

CITY OF WEST TORRENS



Notice of Panel Meeting

NOTICE IS HEREBY GIVEN in accordance with Section 56A(19) of the Development Act 1993, that a meeting of the

DEVELOPMENT ASSESSMENT PANEL

of the

CITY OF WEST TORRENS

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

on

TUESDAY, 12 JANUARY 2016
at 5.00 PM

Terry Buss
Chief Executive Officer

City of West Torrens Disclaimer

Development Assessment Panel

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

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

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1. MEETING OPENED

1.1 Evacuation Procedure

2. PRESENT

3. APOLOGIES

4. CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Panel held on 8 December 2015 be confirmed as a true and correct record.

5. DISCLOSURE STATEMENTS

The following information should be considered by Development Assessment Panel Members prior to a meeting:

Action to be taken prior to consideration of a matter

Sections 2(4)(5) of the Minister's Code of Conduct - Section 21A of the Development Act 1993 requires that:

"If you consider that you have, or might reasonably be perceived to have an interest in the matter before the panel, you must clearly state the nature of that interest in writing to the presiding member before the matter is considered.

If you consider that you have a personal interest which may be in conflict with your public duty to act impartially and in accordance with the principles of the Act, you must declare a conflict of interest as above."

Action to be taken after making a declaration of interest:

Section 2(6) of the Minister's Code of Conduct - Section 21A of the Development Act 1993 requires that:

"If you have an interest in a matter, you must not partake in any of the assessment processes involving the matter. You must leave the room at any time in which the matter is discussed by the panel including during the hearing of any representations or during any vote on the matter. You must not vote on the matter and you must not move or second any motion or participate in any discussion through the consensus process."

If an interest has been declared by any member of the panel, the presiding member must record the nature of the interest in the minutes of meeting.

The following disclosures of interest have been made in relation to:

Item

Panel Member

6. REPORTS OF THE CHIEF EXECUTIVE OFFICER

6.1 50 Riverside Drive, FULHAM

Application No. 211/481/2015 and 211/1210/2015

Appearing before the Panel will be:

Representors: **Kim and Parish Forrest** of 48 Riverside Drive wish to appear in support of their representation.

Applicant/s: **Wendy Bartholemew** of Rossdale Homes wishes to appear to respond to representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Torrens Title land division (DAC No. 211/D149/15) to create one (1) additional allotment	Construction of two (2) two storey dwellings each including a double garage and alfresco under the main roof
APPLICANT	K Southgate	Rossdale Homes Pty Ltd
APPLICATION NO	211/1210/2015	211/481/2015
LODGEMENT DATE	14 October 2015	4 May 2015
ZONE	Residential Zone	Residential Zone
POLICY AREA	Low Density Policy Area 21	Low Density Policy Area 21
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> ▪ Nil External <ul style="list-style-type: none"> ▪ DAC and SA Water 	Internal <ul style="list-style-type: none"> ▪ City Assets ▪ City Works External <ul style="list-style-type: none"> ▪ Nil
DEVELOPMENT PLAN VERSION	25 June 2015	25 September 2014
MEETING DATE	12 January 2016	12 January 2016
RECOMMENDATION	CONSENT	CONSENT

BACKGROUND

The subject land use and land division applications were lodged on 4 May and 14 October 2015 respectively and are presented to the Development Assessment Panel (DAP) for the following reason:

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

PREVIOUS or RELATED APPLICATION(S)

- DA 211/17651/1990 - Addition (Development Approval granted on 21 December 1990)
- DA 211/19475/1993 - Carport/Pergola (Development Approval granted on 15 March 1993)

SITE AND LOCALITY

The subject land is described as Allotment 26 Deposited Plan 4924 in the area named Fulham Hundred of Adelaide as contained in Certificate of Title Volume 5645 Folio 693. The land is more commonly known as 50 Riverside Drive, Fulham.

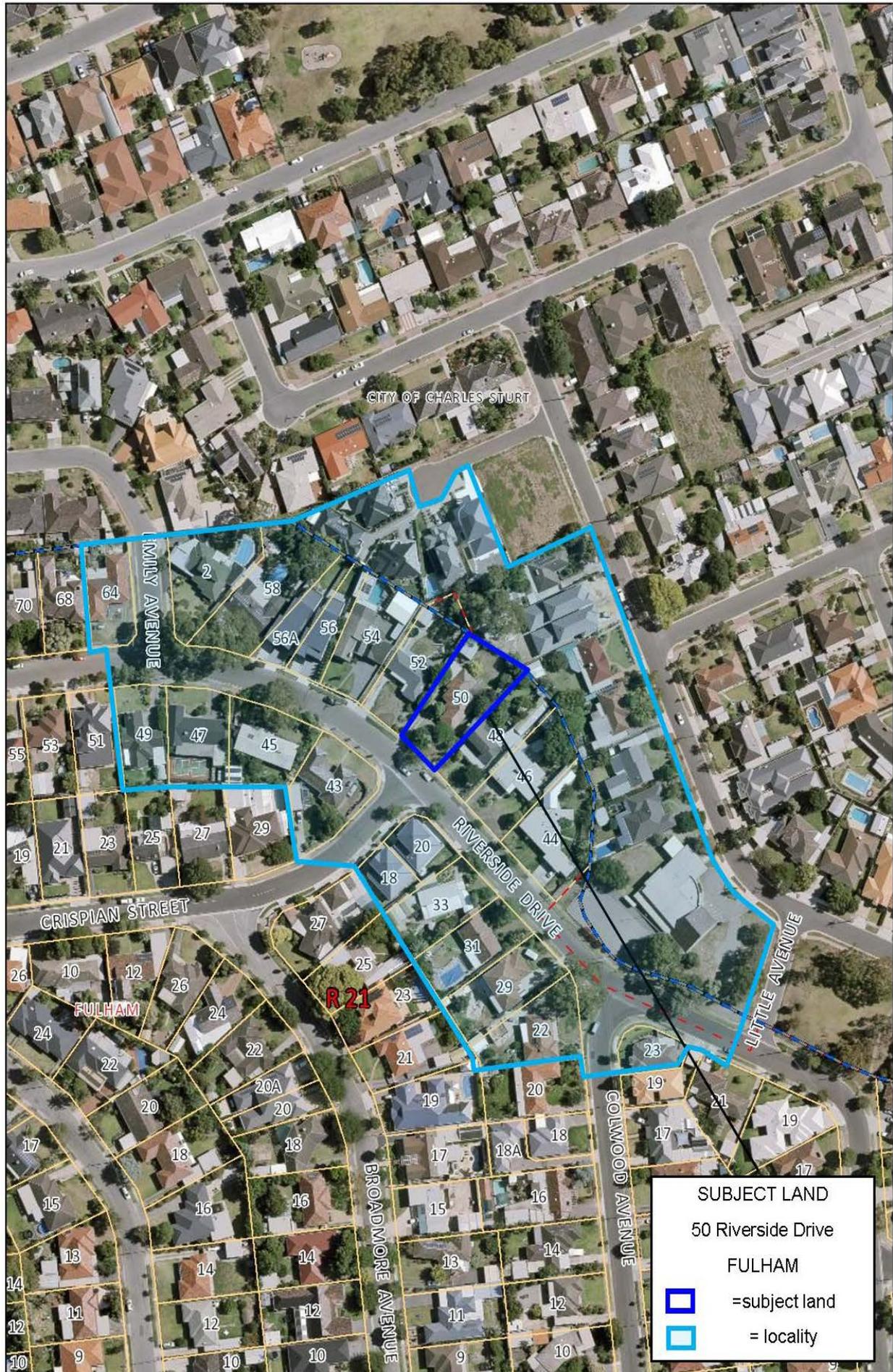
The subject land is an irregular shaped allotment of approximately 1,034 square metres with a frontage of 16.8 metres to Riverside Drive and a site depth of 51.8 metres. The site contains a single storey detached dwelling constructed circa 1950 and ancillary structures including a carport, verandah and outbuilding/garage.

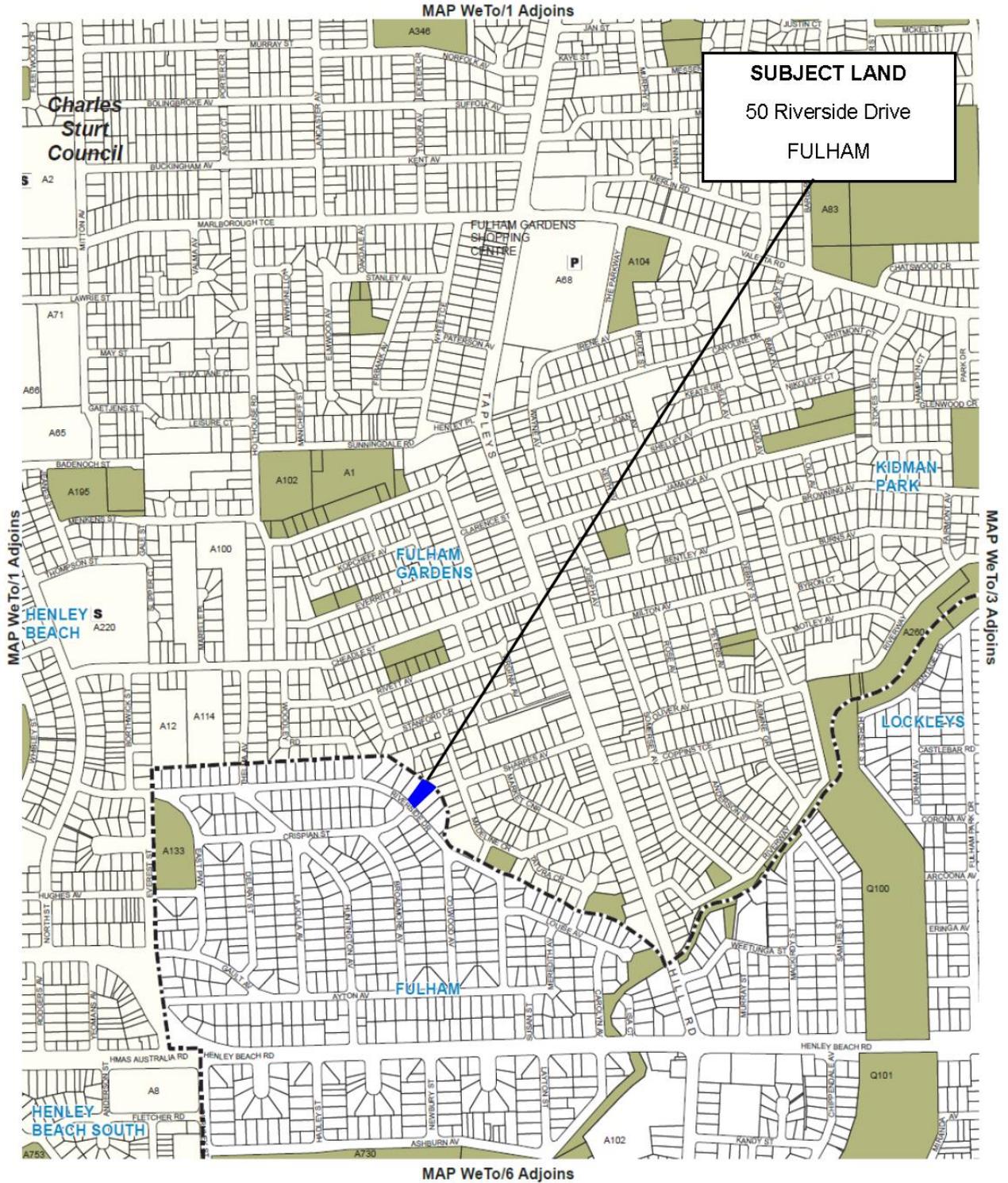
The subject land is located within the Residential Zone and more particularly Residential Policy Area 20. The land is directly abuts the City of Charles Sturt to the rear and is located approximately 324 metres west and 438 metres north of Tapleys Hill Road and Henley Beach Road respectively, both of which are arterial roads. The East Parkway Reserve is located approximately 487 metres west of the subject land.

The locality consists of low to medium density residential development up to two storeys in height with construction periods ranging from the 1950's to present.

Allotments within the locality are generally irregularly shaped and follow the contours of the local road network. Dwellings within the locality are mostly in the form of detached dwellings.

The site and locality are shown on the following maps.





Location Map WeTo/2

- S** School
- P** Post Office
- Local Reserves
- Development Plan Boundary

PROPOSAL

The applicant is seeking Development Approval for a Torrens Title land division to create one additional allotment and Development Plan Consent for the construction of two, two-storey dwellings each including a double garage and alfresco under the main roof.

The proposed land use and land divisions are contained in **Attachment 1**.

PUBLIC NOTIFICATION

The land division applications are a Category 1 form of development, while the land use application is a Category 2 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Residential Zone, Procedural Matters Section of the West Torrens Council Development Plan.

Properties notified:	Twelve (12) properties were notified during the public notification process.
Representations:	One (1) representation was received.
Persons wishing to be heard:	One (1) representor identified that they wish to address the Panel. <ul style="list-style-type: none">• Kim and Parish Forrest
Summary of Representations:	Concerns were raised regarding the following matters; <ul style="list-style-type: none">• Retaining wall on eastern boundary to resolve storm water issues; and• Any upper storey windows on the eastern side of the dwellings would result in privacy issues.

The Applicant has provided a response to the representation, as summarised below:

- The site levels will suitably manage on-site stormwater runoff;
- The difference in site levels with the eastern adjoining land will not be such that a retaining wall will be required; and
- The upper storey windows are detailed on the elevations and meet Council's requirements with regards to obscured glass and clearance above floor level.

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

REFERRALS

Internal

- **City Assets - Civil Engineer**

The application was referred to Council's Civil Engineer for comment and the response is summarised as follows:

- Finished Floor Levels (FFL's) - the finished floor levels satisfy minimum requirements.
- Verge Interaction - The stormwater connections have not been shown on the plans. As the stormwater connections occur outside of the site boundaries and can be accommodated with appropriate offsets from existing verge features it is considered that suitable advice to the applicant is adequate in this instance.
- The proposed crossover associated with Dwelling 1 will have an offset of 1.185m from an existing street tree instead of the 2 metres typically required by Council. As such, Council's arborist should be consulted.
- Vehicle Manoeuvrability - Vehicle manoeuvrability has been assessed as satisfactory.

- **City Works - Arboriculture Assistant**

The application was referred to Council's City Works Department for comment and the response is summarised as follows:

- In consideration of the health, structure, form, useful life expectancy and age of the street tree, Council will support its removal at a cost of \$1,378 to the applicant.

External

- **Development Assessment Commission (DAC) and SA Water**

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Regulations, the application was referred to SA Water by the Development Assessment Commission.

Neither DAC nor SA Water had any objections to the proposal subject to several conditions being added to any consent notice.

A full copy of the relevant reports are attached, refer **Attachment 3**.

ASSESSMENT

The subject land is located within the Residential Zone and more particularly Low Density Policy Area 20 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 5, 6, 7 & 8
<i>Design and Appearance</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 16
<i>Energy Efficiency</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
<i>Infrastructure</i>	<i>Objectives</i>	1, 2, 3 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5 & 7

<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 9, 13, 14, 15, 16, 17 & 20
<i>Landscaping, Fences and Walls</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 4
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 5, 6 & 7
<i>Residential Development</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 5, 7, 8, 9, 10, 12, 13, 14, 15, 16, 18, 20, 21, 22, 23, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 38, 39, 40, 41, 46 & 47
<i>Transportation and Access</i>	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	23, 24, 25, 27, 29, 33, 34, 35 & 36

<i>Zone: Residential Zone</i>	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	1, 2, 3 & 4
<i>Principles of Development Control</i>	1, 3, 6, 7 & 8

Policy Area: Low Density Policy Area 20	
<i>Desired Character Statement:</i>	
<p><i>“Allotments in the policy area will be at low density, accommodating predominantly detached dwellings and some other dwelling types such as semi-detached and group dwellings. There will be a denser allotment pattern closer 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 development 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 ope-style front fencing will contribute to a sense of space between buildings”.</i></p>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1 & 2

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	DWELLING 1 (LOT #50)	DWELLING 2 (LOT #51)
SITE AREA <i>Residential Policy Area 20 PDC 2</i>	420m ²	421m ² Satisfies	613m ² Satisfies
SITE FRONTAGE <i>Residential Policy Area 20 PDC 2</i>	12m	12.27m Satisfies	4.5m Does Not Satisfy
SITE COVERAGE <i>Residential Development PDC 30</i>	Max. 45%	39.7% Satisfies	44.4% Satisfies
STREET SETBACK <i>Residential Development PDC 18</i>	Up to 2m – the same as one of the adjacent buildings (Approx. 11.7 or 12.8m)	7m Does Not Satisfy	N/A (battle-axe shaped allotment)

<p>SIDE/REAR SETBACKS <i>Residential Development</i> PDC 23</p>	<p>Side 0/1m (Ground Floor) 2m (Upper Floor)</p> <p>Rear 3m (Ground Floor) 8m (Upper Floor)</p>	<p>NW – 2.1m (GF & UF) SE – 0m (GF), 2.04m (UF)</p> <p>Satisfies</p> <p>5.06m(GF), 8.1m(UF)</p> <p>Satisfies</p>	<p>NW – 0m (GF), 12m (UF) SE – 0.9m (GF), 6.3m (UF)</p> <p>Partially Satisfies</p> <p>4.013m (GF & UF)</p> <p>Does Not Satisfy</p>
<p>PRIVATE OPEN SPACE <i>Residential Development</i> PDC 33</p>	<p>Min. 20% (at least 10% accessed from an internal living room with a minimum dimension of 5m)</p>	<p>22.2% (min. dimension 7.1m)</p> <p>Satisfies</p>	<p>24.6% (min. dimension 7m)</p> <p>Satisfies</p>
<p>CARPARKING SPACES <i>Transportation and Access</i> PDC 33</p>	<p>2 car-parking spaces, one of which is covered</p>	<p>2x covered, 1x uncovered spaces provided</p> <p>Satisfies</p>	<p>2x covered spaces provided</p> <p>Satisfies</p>

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Allotment Width

Lot 51, or Dwelling 2 will have a front boundary width of 4.5m, essentially due to this allotment being a battleaxe allotment. The Desired Character statement for Low Density Policy Area 21 specifically states:

"Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments development with buildings that have a direct street frontage."

Given that the majority of the allotments in the locality do not have a pattern of rectangular allotments, this deviation is not seen to be a critical departure from the Development Plan.

Front Setback

Proposed Dwelling 1 will result in a setback of approximately 7 metres from the front property boundary, a shortfall of 3.7 metres from that sought by the Development Plan.

Impacts on the existing streetscape character are considered suitably minimised by the fact that only a small portion of the dwelling is setback at this distance, namely the porch which is open sided and will not obstruct views along the street.

The main face of the dwelling and the garage will be setback approximately 8.8 metres from the front property boundary, which is still forward of the dwellings either side of the subject land. The land sits at the T-junction of Riverside Drive and Crispian Street at a curve in the road, which may soften its impact on the streetscape. The setback of the proposed dwelling will also be more consistent with the more recent development within the immediate locality, most notably 56 and 56A Riverside Drive which are setback approximately 6.2 metres and 18 and 20 Crispian Street which are setback approximately 3.2 metres.

Side and Rear Setbacks

Proposed Dwelling 2 will result in a 0.9 metre setback from the south eastern side boundary, a shortfall of 0.1 metres. This shortfall is considered minor and inconsequential given that this part of the dwelling will not be visible from the street and will not result in any undue impacts on the adjoining residents.

Proposed Dwelling 2 will result in an upper storey rear setback of approximately 4 metres, a shortfall of 4 metres from that sought by the Development Plan. Impacts on the adjoining properties are minimised by the fact that the upper storey element is only one room and is more of a traditional 'loft space' contained mostly within the roof space. There will be no undue overshadowing as a result of this two storey component due to the solar orientation of the land.

Overlooking and Overshadowing

General Section, Residential Development Principle of Development Control 39 states:

"Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings".

The elevation plans provided show that the upper storey side and rear facing windows for proposed Dwelling 1 are either sited 1.7 metres above the internal finished floor level or are treated with fixed obscured glazing up to 1.7 metres above the internal finished floor level.

Proposed Dwelling 2 has two rear facing upper storey windows which are both shown as obscured on the elevation plans provided. However, these windows are also shown as operable awning windows and no restriction is nominated. A restricted opening is generally considered acceptable as it only permits very limited views, generally in a downwards direction and not extending beyond the subject land. It is recommended that a suitable condition be imposed to restrict these openings to 200mm.

The following policies within the Residential Development Module of the General Section of the Development Plan provide guidance on how to approach the matter of shadow created by new buildings:

Principle of Development Control 12

"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".*

Principle of Development Control 13

"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".

Principle of Development Control 14

"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 on 21 June to at least the smaller of the following:

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

The applicant has provided shadow diagrams for 9am, 12pm and 3pm on 21 June. These diagrams show that while Dwelling 1 and the south eastern adjoining dwelling will receive some shadow, they will both have access to at least 3 hours of sunlight between 9am and 3pm.

In consideration of the above, the proposal is in accordance with the above provisions relating to overshadowing.

SUMMARY

The proposed development is considered to be generally in keeping with the provisions of the Development Plan and the desired character for the zone and policy area. The quantitative shortfalls in front, side and rear boundary setbacks are not so significant as to unreasonably impact the existing streetscape character or locality.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 September 2014 and warrants Development Plan Consent.

RECOMMENDATION 1 (211/1210/2015 - LAND DIVISION)

The Development 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. 211/1210/2015 by K Southgate to undertake a Torrens Title land division (DAC No. 211/D149/15) to create one (1) additional allotment at 50 Riverside Drive, Fulham (CT 5645/693) subject to the following conditions:

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared Benchmark Property Services relating to Development Application No. 211/1210/2015 (DAC 211/D149/15).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS:

1. That prior to the issue of Section 51 Clearance to this division approved herein, the existing dwelling and all ancillary structures shall be removed from proposed Allotment(s) 50 and 51. For this purpose, a separate application to Council may be required.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0038027).

The alteration of internal drains to the satisfaction of SA Water is required.

An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.

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

3. Payment of \$6,488.00 into the Planning and Development Fund (1 allotment(s) @ \$6,488.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

RECOMMENDATION 2 (211/481/2015 - DWELLINGS)

The Development 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. 211/481/2015 by Rosedale Homes Pty Ltd to undertake construction of two (2) two storey dwellings each including a double garage and alfresco under the main roof at 50 Riverside Drive, Fulham (CT 5645/693) subject to the following conditions:

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 12 January 2016 as detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or

- d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That any retaining walls shall be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
 4. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
 5. That all landscaping shall be completed prior to the occupancy of the development. Any person(s) who have the benefit of this approval shall cultivate, tend and nurture the landscaping, and shall replace any landscaping which may become diseased or die.
 6. That all upper level windows side and rear facing windows shall be provided with obscure glass to a minimum height of 1.7 metres above the upper floor level with any openings being limited to awning style windows with a restricted opening of 125mm, in order 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.
 7. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

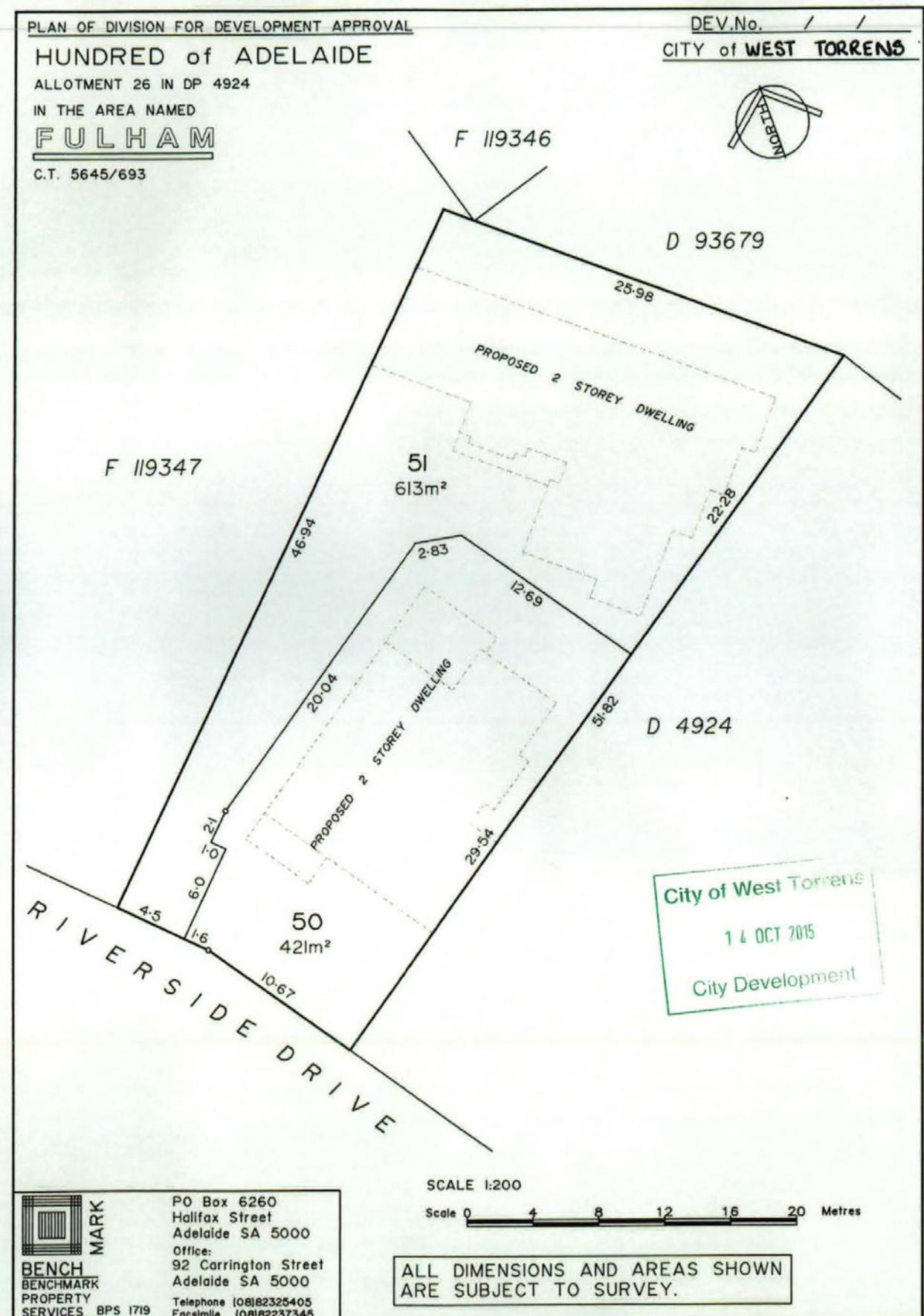
Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person, (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

ATTACHMENT 1



NOTE: THIS IS A REDUCED COPY OF THE ORIGINAL PLAN AND IS NOT TO SCALE

ATTACHMENT 2

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

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

City of West Torrens
16 OCT 2015
City Development

RECEIVED
AM 7 8 9 10 11 12
15 OCT 2015
PM 1 2 3 4 5 6
West Torrens CSU

DEVELOPMENT No. 211/481/2015
PROPERTY ADDRESS: 50 Riverside Drive, FULHAM SA 5024

NAME OF PERSON(S) MAKING REPRESENTATION ADDRESS
KIM FORREST AND PARISH FORREST
48 RIVERSIDE DRIVE, FULHAM

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

REASONS FOR * REPRESENTATION
REQUEST RETAINING WALL ON EASTERN SIDE OF THE SUBJECT PROPERTY TO RESOLVE STORM WATER ISSUES.
IF PLANS ARE ALTERED TO INCLUDE WINDOWS TO THE EASTERN SIDE OF THE UPPER LEVELS OF BOTH BUILDINGS WE WOULD OBJECT DUE TO PRIVACY ISSUES.
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)
AS ABOVE.

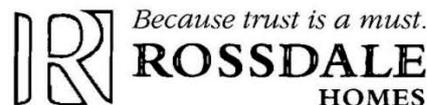
Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -

I DO NOT WISH TO BE HEARD
I DESIRE TO BE HEARD PERSONALLY
WILL BE REPRESENTED BY _____
(PLEASE SPECIFY)

SIGNED [Signature]
DATE 14/10/15

Received
15 OCT 2015
City of West Torrens
Information Management Unit

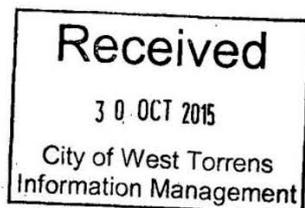
* If space insufficient, please attach sheets



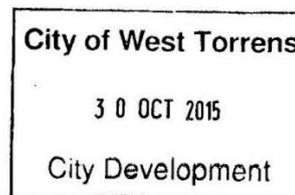
300 Glen Osmond Road,
Fullarton SA 5063
t 8433 2000 f 8433 2099
email@rossdalehomes.com.au
www.rossdalehomes.com.au
Builder's Licence No. G8104
ABN 81 619 259 709

Member of the Housing Industry Association
Major award winning builder

26th October 2014



Rebekah Kuehn
Development Officer,
City of West Torrens,
165 Sir Donald Bradman Drive,
HILTON SA 5033



Dear Rebekah,

Development Application number 211/481/2015

Thank you for your advice regarding concerns expressed by the adjoining neighbours.

I advise the following:

The proposed finished floor levels are determined after taking into consideration many issues including, but not limited too, council requirements regarding the clearance above the top of kerb, the potential flood risk to the new dwelling and determining a level to ensure stormwater and sewer run correctly to the road.

The proposed floor level at 100.45 TBM is 2 centimetres above the neighbours main dwelling at 50 Riverside at 100.43 TBM

Whilst the floor level is shown at 100.45 this includes a 100mm slab plus base fill of 100mm.

Therefore the actual base fill is 100.35 (excluding slab) and after allowing for setdown for paths and the thickness of pavers the bottom edge of the paving along the east boundary will be set at approx 100.25

The TBM at the front right corner is 100.09 and towards the rear of the new dwelling it is 100.06 (the back right corner is 99.90)

Based on the 100.09 and 100.06 it is envisaged that the build up along the east boundary will be varied but unlikely to be more than 190mm to the bottom of paver, except in the rear right corner where it will increase marginally, resulting in minimal need for retaining walls, that could be accommodated under any fencing.

There is a minor increase in height of the allotment towards the rear of the neighbours house where the site level is set at 100.23 TBM resulting in a 2 cm increase in site levels based on the description above

It is also noted that the application refers to a proposed new fence along the east boundary

This application has windows detailed on the plan in proposed final locations and the application can only be judged on the proposal submitted, and they meet council development plan requirements for obscure glass and clearance above floor level.

Any concerns about relocation of windows are therefore superfluous and would be subject to further consideration by council.

At this stage, I consider it is unlikely that the owner will want to attend the DAP meeting regarding this application, however reserve the right.

Regards



Greg Parry,
Sales Consultant,

ATTACHMENT 3



Memo

To Rebekah Kuehn
From Baskar Kannappan
Date 25 May 2015
Subject 211/481/2015, 50 Riverside Drive, FULHAM

Rebekah,

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 Plan' (Goostrey Smith Design Job no. 14371PA dated 30/03/15), the FFL of the House 1 (100.45) and House 2 (100.40) has been assessed as satisfying minimum requirements (100.24) in consideration of street and/or flood level information.

2.0 Verge Interaction (with street tree)

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

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

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

Based on measurement on site, it is noted that the existing distance between the street tree and stobie pole is only 5.8m and the proposed driveway crossover serving double garage at this location does not satisfy the above requirement. Therefore, City Assets does not support this application unless the assessment of suitability from Council's Arboriculture is confirmed or proposed crossover width should be reduced to single crossover width of 3 metres satisfying the above criteria.

-
- 2.2 It is noted that stormwater connections for both the houses are not shown in the site plan. It is recommended that the revised plan showing storm water connection details satisfying the above criteria.

It is recommended that revised plans indicating satisfaction to the above dot points 2.1 and 2.2 be provided to Council.

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

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

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

3.0 Traffic Comments

- 3.1 Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in Site Plan' (Goostrey Smith Design Job no. 14371PA dated 30/03/15).

Should you require further information, please contact Baskar Kannappan on the following direct extension number 8416 6296

Regards

**Baskar Kannappan
Civil Engineer**

Preliminary Assessment of Street Trees, Significant and Regulated Trees

Development Application No: 211/481/2015

Assessing Officer:	Rebekah Kuehn
Site Address:	50 RIVERSIDE DRIVE, FULHAM SA 5024
Certificate of Title:	CT-5645/693
Description of Development	Construction of two two storey dwellings both including double garage and alfresco under the main roof

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Zoe Delmenico

DATE 11 May 2015

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 house 1 on Fulham Park Drive will impact on an existing *Lophostemon confertus* street tree.

With reference to the City of West Torrens, Fees and Charges Document 2014-2015 "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 on Riverside Drive, City Works has considered the health, structure, form, useful life expectancy, and age of the street tree and will support the removal.

A fee of \$1378.00 will be required prior to the commencement of any work.

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

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

Rick Holmes
Arboriculture Assistant
165 Sir Donald Bradman Drive
Hilton SA 5033

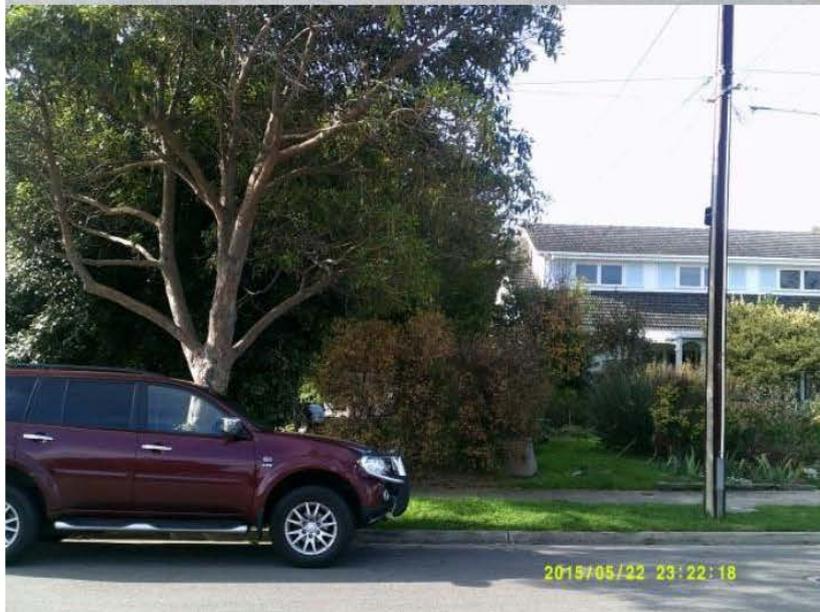
Telephone: 8416 6333

Fax: 8443 5709

Email: rholmes@wtcc.sa.gov.au

DATE: 25/05/2015







Contact Lands Titles Office
Telephone 7109 7016



*Development
Assessment Commission*

City of West Torrens

22 OCT 2015

City Development

22 October 2015

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D149/15 (ID 52322)
for Land Division by Mrs Kaylene Southgate

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 13 October 2015, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
"An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non standard."
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

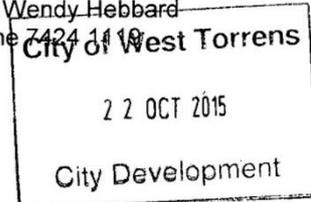
PLEASE UPLOAD THE DECISION NOTIFICATION FORM (VIA EDALA) FOLLOWING COUNCIL'S DECISION.

Phil Hodgson
Unit Manager
Lands Titles Office
as delegate of



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

Inquiries Wendy Hebbard
Telephone 7424 1119



22 October 2015

Our Ref: H0038027

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D149/15 AT FULHAM

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

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

The alteration of internal drains to the satisfaction of SA Water is required.

~An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non standard.~™

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

Yours faithfully

Wendy Hebbard

for MANAGER LAND DEVELOPMENT & CONNECTIONS

6.2 11-17 James Congdon Drive, MILE END

Application No. 211/984/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Establishment of a self-storage facility with associated car parking and signage, plus construction of storage buildings, building modifications, demolition of shed and erection of fencing/gates.
APPLICANT	The Cohen Group property services
LODGEMENT DATE	26 August 2015
ZONE	Urban Corridor; and Residential Zone
POLICY AREA	Policy Area 34- Boulevard; and Thebarton Character Policy Area 27
APPLICATION TYPE	Non-Complying
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal <ul style="list-style-type: none">▪ City Assets External <ul style="list-style-type: none">▪ Nil
ASSESSING OFFICER	Adam Williams
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	12 January 2016
RECOMMENDATION	CONSENT subject to concurrence from the DAC

BACKGROUND

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

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

PREVIOUS or RELATED APPLICATIONS

DA 211/881/2014 - Change of use from industry to an integrated automotive service and repair facility - Development Plan Consent granted.

DA 211/764/2000 - Warehouse with associated car parking & landscaping - Development Plan Consent granted.

SITE AND LOCALITY

The subject land comprises four allotments. The allotments are formally described as follows:

- Allotment 1 Deposited Plan 64577 (CT Volume 5922 Folio 940);
- Allotment 4 Deposited Plan 64577 (CT Volume 5922 Folio 943);
- Allotment 5 Deposited Plan 64577 (CT Volume 5974 Folio 676); and
- Allotment 6 Deposited Plan 64577 (CT Volume 5974 Folio 677).

The allotments area in the area named Mile End, Hundred of Adelaide. The land is more commonly known as 11-17 James Congdon Drive, Mile End.

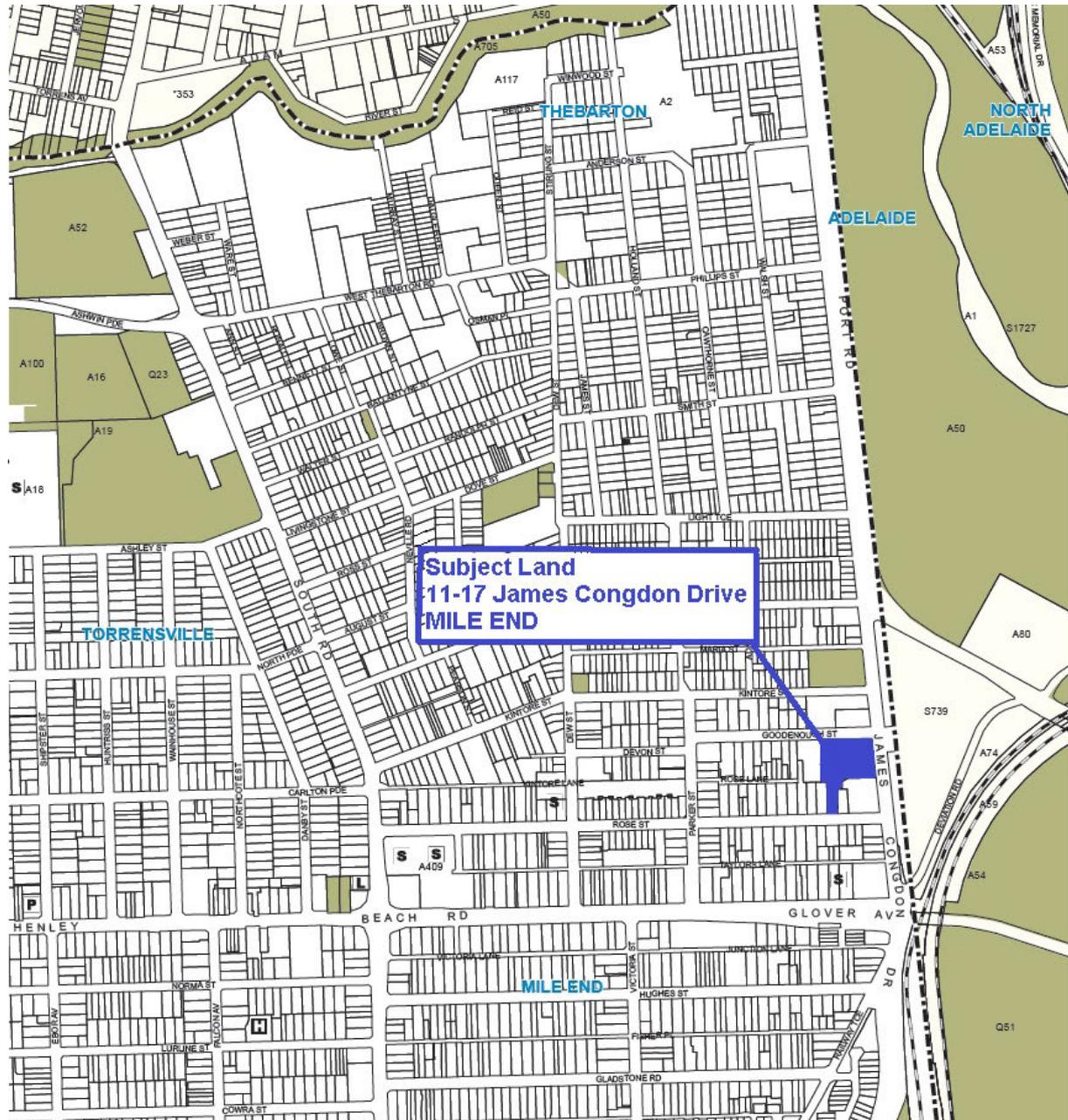
The subject land is approximately 7,200 square metres in area and is a corner allotment with a primary frontage to James Congdon Drive (approximately 67 metres) and Goodenough Street (approx 85 metres). The site has a third frontage to Rose Street of approximately 17 metres).

The subject land was previously utilized as a printing and distribution centre (general industry) however the building has stood vacant for a number of years. The principal building occupies approximately 45% of the site and is situated in the north-west corner of the subject land and abuts the property boundary. A hard stand area comprising car parks and driveways wraps around the western and southern sides of the building and extends into the "handle" of the site which links the land to Rose Street. A free-standing outbuilding of approximately 120 square metres is located to the west of the principal building.

Other sites with frontage to James Congdon Drive (between Port Road and Henley Beach road) comprise a dwelling display village, offices, school, industrial facilities, antiques and collectables showroom, a former pub and an indoor recreation centre. Behind the properties facing James Congdon Drive are residential properties which face the local roads. The Adelaide Parklands are located on the eastern side of James Congdon Drive.

The subject land is traversed by a zone boundary that separates an Urban Corridor Zone and a Residential Zone. The locality and location of the subject land are shown on the following diagrams.





Subject Land
11-17 James Congdon Drive
MILE END



- School
- Public Library
- Post Office
- Hospital
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/5

PROPOSAL

The application seeks consent for the change of use to a Self-Storage facility and involves the following:

- Installation of storage units within the internal spaces of the existing building;
- Addition of signage to northern and eastern facades;
- Demolition of an existing outbuilding;
- Construction of a free-standing storage building;
- Erection of fencing/gates; and
- Alteration to the existing carpark and aisle areas including the establishment of a waste storage area.

Self-storage units will be established within the existing building and in a new free-standing building. External changes to the building façade will include painting of small sections of the exterior walls and roller doors. Signs will be established on the exterior walls of the northern and eastern elevations.

The main facility will be staffed (a maximum of two staff on site at any given time) between the following times:

- Monday - Friday: 8:30am - 5:00pm
- Saturday: 8:30am - 2:00pm

There will be an area within the main building that will provide 24 hour accessible units. Users will access their storage units by entering their PIN.

A new, free-standing external storage building comprising 12 units will be established in an isolated part of the site. Access will be via a secure coded access gate 7 days a week between 7:00am and 7:00pm.

A new front office and showroom, that will retail packaging materials, will be established within the existing building.

Plans and documentation supplied with the development application are within **Attachment 1** of this report.

NON-COMPLYING

The application is a non-complying form of development as a store is listed as a non-complying form of development within the Procedural Matters tables of the Residential Zone and Urban Corridor.

The Administration resolved, under delegation, to proceed with an assessment of the proposal as the development will occupy an existing commercial building that sits among existing commercial properties and is not considered to be incompatible with the existing land uses within the locality.

The Applicant has provided a Statement of Effect pursuant to Regulation 17 of the *Development Regulations 2008*, refer **Attachment 2**. Should the Panel resolve to approve the application, the concurrence of the Development Assessment Commission is required. Alternatively, should the Panel refuse the application, no appeal rights will be afforded to the applicant.

PUBLIC NOTIFICATION

The application is a Category 3 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Procedural Matters Tables of the Urban Corridor and Residential Zones.

Properties notified:	<p>A total of forty-five (45) letters were sent to owners and occupiers of adjoining properties during the public notification process.</p> <p>A public notice was also placed in The Advertiser on Tuesday 3 November 2015.</p>
Representations:	<p>One (1) response was received however as a matter of law the response was not made in accordance with the requirements prescribed by the regulations (the response did not provide an address). For the purposes of Section 38 of the <i>Development Act 1993</i> the response is not to be taken into account by Council and will not have effect for any relevant purpose under the Act.</p>

REFERRALS

Internal

- **City Assets**

The application was forwarded to Council's City Asset Department for review. A summary of their most recent comments follow:

Council's Traffic Consultant

An amended Site Plan (date-stamped 29 October 2015) has been provided by the Applicant. The amendments are as follows:

1. Removal of direct access to the existing roller doors (storage units) facing Goodenough Street.
2. Proposed outdoor storage areas at two locations: Car/Boat/Storage and 12 hardstand storage units.
3. New vehicular exit driveway to Rose Street.

Amendment (1) addresses previous concerns regarding Goodenough Street. It is recommended that the redundant crossovers be reinstated to standard kerb/gutter as part of the development.

Amendment (2) clarifies the query by City Assets regarding outdoor storage areas. It is understood that once development consent is granted, from a legal perspective, new outdoor storage areas cannot be added to the approved plans without Council consent.

With regard to Amendment (3), it is noted that a new outdoor storage area is proposed near the Rose Street frontage. The documentation states that this exit point would only be used by the renters of the 12 hardstand storage units. It is unclear how the access key pad control could be managed to restrict users other than the 12 renters of the hardstand units from exiting via Rose Street.

Preferably, the Rose Street exit point should be deleted to minimise traffic impact on Rose Street, particularly if these storage units are likely to be used after hours and on weekends. It would be most unlikely that the removal of the Rose Street exit point would have any access impact on the operation of the overall storage facility. It is therefore recommend that the proposed exit driveway to Rose Street be deleted.

Civil Engineer

There are large amounts of existing open bitumen area on the site. Council requires all open areas of the car park to be sealed to prevent contaminated stormwater entering into street drainage.

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

ASSESSMENT

The subject land is located within two Zones, the Urban Corridor Zone and the Residential Zone as described in the West Torrens Council Development Plan (Consolidated 25 June 2015). The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Advertisements	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 4, 5, 6, 7, 8, 10, 11, 12, 14, 22, 23 & 24
Crime Prevention	Objectives	1
	Principles of Development Control	1, 2, 3, 4, 5, 8 & 10
Industrial Development	Objectives	1, & 3
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9 & 11&
Interface between Land Uses	Objectives	1, 2 & 3
	Principles of Development Control	1, 2, 3, 5, 6, 7 & 8
Landscaping, Fences and Walls	Objectives	2
	Principles of Development Control	6
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 5, 6 & 7
Transportation and Access	Objectives	2 & 4
	Principles of Development Control	1, 2, 8, 9, 11, 12, 13, 14, 23, 24, 26, 27, 28, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42 & 43

Zone: Urban Corridor

Desired Character Statement:

"This zone will contain an innovative mix of medium density (45-70 dwellings per hectare) and high density (70-200 dwellings per hectare) residential development, together with community and employment land uses, along the Port Road, Anzac Highway and Henley Beach Road corridors. The combination of land uses will vary within these corridors. Some locations will contain a genuine land use mix with ground floor shops, restaurants and offices, and upper level residential, while other areas will give primacy to residential development. Other parts of the zone will have a strong employment focus.

The function of main roads in the zone, particularly Port Road and Anzac Highway, as major transport corridors will be protected by providing access to allotments from secondary road frontages and rear access ways as much as possible. Parking areas will be consolidated, shared (where possible) and screened from the street or public spaces. Allotments with car parking fronting Port Road, Anzac Highway and Henley Beach Road will be redeveloped with built form closer to the road and reconfigured car parking areas.

As one of the key zones in the City of West Torrens where there will be transformation in built form, new buildings will be recognised for their design excellence. These buildings will establish an interesting pedestrian environment and human-scale at ground level through careful building articulation and fenestration, verandas, balconies, canopies and landscaping. In general, the greatest height, mass and intensity of development will be focussed at the main road frontage. Buildings of 3 or more storeys will be the predominant built form. It is for these reasons that dwellings other than detached dwellings will be the predominant form of residential development.

Overlooking, overshadowing and noise impacts will be moderated through careful design, Impacts on adjoining zones where development is lower in scale and intensity will be minimised through transition of building heights and setbacks, judicious design and location of windows and balconies, and the use of landscaping. The transition of building heights and setbacks, and judicious design is especially important adjacent Character Policy Areas, including those Character Policy Areas at Glandore and Ashford. The use of blank walls in these transitional areas, especially at the rear and side of allotments, will be avoided. Plant and service equipment will be enclosed and screened from view from the street and neighbouring allotments.

Where buildings are set back from main roads, landscaping will contribute to a pleasant pedestrian environment and provide an attractive transition between the public and private realm. Large scale development in the zone will facilitate the establishment of areas of communal and public open space, and create links with existing movement patterns and destinations in the zone. Front fencing in the zone will be kept low and/or visually permeable.

Some parts of the zone, including allotments in Thebarton and Keswick, are potentially contaminated because of previous and current industrial activities. In these circumstances, development is expected to occur on a precautionary basis if site contamination investigations identify potential site contamination, particularly where it involves sensitive uses such residential development.

The Thebarton brewery has potential to cause nuisance to future users and residents within this zone through noise and odour. To mitigate potential adverse impacts, residential development north of Smith Street that is likely to be sensitive to brewery operations should generally be avoided unless interface mitigation measures have been implemented (or will be implemented within an acceptable period) such that the anticipated impacts are within acceptable limits.

Noise and air amenity with the zone is not expected to be equivalent to that expected from living in a purely residential zone."

Objectives	1, 3, 4, 6, 7 & 9
Principles of Development Control	1, 2, 4, 6, 19 & 20

Zone: Residential

Desired Character Statement:

"This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.

Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.

*Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.*

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

Objectives

4

Principles of Development Control

1, 2, 3, 5,

Policy Area: Boulevard Policy Area 34

Desired Character Statement:

"The policy area will contain a mix of land uses that complement the function of Port Road as a strategic transport route linking central Adelaide with the north western suburbs, and Anzac Highway linking central Adelaide with Glenelg.

The redevelopment of existing commercial and industrial allotments into medium-to-high scale, mixed-use development will occur. Where development has a mix of land uses, non-residential activities such as shops, offices and consulting rooms will be located on lower levels with residential land uses above. In order to achieve the desired transformation of the policy area, dwellings other than detached dwellings will be the predominant form of residential development.

A mix of complementary land uses will assist in extending the usage of the policy area beyond normal working hours to enhance its vibrancy and safety.

Development will take place at medium and high densities, at a scale that is proportionate to the width of Port Road and Anzac Highway respectively. To achieve this, development will take place on large, often amalgamated allotments. Vehicle access points will be located off side streets and new rear laneways where possible, so that vehicle flows, safety and efficient pedestrian movement along Port Road and Anzac Highway are maintained.

Pedestrian areas will be enhanced to maximise safety and strong links will be made between development and tram stops along Port Road, and Bonython Park.

While the use and address of buildings will be designed to be easily interpreted when driving in a vehicle, the footpath will be sheltered with awnings, verandas and similar structures.

Buildings of up to eight storeys will have a strong presence to Port Road and Anzac Highway. At lower levels, buildings will have a human scale through the use of design elements such as balconies, verandas and canopies. Development on corner allotments will enhance the gateway function of such corners by providing strong, built-form edges combined with careful detailing at a pedestrian scale to both street frontages.

Podium elements, where higher floors of the building are set back further than lower level floors, may be used to improve air quality (through greater air circulation), as well as enhancing solar access, privacy and outlook for both the residents of the building and neighbours.

Buildings along Port Road will have zero setback from the front boundary in order to establish a strong and imposing presence to the road, while short front setbacks along Anzac Highway will allow for some landscaping to contribute to a more open landscaped character.

On-site vehicle parking will not be visible from Port Road and Anzac Highway, by locating parking areas behind building façades and shielding undercroft parking areas with landscaping and articulated screens."

Objectives	3 & 4
Principles of Development Control	1 & 3

Policy Area: Thebarton Character Policy Area 27

Desired Character Statement:

"The policy area will contain detached, semi-detached and row dwellings.

Allotments will vary in size considerably from medium to very low density. Some allotments have rear access vehicle parking via service laneways, reducing the number of garages and carports visible in the main streets. Due to the variance in allotment sizes, subdivision will reinforce the existing allotment pattern in the immediate locality.

New development will be complementary to the key character elements of Victorian-era villas, cottages, and bungalow-style dwellings in the policy area, rather than dominating or detracting from them, particularly when viewed from the street. 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 setbacks of adjacent properties.

There will be no garages / carports forward of the main facade 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."

Objectives	1
Principles of Development Control	2

QUANTITATIVE ASSESSMENT

The proposal is assessed for consistency against the following quantitative provisions of the Development Plan:

DEVELOPMENT PLAN PROVISIONS	Quantitative provision	Proposal
<p>CARPARKING SPACES Table WeTo/6 - Off-street Vehicle Parking Requirements for Urban Corridor Zone</p> <p>Or</p> <p>Table WeTo/2 - Off-street Vehicle Parking Requirements</p>	<p>3- 5 spaces per 100 square metres of gross leasable floor area (102-170 spaces)</p> <p>No provisions provided for proposed use.</p>	<p>9 formal spaces provided</p> <p>Does Not Satisfy</p>
<p>ADVERTISING Advertisements (General Section) Principle 8</p>	<p>20% of the side and front wall</p>	<p>No more than 2.5% for either the east or north elevations</p> <p>Satisfies</p>

QUALITATIVE ASSESSMENT

The proposed development is assessed for consistency against the following qualitative provisions, as discussed under the following sub headings:

Land Use

The subject land is located in both an Urban Corridor Zone and Residential Zone however the land has an established history as a commercial/industrial facility and was most recently utilised as a printing and distribution centre (general industry). The building and land has been vacant for the last few years however the land has retained its commercial/industrial character.

In October 2013 Council's Development Plan was amended and the portion of the land that fell within the Commercial Zone was zoned Urban Corridor. The western and southern most allotments that form part of the subject land were retained within the Residential Zone. Due to the dual zone status many alternative land use opportunities have historically faced non-complying assessments even when the land was zoned commercial.

As the Applicant's planning consultant states in the Statement of Effect submitted with the development application, the Urban Corridor Zone "*champions the establishment of a mixture of land uses across the zone*" and in particular envisages non-residential land uses at ground levels. The listing of a "store" as a non-complying development suggests the proposed land use is not a desirable use in the context of the desired vision for the locality and the same can be said for the portion of land that falls within the Residential Zone.

As raised already, the subject land has retained its historic commercial/industrial character and the building, in its current form, is considered inappropriate to convert to a 'mixed use' residential/commercial building. The owner of the land, via the Statement of Effect, alludes to the possibility of developing the land for mixed use purposes in the future however they do not believe the time is right to invest considerable resources into developing the site in a manner that is envisaged by the policies of the Urban Corridor Zone. Instead the applicant proposes an adaptive 'interim' reuse of the currently vacant building (and associated surroundings) in a manner that will not require substantial infrastructure investment or prohibit future redevelopment of the site for the envisaged mixed use purposes.

Although a non-complying development, the outcomes proposed by the development application will 'not prejudice the future achievement of the provision of the Development Plan' or 'the continuance of adjoining authorised land uses'. The elements of an orderly and economic development are evident in this instance and as outlined in the following paragraphs, the impact of the storage use is likely to be comparable to, if not less than, the envisaged uses for the zone and the existing (and former) land uses along James Congdon Drive.

Impact on Amenity

The policies in the Development Plan are supportive of development that does not impinge on the amenity of adjacent residential development. Noise, odour, dust and lightspill are examples of emissions that can be a source of nuisance and therefore potential activities that generate such emissions should be mitigated. The proposed storage activity, which includes portion of the land providing 24 hour access, is considered to be a reasonably low intensity form of development, and far less intensive than the previous land use that operated from the land and existing uses that still operate in the locality.

In addition and as also highlighted in the Statement of Effect, the Urban Corridor Zone acknowledges that 'noise and air amenity in the zone is not expected to be equivalent to that from living in a purely residential zone'. This statement anticipates that the mixed uses of the Urban Corridor Zone, comprising non-residential and medium/high density residential development, will create active and vibrant environments for people to work, shop and access a range of services beyond normal business hours close to home. The envisaged uses of the zone are likely to generate noise, traffic, odour and lightspill emissions than will exceed those expected from the proposed development.

The emissions that will be generated by the proposed use are, at worst, expected to be comparable with the existing (and former) land uses along James Congdon Drive and the envisaged land uses for the Urban Corridor Zone. Although the hours of operation exceed normal business hours it is unlikely that the activities proposed in the development application will have an adverse impact on the abutting residential properties in terms of noise, traffic and lighting.

Traffic movement and parking

The Development Plan seeks vehicle movements that are safe and convenient for users, and enables vehicles to enter in a forward direction. The subject land utilises existing access/egress points from Goodenough Street, Rose Street and James Congdon Drive.

The proposed storage manoeuvring area can accommodate vehicles expected to visit the site. The rear loading dock to the building and the removal of an existing shed will allow vehicles to enter and exit the site in a forward direction via Goodenough Street.

An exclusive storage area comprising 12 storage units will facilitate forward exit to Rose Street during limited times (7:00am and 7:00pm). Council's Traffic Consultant expressed reservations about this aspect of the proposal however further clarification was provided by the Applicant and the time and frequency of movement via Rose Street will have minimal impact on traffic movement and traffic volume within Rose Street.

A separate customer and staff car park area can also facilitate forward entry and exit movements via James Congdon Drive during normal business hours. The proposed development facilitates suitable movements within the site and to/from the adjacent road network.

As noted in the quantitative assessment of this report the proposed development falls well short of the on-site parking guidelines prescribed for non-residential development in the Urban Corridor Zone. The Statement of Effect however makes reference to Table WeTo/2 which is a less specific provision to Table WeTo/6.

In this instance the application of Table WeTo/2 in place of Table WeTo/6 is a practical approach to the assessment given the proposed development does not seek consent for a mixed use development principally envisaged by the Urban Corridor Zone provisions. Notwithstanding that approach the proposal still falls short of providing sufficient on-site parking for a 'warehouse' development (the most closely aligned use to the proposed development as suggested by the Applicant's planning consultant).

The Statement of Effect also references a recent parking demand analysis undertaken by Aurecon for the Self-Storage Associate of Australia to determine parking demands for self-storage facilities. The analysis suggested that for a facility under 3,000sqm in area the following ratio could be applied:

- 1 parking space for the office area;
- 2 parking spaces for the store area;
- 2 staff parking spaces; and
- 1 trailer/ute parking space.

The proposed development provides 9 formal parking spaces but informal parking on the site for many more vehicles is possible and in a manner that would still comply with the relevant Australian Standard. This ratio implies a demand of 6 spaces, which would be less than that proposed within the development.

In addition Council's Traffic Consultant concurred with the planning consultant's view that the proposal would be a 'low intensity use', from a traffic and parking demand perspective and that parking demand for such a land use would be fairly low. Council's consultant was satisfied that the proposed parking would be adequate.

Appearance of land and buildings

The proposed development will not deliver the transformation of built form and space that is envisaged by the policies of the Urban Corridor Zone however it will re-activate a vacant building and its associated spaces. As stated in the Statement of Effect, the proposal will "*refresh the building's appearance through painting and erection of new signage*", and in a manner that is compatible with previous uses of the land and existing developments within the locality.

The advertising signage is not considered excessive (the advertising area is below the 20% wall coverage guideline of the general provisions for advertisements) and the location, size and attachment to the building will not detract from the appearance of the land or the building. The external lighting that will illuminate the advertising is unlikely to create glare or distraction to users of the adjacent road network and can be easily adjusted if necessary.

The additional free-standing storage building containing 12 units will have wall heights of 3.1 metres and 2.4 metres. A one metre setback is proposed to the side property boundary. The Development Plan encourages non-residential buildings and structures in zones other than the Urban Corridor Zone should be set back from boundaries of the site where its abuts the Residential Zone:

- (a) a minimum of 5 metres from the front property boundary; and
- (b) a minimum of 3 metres from side or rear property boundaries where the vertical wall height (from natural ground level) is 4 metres or less, plus an additional 0.6 metres for every metre that the vertical wall height (from natural ground level) exceeds 4 metres.

In this case the free-standing building will be within the portion of the site that is located within the Residential Zone however for the purpose of this assessment it is considered reasonable to expect the proposed development to be consistent with the above guidelines. Conditions of consent can be placed on the development that ensure the building is provided with greater setbacks from the site boundaries without compromising the function of the building or vehicle movements associated with its use.

The proposed fencing to the site will facilitate visibility between both the subject land and surrounding public spaces allowing passive surveillance and an adequate level of security for clients storing possessions within the facility. The black finish of the fencing will complement the existing fencing materials that have been applied to surrounding properties within the locality.

SUMMARY

The proposal involves a re-activation of a commercial/industrial building and site. The current building form will be maintained and changes to the site will not compromise its potential to accommodate a building form that is envisaged by the policies of the Urban Corridor Zone. Notwithstanding its non-complying characterisation, the impact of the proposed development on the existing land uses within locality is expected to be less than those of previous, existing and possibly future developments.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 June 2015 and warrants Development Plan Consent.

RECOMMENDATION

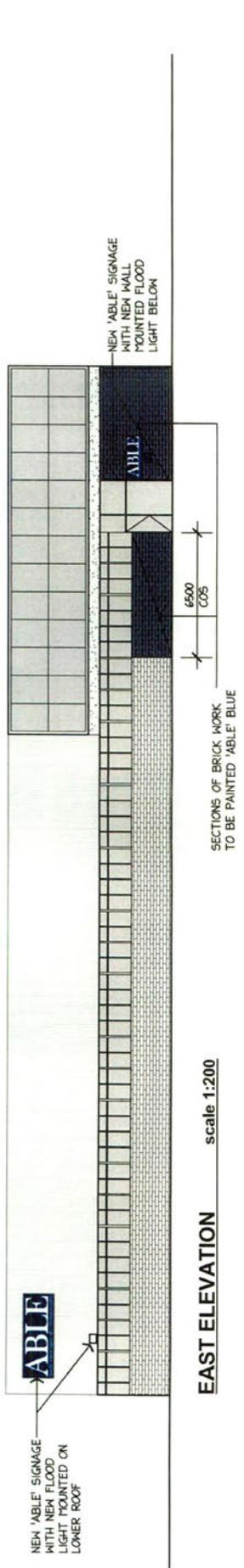
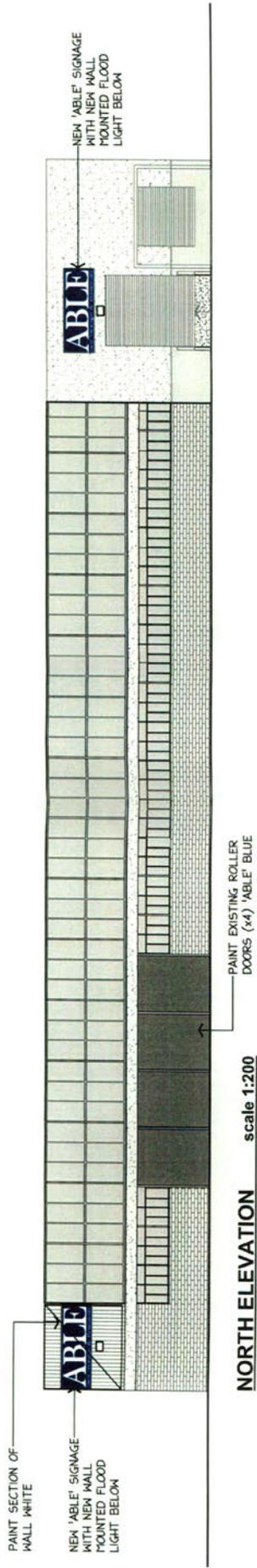
The Development Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, subject to the concurrence of the Development Assessment Commission for Application No. 211/984/2015 by The Cohen Group property services to undertake the establishment of a self-storage facility with associated car parking and signage, plus construction of a storage building, building modifications, demolition of shed and erection of fencing/gates at 11-17 James Congdon Drive, Mile End (CT's 5922/940, 5922/943, 5974/676 and 5974/677) subject to the following conditions:

Council Conditions

1. That the development shall be undertaken, operated and completed in accordance with the plans and documentation supplied in support of the application except where varied by any condition(s) listed below.
2. The main facility will be staffed (a maximum of two staff on site at any given time) and accessible to visitors between the following times:
 - Monday - Friday: 8:30am - 5:00pm
 - Saturday: 8:30am - 2:00pm
3. 24 hour access shall be available to only the storage units denoted on the ground floor layout plan approved herein.
4. The Development Plan Consent granted herein does not extend to the use of the upper floor of the subject building. Uses of the upper floor of the subject building shall be the subject of a separate development application.
5. That all loading and unloading of goods shall be carried out upon the subject land and no loading of any goods shall be permitted to be carried out in the street.
6. The free-standing external storage building shall only be accessible via a secure coded access between the hours of 8:30am and 5:00pm, Monday - Friday only.
7. That all carparking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standard 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
8. One disabled space shall be provided within the front car park of the development. The design of the disabled space shall be in accordance with AS/NZS 2890.6-2009.
9. Vehicles and trailers visiting the subject land shall be no longer than 14.5 metres in length.
10. There shall be no direct access to the existing roller doors on the north elevation of the building from Goodenough Street.
11. The free-standing storage building approved herein shall be constructed with factory pre-painted cladding and sited no less than 3 metres to the property boundary between the subject land and 12 Rose Street, Mile End
12. The free-standing storage building approved herein shall be sited no less than 5 metres to the Rose Street property boundary. This may require the storage units within the building being reduced from 12 units to 11 units.
13. Landscaping shall be planted along between the free-standing storage building and the eastern and southern property boundaries prior to the occupancy of the development. The landscaping shall be cultivated, tended and nurtured, and any plants that become diseased or die shall be replaced with a suitable species.
14. That any lights on the subject site shall be directed and screened so that overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.

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

16. Collection of waste bins shall only occur between the hours of 7:00am and 7:00pm.



External Alterations
to 11 James Congdon Dr
Mile End
for
Cohen Group

ELEVATIONS

PROJECT: 150212/03 ARCH: ABB DATE: 17/06/15

ISSUED FOR: Approvals

JOB NO.: 150212 DRAWING NO.: 02

REVISION:

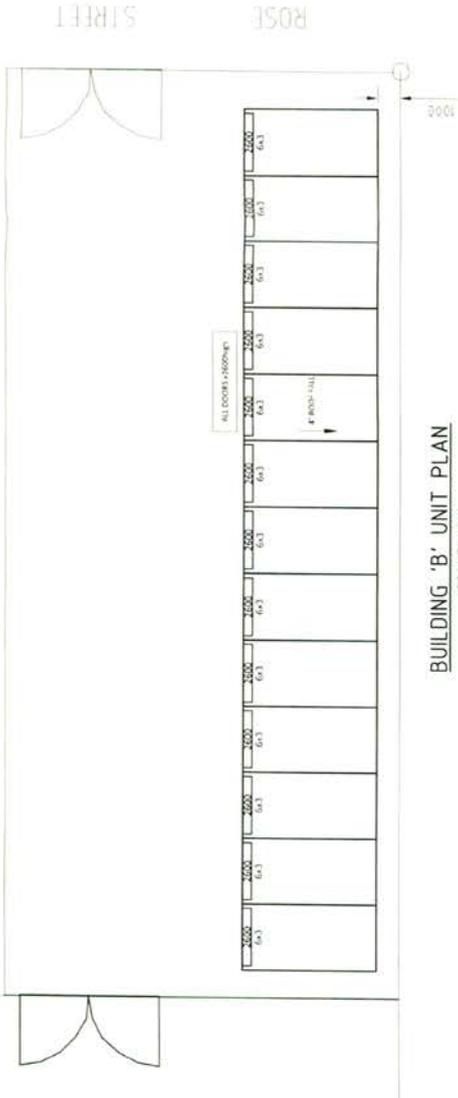
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Verify dimensions and details on site before setting out.
Do not scale, refer to figured dimensions.

City of West Torrens
7 6 AUG 2015
City Development

City of West Torrens
05 NOV 2015
City Development

AMENDED



BUILDING 'B' UNIT PLAN
SCALE 1:200



END ELEVATION
SCALE 1:100



FRONT ELEVATION
SCALE 1:100



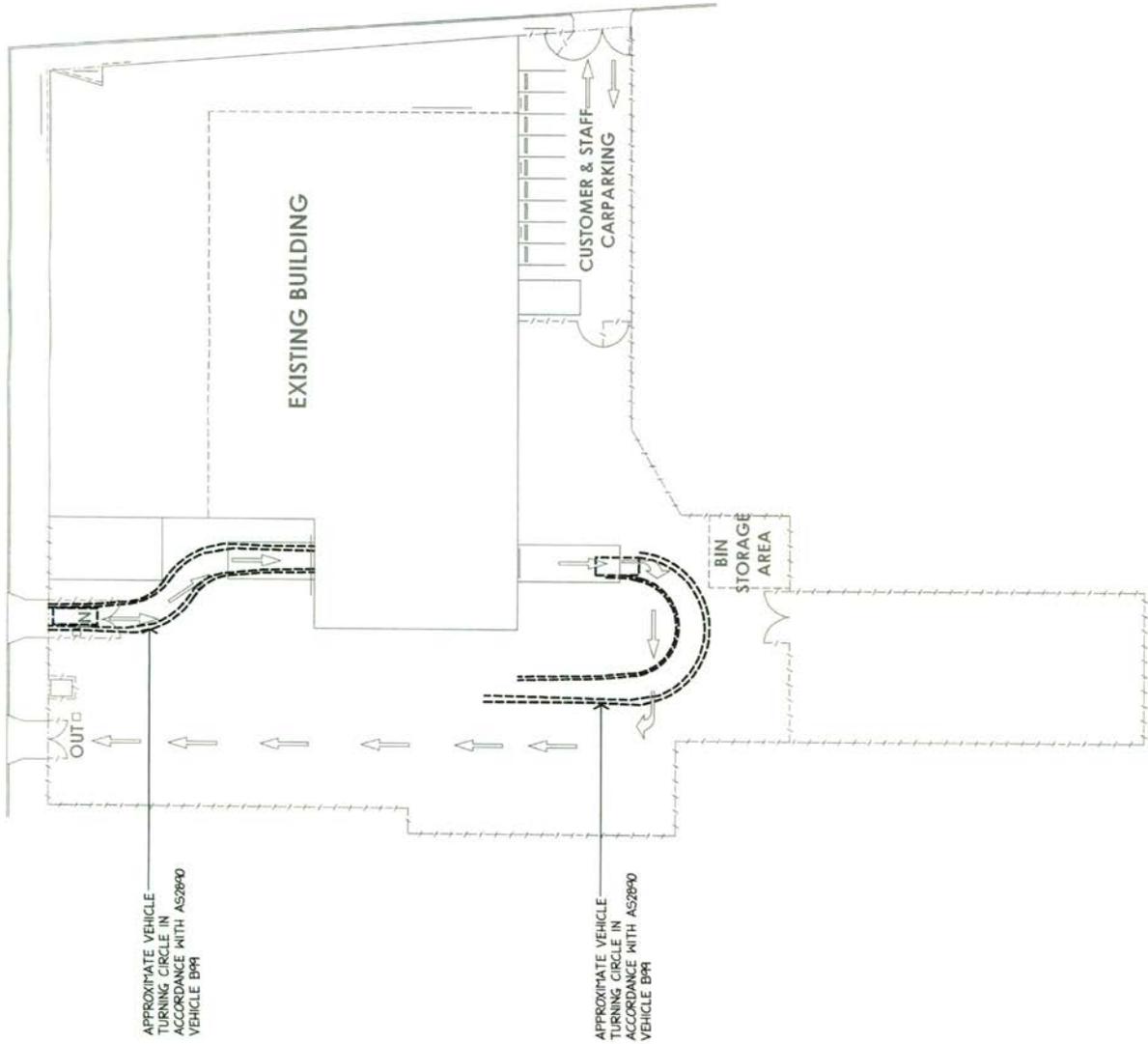
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DATE	REV	DETAILS	DRAWN	SCALE
08 Dec 2014	A	Preliminary Unit Layout	MD	Client: Able Self Storage and Removals Address: ADELAIDE S. A. Title: BUILDING 'B' UNIT PLAN Scale: 1:300 @ A3
19 Dec 2014	B	Preliminary Unit Layout	GKT	
03 Mar 2015	C	Preliminary Unit Layout	GKT	
07 Aug 2015	D	Preliminary Unit Layout	GKT	
28 Oct 2015	E	Preliminary Unit Layout	GKT	
	F			
	G			
	H			
	I			

STORCO REP
Regan
A
Dir. No. A6142-3



SITE PLAN scale 1:500

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External Alterations
to 11 James Congdon Dr
Mile End
for
Cohen Group

SITE PLAN
SCALES: DRAWN: 1:5000A3 DATE: 22/07/15
APPROVALS: APPROVED FOR: 03
DATE: 26 AUG 2015

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City of West Torrens
26 AUG 2015
City Development



P3315B.LettertoCouncil4December2015

4 December 2015

Mr Adam Williams
Senior Development Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033

via email: awilliams@wtcc.sa.gov.au

Dear Adam,

**211/984/2015 – SELF-STORAGE FACILITY, 11-17 JAMES CONGDON DRIVE, MILE
END**

I write in response to your email which documented the comments provided by Council's Civil Engineer, as well as the submission received from Andrew Mimidas.

I understand from our discussion, following legal advice that the submission received is not a valid representation under the Development Regulations, 2008, and as such will not be treated as such by Council staff in its advice to the Development Assessment Panel.

We acknowledge this, yet we still wish to respond to the issue raised within the submissions which has incorrectly assumed the nature of the facility and access from Rose Street (I note that this has also been incorrectly assumed by your civil engineer).

The access to Rose Street will only be for those with access to the 13 storage units along this section of the site. This will only be to exit the site and is necessary as there is limited turning space for a vehicle in that location.

This access point, along with the storage units themselves, will only be able to be accessed between the hours of 7am and 7pm Monday to Sunday. This will be achieved via secure coded access gate in the site.

All other traffic will only access and exit the site via Goodenough Street.

I also wish to stress that the only 24 hour storage facilities are internal to the building and accessed from Goodenough Street.

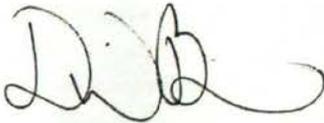
I note that Mr Mimidas did indicate that his concerns would be addressed with a staffed facility with standard business hours only. This is the case for the portion of the site with a relationship to Rose Street and therefore the vicinity of his property. I would be happy to further discuss the operations of the facility with Mr Mimidas if raised in your further discussions with him.

I have also noted that Council's Civil Engineer has requested that the site be "sealed" to prevent contaminated stormwater exiting the site.

Given that the proposed development does not seek to alter the existing surfaces on the site in any way (nor increasing impervious areas), it is considered that this is an unreasonable request in this instance. The use of these spaces will be for the storage of caravans and boats (not cleaning or washing of them), along with motor vehicles loading and unloading goods. The potential for contaminated stormwater run-off is no different to the previous use of this land as a car parking area for a printing business (and no different to other facilities within the locality).

I trust this now allows you to finalise your assessment and bring the application before Council's DAP.

Yours faithfully,
Jensen
PLANNING
+ DESIGN

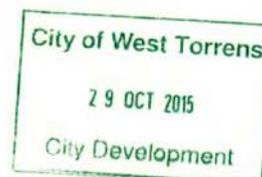


David Barone MPlA
Associate, Senior Urban and Regional Planner

ATTACHMENT 2

STORAGE FACILITY

JAMES CONGDON DRIVE, MILE END



Statement of Effect



October 2015

Document Quality Control

Project Name	Storage Facility DA, James Langdon Drive, Mile End
Project Number	P3315B
Client	Cohen Group Property Services
Document	Statement of Effect
Document File Name	P3315A.V3 Statement of Effect.28October15
Author of Document	DB

Version	Date of Document Release	Name of Person/s document was released to	Method of Release	Authorised By	Authorisation Date
3	28 October 2015	Belinda Brooks, The Cohen Group	Email	DB	28 October 2015



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Statement of Effect
James Congdon Drive, Mile End

1 INTRODUCTION

Jensen Planning + Design has been engaged by Cohen Group Property Services to prepare a Statement of Effect for their proposed development at Mile End, which lies within the City of West Torrens.

The applicant is seeking to establish a self-storage facility at an existing premises located at 11 James Congdon Drive, Mile End. The proposed development will result in a change in use of the existing vacant building from its former use as a printing service (operated by Salmat Business Force Pty Ltd), to a self-storage facility (defined as a 'store' in Schedule 1 of the Development Regulations 2008) operated by ABLE Self Storage & Removals.

A 'store' is listed as a non-complying form of development within the Urban Corridor Zone, and as a result this Statement of Effect has been prepared following a thorough review of the plans and documents to be submitted with the development application as well as an assessment of the site and surrounding locality.

In accordance with Section 39 (2) (d) of the *Development Act, 1993*, and 17 (5) of the *Development Regulations, 2008*, this Statement of Effect includes:

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

Statement of Effect
James Congdon Drive, Mile End

2 SUBJECT SITE + LOCALITY

2.1 Subject Site

The subject site comprises land identified by four titles, commonly referred to as 11 James Congdon Drive, Mile End. The four titles are referenced as:

- CT 5974/676
- CT 5974/677
- CT 5922/943
- CT 5922/940

The greater part of the site is located within the Urban Corridor Zone and Boulevard Policy Area 3, while the western most titles (CT 5974/677 and 5922/943) lie within the Residential Zone's Thebarton Character Policy Area 27 (refer **Figure 1**).

The site is located approximately 220 metres south of the Port Road intersection, at the edge of the western parklands.

The site is approximately 7,200m² in area, with a primary frontage to James Congdon Drive of approximately 67 metres, a secondary frontage to Goodenough Street of approximately 85 metres and a third frontage to Rose Street of approximately 17.5 metres (comprising of an existing crossover).

The subject site is currently occupied by an existing building that was previously used for printing services. This building has now been vacant for approximately 5 years. The existing building on the site has a total floor area of approximately 2720m² and zero setbacks to James Congdon Drive and Goodenough Street.

Currently, there is informal parking provided to the due south of the building and parallel parking along the western perimeter of the site. There is currently one existing crossover point from James Congdon Drive, two from Goodenough Street and one from Rose Street used to access the site.

The existing topography of the site is relatively flat and there are no regulated trees present on the site.

Statement of Effect
James Congdon Drive, Mile End



Figure 1: The subject site and zoning.

2.2 Locality

The site is located at the eastern edge of the City of West Torrens and is adjacent the City of Adelaide, with the perimeter of the parklands forming the boundary between the two Council areas, providing an open character on the eastern side of James Congdon Drive. A large

Statement of Effect
James Congdon Drive, Mile End

portion of the frontage adjacent the subject site is utilised for formal and informal 'overspill' car parking.

The on the western side of James Congdon Drive to the north of the site, the locality is primarily characterised by a range of large scale commercial premises set close to the road boundary, much like the site of the development. Notable businesses within the locality include Recruitco and Heatcraft, located at 19-21 James Congdon Drive (immediately to the north of the site), and the Ice Arena at 23 James Congdon Drive. The Sarah Homes display centre adjoins the site immediately to the south.

Further south of the site along James Congdon Drive the character differs slightly with several smaller scale commercial and retail premises including Eastern Silk textiles and an animal travel agent which have established by virtue of converting former dwellings. A few dwellings also front onto James Congdon Drive between the site and the Temple Christian College which adjoins the overpass with Henley Beach Road.

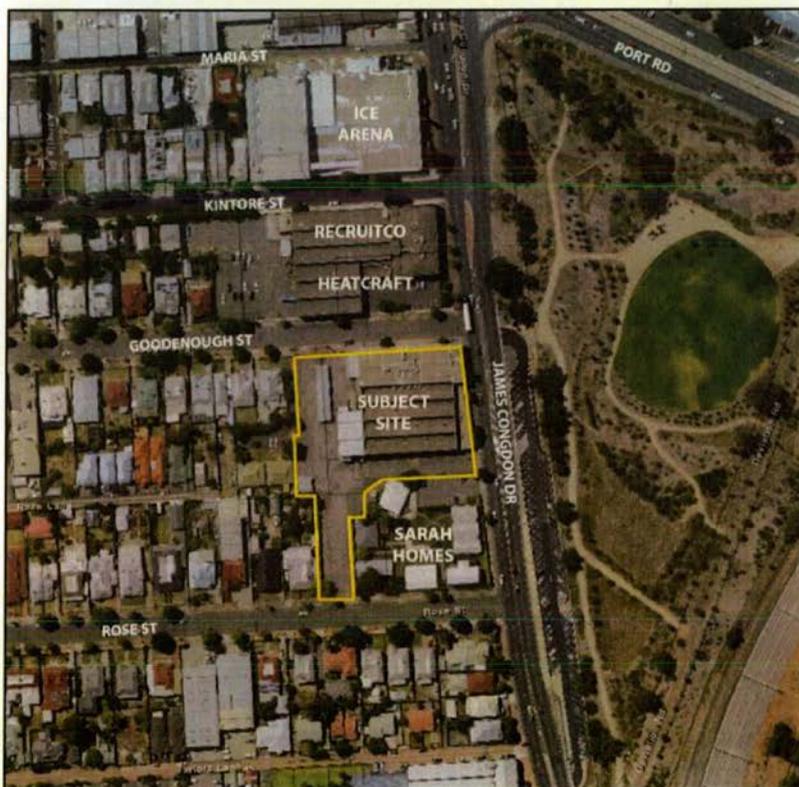


Figure 2: The subject site and broader locality.

Statement of Effect
James Congdon Drive, Mile End

West of the site the locality comprises principally single storey detached residential dwellings within the Thebarton Character Policy Area 27. The dwellings are principally in the form of stone fronted villas.

3 DESCRIPTION OF PROPOSED DEVELOPMENT

3.1 Overview

The proposal consists of the following:

- Internal modifications to the existing building at the site;
- Minor external modifications and signage to the northern and eastern facades;
- Removal of existing shed to the west of the existing building (within the bituminised servicing area);
- Construction of 12 new 6m by 3m by 2.4m storage units in the existing hardstand area fronting Rose Street
- Designated outdoor storage area for caravans and boats adjacent the western boundary near the Goodenough Street frontage
- New black cyclone fencing and gates to Goodenough Street, James Congdon Drive frontages and the southern edge of the site;
- Designation of a new staff / customer parking area; and
- A new waste storage area.

3.2 Land Use + Opening Hours

The applicant seeks to adaptively reuse the existing building at the site for the purposes of a self-storage facility and sale of related packaging materials.

The proposed development will modify the existing internal layout of the facility and site, in order to provide a total of 200 self-storage units ranging in size from 1.5 x 1.5 metres up to 7 x 5 metres within the existing building, together with 12 external storage units in a new building and outdoor storage for vehicles, caravans and boats. The majority of self-storage units will be accessed during business hours (refer below), with only 40 units accessible 24 hours, 7 days a week. Access to the 24 hour units will be granted via the small roller door and personal access door located between the entry ramp to the loading bay and Goodenough Street (western elevation). A key pad located next to the small roller will disarm the "24 hour zone" of units as well as the individual user's unit. Doors to the rest of the facility will remain locked after closing.

The facility will be staffed at the following times, with a maximum of two staff on site at any given time:

Monday - Friday: 8:30am – 5:00pm
Saturday: 8:30am – 2pm
Sunday: Closed

Statement of Effect
James Congdon Drive, Mile End

The 12 new external storage units will be accessible between 7am and 7pm 7 days a week.

New surveillance cameras will be installed both inside and outside the existing and proposed buildings, and be operational 24 hours a day, 7 days a week.

The development will also incorporate a new front office and show room area from which the facility will be managed, and any retail sales of related packaging materials will be undertaken. The alterations will also include a new unisex toilet for staff members and visitors to the retail area.

3.3 Alterations to the Existing Building and Site

The proposed development will involve external changes to the building façade, including the painting of small sections of the exterior walls and roller doors to improve the building's appearance and assist in identifying the site's entry, along with the installation of new signage to be mounted to the exterior walls of the northern and eastern elevations. The two signs on the northern elevation will be approximately 1.5m x 4.5m in dimension and be constructed of metal cladding attached to the building and lit externally via light underneath the sign. A 1.5m x 4.5m sign will be positioned on the southern end of the eastern elevation, along with a smaller 1m x 2.5m sign adjacent the main entrance to the facility.

These minor alterations to the existing building will improve the visual appearance of the building as it presents to James Congdon Drive and Goodenough Street.

Internally, the building will be altered through the demolition of some internal walls to open up the building for the layout of the storage areas.

The site layout will remain largely unchanged, with the proposed demolition of the existing shed building immediately to the west of the main building in the rear car park area, along with the removal of the existing bin storage area adjacent the rear boundary.

New black cyclone fencing will separate the proposed public car parking area from the remainder of the site.

3.4 Car Parking

The proposed development will include the provision of 9 car parking spaces, located on the southern side of the existing building and adjacent to the existing crossover at James Congdon Drive. The car parking area will be used by customers and staff (a maximum of 2 staff on-site at any time). Entry and egress to / from the car parking area will be made via the existing crossover from James Congdon Drive. The car park area will be floodlit with wall mounted lights on the building.

The principal access to the site for drop-off and collection of stored items will be via Goodenough Street, making use of the existing gates. Vehicles will enter the building via the existing ramp, unload goods, and exit the building via the existing exit ramp, turn around and exit through the

Statement of Effect
James Congdon Drive, Mile End

exit gate. This movement has been designed to accommodate a vehicle up to 14 metres in length and facilitates one way movements so vehicles exit in a forward direction. An exit only arrangement is proposed for the Rose Street access, through the proposed internal fence and gates (this is intended to be available only to users of the 12 storage units in this location).

3.5 Waste Management

A relocated bin storage area is proposed adjacent the southern boundary of the site of the development. The area will accommodate a 3m³ bin that will be utilised for company use only and be for the storage of plastic and cardboard waste. This bin will be collected by private contractor (SITA) and based on experiences at other Able Storage sites in Adelaide, will require collection approximately once every 4 weeks. Collection will only be able to occur during hours that the site is staffed (to gain access to the site).

A separate 240L wheelie bin (standard Council issue) will be used for other waste from the office, and will be collected as needed.

Statement of Effect
James Congdon Drive, Mile End

4 DEVELOPMENT PLAN ASSESSMENT

4.1 Procedural

In accordance with the West Torrens Council Development Plan (consolidated 25 June 2015), the relevant Development Plan at the time of application lodgement, the following Development Plan assessment has been conducted.

The site of the proposed development is located within the Urban Corridor Zone Boulevard Policy Area 34, and partly within the Residential Zone Thebarton Character Policy Area 27. In reference to the Development Plan, a 'store' is listed as a non-complying use within both the Urban Corridor Zone and the Residential Zone. Therefore the proposed development constitutes a non-complying form of development.

4.2 Land Use

Relevant Provisions

General Section: 'Orderly and Sustainable Development' Obj 3, 4, PDC 1, 7

Urban Corridor Zone: Obj 1, 2, 3, PDC 1, 2

Boulevard Policy Area 34: Obj 1, Desired Character Statement, PDC 1

Residential Zone: Obj 1, PDC 1, 2

Thebarton Character Policy Area 27: Obj 1, PDC 1

The Urban Corridor Zone champions the establishment of a mixture of land uses across the zone, with principally non-residential land uses at ground levels. While this relates to retail, commercial and community uses, it is silent in regard to a storage use, other than listing store as a non-complying form of development. Similarly, the Residential Zone makes some provision for non-residential development, although a store is listed as non-complying within the zone.

However, it is important to note that the Urban Corridor Zone advocates change over time to a different land use and built form. Market advice provided to the applicant (land owner) over recent years indicates that it is premature to contemplate the envisaged form of development on this particular site. It is noted that the Boulevard Policy Area 34 seeks the development of 'mixed use buildings that contain shops, offices and commercial development at lower floors with residential land uses above'. While the owner of the site acknowledges that the site may, in the future, hold the potential for it to be redeveloped to the form envisaged by the Zone, there is an immediate need to tenant the site with a suitable use that does not preclude redevelopment in the medium-term (when the market conditions are permitting).

The proposed development represents an economical and adaptive reuse of a currently vacant existing building. As indicated above, whilst this form of development is not envisaged within the zone, the development minimises the need for immediate substantial infrastructure investment and will not prohibit future redevelopment of the site for mixed use purposes (including residential uses).

This is consistent with general policies which state that development should 'not prejudice the achievement of the provisions of the Development Plan' and 'the continuance of adjoining

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James Congdon Drive, Mile End*

authorised land uses' (Orderly and Economic Development' Objectives 3 and 4). This would relate to the existing residential development to the rear of the site, as well as the existing range of commercial land uses that exist within the locality along James Congdon Drive. However, it also relates to the future mixed use and high density residential development envisaged for the zone which, over time could be established to the north and south of the site.

The proposed land use is such that its intensity is very low, and therefore its likely impact on the amenity of the surrounding locality would not likely compromise (either through noise, traffic or other affects):

- the establishment of envisaged uses within the Urban Corridor Zone (particularly residential development above non-residential land uses)
- the ongoing operation of the existing range of commercial and retail activities that exist along James Congdon Drive (it will in fact complement them)
- the residential amenity of the adjacent residential land uses to the rear (noting that they already adjoin a series of non-residential land uses)
- the amenity and ability to use and enjoy the parkland setting of the Adelaide Parklands opposite James Congdon Drive.

It is considered that, on balance, the form of the proposed development is consistent with the locality in which it is situated. As such, the proposed development is considered to be appropriate within its context.

The proposed development represents an appropriate, low intensity, low impact land use on a site that is currently vacant and underutilised, yet not yet ready for the scope of redevelopment envisaged for the Urban Corridor Zone. Therefore, notwithstanding the non-complying status of the land use, the proposal is not considered to be at seriously at variance with the provisions of the Development Plan in relation to land use.

4.3 Appearance of Land and Buildings

Relevant Provisions

General Section: Advertisements: Obj 1, 2, 3, PDC 1, 2, 4, 5, 7, 8, 11, 12, 14, 22, 23, 24

Crime Prevention: Obj 1, PDC 1, 5, 7

Design and Appearance PDC 2, 12, 13, 14, 15, 17

Industrial Development: PDC 8

Urban Corridor Zone: Obj 2, 4, 6, Desired Character Statement, PDC 7, 8, 10, 14-17

Boulevard Policy Area 34: Obj 2, 4, Desired Character Statement, PDC 3, 7

Residential Zone: PDC 18

Thebarton Character Policy Area 27: Obj 1, Desired Character Statement, PDC 2

The Urban Corridor seeks to significantly change the character of this location and the manner in which buildings and land are viewed. This includes significant increases in development intensity by virtue of building heights, focussed active uses and building facades at ground level and a compact urban form.

Making use of the existing building in place, the proposed development does not achieve the new built form envisaged, and is limited in its ability to provide the activated frontage envisaged

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James Congdon Drive, Mile End*

by the Urban Corridor Zone (it is currently single storey (and only has a small area of glazed frontage to James Congdon Drive).

However, the proposal does seek to complement the remainder of the policies within the Development Plan that speak to appropriate design and appearance of development. This is particularly the case for:

- maintaining and enhancing the visual attractiveness of the locality. The proposal involves a refresh of the building's appearance through painting and application of new signage, such that it will maintain a consistent appearance to those similar forms of buildings existing within the locality.
- providing the main entry to the primary street frontage and emphasising the corner. This is once again achieved through the use of painting the façade and signage, which highlights the entry location adjacent the corner of the building.
- provision of appropriate advertising numbers, location, size and appearance. The proposed development provides advertising that is integrated within the design of the building and not positioned above the roof level. The advertising size has a relationship to the scale of the building, and is well below the 20% coverage provided for within the policy. The advertising is finished professionally, only relate to the proposed use of the land, and is illuminated externally such that it does not create glare or distraction to drivers on James Congdon Drive or Goodenough Street.
- fencing that is compatible with the locality and maintains visibility for security and surveillance. The proposed fencing to the site will ensure that an appropriate level of security is provided for the site, yet maintains visibility into the site at all times through its open nature. The black finish of the fencing is appropriate within the locality in that it complements those found within the locality, particularly the adjacent Sarah Homes Display Home site to the south.
- the proposal does not compromise the potential adaptation of the site into the future. The proposal facilitates the conversion of the building to a range of land uses into the future which are aligned with those envisaged within the Urban Corridor Zone (such as offices and retail). This is by maintaining a predominantly open areas within the building form, as well as maintaining suitable spaces for the provision of additional car parking to satisfy the increase parking ratios required by these envisaged uses.

While not delivering the building form envisaged within the Urban Corridor, as an interim use until such form becomes financially viable, the proposal does not have a detrimental impacts on the visual attractiveness of the locality, and therefore is consistent with the majority of the general policies that speak to this matter.

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James Congdon Drive, Mile End

4.4 Car Parking, Movement + Servicing

Relevant Provisions

General Section: Industrial Development: PDC 3, 4

Transportation and Access Obj 2, PDC 2, 8, 9, 12, 13, 14, 23, 24, 26, 27, 28, 31, 32, 34-43

Waste: Obj 1, PDC 2, 5

Strategic Transport Routes Overlay: Obj 1, PDC 1, 2

Urban Corridor Zone: Desired Character Statement, PDC 4, 6, 11, 12, 19, 20

Boulevard Policy Area 34: Obj 2, 4, Desired Character Statement, PDC 3

The Urban Corridor Zone and Boulevard Policy Area both seek development to provide access from a secondary street or rear lane instead of an arterial road. This is supported by the Strategic Transport Route Overlay. While it is acknowledged that the proposal is not consistent with this, it does in fact utilise an existing access point onto James Congdon Drive. In addition, due to the limited number of parking spaces serviced by the access point (only 9) and the very low intensity of the land use, gaining access from this location will not compromise the flow and function of James Congdon Drive as an arterial road. Indeed, the proposal is less intensive than that of the neighbouring Sarah Homes display homes development which takes advantage of access from James Congdon Drive (but also has access to Rose Street).

The Development Plan also seeks to ensure that parking and access to safe and convenient for users, and enables vehicles to enter in a forward direction. This is achieved by the proposed development with both the parking area for staff and visitors (fronting James Congdon Drive) and the main storage delivery and service entry and exit points (on Goodenough Street) both allowing for suitable movements on the site to enable a vehicle to exit in a forward direction.

While the Urban Corridor Zone references Table WeTo/6 in identifying appropriate car parking ratios for development, that table does not list an appropriate parking ratio for a store (the non-residential land uses envisaged are typically more intensive with higher ratios). As such regard needs to be had to Table WeTo/2 which applies to the remainder of the Development Plan. This stipulates that parking for a warehouse (closest aligned use to that proposed) should be provided as follows:

Land Use	Parking Ratio	Car Parks Required
Office component	3.3 / 100m ² total floor area	12
Non-office component:		
- up to 200m ²	- 2 per 100 square metres of total floor area	4
- plus 200 - 2000m ²	- 1.33 per 100 square metres of total floor area	24
- plus greater than 2000m ²	- 0.67 per 100 square metres of total floor area	7

Notwithstanding that the proposal does not provide the parking indicated within Table WeTo/2, the provision of 9 parking spaces is considered sufficient to accommodate the anticipated demand for a facility of this nature. This is due to only two staff being on site at any one time and previous experiences of anticipated demand from other Able Storage facilities across Adelaide.

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James Congdon Drive, Mile End*

This is supported by recent parking demand analysis undertaken by Aurecon¹ for the Self-Storage Association of Australia specifically to determine parking demands for self-storage facilities. The analysis suggested the following ratio for a facility under 3,000m² in area:

- 1 parking space for the office area
- 2 parking spaces for the storage area
- 2 staff parking spaces
- 1 trailer / ute parking space

This ratio implies a demand for 6 spaces, less than that proposed within the development.

The proposed storage loading access and manoeuvring areas have been designed to accommodate the largest vehicles likely to service the development (being a 14 metre vehicle). This can be achieved through the rear loading dock to the building and is facilitated by the removal of the existing shed to the rear of the main building. Provision is made for waste collection on the site and is relocated to a new position adjacent the south-western corner of the main building. This new position continues to be able to be accessed by private waste collection service, and enable exiting in a forward direction.

4.5 Amenity

Relevant Provisions

General Section: Industrial Development: Obj 3, PDC 4, 6, 7

Interface Between Land Uses: Obj 1, 2, 3, PDC 1, 2, 3, 6, 8

Noise and Air Emissions Overlay: Obj 1, PDC 1

Urban Corridor Zone: Obj 7, 9, Desired Character Statement, PDC 4, 12

The Urban Corridor Zone seeks to ensure that there is a suitable interface between non-residential development and residential development, although it does acknowledge that "noise and air amenity in zone is not expected to be equivalent to that from living in a purely residential zone". Nevertheless, other policies in the Development Plan support the objective of ensuring that development does not impinge on the amenity of adjacent residential development by virtue of noise, odour, dust or lightspill.

The proposal achieves this policy intent by virtue of the low intensity of the nature of the use (far less than the previous printing land use) and the design and location of activities on the site. This specifically relates to:

- the location of the main car park area adjacent James Congdon Drive (approx. 60 metres from the nearest residential boundary)
- the relocation of the waste storage area away from the western boundary (ie directly next to residential properties) to a location that is 17 metres from the nearest residential boundary

¹ Aurecon (2009) Study Results and Findings, Self Storage Facility Traffic and Parking Study, Self Storage Association of Australia, https://www.selfstorage.org.au/sites/default/files/user-content/ssaa_report_-_traffic_and_parking_study.pdf

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James Congdon Drive, Mile End

- all loading of goods from vehicles within the facility being located within the rear loading dock which is enclosed and positioned approximately 24 metres from the nearest residential boundary.

The site will be predominantly accessed by customers during business hours, with some storage units being accessed after hours (24 hours, 7 days a week). After hours access will be controlled through a single keypad adjacent the entrance to the storage facility off Goodenough Street. This will simultaneously open the gate to the site and the roller door restricting access to the enclosed loading bay area.

The site will be monitored by security cameras at all times, whilst the car parking area will be lit with three external wall mounted flood lights. In keeping with 'Interface Between Land Uses' PDC 1, the proposed wall mounted flood lights will be suitably located away from the residential interface to minimise any detrimental impact from light spill.

Although the hours of operation for the proposed development will be 24 hours, 7 days a week, there is to be no adverse impacts on the abutting residential properties in terms of noise, traffic and lighting. In particular, any noise generated will be significantly less than the previous land use and deliberately minimised through the enclosure of the loading bay within the building itself.

5 SOCIAL, ENVIRONMENTAL AND ECONOMIC EFFECTS

Pursuant to Regulation 17(5), in addition to the detailed assessment of the proposal against the relevant (and stated) requirements of the Development Plan, consideration has been given broadly to the economic, social and environment effects expected from the development.

The development as proposed comprises the change in use of an established building within the Urban Corridor and Residential Zone. Accordingly, this assessment considers the effects expected as a result of this change of use.

In short, the resultant negative effects are **expected to be minimal**, as reflected in the assessment below.

5.1 Economic

The proposed development will allow a business to establish itself in a well serviced, accessible location that would otherwise be vacant. The proposed development will continue to contribute to business activity and diversity in the area and is compatible with development in the locality (as assessed in Section 4). It will represent an expansion into metropolitan Adelaide for a local South Australian business that is positive for the local economy.

The proposed development will provide a quality self-storage facility, which could be easily adapted for use by other tenants and businesses in the future.

Statement of Effect
James Congdon Drive, Mile End

The proposed development will establish a use for a building that would be otherwise vacant and inactive, as it has been for the past 5 years. While the proposed development is not consistent with the envisioned land uses for the Zone, it utilises the opportunity to occupy an otherwise vacant site, until the market is ready for the desired development typologies envisaged in the Urban Corridor Zone. Similarly, these improvements to the existing site and building represent positive investment within the local area.

5.2 Social

The proposed development will provide a self-storage facility for the local and broader community, complementing the range of retail, services and facilities provided within the Urban Corridor Zone.

Storage facilities are increasingly important for people living within the Adelaide CBD and inner-metropolitan suburbs, as the allocation of personal storage space within new residential buildings becomes less prominent.

There is notable demand for this type of development within the area, with the presence of a well utilised Kennard's Self-Storage area north of the site, also located within the Urban Corridor Zone.

The development itself does not in any way contribute to the demand for social services and infrastructure, and therefore has little social impact.

5.3 Environmental

The proposed development represents sustainable building practices, as it proposes to refurbish the existing building. The existing building and site is easily adapted to the proposed land use and does not require any significant changes to the site.

Being partly within a Residential Zone, any effects on residential amenity are an important consideration. The proposal will result in the retention of the existing interface with the adjacent residential development to the rear, and traffic movements through existing crossover points on Goodenough Street and Rose Street.

Furthermore, when considering the reasonable requirements of the proposal to maintain residential amenity, consideration is given to the amenity of residential development along Goodenough Street being already diminished by the traffic noise, as well as the presence of a number of commercial and retail activities, some of which are large and intensive in nature.

The use of the site as a proposed self-storage facility is of a nature that is similar to that of the other existing non-residential uses. Furthermore, the proposed development is not expected to result in additional or intensified environmental effects and rather presents a less intensive use of the site than its previous uses.

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While the storage facility will be accessible by those who rent a personal storage space 24 hours, 7 days a week, as experienced by similar facilities, the likelihood of customers visiting after-hours is minimal. Any after hours activity will have minimal impact on abutting sensitive land uses, as the proposed loading bay is enclosed and deliberately located within the building, itself. Furthermore, the design and layout of the site has prioritised the location of any such activities away from sensitive land uses like the abutting Residential Zone.

Statement of Effect
James Congdon Drive, Mile End

6 CONCLUSION

This Statement of Effect provides an assessment of the proposed development of a self-storage facility against the relevant provisions of the Council Development Plan and provides an assessment regarding the expected social, economic and environmental effects of the proposal.

While the development occurs within the Urban Corridor Zone, and partly within a Residential Zone, both of which list 'store' as non-complying, the proposed development comprises the adaptive reuse of an established building, signifying an economical use of existing infrastructure, and is not considered to be incompatible with the established uses within the locality.

In this regard, the proposed development will both enhance the appearance of the building as it presents to James Congdon Drive and Goodenough Street, and provide a use for a long-term vacant tenancy. The proposed development will be accessed by existing crossover points and serviced by an existing bituminised area for car parking and vehicle movements.

The impact of the proposed use is considered to be minimal and not be to the social, economic or environmental detriment of the locality.

In summary, the proposal is not considered to be seriously at variance with the provisions of the Development Plan and displays sufficient merit to warrant Development Plan Consent, as outlined within this Statement of Effect.

6.3 22 Birkalla Terrace, PLYMPTON

Application No. 211/1168/2015 & 211/1036/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title DAC No- 211/D148/15 Create Two (2) additional allotments	Demolition of dwelling and associated outbuildings plus construction of three single storey dwellings each with garage under main roof
APPLICANT	K & P Littledike	Zybek Consulting
APPLICATION NO	211/1168/2015	211/1036/2015
LODGEMENT DATE	6 October 2015	8 September 2015
ZONE	Residential Zone	Residential Zone
POLICY AREA	Residential Policy Area 18	Residential Policy Area 18
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	1	1
REFERRALS	Internal ▪ Nil External ▪ Development Assessment Commission (DAC) ▪ SA Water	Internal ▪ Civil Engineer (City Assets) - traffic, parking, stormwater & drainage. ▪ Amenity Officer (City Works) - Street Tree interaction. External ▪ Nil
DEVELOPMENT PLAN VERSION	25 June 2015	25 June 2015
MEETING DATE	12 January 2016	12 January 2016
RECOMMENDATION	CONSENT	CONSENT

BACKGROUND

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

- With regard to residential development and land division applications, where at least one proposed allotment and or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP.

SITE AND LOCALITY

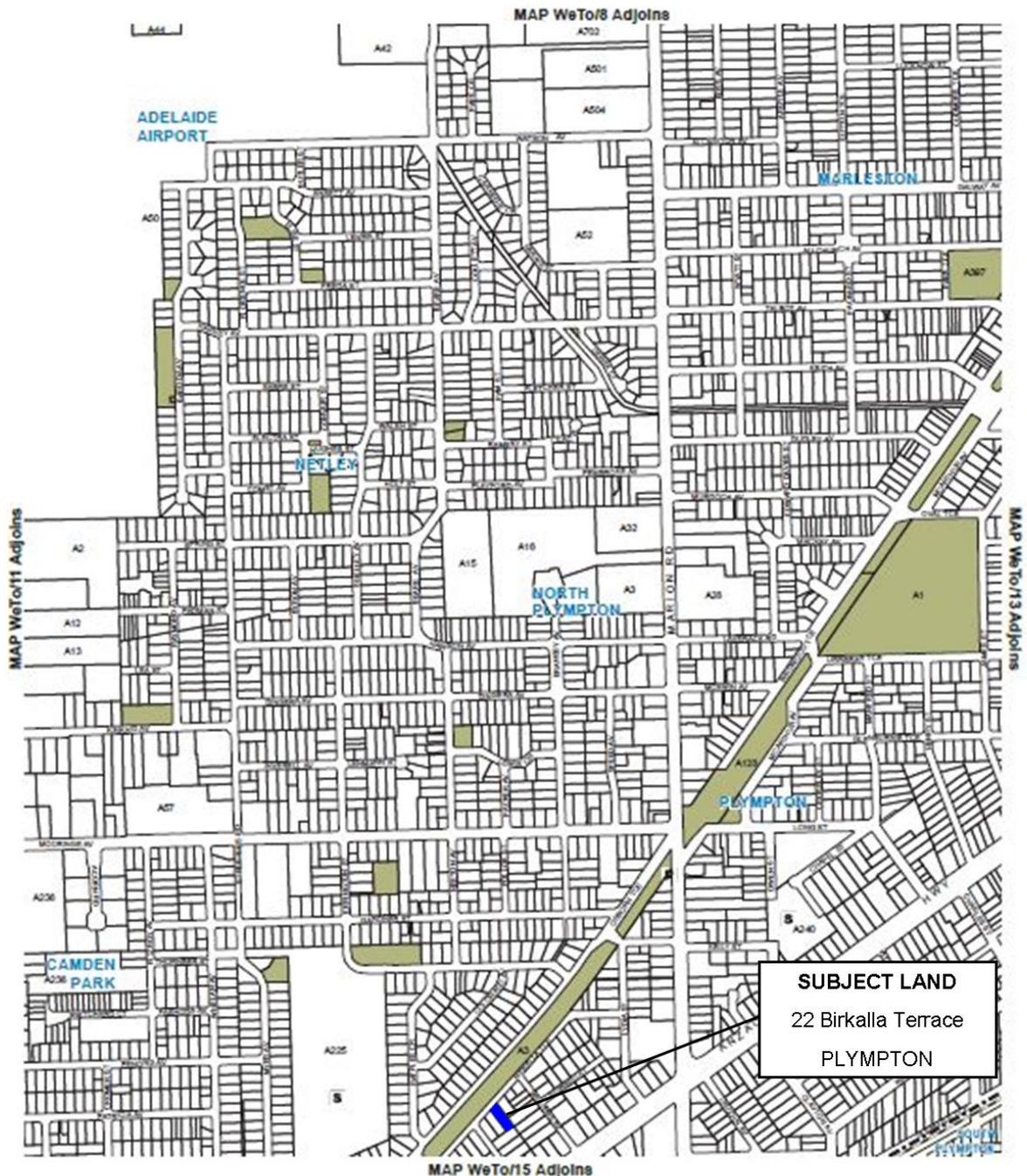
The subject land is described as Allotment 1 Deposited Plan 3106 in the area named Plympton Hundred of Adelaide, and is more commonly known as 22 Birkalla Terrace. It is located within the Residential Zone and more particularly Residential Policy Area 18. The Westside Bikeway is directly opposite the land; arterial roads, Marion Road and ANZAC Highway, are located 315 metres east and 100 metres south of the land respectively; and, the Urban Corridor Zone is located approximately 86 metres south-east of the land.

The subject land currently contains 1950's contemporary style dwelling with associated structures such as an outbuilding and verandah.

The locality consists mostly of medium density residential development up to two storeys in height, however there are several examples of new and infill development within the locality and given the current desired character for the policy area, it could be said that a transition to a more intense medium density locality is occurring.

Allotments within the locality are generally rectangular in shape and contain a variety of dwelling types including detached, group and row dwellings as well as residential flat buildings.

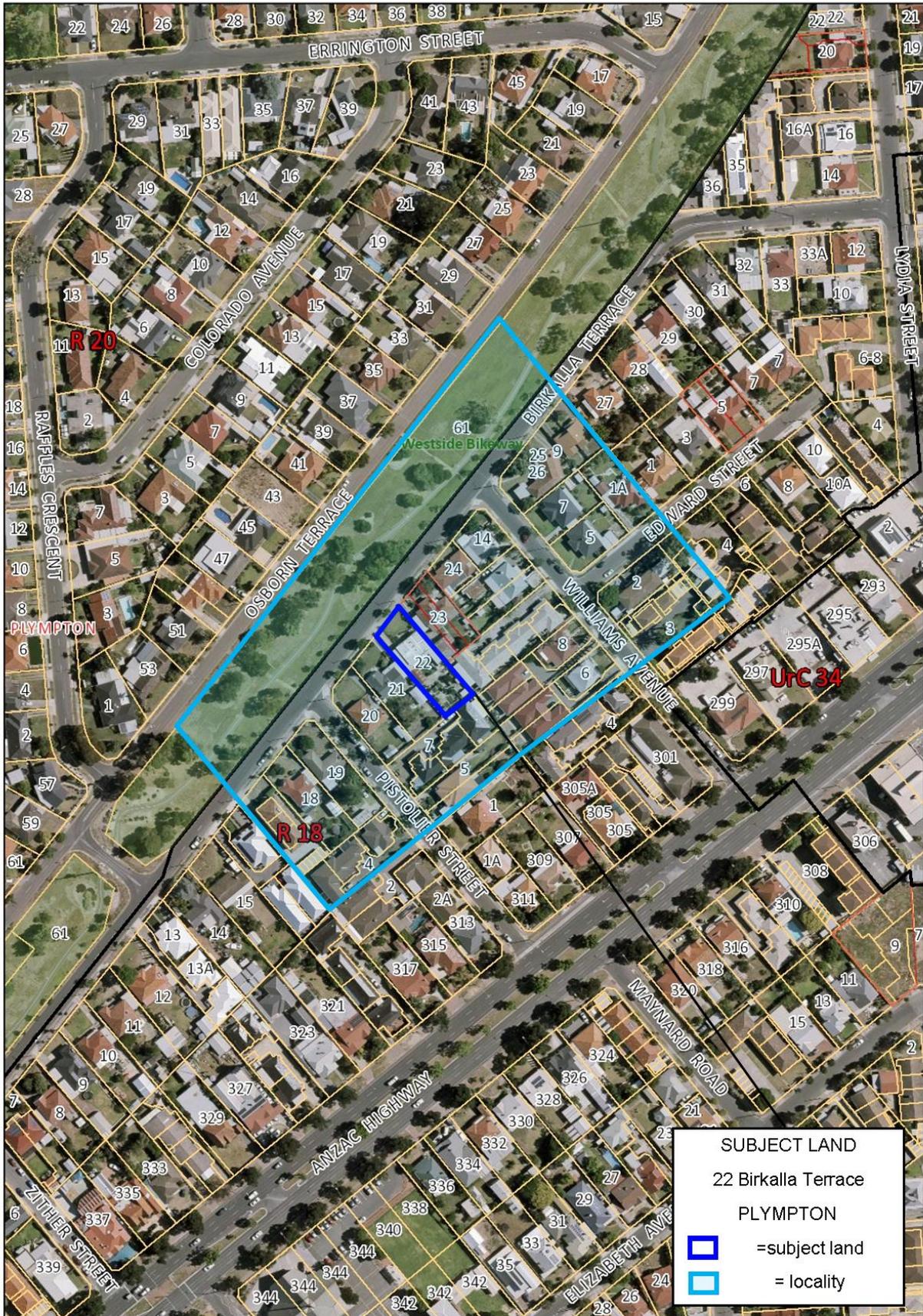
The site and locality are shown on the following maps.



- S** School
- P** Post Office
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/12

WEST TORRENS COUNCIL
Consolidated - 25 June 2015



PROPOSAL

It is proposed to construct three, single storey row dwellings each with a garage and alfresco built under the main roof.

Each proposed dwelling comprises an open plan living/dining/kitchen area, separate study, four wet areas and three bedrooms.

All car parking facilities associated with the proposed dwellings are accessed by separate driveways and crossovers.

A landscaping plan has also been included which indicates that landscaping will mainly be provided within the front setback areas and rear areas of private open space.

The proposed land division is for a Torrens Title Land Division creating two additional allotments. The boundaries of the land division application and party walls are consistent with the land use application (DA 211/1036/2015). The proposal has been lodged to formalise titling arrangements in accordance with the associated land use development application being concurrently considered in this report (DA211/1036/2015).

The proposed land use and land division development applications are included in **Attachment 1**.

PUBLIC NOTIFICATION

The land division applications are a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Procedural Matters in the Residential Zone of the West Torrens Development Plan.

REFERRALS

Internal

- **Civil Engineer (City Assets)**

The application was referred to Council's City Assets Engineer who raised concerns regarding finished floor levels, verge interaction and driveway access.

These concerns have been adequately addressed in the plans being considered by the DAP.

- **Amenity Officer (City Works)**

Given that a driveway, crossover and stormwater disposal is required to be established for each dwelling a minimum offset of 2 metres from the existing street tree cannot be maintained and therefore the removal of the street tree would be most appropriate. At the time an application for the crossovers is submitted to Council for consideration a fee for the removal of the tree will be issued, which is currently estimated to be \$654.

External

The land division application (DA 211/1168/2015) was referred to SA Water by the Development Assessment Commission (DAC) who advised of no objection subject to specified standard conditions being included on any consent to be issued.

A copy of the relevant referral responses are included in **Attachment 2**.

ASSESSMENT

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

<i>General Section</i>		
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 8
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 9, 10, 12, 13, 14 & 15
Energy Efficiency	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
Land Division	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8 & 12
Landscaping, Fences and Walls	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 4
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3 & 7
Residential Development	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 31 & 32
Transportation and Access	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 10, 11, 23, 24, 25, 34, & 44

<i>Zone: Residential Zone</i>	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	1, 3 & 4
<i>Principles of Development Control</i>	1, 5, 6, 7, 10, 11, 12, 13, 14

Policy Area: Residential Policy Area 18	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1(Land Use), 1 (Form and Character), 4, 5, 6 & 8

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT		
		Dwelling 1	Dwelling 2	Dwelling 3
SITE AREA				
Residential Policy Area 18 PDC 6	150m ²	292.57m ² Satisfies	255.85m ² Satisfies	292.10m ² Satisfies
Residential Policy Area 18 PDC 8	250m ²	292.57m ² Satisfies	255.85m ² Satisfies	292.10m ² Satisfies
SITE FRONTAGE				
Residential Policy Area 18 PDC 6	5m	5.83m Satisfies	5.2m Satisfies	6.08m Satisfies
Residential Policy Area 18 PDC 8	9m	5.83m Does Not Satisfy	5.2m Does Not Satisfy	6.08m Does Not Satisfy

SITE COVERAGE Residential Policy Area 18 PDC 5	70%	60% approximately Satisfies	65% approximately Satisfies	60% approximately Satisfies
STREET SETBACK Residential Policy Area 18 PDC 5	3m	5.3m Satisfies	4.8m Satisfies	3.6m Satisfies
REAR SETBACKS Residential Policy Area 18 PDC 5	4m	7m Satisfies	7m Satisfies	7m Satisfies
SIDE SETBACKS Residential Zone PDC 11 & 13	1m or immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height or (i) should have a maximum vertical wall height of 3 metres (ii) should have a maximum length of 8 metres (iii) should be constructed along one side of the allotment only and no further than 14 metres from the front boundary	<u>North</u> 600mm-900mm Does Not Satisfy <u>South</u> immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height Satisfies	<u>North</u> immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height Satisfies <u>South</u> 900mm Does Not Satisfy	<u>North</u> On boundary for 26.7m long Does Not Satisfy <u>South</u> 964mm Does Not Satisfy
PRIVATE OPEN SPACE Residential Development PDC19	24m ² (minimum dimension 3m & minimum of 16m ² provided at the rear or side of the dwelling, directly accessible from a habitable room)	38m ² Satisfies	33m ² Satisfies	39m ² Satisfies

CARPARKING SPACES Table WeTo/2	2 car parking spaces per dwelling, 1 of which is covered	2 provided (1 covered) Satisfies	2 provided (1 covered) Satisfies	2 provided (1 covered) Satisfies
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QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Frontage Width

The Development Plan specifies two different frontage widths for land division and dwelling types within Residential Policy Area 18. Residential Policy Area 18, Principle of Development Control (PDC) 8 reads,

"Land division should create allotments with an area of greater than 250 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings, or follows an approval for dwellings on the site".

Although the development was not submitted as a combined application, the land use application has been submitted separately but still in conjunction with the land division. As the dwelling types can still be reasonably determined, which in this case are row dwellings, it is practical to apply Residential Policy Area 18, PDC 6, where the minimum frontage width for a row dwelling is 5 metres. Each dwelling site in this instance satisfies the Development Plan.

It is believed that Residential Policy Area 18 PDC 8 was established so that where the land use is not proposed or an adequate land size would be required, however, given that the land use is known through the associated land use application, Residential Policy Area 18 PDC 6 should be applied.

Despite the differing frontage width requirement, overall, the proposed division and land use will satisfy the Desired Character Statement of the policy area. The proposal will result in a medium density development that establishes a different type of dwelling and form of living within the locality, where the design of the dwellings themselves lends to a varied streetscape.

Side Setbacks

The side setback deficiencies of Dwelling 1 and Dwelling 2 of 900 millimetres are considered to be a minor departure from the 1 metre side setback provision within the Development Plan. The deficiency is not considered to have a detrimental visual impact and the side setback will not conflict with requirements of the Building Code.

Dwelling 3 has a wall extending approximately 26.7 metres along the northern site boundary. This wall is adjacent to all windows of Dwelling 2 as the northern wall of Dwelling 2 abuts the wall of Dwelling 1. The wall of Dwelling 3 built on the boundary is considered acceptable as, typically row dwellings situated in the middle have simultaneous walls built to each side and therefore no windows to the side elevation would generally exist. However, in this instance proposed Dwelling 2 will get the benefit of windows to rooms which will enable some sunlight to be accessible. In addition, given that the site measurements constrain the dwelling footprint the location Dwelling 3 with a wall on the boundary is considered to be acceptable.

SUMMARY

With the exception of minor side setback deficiencies the proposed development satisfies the relevant Principles of Development Control and more importantly contributes to the Desired Character of Residential Policy Area 18. The proposed dwellings will result in medium density development in the form of dwellings that are specifically envisaged within the policy area.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 June 2015 and warrants Development Plan Consent.

RECOMMENDATION 1 - LAND DIVISION

The Development 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. 211/1168/2015 by K & P Littledike to undertake Land division - Torrens title DAC No- 211/D148/15 Create Two (2) additional allotments at 22 Birkalla Terrace, Plympton (CT 5714/666) subject to the following conditions:

DEVELOPMENT PLAN CONSENT COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Alexander Symonds Surveying Consultants, Reference A101715PROP(A) dated 23 September 2015, relating to Development Application No. 211/1168/2015 (DAC 211/D148/15).

LAND DIVISION CONSENT COUNCIL CONDITIONS:

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from all of the proposed Allotments, and the concrete foundation and footings for associated development 211/1036/2015 shall have been poured.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

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

The alteration of internal drains to the satisfaction of SA Water is required.

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

3. Payment of \$12976.00 into the Planning and Development Fund (2 allotments @ \$6488.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.

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

RECOMMENDATION 2 - DWELLINGS

The Development 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 211/1036/2015 for the demolition of dwelling and associated outbuildings plus construction of three single storey dwellings each with garage under main roof at 22 Birkalla Terrace, Plympton (CT 5714/666) subject to the following conditions:

1. That the development will be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 12 January 2016 as detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and will be maintained in reasonable condition at all times.
5. That all planting and landscaping will be completed prior to occupation of this development and will be maintained in reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
6. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

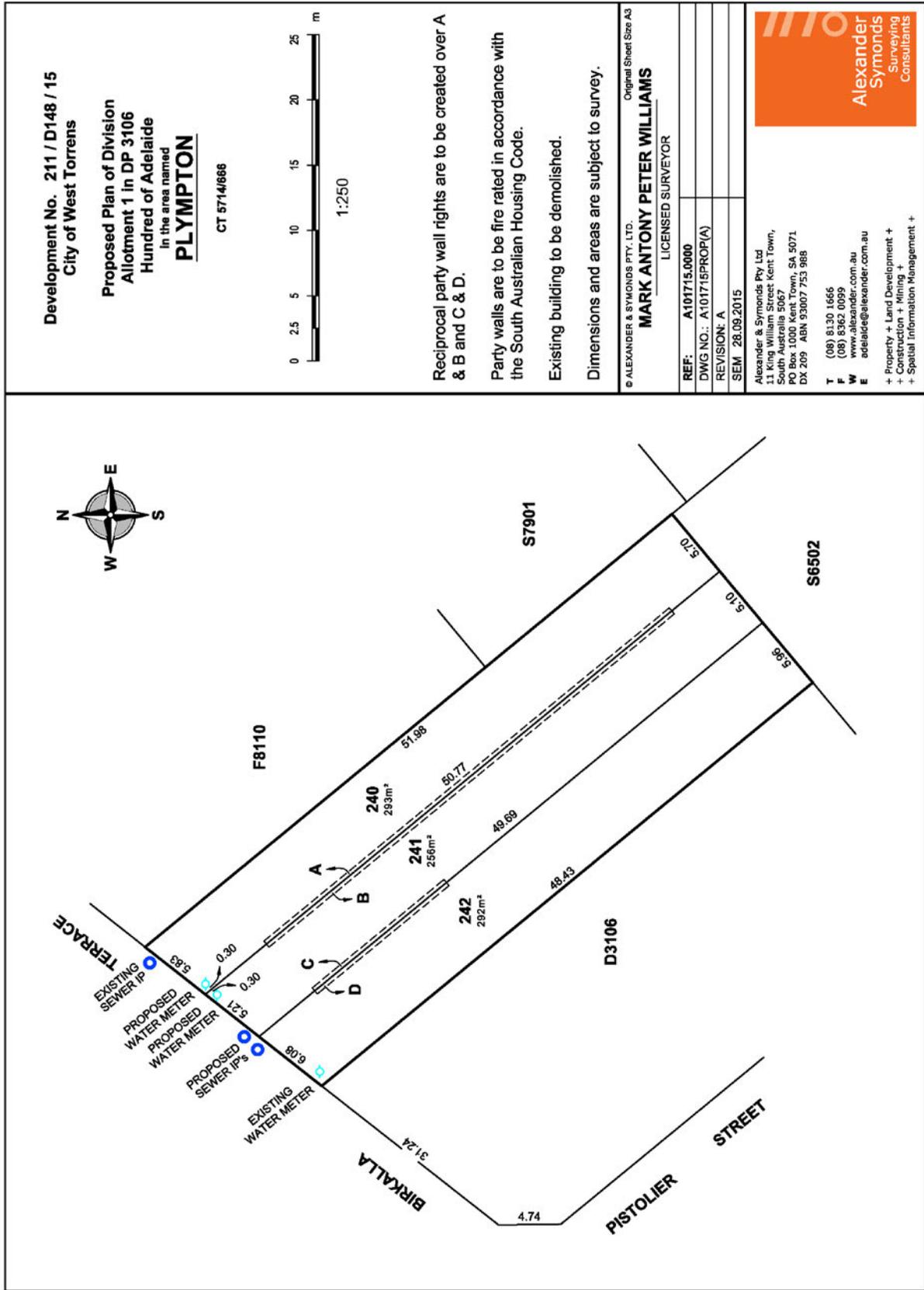
Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person, (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

ATTACHMENT 1



Development No. 211 / D148 / 15
City of West Torrens

Proposed Plan of Division
Allotment 1 in DP 3106
Hundred of Adelaide
In the area named
PLYMPTON

CT 5714/666



Reciprocal party wall rights are to be created over A & B and C & D.

Party walls are to be fire rated in accordance with the South Australian Housing Code.

Existing building to be demolished.

Dimensions and areas are subject to survey.

© ALEXANDER & SYMONDS PTY. LTD. Original Sheet Size A3

MARK ANTONY PETER WILLIAMS

LICENSED SURVEYOR

REF: A101715.0000

DWG NO.: A101715PROP(A)

REVISION: A

SEM: 28.09.2015

Alexander & Symonds Pty Ltd
King William Street, Kent Town,
South Australia 5071
PO Box 1000, Kent Town, SA 5071
DX 209 ABA 53007 753 968

T (08) 8130 1666

F (08) 8362 0099

W www.alexander.com.au

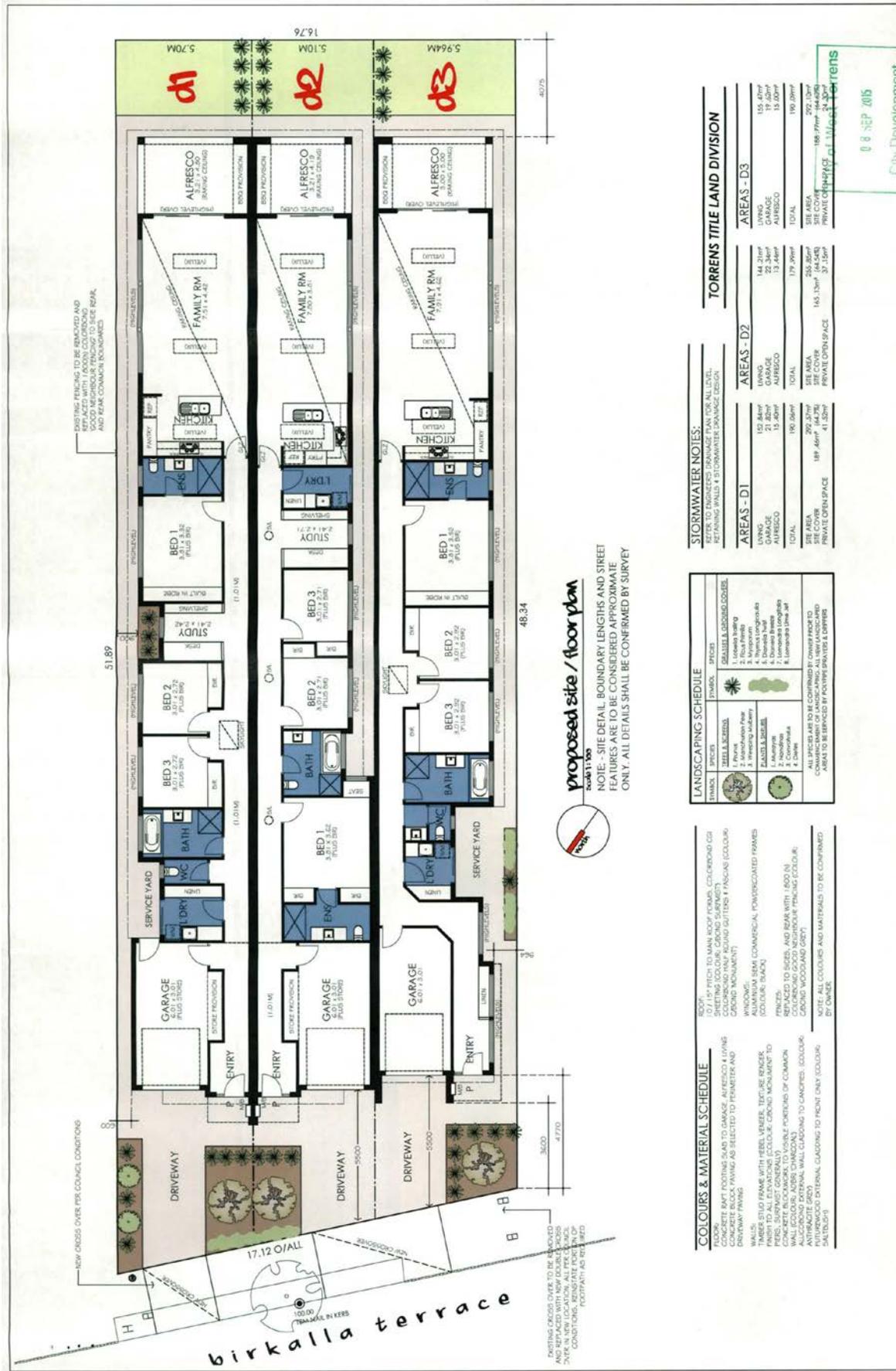
E adelaide@alexander.com.au

+ Property + Land Development +

+ Construction + Mining +

+ Spatial Information Management +





STORMWATER NOTES:
REFER TO ENGINEERS DRAINAGE PLAN FOR ALL LEVEL RETURNING PIPES. 1.5% MINIMUM FALL TO STREET.

TORRENS TITLE LAND DIVISION	
AREAS - D1	AREAS - D2
LIVING 152.27m ²	LIVING 144.21m ²
BED 3 30.00m ²	BED 3 30.00m ²
BED 2 30.00m ²	BED 2 30.00m ²
BED 1 30.00m ²	BED 1 30.00m ²
BATH 15.00m ²	BATH 15.00m ²
KITCHEN 15.00m ²	KITCHEN 15.00m ²
L.DRY 15.00m ²	L.DRY 15.00m ²
ENTRY 15.00m ²	ENTRY 15.00m ²
GARAGE 15.00m ²	GARAGE 15.00m ²
TOTAL 292.27m²	TOTAL 252.27m²
SITE AREA 188.00m²	SITE AREA 145.13m²
PRIVATE OPEN SPACE 41.52m²	PRIVATE OPEN SPACE 37.15m²

LANDSCAPING SCHEDULE	
PLANT SPECIES	PLANT SPECIES
1. <i>Leucadendron</i>	1. <i>Leucadendron</i>
2. <i>Myoporum</i>	2. <i>Myoporum</i>
3. <i>Chamaecyparis</i>	3. <i>Chamaecyparis</i>
4. <i>Davidsonia</i>	4. <i>Davidsonia</i>
5. <i>Leucadendron</i>	5. <i>Leucadendron</i>
6. <i>Leucadendron</i>	6. <i>Leucadendron</i>
7. <i>Leucadendron</i>	7. <i>Leucadendron</i>
8. <i>Leucadendron</i>	8. <i>Leucadendron</i>
9. <i>Leucadendron</i>	9. <i>Leucadendron</i>
10. <i>Leucadendron</i>	10. <i>Leucadendron</i>

COLOURS & MATERIAL SCHEDULE	
ROOF:	ROOF:
1. 15° PITCH TO MAIN ROOF FORMS. COLOURED CGI	1. 15° PITCH TO MAIN ROOF FORMS. COLOURED CGI
2. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)	2. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)
3. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)	3. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)
4. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)	4. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)
5. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)	5. 15° PITCH TO GARAGE. ALFRESCO & LIVING COLOURED HALF ROUND OUTERS & PANGLOSS COLOURS (COLOUR MONUMENT)

TORRENS TITLE LAND DIVISION	
AREAS - D1	AREAS - D2
LIVING 152.27m ²	LIVING 144.21m ²
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BED 2 30.00m ²	BED 2 30.00m ²
BED 1 30.00m ²	BED 1 30.00m ²
BATH 15.00m ²	BATH 15.00m ²
KITCHEN 15.00m ²	KITCHEN 15.00m ²
L.DRY 15.00m ²	L.DRY 15.00m ²
ENTRY 15.00m ²	ENTRY 15.00m ²
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8. <i>Leucadendron</i>	8. <i>Leucadendron</i>
9. <i>Leucadendron</i>	9. <i>Leucadendron</i>
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TORRENS TITLE LAND DIVISION	
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L.DRY 15.00m ²	L.DRY 15.00m ²
ENTRY 15.00m ²	ENTRY 15.00m ²
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TOTAL 292.27m²	TOTAL 252.27m²
SITE AREA 188.00m²	SITE AREA 145.13m²
PRIVATE OPEN SPACE 41.52m²	PRIVATE OPEN SPACE 37.15m²

ABELA DESIGN & DRAFTING
DESIGN & DRAFTING

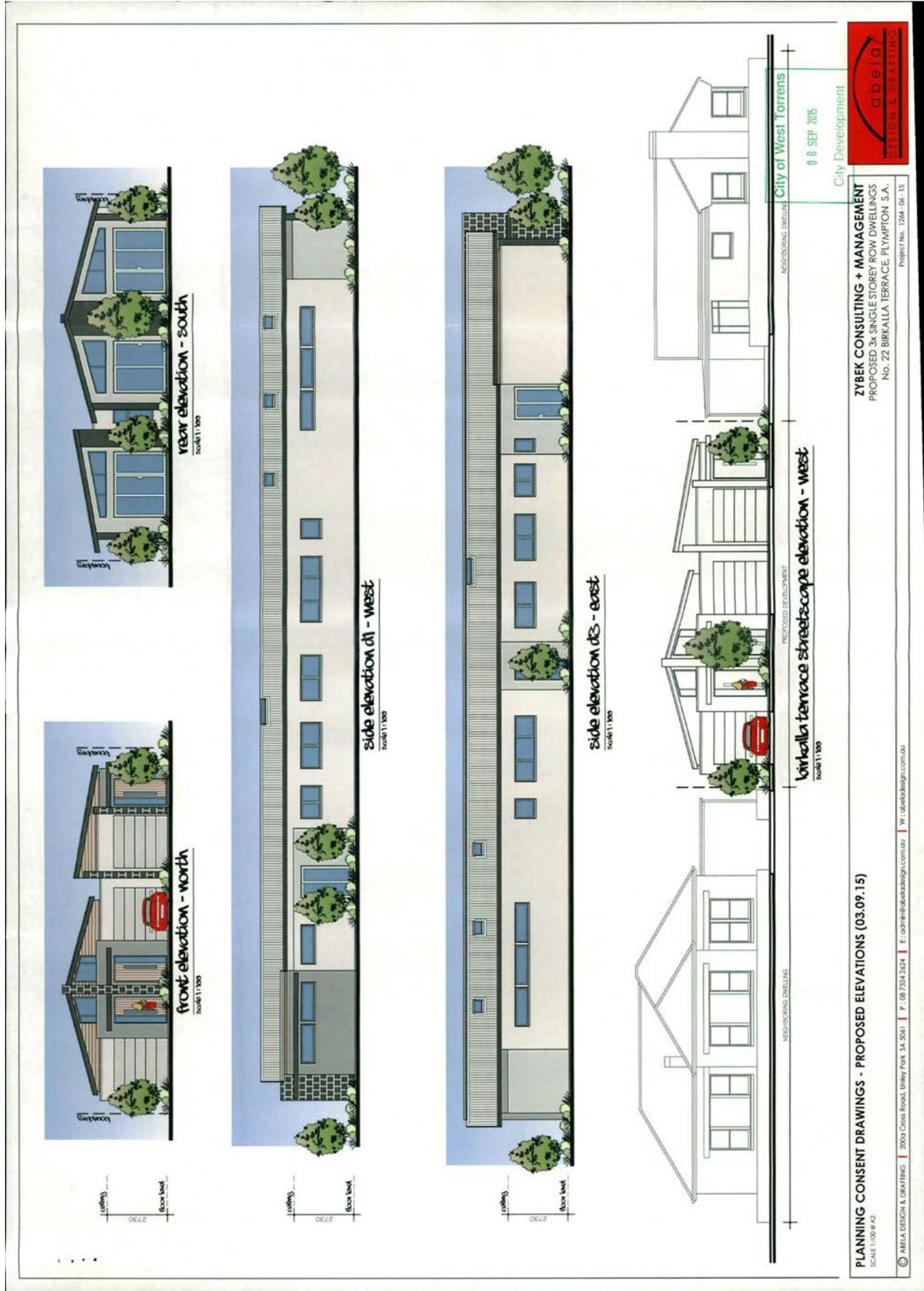
City Development
08 SEP 2015

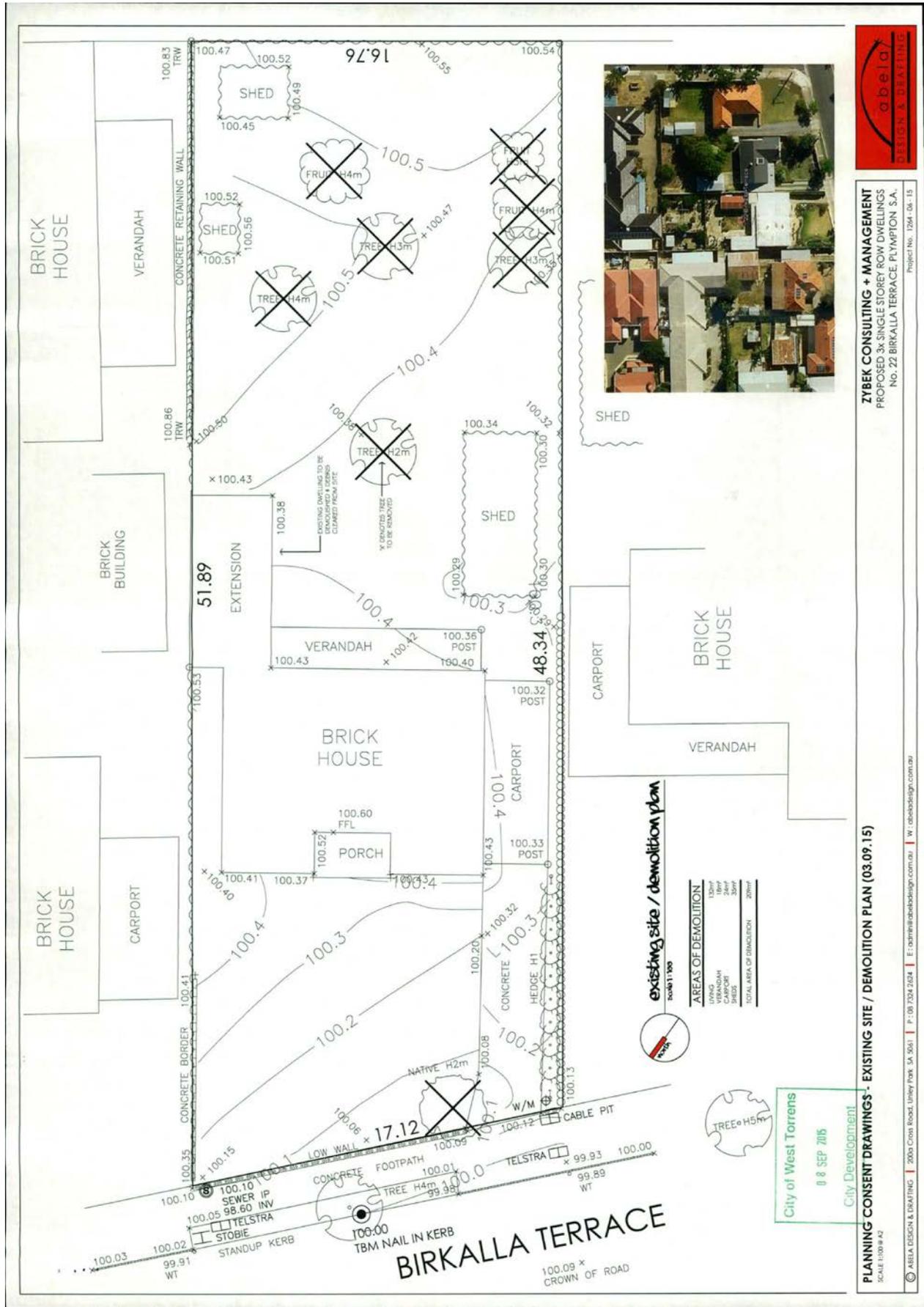
ZYBEK CONSULTING + MANAGEMENT
PROPOSED 3x SINGLE STOREY ROW DWELLINGS
NO. 22 BIRKALLA TERRACE, PLYMPTON S.A.

PLANNING CONSENT DRAWINGS - PROPOSED SITE / FLOOR PLANS (03.09.15)
SCALE 1:100 @ A2

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Project No. 1294 - 06 - 15





ATTACHMENT 2

13 October 2015

Our Ref: H0037763

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D148/15 AT PLYMPTON

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

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

The alteration of internal drains to the satisfaction of SA Water is required.

An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard

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

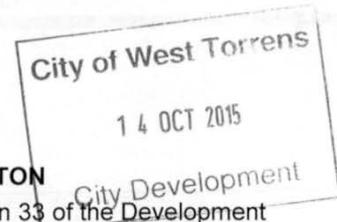
Yours faithfully

Rosanna Francesca

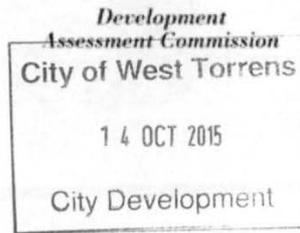
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**



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



Contact Planning Services
Telephone 7109 7016
Facsimile 8303 0604



13 October 2015
The Chief Executive Officer
City of West Torrens
Dear Sir/Madam

Re: Proposed Application No. 211/D148/15 (ID 52246)
for Land Division by Mr Peter Littledike

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 02 October 2015, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

Yours faithfully

Steve Gale
Team Leader, Planning Services Unit

6.4 6 Trennery Street, WEST RICHMOND

Application No. 211/705/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Torrens Title land division creating one (1) additional allotment from one existing allotment.
APPLICANT	Maged Shenouda
LODGEMENT DATE	12 June 2015
ZONE	Residential Zone
POLICY AREA	Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">▪ City Works – Technical Officer - Arboriculture External <ul style="list-style-type: none">▪ Development Assessment Commission (DAC)▪ SA Water
DEVELOPMENT PLAN VERSION	25 September 2014
MEETING DATE	12 January 2016
RECOMMENDATION	CONSENT

BACKGROUND

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

- With regard to residential development and land division applications, where at least one proposed allotment and or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP.

PREVIOUS or RELATED APPLICATIONS

Property Applications: 211/1059/2015, Construction of a carport DPC Granted 7/12/2015

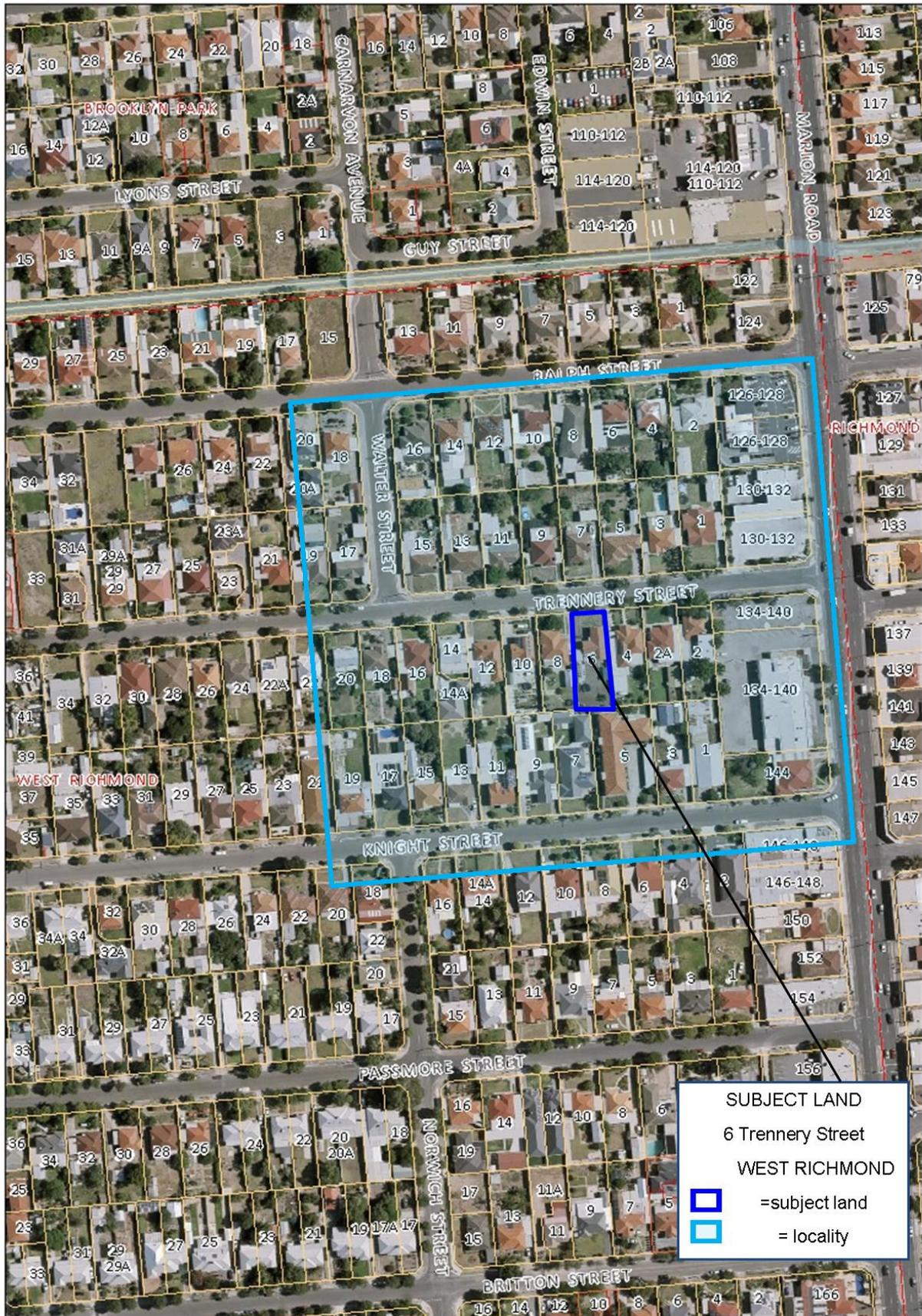
SITE AND LOCALITY

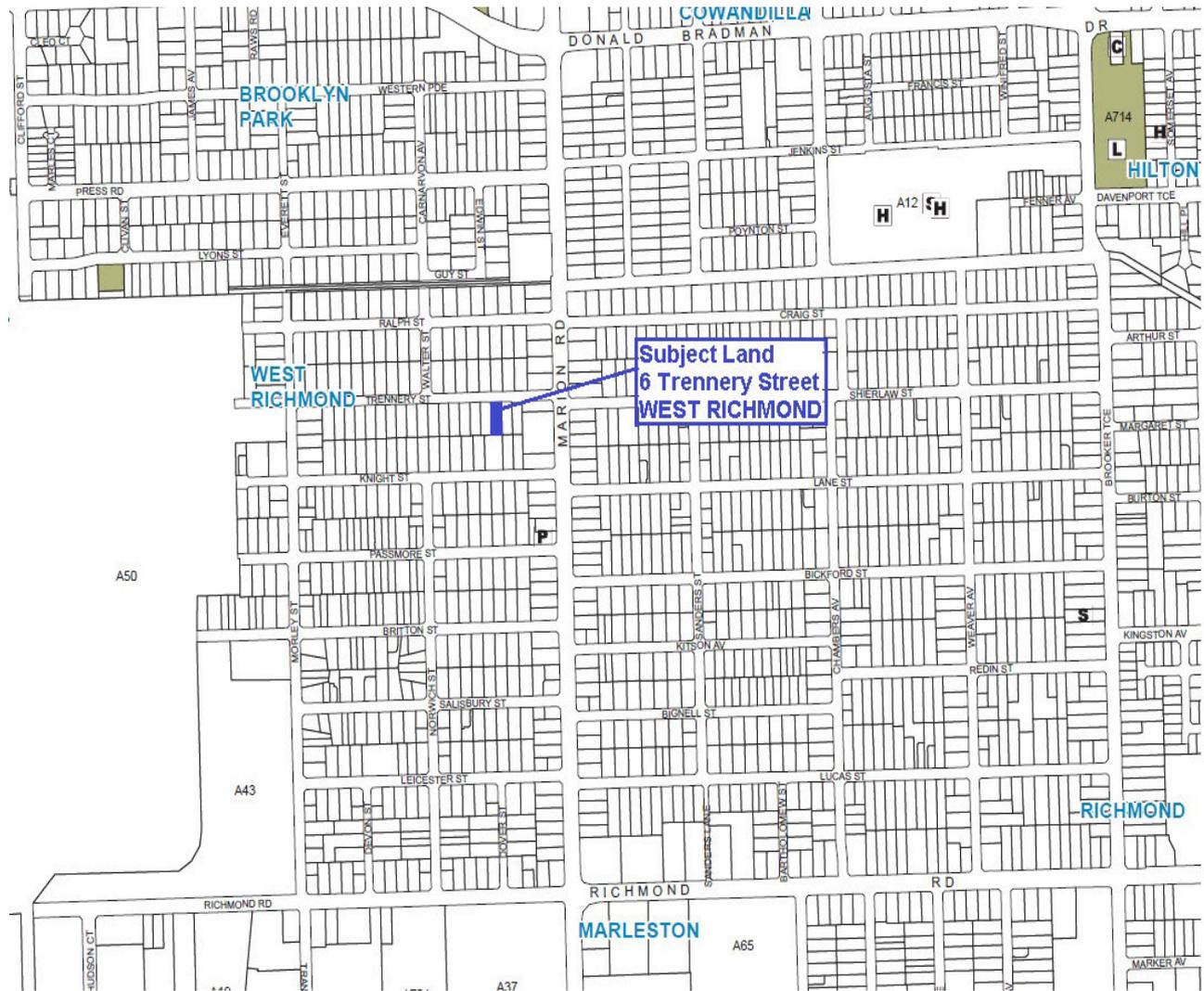
The subject land is described as Allotment 136 Deposited Plan 4117 in the area named West Richmond Hundred of Adelaide as contained in Certificate of Title Volume 5646, Folio 167. The land is more commonly known as 6 Trennery Street, West Richmond.

The subject land is a rectangle shaped allotment of 704 square metres with a frontage to Trennery Street of approximately 16 metres and depth of 44 metres. The land is relatively flat. Development of the land includes a single storey detached dwelling constructed in the 1950's, an attached carport and three free-standing ancillary outbuildings of various sizes.

The immediate locality contains mostly residential development while a petrol filling station and shop is located at the eastern end of the locality on Marion Road. Residential allotments are mostly rectangle shaped and range between 300 square metres and 869 square metres in size. There are half a dozen battle-axe shaped allotments within the general locality. Allotment frontage widths generally range between 15 and 20 metres. The dwellings are mostly of 1950's construction, single storey and detached in form and have street setbacks of approximately 7-8 metres. Driveways are mostly single width and lead to attached carports/garages constructed at the side of their respective dwellings.

The subject land and the immediately locality are shown on the following aerial and location maps.





- S** School
- L** Public Library
- C** Council Office
- P** Post Office
- H** Other Health Services
- P** Police Station
- Local Reserves

Location Map WeTo/8

WEST TORRENS COUNCIL

PROPOSAL

The proposal is for a Torrens Title land division creating one additional allotment from one existing allotment. Proposed Allotment 61 will retain the existing dwelling on the land and have an almost rectangle like shape while proposed Allotment 62 has a battle-axe configuration.

Allotment 61 will have a depth of 26.5 metres and a frontage width of 12.55 metres. The allotment will be 338 square metres in area. Allotment 62 will have a core area of 295 square metres with dimensions of 17.87 metres and a width of 16.15 metres. The 'handle' will be 25.3 metres long and 3.6 metres wide for the first 13.61 metres before narrowing to 3.45 metres wide.

A carport and sheds will be demolished and the existing dwelling will require a new driveway and carport. These works have been granted Development Plan Consent.

The proposal is contained within **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Section 38 of the Development Act 1993, Schedule 9 (2)(f) of Development Regulations 2008 and the Procedural Matters table of the Residential Zone.

REFERRALS

Internal

- **City Works**

The application was referred to Council's Technical Officer-Arbiculture as the construction of a new driveway will require the removal of a street tree. The health, structure, form, useful life expectancy and age of the tree was considered and removal of the tree is supported. A contribution to Council's annual Greening Program will be required prior to the commencement of any work.

External

- **Development Assessment Commission (DAC) and SA Water**

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Development Regulations, the application was referred to SA Water by the DAC.

Neither DAC nor SA Water had any objections to the proposal subject to several conditions being added to any consent of notice.

ASSESSMENT

The subject land is located within the Residential Zone and more specifically within the Residential Zone Policy Area 21 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

<u>General Section</u>		
Infrastructure	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 2, 4, 5, 9 & 10
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 4, 5, 6, 8, 10, 15, 16 & 20
Orderly and Sustainable Development	Objectives	1, 2, 3, 4 & 5
	Principles of Development Control	1, 3, 5 & 7
Residential Development	Objectives	1, 3 & 4
	Principles of Development Control	1, 3 & 5

Zone: Residential	
<i>Desired Character Statement:</i>	
<i>"This zone will accommodate a range of dwelling types.</i>	
<i>Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances.</i>	
<i>The streetscape will reflect the functions and characteristics of the street type in the traffic movement network and be designed to encourage pedestrian access and to support or establish a sense of place and street identity.</i>	
<i>The scale, bulk and design of non-residential development will be sensitive to the desired character of the residential environment. Landscaping will be of a high standard and provide continuity with residential streetscapes.</i>	
<i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling should not be undertaken in a Historic Conservation Area other than such development associated with an existing use".</i>	
Objectives	1 - 4
Principles of Development Control	1, 2, 3 & 6

Policy Area: Policy Area: Residential Policy Area 21	
<i>Desired Character Statement:</i>	
<i>"This policy area will continue to develop as a residential area of medium density and infill development.</i>	
<i>Development will be in keeping with the existing character of the area with buildings that maintain the traditional character through a variety of designs. Appropriately designed modern interpretations of the existing residential character, such as post World War Two and 1950s Tudor style housing, will be encouraged where suitable".</i>	
Objectives	1
Principles of Development Control	1 & 2

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	QUANTITATIVE MEASURE	ASSESSMENT	
		Allotment 61 (Existing Dwelling)	Allotment 62
SITE AREA Residential Zone - Policy Area 21 PDC 3	340m ²	338m ² Does not satisfy by 0.5%	295m ² (excluding handle) Does not satisfy by 13%
SITE FRONTAGE Residential Zone - Policy Area 21 PDC 3	Min 10m	12.55m Satisfies	Not Applicable
SITE COVERAGE General Section - Residential Development PDC 30	50% of the subject land 301sqm-450sqm	Approximately 120 square metres (approx. 36%) Satisfies	Not Applicable
SIDE/REAR SETBACKS General Section - Residential Development PDC 23	Side 1m from at least one side boundary Side boundary walls: (i) should have a maximum vertical wall height of 3 metres (ii) should have a maximum length of 8 metres (iii) should be constructed along one side of the allotment only and within 14 metres of the front boundary Rear 3m	There are no changes to the position of the existing dwelling on the site however the division of land will result in the existing building's side setback to the western property boundary decreasing from approximately 4 metres to 1 metre and the rear setback decreasing from approximately 22 metres to 4 metres Satisfies	Not Applicable

<p>PRIVATE OPEN SPACE General Section - Residential Development PDC 33</p>	<p>20% of the subject land</p>	<p>Approximately 69 square metres (Approximately 20%) and with an area of approximately 36 square metres (10%) with no dimension less than 5.5 metres</p> <p>Satisfies</p>	<p>Not Applicable</p>
<p>CARPARKING SPACES Table WeTo/2 - Off Street Vehicle Parking Requirements</p>	<p>2 car-parking spaces required (1 of which is undercover)</p>	<p>None provided but the site is capable of being provided with space to accommodate 2 vehicles parked in a stacked formation and under a carport that would site behind the front wall of the dwelling</p> <p>Satisfied</p>	<p>No Applicable</p>

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, it is considered that the proposed development satisfies the relevant Development Plan provisions as discussed under the following sub headings:

Existing Allotment Pattern and Character

The immediate locality consists of primarily rectangular shaped allotments with frontage widths ranging from 15 metres to 20 metres and depths of 44 metres. Two allotments located at 14 and 14a Trennery Street have irregular shapes, the latter property being of battle-axe configuration and approximately 300 square metres in area.

An investigation of the broader locality revealed a less 'intact' allotment pattern than the immediate locality. At the western end of Trennery Street are two community title properties (23-23a and 31-31a Trennery Street), to the north in Ralph Street is another example of a battle-axe allotment (20a Ralph Street) as are two allotments in Knight Street (32a and 45 Knight Street). The site area of these allotments range from approximately 268 to 337 square metres.

Rectangle shaped allotments might be the predominant allotment configuration of the immediate locality however battle-axe allotments are frequent enough to have an influence on the allotment pattern of the area. In this regard the configuration of the proposed development is not a serious variation from the desired character of either the Policy Area or the Zone.

Density

On a broad residential density basis (dwellings/hectare) the Desired Character Statement for Policy Area 21 seeks "medium density". The net broad residential dwelling density arising from the proposal is some 30.9 dwellings/hectare. This is less than the net densities of between 40 and 67 dwellings per hectare assigned by Residential Development Principle 5 for medium density development, but more than the existing rectangle allotments along Trennery Street (broadly 13-14 dwellings/hectare).

The allotments in the locality contain entirely residential development (30 dwellings) except for the allotments of 134-140 Marion Road, 130-132 Marion Road and 1 Knight Street. These properties contain non-residential land uses including a group of shops, a petrol filling station and a metal fabrication facility and are located in the Richmond Neighbourhood Centre Zone. The residential development within the locality is all single storey and detached dwelling types constructed between 1950 and 1969.

The proposed division of land will ensure the existing dwelling on proposed allotment 601 will be retained. This will ensure the existing building character will be largely unaffected. Proposed allotment 602 has a site area of 295 square metres with the core area having dimensions of 17.87 metres and 16.15 metres. In regard to Land Division Principle 10 the allotment contains an area that meets the dimension of 9 x 15 metres. The proposed allotments substantially meet general Land Division 10 to accommodate further infill development.

Whilst the Development Plan seeks the preservation of streetscape character, it also recommends that *"underutilised land should be developed in an efficient and co-ordinated manner to increase housing choice by providing dwellings at densities higher than, but compatible with adjoining residential development"* (Residential Zone Development Principle of Development Control 3). The subject land is in close proximity to the Richmond Neighbourhood Centre Zone and relatively compatible in terms of density with existing allotments.

The issue of site area was considered and weighed against the Residential Zone and Policy Area Desired Character statements and all relevant General Section, Residential and Policy Area principles. The proposed allotments have an adequate degree of compliance with the broad intent of the Development Plan and the locality context, particularly in terms of existing allotment pattern and scale.

SUMMARY

While exhibiting marginal inconsistencies on some basis, the proposed allotment areas and their configuration are not sufficiently in conflict with the provisions of the Development Plan to warrant refusal.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 September 2014 and warrants Development Plan Consent.

RECOMMENDATION

The Development 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. 211/705/2015 by Maged Shenouda to undertake a Torrens Title land division creating one (1) additional allotment from one existing allotment at 6 Trennery Street, West Richmond (CT 5646/167) subject to the following conditions:

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Andrew Davidson Property Development Consultant relating to Development Application No. 211/705/2015 (DAC 211/D085/15).
2. For stormwater drainage purposes allotment 62 shall be provided with an area measuring 1.0 metre by 1.0 metre immediately east of the point in which allotment 62 intersects with the Trennery Street property boundary.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS:

1. That prior to the issue of Section 51 Clearance to this division approved herein, the existing carport and outbuilding shall be removed from the proposed allotments. For this purpose, a separate application for demolition shall be submitted to and approved by Council.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

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

An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.

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

3. Payment of \$6,488.00 into the Planning and Development Fund (1 allotment(s) @ \$6,488.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.

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

ATTACHMENT 2

Contact Customer Services
Telephone (08) 71097016
Facsimile (08) 83030604



18 December 2015

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

Dear Sir

**Re: Proposed Application No. 211/D085/15 (51119) Amended Plan 2/12/15
for Land Division by Maged Shenouda**

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

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

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

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

1. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0033699).
An investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.
2. Payment of \$6488 into the Planning and Development fund (1 allotment @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

Yours faithfully

A handwritten signature in black ink, appearing to read "P. Hodgson", written over a light blue horizontal line.

Phil Hodgson
Unit Manager
Land titles Office
As delegate of the
DEVELOPMENT ASSESSMENT COMMISSION

6.5 37 Wheaton Road, PLYMPTON

Application No. 211/1298/2015 & 211/783/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Land division - Torrens Title DAC No- 211/D156/15 Create two (2) additional allotments	Demolition of dwelling and associated outbuildings plus construction of three single storey dwellings each with garage under main roof
APPLICANT	Zybek Consulting	Zybek Consulting
APPLICATION NO	211/1298/2015	211/783/2015
LODGEMENT DATE	3 November 2015	8 September 2015
ZONE	Residential Zone	Residential Zone
POLICY AREA	Residential Policy Area 18	Residential Policy Area 18
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	1	1
REFERRALS	Internal ▪ Nil External ▪ Development Assessment Commission (DAC) ▪ SA Water	Internal ▪ Civil Engineer (City Assets) - traffic, parking, stormwater & drainage. ▪ Amenity Officer (City Works) - Street Tree interaction. External ▪ Nil
DEVELOPMENT PLAN VERSION	25 June 2015	25 June 2015
MEETING DATE	12 January 2016	12 January 2016
RECOMMENDATION	CONSENT	CONSENT

BACKGROUND

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

- With regard to residential development and land division applications, where at least one proposed allotment and or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP.

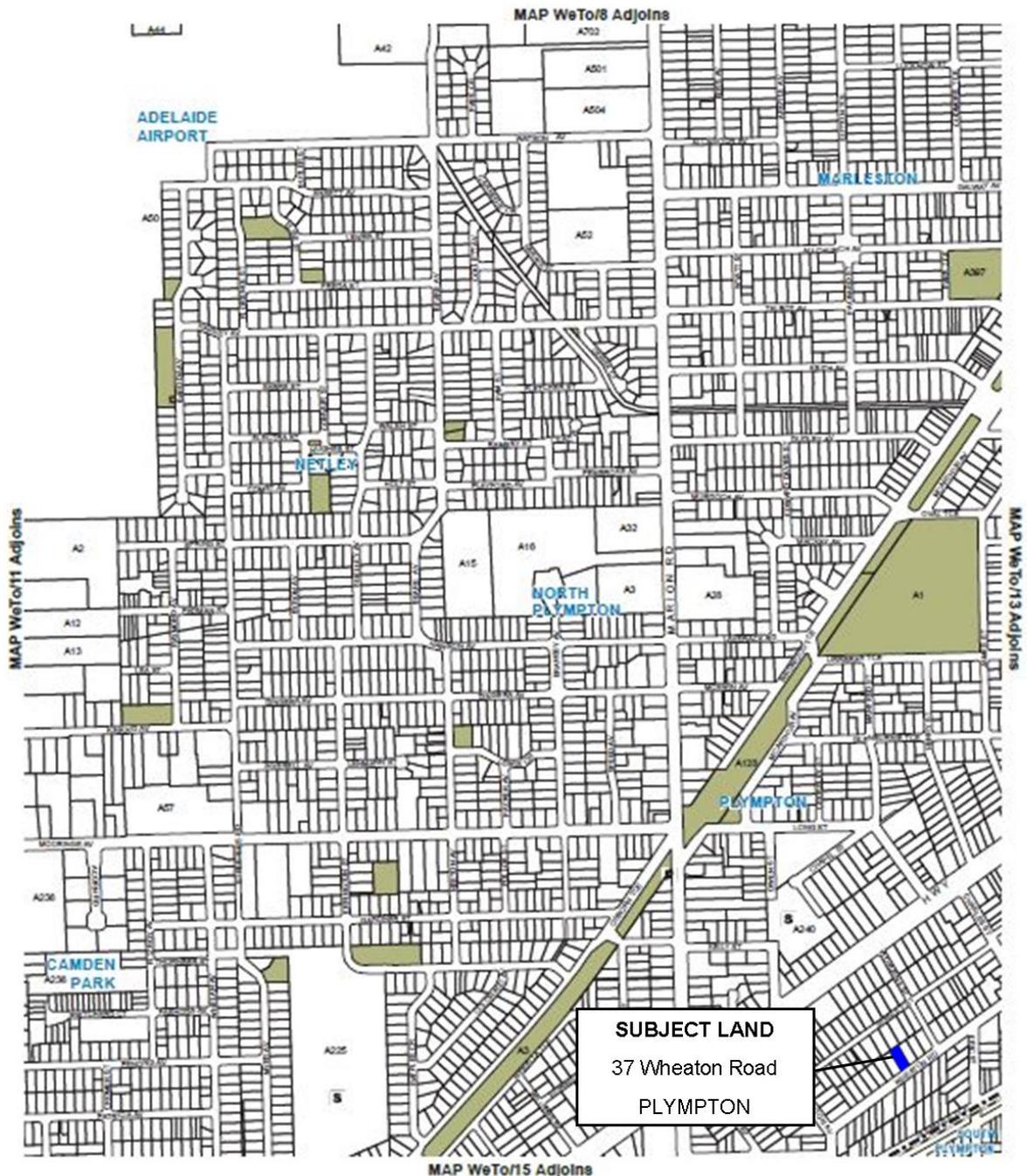
SITE AND LOCALITY

The subject land is described as Allotment 73 Deposited Plan 3476 in the area named Plympton Hundred of Adelaide, and is more commonly known as 37 Wheaton Road. It is located on the northern side of Wheaton Road and is within the Residential Zone and more particularly Residential Policy Area 18. Arterial roads, Marion Road and ANZAC Highway, are located 370 metres west and 174 metres north of the land respectively; the City of Marion Council boundary is located approximately 130 metres south of the land; and, the Urban Corridor Zone is located approximately 45 metres north of the land.

The subject land currently contains a late 1940's gable fronted style dwelling with associated structures such as a carport and outbuilding.

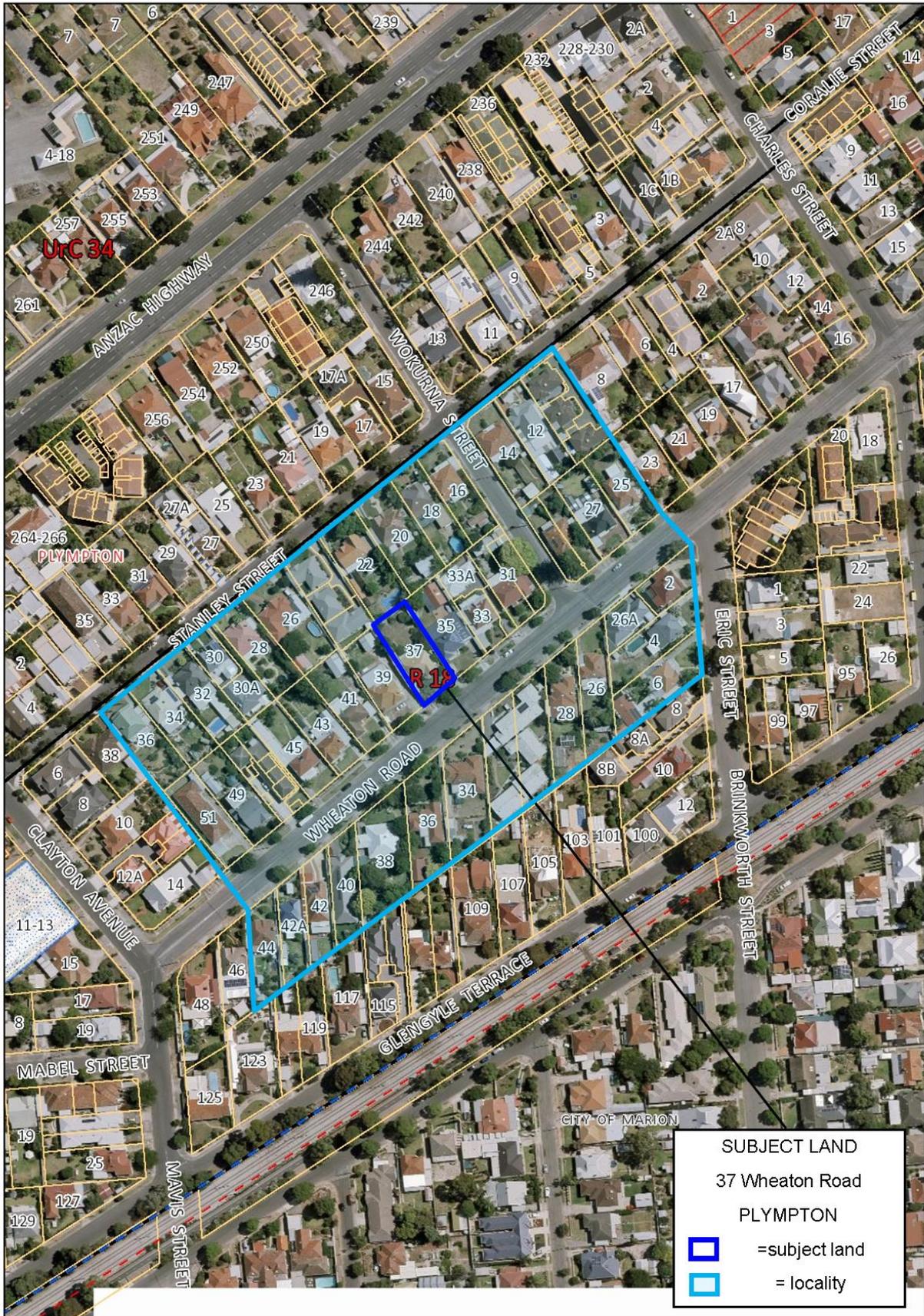
The locality consists mostly of detached dwellings constructed between the 1940's and 1950's that are situated on allotments with wide frontages. There are some examples of residential flat buildings and group dwellings built from the 1960's onwards. Allotments within the locality are generally rectangular in shape, however allotments situated between Wheaton Road and Glengyle Terrace have a parallelogram like shape, which is due to the boundaries following the angle of Eric Street.

The site and locality are shown on the following maps.



Location Map WeTo/12

- S** School
- P** Post Office
- Railways
- Local Reserves
- Development Plan Boundary



PROPOSAL

It is proposed to construct three, single storey row dwellings each with a garage and alfresco built under the main roof.

Each proposed dwelling comprises an open plan living/dining/kitchen area, three wet areas and three bedrooms.

All car parking facilities associated with the proposed dwellings are accessed by separate driveways and crossovers.

Landscaping has also been included which indicates that landscaping will mainly be provided within the front setback areas and rear areas of private open space.

The proposed land division is for a Torrens Title Land Division creating two additional allotments. The boundaries of the land division application and party walls are consistent with the land use application (DA 211/783/2015). The proposal has been lodged to formalise titling arrangements in accordance with the associated land use development application being concurrently considered in this report (DA211/783/2015).

The proposed land use and land division development applications are included in **Attachment 1**.

PUBLIC NOTIFICATION

The land division applications are a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Procedural Matters in the Residential Zone of the West Torrens Development Plan.

REFERRALS

Internal

- **Civil Engineer (City Assets)**

The application was referred to Council's City Assets Engineer who raised concerns regarding finished floor levels, verge interaction and driveway access.

These concerns have been adequately addressed in the plans being considered by the DAP.

- **Amenity Officer (City Works)**

The proposed development does not conflict with any street trees or regulated trees.

External

The land division application (DA 211/1298/2015) was referred to SA Water by the Development Assessment Commission (DAC) who advised of no objection subject to specified standard conditions being included on any consent to be issued.

A copy of the relevant referral responses are included in **Attachment 2**.

ASSESSMENT

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

<i>General Section</i>		
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 8
Design and Appearance	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 4, 9, 10, 12, 13, 14 & 15
Energy Efficiency	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2 & 3
Land Division	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8 & 12
Landscaping, Fences and Walls	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3 & 4
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3 & 7
Residential Development	<i>Objectives</i>	1, 2 & 3
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 31 & 32
Transportation and Access	<i>Objectives</i>	2
	<i>Principles of Development Control</i>	1, 2, 10, 11, 23, 24, 25, 34, & 44

<i>Zone: Residential Zone</i>	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	1, 3 & 4
<i>Principles of Development Control</i>	1, 5, 6, 7, 10, 11, 12, 13, 14

Policy Area: Residential Policy Area 18	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	1(Land Use), 1 (Form and Character), 4, 5, 6 & 8

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT		
		Dwelling 1	Dwelling 2	Dwelling 3
SITE AREA				
Residential Policy Area 18 PDC 6	150m ²	273m ² Satisfies	231m ² Satisfies	273m ² Satisfies
Residential Policy Area 18 PDC 8	250m ²	273m ² Satisfies	231m ² Does Not Satisfy	273m ² Satisfies
SITE FRONTAGE				
Residential Policy Area 18 PDC 6	5m	6.41m Satisfies	5.45m Satisfies	6.43m Satisfies
Residential Policy Area 18 PDC 8	9m	6.41m Does Not Satisfy	5.45m Does Not Satisfy	6.43m Does Not Satisfy

<p>SITE COVERAGE Residential Policy Area 18 PDC 5</p>	<p>70%</p>	<p>64% approximately Satisfies</p>	<p>69% approximately Satisfies</p>	<p>64.5% approximately Satisfies</p>
<p>STREET SETBACK Residential Policy Area 18 PDC 5</p>	<p>3m</p>	<p>5.6m Satisfies</p>	<p>4.8m Satisfies</p>	<p>5.7m Satisfies</p>
<p>REAR SETBACKS Residential Policy Area 18 PDC 5</p>	<p>4m</p>	<p>4.2m Satisfies</p>	<p>4.3m Satisfies</p>	<p>4m Satisfies</p>
<p>SIDE SETBACKS Residential Zone PDC 11 & 13</p>	<p>1m or immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height or (i) should have a maximum vertical wall height of 3 metres (ii) should have a maximum length of 8 metres (iii) should be constructed along one side of the allotment only and no further than 14 metres from the front boundary</p>	<p><u>East</u> 968mm Does Not Satisfy <u>West</u> immediately abutting the wall of a simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height 20m of wall on boundary not abutting immediately abutting the wall of a simultaneously constructed building Does Not Satisfy</p>	<p><u>East</u> immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height Satisfies <u>West</u> 600mm - 1.2m Does Not Satisfy</p>	<p><u>East</u> 968mm Does Not Satisfy <u>West</u> immediately abutting the wall of an existing or simultaneously constructed building on the adjoining site and constructed to the same or to a lesser length and height Satisfies</p>

PRIVATE OPEN SPACE Residential Development PDC19	24m ² (minimum dimension 3m & minimum of 16m ² provided at the rear or side of the dwelling, directly accessible from a habitable room)	29m ² Satisfies	25m ² Satisfies	29m ² Satisfies
CARPARKING SPACES Table WeTo/2	2 car parking spaces per dwelling, 1 of which is covered	2 provided (1 covered) Satisfies	2 provided (1 covered) Satisfies	2 provided (1 covered) Satisfies

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Frontage Width

The Development Plan specifies two different frontage widths for land division and dwelling types within Residential Policy Area 18. Residential Policy Area 18, Principle of Development Control (PDC) 8 reads,

"Land division should create allotments with an area of greater than 250 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings, or follows an approval for dwellings on the site".

Although the development was not technically submitted as a combined application, the land use application has been submitted separately but still in conjunction with the land division. Therefore, as the dwelling type can still be reasonably determined, which in this case are row dwellings, it is practical to apply Residential Policy Area 18, PDC 6, where the minimum frontage width for a row dwelling is 5 metres. Each dwelling site in this instance satisfies the Development Plan.

It is believed that Residential Policy Area 18 PDC 8 was established so that where the land use is not proposed or an adequate land size would be required, however, given that the land use is known through the associated land use application, Residential Policy Area 18 PDC 6 should be applied.

Despite the differing frontage width requirement, overall, the proposed division and land use will satisfy the Desired Character Statement of the policy area. The proposal will result in a medium density development that establishes a different type of dwelling and form of living within the locality, where the design of the dwellings themselves lends to a varied streetscape.

Side Setbacks

The eastern side setback deficiencies of Dwelling 1 and Dwelling 3 and western side setback deficiency of Dwelling 2 are considered to be a minor departure from the 1 metre side setback provision within the Development Plan. The deficiency is not considered to have a detrimental visual impact and the side setback will not conflict with requirements of the Building Code.

Dwelling 1 has a wall extending approximately 20 metres along the western site boundary. This wall is adjacent windows of the bedrooms and bathroom of Dwelling 2 as the northern wall of Dwelling 2 abuts the wall of Dwelling 1. The wall of Dwelling 1 built on the boundary is considered acceptable as, typically row dwellings situated in the middle have simultaneous walls built to each side and therefore no windows to the side elevation would generally exist. However, in this instance proposed Dwelling 2 will get the benefit of windows to rooms which will enable some sunlight to be accessible. In addition, given that the site measurements constrain the dwelling footprint the location Dwelling 1 with a wall on the boundary is considered to be acceptable.

SUMMARY

With the exception of minor side setback deficiencies the proposed development satisfies the relevant Principles of Development Control and more importantly contributes to the Desired Character of Residential Policy Area 18. The proposed dwellings will result in medium density development in the form of dwellings that are specifically envisaged within the policy area.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 June 2015 and warrants Development Plan Consent.

RECOMMENDATION 1 - LAND DIVISION

The Development 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. 211/1298/2015 by Zybek Consulting to undertake Land division - torrens title DAC No- 211/D156/15 Create two (2) additional allotments at 37 Wheaton Road (CT 5719/555) subject to the following conditions:

Council Conditions

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by Zaina Stacey Development Consultants, Reference 15289 dated 14 October 2015, relating to Development Application No. 211/1289/2015 (DAC 211/D156/15).

LAND DIVISION CONSENT

COUNCIL CONDITIONS:

1. That prior to the issue of Section 51 Clearance to this division approved herein, all existing structures shall be removed from all of the proposed Allotments, and the concrete foundation and footings for associated development 211/783/2015 shall have been poured.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

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

The alteration of internal drains to the satisfaction of SA Water is required.

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

3. Payment of \$12976.00 into the Planning and Development Fund (2 allotments @ \$6488.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.
4. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

RECOMMENDATION 2 - DWELLINGS

The Development 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. 211/783/2015 by Zybek Consulting to undertake Demolition of dwelling and associated outbuildings plus construction of three single storey dwellings each with garage under main roof at 37 Wheaton Road, Plympton (CT 5719/555) subject to the following conditions:

Council Conditions

2. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 12 January 2016 as detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage shall not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That any retaining walls shall be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas shall be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

5. That all planting and landscaping shall be completed prior to occupation of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
6. Council requires one business day's notice of the following stages of building work:
 - Commencement of building work on site
 - Commencement of placement of any structural concrete
 - Completion of wall and roof framing prior to the installation of linings
 - Completion of building work

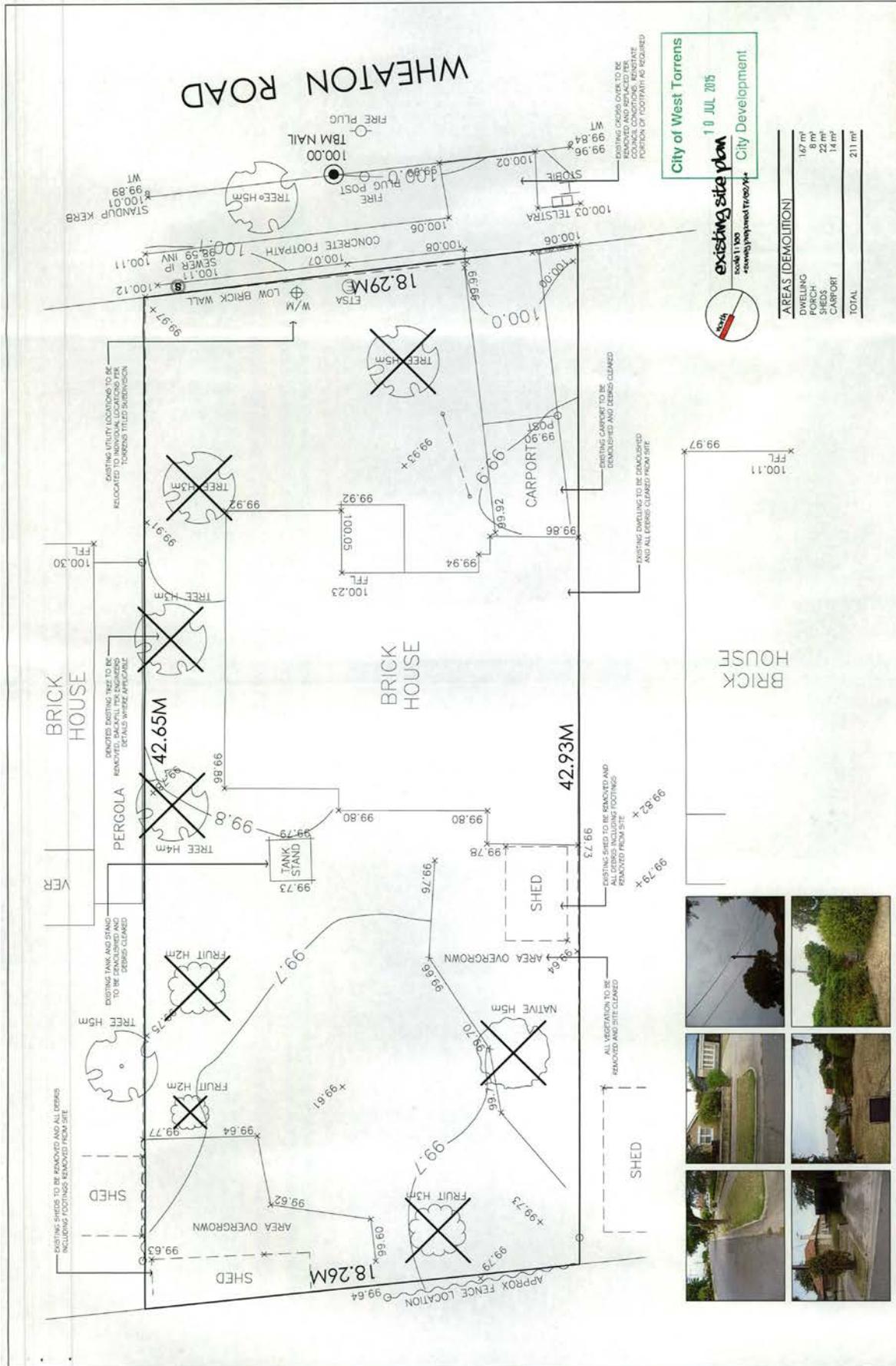
Note:

When a building-owner gives notice for the commencement of building work, they shall advise Council of the relevant person, (name, address and telephone number) who will provide the Statement of Compliance required under regulation 83AB.

The relevant person must be:

- The licensed building contractor who performed the work, or
- A registered building work supervisor, private certifier or registered architect.

ATTACHMENT 1



City of West Torrens
10 JUL 2015
existing site plan
Book 11 100
Survey prepared 17/02/14
City Development

AREAS (DEMOLITION)	
DWELLING	167 m ²
PORCH	9 m ²
PERGOLA	25 m ²
CARPORIT	14 m ²
TOTAL	211 m ²

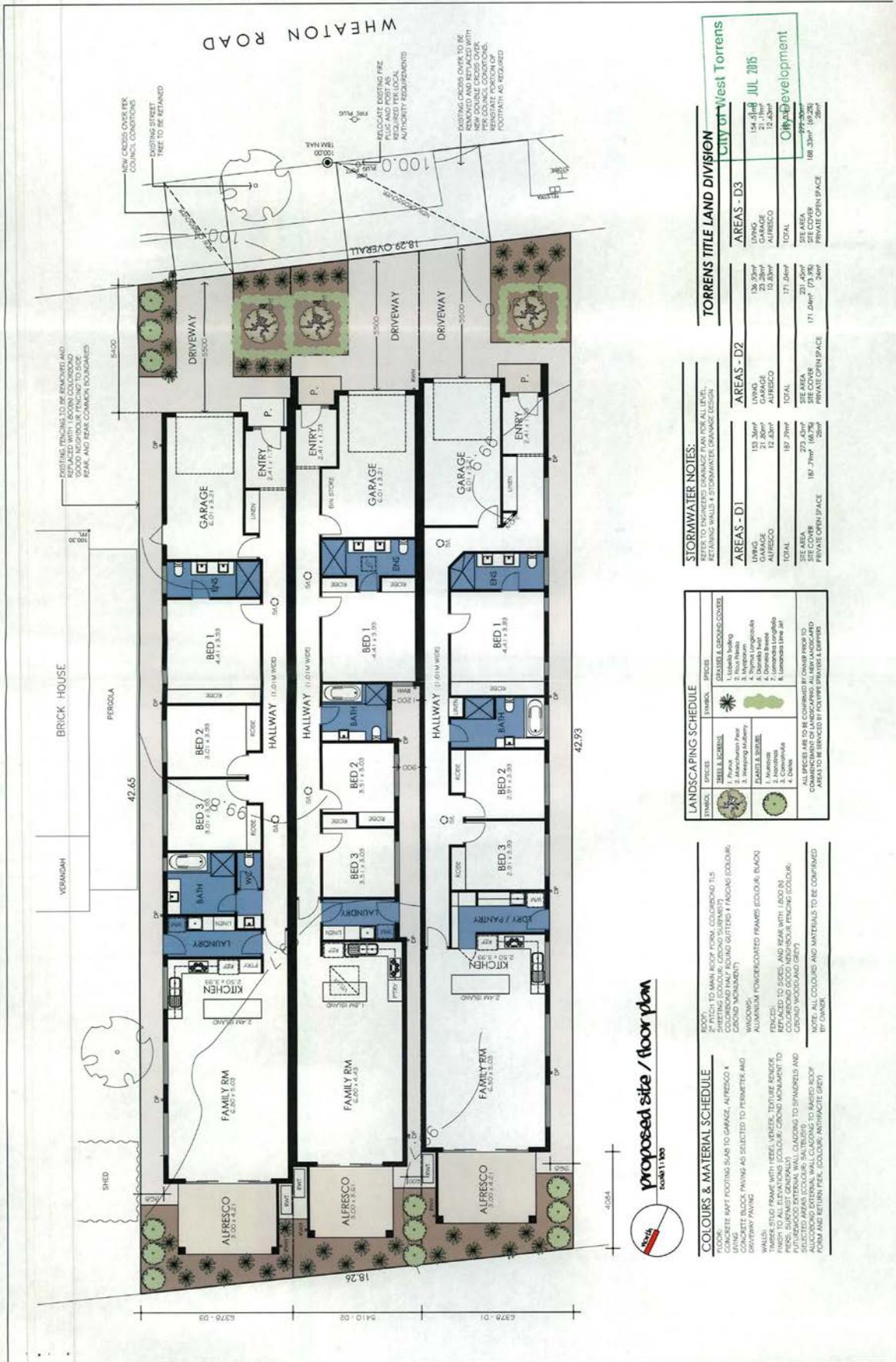


ZYBEK CONSULTING + MANAGEMENT
PROPOSED 3x SINGLE STOREY ROW DWELLINGS
No. 37 WHEATON ROAD, PLYMPTON S.A.
Project No. 1262-04-15

PLANNING CONSENT DRAWINGS - EXISTING SITE PLAN (01.07.15)
SCALE 1:100 (from 1:100)
SHEET SIZE A2

AREA DESIGN & DRAFTING | 2005 Civic Road, Unley Park SA 5001 | P: 08 7324 2624 | E: admin@abedesign.com.au | W: abedesign.com.au





STORMWATER NOTES:
REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVELS.
RETAINING WALLS TO STORMWATER DRAINAGE EDGES.

LANDSCAPING SCHEDULE

SYMBOL	SPECIES
	GRASS/ELLA/GORDONIA/COOROO
	1. Pinus
	2. Leucadendron
	3. Westringia/Leucadendron
	4. Dianella/Leucadendron
	5. Lomandra/Leucadendron
	6. Dianella/Leucadendron
	7. Dianella/Leucadendron
	8. Dianella/Leucadendron

ALL SPECIES ARE TO BE CONFIRMED BY OWNER PRIOR TO COMMENCEMENT OF WORKS.
AREAS TO BE SERVICED BY FOOTPATH SERVICES & DRAINAGE.

COLOURS & MATERIAL SCHEDULE

ADOPT: 1/2" WALL FOOTING SLAB TO GARAGE, ALFRESCO & CONCRETE BLOCK PAVING AS SELECTED TO PERMETER AND DRIVEWAY PAVING.
WINDSCREENS: ALUMINIUM POWDERCOATED FRAMES COLOUR: ENAQQ
FENCES: WATER STUO FRAME WITH REBEL VENER, TEXTURE RENDER FINISH TO ALL ELEVATIONS (COLOUR: GROUND MAINTENANCE); ALUMINIUM POWDERCOATED FRAMES COLOUR: ENAQQ
SELECTED AREAS COLOUR: SALTBATH TO BARRIS (SEE COORDINATING EXTERNAL WALL GLAZING TO SPANDRELS AND FLOOR AND RETURN FEEL (COLOUR: ANTRACITE GRAY)

NOTE: ALL COLOURS AND MATERIALS TO BE CONFIRMED BY OWNER.

STORMWATER NOTES:
REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVELS.
RETAINING WALLS TO STORMWATER DRAINAGE EDGES.

AREAS - D1

LIVING	153.20sqm
ALFRESCO	12.40sqm
TOTAL	165.60sqm
SITE AREA	273.45sqm
PRIVATE OPEN SPACE	107.85sqm

AREAS - D2

LIVING	136.79sqm
ALFRESCO	12.40sqm
TOTAL	149.19sqm
SITE AREA	171.04sqm
PRIVATE OPEN SPACE	21.90sqm

AREAS - D3

LIVING	154.21sqm
ALFRESCO	12.40sqm
TOTAL	166.61sqm
SITE AREA	188.38sqm
PRIVATE OPEN SPACE	21.77sqm

TORRENS TITLE LAND DIVISION

AREAS - D1	165.60sqm
AREAS - D2	149.19sqm
AREAS - D3	166.61sqm
TOTAL	481.40sqm

CITY of West Torrens
City Development
154 JUL 2015

ZYBEK CONSULTING + MANAGEMENT
PROPOSED 3x SINGLE STOREY ROW DWELLINGS
NO. 37 WHEATON ROAD, PLIMPTON S.A.

PLANNING CONSENT DRAWINGS - PROPOSED SITE PLAN (01.07.15)
SCALE: 1:100 (10m P-line)
SHEET SIZE: A2

© ABELA DESIGN & DRAWING | 2000 Cross Road, Unley Park, SA 5051 | P: 08 7324 2624 | E: admin@abeladsgn.com.au | W: www.abeladsgn.com.au



Project No. 1292 - 06 - 15



ZYBEK CONSULTING + MANAGEMENT
PROPOSED 3x SINGLE STOREY ROW DWELLINGS
No. 37 WHEATON ROAD, PLYMPTON S.A.
Project No. 1262-06-15

ABELA DESIGN & DRAFTING
200a Cross Road, Unley Park SA 5001 | P: 08 7324 2624 | E: admin@abeladesign.com.au | W: abeladesign.com.au

PLANNING CONSENT DRAWINGS - PROPOSED ELEVATIONS & STREETSCAPE (01.07.15)
SCALE 1:100 (from P-10)
SHEET SIZE: A2



City of West Torrens
10 Jul 2015
City Development



52-54 Springbank Road
Panorama SA 5041

T: 08 8277 0284

F: 08 8277 0269

E: admin@mqz.com.au

W: www.mqz.com.au

DATE: 22 OCTOBER 2015

CD01/A

ADDENDUM A - CIVIL REPORT & DETAILS

PROJECT NO:	150710
CLIENT:	ABELA DESIGN & DRAFTING
OWNER:	ZYBEK CONSULTING & MANAGEMENT
SITE:	37 WHEATON ROAD, PLYMPTON
PROJECT:	PROPOSED SINGLE STOREY ARTICULATED BRICK VENEER RESIDENCES (3 OFF)

This is a **Civil Design Report** giving specific recommendations for the above mentioned project. This report must be read in conjunction with all the listed attachments and any relevant Australian Standards mentioned in this report or on any attachment provided. This report is based on the current standards and regulations and will require reviewing as the standards and regulations are updated.

ATTACHMENTS: C02/P2

SITE INSPECTIONS:

1. As required by the Engineer or as requested by the client/contractor.

NOTES:

1. Flexible connections for all sewer and stormwater pipes are required for this site, provide in accordance with attachment SD5.
2. A sealed system has been designed for this project.
3. Plans and details provided within this report are for planning approval only, further review of the documentation may be required prior to building approval and/or construction.
4. Any retaining walls and or plinths less than 600mm in height required on the boundary are to the discretion of the builder. This office does not take any responsibility for the construction of any such retaining walls.
5. The location and extents of retaining walls are indicative only and the builder is to ensure that adjoining structures will not be compromised by the construction or compromise the construction of the proposed retaining walls.



52-54 Springbank Road
Panorama SA 5041

T: 08 8277 0284

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E: admin@mqz.com.au

W: www.mqz.com.au

DATE: 22 OCTOBER 2015

CD01/A

ADDENDUM A - CIVIL REPORT & DETAILS

NOTES: (CONTINUED)

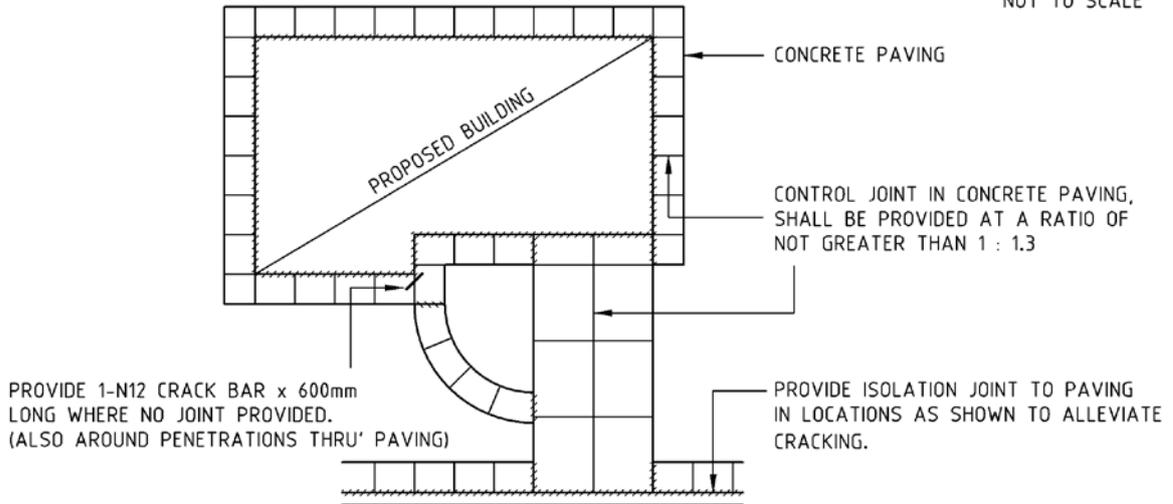
6. All proprietary items denoted on the listed attachments or plans are to be installed in accordance with the manufacturer's specifications.
7. All drainage systems have been designed in accordance with the council's recommendations and guidelines, installation of all drainage systems shall be in accordance with the council's recommendations and specifications.
8. **Reason for Addendum:** Revised civil details to suit council requirements.

A handwritten signature in blue ink, appearing to read 'Marco Zanatta', written over a horizontal line.

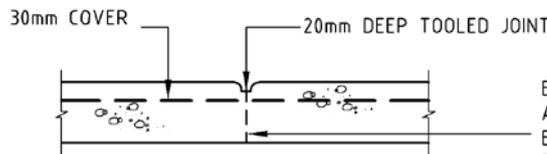
Marco Zanatta
BE (Hons) MIEAust CPEng
per
MQZ Consulting Engineers

<p>MQZ CONSULTING ENGINEERS civil & structural</p> <p>52-54 SPRINGBANK ROAD PANORAMA SA 5041 T : 08 8277 0284 F : 08 8277 0269 E : admin@mqz.com.au</p>	<p>TYPICAL PAVING DETAILS</p> <p>DATE: JANUARY 07 SHEET: SD3</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------

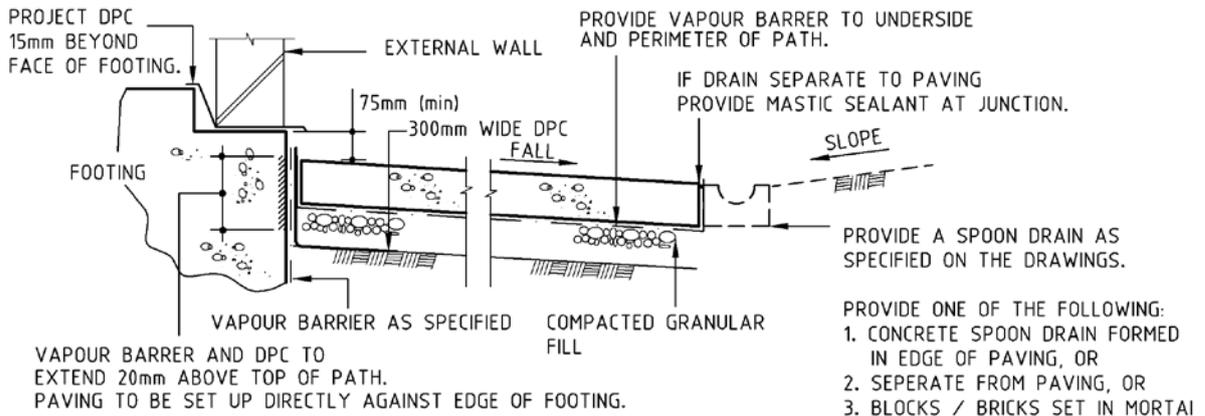
NOT TO SCALE



PLAN OF PAVING AROUND A BUILDING



SECTION THROUGH CONTROL JOINT IN CONCRETE PAVING



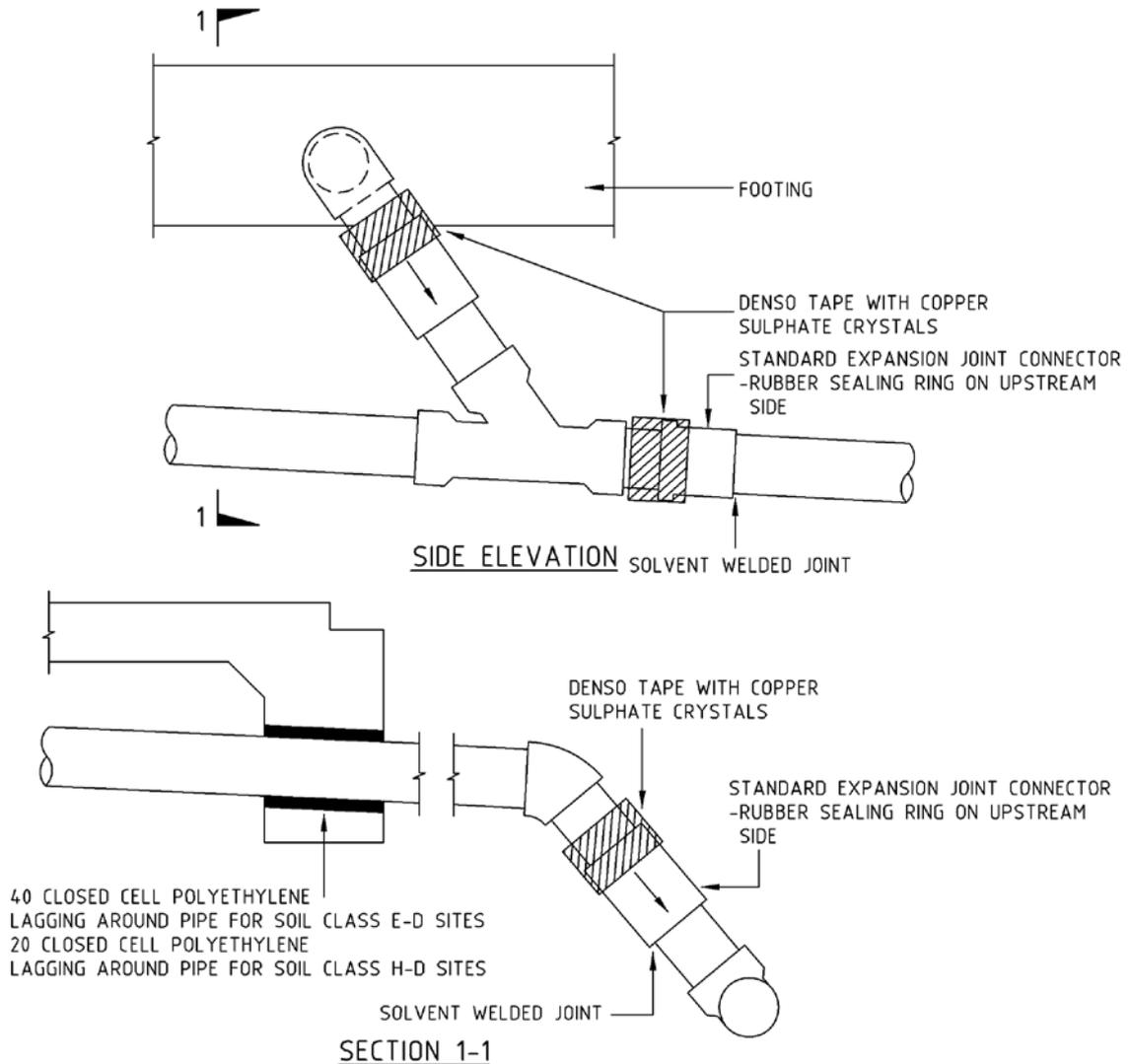
TYPICAL SECTION OF PERIMETER PAVING

NOTES:

1. PAVING MUST NOT BRIDGE THE DAMP PROOF COURSE.
2. PAVING SHALL BE GRADED AS PER FRS TO ENSURE ALL WATER CAN DRAIN CLEAR FROM THE BUILDING
3. PROVIDE SPOON DRAINS AS SPECIFIED TO DIVERT RUNOFF CLEAR OF THE BUILDING
4. REFER TO FRS FOR PAVING SPECIFICATIONS. PROVIDE TERMITE PROTECTION TO AS 3660.1

<p>MQZ CONSULTING ENGINEERS civil & structural</p> <p>52-54 SPRINGBANK ROAD PANORAMA SA 5041 T : 08 8277 0284 F : 08 8277 0269 E : admin@mqz.com.au</p>	<p>FLEXIBLE SERVICE CONNECTION DETAILS FOR CLASS H-D & E-D SITES STORMWATER & SEWER</p>	
	<p>DATE: OCTOBER 05</p>	<p>SHEET: SD5</p>

NOT TO SCALE



NOTES:

DUE TO THE MOISTURE REACTIVE NATURE OF SOILS ON CLASS H, E SITES, IT IS REQUIRED THAT THE SERVICE PIPES INCLUDE STANDARD EXPANSION TYPE JOINT COUPLINGS. PROVIDE A FLEXIBLE CONNECTION TO PIPES IN ACCORDANCE WITH THE FOLLOWING:

1. CONNECTIONS ARE REQUIRED AT EACH LOCATION WHERE ANY PIPES (50mm OR LARGER) PENETRATE OR PASS BENEATH THE EXTERNAL FOOTING BEAMS.
2. TWO EXPANSION JOINT CONNECTORS ARE REQUIRED, AS DETAILED ABOVE, AT EACH CONNECTION.
3. THE DENSO TAPE MUST BE SPRINKLED WITH COPPER SULPHATE CRYSTALS PRIOR TO WRAPPING AND MUST EXTEND 50mm BEYOND THE JOINT ON EITHER SIDE.
4. DETAILS ARE APPLICABLE TO SEWER AND STORMWATER PIPES.
5. REFER TO THE SPECIFICATION, FRS, FOR SERVICE TRENCHING AND BACKFILL DETAILS.

Land division application:

Z11 / D / 15 / 001

Council: CITY OF WEST TORRENS
 Total area of land to be divided: 777m²
 Total area of reserve provided: 0m²

No. existing allotments: 1
 No. proposed allotments: 3
 No. additional allotments: 2
 Subject land details:

Allotment 73 in D3476

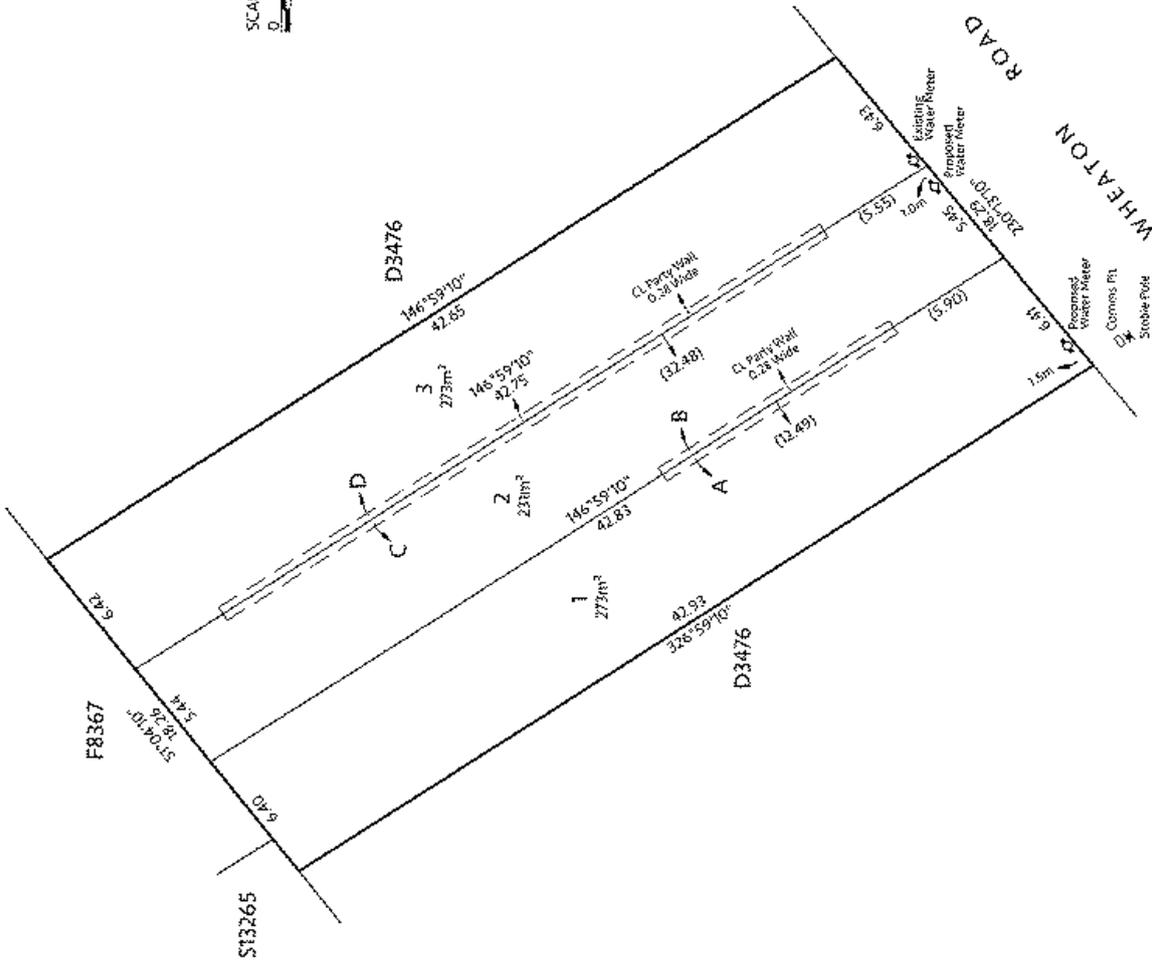
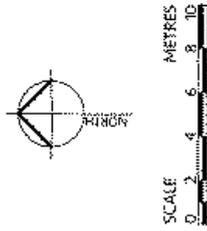
Street address: 37 WHEATON ROAD
 Town: MYPINGON
 Hundred: ADELAIDE
 Certificate of Title: CT 979 / 555

annexure:
 Religious signs, wall signs and to be created over the notices marked A, B and C & D.
 Refer to the building plans for the proposed design(s).
 Owners/developer or building designer to advise if the configuration of the dwellings change in any form. All existing structures are to be demolished. Center to apply to Council for demolition approval.

City of West Torrens
 03 NOV 2015
 City Development

ZAINA STACEY
 CIVIL ENGINEER CONSULTANTS
 13 Avenue Road, Freewville
 PO Box 10200, Torrens Park SA 5062
 Tel: 08 8372 9979
 Email: planning@zainastacey.com

Reference: **15289**
 Date of Issue: 11 October 2015
 Revision:



ATTACHMENT 2



09 November 2015

Our Ref: H0038855

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D156/15 AT PLYMPTON

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

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

The alteration of internal drains to the satisfaction of SA Water is required.

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

Yours faithfully

rita demusso

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

Contact Lands Titles Office
Telephone 7109 7016



09 November 2015

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

Re: Proposed Application No. 211/D156/15 (ID 52508)
for Land Division by Zybek Consulting & Management

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 02 November 2015, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

A handwritten signature in black ink, appearing to read "P. Hodgson", written over a horizontal line.

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

6.6 17 Kimber Terrace, KURRALTA PARK

Application No. 211/1374/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Torrens Title Land Division (DAC No 211/D167/15) to create one (1) additional allotment
APPLICANT	M Zhang
APPLICATION NO	211/1374/2015
LODGEMENT DATE	19 November 2015
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none">▪ Nil External <ul style="list-style-type: none">▪ DAC and SA Water
DEVELOPMENT PLAN VERSION	5 November 2015
MEETING DATE	12 January 2016
RECOMMENDATION	CONSENT

BACKGROUND

The subject application was lodged on 19 November 2015 for a Torrens Title land division to create one (1) additional allotment and is presented to the Development Assessment Panel (DAP) for the following reason:

- With regard to residential development and land division applications, where at least one proposed allotment and or site does not meet the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan, the application shall be assessed and determined by the DAP.

PREVIOUS or RELATED APPLICATION(S)

- DA 211/342/1938 - Dwelling & garage (Approved on 28 August 1938)
- DA 211/1/1941 - Sleepout (Approved on 1 July 1941)
- DA 211/11260/1966 - Carport (Approved on 21 March 1966)
- DA 211/5348/1973 - Verandah (Approved on 8 February 1973)

SITE AND LOCALITY

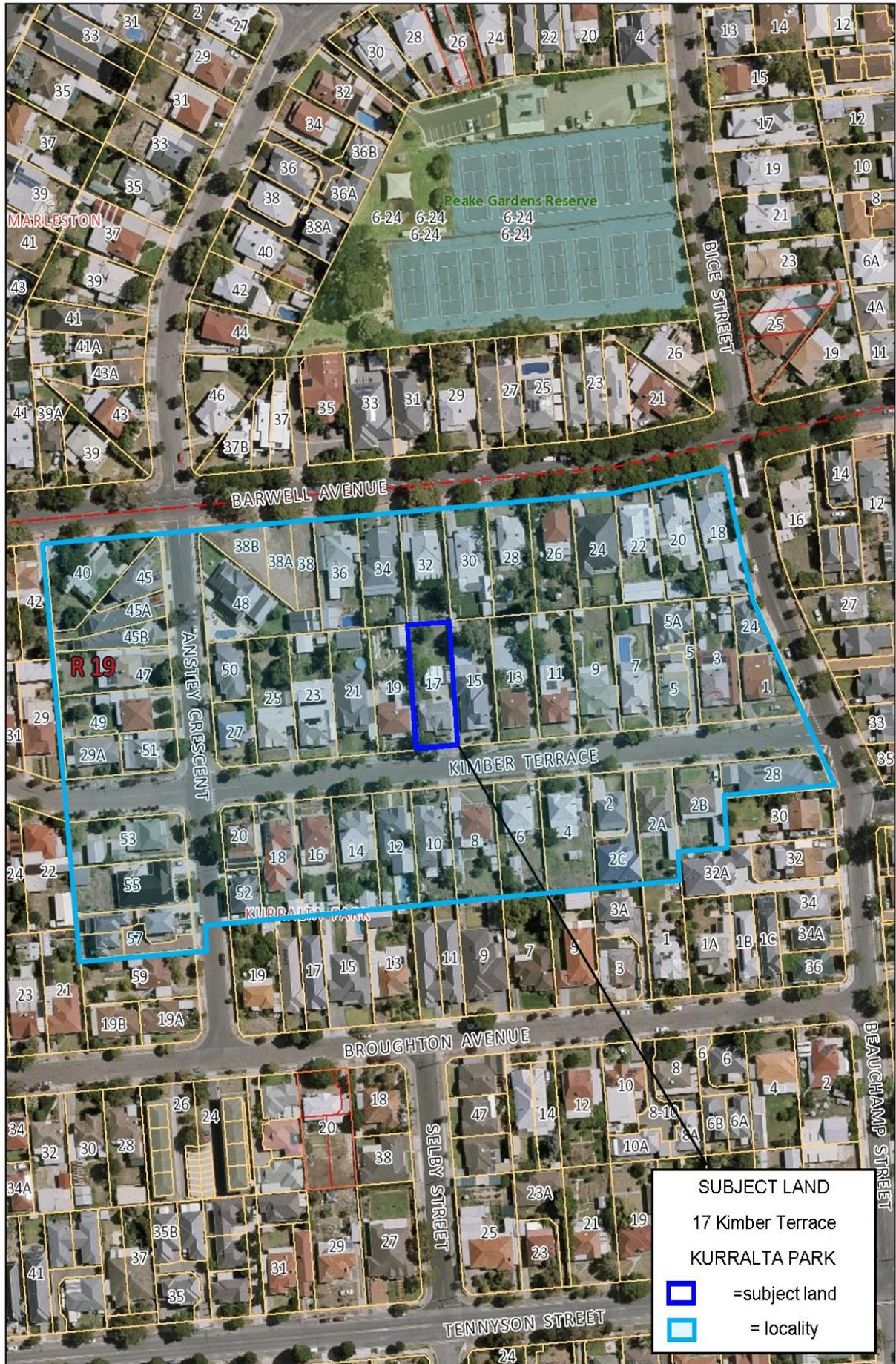
The subject land is described as Allotment 14 Deposited Plan 3103 in the area named Kurralta Park Hundred of Adelaide as contained in Certificate of Title Volume 5239 Folio 692. The land is more commonly known as 17 Kimber Terrace, Kurralta Park.

The subject land is a rectangular shaped allotment of approximately 746 square metres with a frontage of 16 metres to Kimber Terrace and a site depth of 46.63 metres. The site contains a single storey detached dwelling constructed circa 1930 and ancillary structures including a carport, verandah and garage/outbuildings.

The subject land is located within the Residential Zone and more particularly Medium Density Policy Area 19. The land is located approximately 250 metres east of the Industry Zone, 260 metres south-east of the Westside Bikeway, 102 metres south of the Peake Gardens Reserve, 247 metres west of the Commercial Zone and 319 metres west of South Road, an arterial road. The land is also located within 400 metres of the Neighbourhood Centre Zone.

The locality consists mostly of medium density residential development up to two storeys in height, with construction eras ranging from the 1920s to present. Allotments within the locality are generally rectangular in shape and contain a range of dwelling types including detached, row and group dwellings as well as some residential flat buildings.

The site and locality are shown on the following maps.



PROPOSAL

The applicant is seeking Development Approval for a Torrens Title land division to create one (1) additional allotment.

The proposed Plan of Division is contained in **Attachment 1**.

A separate application has been lodged for the construction of two dwellings on the land, however this application is on hold pending determination of the subject land division application by the DAP. The land use plans are contained in **Attachment 2**, but should be considered by the Panel members as indicative only.

PUBLIC NOTIFICATION

The subject development is a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Residential Zone, Procedural Matters Section of the Development Plan.

REFERRALS

Internal

Nil

External

- **Development Assessment Commission (DAC) and SA Water**

Pursuant to Section 33 and Schedule 29(1) of the Development Act and Regulations, the application was referred to SA Water by the Development Assessment Commission.

Neither DAC nor SA Water had any objections to the proposal subject to several conditions being added to any consent notice.

A full copy of the relevant reports are attached, refer **Attachment 3**.

ASSESSMENT

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

<u>General Section</u>		
<i>Land Division</i>	<i>Objectives</i>	<i>1, 2, 3 & 4</i>
	<i>Principles of Development Control</i>	<i>1, 2, 4, 5, 6, 7, 8, 11, 12, 14, 15, 16 & 17</i>

Zone: Residential Zone	
<i>Desired Character Statement:</i>	
<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>	
<i>Objectives</i>	2, 3 & 4
<i>Principles of Development Control</i>	5

Policy Area: Medium Density Policy Area 19	
<i>Desired Character Statement:</i>	
<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 the streets. 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”.</i></p>	
<i>Objectives</i>	1
<i>Principles of Development Control</i>	2, 5 & 7

QUANTITATIVE ASSESSMENT

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	DWELLING 1	DWELLING 2
SITE AREA <i>Medium Density Policy Area 19 PDC 5 (within 400m of centre)</i>	Detached Dwelling 250m ² (min.)	310m ² (min.) Satisfies	345.9m ² (min.) Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 19 PDC 5 (within 400m of centre)</i>	Detached Dwelling 9m	12m Satisfies	4m Does Not Satisfy by 55.5%

QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Site Frontage

The proposal will result in proposed Allotment 702 having a frontage of 4 metres to Kimber Terrace, a shortfall of 5 metres from the minimum sought by Residential Zone, Medium Density Policy Area 19, Principle of Development Control 7, which states:

"Land division should create allotments with an area of greater than 270 square metres and a minimum frontage width of 9 metres, other than where the land division is combined with an application for dwellings or follows an approval for dwellings on the site".

Should the Panel support this application, future applications for dwellings on the site would meet the definition of 'Detached Dwellings' pursuant to Schedule 1 of the Development Regulations 2008:

"detached dwelling means a detached building comprising 1 dwelling on 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 development authorisation" (Emphasis added).

As a 'detached dwelling' the minimum site areas and frontages sought by Residential Zone, Medium Density Policy Area 19, Principle of Development Control 5 are 250m² and 9 metres respectively, and accordingly, the proposal would still result in a shortfall in frontage of 5 metres for proposed Allotment 702.

However, had the applicant applied for a Community Title land division as opposed to a Torrens Title, nothing would change with regards to boundaries or the quantity of dwellings that can be achieved on the site but future dwellings would be defined as 'group dwellings' rather than 'detached dwellings'. As group dwellings, the whole site would be taken into consideration rather than the individual allotments and the minimum frontage sought by Principle of Development Control 5 would be achieved.

It is considered that in this instance the shortfall in site area is a matter of semantics. The proposed development would not compromise the intent of the policy area which is encouraging medium density residential development, including detached and group dwellings, particularly in areas close to centre zones.

SUMMARY

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 June 2015 and 5 November 2015 and warrants Development Plan Consent.

RECOMMENDATION

The Development 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. 211/1374/2015 by M Zhang to undertake a Torrens Title Land Division (DAC No. 211/D167/15) to create one (1) additional allotment at 17 Kimber Terrace, Kurralta Park (CT 5239/692) subject to the following conditions:

DEVELOPMENT PLAN CONSENT

COUNCIL CONDITIONS:

1. Development is to take place in accordance with the plans prepared by State Surveys relating to Development Application No. 211/1374/2015 (DAC 211/D167/15).

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

Nil

LAND DIVISION CONSENT

COUNCIL CONDITIONS:

1. That prior to the issue of section 51 clearance to this division approved herein, the existing dwelling and all ancillary structures shall be removed from proposed allotment(s) 701 and 702.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

2. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA Water H0039553).

The alteration of internal drains to the satisfaction of SA Water is required.

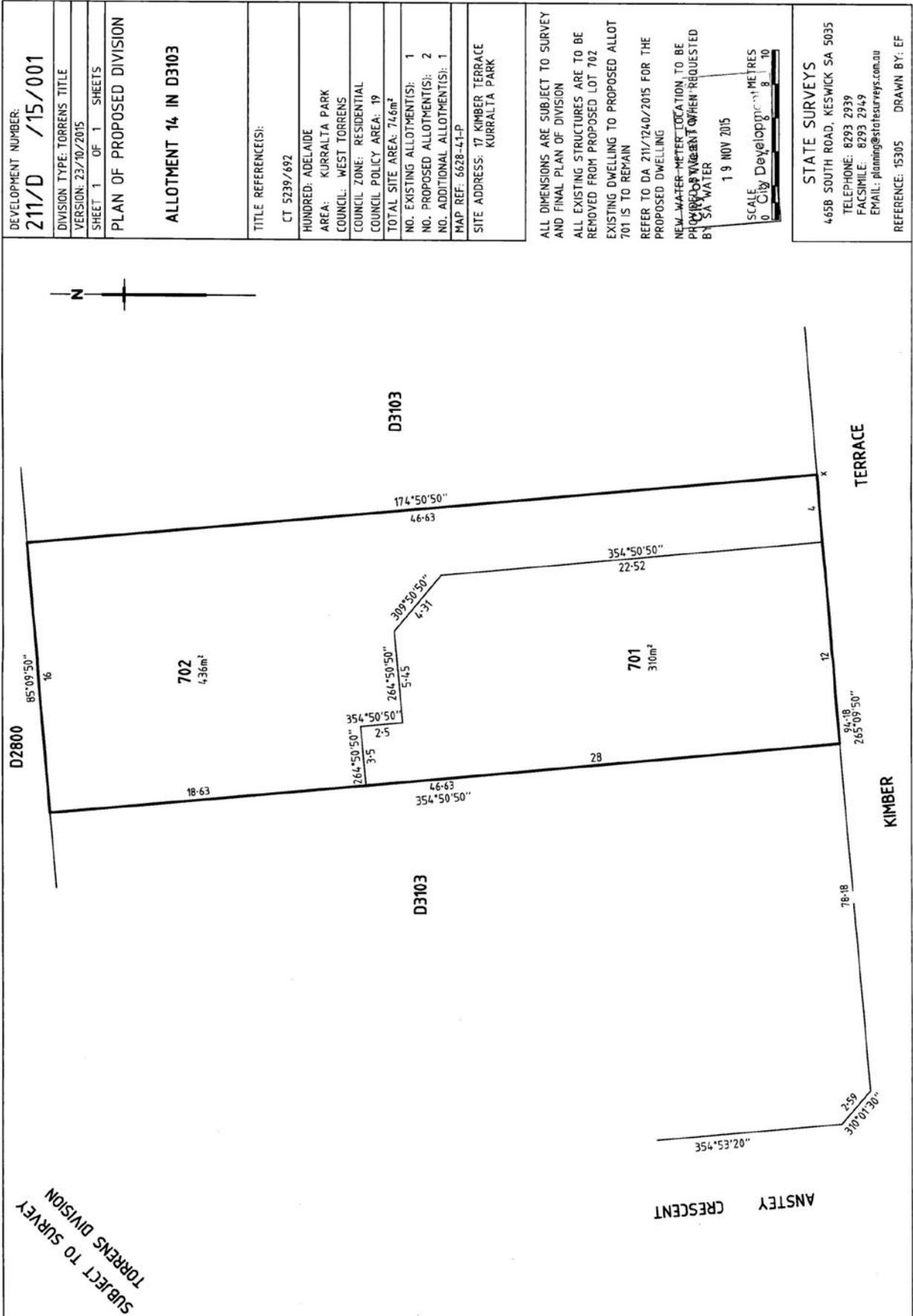
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

3. Payment of \$6488.00 into the Planning and Development Fund (1 allotment(s) @ \$6488.00/allotment). Payment may be made by credit card via the internet at

www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.

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

ATTACHMENT 1



ATTACHMENT 2

designer:



YOGO
design for us
YOGO DESIGN & CONSULTING PTY LTD
E: yogodesignconsulting@gmail.com
P: 0433 182 998
ABN: 65 521 04 650

builder & contractor note:
The drawings are to be used for the construction of the development. All dimensions and levels are to be verified on site prior to any work being commenced. Any discrepancies should be reported to the designer immediately. The drawings are to be used in conjunction with the approved plans and any other documents or related code copy with all current and relevant building codes. These drawings must be used in conjunction with the Specifications. It is the responsibility of the builder to ensure that the drawings comply with the building regulations applicable at the time of preparation. It would be noted that the Building Code of Australia is continually updated and the drawings are to be used in conjunction with the current standards applicable at the time of document preparation.

No work shall commence on this project until all Development Approval under the Development Act 1973 has been obtained, and necessary permits have been issued.

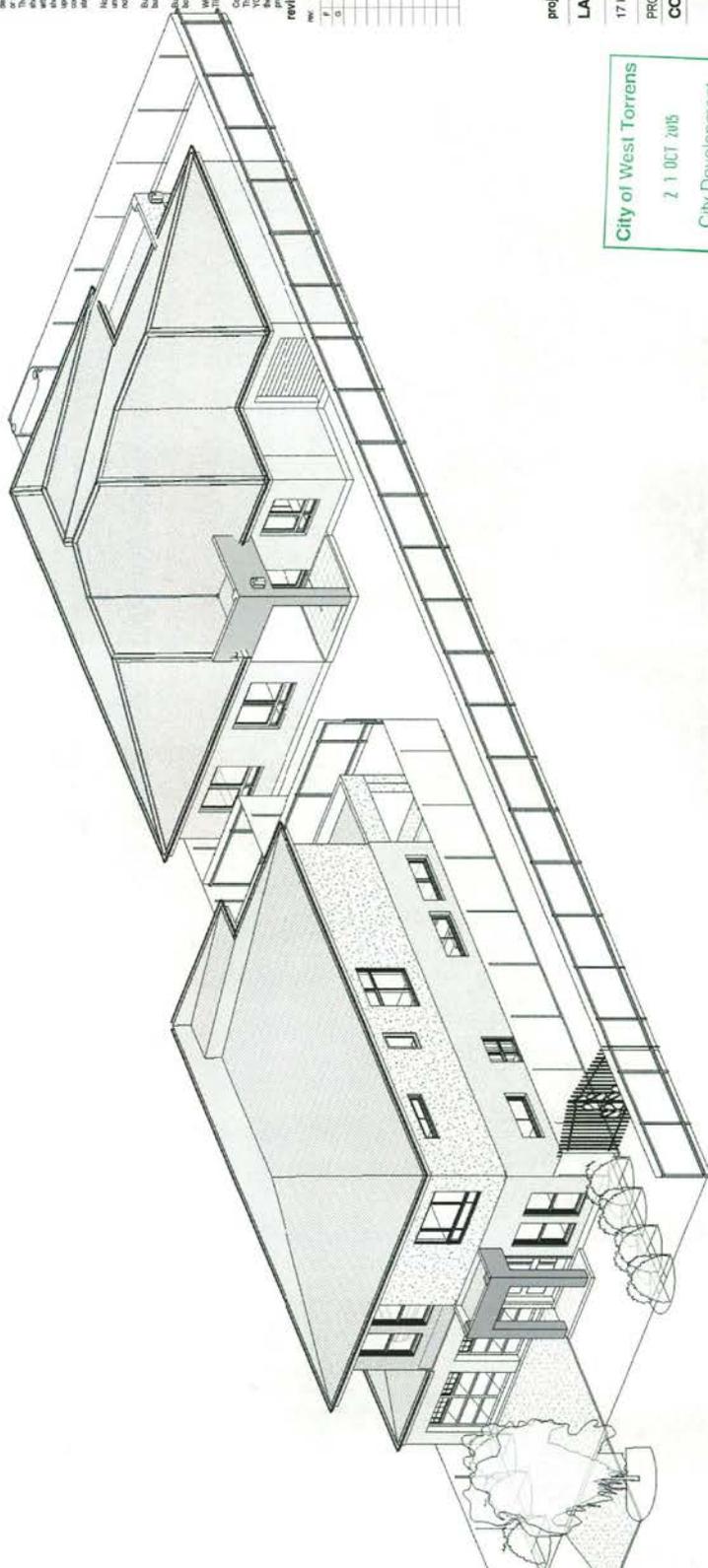
Builder shall carry out any necessary survey prior to any building work commencing.

Builder shall ensure that all documents are the correct set, by obtaining such Architectural and Engineering office price to work commencing.

Notwithstanding to item 1.48 to 1.50 in these terms, it is to be shown that this to be bid on final submission with final price.

Copyright ©
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rev.	date	description	drawn	chkd
F	24/08/15	CLIENT'S FINAL REVIEW	OW	YO
G	18/10/15	FOR APPROVAL	OW	YO



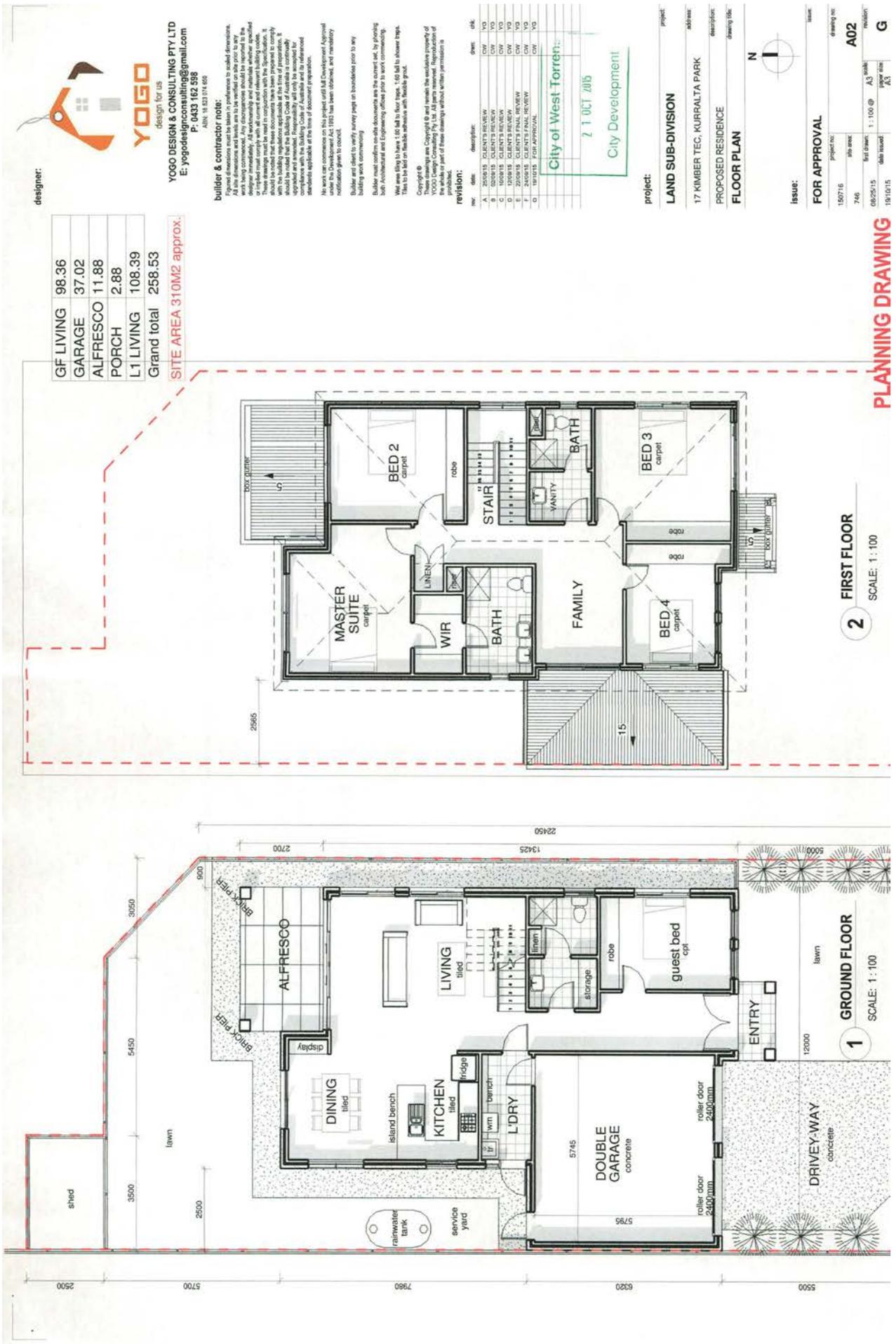
project:
LAND SUB-DIVISION
17 KIMBER TEC. KURRALTA PARK
PROPOSED RESIDENCE
COVER SHEET

issue:
FOR APPROVAL

PROJECT NO.	DATE	ISSUE
150716	24/08/15	A00
746	18/10/15	A03
1009/15	18/10/15	G

City of West Torrens
21 OCT 2015
City Development

PLANNING DRAWING



designer:



YOGO DESIGN & CONSULTING PTY LTD
design for us
E: yogodesignconsulting@gmail.com
P: 0433 162 598
ABN: 18 523 174 600

builder & contractor note:

Figure dimensions must be taken in preference to scaled dimensions. All dimensions are to be taken from the face of the work being commenced. Any discrepancies should be reported to the designer immediately. All workmanship and materials should be specified in the drawings. These drawings must be read in conjunction with the Specification. It should be noted that these documents have been prepared to comply with the Building Code of Australia as it currently stands. It should be noted that the Building Code of Australia is continually updated and amended. Responsibility will only be accepted for the drawings as they stand at the time of document preparation. No work can commence on this project until all Development Approval under the Development Act 1993 has been obtained, and mandatory notification given to council.

Builder and client to verify survey pegs on boundaries prior to any building work commencing. Builder must confirm on-site documents are the current set, by phoning both Architectural and Engineering offices prior to work commencing. Wet areas falling to have 1:100 fall to floor traps, 1:50 fall to shower traps. Tiles to be laid on flexible substrate with flexible grout.

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revision:

no.	date	description	sheet	date
A	20/05/15	CLIENT'S REVIEW	001	1/0
B	20/05/15	CLIENT'S REVIEW	002	1/0
C	10/06/15	CLIENT'S REVIEW	003	1/0
D	12/06/15	CLIENT'S REVIEW	004	1/0
E	22/06/15	CLIENT'S FINAL REVIEW	005	1/0
F	22/06/15	CLIENT'S FINAL REVIEW	006	1/0
G	19/10/15	FOR APPROVAL	007	1/0



project:

LAND SUB-DIVISION
17 KIMBER TEC, KURRALTA PARK
PROPOSED RESIDENCE
FLOOR PLAN



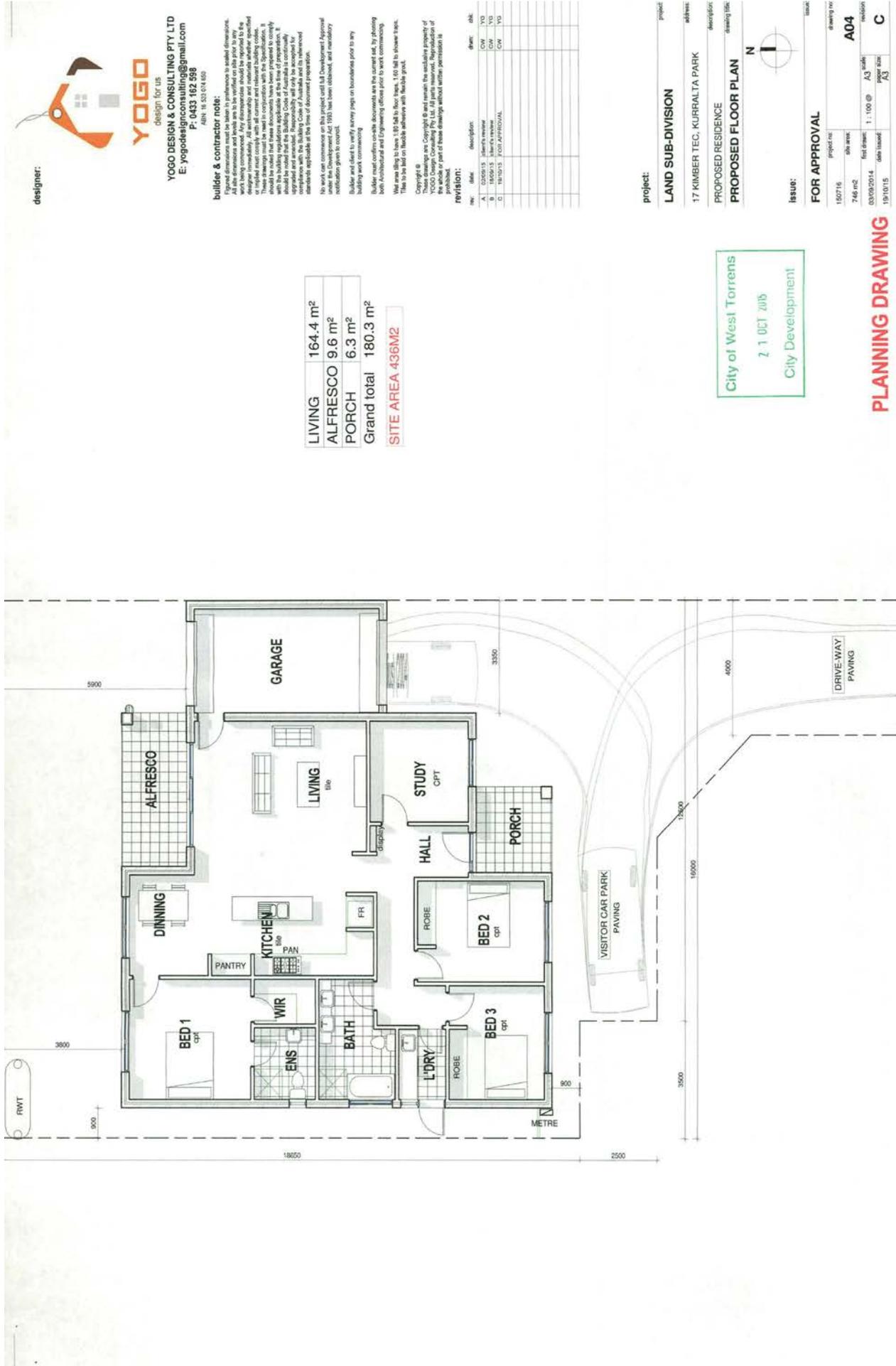
issue:

FOR APPROVAL
drawing no: A02
sheet: 748
date issued: 08/25/15
scale: 1:100 @ A3
paper size: A3
revision: G

2 FIRST FLOOR
SCALE: 1:100

1 GROUND FLOOR
SCALE: 1:100

PLANNING DRAWING



designer:
YOGO design for us
YOGO DESIGN & CONSULTING PTY LTD
E: yogodesignconsulting@gmail.com
P: 0433 162 599
ABN 16 533 074 650

builder & contractor note:
Figured dimensions must be taken in preference to stated dimensions. All dimensions are to be taken from the face of the work unless otherwise stated. All dimensions should be reported to the designer immediately. All workmanship and materials should be specified in the contract documents and in consultation with the Specification. It should be noted that these documents have been prepared to comply with the Building Code of Australia and the relevant standards applicable at the time of document preparation. No work commences on this project until all Development Approval under the Development Act 1993 has been obtained, and mandatory notifications given to council. Builder must confirm on-site documents are the current set, by phoning both Architectural and Engineering offices prior to work commencing building work commencing. All work must be done in accordance with the Building Code of Australia and the relevant standards applicable at the time of document preparation. All work must be done in accordance with the Building Code of Australia and the relevant standards applicable at the time of document preparation. All work must be done in accordance with the Building Code of Australia and the relevant standards applicable at the time of document preparation.

revision:

no.	date	description	drawn	chkd
A	16/06/15	Issue for approval	OW	YO
B	16/06/15	Issue for approval	OW	YO
C	19/10/15	FOR APPROVAL	OW	YO

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project:
LAND SUB-DIVISION

17 KIMBER TEC, KURRALTA PARK
PROPOSED RESIDENCE
PROPOSED FLOOR PLAN

issue:
FOR APPROVAL

no.	date	description	drawn	chkd
1	15/07/16	Project no	A04	YO
2	7/6/16	Site area	1:100	YO
3	03/09/2014	First drawn	A3	YO
4	19/10/15	Date issued	A3	YO

City of West Torrens
2.1 OCT 2015
City Development

PLANNING DRAWING

NOTES:

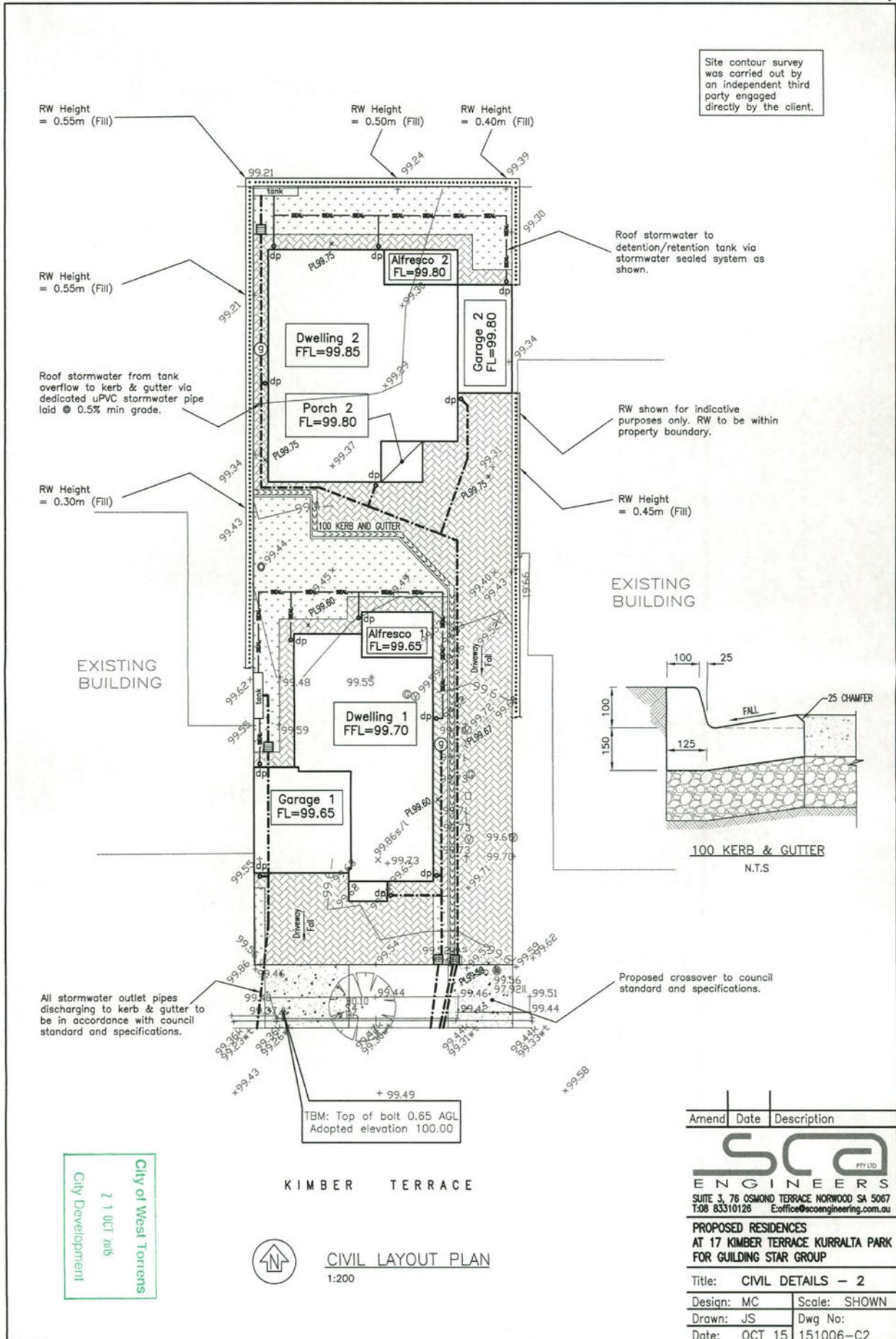
1. All downpipe connections are to be Ø90 uPVC and are to be provided with cleaning eyes.
2. All Stormwater pipes shall be Ø90 UNO.
3. All Stormwater pipes shall be laid as per AS 3500 to achieve minimum cover and grade U.N.O. If cover can not be achieved encase pipe in 100 thick concrete.
4. Sumps, gratings & MH's shall be 300sq (UNO) with walls & floors of 100 thick concrete, reinforced with SL72 fabric central + an approved cover/grate & frame.
5. Where sumps/grates or the like are cast into a concrete slab, provide 2-N12 crack control bars at the corners of such cast-in items. Bars are to be 1000 long and tied to the top layer of slab reinforcement.
6. Bedding and back-filling around stormwater pipes shall conform to AS 3725-1989.
7. Bedding sand for stormwater pipes shall be coarse, free flowing pit sand, with a plasticity index less than 5. The material shall be clean with 100% passing the 6.7mm sieve and not greater than 10% passing a 0.075mm sieve. It shall have a minimum compacted depth of 75mm.
8. Boundary Locations are based on fences/stakes only. It is recommended that an identification survey be done to establish true boundaries.
9. Provide 40mm thick lagging to all pipe penetrations through footing beams.
10. " tank " Denotes combination detention/retention tank in accordance with the amended requirements of the BCA ensure tank water is
 - i) Plumbed to at least a water closet or a water heater or all laundry cold water outlets.
 - ii) The inlet and overflow of the tank must be fitted with mosquito-proof, non degradable screens formed from Ø0.315mm material & have a min of 6x7 openings sqcm.

LEGEND:

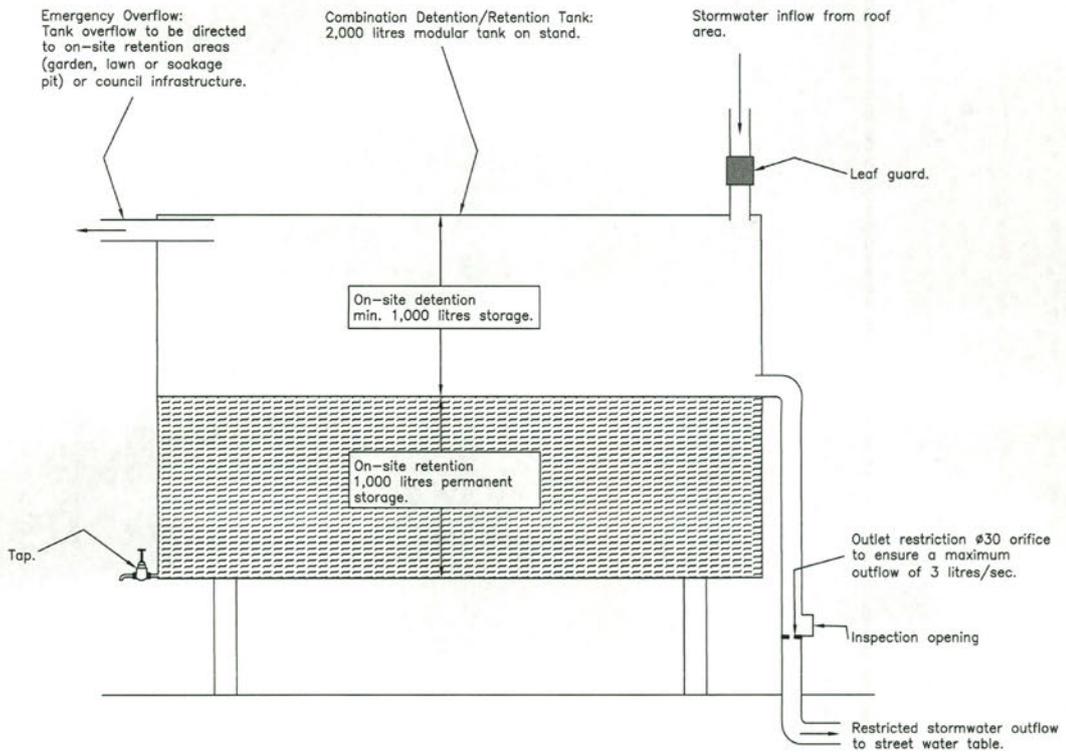
- uPVC SEWER PIPE
- #100 uPVC STORMWATER SEALED SYSTEM
- uPVC STORMWATER PIPE
- + 100.455 EXISTING SURFACE SPOT LEVEL
- + W109.46 EXISTING WATER TABLE LEVEL
- + T109.61 EXISTING TOP OF KERB LEVEL
- + R109.61 TOP OF RETAINING WALL LEVEL
- + P109.61 NEW PAVEMENT LEVEL
- + L09.61 NEW LANDSCAPE/LAWN LEVEL
- ⊙ STORMWATER INSPECTION POINT
- ⊙ STORMWATER Ø90 PVC GRATE
- 300 GRATED SUMP (U.N.O)
- dp Ø90 DOWNPIPE
- E— SPREADER DRAIN
- ⊙ EISA PIT/CABLE
- ⊙ TELSTRA SERVICES
- |||| STOBIE POLE
- ⊙ GAS METER
- ⊙ WATER METER
- ⊙ EXISTING TREE
- ==== "ACO" DRAIN K100s WITH GALVANISED GRATE (150KN)
- ==== PAVING
- ==== 100 KERB AND GUTTER
- ==== CONCRETE SPOON DRAIN
- RETAINING WALL

City of West Torrens
 2 1 OCT 2015
 City Development

Amend	Date	Description
 SCA ENGINEERS SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067 T:08 83310126 E:office@scaengineering.com.au		
PROPOSED RESIDENCES AT 17 KIMBER TERRACE KURRALTA PARK FOR GUILDING STAR GROUP		
Title: CIVIL DETAILS - 1		
Design: MC	Scale: SHOWN	
Drawn: JS	Dwg No:	
Date: OCT 15	151006-C1	



In accordance with the amended requirements of the BCA, ensure tank water is
 i) Plumbed to at least a water closet or a water heater or all laundry cold water outlets.
 ii) The inlet and overflow of the tank must be fitted with mosquito-proof, non-degradable screens formed from $\phi 0.315\text{mm}$ material and have a minimum of 6x7 openings per cm^2 .



COMBINATION DETENTION/RETENTION WATER TANK DETAIL
NTS

City of West Torrens
 2 1 OCT 2015
 City Development

Amend	Date	Description
 SCA ENGINEERS SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067 T:08 83310126 E:office@scaengineering.com.au		
PROPOSED RESIDENCES AT 17 KIMBER TERRACE KURRALTA PARK FOR GUILDING STAR GROUP		
Title: CIVIL DETAILS - 3		
Design: MC	Scale: SHOWN	
Drawn: JS	Dwg No:	
Date: OCT 15	151006-C3	

ATTACHMENT 3

Contact Lands Titles Office
Telephone 7109 7016



25 November 2015

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/D167/15 (ID 52637)
for Land Division by Mr Meng Zhang**

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 18 November 2015, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
The alteration of internal drains to the satisfaction of SA Water is required.
On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$6488 into the Planning and Development Fund (1 allotment(s) @ \$6488/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 Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

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

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

A handwritten signature in black ink, appearing to read "P. Hodgson", with a long, sweeping underline.

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



25 November 2015

Our Ref: H0039553

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D167/15 AT KURRALTA PARK

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

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

The alteration of internal drains to the satisfaction of SA Water is required.

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

Yours faithfully

rita demusso

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

6.7 218 ANZAC Highway, PLYMPTON

Application No. 211/1002/2015

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT PROPOSAL	Construction of a two-storey detached dwelling and associated carport
APPLICANT	T Hau
APPLICATION NO	211/1002/2015
LODGEMENT DATE	31 August 2015
ZONE	Urban Corridor Zone
POLICY AREA	Boulevard Policy Area 34
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal ▪ Nil External ▪ Nil
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	12 January, 2016
RECOMMENDATION	REFUSE

BACKGROUND

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

- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.

PREVIOUS or RELATED APPLICATION(S)

Nil

SITE AND LOCALITY

The subject site is regular in shape, and is located on the south-eastern side of ANZAC Highway, Plympton, between Charles Street and Beckman Street. It has a frontage width of 16.76 metres to ANZAC Highway, and a maximum depth of 45.77 metres, resulting in an overall site area of approximately 765m².

The site is currently occupied by a 1950's, single storey dwelling and ancillary outbuildings.

Topographically the site is relatively flat.

There are no regulated trees located on, or within close proximity to, the site that may be affected as a result of the proposed development. There is one (1) mature street tree located centrally within the verge and an existing stobie pole located directly abutting the existing crossover.

Vehicle access to the site is currently provided by a single width crossover located at the south-western end of the site's ANZAC Highway frontage.

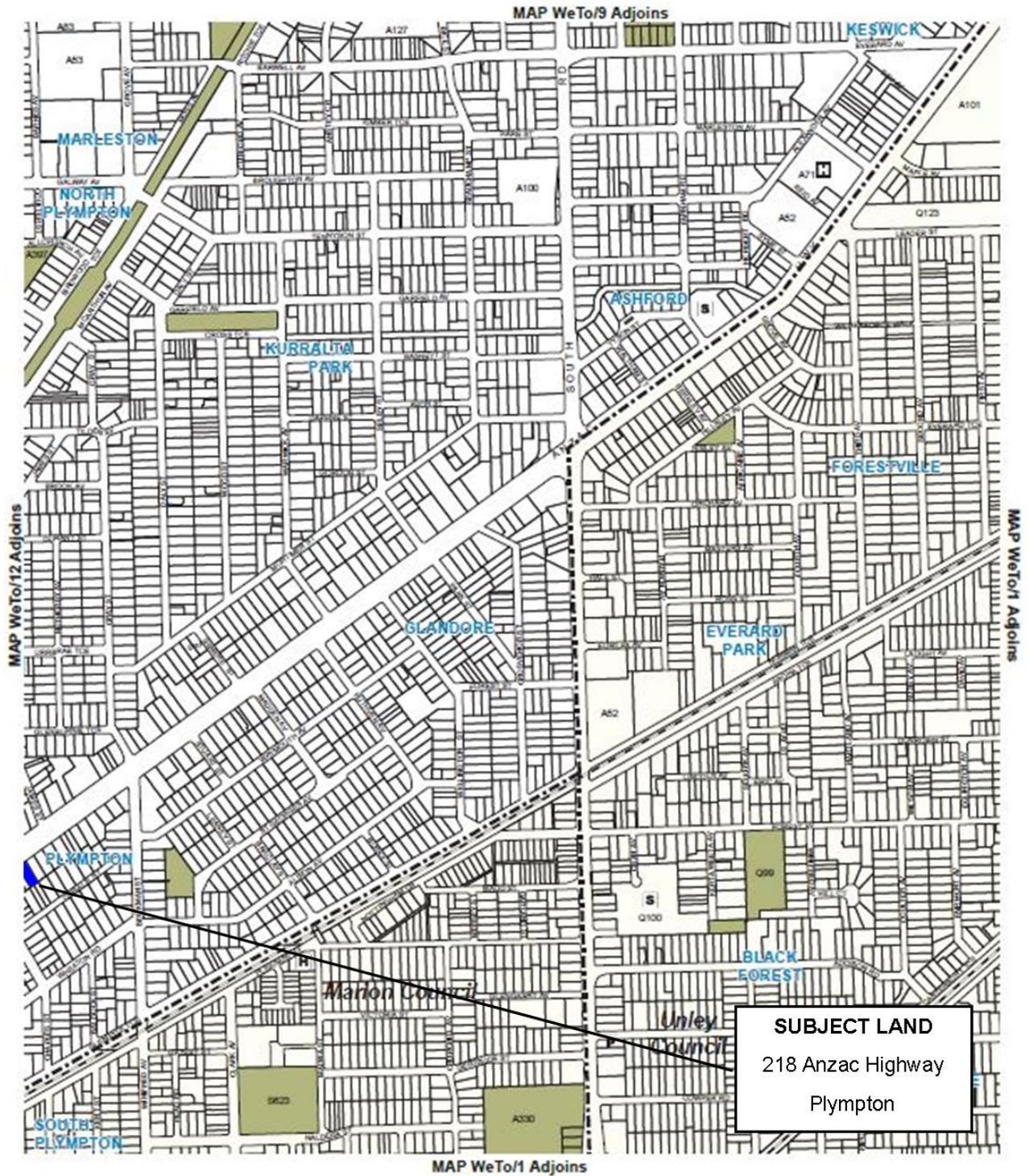
The existing neighbourhood comprises predominantly of detached and semi-detached single storey dwellings, two and three storey residential flat buildings which are of brick and rendered construction with pitched and flat roofs.

All immediately surrounding land uses are residential, with a small shopping strip located further to the south-west at the corner of ANZAC Highway and Charles Street.

Currently, the locality does not include any recent infill developments seeking to meet the intent of the Urban Corridor Zone. The zone boundary of Medium Density Policy Area 18 is located approximately 60 metres from the rear of the subject site.

The site and locality are shown on the following maps.





- S School
- P Post Office
- H Other Health Services
- H Hospital
- Railways
- Local Reserves
- Development Plan Boundary

Location Map WeTo/13

PROPOSAL

It is proposed to demolish the existing single storey dwelling and two (2) existing outbuildings on the site and construct a two-storey dwelling and an associated carport. One of the existing outbuildings located within the south-western corner of the site is proposed to be retained.

The proposed dwelling comprises an open plan kitchen / family / meals area, separate lounge, two (2) bedrooms and associated amenities at ground floor level and two (2) bedrooms, sitting area and amenities at first floor.

The first floor component of the proposed dwelling has been designed to predominantly be located within the proposed roof space of the dwelling.

Vehicle access to the proposed carport will be provided by the existing crossover.

The dwelling is proposed to be constructed of brick, with a stonework façade and rendered elements at both ground and first floor and a high pitched colorbond roof.

A landscaping plan has been submitted which indicates that landscaping will be provided within the front setback areas and rear private open space areas.

The proposed plans are included in **Attachment 1**.

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Section 38 and Schedule 9 of the Development Act and Regulations and the Urban Corridor Procedural Matters Section of the West Torrens Council Development Plan.

ASSESSMENT

The subject land is located within the Urban Corridor Zone and more particularly Boulevard Policy Area 34 as described in the West Torrens Council Development Plan. The main provisions of the Development Plan which relate to the proposed development are as follows:

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

Zone: Urban Corridor Zone

Desired Character Statement: 'This zone will contain an innovative mix of medium density (45-70 dwellings per hectare) and high density (70-200 dwellings per hectare) residential development, together with community and employment land uses, along the Port Road, ANZAC Highway and Henley Beach Road corridors. The combination of land uses will vary within these corridors. Some locations will contain a genuine land use mix with ground floor shops, restaurants and offices, and upper level residential, while other areas will give primacy to residential development. Other parts of the zone will have a strong employment focus.

The function of main roads in the zone, particularly Port Road and ANZAC Highway, as major transport corridors will be protected by providing access to allotments from secondary road frontages and rear access ways as much as possible. Parking areas will be consolidated, shared (where possible) and screened from the street or public spaces. Allotments with car parking fronting Port Road, ANZAC Highway and Henley Beach Road will be redeveloped with built form closer to the road and reconfigured car parking areas.

As one of the key zones in the City of West Torrens where there will be transformation in built form, new buildings will be recognised for their design excellence. These buildings will establish an interesting pedestrian environment and human-scale at ground level through careful building articulation and fenestration, verandas, balconies, canopies and landscaping. In general, the greatest height, mass and intensity of development will be focussed at the main road frontage. Buildings of 3 or more storeys will be the predominant built form. It is for these reasons that dwellings other than detached dwellings will be the predominant form of residential development.

Overlooking, overshadowing and noise impacts will be moderated through careful design, Impacts on adjoining zones where development is lower in scale and intensity will be minimised through transition of building heights and setbacks, judicious design and location of windows and balconies, and the use of landscaping. The transition of building heights and setbacks, and judicious design is especially important adjacent Character Policy Areas, including those Character Policy Areas at Glandore and Ashford. The use of blank walls in these transitional areas, especially at the rear and side of allotments, will be avoided. Plant and service equipment will be enclosed and screened from view from the street and neighbouring allotments.

Where buildings are set back from main roads, landscaping will contribute to a pleasant pedestrian environment and provide an attractive transition between the public and private realm. Large scale development in the zone will facilitate the establishment of areas of communal and public open space, and create links with existing movement patterns and destinations in the zone. Front fencing in the zone will be kept low and/or visually permeable. Some parts of the zone, including allotments in Thebarton and Keswick, are potentially contaminated because of previous and current industrial activities. In these circumstances, development is expected to occur on a precautionary basis if site contamination investigations identify potential site contamination, , particularly where it involves sensitive uses such residential development.

The Thebarton brewery has potential to cause nuisance to future users and residents within this zone through noise and odour. To mitigate potential adverse impacts, residential development north of Smith Street that is likely to be sensitive to brewery operations should generally be avoided unless interface mitigation measures have been implemented (or will be implemented within an acceptable period) such that the anticipated impacts are within acceptable limits. Noise and air amenity with the zone is not expected to be equivalent to that expected from living in a purely residential zone.'

Objectives	1, 2, 3, 4, 5, 6, 7, 9
Principles of Development Control	1, 2, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20

Policy Area: Boulevard Policy Area 34

Desired Character Statement: "The policy area will contain a mix of land uses that complement the function of Port Road as a strategic transport route linking central Adelaide with the north western suburbs, and ANZAC Highway linking central Adelaide with Glenelg.

The redevelopment of existing commercial and industrial allotments into medium-to-high scale, mixed-use development will occur. Where development has a mix of land uses, non-residential activities such as shops, offices and consulting rooms will be located on lower levels with residential land uses above. In order to achieve the desired transformation of the policy area, dwellings other than detached dwellings will be the predominant form of residential development.

A mix of complementary land uses will assist in extending the usage of the policy area beyond normal working hours to enhance its vibrancy and safety.

Development will take place at medium and high densities, at a scale that is proportionate to the width of Port Road and ANZAC Highway respectively. To achieve this, development will take place on large, often amalgamated allotments. Vehicle access points will be located off side streets and new rear laneways where possible, so that vehicle flows, safety and efficient pedestrian movement along Port Road and ANZAC Highway are maintained.

Pedestrian areas will be enhanced to maximise safety and strong links will be made between development and tram stops along Port Road, and Bonython Park.

While the use and address of buildings will be designed to be easily interpreted when driving in a vehicle, the footpath will be sheltered with awnings, verandas and similar structures.

Buildings of up to eight storeys will have a strong presence to Port Road and ANZAC Highway. At lower levels, buildings will have a human scale through the use of design elements such as balconies, verandas and canopies. Development on corner allotments will enhance the gateway function of such corners by providing strong, built-form edges combined with careful detailing at a pedestrian scale to both street frontages.

Podium elements, where higher floors of the building are set back further than lower level floors, may be used to improve air quality (through greater air circulation), as well as enhancing solar access, privacy and outlook for both the residents of the building and neighbours.

Buildings along Port Road will have zero setback from the front boundary in order to establish a strong and imposing presence to the road, while short front setbacks along ANZAC Highway will allow for some landscaping to contribute to a more open landscaped character.

On-site vehicle parking will not be visible from Port Road and ANZAC Highway, by locating parking areas behind building facades and shielding undercroft parking areas with landscaping and articulated screens".

Objectives	1, 2, 4
Principles of Development Control	1, 2, 3, 5, 6, 7

QUANTITATIVE ASSESSMENT

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

QUALITATIVE ASSESSMENT

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
NET SITE DENSITY <i>Urban Corridor Zone</i> PDC 5	100 dwellings per hectare (min.)	13 dwellings per hectare Does Not Satisfy
PRIMARY STREET SETBACK <i>Urban Corridor Zone</i> PDC 16	3m at ANZAC Highway	5.8 m Satisfies
SIDE/REAR SETBACKS <i>Urban Corridor Zone</i> PDC 18	Side Frontage width 20m or less - no minimum up to 2 storeys and 3m above this height Rear 0m	Side 0m & 0.972m Satisfies Rear 16.574 m Satisfies
BUILDING HEIGHT <i>Urban Corridor Zone</i> PDC 13	Min. Height 3 storeys Max. Height 8 storeys & up to 32.5m (all other allotments)	2 storeys Does Not Satisfy Max. Height 2 storeys Satisfies
CARPARKING SPACES <i>Urban Corridor Zone</i> PDC 19	Detached dwellings - 2 spaces (3+ bedrooms)	2 spaces provided (1 in single carport and 1 uncovered) Satisfies

In assessing the merits or otherwise of the application, the proposed development satisfies the relevant Development Plan provisions with the exception of the following, as discussed under the following sub headings:

Urban Corridor Zone Desired Character

Based upon the desired character of the Urban Corridor Zone (Boulevard Policy Area 34) and relevant PDCs as outlined earlier in this report, the proposed development is considered to be an underdevelopment of the site, particularly with respect to the desired character sought, site density and building height.

The relevant objectives of the Urban Corridor Zone, Boulevard Policy Area 34 are:

'1 Medium and high rise development framing the street, including mixed use buildings that contain shops, offices and commercial development at lower floors with residential land uses above.

2 A uniform streetscape edge established through a largely consistent front setback and tall, articulated building façades.

4 Development that contributes to the desired character of the policy area.'

Urban Corridor Zone, Boulevard Policy Area PDCs 1 & 2 state that

'Development should predominantly comprise mixed use buildings, with non-residential development at the ground and first floor and residential development above, and wholly residential buildings';

and

'Residential Development should create a medium-to-high density urban environment Incorporating residential flat buildings and dwellings in mixed-use buildings, and not lower density residential development such as detached dwellings.'

As such, the development plan expressly discourages lower density residential development such as the proposed detached dwelling and seeks higher density residential development of at least 100 dwelling per hectare as opposed to the development of a detached dwelling which equates to 13 dwellings per hectare.

The subject site does not exhibit any special circumstances that would warrant a departure from the relative objectives and PDC's of the Urban Corridor Zone (Boulevard Policy Area 34), nor the desired character that this zone and policy area is seeking to achieve.

Additionally, the dwelling density of the proposed development equates to approximately 13 dwellings per hectare, whereas medium to high density development, as sought in the Urban Corridor Zone, Boulevard Policy Area 34 is at least a minimum of 100 dwellings per hectare.

The proposed dwelling does not constitute a complying form of development pursuant to Schedule 4, Part 1, (1)(a) of the Development Regulations.

SUMMARY

The subject site is appropriate for medium to higher density housing, however the current design response to the opportunities of the site has not adequately addressed the context of the site with respect to the achieving the desired character associated with the Urban Corridor Zone (Boulevard Policy Area 34), and as such does not warrant support in this instance.

Having considered all of the relevant Objectives and Principles of the Development Plan, the proposal is considered to be seriously at variance with the Development Plan, particularly with respect to the density and height of dwellings proposed, the ability for adaptive reuse of the building; the large setbacks to street frontages and boundaries and built form not consistent with the desired character of promoting large buildings of at least 3 storeys and up to eight storeys in height.

On balance the proposed development is seriously at variance with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 25 June, 2015 and does not warrant Development Plan Consent.

RECOMMENDATION

The Development 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 Approval for Application No. 211/1002/2015 by T Hau for the construction of a two-storey detached dwelling and associated carport at No. 218 ANZAC Highway, Plympton (CT 5725/38) for the following reasons:

1. The proposed development is contrary to
 - Urban Corridor Zone, Objectives 1, 2, 3, 4, 5, 9, Principles of Development Control 1, 4, 5, 13, 16, 18, 19. Boulevard Policy Area 34, Objectives 1, 3 & 4, Principles of Development Control 1, 2, 3, 5, 6, 7
Reason: The development is not consistent with the desired character of the Urban Corridor Zone & Boulevard Policy Area 34 with respect to the density and height of development on the site.

ATTACHMENT 1

SKETCH PLANS ONLY – NOT FOR CONSTRUCTION

BUILDING NOTES

WC DOORS TO HAVE LIFT OFF HINGES IN ACCORDANCE WITH NATIONAL CONSTRUCTION CODE SECTION 3.8.3.3

THIS HOUSE TO BE CONSTRUCTED IN ACCORDANCE WITH THE NATIONAL CONSTRUCTION CODE WINDOW SIZES HEIGHT X WIDTH ALL WINDOWS SET TO BRICKBOND WEATHER SEALS TO ALL EXTERNAL EXTERNAL DOORS

THIS PLAN IS SUBJECT TO 6 STAR ENERGY REQUIREMENTS EXHAUST FANS & RANGEHOOD TO CONTAIN DAMPER SEALS DOWNLIGHTS TO BE SEALED AND CONTAIN HEAT COVERS

Ⓢ HARD WIRED SMOKE ALARM WITH 9v BATTERY BACK-UP

PERMITS PROTECTION IN ACCORDANCE WITH AS 3850/2000
FURNITURE & VEHICLES IMPACT USING SOFT CHROME PLATE FROM DOWNPOOF COURSE TO TOP OF FINISH

SITE PLAN SCALE 1 : 200

- 1. CAMPANULA POSCHARSKYANA – 10cm high
- 2. CHINESE STAR JASMINE – 10cm high
- 3. PITTISPORUM SILVER LEAF – 5+m high
- 4. AQUAVE ATTENUATA – up to 150cm high
- 1000 litre required rainwater tank plumbed to wc with over flow to street water table
- clothes line

ground floor living : 212.78
 first floor living : 85.50
 carport : 30.08
 front verandah : 27.47
 rear verandah : 39.68
 total : 395.51sq.m.

total land size : 761.83sq.m.
 total site coverage : 41%
 total P.O.S. : 290.01sq.m.
 P.O.S. compared to land size : 38%

NEAR MAPS IMAGE SCALE N.T.S.

ANZAC HIGHWAY

NOTES**

ALL UPPER STOREY FLOORS ARE NOT DESIGNED FOR WATERBOD LOADS OR ANY OTHER POINT LOADS DISTRIBUTED OVER FLOOR AREA

STAIRCASE & BALLUSTRADE TO BE IN ACCORDANCE WITH NATIONAL CONSTRUCTION CODE PART 3.9.1 & PART 3.9.2

STAIR CONSTRUCTION & BALLUSTRADES
 RISER – MAX 150 / MIN 115
 GOING – MAX 350 / MIN 240
 QUANTITY (GR+D) – MAX 700 / MIN 550
 STAIRS & STAIR BALLUSTRADING BY STAIRLOC Pty. Ltd.

FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DRAWINGS. VERIFY ALL DIMENSIONS AND LEVELS BEFORE COMMENCEMENT. ANY DISCREPANCY SHALL BE REPORTED TO THE DESIGNER IMMEDIATELY.

DWG NO. ANZ-218-15.dwg NO BRUSH FENCE TO BE CONSTRUCTED WITHIN 3.0M OF BUILDINGS

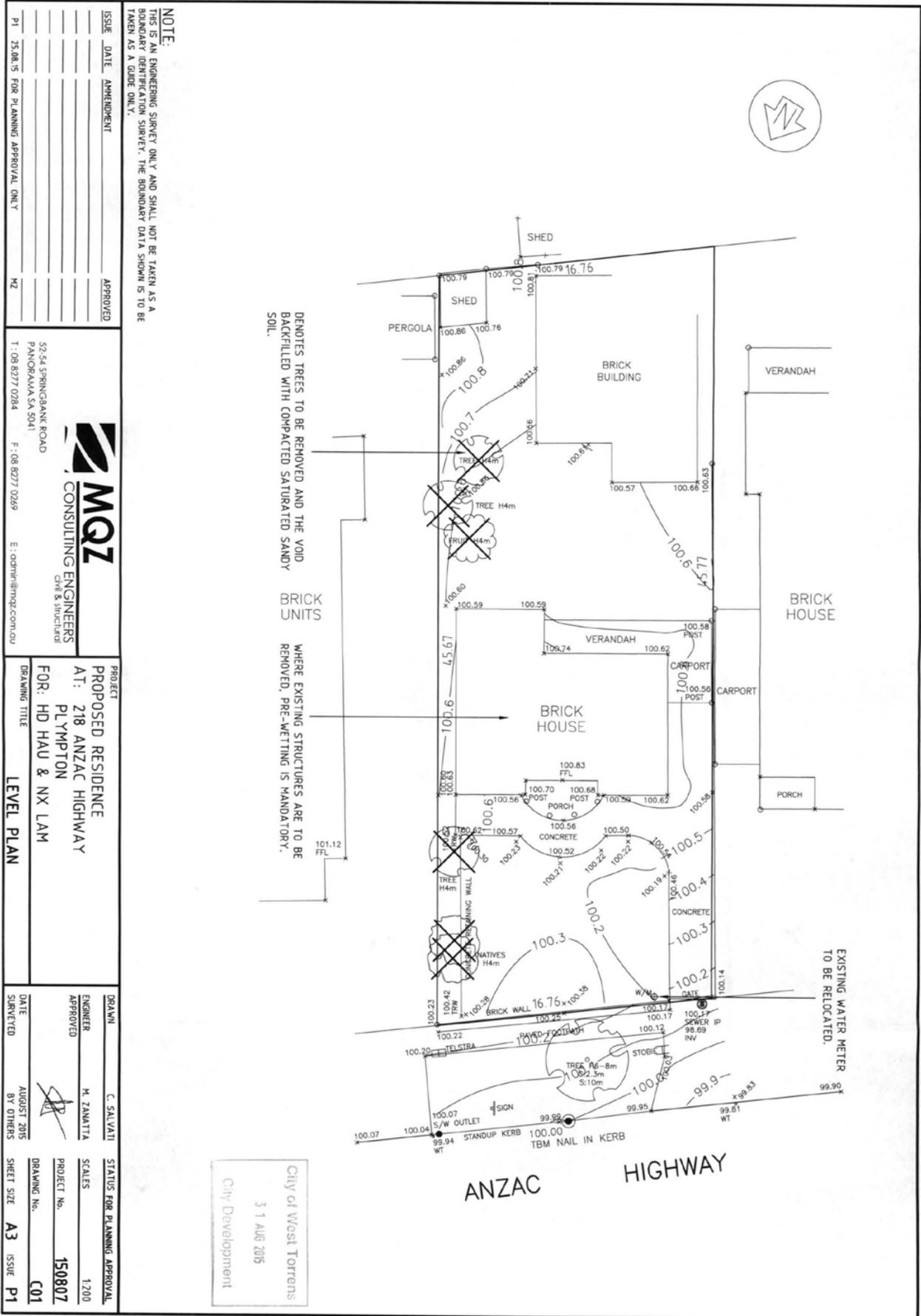
PROPOSED NEW RESIDENCE

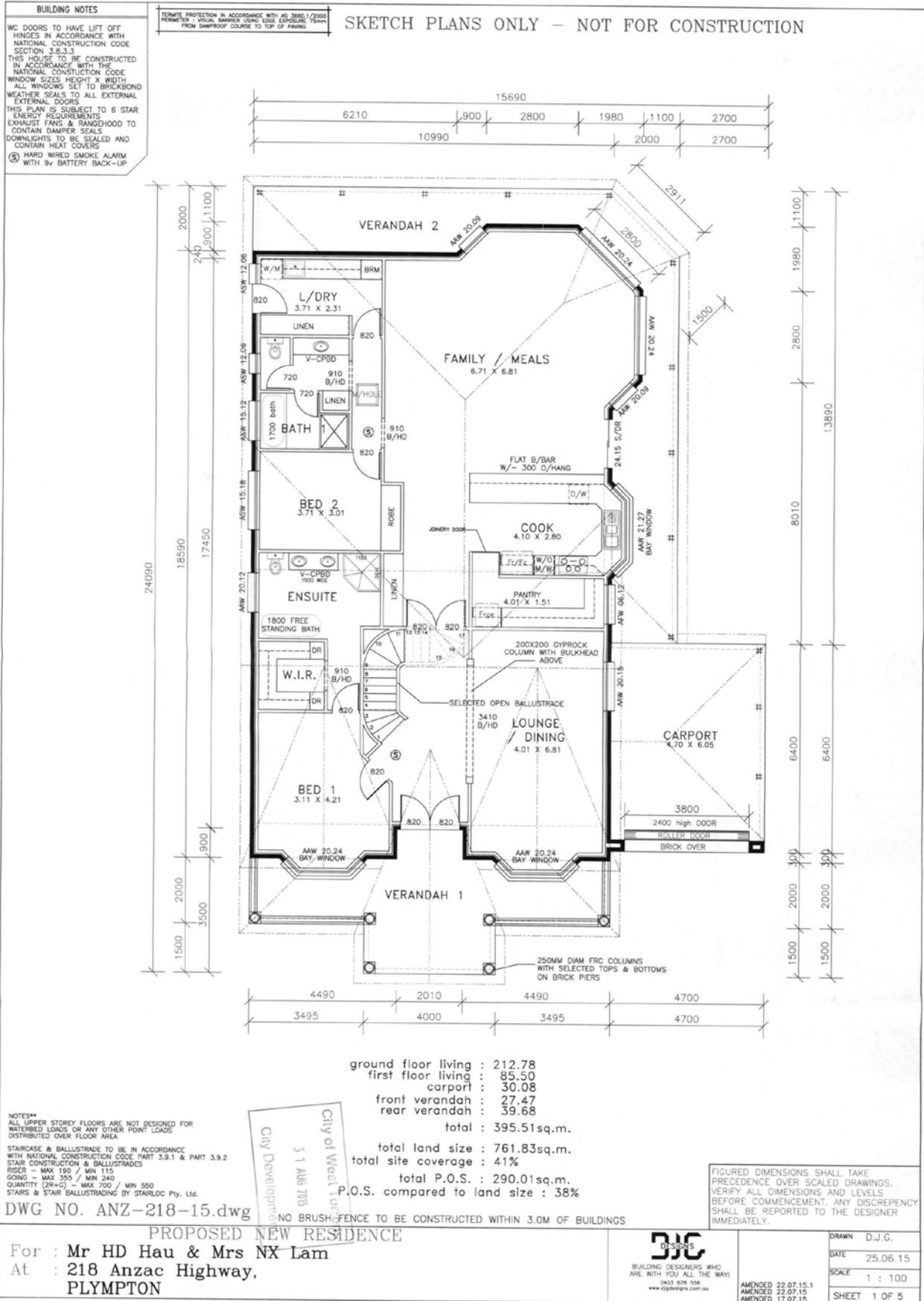
For : Mr HD Hau & Mrs NX Lam
 At : 218 Anzac Highway,
 PLYMPTON

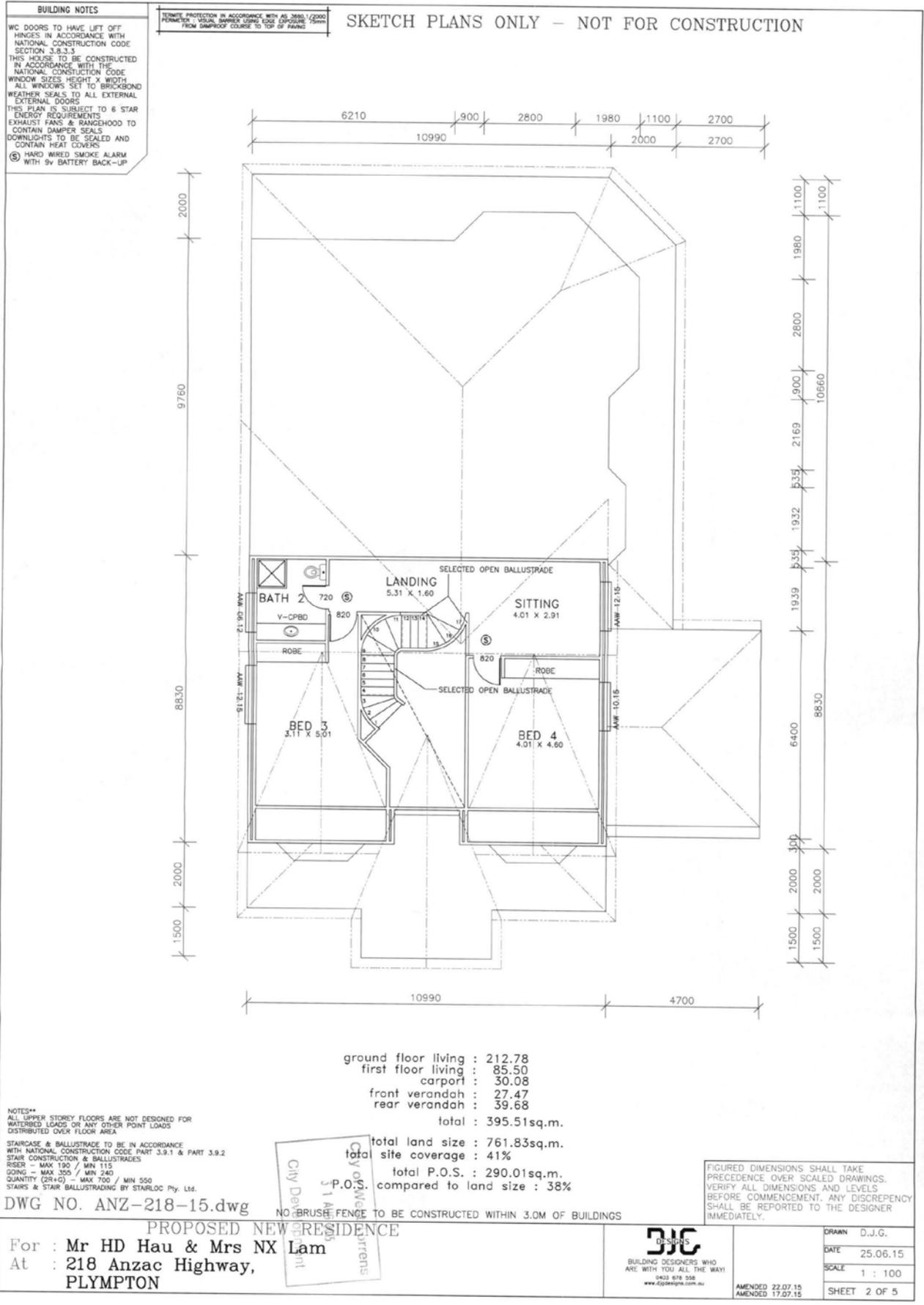
9603 836 866
www.bdcplm.com.au

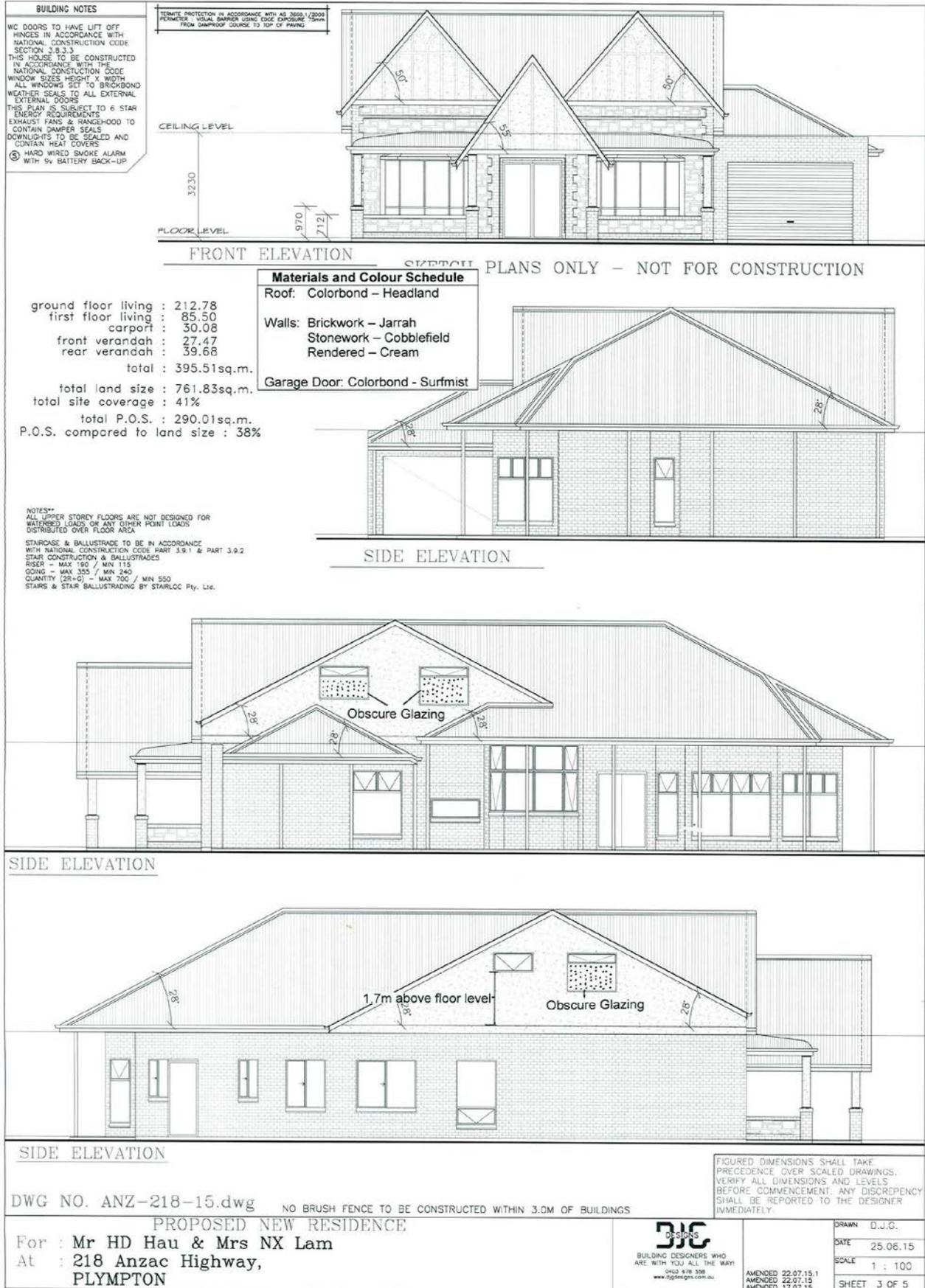
AMENDED 25.10.15
 AMENDED 31.08.15
 AMENDED 22.07.15
 AMENDED 17.07.15

DRAWN D.J.G.
 DATE 25.06.15
 SCALE 1 : 100
 SHEET 4 OF 5











31 August 2015

Ref: 6483

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

Attention: Planning Department

Access Planning (SA) Pty Ltd
ABN 57 089 702 241

235 Henley Beach Road
Torrensville SA 5031

Telephone 08 8130 7222

Facsimile 08 8130 7299

admin@accessplanning.com.au

www.accessplanning.com.au

Dear Sir/Madam,

RE: Replacement Dwelling at 218 Anzac Highway, Plympton

Please find herewith the following documentation in respect to the abovementioned development:

- Development Application Form
- Electricity Declaration Form
- Certificate of Title
- Site Works Drainage Plan
- Proposal Plans

Upon receipt of the application it is requested that Council advise the required application and assessment fees.

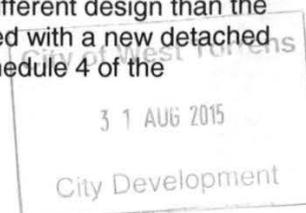
This application is seeking approval to replace the existing single storey detached dwelling with a new two storey detached dwelling on the subject land.

The subject land is located within the Urban Corridor Zone and Boulevard Policy Area 34 and it's clear that the intention of the zone and policy area is to allow for residential development at densities much higher than that currently exists.

Principle 2 of the Policy Area envisages medium to high density residential development, rather than lower density residential development such as detached dwellings, whilst Zone Principle 13 contemplates development with a minimum building height of 3 storeys.

Although the proposal is inconsistent with the above, I note that a detached dwelling represents a consent form of development on the subject land and the proposed development is consistent with the existing scale and form of residential development within the locality (south eastern side of Anzac Hwy), which is predominately single and two storey dwellings at low densities.

In addition, whilst the proposed building is larger and comprises a different design than the one it replaces, it is noted that the existing dwelling could be replaced with a new detached dwelling as complying development pursuant to Part 1 (1) (a) of Schedule 4 of the Development Regulations 2008.





With respect to its design, the proposed dwelling satisfies the relevant Development Plan requirements in relation to:

- Site coverage
- Provision of private open space
- Setbacks
- Carparking and access
- Landscaping
- Stormwater management

The design of the upper storey windows of the two bedrooms and sitting room do not accord with design requirements of the Residential Development Principle 27 which seeks to minimise overlooking issues.

Whilst these windows will only adjoin the existing driveways and parking areas of the adjacent dwellings and will therefore unlikely create unacceptable privacy impacts, I note that window treatments (i.e. obscure glazing) can be provided to address any concerns if required.

In summary, the proposed development represents relatively minor development as it simply seeks to replace the existing dwelling on the subject land. The design of the proposal also largely accords with the relevant design and siting requirements and is consistent with the existing form of development within the locality.

For all of the above reasons the proposed development is worthy of the support of Council.

If you have any questions in relation to the above or require any additional information please contact me on 8130 7222 or via email at tom@accessplanning.com.au

Yours sincerely

A handwritten signature in black ink that reads 'Tom Hateley'.

Tom Hateley MPIA
ACCESS PLANNING

6.8 Draft Development Assessment Panel Annual Report

Brief

To provide Council with information on the activities of, and feedback from, the Development Assessment Panel.

RECOMMENDATION

That the Development Assessment Panel Annual Report be ratified for submission to Council.

Development Assessment Panel Annual Report

Introduction

Section 56A(2)(b) of the *Development Act 1993*, provides opportunity for the Development Assessment Panel (DAP) to report to Council regarding "... trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications under this Act".

The City of West Torrens DAP Terms of Reference (9 December 2014) stipulate:

"The DAP shall report to Council at least once per year, detailing issues for consideration by the Council. The report shall include advice on trends, issues and other matters relating to planning or development that have become apparent or arisen through the DAP's assessment of applications under the Act."

The following report contains a summary of the activity of the DAP in 2015 as well as feedback from DAP members with regard to trends, issues and other matters relating to planning or development that have become apparent or arisen through its assessment of applications.

Discussion

The 2015 calendar year was the first half of the Development Assessment Panel's two year term. The panel comprised:

- | | |
|------------------------------------------------|-----------------|
| • Independent Presiding Member | Michael Doherty |
| • Independent Member (Deputy Presiding Member) | Colleen Dunn |
| • Independent Member | Wayne Stokes |
| • Independent Member | Jane Strange |
| • Elected Member | Kym McKay |
| • Elected Member | Graham Nitschke |
| • Elected Member | Tony Polito |

Statistical Data for 2015

Number of Panel meetings held - 12

Panel Members attendance record:

Member	Attended	Apologised
Michael Doherty	10	2
Colleen Dunn	12	-
Jane Strange	11	1
Wayne Stokes	11	1
Kym McKay	10	2
Graham Nitschke	11	1
Tony Polito	11	1

Number of development application reports received by the Panel:

- A total of 1,612 development applications were received by the Council in 2015, with 139 of those applications considered by the Panel.
- This equates to a total of 8.6%* of the total applications lodged with the Council for 2015 (3.3%* decrease over 2014).
- Break down of decisions:

Approved	110
Refused	29
- Compromise Plans associated with appeals were presented to the DAP on eight occasions.
- The DAP agreed with 92% of the Administration's recommendations.

Types of Development:

Land Divisions	67
Dwellings/additions	44
Signage	5
Commercial/Industrial	9
Outbuildings	8
Tree removals	6

Appeals to the Environment Resources & Development Court:

- Three appeals against Panel decisions were decided by ERD Court hearing in 2015, two upheld the DAP's decision, the other overturned the DAP's decision.
- Three appeals were lodged with the Court and subsequently withdrawn.
- Seven appeals were finalised through compromise plans being deemed acceptable by the DAP.
- Eight appeals remained outstanding as at 31 December 2015.

Feedback to the Council from individual DAP members regarding trends, issues and other matters.

- Land division applications, particularly one block into two, are consistently narrower than desired minimum. While the shortfall in width is commonly small, reconsideration of the minimum width is not necessarily desirable as the applicants would then further reduce the width.
- Applications adjacent to Adelaide Airport following revision of the Australian Noise Exposure Forecast (ANEF) now allow no opportunity for residential development. A number of land divisions and new dwellings were refused as there was no possibility of any proposed residential building achieving satisfactory compliance at a reasonable cost. In particular almost all of ANEF \geq 35 is within the Residential Zone yet residential development is deemed inappropriate.

- There is persistent overdevelopment of sites in many of the residential applications. Applications which do not quite meet quantitative requirements, but which might otherwise be acceptable, are commonly poorly designed with respect to qualitative objectives. The applications demonstrate consistent poor design with respect to daylight, cross ventilation, thermal efficiency, sun shading and simple aesthetics.
- Insufficient restriction on moving images and text on illuminated signs which are highly distracting to road users.
- Undervaluing of substantial trees in requests for removal. Applicants rarely offer any proposal for a replacement tree.
- Vast areas of impervious paving in developments, especially with battleaxe shaped allotments. The paving is required to provide access to dwellings, and visitor parking, but restricts area for landscaping. The developments frequently remove grassed areas in older houses thus increasing the radiant heat and draining rainwater to stormwater rather than to the aquifer.
- Insufficient storage requirements for new dwellings. Commonly a garage is provided, together with “visitor” parking. However, as there is very little storage space within the dwelling and very little external space, the garage is frequently used for storage and the owner’s vehicle occupies the visitor parking. This leads to subsequent applications for a carport forward of the dwelling to provide shelter for the owner’s vehicle, and loss of visitor parking.

Conclusion

The Development Assessment Panel (DAP) has endeavoured at all times to assist applicants, persons making representations, and the general public understand the decision making process and how the final outcomes were arrived at.

The DAP expresses its appreciation to Elected Members, the Chief Executive Officer and staff of the City of West Torrens for their support and assistance.

7. CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

7.1 16 Press Road, BROOKLYN PARK - Confidential

Application No. 211/848/2014

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A (12) (a) of the *Development Act 1993*, which permits the meeting to be closed to the public for business relating to the following:

- (vii) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (viii) legal advice

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION

That:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Development Assessment Panel orders pursuant to Section 56A(12)(a) of the *Development Act 1993*, that the public, with the exception of the Public Officer, General Manager Urban Services, Manager City Development, Co-ordinator Development, Development Officer - Planning, Administrative Assistants, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Chief Executive Officer.
2. At completion of the confidential session the meeting be re-opened to the public.

8. SUMMARY OF COURT APPEALS

8.1 Summary of Court Appeals

BACKGROUND

Monthly statistics are provided for the information of the Panel in relation to:

1. any matters being referred to the Development Assessment Commission (DAC); and
2. any planning appeals before the Environment, Resources and Development Court (ERDC) and their status.

The current status is listed as follows:

Matters pending determination by DAC

Reason for referral	DA number	Address	Description of development
Section 49	211/1155/2012/A	West Beach Road, West Beach	Additional playing fields & associated facilities - Variation to an authorisation previously granted - Change to condition #10
Schedule 10	211/136/2015	134-136 Anzac Highway, Glandore	On The Run redevelopment
Section 49	211/1303/2015	40 Ashley Street, TORRENSVILLE	Additions and alterations to existing buildings

Development Application appeals before the ERDC

DA Number	Address	Reason for Appeal	Description of Development	Status
211/848/2014 & 211/826/2014	16 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	construction of one additional dwelling & create one additional allotment	Conciliation Conference 20 January 2016
211/828/2015	22 Press Road, BROOKLYN PARK	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference 23 February 2016
211/407/2015	17 Coralie Street, PLYMPTON	Applicant appealed DAP refusal	construction of a single-storey detached dwelling	Conciliation Conference 20 January 2016
211/437/2014	1 Hinton Street, UNDERDALE	Applicant appealed DAP refusal	create one additional allotment	Directions Hearing 11 January 2016

211/381/2015	38 Morley Street, WEST RICHMOND	Applicant appealed DAP refusal	create one additional allotment	Conciliation Conference 27 January 2016
211/775/2015	36 Lucas Street, RICHMOND	Applicant appealed DAP refusal	tree removal	Withdrawn
211/806/2013 & 211/496/2015	115 George Street, THEBARTON		construction of one additional dwelling & create one additional allotment	Preliminary Conference 11 January 2016

SUMMARY

The information requested by the Panel has been provided for information purposes.

RECOMMENDATION

The Development Assessment Panel receive and note the information.

9. MEETING CLOSE