allotment to the subject site is approximately 470 metres to the west, on the opposing side of James Congdon Drive.

4.3 Built Form

The immediate locality has historically been an industrial estate, and as such comprises a wide range of industrial style buildings comprising saw tooth roofs, metal clad exteriors and walls to common boundaries, including street frontages.

More recent development to the north, south and east (opposing side of Railway Terrace) typically comprises painted pre-cast concrete with flat roof structures, and sometimes a small amount of landscaping within the front setback.

Amenity in the area is best described as low to moderate, with the predominant character being that of a mix of commercial, light industrial, warehousing, service trade premises, vehicle sales and servicing and bulky goods retailing being the predominant uses. Buildings are typically low to moderate in height, but frequently with large building areas and limited variation in their facades. On the northern side of Scotland Road, zero street setbacks are common, whilst on the southern side of Scotland Road larger street setbacks with car parking between buildings and the road is more evident.

Landscaping is typically limited, with no landscaping on older sites, and limited landscaping, predominantly around the boundaries on newer sites.

5.0 NATURE OF PROPOSED DEVELOPMENT

The proposed development seeks to install LED fascia signage to the upper level fascia on all four sides of the approved building, as illustrated on the Elevations and Site Plan attached in **Appendix C** prepared by Aspex Building Designers.

The signage on the east elevation will sit between 6.75 and 9.25 metres above ground level and will display identification content associated with the business occupying the site (Holden). The signage will be illuminated and surrounded by aluminium cladding.

The signage on the north elevation will sit between 6.75 and 9.25 metres above ground level and will display identification content associated with the business occupying the site (LDV). The signage will be illuminated and will sit on a black gloss background.



The signage on the west elevation is located in two separate locations and will both sit between 6.75 and 9.25 metres above ground level and will display identification content associate with the business occupying the site (Holden). The signage will be illuminated with one section of signage surrounded by aluminium cladding.

The signage on the south elevation will sit between 6.75 and 9.25 metres above ground level and will display identification content associate with the business occupying the site (Holden). The signage will be illuminated and surrounded by aluminium cladding.

The overall design of the signage is well integrated with the design of the building previously approved and currently under construction. The signage is high-quality in its design and construction and is simple and dignified in its messaging. The scale of the signage proposed is comfortably proportionate to the scale of the building on which it is proposed to be attached.

6.0 DEVELOPMENT PLAN PROVISIONS

The site on which the proposed signs will be located is situated within the Bulky Goods Zone of the West Torrens Council Development Plan (consolidated version dated 12 July 2018).

The following provisions of the Development Plan are considered to be the most relevant to an assessment of this application:

Bulky Goods Zone

Objective: 1 and 2.

Principles: 1, 12, 21 and 22.

General Provisions - Advertisements

Objectives: 1, 2 and 3.

Principles: 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, and 15.

6.1 Development Plan

The Zone seeks to promote bulky goods outlets and a service trade premises, as stated in the Zone and Objectives, Desired Character Statement and Principles of Development Control (PDC). The Desired Character Statement of the Zone recognises that “*this zone will accommodate a range of bulky good tenancies*”.

Principle of Development Control 1 of the Zone specifically anticipates bulky goods outlets and a service trade premises.



Bulky Goods Zone.

Objective 1: A zone accommodating a range of buildings used for bulky goods outlets and service trade premises.

Objective 2: Development that contributes to the desired character of the zone.

PDC 1 The following forms of development are envisaged in the zone:

- bulky goods outlet
- service trade premises that comprise only indoor displays or are primarily for the sale, rental or display of building materials, landscaping materials, sheds, domestic garages or outbuildings.

PDC 12 Development should be undertaken in accordance with *Concept Plan Map WeTo/1 - Mile End South Bulky Goods*.

The site has an approval for a service trade premises with associated buildings and car parking facilities. The proposal does not seek to alter the previously approved land use of the site. The installation of identification signs on the fascia of the approved building will complement the design of the building and display content that is directly associated with the approved use of the site. The signage will provide recognition and legibility to the use of the site and will also serve to articulate and add visual interest to the building.

Given the sign will be ancillary to an envisaged and approved use, we contend that the proposal is an appropriate use and accords with the intent of the Zone.

Bulky Goods Zone.

PDC 21 Advertisements and/or advertising hoardings should:

- (a) only be provided at the rate of one free standing advertisement per the major road frontages of Sir Donald Bradman Drive, Railway Terrace, London Road, Scotland Road or James Congdon Drive
- (b) measure a maximum of 10 metres in height
- (c) be located in close proximity to the major entry points.

No free-standing advertising is proposed.

The advertisements displayed toward Railway Terrace and Scotland Road run across the fascia of the approved building to provide one continuous form of advertisement along each frontage. The maximum height of the proposed advertisements does not exceed 9.25 metres above ground level. The advertisements are in close proximity to the site's major entry points, particularly given the approved building is surrounded by an internal driveway that sit between the site's two main access points.

Given the above, the proposal is considered to accord with each criterion set out in PDC 21 of the Zone.

PDC 22 Advertisements attached to buildings should:

- (a) not cover more than 15 per cent of a single wall face
- (b) in the case where the building contains more than one tenancy, not consist of more than one wall mounted advertisement per tenancy.



The total collective coverage of proposed signage on each elevation amounts to less than 15 percent of the façade area, with all content relating directly to the approved use of the site being a service trade premises.

For this reason, we consider that the proposal accords with the general intent of PDC 22 of the Zone.

General Section - Advertisements

- Objective 1:** Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.
- Objective 2:** Advertisements and/or advertising hoardings that do not create a hazard.
- Objective 3:** Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.
- PDC 1** The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:
- (a) consistent with the predominant character of the urban landscape
 - (b) in harmony with any buildings or sites of historic significance or heritage value in the area
 - (c) coordinated with and complement the architectural form and design of the building they are to be located on.
- PDC 2** The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:
- (a) clutter
 - (b) disorder
 - (c) untidiness of buildings and their surrounds
 - (d) driver distraction
- PDC 4** The content of advertisements should be limited to information relating to the legitimate use of the associated land.
- PDC 5** Advertisements and/or advertising hoardings should:
- (a) be completely contained within the boundaries of the subject allotment
 - (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees
 - (c) not obscure views to vistas or objects of high amenity value
- PDC 6** Advertisements and/or advertising hoardings should not be erected on:
- (a) a public footpath or veranda post
 - (b) a road, median strip or traffic island
 - (c) a vehicle adapted and exhibited primarily as an advertisement
 - (d) residential land.
- PDC 7** Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.



- PDC 8 The total advertisement area on the fascias, parapets, gable ends, windows and other surfaces of buildings should not exceed:**
- (a) 20 per cent of the sides of the building
 - (b) in relation to the front wall of a building, 20 per cent of the area above 3.7 metres or above a canopy.
- PDC 10 Advertisements should be designed to conceal their supporting advertising hoarding from view.**
- PDC 11 Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.**
- PDC 14 Advertisements and/or advertising hoardings should not create a hazard by:**
- (a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road
 - (b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signals or signals
 - (c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high
 - (d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices).
- PDC 15 Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.**

The proposal is considered to satisfy the intent of the general provisions of the Development Plan (as listed above), for the following reasons:

- signage, much of which is significantly larger than that proposed, is currently a significant character feature in the locality, particularly to the north along Railway Terrace;
- the signs are for identification purposes only and no third-party signage is proposed;
- the proposed signs are clearly for the business associated with the site, namely Holden and LDV;
- given the frontage to Railway Terrace and Scotland Road is between 40.83 and 58.04 metres in length, the proposed signs will not create cluttered or disordered patterns of development, particularly when viewed in context with the approved development and existing streetscape(s);
- the signs will run continuously across the top fascia of the approved building to further prevent displacement and cluttered displays of advertising;
- when viewed in context with approved and surrounding built form, the proposed signs are considered sympathetic in size, shape, colour and material and provides a uniform and co-ordinated appearance for the approved building;



- the proposed development should not disfigure the existing landscape of the site and locality and should integrate seamlessly with the approved built form;
- the signage will not sit above the silhouette of the approved buildings fascia;
- the proposed signs located are wholly within the boundaries of the site;
- the content of advertisements is limited to information relating to the approved use of the site;
- no traffic lights are located in close proximity to the site; thus, the advertisements should not be confused for any other forms of lighting, thereby reducing the potential hazardous effects of the illumination of the LED signs;
- the proposed sign should not be highly illuminated such as to cause discomfort to approaching drivers, nor should it create difficulty to a driver's perception;
- the signage will not scroll, flash or move, reducing distraction to motorists and the proposed signs will be viewed and read in a similar manner to any other static advertising signs;
- the signs proposed dimensions are considered suitable given the approved use of the site, the overall site area and the length of existing frontages; and
- the proposed signs are not directed toward, or materially visible from, any dwellings used for residential purposes.

For all the above reasons, the proposed development is considered to appropriately satisfy the relevant provisions of the Development Plan such as to warrant Development Plan Consent.

7.0 EXPECTED SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS

The proposal provides the opportunity for the community to easily identify the subject site and associated business trading thereon. Given the nature of the proposal, the expected social, economic and environmental effects are expected to be minimal.

There are social benefits involved proper planning achieved through avoiding inappropriate interface with sensitive land uses and land use conflict. Given no sensitive uses are located in proximity of the site there should be minimal impacts on the surrounding locality. The signs will not be highly illuminated and should create minimal to no discomfort, distraction or obstruction to passing vehicles. The signs have been designed to enhance the appearance of the site and complement existing development located in close proximity to the site.

As discussed in the assessment, the proposed advertisement poses no material environmental impact and will have little to no impact on the surrounding physical environment. The signs will be environmentally sustainable with low-energy LED lighting and a long-life expectancy, will create little emissions and improve occupational health and safety benefits by limiting the need to manually change the display sign, apart from general maintenance that may be required.



It is unlikely that the signs would have material economic effects, apart from making the business appropriately identifiable.

It is not expected that there will be any material negative social, economic or environmental effects on the locality as a result of the proposed development.

8.0 CONCLUSION

Having regard to the nature of the subject site and locality and the relevant provisions of the Development Plan, it is considered that the proposed identification signs has substantial planning merit for the following reasons:

- the signs are ancillary and subordinate to the approved use of the property, namely a service trade premises for the display and sales of motor vehicles;
- the signs suitably accord with the Council-wide provisions relating to advertisements;
- the proposed signs are located wholly within the boundaries of the site;
- the signs are appropriately designed and sited so as to preserve the character and amenity of the locality;
- the signs will not flash or move, thereby reducing potential hazardous impacts on passing drivers;
- the signs are to be of a contemporary design with modern technology to maintain an appropriate lighting ambience for the surrounding locality; and
- the proposed signs should not create or add to any clutter, visual disorder or untidiness of the space in which it is situated.

It is considered that overall the proposed development is not seriously at variance with the Development Plan, is an appropriate development of the subject site and warrants Development Plan Consent being granted by Council and the concurrence of the State Commission Assessment Panel.

Michael Richardson

Bachelor of Urban and Regional Planning (Hons)

11 December 2019

APPENDIX A

Certificates of Titles



Product	Register Search (CT 5420/606)
Date/Time	09/04/2019 10:10AM
Customer Reference	51170
Order ID	20190409002353



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5420 Folio 606

Parent Title(s)	CT 4263/497			
Creating Dealing(s)	VE 8192048			
Title Issued	21/05/1997	Edition	7	Edition Issued
				08/02/2019

Estate Type

FEE SIMPLE

Registered Proprietor

COONARA PTY. LTD. (ACN: 007 891 509)
OF 106 LONGWOOD ROAD HEATHFIELD SA 5153

Description of Land

ALLOTMENT 50 DEPOSITED PLAN 17346
IN THE AREA NAMED MILE END SOUTH
HUNDRED OF ADELAIDE

Conditions

THE RIGHT OF WAY APPURTENANT AND ACCRUING BY VIRTUE OF SECTION 90 OF THE REAL PROPERTY ACT TO PORTION OF THE WITHIN LAND MARKED Y ON THE DIAGRAM HEREON IS SURRENDERED TO THE EXTENT THAT THE SOUTH AUSTRALIAN COMPANY AND OTHER OWNERS OF LAND IN DP 2163 MAY ENJOY THE RIGHT TO CONSTRUCT MAINTAIN REPAIR AND USE A RAILWAY OVER ALLOTMENT 152 IN FP 19721 OR ANY PART THEREOF AS SET FORTH IN MEMORANDUM 688257

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A TO THE AUSTRALIAN NATIONAL RAILWAYS COMMISSION (T 553559)

Schedule of Dealings

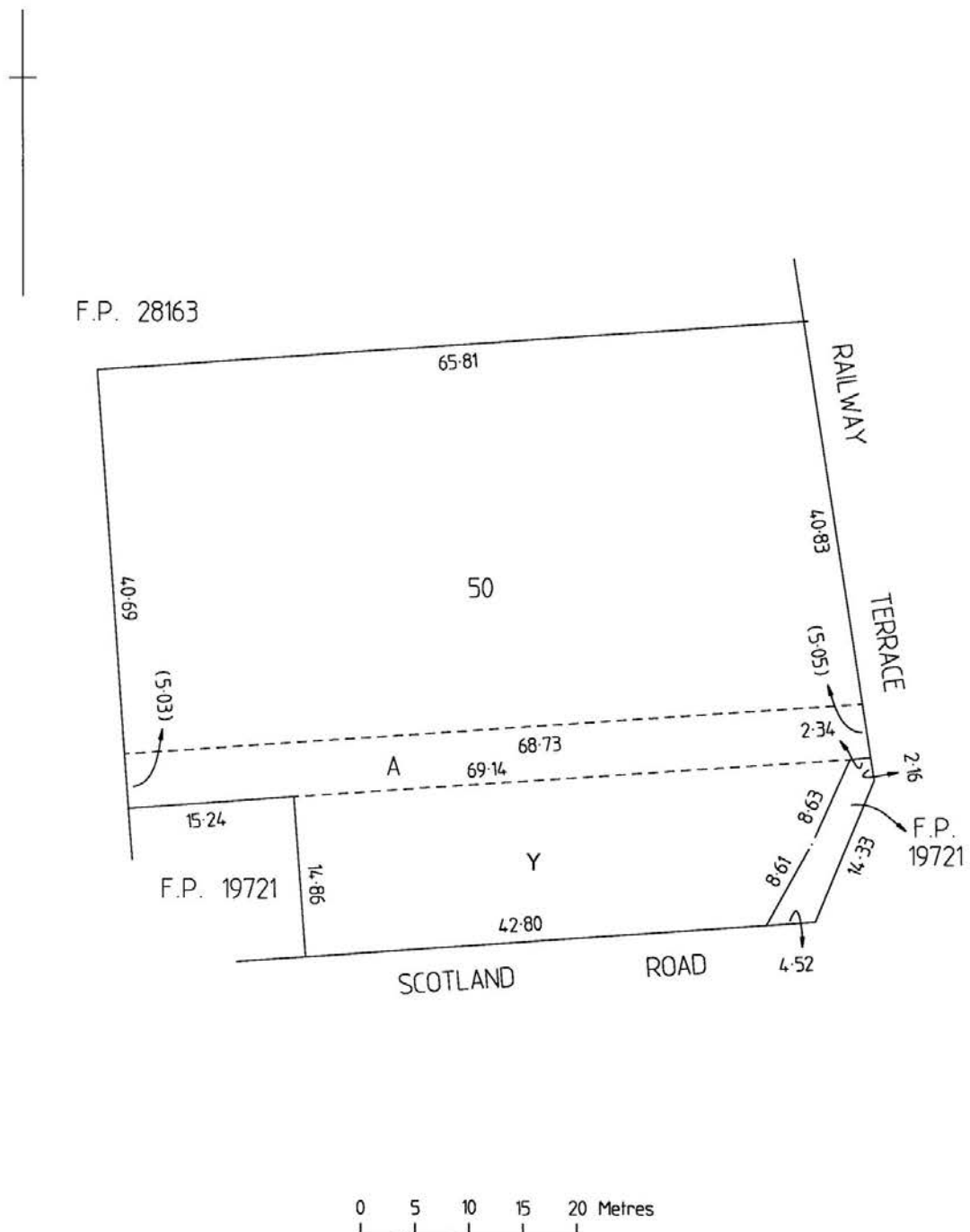
Dealing Number	Description
13056106	ENCUMBRANCE TO INGHAMS ENTERPRISES PTY. LTD. (ACN: 008 447 345)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product	Register Search (CT 5420/606)
Date/Time	09/04/2019 10:10AM
Customer Reference	51170
Order ID	20190409002353





Product	Register Search (CT 5420/607)
Date/Time	09/04/2019 10:13AM
Customer Reference	51170
Order ID	20190409002420



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5420 Folio 607

Parent Title(s) CT 4395/158

Creating Dealing(s) VE 8192048

Title Issued 21/05/1997

Edition 7

Edition Issued

08/02/2019

Estate Type

FEE SIMPLE

Registered Proprietor

COONARA PTY. LTD. (ACN: 007 891 509)
OF 106 LONGWOOD ROAD HEATHFIELD SA 5153

Description of Land

ALLOTMENT 149 FILED PLAN 19721
IN THE AREA NAMED MILE END SOUTH
HUNDRED OF ADELAIDE

Conditions

THE RIGHT OF WAY APPURTENANT AND ACCRUING BY VIRTUE OF SECTION 90 OF THE REAL PROPERTY ACT TO THE WITHIN LAND IS SURRENDERED TO THE EXTENT THAT THE SOUTH AUSTRALIAN COMPANY AND OTHER OWNERS OF LAND IN DP 2163 MAY ENJOY THE RIGHT TO CONSTRUCT MAINTAIN REPAIR AND USE A RAILWAY OVER ALLOTMENT 152 IN FP 19721 OR ANY PART THEREOF AS SET FORTH IN MEMORANDUM 688257

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13056106	ENCUMBRANCE TO INGHAMS ENTERPRISES PTY. LTD. (ACN: 008 447 345)

Notations

Dealings Affecting Title NIL

Priority Notices NIL

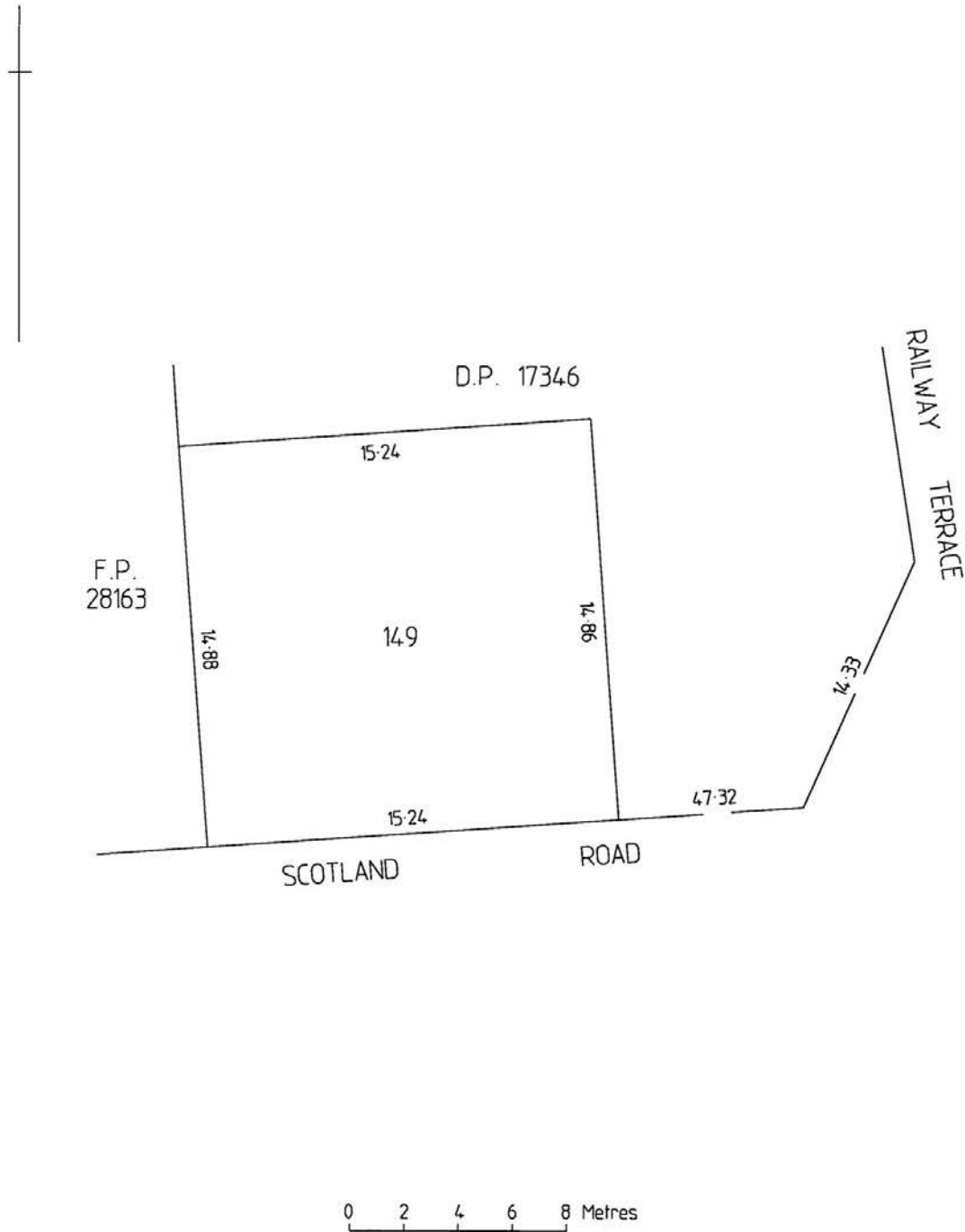
Notations on Plan NIL

Registrar-General's Notes NIL

Administrative Interests NIL



Product	Register Search (CT 5420/607)
Date/Time	09/04/2019 10:13AM
Customer Reference	51170
Order ID	20190409002420

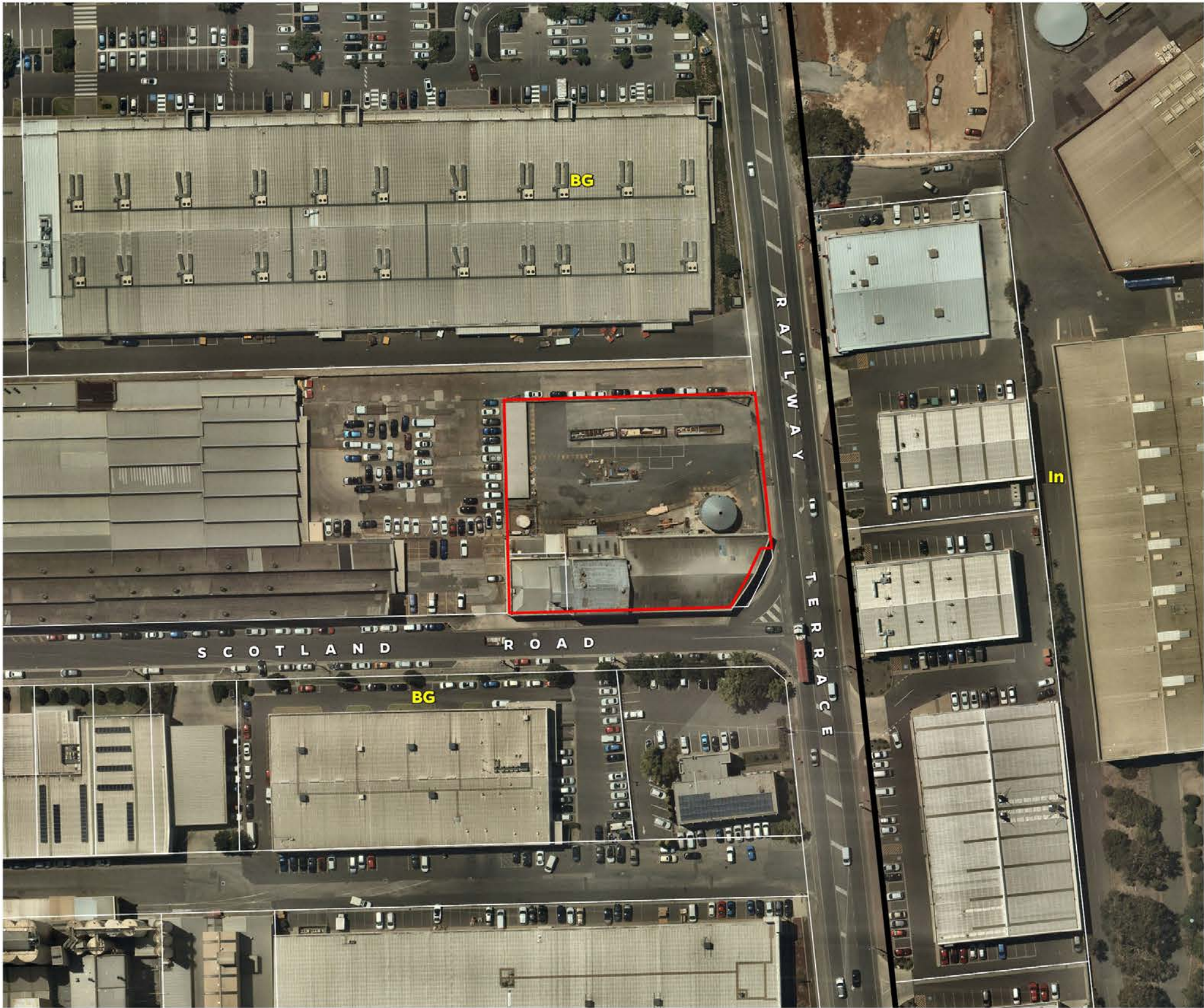


Land Services SA
Copyright Privacy Terms of Use: Copyright / Privacy / Terms of Use

Page 2 of 2

APPENDIX B

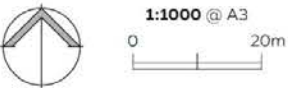
Locality Plan



- Subject Land
- Zone Boundary
- BG Bulky Goods
- In Industry
- No Policy Areas or Precincts exist in the locality

Locality Plan

154 - 156 Railway Terrace and 51 Scotland Road
MILE END
for City Holden

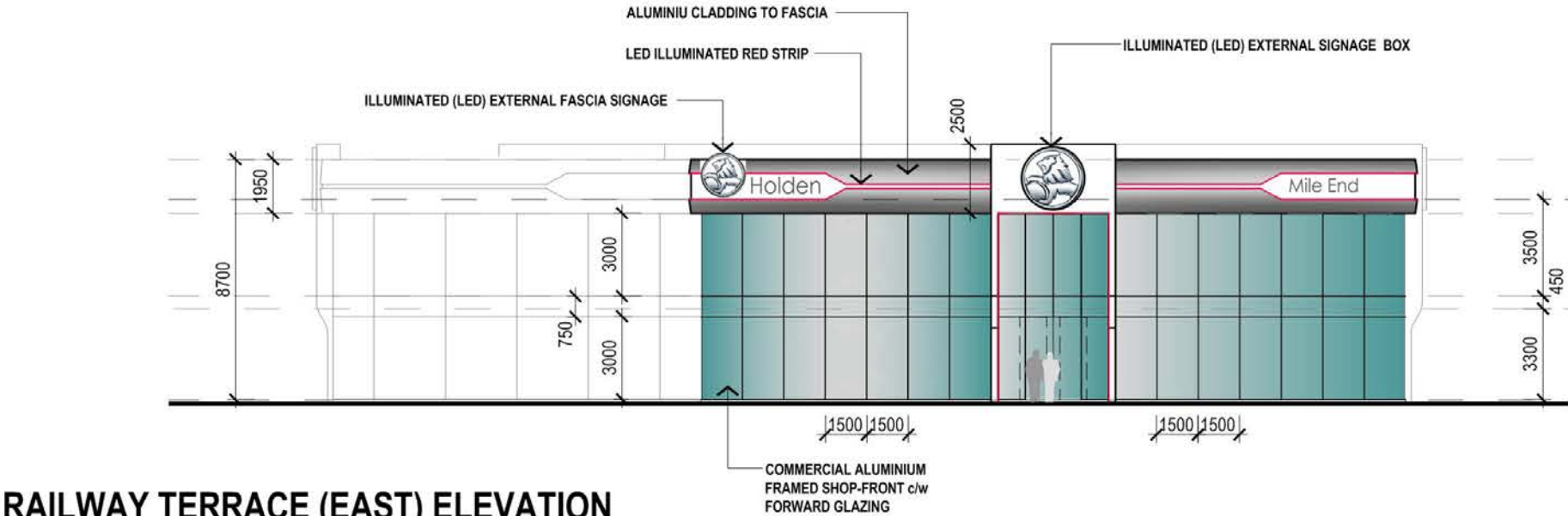


MASTERPLAN.COM.AU
SA | NT | QLD
© NOV 2019 DS:51170 1.0

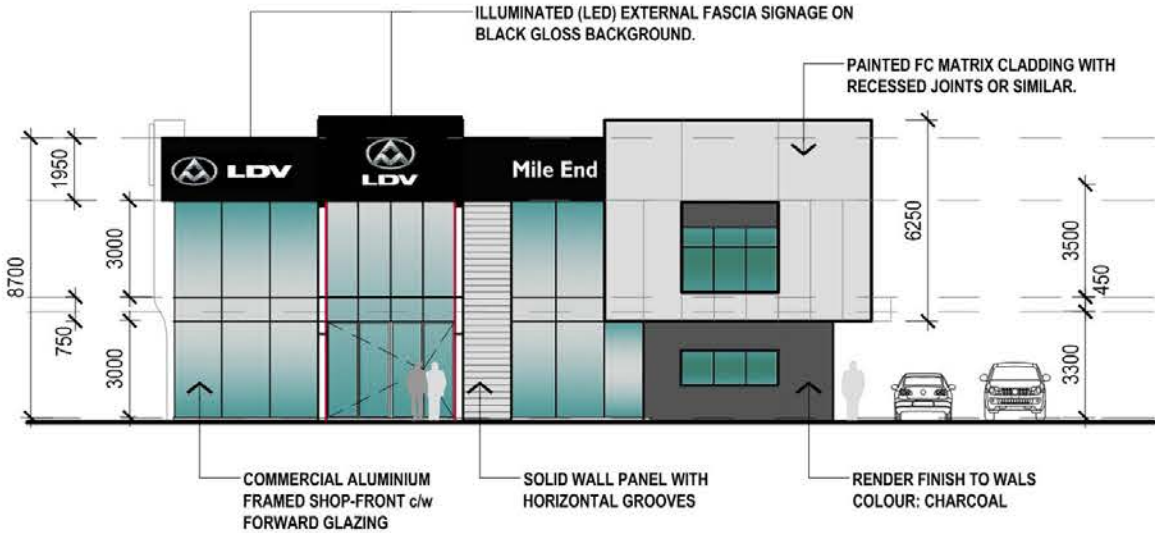
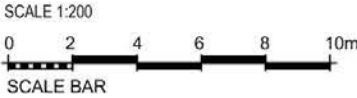


APPENDIX C

Elevations & Site Plan



RAILWAY TERRACE (EAST) ELEVATION



NORTH ELEVATION
OPTION 1

SCALE 1:200

A	ISSUE FOR PLANNING CONSENT	GZ	1/04/19
rev	details	drn	date



ASPEX BUILDING DESIGNERS Pty Ltd
Suite 5/83 Fullarton Road, Kent Town SA 5067
08 8130 3700

admin@aspexdesigners.com.au
www.aspexdesigners.com.au

ABN 73 090 085 037

© ASPEX BUILDING DESIGNERS Pty Ltd
Verifying all dimensions & setouts is the responsibility of the contractor.
This drawing should not be scaled. Discrepancies should be reported
immediately to the designer. This drawing shall be read in-conjunction
with all other drawings, documents and specifications.

project
PROPOSED CAR DEALERSHIP

address
152-156 Railway Terrace,
MILE END, SA

client
Commercial & General

sheet size
A3

scale
1:100

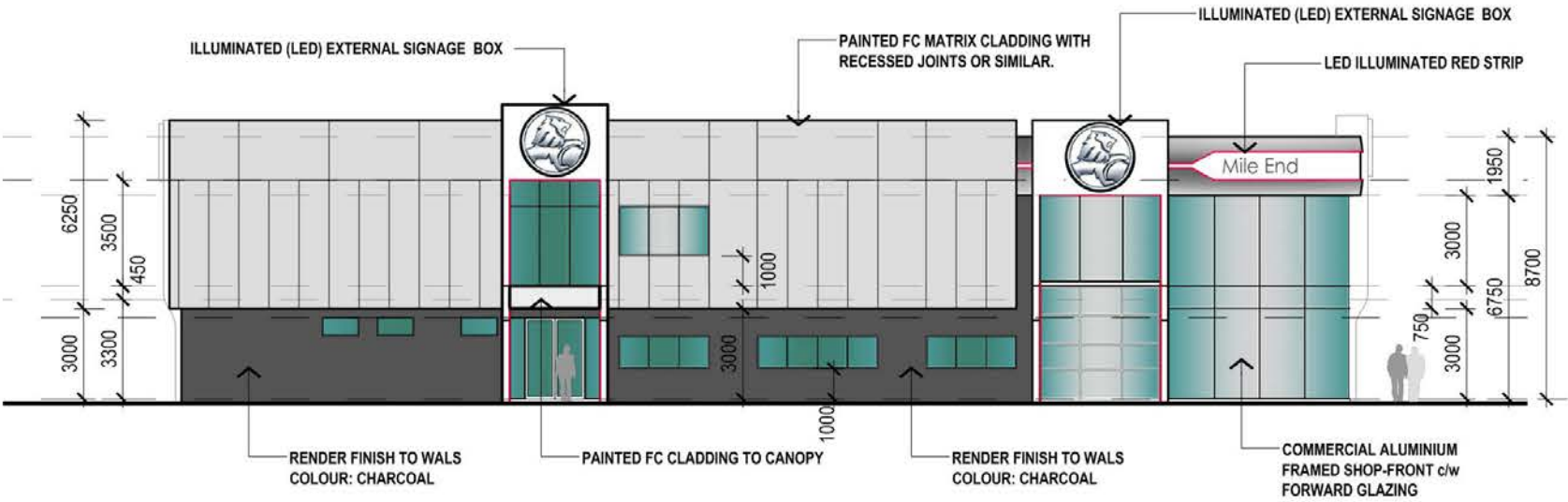
drawn
GZ

drawing title
ELEVATIONS

project no
COM 3571

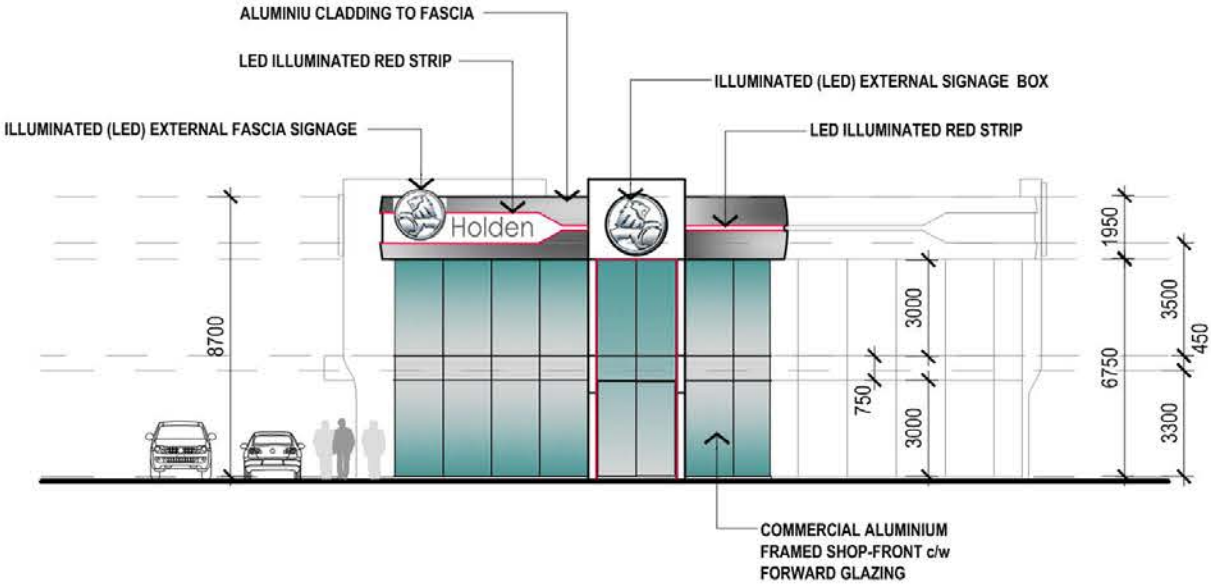
drawing no
PD06

revision no
A



WEST ELEVATION

SCALE 1:200
0 2 4 6 8 10m
SCALE BAR



**SOUTH ELEVATION
SCOTLAND ROAD**

SCALE 1:200

A	ISSUE FOR PLANNING CONSENT	GZ	1/04/19
rev	details	drn	date



ASPEX BUILDING DESIGNERS Pty Ltd
Suite 5/83 Fullarton Road, Kent Town SA 5067
08 8130 3700

admin@aspexdesigners.com.au
www.aspexdesigners.com.au

ABN 73 090 085 037

© ASPEX BUILDING DESIGNERS Pty Ltd
Verifying all dimensions & setouts is the responsibility of the contractor.
This drawing should not be scaled. Discrepancies should be reported
immediately to the designer. This drawing shall be read in-conjunction
with all other drawings, documents and specifications.

project
PROPOSED CAR DEALERSHIP

address
152-156 Railway Terrace,
MILE END, SA

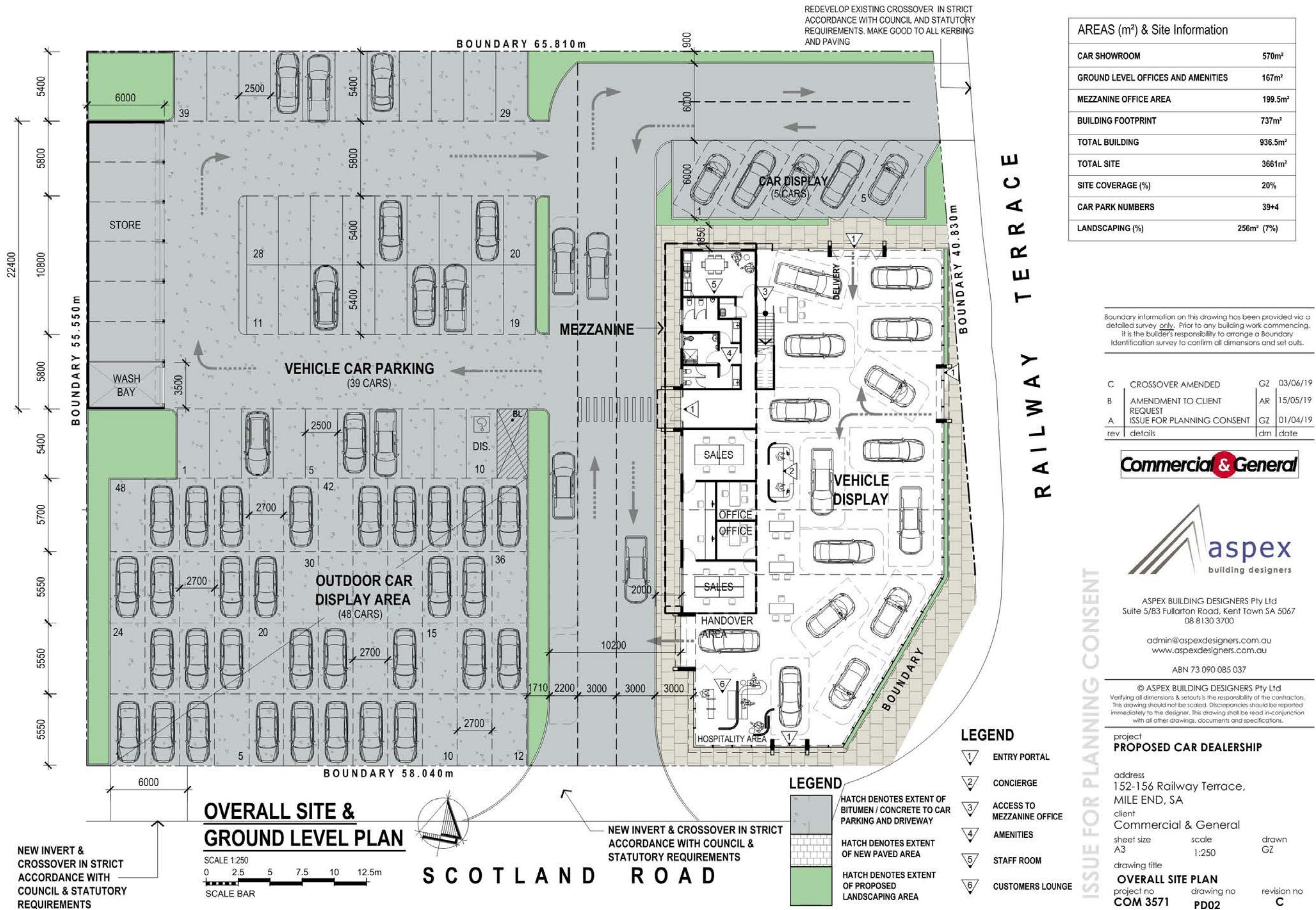
client
Commercial & General

sheet size scale drawn
A3 1:100 GZ

drawing title
ELEVATIONS

project no drawing no revision no
COM 3571 PD07 A

ISSUE FOR PLANNING CONSENT



6.7 14 Rowells Road, LOCKLEYS

Application No 211/1158/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Removal of a Significant Tree - Eucalyptus camaldulensis (River red gum)
APPLICANT	Dominic Poignand
LODGEMENT DATE	20 November 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"> Arboriculture Advisor
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> The relevant application proposes a merit form of development and, in the opinion of the delegate, should be refused, except where the application is to be refused for a failure to provide information pursuant to section 39 of the Act or where a referral agency direct that the application is refused pursuant to section 37 of the Act. 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	Refuse
AUTHOR	Sonia Gallarello

BACKGROUND

The subject tree has a lengthy development assessment history and was assessed and planning consent refused at the September 2019 CAP meeting.

The subject land once formed part of a kindergarten. In 2011, planning consent was granted for the pruning of eleven (11) river red gums, including the subject tree, on the kindergarten site. In May 2016, land division was granted for three (3) additional allotments and removal of three (3) regulated and four (4) significant trees. Allotment 100 was created from this land division with the intended land use as residential. The subject tree was required to be retained. In May 2018, planning consent was refused for the removal of one regulated and one significant tree (the subject tree).

This is the second application from the same applicant following the CAP's refusal in September 2019.

City Operations have kept a watchful eye over the tree and notified the previous owner on 16 April 2019 that the tree may need watering after they noticed the tree appeared to be in decline. The images below show this decline (with the canopy of the subject tree circled in green). The imagery also shows that the tree appeared to respond positively in the period between July and October 2019.



Figure 1: Aerial imagery of the subject tree 14-1-2019



Figure 2: Aerial imagery of the subject tree 28-3-2019



Figure 3: Aerial imagery of the subject tree 5-7-2019



Figure 4: Aerial imagery of the subject tree 11-10-2019

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 300 in Deposited Plan 114779 in the area named Lockleys, Hundred of Adelaide, Volume 6187 Folio 859. It is more commonly known as 14 Rowells Road, Lockleys. The subject site is rectangular in shape with a 12 metre (m) wide frontage to Rowells Road and an area of 497 square metres (m²).

It is noted that there are no encumbrances or Land Management Agreements on the Certificate of Title.

The site is relatively flat and is currently vacant.

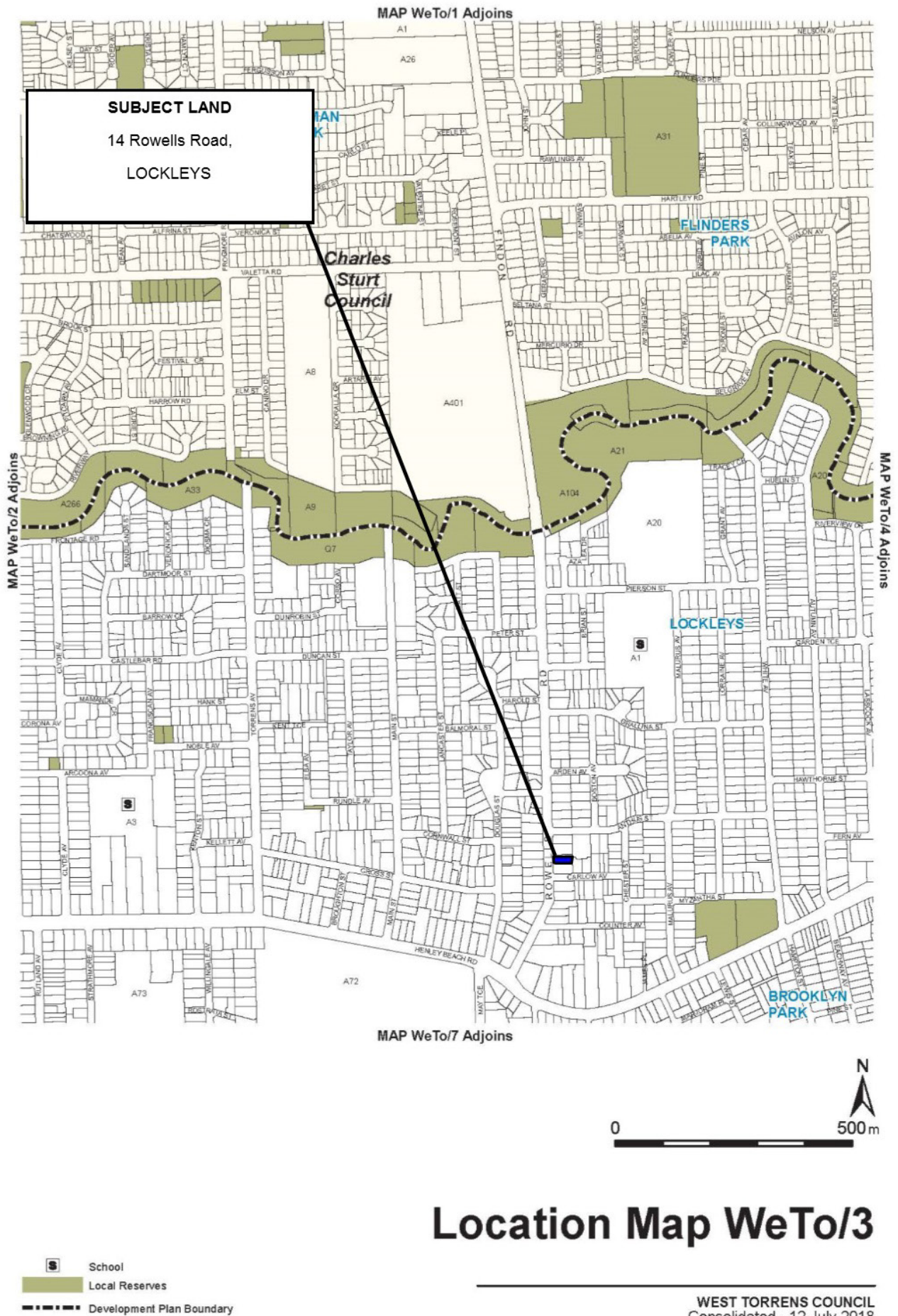
The locality largely consists of single storey detached dwellings on generously sized allotments. There are a number of larger trees in the locality that contribute to a positive amenity including along Rowells Road and near Anthus Street.

The subject tree, *Eucalyptus camaldulensis* (River red gum) is located close to the front boundary and approximately 6m from the northern property boundary. The tree has a trunk circumference of 4.4m when measured at 1m above natural ground level and is therefore considered to be a Significant Tree pursuant to Regulation 6A(2) of the *Development Regulations 2008*.

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

The subject site and locality are shown on the following aerial imagery and location map.





RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/799/2019	Removal of a significant tree	Refused	10 September 2019
211/461/2019	Removal of a significant tree	Withdrawn	20 August 2019
211/514/2017	Removal of one regulated and one significant tree	Refused	8 May 2018
211/1527/2015	Land division creating 3 additional allotments and removal of 3 regulated and 4 significant trees	Approved	31 May 2016
211/283/2011	Section 49 - pruning of 11 significant trees	Approved	3 May 2011

The subject tree was designated as 'highly worthy of retention' in Dean Nicolle's report within DA 211/514/2017. The removal of the tree was subsequently refused at the CAP meetings dated May 2018 and September 2019 respectively.

Council has not received a formal dwelling application for the subject site.

PROPOSAL

The applicant is seeking Development Approval for the removal of one (1) significant tree - *Eucalyptus camaldulensis* (River Red Gum).

The applicant has provided supporting information from Wallman Lawyers and Arborman Tree Solutions.

A copy of the application, legal letter and arborist report are contained in **Attachment 1**.

REFERRALS**Internal**

An updated Calypso (Council's Consultant Arborist) report has been received dated 10 December 2019.

The main points noted in this report include:

- The tree makes an important contribution to the character and amenity of the local area.
- The tree represents an important habitat for native fauna.
- The tree is part of a wildlife corridor of remnant area of vegetation.
- The tree is important to the maintenance of biodiversity in the local environment.
- The tree forms a notable visual element to the landscape of the local area.
- The tree is not diseased nor has a short life expectancy.
- The tree does not represent an unacceptable risk to public or private safety.
- The tree is not causing or threatening to cause substantial damage to a substantial building or structure.

Perhaps the most important point made within the Calypso report is that within 3 months a number of branches have grown healthy green foliage. Therefore it is possible that additional regrowth can occur. Recommended management measures are suggested for the tree such as nutrient boosters, watering and mulch.

Retention of the tree is recommended.

A full copy of the relevant referral report is contained in **Attachment 2**.

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Low Density Policy Area 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	4
Principles of Development Control	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>	

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

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

<i>Objectives</i>	<i>1</i>
<i>Principles of Development Control</i>	<i>2</i>

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

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

ASSESSMENT

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

Character and Visual Amenity

In *Prestige Wholesale v City of Burnside*, the Environment, Resources and Development (ERD) Court held that the initial question to ask in respect to a significant tree is whether the tree makes an important contribution to the local character or amenity of the local area, or whether it forms a notable visual element to the landscape of the local area. In that decision, the ERD Court held that if these issues are determined in the negative, it is not necessary to go further with the assessment and removal may be warranted.

The subject tree is one of a stand of four large river red gums trees that line Rowells Road and extend south toward Carlow Street. This tree is a significant tree with a large and solid trunk and associated branches. Despite the sparse canopy and yellow/brown appearance of the majority of the leaves, the tree is considered to have a strong presence in the locality, particularly from the north. Below are some pictures that highlight the visual presence of the tree along Rowells Road and from Carlow Street. The tree's appearance has improved with new growth evident within the canopy that was not apparent when the previous application was presented to the Panel in September 2019.

The following photos were taken on 18 December 2019.



Figure 5: view of the subject tree toward south-east



Figure 6: view of the subject tree with the subject land behind and toward northeast

The tree is sited some 6m from the northern boundary of 14 Rowells Road. The trees to the south are more visually prominent in terms of canopy cover and appearance (height, canopy volume and spread). Notwithstanding this, the subject tree has a height of approximately 20m and a canopy diameter of approximately 13m.

It is considered that the tree meets Objective 1 of the Significant Tree module as it provides an important aesthetic benefit. It is also considered that the tree makes an important contribution to the local area as per Principle of Development Control (PDC) 1(a) of the module. The tree has a strong presence along Rowells Road and in the locality more generally. It is evident that the tree in recent times has experienced an improvement in its health by way of a greener canopy with more dense foliage. The additional green foliage within the canopy creates a stronger presence in the locality.

Tree Species

The subject tree is a species that is indigenous to South Australia and the local area. However the species is not listed as rare or endangered, so removal of the tree could be supported by PDC 1(b) of the Significant Tree module.

Environment Benefit

It is considered that the subject tree provides important environmental benefits and an important habitat for native fauna whilst maintaining biodiversity of the local area. This is based on the indigenous status of the tree, its mature size and its location close to a number of other trees of the same species. While there are no hollows that appear to be occupied by native fauna, the tree forms part of row of mature trees that is deemed to be part of a wildlife corridor.

The proposed removal of the tree is therefore inconsistent with Objective 1 and PDCs 1(c) and 1(e) of the Significant Trees module.

Tree Health

It is interesting to note the change in the tree's health over the last 15 months. The last report for the September CAP highlighted the decline of the tree's health in the preceding 12 months, in particular the discolouration of the tree's canopy in the 6 months prior to that meeting. Since September 2019, the canopy has demonstrated additional green areas and signs of new growth.

Below are photos comparing the tree's canopy dated 22 August 2019 and 18 December 2019.



Figure 7: upper canopy demonstrating dry and sparse foliage - 22 August 2019



Figure 8: full extent of tree looking east - 22 August 2019



Figure 9: upper canopy showing additional areas of foliage and greener in colour - 18 December 2019



Figure 10: upper canopy showing additional areas of foliage and greener in colour - 18 December 2019



Figure 11: full extent of tree looking northeast - 18 December 2019

It appears from observation that there is an improvement in the tree's health in recent months. This is particularly evident when comparing Figures 8 and 11 which show an improvement in the colour and density of the foliage.

The latest Calypso report recommends medium to long term management of the tree with nutrient boosters, additional watering and mulch. It is therefore possible that the tree's health will continue to improve. Whilst recommended, unfortunately Council is unable to enforce this.

It is noted that the Arborman report dated 15 October, 2019 describes the tree's health as poor with 'substantial dieback in 95 percent of the crown'. Poisoning is highlighted as the reason for the substantial and rapid decline in the last few years, although there is no formal evidence of this.

Given the steady improvement of the appearance of the canopy over the last few months, it would be remiss of Council to support the removal of the tree and not allow time for further rejuvenation. Accordingly, the removal of the subject tree cannot be supported in accordance with PDC 3(a)(i) of the Significant Trees module.

Tree Structure and Risk to Safety

The main trunk of the tree is located approximately 6m from the northern boundary of the subject land and the nearest dwelling (attached carport) is around 11m from the trunk.

The tree has overhanging branches but these are not positioned directly over the adjacent dwelling. While the branches extend over the footpath and a portion of the road, Council's arborist has not raised concerns about the safety of the tree as the main unions appear sound. In addition, Council's arborist recommends nourishment of the tree and this should ensure the tree's sound structure and minimise its risk to safety.

In the absence of specific or notable structural defects within the tree, and a 'fair' structure assessment by the applicant's arborist, the tree is not considered to constitute an unacceptable risk to public or private safety. Therefore the tree's removal cannot be supported via PDC 3(a) (ii) of the Significant Tree module.

Appropriate Development

This development proposal is for tree removal only. A dwelling application has not yet been lodged for the subject site. It is noted that Appendix 3 of the Arborman report shows an indicative floor plan of a single storey detached dwelling. The front setback is proposed at 8.53m to the garage which includes a 20% encroachment of dwelling and driveway within the Tree Protection Zone (TPZ). Given the size of the allotment of around 500m² and the depth of the allotment of around 41 metres, there is opportunity for a dwelling to be set further back from Rowells Road and have a reduced encroachment within the TPZ and therefore on the tree.

Accordingly, removal of the subject tree cannot be supported by Objective 2 or PDC 3(d) of the Significant Trees module.

Alternative Remediation Treatments

The Arborman report considered remediation treatments including stem injection and soil amelioration. The report further determined that these measures would be ineffective.

The Calypso report recommended nutrient boosters, additional watering and mulch citing that this would be extremely beneficial for the tree.

Despite opposing views regarding these two matters, the tree is in a state of recovery therefore it would be prudent to implement some of the recommended measures to continue its state of recovery.

Given that alternative remediation treatments are available, tree removal at this time cannot be supported by PDCs 3(c), 3(d), and 3(e)(v) of the Significant Tree module.

SUMMARY

The subject tree has recovered in recent months with improvement to its foliage density and colour. It provides important aesthetic and environmental benefits to the local area given its maturity, indigenous status and capacity for habitat provision. At the time of writing there are signs of new growth and therefore recovery of the tree's health. The main trunk and unions of the upper branches appear stable and free from defects. The current risk to safety is considered to be low. It is acknowledged that ongoing maintenance of the tree and nourishment is imperative to ensure its longevity and low risk to safety.

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 does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 12 July 2018 and does not warrant Development Plan Consent or Development Approval.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/1158/2019 by Dominic Poignand for Removal of a Significant Tree - *Eucalyptus camaldulensis* (River red gum) at 14 Rowells Road, Lockleys (CT 6187/859) as the proposed development is contrary to the following provisions of the West Torrens Council Development Plan Consolidated 12 July 2018:

General Section, Significant Trees, Objective 1

Reason: The tree provides important aesthetic and environmental benefits.

General Section, Significant Trees, Objective 2

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

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

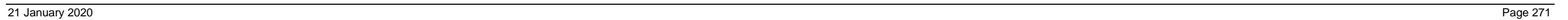
Reason: The tree makes an important contribution to the character and amenity of the local area, provides an important habitat for native fauna, is important to the maintenance of biodiversity in the local environment and forms a notable visual element to the landscape of the local area.

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

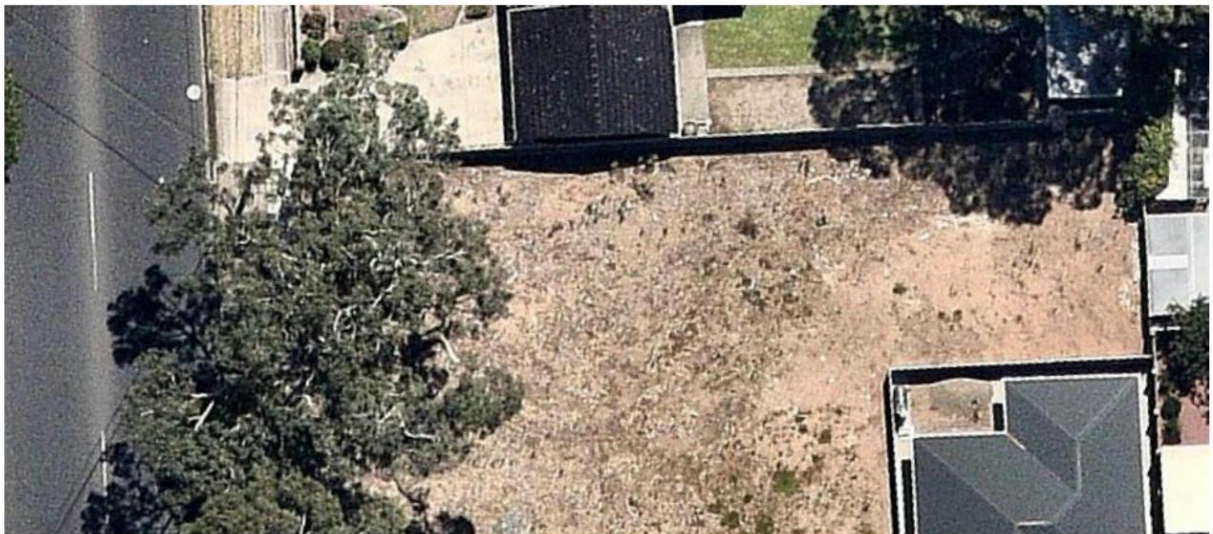
Reason: The tree is not diseased, its life expectancy is not short, it does not represent an unacceptable risk to public or private safety, is not currently causing or threatening to cause substantial damage to a substantial building or structure of value and reasonable alternative remediation options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

Attachments

1. Site plan, legal letter and arborist report
2. Council's arborist report



27 January 2019 – Source - Nearmap



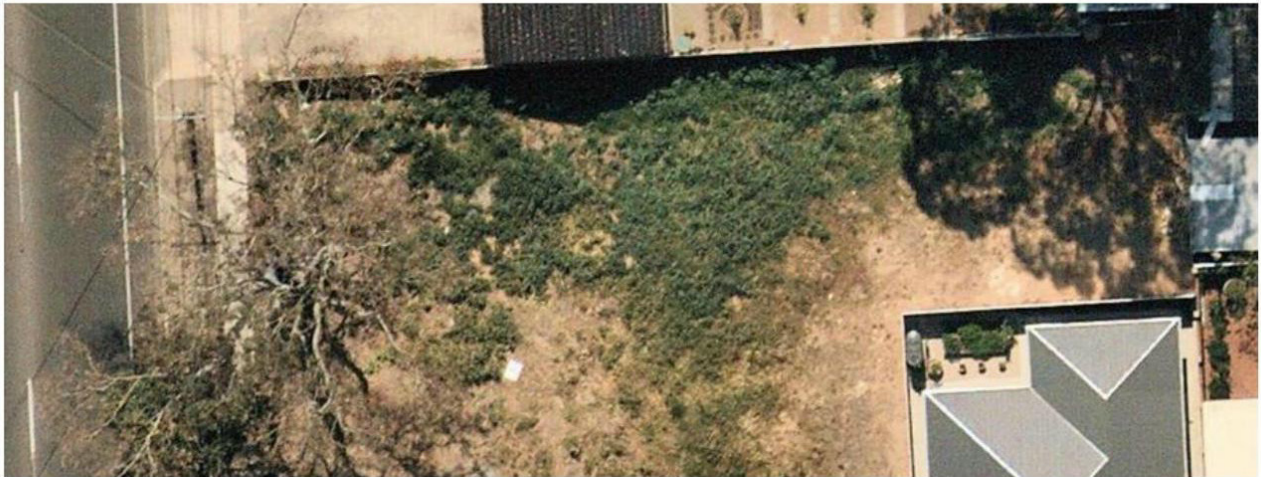
28 March 2019 – Source - Nearmap



22 June 2019 – Source - Nearmap



1 October 2019 – Source - Nearmap





Expert advice,
human approach.

L5, 400 King William St
Adelaide SA 5000

GPO Box 1018
Adelaide SA 5001

Tel (08) 8235 3000
Fax (08) 8232 0926

general@wallmans.com.au
www.wallmans.com.au

ABN 98 802 494 422

Our Ref: FJN:CMW:192981

Your Ref:

18 November 2019

CEO
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

AND BY EMAIL: csu@wtcc.sa.gov.au

Dear Sir

APPLICATION FOR REMOVAL OF A SIGNIFICANT EUCALYPTUS CAMALDULEMSIS (RIVER RED GUM) TREE AT 14 ROWELLS ROAD, LOCKLEYS

This firm acts for Mr Dominic Poignand in relation to his application for the removal of a significant *Eucalyptus camaldulemsis* (River Red Gum) ("Tree") from vacant land located at 14 Rowells Road, Lockleys (Land). Mr Poignand and his partner Ms Rosie Beare are the current owners of the land.

BACKGROUND

Mr Poignand and Ms Beare purchased the land on 14 June 2019. It is their intention to build their family home for themselves and their three year old daughter.

The land is approximately 500 square metres and is one of four allotments that were created from one larger balance allotment. I am instructed that the land was previously used as a childcare centre.

Soon after the purchase of the Land, Mr Poignand entered into a contract with a builder for the preparation of the proposal plans to construct a three bedroom family home. It is also their intention at some time in the future, to construct a pool in their rear yard. It was hoped that these applications would be submitted soon after the purchase of the allotment.

Following settlement on the sale of the property, Mr Poignand became aware that the vendor, Mr Frank Salandra had submitted a development application for tree damaging activity, namely the removal of the Tree. At that stage of assessment, I believe that there was an outstanding request for further information (section 39(2) *Development Act 1993* ('Act')) by the Council for an arborist report. I am instructed that an arborist had not examined the tree prior to Mr Poignand purchasing the Land.

Following settlement, it was suggested by Council's planner, Sonia Gallarello that the application be transferred to Mr Poignand to progress the application in place of Mr Frank Salandra. The application was subsequently transferred to Mr Poignard.

2324472_1::192981::FJN:CMW

On 2 July 2019, Mr Dean Nicolle, a well-known arborist inspected the tree and advised that the *"tree was currently alive, but has significantly deteriorated in health over the last year or two. The symptoms of its reduced health are consistent with the accidental or intentional chemical poisoning of the tree"*

I note that Mr Nicolle had not been instructed, nor had he provided a full arboricultural assessment and report regarding the Tree. The extent of Mr Nicolle's consideration of the Tree was contained within an email to Mr Poignand dated 7 August 2019 that was provided to the Council. The Council had also not requested a full report be provided beyond the 10 line email from Mr Nicolle.

I am instructed that this was also the first time that Mr Poignand became aware that the tree may have been poisoned. Aerial images downloaded from Nearmap appear to show the serious decline of the tree commencing from about January 2019. Well before Mr Poignand purchased the land. Please see **attached** the Nearmap images showing the decline of the Tree.

Mr Poignand, not being familiar with the development assessment process was not aware that a more detailed report was required or should have been provided.

The application subsequently went before the Council Assessment Panel at their meeting on 10 September 2019. Development Application No: 211/799/2019 was refused by the Council Assessment Panel at that meeting.

ARBORCULTURAL ASSESSMENT

Since the determination of that application Mr Poignand has obtained a comprehensive arboricultural report from *Arborman Tree Solutions ("Arborman Report")*. Also a well-known and recognised arboricultural firm. Please find **enclosed** a copy of that report dated 15 October 2019.

You will see that the Arborman report concludes that the tree is dying and *"Removal is recommended due to its poor condition"*.

I am instructed that given the size of the allotment, access issues and Mr Poignand's intention to install a pool in the rear yard, there is little flexibility to amend the proposed setback for a dwelling. Particularly if they want to keep sufficient useable private open space available for their family.

Had the tree not been poisoned and was in good to excellent health, Mr Poignand instructed that he would have been prepared to keep the tree and incorporate building design conducive to the retention of the tree, such as a gravel or permeable paving for the driveway.

Further, the Arborman Report notes that:

"the location of the tree is such that it is restricting access to an approved subdivision and there is no realistic opportunity to achieve access and/or development with the tree in situ. Given the tree's poor condition, limited aesthetic and environmental contribution and lack of alternate design options, the removal of the tree to accommodate the development of this allotment is considered to be reasonable and warranted."

There has unfortunately been no sign of the tree recovering over the winter period. In fact, when viewing the Nearmaps images, the tree appears to have even further declined.

Arborman concluded in their report that *"there are no Aboricultural practices or reasonable and available building alternatives which could support this development due to the poor condition the tree presents"*.

PLANNING CONSIDERATIONS

In terms of assessment against the Council's Development Plan and the Regulated Tree Planning Policy, Arborman Tree Solutions have concluded that:

- *The tree does not provide important aesthetic and environmental benefit.*
- *The proposal seeks to remove the subject tree as it is currently restricting the development of the allotment.*
- *The tree does not provide an important contribution to the character or amenity of the local area; whilst this tree is large it is in poor condition and does not provide character above and beyond what is expected of a specimen of this age, condition and location.*
- *The tree is indigenous to the area however, it is not listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species.*
- *The tree is not considered to provide habitat value above and beyond what is expected of a specimen of this age and condition, therefore it is not considered to provide important habitat for native fauna.*
- *The tree is not part of a wildlife corridor or a remnant area of native vegetation.*
- *The tree is not considered to be important to the maintenance of biodiversity in the local environment.*
- *The tree does not form a notable visual element to the landscape of the local area, the condition of the tree is such that it cannot be considered to be notable, striking, eminent or prominent.*
- *The tree has poor health with a short life expectancy.*
- *The tree currently has a Low Risk Rating (TRAQ) this will increase as the trees condition deteriorates further and the usage of the site changes.*
- *The location of the subject tree is such that the proposed development cannot be achieved whilst the tree remains; remedial treatments and protection measures are not available.*
- *The proposed development has been designed in accordance with the relevant guidelines for this type of development. Due to the site constraints and layout of the subdivision the retention of the subject tree cannot be achieved.*
- *The design has considered the subject tree to ensure its aesthetic appearance, health and integrity remains unchanged, however, the subject tree cannot be incorporated into the development and as such the application includes its removal.*
- *The land division has been approved and an allotment has been created for development.*
- *The tree is preventing the development of the approved allotment and therefore seeks the removal of one Significant Tree.*

My client now finds himself in the unfortunate situation whereby he cannot proceed to construct his family home due to circumstances beyond his control. He has purchased land with a dying (possibly poisoned) tree. If he wishes to proceed with his dwelling application and the tree is retained, then there is always a risk that the Tree will fall into further decline which will result in limb-drop and risk to his family.

RISK TO SAFETY

It is well accepted by the Courts that in circumstances such as these the degree of risk is implicitly accepted particularly where there is power of the owner to reduce the risk posed.

However in this case, should a dwelling be constructed on the land, the risk of retaining the tree is high, particularly given that the Arborman Report concludes that there is no likely recovery of the Tree. In *Qiao v City of Burnside [2011] SAERDC 53* Commissioner Green stated at paragraph 48:

"I consider that the die was cast back in the mid-80s with approvals and construction of dwellings, including that on the subject land, in very near/to close, a proximity to the subject tree, in favour of development and away from conservation. I conclude that the tree should be removed (and as soon as possible on safety risk grounds), and that such proposal sufficiently meets the development plan criteria and is not seriously at variance with the plan, to warrant a decision to consent to the application for removal. In this matter private interests and issues outweigh the public interest of tree conservation."

Despite this application, Mr Poignand has also instructed that he is prepared to plant a replacement tree or trees of a suitable species and location to be agreed upon with the Council

SUMMARY

Through no fault of his own, Mr Poignand is in a very unfortunate position. He has purchased land that he cannot build his family home upon. He has inherited tree that may have been poisoned and he is unable to proceed as he had planned.

On this basis, the West Torrens Council and the Council Assessment Panel are requested to look favourably on Mr Poignand's application and grant development plan consent for the removal of the tree.

Yours faithfully
WALLMANS LAWYERS



FELICITY NIEMANN
Special Counsel
Direct Line: 08 8235 3032
Email: felicity.niemann@wallmans.com.au



Development Impact Report

Site: 14 Rowells Road, Lockleys

Date: Tuesday, 15 October 2019

ATS5687-014RowRdDIR

Contents

Executive Summary	1
Brief	2
Documents and Information Provided	2
Site Location	2
Assessment	3
Development Plan Requirements	4
Recommendation	6
Glossary.....	7
References.....	7
Definitions	7

Appendix A - Tree Assessment Methodology

Appendix B – Tree Assessment Findings

Appendix C – Mapping

Report Reference Number: ATS5687-014RowRdDIR

Report prepared for
Dominic Poignand

Author
Peter Oates, Consulting Arborist,
Arborman Tree Solutions Pty Ltd



Executive Summary

Arborman Tree Solutions was engaged by the property owner to assess one tree (subject tree) located at 14 Rowells Road, Lockleys. The site has been cleared and subdivided into four allotments; the tree is located within the proposed building envelope of the new dwelling in one of the divided allotments. The subject tree was identified as a mature specimen of *Eucalyptus camaldulensis* (River Red Gum) displaying poor overall condition.

The tree is recognised as a Significant Tree as per the *Development Act 1993* and has been assessed accordingly. As a mature specimen, in poor condition it is not considered to provide an important contribution to either the character or the environment.

The tree displayed poor health attributes such as foliage dieback in approximately 95 percent of the crown; and is likely a result of chemical poisoning. Consideration has been given to effective and reasonable remediation methods such as stem and soil injections, however neither will improve the health or vitality the tree and/or are ineffective.

The location of the tree is such that it is restricting access to an approved subdivision and there is no realistic opportunity to achieve access and/or development with the tree in situ. Given the tree's poor condition, limited aesthetic and environmental contribution and the lack of alternative design options, the removal of the tree to accommodate the development of this allotment is considered to be reasonable and warranted.

Brief

This assessment will determine the potential impacts to the tree in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009). Additionally, the proposal will be assessed to determine if it can be successfully achieved whilst retaining the tree. Information in relation to the following points has also been provided: -

- Assess the health and structure of the subject tree.
- Assess the tree against the *Development Act 1993* and the local development plan.
- Recommend management for the tree potentially including crown and root zone treatment and management principles.
- Provide any additional relevant information.

Documents and Information Provided

The following information was provided for the preparation of this assessment: -

- Site Plan – “*Mirrored Site plan due to Tree*”.

Site Location

The site is located 14 Rowells Road, Lockleys.

Figure 1 Site Location





Assessment

Arborman Tree Solutions was engaged by the property owner to assess one tree (subject tree) located at 14 Rowells Road, Lockleys. The site has been cleared and subdivided into four allotments; the tree is located within the proposed building envelope of a new dwelling which is within one of the divided allotments. This assessment will determine the potential impacts to the tree in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009). Additionally, the proposal will be assessed to determine if it can be successfully achieved whilst retaining the tree.

The subject tree identified as a mature specimen of *Eucalyptus camaldulensis* (River Red Gum) displaying poor overall condition. The tree is recognised as a Significant Tree as per the *Development Act 1993* and has been assessed accordingly. As a mature specimen, in poor condition it is not considered to provide an important contribution to either the character or environment of the local area; whilst this tree is large it is in poor condition and does not provide character above and beyond what is expected of a specimen of this age, condition and location. The tree is indigenous to the area however, it is not considered to be a remnant tree and provides limited amenity to the area due to its poor condition. Furthermore, the tree also provides no benefit to native fauna and biodiversity of the area with no nesting sites or active hollows identified with the crown.

The tree displayed poor health attributes such as substantial foliage dieback in approximately 95 percent of the crown. This is likely a result of chemical poisoning; as indicated by the expedited nature of the dieback which has occurred over a two-year period which is far quicker than that of other natural causes such as pest or disease attack. Consideration has been given to effective and reasonable remediation methods such as stem and soil injections.

The following health remediation methods were determined to be ineffective/unreasonable;

1. Stem Injection has been considered as a potential remediation option; however, it may only partially improve the condition of the subject tree, but the decline of this nature cannot be prevented, and it will only stall the inevitable shutdown of the subject tree. As the tree has no considerable heritage or emotional value, this poor-quality specimen does not warrant short term treatments such as this.
2. Soil amelioration has been considered as a potential remediation option; however, it is unlikely that the overall condition will improve with no guaranteed result in a long-term impact on tree condition. As it has no considerable heritage or emotional value this poor-quality specimen does not warrant short term treatments such as these.

The redevelopment of the subject land includes the construction of a single storey dwelling and supporting infrastructure (see Appendix C - Mapping) whilst this particular species of eucalypt has a resilient nature to both root disturbance and changes within its environment, the trees condition is not conducive towards a redevelopment of this nature. The encroachment within the Tree Protection Zone has been calculated at 20% and it intersects a quadrant of the Structural Root Zone. Ordinarily this encroachment could be supported as there are tree friendly methods to mitigate the potential impacts from a development such as this. However, there are no Arboricultural practices or reasonable and available building alternatives which could support this development due to the poor condition the tree presents; therefore, tree removal is the only available option.



Development Plan Requirements

Arborman Tree Solutions undertook an Arboricultural Impact Assessment of one Significant Tree located at 14 Rowells Road, Lockleys. Findings on individual tree health and structure are presented within Appendix B - Tree Assessment Findings. This tree has been assessed against the relevant Objective and Principles of Development Control that apply to Significant Trees as defined in the City of West Torrens Development Plan.

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

This tree does not provide important aesthetic and environmental benefit.

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

The proposal seeks to remove the subject tree as it is currently restricting the development of the allotment.

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

This tree does not achieve any of the following attributes.

- (a) *makes an important contribution to the character or amenity of the local area; or*
This tree does not provide an important contribution to the character or amenity of the local area; whilst this tree is large it is in poor condition and does not provide character above and beyond what is expected of a specimen of this age, condition and location.
- (b) *is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*
This tree is indigenous to the area however, it is not listed under the *National Parks and Wildlife Act 1972* as a rare or endangered native species.
- (c) *represents an important habitat for native fauna*
The tree is not considered to provide habitat value above and beyond what is expected of a specimen of this age and condition, therefore it is not considered to provide important habitat for native fauna.
- (d) *is part of a wildlife corridor of a remnant area of native vegetation*
This tree is not part of a wildlife corridor of a remnant area of native vegetation.
- (e) *is important to the maintenance of biodiversity in the local environment*
This tree is not considered to be important to the maintenance of biodiversity in the local environment.
- (f) *forms a notable visual element to the landscape of the local area.*
This tree does not form a notable visual element to the landscape of the local area, the condition of the tree is such that it cannot be considered to be notable, striking, eminent or prominent.



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

The proposal seeks to remove one Significant Tree.

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

(a) *in the case of tree removal:*

(i) *the tree is diseased, and its life expectancy is short;*

The tree has poor health with a short life expectancy.

(ii) *the tree represents an unacceptable risk to public or private safety; or*

The tree currently has a Low Risk Rating (TRAQ) this will increase as the trees condition deteriorates further and the usage of the site changes.

(iii) *the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area; or*

This tree is not within a Bushfire Prone Area.

(b) *the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value;*

This tree has not shown to be causing substantial damage to a substantial building or structure of value.

(c) *all other reasonable remedial treatments and measures have been determined to be ineffective;*

The location of the subject tree is such that the proposed development cannot be achieved whilst the tree remains; remedial treatments and protection measures are not available.

(d) *it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.*

The proposed development has been designed in accordance with the relevant guidelines for this type of development. Due to the site constraints and layout of the subdivision the retention of the subject tree cannot be achieved.

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

The design has considered the subject tree to ensure its aesthetic appearance, health and integrity remains unchanged, however, the subject tree cannot be incorporated into the development and as such the application includes its removal.

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

The land division has been approved and an allotment has been created for development. The tree is preventing the development of the approved allotment and therefore seeks the removal of one Significant Tree.



Recommendation

Removal of the subject tree has been recommended due to its poor condition as limited remedial options are available. The tree does not achieve criteria that indicate its retention is required, and there are no Arboricultural practices or reasonable and available building alternatives which could support this development due to the poor condition the tree presents.

Development approval is required from the City of West Torrens prior to the removal of this tree.

Thank you for the opportunity to provide this report. Should you require further information, please do not hesitate to contact me and I will be happy to assist.

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Oates', written in a cursive style.

PETER OATES

Consulting Arboriculturist

Diploma of Arboriculture

International Society of Arboriculture (ISA) – Tree Risk Assessment (TRAQ)

Quantified Tree Risk Assessment (QTRA) Licensee – 5774

VALID Tree Risk Assessment (VALID) – 2018

Australian Arborist Tier 1 License AL2959

Arbiculture Australia - Registered Consulting Arborist





Glossary

Size:	approximate height and width of tree in metres.
Age:	identification of the maturity of the subject tree.
Useful Life Expectancy:	expected number of the years that the subject specimen will remain alive and sound and/or continues to achieve the relevant <i>Principles of Development Control</i> .
Health:	visual assessment of tree health.
Structure:	visual assessment of tree structure.
Circumference:	trunk circumference measured at one metre above ground level. This measurement is used to determine the status of the tree in relation to the <i>Development Act 1993</i> .
Tree Damaging Activity	Tree damaging activity includes those activities described within the <i>Development Act 1993</i> such as removal, killing, lopping, ringbarking or topping or any other substantial damage such as mechanical or chemical damage, filling or cutting of soil within the TPZ. This can also include forms of pruning above and below the ground.

References

Australian Standard AS4373–2007 *Pruning of amenity trees*: Standards Australia.

Australian Standard AS4970-2009 *Protection of trees on development sites*: Standards Australia.

Keane P.J. Kile G.D. Podger F.D. Brown B.N. 2000: *Diseases and Pathogens of Eucalypts*: CSIRO Publishing, 150 Oxford Street, Collingwood, Victoria 3066 Australia

Definitions

Important: When assessing trees against the *Development Act 1993* and local Development Plan the term "Important" is used when assessing a tree's amenity, aesthetic and environmental contribution. Commissioner Nolan of the Environment, Resource and Development Court in the case of *Savoy Developments Pty Ltd v Town of Gawler* [2013] SAERDC 32 defined "Important" in the following manner:

"In my view, for habitat to be raised to the level of 'important' (as sought by Objective 2(d)), it must be beyond that likely to be expected in any mature tree of indigenous origins – that is, it is beyond the normal level that might be expected or that it is so unique or special that it may be considered important."

Whilst this definition relates to Habitat Value this definition has been considered and applied when assessing all Objectives that use the term "Important"



Appendix A - Tree Assessment Methodology



Tree Assessment Form (TAF©)

Record	Description
Tree	In botanical science, a tree is a perennial plant which consists of one or multiple trunks which supports branches and leaves. Trees are generally taller than 5 metres and will live for more than ten seasons, with some species that live for hundreds or thousands of seasons.
Genus and Species	Botanical taxonomy of trees uses the binominal system of a genus and species, often there are subspecies and subgenus as well as cultivars. When identifying tree species, identification techniques such as assessing the tree's form, flower, stem, fruit and location are used. Identifying the right species is critical in assessing the tree's legalisation and environmental benefit. All efforts are made to correctly identify each tree to species level, where possible. Genus is the broader group to which the tree belongs e.g. <i>Eucalyptus</i> , <i>Fraxinus</i> and <i>Melaleuca</i> . Species identifies the specific tree within the genus e.g. <i>Eucalyptus camaldulensis</i> , <i>Fraxinus griffithii</i> or <i>Melaleuca styphelioides</i> . Trees will also be assigned the most commonly used Common Name. Common Names are not generally used for identification due to their nonspecific use, i.e. <i>Melia azedarach</i> is commonly known as White Cedar in South Australia but is also called Chinaberry Tree, Pride of India, Bead-tree, Cape Lilac, Syringa Berrytree, Persian Lilac, and Indian Lilac; equally similar common names can refer to trees from completely different Genus e.g. Swamp Oak, Tasmanian Oak and English Oak are from the <i>Casuarina</i> , <i>Eucalyptus</i> and <i>Quercus</i> genus's respectively.
Height	Tree height is estimated by the arborist at the time of assessment. Tree height is observed and recorded in the following ranges; <5m, 5-10m, 10-15m and >20m.
Spread	Tree crown spread is estimated by the arborist at the time of assessment and recorded in the following ranges <5m, 5-10m, 10-15m, 15-20m, >20m.
Health	Tree health is assessed using the Arborman Tree Solutions - Tree Health Assessment Method that is based on international best practice.
Structure	Tree structure is assessed using Arborman Tree Solutions - Tree Structure Assessment Method that is based on international best practice.
Tree Risk Assessment	Tree Risk is assessed using Tree Risk Assessment methodology. The person conducting the assessment has been trained in the International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ), Quantified Tree Risk Assessment (QTRA) and/or VALID Tree Risk Assessment (VALID). Refer to the Methodology within the report for additional information.
Legislative Status	Legislation status is identified through the interpretation of the <i>Development Act 1993</i> , the <i>Natural Resource Management Act 2004</i> , the <i>Native Vegetation Act 1991</i> and/or any other legislation that may apply.
Mitigation	Measures to reduce tree risk, improve tree condition, remove structural flaws, manage other conditions as appropriate may be recommended in the form of pruning and is listed in the Tree Assessment Findings (Appendix B). Tree pruning is recommended in accordance with AS4373-2007 <i>Pruning amenity trees</i> where practicable. Where measures to mitigate risk is not possible and the risk is unacceptable, then tree removal or further investigation is recommended.



Useful Life Expectancy (ULE)

ULE Rating	Definition
Surpassed	The tree has surpassed its Useful Life Expectancy. Trees that achieve a surpassed ULE may do so due to poor health, structure or form. Additionally, trees that are poorly located such as under high voltage powerlines or too close to structures may also achieve a surpassed ULE. Trees that achieve this status will be recommended for removal as there are no reasonable options to retain them.
<10 years	The tree displays either or both Poor Health and/or Structure and is considered to have a short Useful Life Expectancy of less than ten years. Some short-lived species such as <i>Acacia</i> sp. may naturally achieve a short ULE.
>10 years	The tree displays Fair Health or Structure and Good Health or Structure and is considered to have a Useful Life Expectancy of ten years or more. Trees identified as having a ULE of >10, will require mitigation such as pruning, stem injections or soil amelioration to increase their ULE.
>20 years	The tree displays Good Health and Structure and is considered to have an extended Useful Life Expectancy of more than twenty years.

Maturity (Age)

Age Class	Definition
Senescent	The tree has surpassed its optimum growing period and is declining and/or reducing in size. May be considered as a veteran in relation to its ongoing management. Tree will have generally reached greater than 80% of its expected life expectancy.
Mature	A mature tree is one that has reached its expected overall size, although the tree's trunk is still expected to continue growing. Tree maturity is also assessed based on species; as some trees are much longer lived than others. Tree will have generally reached 20-80% of its expected life expectancy.
Semi Mature	A tree which has established but has not yet reached maturity. Normally tree establishment practices such as watering will have ceased. Tree will generally not have reached 20% of its expected life expectancy.
Juvenile	A newly planted tree or one which is not yet established in the landscape. Tree establishment practices such as regular watering will still be in place. Tree will generally be a newly planted specimen up to five years old; this may be species dependant.

Tree Health Assessment (THA©)

Category	Description
Good	Tree displays normal vigour, uniform leaf colour, no or minor dieback (<5%), crown density (>90%). When a tree is deciduous, healthy axillary buds and typical internode length is used to determine its health. A tree with good health would show no sign of disease and no or minor pest infestation was identified. The tree has little to no pest and/or disease infestation.
Fair	Tree displays reduced vigour abnormal leaf colour, a moderate level of dieback (<15%), crown density (>70%) and in deciduous trees, reduced axillary buds and internode length. Minor pest and/or disease infestation potentially impacting on tree health. Trees with fair health have the potential to recover with reasonable remedial treatments.
Poor	Tree displays an advanced state of decline with low or no vigour, chlorotic or dull leaf colour, with high crown dieback (>15%), low crown density (<70%) and/or in deciduous trees, few or small axillary buds and shortened internode length. Pest and or disease infestation is evident and/or widespread. Trees with poor health are highly unlikely to recover with any remedial treatments; these trees have declined beyond the point of reversal.
Dead	The tree has died and has no opportunity for recovery.



Tree Structural Assessment (TSA©)

Category	Description
Good	Little to no branch failure observed within the crown, well-formed unions, no included bark, good branch and trunk taper present, root buttressing and root plate are typical. Trees that are identified as having good health display expected condition for their age, species and location.
Fair	The tree may display one or more of the following a history of minor branch failure, included bark unions may be present however, are stable at this time, acceptable branch and trunk taper present, root buttressing and root plate are typical. Trees with fair structure will generally require reasonable remediation methods to ensure the tree's structure remains viable.
Poor	History of significant branch failure observed in the crown, poorly formed unions, unstable included bark unions present, branch and/or trunk taper is abnormal, root buttressing and/or root plate are atypical.
Failed	The structure of the tree has or is in the process of collapsing.

Tree Form Assessment (TFA©)

Category	Description
Good	Form is typical of the species and has not been altered by structures, the environment or other trees.
Fair	The form has minor impacts from structures, the environment or adjacent trees which has altered its shape. There may be slight phototropic response noted or moderate pruning which has altered the tree's form.
Poor	The tree's form has been substantially impacted by structures, the environment, pruning or other trees. Phototropic response is evident and unlikely to be corrected.
Atypical	Tree form is highly irregular due to structures or other trees impacting its ability to correctly mature. Extreme phototropic response is evident; or the tree has had a substantial failure resulting in its poor condition, or extensive pruning has altered the tree's form irreversibly.

Priority

Category	Description
Low	Identified works within this priority should be carried out within 12 months.
Medium	Identified works within this priority should be carried out within 6 months.
High	Identified works within this priority should be carried out within 3 months.
Urgent	Identified works within this priority should be carried out immediately. Works within this priority rating will be brought to attention of the responsible person at the time of assessment.



Tree Retention Rating (TRR)

The Tree Retention Rating is based on a number of factors that are identified as part of the standard tree assessment criteria including Condition, Size, Environmental, Amenity and Special Values. These factors are combined in a number of matrices to provide a Preliminary Tree Retention Rating and a Tree Retention Rating Modifier which combine to provide a Tree Retention Rating that is measurable, consistent and repeatable.

Preliminary Tree Retention Rating

The Preliminary Tree Retention Rating is conducted assessing Tree Health and Structure to give an overall Condition Rating and Height and Spread to give an overall Size Rating. The following matrices identify how these are derived.

Condition Matrix				
Structure	Health			
	Good	Fair	Poor	Dead
Good	C1	C2	C3	C4
Fair	C2	C2	C3	C4
Poor	C3	C3	C4	C4
Failed	C4	C4	C4	C4

Size Matrix					
Spread	Height				
	>20	15-20	10-15	5-10	<5
>20	S1	S1	S1	S2	S3
15-20	S1	S1	S2	S3	S3
10-15	S1	S2	S2	S3	S4
5-10	S2	S3	S3	S4	S5
<5	S3	S3	S4	S5	S5

The results from the Condition and Size Matrices are then placed in the Preliminary Tree Retention Rating Matrix.

Preliminary Tree Retention Rating				
Size	Condition			
	C1	C2	C3	C4
S1	High	Moderate	Low	Low
S2	Moderate	Moderate	Low	Low
S3	Moderate	Moderate	Low	Low
S4	Moderate	Moderate	Low	Low
S5	Low	Low	Low	Low

The Preliminary Tree Retention Rating gives a base rating for all trees regardless of other environmental and/or amenity factors and any Special Value considerations. The Preliminary Tree Retention Rating can only be modified if these factors are considered to be of high or low enough importance to warrant increasing or, in a few cases, lowering the original rating.



Tree Retention Rating Modifier

The Preliminary Tree Retention Rating is then qualified against the recognised Environmental and Amenity benefits that trees present to the community thereby providing a quantitative measure to determine the overall Tree Retention Rating. Data is collected in relation to Environmental and Amenity attributes which are compared through a set of matrices to produce a Tree Retention Rating Modifier.

Environmental Matrix				
Origin	Habitat			
	Active	Inactive	Potential	No Habitat
Indigenous	E1	E1	E2	E3
Native	E1	E2	E3	E3
Exotic	E2	E3	E3	E4
Weed	E3	E3	E4	E4

Amenity Matrix				
Character	Aesthetics			
	High	Moderate	Low	None
Important	P1	P1	P2	P3
Moderate	P1	P2	P3	P3
Low	P2	P3	P3	P4
None	P3	P3	P4	P4

Tree Retention Rating Modifier				
Amenity	Environment			
	E1	E2	E3	E4
P1	High	High	Moderate	Moderate
P2	High	Moderate	Moderate	Moderate
P3	Moderate	Moderate	Moderate	Moderate
P4	Moderate	Moderate	Moderate	Low

Tree Retention Rating

The results of the Preliminary Tree Retention Rating and the Tree Retention Rating Modifier matrices are combined in a final matrix to give the actual Tree Retention Rating.

Tree Retention Rating Matrix			
Tree Retention Rating Modifier	Preliminary Tree Retention Rating		
	High	Moderate	Low
High	Important	High	Moderate
Moderate	High	Moderate	Low
Low	Moderate	Low	Low



Special Value Trees

There are potentially trees that have Special Value for reasons outside of normal Arboricultural assessment protocols and therefore would not have been considered in the assessment to this point; to allow for this a Special Value characteristic that can override the Tree Retention Rating can be selected. Special Value characteristics that could override the Tree Retention Rating would include factors such as the following:

Cultural Values

Memorial Trees, Avenue of Honour Trees, Aboriginal Heritage Trees, Trees planted by Dignitaries and various other potential categories.

Environmental Values

Rare or Endangered species, Remnant Vegetation, Important Habitat for rare or endangered wildlife, substantial habitat value in an important biodiversity area and various other potential categories.

Where a tree achieves one or more Special Value characteristics the Tree Retention Rating will automatically be overridden and assigned the value of Important.

Tree Retention Rating Definitions

- Important** These trees are considered to be important and will in almost all instances be required to be retained within any future development/redevelopment. It is highly unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should as a minimum be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites* however given the level of importance additional considerations may be required.
- High** These trees are considered to be important and will in most instances be required to be retained within any future development/redevelopment. It is unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.
- Moderate** These trees are considered to be suitable for retention however they achieve less positive attributes than the trees rated as Important or High and as such their removal or other tree damaging activity is more likely to be considered to be acceptable in an otherwise reasonable and expected development. The design process should where possible look to retain trees with a Moderate Retention Rating. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.
- Low** These trees are not considered to be suitable for retention in any future development/redevelopment; trees in this category do not warrant special works or design modifications to allow for their retention. Trees in this category are likely to be approved for removal and/or other tree damaging activity in an otherwise reasonable and expected development. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.



Development Impact Assessment

Potential development impacts were determined in accordance with Australian Standard 4970-2009 *Protection of trees on development sites*. The identification of the impact of development considers a number of factors including the following:

- a. The extent of encroachment into a tree's Tree Protection Zone by the proposed development as a percentage of the area.
- b. Results of any non-destructive exploratory investigations that may have occurred to determine root activity.
- c. Any required pruning that may be needed to accommodate the proposed development.
- d. Tree species and tolerance to root disturbance.
- e. Age, vigour and size of the tree.
- f. Lean and stability of the tree.
- g. Soil characteristics and volume, topography and drainage.
- h. The presence of existing or past structures or obstacles potentially affecting root growth.
- i. Design factors incorporated into the proposed development to minimise impact.

Impacts were classified into the following categories:

- **None** The proposed development does not impact on the tree.
- **Low** The proposed development is unlikely to impact the health of the tree.
- **Moderate** The proposed development is expected to impact the health of the tree however mitigation strategies are available to maintain tree condition.
- **High** The proposed development is expected to substantially the health and potentially the stability of the tree.
- **Conflicted** The proposed development substantially affects the tree including the Structural Root and/ the trunk.

Trees with an impact identified as 'Low' require general Tree Protection Zone management.

Trees with Low Retention Ratings and High or Conflicted impacts are recommended for removal as alternative designs or installation methods are not warranted.

Trees with a Moderate Retention Rating and High or Conflicted impacts are recommended for further investigation such as minor design alteration, other considerations or removal.

Trees with a High Retention Rating and High or Conflicted impacts are recommended for alternative installation methods, alternative designs or if these are not practicable or are unreasonable, tree removal may be recommended.



Appendix B - Tree Assessment Findings

Eucalyptus camaldulensis

Tree No: 1

River Red Gum

Inspected:	24 September 2019
Height:	>20 metres
Spread:	>15 metres
Health:	Poor
Structure:	Fair
Form:	Atypical
Trunk Circumference:	4.60 metres
Useful Life Expectancy:	<10 years
Tree Protection Zone:	15.00 metres
Structural Root Zone:	3.96 metres

**Observations**

This tree displays substantial dieback within 95% of the crown and this atypical condition is likely as a result of chemical poisoning.

Legislative Status**Significant**

This tree is identified as a Significant Tree as defined in the Development Act 1993. This tree has a trunk circumference greater than three metres and is not subject to any exemption from regulation.

Retention Rating**Low**

This tree has a Low Retention Rating and should not form a material constraint to the redevelopment of this site.

Development Impact**Substantial**

The identified encroachment is greater than 20% of the Tree Protection Zone area and impacts a quadrant of the Structural Root Zone.

Recommendation**Remove**

Tree removal is required to support the proposed development.



Published 15/10/2019

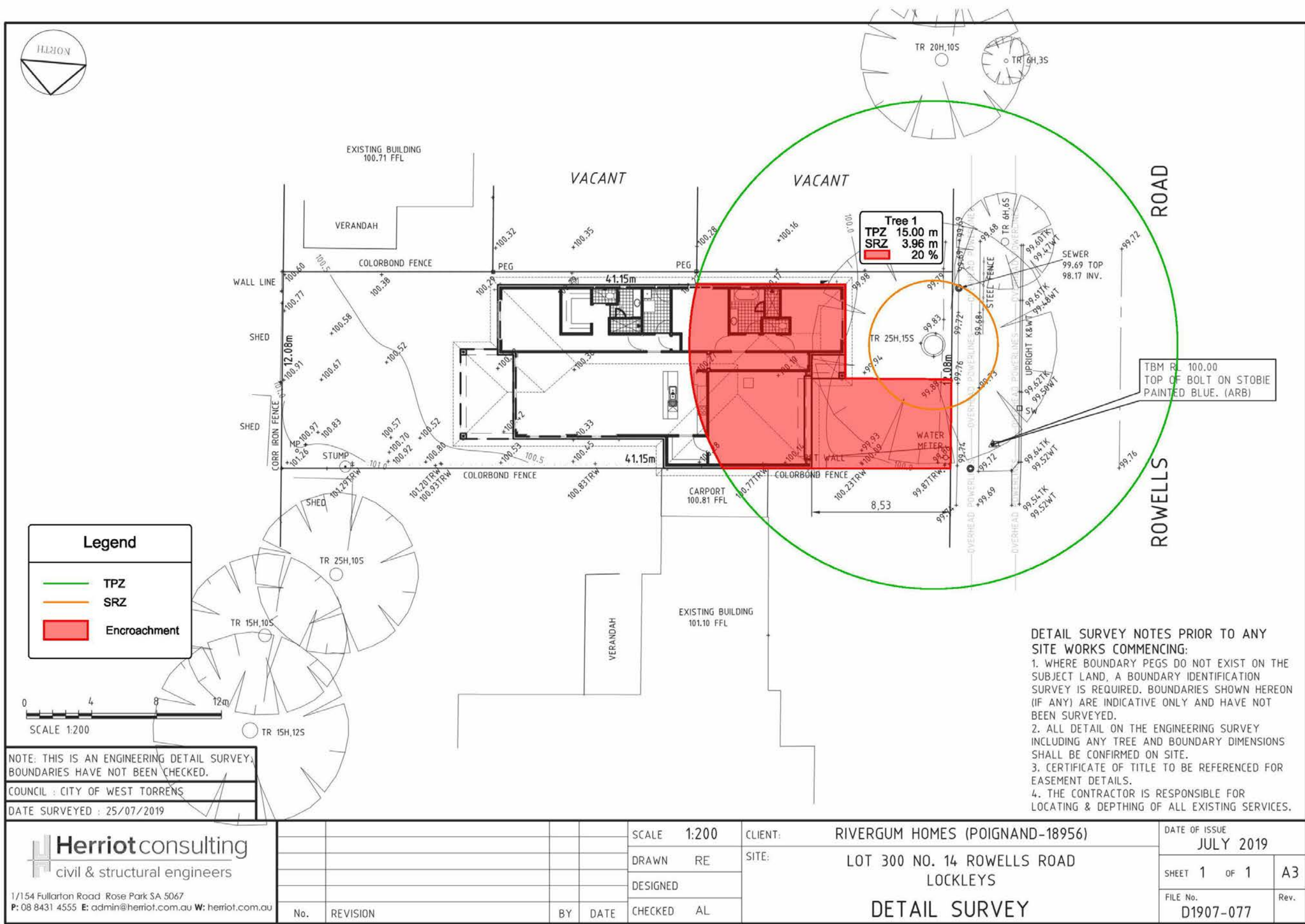
Development Impact Report

Page 1 of 1

ATS5687-014RowRdDIR - 14 Rowells Road, Lockleys



Appendix C - Mapping



Arboricultural Assessment of Non-Council Owned Significant Tree/s

Development Application No: **211/1158/2019**

Referral Due Date:

Assessing Officer:

Site Address: **14 Rowells Road, LOCKLEYS SA 5032**

Certificate of Title: **CT-CT-6187/859**

Description of Development **Removal of significant tree - Eucalyptus camaldulensis (River Red gum)**

Please contact the assessing officer on 8416 6288 or email sgallarello@wtcc.sa.gov.au if any further information is required and to send completed referral responses.

To be completed by: **TECHNICAL OFFICER ARORICULTURE – CITY WORKS**

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

TOTAL CIRCUMFERENCE: **4400mm**

MULTI-TRUNK: **No**

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

OBJECTIVE 1

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

OBJECTIVE 2:

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

PDC 1:

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

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

PDC 2:

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

PDC 3:

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

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

PDC 4:

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

PDC 5

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

ADDITIONAL COMMENTS:

I have examined the plans as requested and provide comments as follow:

Based on previous inspections, the subject tree appeared to rapidly decline approximately 12 months ago and has been unable to fully recover. One epicormic shoot present on the main trunk was the only healthy-looking branch on the tree, however, following heavy rains in mid June green pigment has returned to some parts of the canopy showing that the tree had not deceased.

Symptoms exhibited are indicative of a rapid decline due to poor growing conditions (e.g. drought), soil compaction, root disturbances, poisoning or a termite infestation. Following a thorough inspection of the trunk and surrounding area, no evidence of intentional poisoning was found, however, within the last six months, contractors were engaged to remove two healthy large limbs from within the canopy to make the tree look healthier.

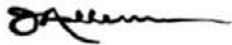
I believe the most likely cause for decline is a combination of soil compaction caused by heavy machinery during recent site work, resulting in root damage. Despite the tree's current unhealthy appearance, the large diameter timber still appears green and healthy, so I do not believe the likelihood of major limb failure has increased at this stage.

During the most recent site inspection, undertaken early December 2019, multiple branches have reflushed with healthy green foliage within the space of only 3 months. If this level of regrowth continues, the entire canopy could be restored within 12-18 months.

Having given consideration to the plans provided, and observations made of the tree, I conclude that the desired outcome of 'tree removal' is unjustified, as the applicant has not provided sufficient evidence that can be considered as satisfying the criteria required. Due to the historical and environmental significance of this tree, its retention is recommended and warranted. I believe medium to long- term management through use of nutrient boosters, additional watering and mulch will be extremely beneficial for the tree.

RECOMMENDATION:

RETAIN



Jarrad Allen

Calypso Tree Co.

Date: 10/12/19



Figures 1-3: Top left showing tree condition in August 2019. Top right and bottom showing tree in December 2019 with multiple patches of regrowth.

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 - January 2020

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

Nil

Matters pending determination by SCAP

Reason for referral	DA number	Address	Description of development
Schedule 10	211/M030/18	192 ANZAC Highway, GLANDORE	Eight-storey RFB, 40 dwellings & removal of regulated tree
Schedule 10	211/M015/19	1 Glenburnie Terrace, PLYMPTON	Six-storey RFB, 32 dwellings & associated car parking
Schedule 10	211/M018/19	6 Ebor Avenue, MILE END	Mixed use building comprising ground floor shop & residential apartments

Matters pending determination by the Minister of Planning

Reason for referral	DA number	Address	Description of development
Section 46	211/D129/19	9, 7, 292-304, 410 Elizabeth, Marion, Anzac Highway, PLYMPTON	Boundary re-alignment
Section 46	211/C130/19	7, 5, 3, 1 Elizabeth Street, PLYMPTON	Community division
Section 49	211/V007/12 V3	Lot 2 in FP 1000, West Beach Road WEST BEACH	Variation - removal of east-west internal road

Matters pending determination by the Governor of South Australia

Nil

Deferred CAP Items

Nil

Conclusion

This report is current as at 9 January 2020.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Attachments

Nil

9 OTHER BUSINESS

10 MEETING CLOSE