#### 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, 8 AUGUST 2017 at 5.00pm

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.

# **INDEX**

1	weeti	Meeting Opened1				
	1.1	1.1 Evacuation Procedures				
2	Prese	Present				
3	Apolo	ogies	1			
4	Confi	rmation of Minutes	1			
5	Discl	Disclosure Statements				
6	Repo	2				
	6.1	16 Willingale Avenue, LOCKLEYS	2			
	6.2	30 Arthur Street, RICHMOND	19			
	6.3	26 Kingston Avenue, RICHMOND	65			
	6.4	23a, 23b, 25a and 25b Leicester Street, WEST RICHMOND	84			
	6.5	16 Herbert Road, ASHFORD	119			
	6.6	38 Beauchamp Street, KURRALTA PARK	131			
	6.7	7 Barnes Avenue, MARLESTON	164			
	6.8	519 Henley Beach Road, FULHAM	188			
	6.9	23A Rowells Road, LOCKLEYS	237			
	6.10	189-195 Holbrooks Road, UNDERDALE	265			
7	Confi	dential Reports of the Chief Executive Officer	336			
	7.1	8 Packard Street, NORTH PLYMPTON	336			
8	Sumr	mary of Court Appeals	337			
	8.1	Summary of Court Appeals	337			
9	Meeti	ng Close	339			

#### 1 MEETING OPENED

#### 1.1 Evacuation Procedures

#### 2 PRESENT

#### 3 APOLOGIES

#### 4 CONFIRMATION OF MINUTES

#### RECOMMENDATION

That the Minutes of the meeting of the Development Assessment Panel held on 11 July 2017 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.

#### 6 REPORTS OF THE CHIEF EXECUTIVE OFFICER

#### 6.1 16 Willingale Avenue, LOCKLEYS

Application No 211/353/2017

Appearing before the Panel will be:

Representors: Kay Conroy of 13 Willingale Avenue, Lockleys wishes to appear in support of the

representation.

Rosalie Haese representing Aldo & Dorothy Russian of 14 Willingale Avenue,

Lockleys wishes to appear in support of the representation.

Applicant/s Steve Smith of 16 Willingale Avenue, Lockleys wishes to appear to support the

application.

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Removal of a significant tree (River Red Gum)	
APPLICANT	Steve and Kris Smith	
APPLICATION NO	211/353/2017	
LODGEMENT DATE	30/03/2017	
ZONE	Residential Zone	
POLICY AREA	Lockleys Character Policy Area 25	
APPLICATION TYPE	Merit	
PUBLIC NOTIFICATION	Category 2	
REFERRALS	Internal	
	<ul><li>Amenity Officer (City Works)</li></ul>	
DEVELOPMENT PLAN VERSION	05 May 2016	
MEETING DATE	08 August 2017	

#### 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. 211/353/2017 by Steve and Kris Smith to remove a significant tree (River Red Gum) on the road verge in front of 16 Willingale Avenue, Lockleys for the following reasons:

- 1. The proposed development is contrary to
  - Council Wide (Regulated Trees) Objectives 1 & 2 and (Significant Tree) Objective 1
     Reason: The subject tree provides an important aesthetic and environmental benefit
     which significantly contributes to the locality.
  - Council Wide (Regulated Tree) Principles of Development Control 2
     Reason: The subject tree is not diseased and does not pose a risk to public safety.
     The subject tree is not causing damage to a building, or impeding development that would otherwise be possible.

Page 2 Item 6.1

- Council Wide (Significant Tree) Principles of Development Control 1 & 3
   Reason: The subject tree makes an important contribution to the character of the locality, is indigenous to the locality, is an important habitat to local fauna and forms a notable visual element in the local area.
- Council Wide (Significant Tree) Principles of Development Control 3
   Reason: Reasonable alternatives have been explored and initiated which will maintain the health of the tree and minimise any potential risk of falling limbs.

#### **BACKGROUND**

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

- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.
- 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 211/1244/2011, Additions and alterations to existing dwelling

DA 211/770/2016, Dwelling additions and alterations including construction of verandah and

garage

#### SITE AND LOCALITY

The subject tree is in the road verge directly in front of 16 Willingale Avenue, Lockleys. The dwelling located on 16 Willingale Avenue is set back 9.5m from the front boundary and approximately 10.5m from the trunk of the tree. There are two stobie poles also within the road verge, the closest one is approximately 4m to the south and the other is approximately 8m to the north of the subject tree.

Willingale Avenue is a no through road off Henley Beach Road and surrounded on three sides by the Kooyonga Golf Course. There are a variety of sizes, maturity and species of street trees along Willingale Avenue. The subject tree can be seen in Council's 1935 aerial image.



Aerial image November 1935

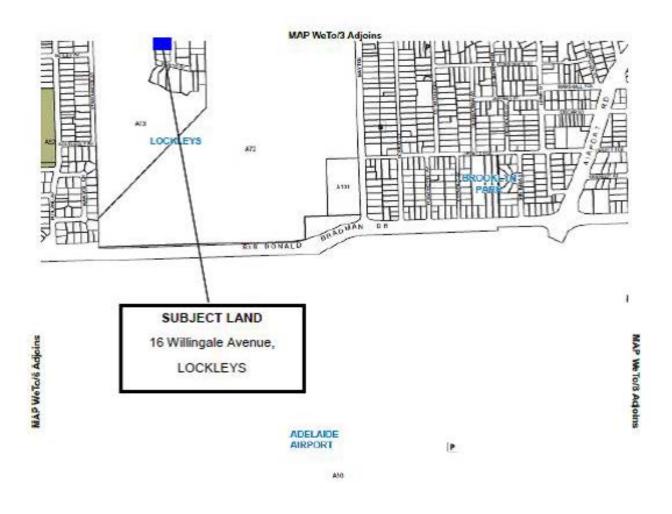
Page 3 Item 6.1

The locality is residential in nature comprised of detached dwellings at very low density. Front gardens are well landscaped and there are a number of large trees located within the road reserve or the golf course located to the east, south and west of the subject site.

The site and locality are shown on the following maps.



Page 4 Item 6.1





# Location Map WeTo/7



WEST TORRENS COUNCIL

Consolidated - 5 May 2016

Page 5 Item 6.1

#### **PROPOSAL**

It is considered that the proposal is best described as:

"Removal of a significant tree (River Red Gum)"

Council's Arborists have indicated that they do not support the removal of the tree as it has been well maintained, has little risk of limb failure, and has a long life expectancy.

As this tree is located on Council land, should the DAP issue Development Approval, further approvals will be required before the tree may be removed.

#### **PUBLIC NOTIFICATION**

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

Properties notified:	Nine (9) properties were notified during the public notification process.	
Representations:	Three (3) representations were received.	
Persons wishing to be heard:	Two (2) representors identified that they wish to address the Panel.  • Kay Conroy  • Rosalie Haese (on behalf of Dorothy Russian and Aldo Russian)	
Summary of Representations:	FOR the development Matter raised;  The tree is dangerous and losing limbs without notice.  AGAINST the development Concerns were raised regarding the following matters:  Loss of amenity to the area;  Encourage other trees to also be removed;  These trees have a positive impact on the amenity.	

The Applicant has not provided a response to the representations.

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

#### **REFERRALS**

Internal

City Works

City Works have used its own arborists and also sought a second opinion about the health of the subject tree from a consultant arborist. It is the arborists' belief that the subject tree is healthy, well maintained and has a long life expectancy. For these reasons removal is not supported.

A full copy of the relevant report is attached, refer **Attachment 3**.

Page 6 Item 6.1

#### **ASSESSMENT**

The subject land is located within the Residential Zone, and more specifically Lockleys Character Policy Area 25 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:

General Section				
Natural Resources	Objectives	1, 8 & 13		
Natural Resources	Principles of Development Control	27, 29, 31 & 32		
Regulated Trees	Objectives	1 & 2		
Regulated Trees	Principles of Development Control	1, 2 & 3		
Significant Trace	Objectives	1 & 2		
Significant Trees	Principles of Development Control	1, 2, 3, 4 & 5		

Zone: Residential Zone

Desired Character Statement:

This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings. Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas. Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a **Historic Conservation Area**.

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

Objectives	4
Principles of Development Control	5

Policy Area: Lockleys Character Policy Area 25

Desired Character Statement:

The policy area will contain detached dwellings (or buildings that look like detached dwellings). Allotments will be very low density with wide street frontages and even deeper side boundaries. Subdivision will reinforce the existing allotment pattern which is a significant positive feature of the policy area.

There will be a unity of built-form, particularly as viewed from the street, where all new development is complementary to the key character elements of inter-war bungalows, Dutch colonial-style and art-deco style dwellings, rather than dominating or detracting from them. Key elements of this character include pitched roofs, verandahs / porticos and masonry building materials.

There will be no garages/carports forward of the main facade of buildings. Large front setbacks provide space for generous landscaping in front yards which, in turn, have a positive impact on the streetscape given the low front boundary fencing. 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

Page 7 Item 6.1

#### QUALITATIVE ASSESSMENT

The Applicant has advised that they have submitted this application due to the fear that the tree is not safe. As it is located on Council land it may ultimately be up to Council to determine whether or not the tree is removed.

This tree is under a maintenance program and Council has invested in its health and maintenance.

The Applicant has not provided their own arborist report and has also chosen not to respond to the representations submitted to them.

The subject tree is both a Regulated and Significant tree and as such both parts of the Development Plan relate to this proposal.

#### **Regulated and Significant Trees**

General Section, Regulated Trees, Objectives state:

- 1. The conservation of regulated trees that provide important aesthetic and/or environmental benefit.
- 2. Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:
  - (a) significantly contributes to the character or visual amenity of the locality
  - (b) indigenous to the locality
  - (c) a rare or endangered species
  - (d) an important habitat for native fauna.

General Section, Significant Trees, Objectives, state:

- 1. The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.
- 2. The conservation of significant trees in balance with achieving appropriate development.

The subject tree is an important, aesthetic and environmental benefit to the area. Its location and size make it highly visual and prominent. Whilst River Red Gums are not a rare or endangered species, they are indigenous to the area and provide an important habitat to native fauna.

- 2. A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:
  - (a) the tree is diseased and its life expectancy is short
  - (b) the tree represents a material risk to public or private safety
  - (c) the tree is causing damage to a building
  - (d) development that is reasonable and expected would not otherwise be possible
  - (e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.

Is the tree diseased and its life expectancy is short?	No
Does the tree represent a material risk of safety?	No
Is the tree causing damage to a building?	No
Would development that is reasonable and expected not otherwise be possible?	No
Is the work required to remove dead wood, treatment of disease or in the general interests of the tree?	N/A

Page 8 Item 6.1

A tree limb did fall in January this year which prompted a complaint to Council. A consultant Arborist was hired to provide a report on the tree and suggest any maintenance required.

The report indicates that the limb failure was a result of parrot beak damage that led to a canker infection and then a fungal propagation into the heartwood. Whilst there were no further branches in any immediate danger of falling, the Arborist did suggest some maintenance pruning and crown thinning. This work was undertaken in February this year. The Arborist recommends that a further review be undertaken in 24 months' time.

General Section, Significant Trees, Principle of Development Control 1 states:

- 1. Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:
  - (a) makes an important contribution to the character or amenity of the local area; or
  - (b) is indigenous to the local area and its species is listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species
  - (c) represents an important habitat for native fauna
  - (d) is part of a wildlife corridor of a remnant area of native vegetation
  - (e) is important to the maintenance of biodiversity in the local environment
  - (f) forms a notable visual element to the landscape of the local area.

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

The subject tree is not considered to be part of a wildlife corridor due to its separation from the vegetation in the golf course. This separation would not be an issue for birds as development such as houses and fences do not impede their movements like they do for land-based animals.

#### **SUMMARY**

The subject tree is an excellent representation of its species due to its visual amenity, good overall health and long safe life expectancy. Consistent maintenance is and will be undertaken on the tree to ensure it remains a safe and healthy tree.

It is considered that since the proposal is at variance to all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be seriously at variance with the Development Plan.

On balance the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens (City) Development Plan Consolidated 05 May 2016 and does not warrant Development Plan Consent.

#### **Attachments**

- 1. Tree removal form and plan
- 2. Representations
- 3. Arborist report

Page 9 Item 6.1

# Regulated and Significant tree proposal





Property No: 16 Lot No: Street: Willingale Auc Lockleys					
Title: Given Steven + Kristne Family name: Smith					
Company name:					
Address:	Villingale	Auc Lo	CKleus		
	3	•	P/Code: 5032		
Telephone	Mobile	Fax	Email address		
1. Details of tre	ee				
Girth/circumferer	nce of trunk 1m ab	ove natural grou	nd level: 6 metres approximately		
Height of tree:	25-30m	setres appr	oximately		
Spread of tree:		approxim			
Type or species	of tree: Gum	tree			
2. Site plan					
Please attach s	ite plan scale no	t less than 1:20	On Canail Verge.		
3. Photograph			A CHAPTER SEAL AND SERVICE		
Yes If yes provide details No X					
4. Details of the proposed activity you want to undertake affecting the regulated/significant tree					
We would like the tree to be removed as a large branch					
	has fallen down onto our property causing \$ 3,500 damage				
to our landscaping and ready hit my husbands car as he was					
drungup our driveway which would of severely injured or					
possibly caused death to him. Council has insurance which has					
refused to payour dam.					
5. Is the tree, or does the tree appear to be diseased?					
Yes X If yes provide details No					
the tree had wood not in the branch that fell.					

Form: Regulated and Significant tree

Page 1 of 2

Date last modified 10.05.2013

6. Does the tree represent an unacceptable risk to public or private safety?
Yes X If yes provide details No
Chamtrees are known to drop limbs. Council was only inspecting tree as
requests were made by us and not often enough. Too large a tree for suburban area and already has posed a risk to us and our property
7. If you answer yes to - do 6, 7 or 8, have all other remedial steps been determined
ineffective by a suitably qualified professional?
Council, Covernment and No professional will acknowledge free Should be removed. Nor will they take responsibility for damage
caused. Uk will be seeking legal advice for future damage and harm
8. Is the tree causing or threatening to cause substantial damage to a building or
structure of value?
Yes If yes provide details No
If a branch or the tree como down it will couse substantial damage to our home, ourselves and our neighbours.
amage to our home, our selves and our neighbours.
9. Has specialist advice been obtained (from a qualified arboriculturalist, botanist or
horticulturalist)?
Yes X After the acont. No Regardless we want tree remained due to are If yes please attach the information. Safety and none
10. If your application involves the division of land, is it likely that the application will result in substantial 'tree-damaging' activity to a regulated/significant tree(s).
Yes If yes provide details No
81
taking accountability for the tree.
Signed: Date: 29 / 3 / 17

Form: Regulated and Significant tree

Page 2 of 2

Date last modified 10.05.2013





Disclaimer

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



Page 12 8 August 2017

	Р	150	OF REPRESENTATIO 38 of the Development		
то	Chief E City of 165 Sir	xecutive Officer West Torrens Donald Bradman Driv N 5033	City of West Torrens	R	eceived 8 JUN 2017
DEVELOPMENT PROPERTY ADI	No.	211/353/2017	City Development ent to 16 Willingale Avenue, L	Inform	of West Torrens ation Management
YOUR FULL I	NAME	Kay C	2501		
YOUR ADDR	ESS	13.19:11:0	gale Ave, L	ochlex	5
YOUR PHON	E No			<u>-</u>	
YOUR EMAIL		-	•		
NATURE OF INTEREST			rational in the	vicinit	Y
		(eg. Adjoining resident, own RESENTATION			:
1000	do.	the Gran	+ of 16 W	illingal.	e Auc,
له	احراور	(s is che	rgerous.	The bra	netes
are	Za 1	riva ett	a dos three	otice an	esula o
Kill	حذ	Berson.	The weed of	be remo	above
MY REPRESE	NTATIO	ONS WOULD BE OVE	regerous.  without a  The should the verge of	brober-	7
(state action s	ougnt)				
Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -					
I DO <b>NOT</b> WISH TO BE HEARD					
I DESIRE TO BE HEARD PERSONALLY  I DESIRE TO BE REPRESENTED BY					
(PLEASE SPECIFY)					
SIGNED - / Low Com an DATE S. 6.17					
				fficer: Jordan Lever	_

If space insufficient, please attach sheets

Page 13 8 August 2017

# 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

Received

6 JUN 2017 City of West Torrens

**DEVELOPMENT No.** PROPERTY ADDRESS: On verge adjacent to 16 Willingale Avenue, LOCKLEYS SA 5032

THOPERT ADDRESS.	On verge adjacent to 10 Willingale Aven	de, LOOKEE TO GA GOOZ		
YOUR FULL NAME	DOROTHY MARY RUS.	SIAN		
YOUR ADDRESS	OWNER OF 14 WILLINGAL	E AVE.		
LIVE AT 6 RUST	EATH AVE) LOCKLEY	5 5032		
YOUR PHONE No				
YOUR EMAIL				
NATURE OF				
INTEREST		EXT DOOR.		
	(eg. Adjoining resident, owner of land in the vicinity etc.)			
REASON/S FOR REP	RESENTATION			
I DO NOT	WANT THE TREE CUT DO	WW.		
	ONS WOULD BE OVERCOME BY	i.		
(state action sought)  IF CUT DOWN I	TWONT BELONG BEFORE O	THERS ARE		
WANTING THE	TIR (RIVER RED GUM) CUT ]	DOWN. THIS WILL		
SET A PRECE	DENCE.			
THERE TREES !	MAKE THE STREET UNIQ			
11 WILL EFFE	IT THE RESALE VALUE OF	- OUR MOMES		
The state of the s	opriate box below whether or not you wish to be he	eard by Council in respect to this		
submission: -		_		
I DO NOT WISH TO BE HE	ARD			
I DESIRE TO BE HEARD PERSONALLY				
I DESIRE TO BE REPRESE	ENTED BY ROSALIE HAESE	<b>X</b>		
SIGNED	M. Dussian	DATE 2-/6/17		
		1.000		

Responsible Officer: Jordan Leverington Ends: Wednesday 7 June 2017

If space insufficient, please attach sheets

		٠.				100/100		
	STATEMENT OF REPRESENTATION							
	Pursuant to Section 38 of the Development Act, 1993							
	TO	Chief	xecutive Office	· · · · · · · · · · · · · · · · · · ·	City o	f West Torrens X	•	
	TO	· City of	Mest Torrens		-	, [		
		165 Sir	Donald Bradm	nan Drive	'	0 6 JUN 2017 - ~		
		HILTO	N 5033		City	Development		
	DEVELOPMEN	IT No.	211/353/	2017	Liny	Development		
	PROPERTY AL	DDRESS:	On verg	e adjacent to 16 Willi	ngale Ave	nue, LOCKLEYS SA 5032	2	
Γ	YOUR FULL	NAME	ALDO	RUSSIA	^ /			
-			71250			COUNTER	<del>,</del> _	
	YOUR ADD	RESS	6	STRATA	TIVE	OWNER	15	
			LOCKLE	75		74 VILLING	HLE	
	YOUR PHO	NE No						
	YOUR EMAI	L	aller	eima :	2	rail. com		
$\vdash$	NATURE OF	:	aca.	0.5				
	INTEREST		owner	, , -	open	y dojace	ut	
$\vdash$	DEASON/S I	EOD DED	(eg. Adjoining residence (eg. Adjoining reside	dent, owner of land in the	vicinity etc.)	, ,		
1	TASONIS I	OK KEF	NESELVIA NO		-11	1.00	4	
4	ou	1 ag	ainst,	paving	he	tree cut	-	
	,	, ,		/				
1	down	2.	,	1. 6	1 2	- this		
2	2 hor	e is	nod	oulet to	nai	ina	#	
	Fre0	CAP	aton a	lot o	1 m	ess benea uds etc BUT	m	
	1110	100	ves bo	who floub	ere	uds etc		
		cen		5/		BUT	,	
	MY REPRES	ENTATIO	NS WOULD E	E OVERCOME BY	′ .		, ,	
	(state action	sought)	he the	Council	, re	sponowill at time	ites	
- 1	et m	COS 1	re no e	000000	nen d	at time	all a	
17	5 pm	111-0	.12 Reg	ularly	wrier	n-2.1.1.		
	the gr	owo	in ye	us hav	e L	Re Rubbe	1	
1	AUK	ed	in mi	uch mo	ne 1	regular	ler	PTO
A	Nana indicata	!- 4b					7.	·,
- 1	submission: -	in the appro	opriate box below	whether or not you w	ish to be h	eard by Council in respec	ct to this	
	DO NOT WISH	TO BE HE	ARD					
	DESIRE TO BE					Ē		
Ī	DESIRE TO BE	REPRESE	NTED BY ROS	SALLE HAR	ESE	<u>×</u>		
				(PLEASE SPECIFY)			/	
9	SIGNED		Lun	a		DATE 2/6/2	2017	,
					Responsit	ole Officer: Jordan Leve	rington	
	/					Ends: Wednesday 7 Ju		

If space insufficient, please attach sheets

It out down it will.

Devalue homes priess (due to auchience lost down this avenue)

andrience lost down this avenue)

Set a precedence for cutting down the large Tree on 10 Willingale Ivenue

Page 16



Wednesday 11th January, 2017

Mr. Enio Trombetta Technical Officer Arboriculture 165 Sir Donald Bradman Drive Hilton SA 5033

Dear Enio,

On Monday 9<sup>th</sup> January an aerial assessment was undertaken on a significant *Eucalyptus camaldulensis* (River Red Gum) located within the council verge adjacent 16 Willingale Avenue Lockleys, in response to a recent limb failure.

Upon inspection the recently failed limb had already been removed by council services at an earlier date. The torn branch stub was visible within the canopy which has torn approximately 1.5m down the face of the primary scaffold limb. It has a stem diameter of approx. 150mm at the point of failure. A cavity surrounded by cambial dieback is evident within the main branch union of the failed limb. This cavity is most likely a result from parrot damage (beak scribing), which has led to a canker infection and fungal propagation into the heartwood. Therefore, causing dieback of tissues leading to decay in sapwood, loss of tensile wood holding capacity, cracking, wood subsidence and increased likelihood of limb failure.

Due to the various pruning wounds visible throughout this tree, it was clear that regular maintenance pruning has been undertaken to target hazardous limbs and reduce branch extension from the neighboring properties. The canopy is almost void of major deadwood, however 4 large cankerous wounds were identified throughout the scaffold system of the tree within major branch unions and along main stems. These wounds appear decades old and no advancement of internal decay was identified. Swelling of the cambial layer shows wound occlusion is in progress and no recent beak scribing damage was noted (figure 1).

This tree is an excellent representative of its species due to its visual amenity, good overall health and long safe life expectancy if maintained. Defects identified within this tree can be addressed via crown thinning and reduction pruning techniques, therefore drastically reducing the risks associated with this tree and almost eliminating the likelihood of such an event occurring again.

I recommend selectively removing over-extended lateral branches and thinning the remaining canopy, concentrating to the west over the private property and service wires, as well as to the east over Willingale Avenue (refer to figure 2 & 3). Assess remaining major deadwood for removal and retain for habitat value where suitable.

In approximately 24 months time further reduction work will be required throughout the entire canopy as the tree continues to grow. This may include selective reduction and/or branch removal where identified targets are present, in combination with selective crown thinning, aimed at reducing the concentration of foliage at the ends of individual branches. This will help minimize risks associated with lateral branch failure, while maintaining the trees natural form. Collar cuts will be located at suitable secondary or upright growth with no cuts over 75mm required.

Page 17 8 August 2017

Re inspect the tree in a further 12 months to assess any pruning requirements in order to maintain safe branch loading. Due to the size and location of the subject tree, a routine tree inspection should be undertaken every 12 months.

All future pruning work shall be undertaken in accordance with AS 4373-07 'Pruning of Amenity Trees' and the South Australian Work Health and Safety Act 2012, carried out by, or under direct supervision of a qualified arborist with a minimum AQTF Cert III in Horticulture (Arboriculture).

If you require anything further please do not hesitate to contact me by email or call directly on 0488 934 459.

Kind regards,











Figures 1-3: (top left) showing torn branch stub from the most recent limb failure. Note the dark cankerous infection which has spread into the heartwood of the failed limb.

(top right) An over-extended lateral branch to the north which extends over two driveways and over-head utility services. (bottom left) subject tree when viewed from the north.

Red circles indicate portions of canopy required for removal/ reduction.

Page 18 8 August 2017

#### 6.2 30 Arthur Street, RICHMOND

Application No 211/1472/2016

Appearing before the Panel will be:

Representor: Brad Clarke & Martine Samra of 8 Burton Street, Richmond wishes to appear in

support of the representation.

**Kael Ascher** of U7/2 Burton Street, Richmond wishes to appear in support of the representation and will also speak on behalf of **Cheryl Hill** of U2/2 Burton Street, **Ken Mah** of U4/2 Burton Street and **Ivan Hutcheson** of U3/2 Burton Street.

**Patricia Tyson** of 8 Langdon Street, Brooklyn Park, wishes to appear in support of the representation.

Applicant David Hutchinson of Access Planning wishes to appear to support the

representations.

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Combined Application: Land division - Community Title; DAC No. 211/C202/16 (Unique ID56368), Create four (4) additional allotments; and construction of one (1) residential flat building containing five (5) two-storey dwellings		
APPLICANT	Mr George Zervos		
APPLICATION NO	211/1472/2016		
LODGEMENT DATE	1 December 2016		
ZONE	Residential Zone		
POLICY AREA	Medium Density Policy Area 19		
APPLICATION TYPE	Merit		
PUBLIC NOTIFICATION	Category 2		
REFERRALS	Internal  City Assets External  DAC  SA Water		
DEVELOPMENT PLAN VERSION	5 May 2016		
MEETING DATE	8 August 2017		

#### 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. 211/1472/2016 by Mr George Zervos to undertake a land division - Community Title; DAC No. 211/C202/16, creating four (4) additional allotments; and the construction of a residential flat building containing five (5) two-storey dwellings at 30 Arthur Street, Richmond (CT5293/889) subject to the following conditions of consent:

Page 19 Item 6.2

#### **Council Conditions**

- 1. Development is to take place in accordance with the plans prepared by Dimension Design Studio and Pinksterboer Development Consultants relating to Development Application No. 211/1472/16 (DAC 211/C202).
- 2. That prior to the issue of Section 51 Clearance to this division approved herein, the existing structures shall be removed from proposed Allotments.
- 3. That the upper level windows on the northern façade of the dwelling shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.
- 4. Driveways, parking and manoeuvring areas and footpaths shall be lit in accordance with the Australian Standards Association Code AS 1158 during the hours of darkness that they are in use. Such lights must be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs.
- 5. That all planting and landscaping shall be completed within three (3) months of the commencement of the use of this development and be maintained in a reasonable condition at all times. Any plants that become diseased or die shall be replaced with a suitable species.
- 6. All stormwater (roof and surface) shall be discharged to the street water table by means of a galvanised RHS steel section under the footpath conforming to Council's Drawing No. 8685-100 or 8685-101.
  - **Note:** An application is required to be lodged with Council's Engineering Department before any work is commenced on Council land.

#### **DAC Conditions**

- 1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
  - On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
  - The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
- 2. Payment of \$26,704 into the Planning and Development Fund (4 allotment(s) @ \$6,676/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.

Page 20 Item 6.2

#### **BACKGROUND**

The development proposal is 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 APPLICATIONS

211/132/2017	Demolition of existing dwelling and associated structures
211/1164/2015	Removal of a significant tree - Eucalyptus camaldulensis (River Red Gum)
211/156/2011	Removal of significant tree - one (1) x Eucalyptus camaldulensis (River Red
	Gum)

#### SITE AND LOCALITY

The subject land is described as Allotment 41 Filed Plan 5055 in the area named Richmond, Hundred of Adelaide as contained in Certificate of title Volume 5293 Folio 889. The land is more commonly known as 30 Arthur Street, Richmond.

The subject land is a rectangular shaped allotment located on the western side of Arthur Street. The land has a street frontage of 18.29m and a depth of 57.7m resulting in a total area of 1051.2m². The allotment currently contains a single storey dwelling and two domestic outbuildings. The topography of the land is considered flat.

Vehicle access is currently gained via a single width crossover in the north eastern corner of the allotment. There are two semi-mature street trees in front of the allotment, one located centrally with the other further south.

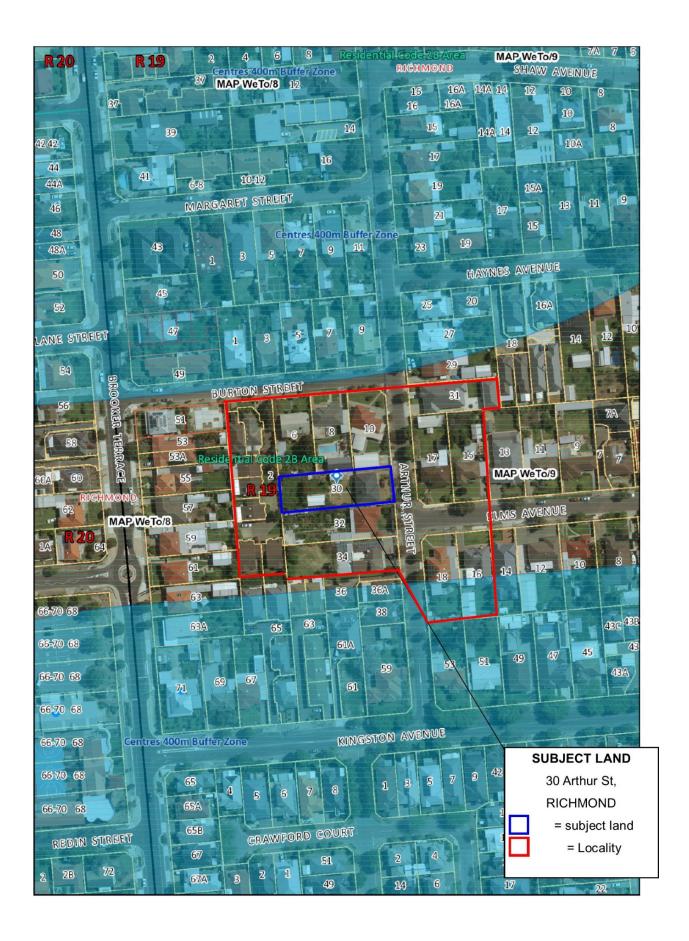
The subject site and locality are located within the Residential Zone, Medium Density Policy Area 19. The Hilton Neighbourhood Centre Zone Policy Area 11 can be found approximately 440m north of the subject site and the Richmond Road Neighbourhood Entry Zone Policy Area 12 can be found approximately 455m south of the subject site.

The subject site and locality are located within a flood prone area with a depth of 0.1-0.25m during a 1 in 100 year flood event.

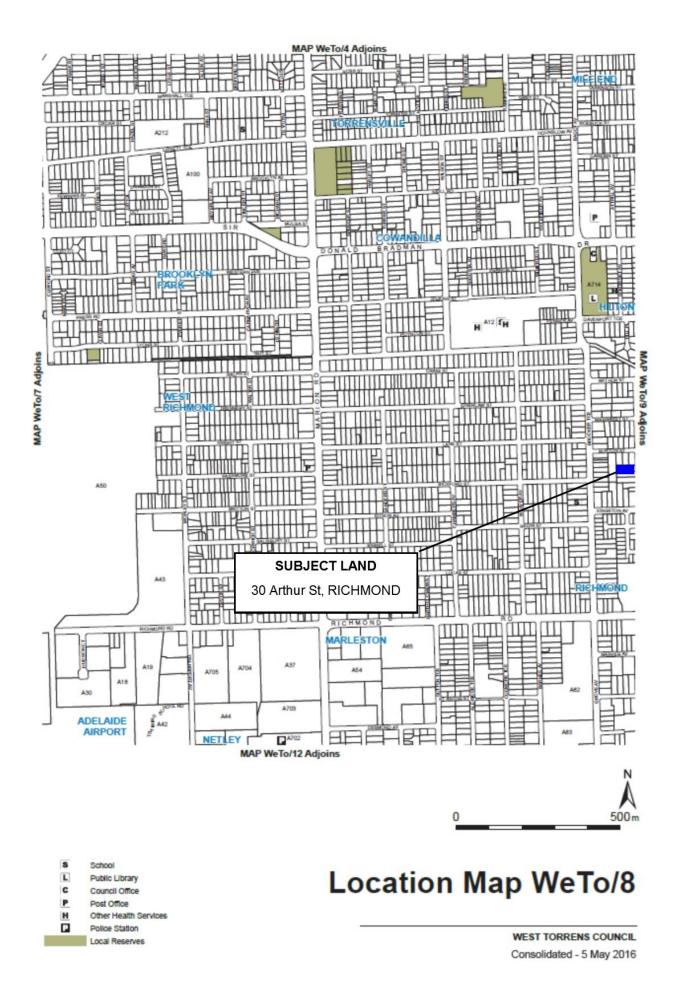
The locality is characterised by residential development predominantly in the form of low density single storey dwellings. However, there are some examples of higher density where the historic larger allotments have been divided for the use by residential flat buildings and group dwellings.

The site and locality are shown on the following maps.

Page 21 Item 6.2



Page 22 Item 6.2



Page 23 Item 6.2

#### **PROPOSAL**

It is considered that the proposal is best described as:

"Combined Application: Land division - Community Title; DAC No. 211/C202/16 (Unique ID56368), Creating four (4) additional allotments; and the construction of one (1) residential flat building containing five (5) two-storey dwellings"

The proposed residential flat building is two-storeys in height and will contain five dwellings only, one of which will have direct frontage to the street. All of the dwellings accommodate two off-street parking spaces.

The land division corresponds with the built form and will create individual allotments for each of the dwellings and a common area for the driveway.

#### **PUBLIC NOTIFICATION**

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

Properties notified:	21 properties were notified during the public notification process.		
Representations:	9 representations were received.		
Persons wishing to be heard:	<ul> <li>4 representors identified that they wish to address the Panel.</li> <li>Brad Clarke &amp; Martine Samra</li> <li>Kael Asher (speaking on behalf of himself and 3 others);</li> <li>Patricia Tyson</li> </ul>		
Summary of Representations:	Concerns were raised regarding the following matters;  Poor design;  Overlooking;  Inconsistent with existing character;  Insufficient on street car parking;  Undersized allotments;  Noise from air-conditioning units;  Insufficient private open space;  Depreciation of property values;  Traffic generation;  Overshadowing;  Bulk and scale; and  Insufficient setbacks given the size of the building.		

A copy of the representors' concerns and the applicant's response is contained in Attachment 3.

Page 24 Item 6.2

#### **REFERRALS**

#### <u>Internal</u>

#### City Assets

Concerns were raised regarding the following matters;

- Off street car parking;
- On site vehicle manoeuvrability;
- Stormwater connection to the street water table.

Amended plans were submitted by the applicant and these have resolved City Assets' concerns.

## External

Pursuant to Regulation 29 of the Development Regulations, the application was referred to

#### Development Assessment Commission (DAC)

DAC have no concerns and only the standard conditions were imposed.

#### **SA Water Corporation**

• SA Water have no concerns and only the standard conditions were imposed.

#### **ASSESSMENT**

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

General Section			
	Objectives	1	
Design and Appearance	Principles of Development Control	1, 2, 3, 9, 10, 11, 12, 13, 14, 15, 21, 22 & 23	
Energy Efficiency	Objectives	1 & 2	
Energy Efficiency	Principles of Development Control	1, 2 & 4	
	Objectives	1, 2, 3 & 4	
Land Division	Principles of Development Control	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 & 21	
Orderly and Sustainable	Objectives	1, 2, 3, 4 & 5	
Development	Principles of Development Control	1, 3, 5, 6 & 7	
	Objectives	1, 2, 3, 4 & 5	
Residential Development	Principles of Development Control	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21, 22, 27, 30 & 31	
	Objectives	2	
Transportation and Access	Principles of Development Control	10, 11, 23, 24, 25, 30, 32, 33, 44 & 45.	
Waste	Objectives	1	
wasie	Principles of Development Control	1, 2, 3, 5, 6 & 7	

Page 25 Item 6.2

#### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 8, 10, 11, 12, 13 & 14

#### Policy Area: Medium Density Policy Area 19

#### Desired Character Statement:

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

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

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

Objectives	1
Principles of Development Control	1, 2 & 3

Page 26 Item 6.2

# **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	ASSESSMENT
SITE AREA Medium Density Policy Area 19 PDC 4	Residential Flat Building 270m²(avg.)	153.6m² (avg.)  Does Not Satisfy by 43%
SITE FRONTAGE  Medium Density Policy Area 19 PDC 4 or PDC 5 (within 400m of centre)	Residential Flat Building 15m	18.3m Satisfies
SITE COVERAGE Medium Density Policy Area 19 PDC 3	60% (max.)	54% Satisfies
PRIMARY STREET SETBACK Medium Density Policy Area 19 PDC 3	3m (min.)	3m <b>Satisfies</b>
SIDE/REAR SETBACKS Residential Zone PDC 11	Side 0/1m ground 2m upper level	2m ground level 2m upper level Satisfies
Medium Density Policy Area 19 PDC 3	Rear 6m (min.)	1.5m ground level 5m upper level Does Not Satisfy
BUILDING HEIGHT Medium Density Policy Area 19 PDC 3	2 storeys or 8.5m (all other locations)	2 storeys or 5.82m  Satisfies
INTERNAL FLOOR AREA Residential Development PDC 9	- 3+ Bedroom, 100m² (min.)	133m² Satisfies

Page 27 Item 6.2

PRIVATE OPEN SPACE Residential Development PDC 19	<300m² - 24m² (min.), of which 8m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2mMinimum dimension 3m (excl. balconies) 16m² (min.) at the rear of side of dwelling, directly accessible from a habitable room.	Dwelling 1-5 24m² (total) 4.8m (min. dimension) 24m² (accessed from habitable room)  Satisfies
CARPARKING SPACES Transportation and Access PDC 34	- 2 car-parking spaces required, 1 of which is covered + an additional 0.25 spaces per dwelling	10 spaces provided  Does Not Satisfy (no visitor car park)
Domestic Storage Residential Development PDC 30	8m³ located in a garage, outbuilding or non-habitable room	Each dwelling provides 8.7m³  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:

#### Site Area

As indicated in the quantitative table above, the proposed allotments do not meet the minimum stipulated in the Zone as it is located more than 400m from a Centre Zone. When located outside of the 400m area, the average site area per dwelling jumps from 150m² to 270m². It is important to note that whilst it is located outside of the 400m area, it is less than 50m from two different buffer areas as shown below (the blue areas indicate the 400m Centre buffer area).

Page 28 Item 6.2



It is considered that the proximity to two Centre Zones outweighs the fact that the site is slightly outside of a buffer area. Had the subject site been located within the 400m buffer area, the average allotment size would exceed the requirement by 3m<sup>2</sup>.

The site area is large enough to accommodate 3 bedroom dwellings with the only variance being the rear setback.

#### **Setbacks**

The proposed development does not meet the rear setback requirement stipulated in the Policy Area. This deficiency is a common occurrence with this type of development. It should be noted that as each of the dwellings face north, the rear boundary is considered to be the southern boundary. Had a single house been constructed, the south boundary would be the side boundary and a two storey dwelling is able to be built with a setback of 2m.

The upper level of the proposed development is setback 5m from the southern boundary and the ground level is setback 1.5m. This articulation is considered to mitigate the bulk and scale issues that can arise when not meeting the minimum setbacks.

## General Section - Residential Development

**PDC 22** Setbacks from side and rear boundaries should be progressively increased as height increases to:

(a) minimise the visual impact of buildings from adjoining properties;

The portion of the dwellings that are setback 1.5m from the south boundary include the alfresco, garage and the laundry/ toilet.

Page 29 Item 6.2

#### Overshadowing

The articulation of the building design has also managed to minimise the overshadowing on the adjacent property to the south. The shadow diagrams provided by the applicant show that even during the winter solstice, only a fraction of the property will be overshadowed. It will be most prevalent at 9am. The adjoining property to the south will have over 400m² of POS free from overshadowing from this development.

The Development Plan has a number of provisions from the General Section which relate to overshadowing such as:

- **PDC 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.
- **PDC 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.
- PDC 14 Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9.00 am and 3.00 pm on 21 June to at least the smaller of the following:
  - (a) half of the existing ground-level open space
  - (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres).

It is accepted that the northern face of the adjoining dwelling will be overshadowed for the majority of the day, however, as the existing dwelling on the subject site is built so close to the southern boundary there is already an element of overshadowing onto the adjacent dwelling as shown in the image below. This aerial image was taken in May 2013 and the shadow has been outlined in red to be seen easier.

Page 30 Item 6.2



The Development Plan has recognised scenarios such as this by way of PDC 13 of the Residential Development General Section which states:

PDC13 Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.

The supplied shadow diagrams do not appear to increase the overshadowing by more than 20%.

#### Overlooking

This is a concern which has been raised by several of the representors. The western façade of the building does not contain any windows on the upper level. The eastern façade faces Arthur Street and, as such, is not considered to overlook any habitable rooms or POS. The windows on the southern facade are all high level windows that are 1.7m above the first floor level.

The northern façade contains a number of windows of varying shapes and sizes on the upper level. The plans submitted do not indicate that any of these are obscured, however, some are 1.7m above the first level floor level. There are three windows in each dwelling that have the potential for overlooking into the neighbouring property. These are in the ensuite, bedroom 1 and staircase. The Development Plan calls for all upper level windows that overlook habitable room windows or POS to be obscured to 1.7m and, as such, a condition has been added to the recommendation. The addition of this condition is considered to overcome the potential overlooking and the concerns of the representors in regards to privacy.

Page 31 Item 6.2

#### **SUMMARY**

The proposed development is specifically envisaged within the Zone and Policy Area. Whilst it is acknowledged that the site is located outside of the 400m buffer area, it is located less than 50m from two of these buffer areas.

The proposal meets the majority of the relevant provisions of the Development Plan except for site areas and the rear setback dimension. The articulated design significantly reduces the bulk and scale and overshadowing impacts on the adjoining properties.

This will be the first intrusion of such a development within the locality despite it being rezoned to Medium Density in June 2015.

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

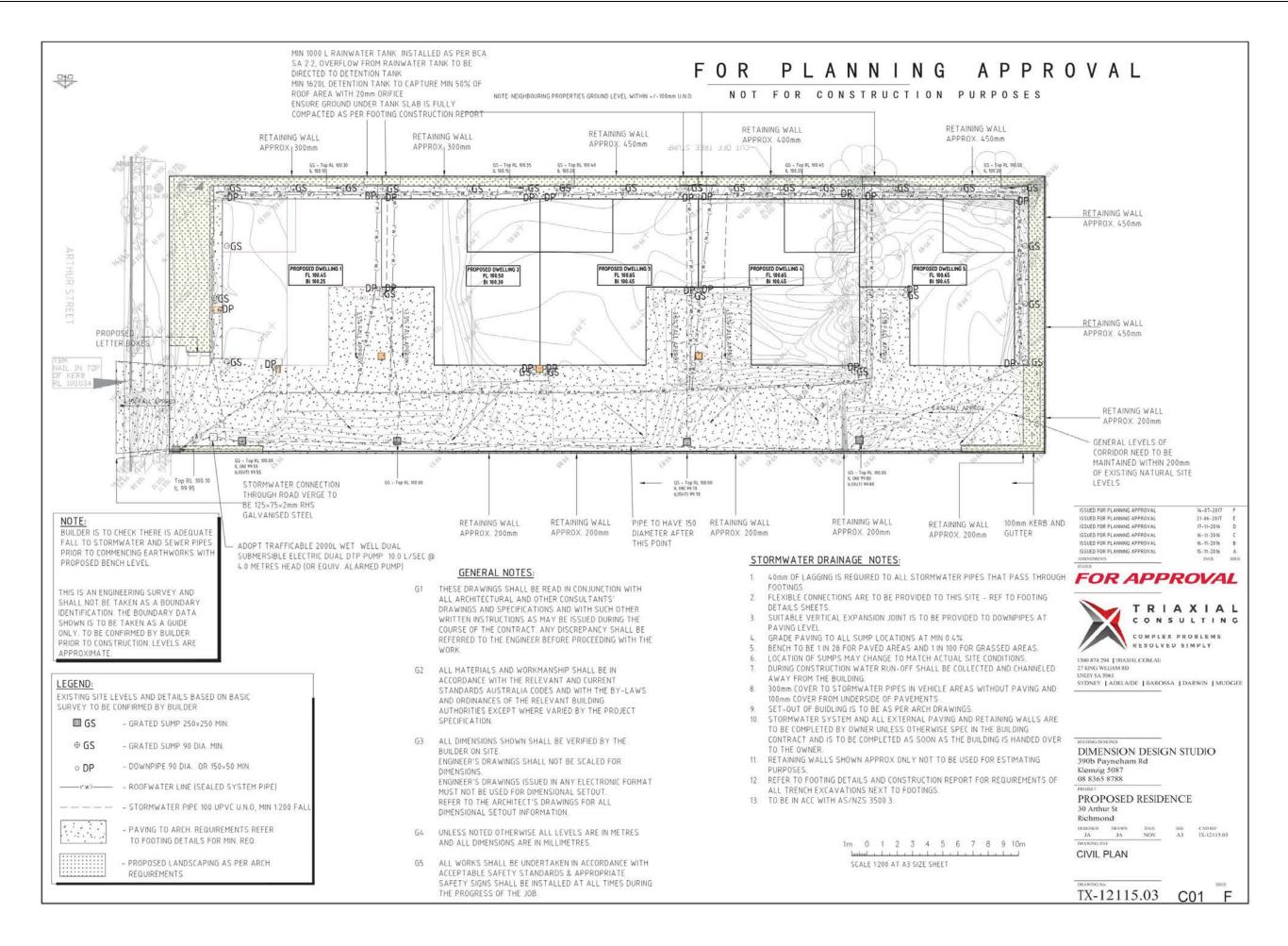
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2017 and warrants Development Plan Consent.

#### **Attachments**

- 1. Site plan and elevations
- 2. Amendments explanation letter
- 3. Representations and response from applicant

Page 32 Item 6.2

Development Assessment Panel



Page 33 8 August 2017

Development Assessment Panel



Page 34 8 August 2017

Development Assessment Panel

### POWER PANEL CONSTRUCTION FOR PLANNING APPROVAL ONLY



Page 35 8 August 2017



17 July 2017

Ref: 6794Amdevlet

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

Attention: Mr. Jordan Leverington

Dear Jordan,

Access Planning (SA) Pty Ltd ABN 57089 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

RE: DEVELOPMENT APPLICATION NUMBER 211/1472/16 COMBINED APPLICATION – COMMUNITY TITLE DIVISION OF LAND DIVISION and CONSTRUCTION OF RESIDENTIAL FLAT BUILDING COMPRISING FIVE TWO STOREY DWELLINGS – AT 30 ARTHUR STREET, RICHMOND

I have been engaged by the applicant to provide an additional letter in support of the abovementioned Development Application.

This correspondence provides a summary of amendments made to the proposed development since the public notification period and additional commentary regarding the proposed density, character and provision of off-street car parking.

#### Amendments to the proposal

The following amendments have been made to the proposed development since the public notification period closed:

- · The balconies to the front of the proposed building have been removed;
- The dimensions of the garages have been revised;
- The front setback of the building has been reduced from 4 metres to 3.0 metres;
- The rear setback has been reduced from 2.385 metres to 2 metres;
- The landscaped strip along northern edge of driveway has been replaced with vertical garden to the boundary fence;
- The landscaping along part of the southern side of the driveway has been amended;
- Minor variations have been made to the ground floor and upper floor layouts of Dwellings 1 & 5

#### **Dwelling density:**

The subject land is located within a medium density area of the Residential Zone and therefore medium density is envisaged and desired. Take the Desired Character Statement (DCS) for the Policy Area for example:

"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."

Principle of Development Control 4 and 5 of the Medium Density Policy Area 19 reinforce the expectation for medium density allotments with average minimum site areas of 270 and 150 square



metres prescribed respectively for residential flat dwellings (the lesser area applying to land within 400 metres of a centre zone).

It has been noted the area bound by Richmond Road, Brooker Terrace, Milner Road and Sir Donald Bradman Drive falls predominantly within Policy Area 19 and approximately 87% of the policy area is within 400 metres of a centre zone. As highlighted in the diagram below, infill development with site areas of 150-200 square metres per dwelling, and in the form of semi-detached, group, residential flat and row dwellings, can be reasonably expected across most of the policy area.



Diagram 1: Properties in Arthur Street within 400 metres of a centre zone Source: West Maps Public (City of West Torrens)

As previously raised in the response to representations, we understand site area calculations can be a contentious matter. We have applied the same approach used by the State Government to determine net residential density, i.e. an average for the entire site area including common property. This approach is also use by numerous Councils within Metropolitan Adelaide. By our calculations the average site area per dwelling equates to approximately 211 square metres per dwelling (or 142 square metres should the common property be excluded). This equates to 47 dwelling units per hectare (du/ha) or 70 du/ha (applying a more conservative calculation) which are consistent with the definition of medium density development in the 30-Year Plan for Greater Adelaide and the site areas generally prescribed by Principles 4 and 5 of the Policy Area.

The DCS for the Medium Density Policy Area 19 also states:

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.

The subject land is somewhat unique; it is one of only four (4) allotments with a primary street frontage to Arthur Street which is not within 400 metres of a centre zone. We contend the envisaged denser allotment pattern close to centre zones can reasonably include the subject land as the density of the proposed development will be compatible with the desired character and density of the locality.

Page 37 8 August 2017



#### Character:

In respect to built form, the DCS for the Medium Density Policy Area 19 states:

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

The policies applicable to this locality envisage two storey developments, residential flat buildings and anticipate significant change to the streetscape character of the area. We note Arthur Street and the surrounding area has a prevailing character of single storey dwellings, including older stock, but recent developments clearly reflect a departure from the lower scale, low density, deep setback character of remnant residential development. The policies applicable to this locality are wholly supportive of greater density, lesser street setbacks and modest, low scale uplift development.

While one can appreciate the desire to preserve the existing residential character, development as envisaged by the policy, is changing the established pattern of development within this locality. We maintain the contention the two-storey form, setbacks and building type of the proposed development are relatively consistent with the building character envisaged for the Arthur Street locality.

#### Traffic and Parking:

The proposed development complies with the parking rates prescribed in Table WeTo/2 Off-Street Vehicle Parking Requirements. Each dwelling will be provided with two parking spaces per dwelling (one covered) and have access to a shared on-site visitor space adjacent the western property boundary. We do acknowledge vehicles leaving the visitor space cannot exit the subject land in a forward direction in the event the dedicated spaces for each dwelling are occupied.

Vehicles movements for the proposed development are estimated to be approximately 35 to 40 movements per day and most frequent during peak periods of the week. As such there should be ample periods during the day in which the dedicated visitor spaces for each dwelling can be utilised to enable forward egress from the shared visitor space. Furthermore, Arthur Street is a local street and vehicle movements are reasonably low. The likelihood of conflict being caused by a vehicle reversing from the subject land will be relatively low.

If necessary, the visitor parking space can be removed and reconsidered for some other purpose should egress movement be deemed unsatisfactory. Arthur Street provides ample on-street parking opportunities and rarely experiences high demand outside the relatively brief occasions South Australian National Football League (SANFL) games are hosted at Richmond Oval. Visitor parking utilising the local streets will not create parking congestion.

Furthermore, the subject land is situated near two public transport corridors, Richmond Road and Sir Donald Bradman Drive, and both offer frequent services. As a designated medium density area, there is an expectation development will bring critical mass necessary to support improved public transport systems and lead to less reliance on personal vehicle transport. Again, and as previously stated in the response to representations, while it is understood off-street parking is an important

Page 38 8 August 2017



matter to consider, it should not be the principal concern given the broader public benefit of more sustainable and effective public transport services.

#### Summary:

Any apprehension associated with the obvious movement away from traditional low density suburban development should not prejudice the approval of the proposed development. I consider the density, character and on-site car park provision to be worthy of Council support as the proposal sufficiently complies with the prescribed guidelines of the Development Plan relevant to these matters.

Should the Council have any concerns about any other aspects of the proposed development then please appreciate the Applicant's willingness to continue on-going dialogue to ensure the proposal represents the best possible outcome for all parties involved. The Applicant has made numerous amendments to the proposal in response to feedback from Council's Administration and will welcome any additional feedback provided by the Council's Development Assessment Panel.

If you require any further information please do not hesitate to contact the undersigned on 81307222

Yours sincerely,

adown Will

Adam Williams

ACCESS PLANNING (SA) PTY LTD

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

TO Chief Executive City of West Tor 165 Sir Donal HILTON 5033	rens d Bradman Drive Recei	1 / 4 FED #U!/ 1
DEVELOPMENT No. PROPERTY ADDRESS:	2 7 FEB 2 211/1472/2016 30 Arthur Street, RICHMOND St.	
YOUR FULL NAME* R.	+ K GRASSO	)
YOUR ADDRESS* \ O	30R90N 59	
RICH	I MOND SA	
NATURE OF INTEREST * (eg adjoining resident, owner of land in vicinity, or on behalf	NINIOEAA	G RESIDENT
of an organisation or company)		City of West Torrens
REASONS FOR * REPRESENTATION	Please se Hached st	City Development
A	Hached sl	eet.
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)		
Please indicate in the appropriate submission: -	box below whether or not you wish	to be heard by Council in respect to this
I DO NOT WISH TO BE HEARD		
I DESIRE TO BE HEARD PERSON WILL BE REPRESENTED BY	IALLY	
WILL BE REPRESENTED BY	(PLEASE SPECIFY)	L .
SIGNED R.G	<u>0880.</u>	
DATE 23/2 If space insufficie	nt, please attach sheets	*
5,55554.11414		(FORM 3)
	R	esponsible Officer: Kelly Briton-Jones Ends: Friday 24 February 2017

8 August 2017

Mr Robert and Mrs Koula Grasso 10 burton Street Richmond SA 5033

23 February 2016

To Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Re: Development No. 211/1472/2016, 30 Arthur Street, Richmond SA 5033

I would like to express several points of concern in regards to the above development as it relates to our privacy in our own property and quality of life living next door to the said proposed development.

Our main concerns are the proposed, clear glass windows and balcony doors on the 2nd floor of all the residencies overlooking our backyard and that of our surrounding neighbours.

Secondly, I disapprove with the number of units being built, this kind of development is not in the Interests of the local areas character, existing homes and population. For example, Three, double storey units would have been sufficient for this block.

Environmentally this kind of development we believe is irresponsible, five units leaves not enough room to plant any trees of a reasonable size or room for any kids to play and generally room to move, not to mention too many cars coming and going and the noise and disturbance created by this. Noise from five air conditioners running at the same time, could also impact our elderly neighbours.

Car parking on the street is also another one of our main concerns as the street is already congested with multiple cars being parked on both sides of the street making it dangerous for motorists to get through, not to mention completely blocking both sides of Arthur Street to trucks and other large commercial vehicles. I personally drive a commercial vehicle and tow a trailer and thus deal with this issue on a daily basis and can see how a development like this could affect traffic. As residents and visitors park on the street just outside my driveway it is extremely difficult, if not impossible at times to reverse my trailer into my garage.

I have concerns for the residents should there be a fire in the units, they will be packed in like sardines. More thought needs to go into this sort of development in the future.

To the developer, what are your plans regarding our boundary fence, are you planning to change it?

Being such a large development we believe it is unwarranted for this area and character of homes, We view this development will depreciate the value of our property.

Signed

K. Grasso

Page 41

R. Gross

		City of West Torrens
	STATEMENT OF REPRESENTATION	
	Pursuant to Section 38 of the Development Act, 19	1
ТО		15/12 Development
	City of West Torrens	_
	165 Sir Donald Bradman Drive HILTON 5033  PM 1 2 3 4	5 6
DEVEL 0045117	West Torrer	ns CSU
DEVELOPMENT PROPERTY AD		
YOUR FULL NA	ME. Dianne Waller	
YOUR ADDRES	s. Noit 6	
_	$\sigma$ . $\Omega$	1 6
	Burton Street Michmond	5033
NATURE OF INT (eg adjoining res	ideal arms 6	
of land in vicinity	or on behalf Adjoining Residua	NT
of an organisatio	on or company)	
	,	
REASONS FOR	•	
REPRESENTAT	100 (111(11) 117 117	
	) cc = 11. 11   10 cc	Received
		2 4 FEB 2017
		City of West Torsons
MY DEDDECENS	Inte	ormation Management
MY REPRESENT WOULD BE OVE	TATION (	,
(state action sough	ght) Ingle Storey Only	,
		0
Place indicate is	n the appropriate have below whether or not you wish to be board by Council	il in recent to this
submission: -	n the appropriate box below whether or not you wish to be heard by Council	ii iii respect to triis
I DO NOT WISH	TO BE HEARD	
	HEARD PERSONALLY	
WILL BE REPRE	SENTED BY LJ (PLEASE SPECIFY)	
	.00.00	
SIGNED	ailaller	
DATE	24/2-17	
*	If space insufficient, please attach sheets	(FORM 3)
	Pannandihia Officari V	

Responsible Officer: Kelly Briton-Jones Ends: Friday 24 February 2017

7 30 Athur St shares boundances
7. 30 Atthur St shares boundaries with N houses e I group of units
AMAUN St is SMall Street
to erect (5) two storey units is elevelopment gone mado
30 ANKVINST is not the location for this type of developmente
8 I strongly neguest council to deny development of a
two storey construction.
i ala
·

Received 2 7 FEB 2017 STATEMENT OF REPRESENTATION City of West Torrens Pursuant to Section 38 of the Development Afgrages Management TO Chief Executive Officer RECEIVED City of West Torrens AM 7 8 9 10 11 12 165 Sir Donald Bradman Drive HILTON 5033 1111 1 DEVELOPMENT No. 211/1472/2016 PROPERTY ADDRESS: 30 Arthur Street, RICHMOND SA 5033 YOUR FULL NAME \* YOUR ADDRESS\* City of West Torrens NATURE OF INTEREST (eg adjoining resident, owner 2 7 FEB 2017 of land in vicinity, or on behalf of an organisation or company) City Development REASONS FOR REPRESENTATION MY REPRESENTATION WOULD BE OVERCOME BY (state action sought) Please indicate in the appropriate box below whether or not you wish to be heard by Council in respect to this submission: -I DO NOT WISH TO BE HEARD I DESIRE TO BE HEARD PERSONALLY WILL BE REPRESENTED BY (PLEASE SPECIFY) SIGNED

(FORM 3)

Responsible Officer: Kelly Briton-Jones

Ends: Friday 24 February 2017

DATE

If space insufficient, please attach sheets

**Development No.** 211/1472/2016

Property Address 30 Arthur St Richmond SA 5033

My Name: Brad Clarke & Martine Samra

My Address: 8 Burton St Richmond

Nature of Interest: Adjoining resident

#### **Reasons for Presentation:**

I'm against the plans that have been presented for the following reasons.

- Aesthetically the building looks terrible, the balconies look into other people's yards and with my house the windows look into our swimming pool area, we have a one year old child and feel this is an invasion of our privacy.
- Acknowledging that there are rental flats or units in the area, there are no two story
  properties on our block (Brooker Tce, Burton St, Arthur St & Kingston Ave). I feel this will
  devalue the area, which currently is a quiet neighbourhood with many families & young
  children.
- Each dwelling has one parking space, which at a minimum will mean there is five and up to ten cars parked on the street near an intersection that only recently had a crash where the car ended up in the front room of 18 Elms Ave. Richmond. The street is already dangerous enough without adding to the danger.
- Policy Area 19 Table A (more than 400m from a centre zone) states the average site area should be 270m2 these are 155m2 Also the minimum setback from the back boundary should be 6m and it is only 2.35m

#### My Representation would be overcome by:

A three dwelling allotment similar to 18 Haynes Ave. Richmond would be acceptable, it suits
the aesthetics of the area much better.

Page 46 8 August 2017

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

ТО	Chief Execu City of West 165 Sir Do HILTON 50	Torrens nald Bradman Drive	Received
	/ELOPMENT No. OPERTY ADDRESS:	211/1472/2016 30 Arthur Street, RICHMOND S.	A 5033 City of West Torrens Information Management
YOL	JR FULL NAME *	neryl Hill	Information Manes
i	ur address*	Burton St	Rich word 5033
(eg a	URE OF INTEREST * adjoining resident, owner and in vicinity, or on behalf a organisation or company	, adjoining	Resident Owner City of West Torrens
	SONS FOR *	1	2.7 FEB 2017
	Too Clos	e to one bou	ridary ence
WO	REPRESENTATION * ULD BE OVERCOME BY e action sought)	Marinian 3 V	Panily Homes
	se indicate in the appropri	iate box below whether or not you wis	sh to be heard by Council in respect to this
I DO	NOT WISH TO BE HEAR SIRE TO BE HEARD PER L BE REPRESENTED BY		Mest Torrens CSU  West Torrens CSU  PM 1 2 3 4 5 6
SIGI	E	The Rey Collection of	7 7 FEB 2017  W 7 8 9 10 11 12  RECEIVED
		,	(FORM 3) Responsible Officer: Kelly Briton-Jones
			Ends: Friday 24 February 2017

<del></del>	
ity of West Torrens	
2 1 FEB 2017	
City Development Pursuant to Section 38 of the D	
TO Chief Executive Officer City of West Torrens 165 Sir Donald Bradman Drive HILTON 5033  DEVELOPMENT No. 211/1472/2016	RECEIVED  AM 7 8 9 10 11 12  2 0 FEB 2017  PM 1 2 3 (4) 5 6
PROPERTY ADDRESS: 30 Arthur Street, RICHMOND	SA 5033 West Torrens CSU
YOUR FULL NAME . THOMAS & Jo.	sephine 2Ammit
YOUR ADDRESS* 32 ARTHUR ST, RIC	N .
NATURE OF INTEREST * (eg adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)	FDWELLING
REASONS FOR * REPRESENTATION  O NCERNED ASSO	at PRIVACY
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)	Received 2 1 FEB 2017 City of West Torrens Information Management
Please indicate in the appropriate box below whether or not you w submission: - I DO NOT WISH TO BE HEARD I DESIRE TO BE HEARD PERSONALLY WILL BE REPRESENTED BY  (PLEASE SPECIFY)	
SIGNED  18 2 2017  If space insufficient, please attach sheets	 
9 - 8	Responsible Officer: Kelly Briton-Jones Ends: Friday 24 February 2017

### 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

RECEIVED AM 7 8 9 10(11) 24 FEB 2017

PM 1 2 3 4 5 6 West Torrens CSU

DEVELOPMENT No. PROPERTY ADDRESS: 211/1472/2016

30 Arthur Street, RICHMOND SA 5033

HUTCHESON ROSS YOUR FULL NAME \* IVAN BURTON YOUR ADDRESS\* UNIT RICHMOND City of West Torrens NATURE OF INTEREST 2 7 FEB 2017 (eg adjoining resident, owner of land in vicinity, or on behalf City Development of an organisation or company)

DEVELOPMENT STORE REASONS FOR SUCH HOUSES DOES NOT SUIT REPRESENTATION TOWN LIVING AREA AND NEIGHBORHOOD, EACH TIME WHEN I LOOK OUT MY WINDOW, LEAVE MY HOME I AM FORCED TO LOOK ONTO THAT MONSTROSIT WHEN I LOOK OUT MY WINDOW, LEAVE MY HOME I AM FORCED TO LOOK ONTO THAT MONSTROSH OF THE LARGE, LONG BUILDING OF THE 5,2 STORY HOUSES, MY PEACE AND COMFORTABLE LIVING IN MY

HOME WILL BE PISTURBED FROM MY REPRESENTATION WOULD BE OVERCOME BY THE PRESENCE AND NOISE OF B SINGLE (state action sought) NOT ONL' BY ONE BUT BY 5 FAMILYTORY
GROUPS WHO MOVE INTO THE TOWN HOUSES HOME
WITHIN HEARING AND NOTING SPACE
RESTRICTING TO ALLOW THE CONSTRUCTION OF SAY UNITS (state action sought)

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

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY Karl

WILL BE REPRESENTED BY

Ascher

ত

ℴ

(PLEASE SPECIFY)

Received

2 4 FEB 2017

12 Auto . 2 . 17

City of West Torrens Information Management

DATE

SIGNED

If space insufficient, please attach sheets

(FORM 3)

Responsible Officer: Kelly Briton-Jones

Ends: Friday 24 February 2017

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

TO Chief Executive Officer City of West Torrens The ! AM 7 8 1 165 Sir Donald Bradman Drive HILTON 5033 74 FEB 2017 DEVELOPMENT No. 211/1472/2016 PM : 23 4 5 PROPERTY ADDRESS: 30 Arthur Street, RICHMOND SA 5033 West Torrens CSU YOUR FULL NAME \* Karl 7/2 Burton St, YOUR ADDRESS\* Richmond 5033 NATURE OF INTEREST adjoining resident and ou gity of West Torrens (eg adjoining resident, owner of land in vicinity, or on behalf 2 7 FEB 2017 of an organisation or company) City Development REASONS FOR \* a large complex of 5, 2 storey town houses does REPRESENTATION not fit into this peaceful neighborhood of family homes. The proposed building does on croach on the privacy of the 10 adjoining homes and their residents.
The additional number of 5 family groups (plus) moving in such a complex will create an unbearingable amount of noice from music girconditioners, motor cars and un pleasant nes, MY REPRESENTATION \* The plans ar too close to the borders of WOULD BE OVERCOME BY the 5 in mediate neighboring properties. (state action sought) If council insists of developing and is encouraging the constructing of Town Houses, a maximum of 3 Town houses - spread out - can be tolerated by neighbors. 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 Received 図 I DESIRE TO BE HEARD PERSONALLY WILL BE REPRESENTED BY \_ (PLEASE SPECIFY) 2 4 FEB 2017 City of West Torrens Have Machen Information Management SIGNED

22. February 2017

If space insufficient, please attach sheets

(FORM 3)

Responsible Officer: Kelly Briton-Jones

Ends: Friday 24 February 2017

DATE

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

ТО	Chief Executive City of West To 165 Sir Donal HILTON 5033				RECEIVED 7 8 9 10 11-92 24 FEB 2017 1 2 3 4 5 6	2
DEVELOPMEN PROPERTY AL		211/1472/2016 30 Arthur Street, RICHMONI	O SA 5033		City of West To	rrens
YOUR FULL N	AME. Karl	Ascher			2.7 FEB 1017	
YOUR ADDRES		2 / 4 2	. /		City Develop	nent
	7/2	Burton St. R.	chmone	<u></u>		
NATURE OF IN (eg adjoining re of land in vicinit of an organisati	sident, owner	Presiding Office Corporation 7 Thome units a	er for stro 320 inc, djoining	ne	ighbors	
REASONS FOR REPRESENTA Will 5/ neigh bo motor The pr front f	TION 2 story Tow v hood. v chieles	n Houses this wi Noise from evere can be an bear lan brings the be four Homes. Sa	Hovevero vowding, able to ilding to the develop.	2,38	conditions of the stis underival	lle
MY REPRESEN WOULD BE OV (state action so	ERCOME BY	scrapping the Redraw and li 3 family home	present imit to	plaonly	ins!	
	in the appropriate	box below whether or not you	wish to be heard I	by Cou	ncil in respect to this	
	H TO BE HEARD E HEARD PERSO ESENTED BY	NALLY (PLEASE SPECIFY)	□ ⊠ _ □		Received	
SIGNED	Han	e 6. 2017	<del> </del>		City of West Torrer ormation Managen	
DATE						
*	If space insuffici	ent, please attach sheets			(FORM 3)	
		a	Responsible C	officer:	Kelly Briton-Jones	

Ends: Friday 24 February 2017

Reason for opposing:

Ref. 211/1472/2016

The proposed Development is undesired and should be rejected by the owners and residents. I spoke to those who live around 30 Arthur Street Richmond, and would be effected. Considering the rectangular area between:

"Arthur Street, Kingston Ave., Brooker Tce. and Burton Street Richmond" contain probably 23 blocks of land.

#### At present there are:

15 dwellings, occupied by their owners.

Only one of these dwellings has been modified by adding a small 2<sup>nd</sup> story. The front and rear yard contains trees and shrubs to retain the character of a family home.

- 5 blocks, subdivided and now and house 2 Home Units or to be built.
- 1 block has freestanding 4 Home Units.
- 1 block has 7 Home Units (whereby the original dwelling has been retained).
- 1 Block with 5 residential flats (single story).

At present all these properties have sufficient space for car parking (even for their visitors). Most of these residents know each other, living there for many years in harmony. The character of this area has been retained and is enjoyed by all the residents there.

The immediate owners and residents around 30 Arthur Street (there are 11 owners) who are very much opposed to the proposal to erect a factory type block of 5; of 2 story town houses consider such complex as an eyesore. One needs to say that the present owner of 30 Arthur Street purchased the property only recently, about 6 months ago. He had no intention to move into this peaceful neighborhood. He saw an opportunity to make an investment, build a monstrosity 0f 5, 2 story town houses and make quick money with a quick sale - to the dismay of the residents, loyal to the City of West Torrens.

Such development will be unsightly, deprive the neighborhood of open space they had been enjoying in this area of Richmond.

Increasing the number of people living and motor traffic around this area would be increased 5 fold on a piece of land designed to house 1 family only.

Although the proposed plans provide parking for 10 motor cars, this plan is very naïve as these days that most families do own more than 2 cars, they also will have friends and visitors who want to park in front of their front door.

People are what they are, most like music and visitors especially on weekends.

Also the noise from additional of at least 5 air conditioners will rickety all year long.

One can envisage that all of a sudden from 5 Town Houses noise will be amplified to the quiet and peaceful neighborhood.

N. h

Page 52 8 August 2017

## 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

RECEIVED
AM 7 8 9 10 11 12 2

2 4 FEB 2017

PM 1 2 3 4 5 6 West Torrens CSU

DEVELOPMENT No.

211/1472/2016

PROPERTY ADDRESS:

NATURE OF INTEREST \*

30 Arthur Street, RICHMOND SA 5033

YOUR FULL NAME *	PA	TRICIA	MAR	EE Ty	SON	City of West Torren
YOUR ADDRESS*	8	LANG BROO		PAR	<u> </u>	2 7 FEB 2017
		<u> </u>	1	0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0		City Development

25100110502					
of an organisation or company)	RICHMON				
of land in vicinity, or on behalf	05/2	Bueron	ST		

OWNER

REASONS FOR * VOICE REPRESENTATION	OBJECTION	70	CLOSENESS
OF BUILDINGS DEVALUATION OF	5 TO MY P	20PERT	4,
DEVALUATION O	F OUR PRO	PERTIE	Ξζ,
See	letter at	tache	id.

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

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

I DO <b>NOT</b> WISH	H TO BE HEARD	<u>13</u>	8 V
I DESIRE TO B	E HEARD PERSONALLY		Received
WILL BE REPR	ESENTED BY		110001104
	(PLEASE SPECIFY)		2 4 FEB 2017
SIGNED	C. W. Lyson.		City of West Torrens Information Management
DATE *	If space insufficient, please attach sheets		

(FORM 3)

Responsible Officer: Kelly Briton-Jones

Ends: Friday 24 February 2017

#### STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act, 1993

Development No. 211/1472/2016

Property Address 30 Arthur Street, Richmond SA 5033

To Chief Executive Officer

**City Of West Torrens** 

165 Sir Donald Bradman Drive

Hilton 5033

From Patricia Maree Tyson

(owner) unit 5/2 Burton Street

Richmond 5033.

As the owner of the above unit I am writing to object to the building of this number of 2 story flats/units on this property.

- The rear boundary fence a joins the driveway of our properties.
- Building this number of 2 story dwellings will leave our homes in constant shade and shadow.
- I have concerns about the already existing parking issues in the narrow surrounding streets, which escalates 10 times when football is on.
- This type of development will not add value to any neighbouring properties, exactly the opposite.
- The construction so close to boundaries, with this number of dwellings and possible tenants will take away from the privacy of our homes.
- To consider allowing this number of dwellings to be built shows complete lack of consideration for existing land owners/rate payers.
- If these dwellings were being built facing a public park, sports field it would have little
  impact on lifestyle and wellbeing. In a residential area where people choose to live with a
  little space around them and be able to open their front doors without facing 2 story brick
  walls it seems to be unnecessary to squeeze this many dwellings on.
- I think there is 'possibly' a place somewhere for this type of development but definitely not on this block in this narrow street overshadowing our homes.

Sincerely Patricia Tyson

Bu Jupa

Page 54 8 August 2017

### 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

D2 (220)	hur Street, RICHMOND SA 5033
YOUR FULL NAME * (FN)	MAH
	BURTON STREET OND, G.A. 5033.
NATURE OF INTEREST * (eg adjoining resident, owner of land in vicinity, or on behalf of an organisation or company)	NER/RESIDENT OF ADJOUNTING PROPERTY SEE ATTACHED)
REASONS FOR * REPRESENTATION	SEE ATTACHED)
MY REPRESENTATION * WOULD BE OVERCOME BY (state action sought)	(ATE ATTACHED).
	low 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	EASE SPECIFY)
SIGNED  DATE  *    Signed   Si	
	(FORM 3) Responsible Officer: Kelly Briton-Jones Ends: Friday 24 February 2017

PROPOSED DEVELOPMENT 30 ARTHUR STREET RICHMOND SA 5033 CITY OF WEST TORRENS COUNCIL RESIDENTIAL ZONE POLICY AREA 19

### STATEMENT OF REPRESENTATION ATTACHMENT:

#### **REASON FOR REPRESENTATION:**

- 1. Under the Development Plan, the allowable area per unit for row dwelling is 270m2 as the site is not within 400meters of the "Centre Zone". The site area is shown as 1057m2 which meant only 3 dwellings are allowable. The propose development has 5 dwellings.
- 2. Under the Development Plan, the minimum rear set back from rear boundary is 6meters. The proposed set back is 2.385metres, which clearly do not comply.

#### MY REPRESENTATION WOULD BE OVERCOME BY:

KenMahAnhitets

The proposal should be rejected as it does not comply. The developer should submit a complying design.

As an architect and also the owner of the property facing the rear of the proposed development, I object to this proposal. If this proposal were to proceed, it will send a wrong message to other developers. It will destroy the character of the area, and the Development Plan will be meaningless.

I have personally been to see your planner and was advised that the allowable area per unit is 150m2, I have assumed that he had the knowledge and correct information. However, other owners of properties around the proposed development have taken upon themselves to double check the regulation and had advised me that what I was told were incorrect. I have now double checked and am convinced that there must be an error in preliminary assessment of the proposed development by the planning and building section of the council. I am glad that this error was brought to my attention early.

Page 56 8 August 2017



16 March 2017

Ref: 6794responsetoreps

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

Attention: Mr. Jordan Leverington

Dear Jordan.

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

www.accessplanning.com.au

RE: DEVELOPMENT APPLICATION NUMBER 211/1472/16 FOR THE PROPOSED LAND DIVISION / CONSTRUCTION OF RESIDENTIAL FLAT BUILDING COMPRISING FIVE TWO STOREY DWELLINGS – AT 30 ARTHUR STREET, RICHMOND

I have been engaged by the applicant to respond to the Letters of Representation received by Council following the Category 2 public notification of the abovementioned Development Application.

I note the nine submissions received by the Council raised a number of concerns relating to the proposal, which include overlooking, setback provisions, traffic concerns, parking, impact on property value, noise impacts, incongruous character, visual impact, site area and over development, overshadowing, landscaping, and design. A number of the representations raised similar concerns. As such, rather than respond to each individual representation I have distilled the content of the various submissions and respond accordingly.

A summary of the nine representations received by the Council is provided below:

Name and Address	Issues Raised
I Hutcheson 3/2 Burton Street, Richmond SA 5033	<ul> <li>Inconsistent with existing character</li> <li>Impact on visual amenity</li> <li>Potential increase in noise</li> </ul>
K Ascher 7/2 Burton Street, Richmond SA 5033	<ul> <li>Inconsistent with existing character</li> <li>Overlooking/privacy concerns</li> <li>Potential increase in noise</li> <li>Setback concerns</li> <li>Increase traffic concerns</li> <li>Parking concerns</li> </ul>
P Tyson 5/2 Burton Street, Richmond SA 5033	<ul> <li>Overshadowing</li> <li>Parking concerns</li> <li>Setback concerns</li> <li>Overlooking/privacy concerns</li> <li>Impact on visual amenity</li> <li>Impact on property value</li> </ul>
D Waller 6/2 Burton Street, Richmond SA 5033	<ul> <li>Overlooking/privacy concerns</li> <li>Inconsistent with existing character</li> <li>Potential increase in noise</li> </ul>

1

Page 57 8 August 2017



B Clarke & M Samra 8 Burton Street, Richmond SA 5033	Increase traffic concerns Impact on visual amenity Impact on property value Overshadowing  Impact on visual amenity Overlooking/privacy concerns Overdevelopment of site Impact on property value Increased traffic concerns Parking concerns Inadequate site area Setback concerns
C Hill 2/2 Burton Street, Richmond SA 5033	Setback concerns     Increased traffic concerns
R Grasso & K Grasso 10 Burton Street, Richmond SA 5033	<ul> <li>Overlooking/privacy concerns</li> <li>Overdevelopment of site</li> <li>Landscaping</li> <li>Increased traffic concerns</li> <li>Potential increased noise</li> <li>Parking concerns</li> <li>Impact on property value</li> </ul>
K Mah 4/2 Burton Street, Richmond SA 5033	Inadequate site area     Setback concerns
T Zammit & J Zammit 32 Arthur Street, Richmond SA 5033	Overlooking/privacy concerns

The following response aims to address and potentially resolve each of these concerns outlined in the representations. It should be noted that the applicant has expressed their willingness to continue to engage in an on-going dialogue with the council in order to produce a mutually agreeable outcome.

#### Overlooking / Privacy:

Six of the nine representations highlighted concerns relating to potential overlooking from the proposed development.

The southern elevation of the dwelling has been designed with windows located 1.7 metres above the upper storey floor level. Furthermore the rear western elevation of the proposed building does not have any windows proposed for the upper storey.



With regard to this, the only potential for overlooking from the proposed upper storey is from the northern elevation of the proposed building. When looking at the north elevation plans one can appreciate that adjoining land owners with a view of this facade may have some apprehension, however when viewed in conjunction with the upper storey floor plan one can see that the upper level has been designed to minimise any potential for overlooking from the windows located here.

As the plans show, the windows provided for the upper storey bedrooms are all sited 1.7 metres above the floor level and as such there will be no sightlines from these rooms into adjoining properties.

The longer, thinner upper storey windows are sited adjacent internal walls and in positions which will severely limit sightlines into adjoining properties. The larger windows provided for the upper storey are located above the staircase, which is orientated internally and moves away from the northern wall, meaning that once at the top of the stairs one is standing approximately 5 metres back from this window and not close enough to overlook adjoining land. With consideration of these design elements and given that a six metre setback has been provided from the northern boundary I would consider that the overlooking concerns have been adequately addressed.

Moreover, I note the relevant Development Plan provisions in respect to overlooking all seek that opportunities for overlooking be <u>minimised</u> not that there be no overlooking at all. (See Deign and Appearance, principle 10 and Residential Development, principle 18)

The proposed development more than adequately addresses those provisions of the Development plan pertaining to overlooking

#### Visual Amenity / Setbacks / Overshadowing:

The issue of visual amenity is discussed in a number of the representations with particular consideration of the potential impact the two storey design may have on views from the adjoining land to the north and west.

The design of the building is well articulated with variations in wall height, projections and horizontal and vertical design elements. The wall height of the structure varies. At the highest point the wall height (floor level to ceiling level) is 5.85 metres for the two storey portion of the building; however the single storey portion of the building along the southern boundary has a wall height of 2.7 metres. Given the wall height along this shared boundary to the south and in regard to Principle 11 of the Residential Zone, I would contend that a setback of 1.5 metres from this boundary is appropriate.

Page 59 8 August 2017



Additionally, the proposal has minimal external impact in regard to over shadowing as demonstrated in the shadow diagram provided by the applicant (see figure 1 below).



Figure 1: Shadow Diagram

With respect to overshadowing, it is noted that overshadowing impacts are unlikely to be excessive with the adjoining properties to the west and south still likely to receive direct winter sunlight throughout the day as sought by Design and Appearance Principle 9, noting that here again the Development plan seeks to minimise impacts from overshadowing not to eliminate it altogether. It is also noted that during winter months when impacts will be the greatest, overshadowing is less likely to occur due to a higher prevalence of overcast days which the Bureau of Meteorology put at an average cloud cover in the winter months of  $^5/_7$ .

The issue of setbacks was another common issue raised in the representations, namely the setback from the rear boundary shared with the residences at 2 Burton Street. It is noted in a number of the representations that the setback provided from this boundary (2.385 metres) does



not meet the minimum setback from the rear boundary of 6 metres, specified in Principle of Development Control 3 of the Medium Density Policy Area 19.

Although the proposed design does not comply with this provision of the Development Plan I do not consider a departure from the Development Plan in this circumstance to have significant impact, visual or otherwise on the properties to the west. The proposed building only spans a portion of the shared boundary with the single storey component of the rear elevation occupying only 10.79 metres of the 18.29m property width, and the two storey element of the building at this interface occupying only 7.29 metres of the property width.

It should also be noted that in order to further soften the interface between the rear elevation and the property to the west the applicant has also proposed landscaping buffer along the rear boundary. The landscaping will comprise trees that grow to height of 7m, with a neat compact form and moderate to quick growth. Once mature these trees will form a significant visual foil to the built form beyond. In addition to the trees on the subject land, I note that there is substantial landscaping along the eastern boundary of the common property that will further assist in screening the development from view from units at 2 Burton Street.

Furthermore, a less than envisaged setback is not considered to be of great consequence in this circumstance considering that the residences to the west are setback approximately 7 metres west from the shared boundary behind common property in the form of a shared driveway. The visual impact of the proposed development will be limited to the common property in front of their dwellings. It should be noted that the proposed development meets the other setback provisions designated in the Development Plan for a dwelling of this nature.

Considering the above, the buildings well articulated design, and the envisaged nature of this form of development, I would consider that any potential visual impact on the adjoining allotments would not be wholly negative and would not be sufficient to warrant refusal.

In any case, the applicant has expressed that they would be willing to amend the design to include additional or more substantial landscaping in order to further soften the interface with the adjoining allotments and alleviate some of the residents' concerns.

#### **Traffic and Parking:**

In regard to the provision of on-site car parking consideration has been given to Table WeTo/2 *Off Street Vehicle Parking Requirements*. This table specifies that generally a residential flat building should be provided with two parking spaces per dwelling (one covered) and an additional 0.25 parking spaces per dwelling.

The proposed development complies with these requirements as each of the five dwellings have been provide one single car garage, and an additional carport element located in front of the garage with adequate room to accommodate a second vehicle. In addition a visitor car park has been provided adjacent the western most dwelling, and achieves the additional 0.25 parking spaces for each dwelling.

It is generally understood that development in Metropolitan Adelaide should be progressing towards a more consolidated and higher density urban form focused around public transport,



especially in medium density areas such as this. This is primarily to reduce reliance on personal vehicle transport. With regard to this, although off-street parking and traffic related concerns are an important matter to consider, it should not be the principal concern with a development such as this

As we understand similar concerns were raised in the application 211/836/15 & 211/855/15, which involved the development of residential flat building of a very similar nature at 5 Lindsay Street, Camden Park. As we understand Councils Development Assessment Panel granted support for this application in February last year. While we acknowledge that this site was within a different policy area (Medium Density Policy Area 18) the outcomes applicable to both remain the same.

#### **Property Value:**

A number of the representors raised concerns relating to the potential impact the proposed development may have upon the value of their adjoining properties. It is generally accepted that property values are not a matter of consideration as part of a planning assessment. As noted by the Environment Resources and Development Court:

"impact on.... property values is often a matter raised by parties in dispute as to the merits of a proposed development. It is not, however, a matter this Court generally entertains and certainly not in the absence of any expert advice or documentation."

There was no evidence, nor any expert opinion, produced to support the representors concerns in this matter.

#### Noise Impact:

Some of the representations submitted raised concerns in relation to the potential noise levels associated with air conditioning, vehicles, and activity on the site. I note that the majority of concerns relating to noise (3 out of 4) were from residents of 2 Burton Street.

Given the development is Residential in nature, I wouldn't consider that the frequency and level of noise emitted from the proposed development would be any more significant that what is already experienced in the locality, especially considering that 2 Burton Street, a development containing 7 dwellings, has operated successfully in the locality without unreasonable impact from noise on its amenity.

I would consider that the level of noise emitted from the proposed development would not be any greater than that which is already experienced from 2 Burton Street from vehicles, air-conditioning, and activity at each of these dwellings. In any event the development is required to meet the relevant EPA noise levels.

#### Character:

A key issue identified in the representations is the potential departure the proposed design represents from the existing character of the locality. Arthur Street and the surrounding area has a prevailing character of single storey detached dwellings, generally of an older stock. While one can



appreciate the desire of residents to maintain the existing residential character, it is important to have regard to what is envisaged by the policy.

The Medium Density Policy Area 19 seeks higher density development up to two storeys in height in the form of semi-detached, row and group dwellings, and residential flat buildings in areas which are in close proximity to centre zones and public transport routes. We acknowledge that the site is not located within 400 metres of a centre zone.

The subject land is located 439 metres from the Neighbourhood Centre Zone located on the southern side of Richmond Road and 444 metres from the Neighbourhood Centre Zone located at eastern side of the intersection of Brooker Terrace and Sir Donald Bradman Drive.

The distance from these zones only marginally exceeds 400 metres, by some 40 metres, which I would consider insignificant and would contend that the site will still operate in the same manner as those located within slightly closer proximity to these zones.

With regard to the above I would consider that the proposed two storey residential flat building is supportable. While we acknowledge that the proposal represents a departure from the established pattern of development, we consider the policy for the zone to be wholly supportive of this form of development.

#### Average Site Area / Overdevelopment:

Principle of Development Control 4 and 5 of the Medium Density Policy Area 19 designate the various minimum site area requirements for different residential dwellings in the area. PDC 4 states that a residential flat dwelling located further than 400 metres from a centre zone should have a minimum site area of 270 square metres on average. PDC 5 offers a concession in site area for residential flat dwellings within 400 metres of a centre zone, allowing a minimum site area of 150 square metres.

As stated previously the subject land is located marginally beyond 400 metres from two centre zones (40 metres). I contend that this distance is trifling and would argue this land exhibits the same features in terms of its proximity to transport and neighbourhood services which warrant concessions in site area for the allotments in the immediate locality which are within 400 metres of these centre zones.

The application drawings indicate that the proposal provides an average site area per dwelling of 211.3 square metres. This meets the requirements of PDC 5 but falls marginally below what is sought by PDC 4.

We understand that the issue of site area calculations can be a contentious matter. The approach we have applied is to take an average for the entire site area including common property. We understand that this approach is in use by a number of council areas within Metropolitan Adelaide and was recently applied to housing developments at both 5 Lindsay Street, Camden Park and 365A Marion Road, Plympton, both of which were granted development plan consent in the past 12 months by the Development Assessment Panel.

Page 63 8 August 2017



In relation to this development we consider it a reasonable approach to take, particularly given the policy areas envisaged and desired progression towards medium density development and the fact this proposal achieves that outcome.

#### Summary:

An overarching objective of the 30 Year Plan for Greater Adelaide is to focus new residential development in established urban areas and increase density in designated locations in close proximity to services and public transport. The establishment of a medium density policy area, in a location such as this, aligns positively with the strategy of State Government.

It is understandable that some level of apprehension occurs as our urban form progresses from the traditional low density suburban built form towards the type of development which is envisaged by the Medium Density Policy Area 19. However, this should not prejudice the approval of a development which is in accordance with the policy. I contend that this type of housing development is what is envisaged in the policy for this area, and as such this application represents a desirable outcome..

It is my understanding that there has been an on-going dialogue between the applicant and the Council since the very early design stages of this project to ensure that the proposal represents the best possible outcome for all parties involved. The applicant has been extremely responsive to feedback from council's planners previously, and I would like to reaffirm our client's willingness to continue to engage in discussion with all parties to ensure a satisfactory outcome is achieved.

Having regard to the representations, I do not consider that there have been any matters raised that have not already been adequately addressed or represent a matter which warrants the refusal of the application. As such I consider the development to be worthy of the Council's approval.

I advise that I would like to be in attendance should this matter be referred to the Council's Development Assessment Panel, to respond to any verbal submissions from the representors.

Should you have any questions in respect to the above, or require any further information please do not hesitate to contact the undersigned on 81307222

8

Yours sincerely,

David Hutchison BA MPIA CPP ACCESS PLANNING (SA) PTY LTD

Detratchipa

#### 6.3 26 Kingston Avenue, RICHMOND

Application No 211/412/2017

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Community Title; DAC No. 211/C050/17 (Unique ID 57514); Create one (1) additional allotment
APPLICANT	Mr Kim Lao
LODGEMENT DATE	22 March 2017
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal  City Assets - Engineering
	External
	Development Assessment Commission
	South Australian Water Corporation
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	08 August 2017

#### 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. 211/412/2017 by Mr Kim Lao to undertake land division at 26 (lot 34) Kingston Avenue, Richmond (CT 5558/607) for the following reasons:

- 1. The land division is contrary to the desired character of Medium Density Policy Area 19, the land division would not enhance the appearance of buildings when viewed from the street.
- 2. The land division is contrary to General Section, Land Division Principle 7 in that it does not provide for an access onto a public road with the driveway 'handle' being not less than 4 metres in width.
- 3. The land division would result in a dwelling with a side boundary setback that is less than 1 metre, contrary to Residential Zone, Principle 11.
- 4. The development is inconsistent with Australian Standard AS 2890 Parking Facilities and therefore contrary to General Section, Transportation and Access Principle 35.
- 5. The proposal is contrary to General Section, Design and Appearance Objective 1 in that it fails to reinforce the positive aspects of the local environment and built form.

Page 65 Item 6.3

#### **BACKGROUND**

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

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan,
- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.

#### PREVIOUS OR RELATED APPLICATIONS

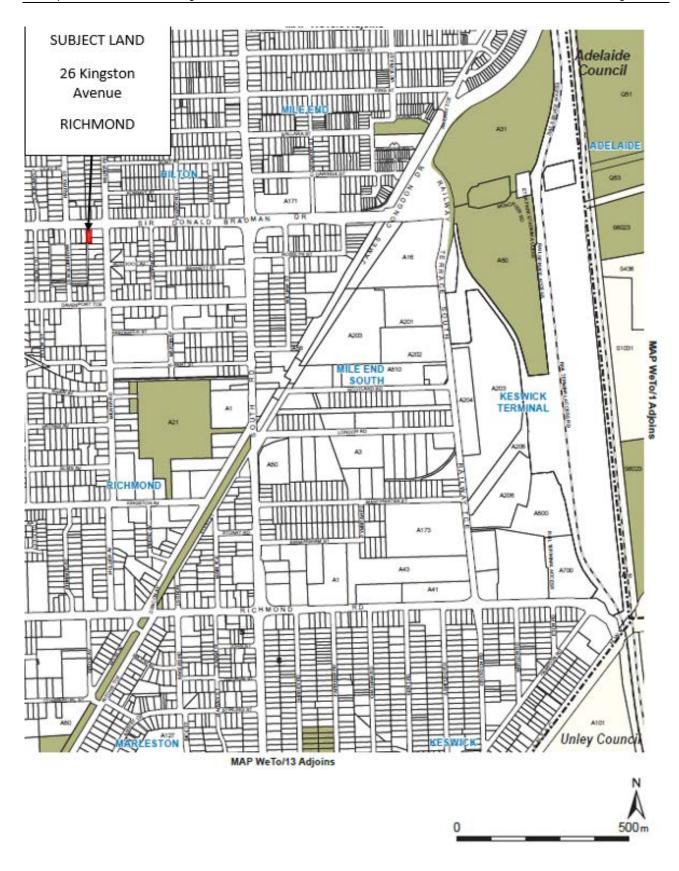
Development Number	Proposal	Status
211/1553/2016	Combined Application: Land division - Community Title; DAC No. 211/C217/16 (Unique ID 56594), Create three (3) additional allotments; and construction of four (4) two storey group dwellings	On Hold - Pending decision of 211/412/2017
211/307/2017	Construct a two- storey dwelling with double carport and verandah under main roof to rear of existing dwelling	Withdrawn

#### SITE AND LOCALITY

The site is rectangular with a frontage of 18.29 metres to Kingston Avenue and a total site area of 836 square metres. The site currently contains a detached dwelling with associated outbuildings. The site is void of easements and partly subject to 100 millimetres of flooding during a 1 in 100 year rainfall event. The site is located within 400 metres of a centre zone located at Richmond Road to the south.

The locality is predominantly characterised by low-density residential development, however, the Industry Zone comprising warehouse type buildings is situated to the east beyond the Holder Avenue intersection.

Page 66 Item 6.3



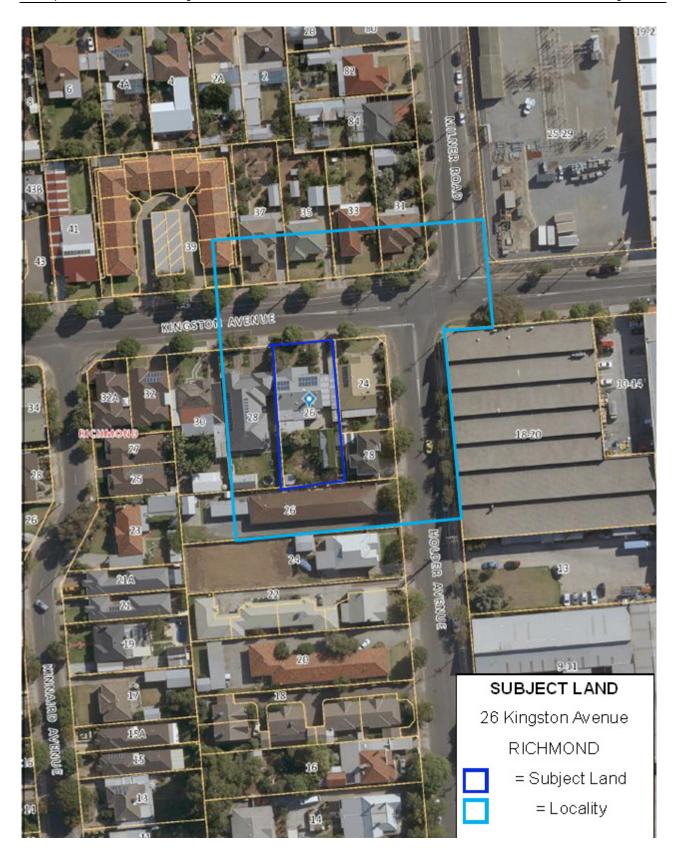
### Location Map WeTo/9



WEST TORRENS COUNCIL

Consolidated - 5 May 2018

Page 67 Item 6.3



Page 68 Item 6.3

#### **PROPOSAL**

The proposal includes land division to create one additional allotment to the rear of the existing dwelling. Both the existing dwelling and the proposed allotment would be serviced by a shared driveway, designated as 'common property'.

A full copy of the relevant plans and details are attached, refer **Attachment 1**.

#### **REFERRALS**

Internal

· City Assets - Engineering

#### External

- Development Assessment Commission
- South Australian Water Corporation

A full copy of the relevant reports are attached, refer **Attachment 2**.

#### **ASSESSMENT**

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

General Section		
Design and Appearance	Objectives	1 and 2
	Principles of Development Control	3, 12, 13, 14, 15, 16, 21, 22 and 23
Hazards	Objectives	1, 2 and 4
riazarus	Principles of Development Control	1, 2, 3, 4, 5, 6 and 7
	Objectives	1, 2 and 3
Infrastructure	Principles of Development Control	1, 3, 4, 5, 6, 8, 9, 10, 11 and 12
Land Division	Objectives	1, 2, 3 & 4
Land Division	Principles of Development Control	1, 2, 3, 4, 5, 6, 7 and 8
Landscaping, Fences and	Objectives	1 & 2
Walls	Principles of Development Control	1, 2, 3, 4 and 6
Residential Development	Objectives	1, 2, 3 and 4
	Principles of Development Control	1, 3, 8, 14, 15, 16, 17, 18, 19, 20, 21 and 31

Page 69 Item 6.3

#### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 and 4
Principles of Development Control	1, 5, 18 and 22

#### Policy Area: Medium Density Policy Area 19

#### Desired Character Statement:

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

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

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

Objectives	1
Principles of Development Control	1, 2 and 7

Page 70 Item 6.3

#### **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Module: Medium Density Policy Area 19 PDC 7	270m²	Lot 801 = 428m <sup>2</sup> Lot 802 = 272m <sup>2</sup> Satisfies
SITE FRONTAGE Module: Medium Density Policy Area 19 PDC 7	9m	Lot 801 = 12.79m Lot 802 = 0m Lot 802 Does Not Satisfy
SIDE SETBACK (EXISTING DWELLING) Module: Residential Zone PDC 11	1m	Approximately 0.3m  Does Not Satisfy
REAR SETBACK (EXISTING DWELLING) Module: Medium Density Policy Area 19 PDC 3	6m	5.6m  Does Not Satisfy
SITE COVERAGE (EXISTING DWELLING) Module: Medium Density Policy Area 19 PDC 3	60%	Approximately 41% Satisfies
PRIVATE OPEN SPACE (EXISTING DWELLING) Module: Residential Development PDC 18	60m², minimum dimension 4 metres	80m²  POS would be located forward of existing dwelling and surrounded by 1.8m colorbond fence  Satisfies
CAR PARKING (EXISTING DWELLING) Module: Transportation and Access PDC 34	2 car parking spaces, 1 of which is covered.	2, 1 covered.  1 car parking space forward of dwelling and the other behind.  Satisfies

Page 71 Item 6.3

#### QUALITATIVE ASSESSMENT

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

#### **Land Division**

Both proposed allotments achieve the minimum allotment area.

Proposed allotment 801 achieves the minimum frontage width.

Technically, proposed allotment 802 would not have frontage to a public road as it would be accessed via common property that extends to the allotment from Kingston Avenue. Both proposed allotments would use the common property for vehicle access purposes, thus preventing the need for another driveway.

The 'Desired Character' of 'Medium Density Policy Area 19' states "allotments... will be at medium density accommodating a range of dwelling types including ...group dwellings".

Medium density housing has been defined by 'The 30-Year Plan for Greater Adelaide' as a net residential site density of 35 to 70 dwellings per hectare. The proposed division would result in a net residential site density of 23.9 dwellings per hectare (10,000/836) x 2). The resulting density would therefore be considered "low" rather than "medium".

Although not common in the locality, "battle-axe" subdivision, as proposed, is considered to be acceptable in the policy area. This has been concluded because "group dwellings" as defined by the Development Regulations do not have frontage to a public road and are envisaged in Medium Density Policy Area 19. In addition, it has not been stated that "battle-axe" subdivision "will not occur" as per other residential policy areas in the Development Plan.

General Section, Land Division principle 7 states "allotments in the form of a battle-axe configuration should... provide for an access onto a public road, with the driveway 'handle' being not less than 4 metres in width to facilitate landscape planting along the driveway".

The proposed "driveway handle" would vary in width from 5.5 metres down to 3.2 metres. Portion of the proposed driveway handle therefore fails to achieve the recommended minimum by 0.8 metres. The existing driveway travels parallel with the eastern property boundary beside the host dwelling. The proposed common property would overlay the existing driveway. Therefore the minimum width of the driveway would not change from that of the existing driveway. In addition, the width of the "driveway handle" could not increase without significant alteration to the existing dwelling.

In this instance, the reduced driveway width alone, is not considered to warrant the applications refusal.

#### **Setbacks**

Where the vertical side wall of a dwelling has a height that is 3 metres or less, the dwelling should have a minimum 1 metre setback from the side boundary. The existing dwelling would be retained and therefore the proposed land division would place the eastern side boundary of proposed allotment 801 approximately 300 millimetres from the side wall of the existing dwelling. The intent of the side setback provision is to minimise visual impact and overshadowing upon a neighbouring dwelling and to enhance the appearance of buildings when viewed from the streetscape. The reduced setback presents a congested appearance when viewed from Kingston Avenue, however, the reduced setback would not impose overshadowing or an unreasonable visual impact upon a neighbouring dwelling.

Page 72 Item 6.3

A dwelling's minimum setback from the rear boundary should be 6 metres. The proposed division would result in a 5.6 metre rear setback for the existing dwelling. The rear section of proposed allotment 801 would provide an undercover car park and a small landscaped area that could also be used as a discrete clothes drying area. The reduced rear setback would not impose overshadowing or an unreasonable visual impact. The reduced rear setback alone is not considered to warrant the application's refusal.

#### **Vehicle Access**

Development should be consistent with Australian Standard AS 2890 - Parking Facilities. In accordance with Australian Standards, the common driveway would normally require a minimum 3 metre pavement width with a 300 millimetre off-set either side from fences, walls and boundaries. With an approximate minimum width of 3.2 metres, the proposal fails to achieve the minimum driveway width. Notwithstanding this, vehicle movements within as proposed achieve Australian Standards.

It is acknowledged that vehicles are commonly parked in front of dwellings and that front gardens can be paved and converted to domestic car parking areas without the need for development approval. Notwithstanding this, the proposed car park in the front garden of the existing dwelling is awkwardly placed and may, on occasion, generate inconvenient vehicle movements when another vehicle is entering or exiting the site at the same time. The proposed car parking location is therefore undesirable.

#### **Private Open Space**

To enable an undercover car parking space that is not situated forward of the existing dwelling on allotment 801, the existing dwelling requires the re-location of its private open space. The applicant therefore proposes to surround the front garden with a 1.8 metre high colorbond fence so it can be used as private open space.

Generally, private open space should be accessed directly from internal living areas and be to the side or rear of a dwelling. Fences should enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance.

The re-located private open space achieves the minimum 60 square metre requirement, however, the resulting fence would diminish the appearance of the site when viewed within the streetscape. It is acknowledged that a colorbond fence no greater than 2.1 metres in height does not typically require development approval.

#### **SUMMARY**

The desire of the applicant to retain the existing dwelling presents various issues that individually have limited consequence, however, cumulatively produce a development that is somewhat awkward and disorderly.

The eastern boundary of proposed allotment 801 would be located close to the eastern wall of the existing dwelling. The applicant is yet to confirm whether the eaves/gutters of the existing dwelling would encroach over the eastern boundary of allotment 801 or whether they require any form of modification. Components of the proposed common property fail to achieve relevant Australian Standards with regard to driveway width. The need for a colorbond fence to ensure a private front garden to the existing dwelling would diminish the appearance of the site when viewed from Kingston Avenue.

Page 73 Item 6.3

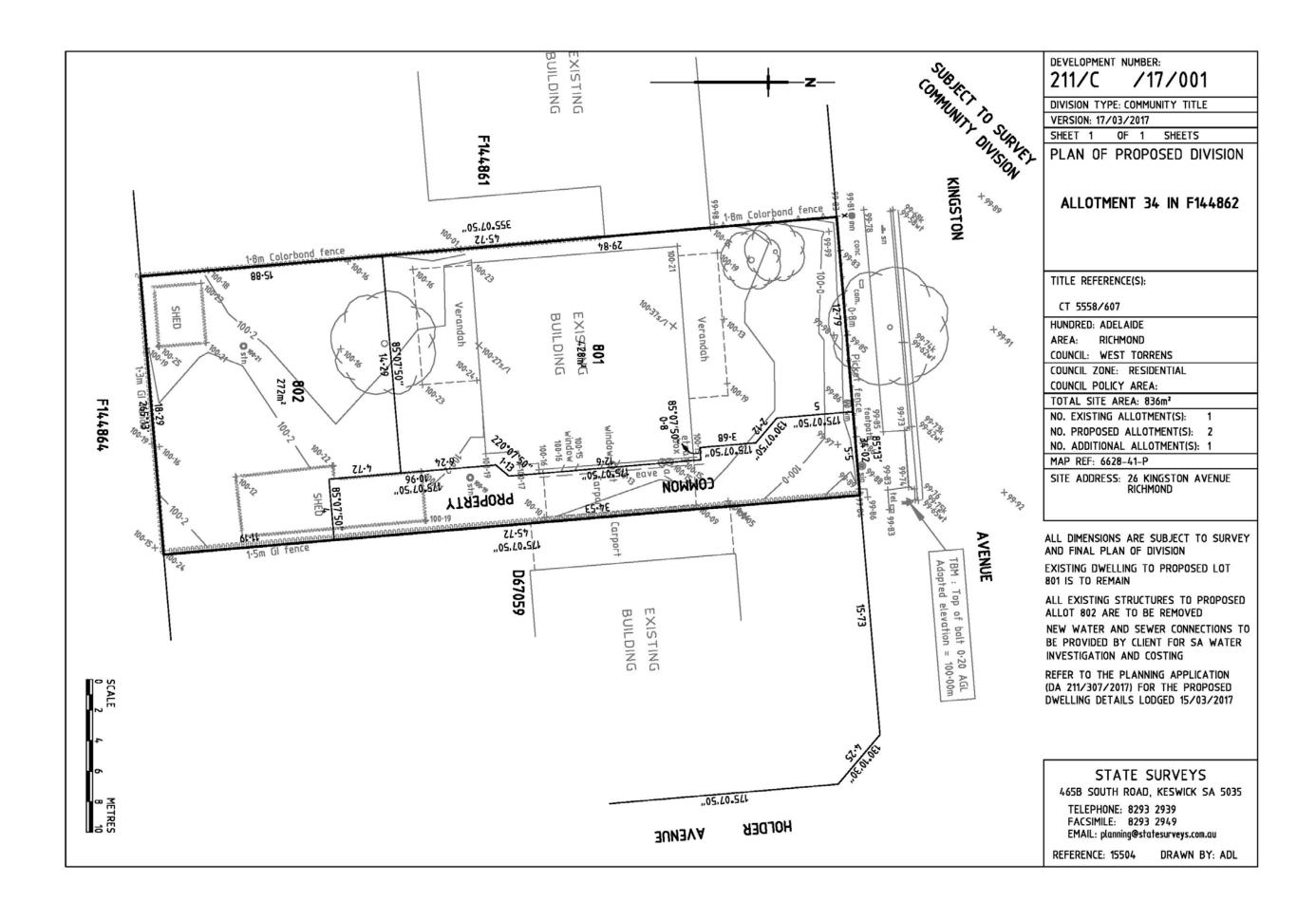
The proposed development has not adequately addressed the resulting issues to ensure the development reinforces the positive aspects of the local environment and built form. Regardless, the applicant has requested the application be presented to the Development Assessment Panel.

Having considered all the relevant Objectives and Principles, the proposal is considered to be sufficiently at variance with the Development Plan Consolidated 05 May 2016 and warrants refusal.

#### **Attachments**

- 1. Proposal Plans
- 2. Referral Reports

Page 74 Item 6.3



Page 75 8 August 2017



Level 6, 250 Victoria Square

Inquiries TONY PANNUNZIO

ADELAIDE SA 5000 Ph (08) 7424 1119

Telephone 7424 1243

SA Water

18 April 2017

Our Ref: H0057460

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/C050/17 AT RICHMOND

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

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

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

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

Yours faithfully

**TONY PANNUNZIO** 

for MANAGER LAND DEVELOPMENT & CONNECTIONS

Page 76 8 August 2017

Contact Lands Titles Office Telephone 7109 7016



18 April 2017
The Chief Executive Officer
City of West Torrens
Dear Sir/Madam

Re: Proposed Application No. 211/C050/17 (ID 57514)

for Land Division

(Community Title Plan) by Mr Kim Lao

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 29 March 2017, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

- The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
  - Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
  - The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
- Payment of \$6676 into the Planning and Development Fund (1 allotment(s) @ \$6676/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.
- A final plan complying with the requirements for plans as set out in the Manual of Survey
  Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be
  lodged with the Development Assessment Commission for Land Division Certificate
  purposes.

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

PURSUANT TO REGULATION 60(4)(b)(ii), SHOULD THIS APPLICATION BE APPROVED, COUNCIL MUST PROVIDE THE DEVELOPMENT ASSESSMENT COMMISSION WITH:

- (a) the date on which any existing building(s) on the site were erected (if known),
- (b) the postal address of the site

It is recommended that this information be incorporated into the Decision Notification Form.

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

Page 77 8 August 2017

Yours faithfully

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

Page 78 8 August 2017



#### Memo

To Phil Harnett
From Jane Teng
Date 19/04/2017

Subject 211/412/2017, 26 Kingston Avenue, RICHMOND SA 5033

#### Phil Harnett,

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

### 1.0 Flood Consideration – Finished Floor Level (FFL) Requirement – up to 100mm Zone

1.1 The development are located within the 'up to 100mm' area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan.

Based on the survey information provided on detailed site survey, (State Surveys Pty Ltd – Job no. 15504 – Dated 17.12.15), a minimum FFL of 100.46 would be required.

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

#### 2.0 Vehicle manoeuvrability and Carport Dimension

No assessments have been undertaken for vehicle manoeuvrability and carport Dimension due to insufficient details of the proposed building footprint on the proposed 'Site plan' dated 15/03/2017 received by Council on 22 March 2017. Therefore, it cannot be determined whether vehicles would be able to enter and exit the proposed development in a safe manner.

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

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 79 8 August 2017



#### 3.0 Verge Interaction

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

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

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

- It is recommended that revised plans indicating satisfaction to the above requirements should be provided to Council.
- 3.2 It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements
  - 100 x 50 x 2mm RHS Galvanised Steel or
  - 125 x 75 x 2mm RHS Galvanised Steel or
  - Multiples of the above.

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

#### 4.0 Driveway Access layout

A typical driveway corridor servicing the proposed rear property will normally require minimum of 3.0m wide pavement width (+ 300mm offset from fences/walls/boundary). The proposed main driveway falls short of the + 300mm offset requirement on both sides of the driveway corridor. Please refer to the attached sketch for a typical layout.

It is recommended that the driveway servicing the rear of the subject site be revised to the required dimensions indicated above. Revised plans showing a driveway that satisfies the above provisions should be provided to Council.

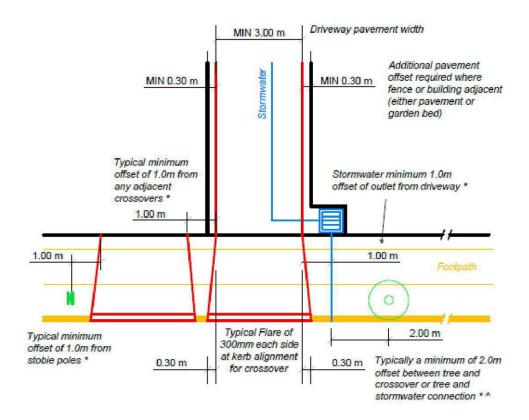
Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 80 8 August 2017



#### SINGLE DRIVEWAY ACCESS TO REAR PROPERTY



#### NOTES:

- \* Distance as measured along alignment of front property boundary
- ^ Must be deemed to comply by Council's Technical Officer (Amenity)

#### 5.0 Stormwater Detention and Quality Requirements

No stormwater detention and water quality provisions is required for the site as the proposed development does not falls under the development category requiring stormwater discharge restriction and water quality treatment.

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 81 8 August 2017

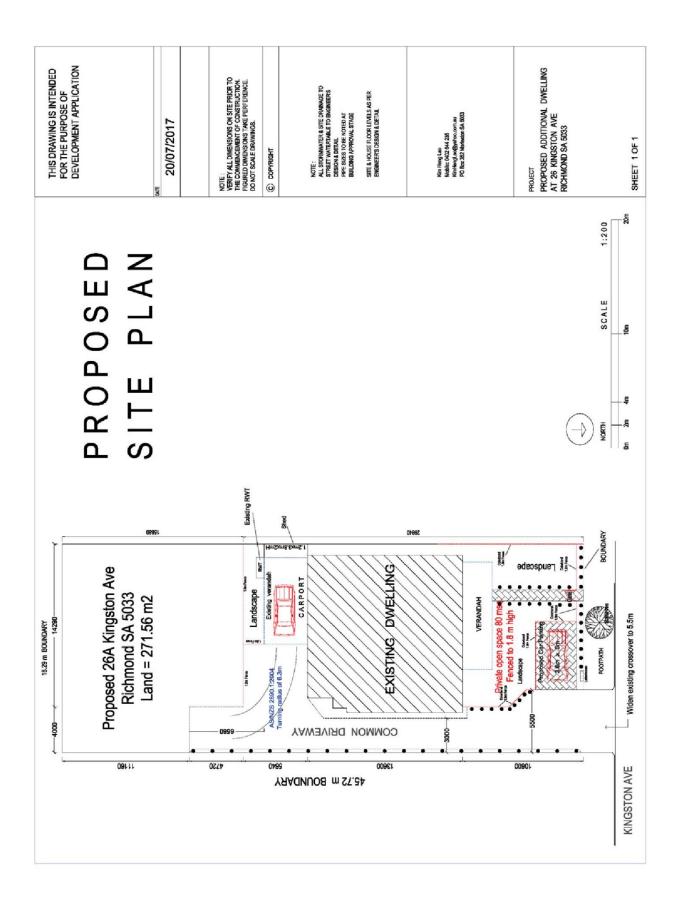


Should you require further information, please contact Jane Teng on the following direct extension number  $8416\ 6296$ 

Regards

Jane Teng Civil Engineer

Page 82 8 August 2017



Page 83 8 August 2017

#### 6.4 23a, 23b, 25a and 25b Leicester Street, WEST RICHMOND

Application No 211/391/2017 and 211/414/2017

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construct six (6) single storey detached dwellings, each with front porticos, attached rear verandahs and single garages under main roof	Land division - Torrens Title; DAC No. 211/D053/17 (Unique ID 57580); Create five (5) additional allotments
APPLICANT	Mr Harpeet Singh	Mr Harpeet Singh
APPLICATION NO	211/391/2017	211/414/2017 - (211/D053/17)
LODGEMENT DATE	05 April 2017	29 March 2017
ZONE	Residential Zone	Residential Zone
POLICY AREA	Low Density Policy Area 20	Low Density Policy Area 20
APPLICATION TYPE	Merit	Merit
PUBLIC NOTIFICATION	Category 1	Category 1
REFERRALS	Internal     City Assets - Engineering     Technical Officer - Arborist     External Arborist	<ul> <li>Internal</li> <li>City Assets - Engineering External</li> <li>Development Assessment Commission</li> <li>SA Water Corporation</li> <li>Department of Planning, Transport and Infrastructure - Maintenance Section</li> <li>Department of Planning, Transport and Infrastructure - Public Transport Division</li> <li>Department of Education and Child Development</li> </ul>
DEVELOPMENT PLAN VERSION	05 May 2016	05 May 2016
MEETING DATE	08 August 2017	08 August 2017

Page 84 Item 6.4

#### **RECOMMENDATION 1**

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 and Land Division Consent for Application No. 211/414/2017 - (211/D053/17) by Mr Harpeet Singh to undertake land division at 23a, 23b, 25a and 25b (Allotment 150) Leicester Street (CT 6038/278) subject to the following conditions of consent:

#### DEVELOPMENT PLAN CONSENT

#### **Council Conditions**

1. The development shall be undertaken in accordance with the plans and information details in this application except where varied by any condition(s) listed below.

#### LAND DIVISION CONSENT

#### **Council Conditions**

1. Prior to the issue of section 51 clearance to this division all existing structures must be removed from the allotment.

#### **Development Assessment Commission Conditions**

- 2. Payment of \$33,380 into the Planning and Development Fund (5 allotment/s @ \$6676 /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.
- 4. 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 receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers'/owners' cost to ensure that the pipework relating to each allotment is contained within its boundaries.

#### **RECOMMENDATION 2**

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. 211/391/2017 by Mr Harpeet Singh to undertake construction of six (6) single storey detached dwellings, each with front porticos, attached rear verandahs and single garages under main roof at Allotment 150 Leicester Street (CT 6038/278) subject to the following conditions of consent:

#### **Council Conditions**

1. The development shall be undertaken and completed in accordance with the plans and information detailed in the application except where varied by any condition(s) listed below.

Page 85 Item 6.4

- 2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 3. The total stormwater discharge from each dwelling shall be restricting a maximum of 3 litres per second for the critical 20 year ARI storm event.
- 4. The finished floor level of each dwelling shall be a minimum of 350mm above the highest point of the water-table adjacent to the subject site.
- 5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
- 6. That all landscaping be planted in accordance with the approved plans prior to the occupancy of the development.
- 7. The "Recommended Treatments" as per the "Aircraft Noise Assessment" dated June 2017 and prepared by 'Sonus' shall be applied to each dwelling.
- 8. Any future planting or excavation surrounding the significant tree (Corymbia Citriodora Lemon Scented Gum) shall be undertaken by hand. Any future paving surrounding the significant tree shall be pervious.

#### **BACKGROUND**

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

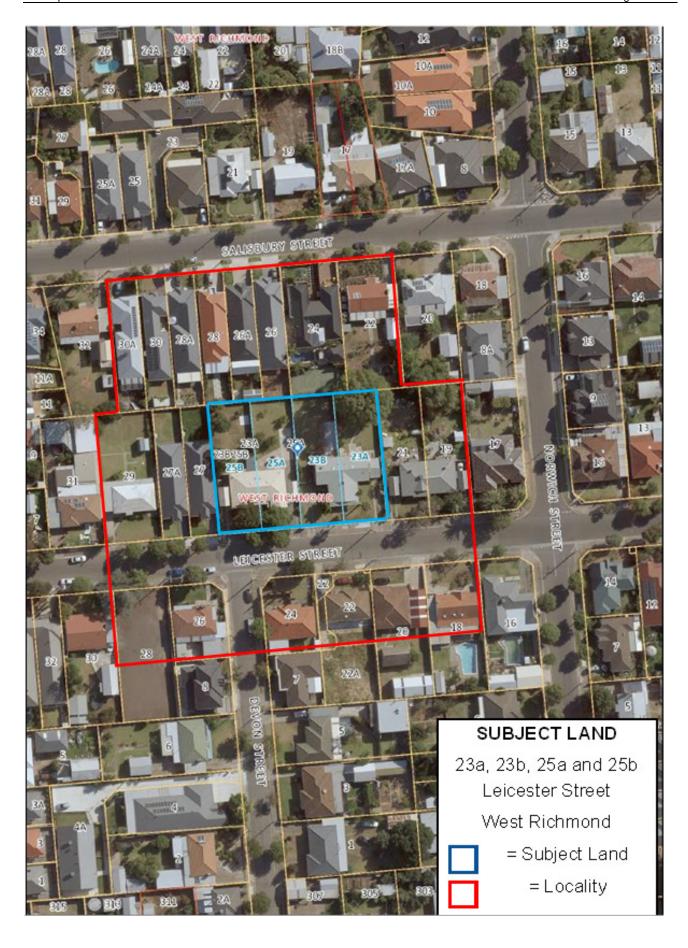
 With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.

#### SITE AND LOCALITY

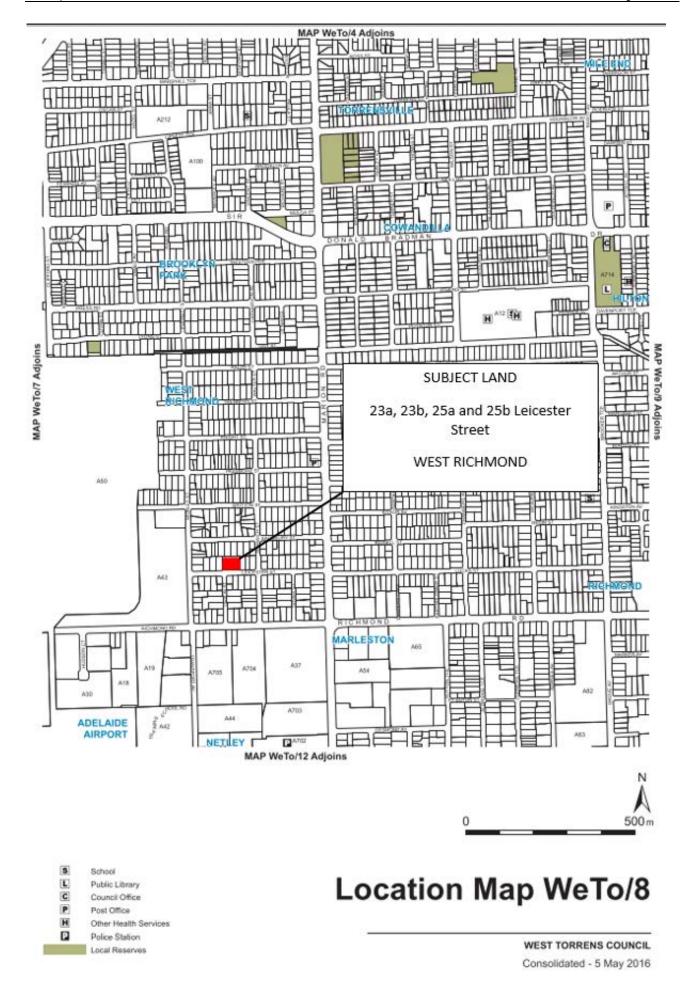
The site forms one rectangular allotment with frontage of 54.88 metres to Leicester Street and total area of 2,343 square metres. The site currently comprises four semi-detached dwellings within two buildings and a significant tree. The site is reasonably flat and is void of easements.

The locality is characterised by low-density residential development. Adelaide Airport is situated nearby at the western end of Leicester Street. The site is therefore subject to an aircraft noise exposure forecast of 25 (ANEF 25).

Page 86 Item 6.4



Page 87 Item 6.4



Page 88 Item 6.4

#### **PROPOSAL**

211/391/2017 - Six detached dwellings, each with front porticos, attached rear verandahs and single garages under main roof.

211/414/2017 - Land division, create 5 additional allotments.

A full copy of the relevant plans are attached, refer **Attachment 1** (Please note that the floor plan and elevation plan relates to each proposed dwelling).

#### **REFERRALS**

211/391/2017

#### Internal

- City Assets Engineering
- Technical Officer Arborist
- External Arborist

#### 211/414/2017

#### Internal

City Assets - Engineering

#### External

- Development Assessment Commission
- SA Water Corporation
- Department of Planning, Transport and Infrastructure Maintenance Section
- Department of Planning, Transport and Infrastructure Public Transport Division
- Department of Education and Child Development

A full copy of the relevant reports are attached, refer **Attachment 2**.

#### **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:

General Section		
Building noor Airtiolds	Objectives	1
Building near Airfields	Principles of Development Control	1, 2, 3, 4, 5 and 6
	Objectives	1 and 2
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 9, 10, 12, 13, 14, 15, 21 and 22
Infrastructure	Objectives	1, 2 and 3
	Principles of Development Control	1, 3, 4, 5, 6, 8 and 9
Land Division	Objectives	1, 2, 3 & 4
Land Division	Principles of Development Control	1, 2, 3, 4, 5, 6 and 8
Landscaping, Fences and	Objectives	1 & 2
Walls	Principles of Development Control	1, 2, 3, 4 and 6

Page 89 Item 6.4

	Objectives	1, 2, 3 and 4
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10,
Residential Development	·	11, 12, 13, 14, 15, 16, 17,
		18, 19, 20, 21, 27, 28, 29
		and 31
Significant Trees	Objectives	1 and 2
	Principles of Development Control	1, 2, 3, 4 & 5

#### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2 and 4
Principles of Development Control	1, 5, 6, 7, 8, 10, 11, 12 and 13

#### Policy Area: Low Density Policy Area 20

#### Desired Character Statement:

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

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

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

Objectives	1
Principles of Development Control	1, 2 and 5

Page 90 Item 6.4

#### **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
ALLOTMENT AREA Low Density Policy Area 20 PDC 5	340m²	Lot 1 = 390m <sup>2</sup> Lot 2 = 390m <sup>2</sup> Lot 3 = 390m <sup>2</sup> Lot 4 = 390m <sup>2</sup> Lot 5 = 390m <sup>2</sup> Lot 6 = 392m <sup>2</sup>
		Satisfies
SITE FRONTAGE Low Density Policy Area 20 PDC 4 & 5	10m	Lot 1 = 9.14m Lot 2 = 9.15m Lot 3 = 9.15m Lot 4 = 9.15m Lot 5 = 9.15m Lot 6 = 9.14m
		Does not satisfy by 8.5%
MAXIMUM NUMBER OF STOREYS Residential Zone PDC 6	Two Storeys	Lot 1 = One Storey Lot 2 = One Storey Lot 3 = One Storey Lot 4 = One Storey Lot 5 = One Storey Lot 6 = One Storey
MAXIMUM SIDE WALL HEIGHT Residential Zone PDC 6	6m (measured from the natural ground level)	Lot 1 = 2.7m Lot 2 = 2.7m Lot 3 = 2.7m Lot 4 = 2.7m Lot 5 = 2.7m Lot 6 = 2.7m
STREET SETBACK Residential Zone PDC 8	The average setback of adjacent buildings 5.85m  21 Leicester Street = 6.5m  27 Leicester Street = 5.2m	Lot 1 = 5.2m Lot 2 = 5.2m Lot 3 = 5.2m Lot 4 = 5.2m Lot 5 = 5.2m Lot 6 = 5.2m Does not satisfy by 11%

Page 91 Item 6.4

SIDE/REAR SETBACKS Residential Zone PDC 11	1m (vertical side wall 3m or less in height)	Lot 1 = 1m and 1m Lot 2 = 1m and 1m Lot 3 = 1m and 1m Lot 4 = 1m and 1m Lot 5 = 1m and 1m Lot 6 = 1m and 1m
		Satisfies
	3m (for single storey components)	Lot 1 = 9.08m Lot 2 = 9.08m Lot 3 = 9.08m Lot 4 = 9.08m Lot 5 = 9.08m Lot 6 = 9.08m
		Satisfies
PRIVATE OPEN SPACE Residential Development PDC19	60m², minimum dimension 4m for allotments between 300m² and 500m²	Lot 1 = 82.99m <sup>2</sup> Lot 2 = 83.08m <sup>2</sup> Lot 3 = 83.08m <sup>2</sup> Lot 4 = 83.08m <sup>2</sup> Lot 5 = 83.08m <sup>2</sup> Lot 6 = 82.99m <sup>2</sup> Satisfies
LANDOGADING	400/	07.00/
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4	10%	27.3% Satisfies
CARPARKING SPACES Transportation and Access PDC 34	2 car-parking spaces per dwelling, 1 covered	Lot 1 = 2, 1 covered Lot 2 = 2, 1 covered Lot 3 = 2, 1 covered Lot 4 = 2, 1 covered Lot 5 = 2, 1 covered Lot 6 = 2, 1 covered  Satisfies
STORAGE Residential Development PDC 31	8m³	Unspecified on plans  Does Not Satisfy
		Dues Not Satisty
CARPORT MAXIMUM FLOOR AREA Residential Development PDC 16	60m2	Lot $1 = 20.1m^2$ Lot $2 = 20.1m^2$ Lot $3 = 20.1m^2$ Lot $4 = 20.1m^2$ Lot $5 = 20.1m^2$ Lot $6 = 20.1m^2$
		Satisfies

Page 92 Item 6.4

CARPORT MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	Lot 1 = 2.7m Lot 2 = 2.7m Lot 3 = 2.7m Lot 4 = 2.7m Lot 5 = 2.7m Lot 6 = 2.7m Satisfies
CARPORT MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Satisfies
CARPORT MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8m or 50% of the length along that boundary, whichever is less	Lot 1 = 6.48m Lot 2 = 6.48m Lot 3 = 6.48m Lot 4 = 6.48m Lot 5 = 6.48m Lot 6 = 6.48m
CARPORT MAXIMUM FRONTAGE WIDTH Residential Development PDC 16	6m or 50% of the allotment frontage, whichever is less	Lot 1 = 3.1m Lot 2 = 3.1m Lot 3 = 3.1m Lot 4 = 3.1m Lot 5 = 3.1m Lot 6 = 3.1m

#### **QUALITATIVE ASSESSMENT**

In assessing the merits or otherwise of the application, the following matters are considered relevant as discussed under the following sub headings:

#### Land Use and Zoning

Dwellings are envisaged in the Residential Zone and detached dwellings are specifically envisaged in Low Density Policy Area 20. The proposed land use is therefore appropriate to the site and locality.

#### **Surrounding Uses**

The site is directly surrounded by residential land uses, however, the Adelaide Airport is situated nearby. Development should ensure the long-term operational, safety, commercial and military aviation requirements of the airport continue to be met. The proposal would not create a risk to the airport by way of light glare, smoke, dust, exhaust emissions, air turbulence or bird attraction.

Page 93 Item 6.4

Development within areas affected by aircraft noise should be consistent with Australian Standard AS2021 - Acoustics - Aircraft Noise Intrusion - Building Siting and Construction. The applicant has supplied an "Aircraft Noise Assessment" prepared by 'Sonus' that recommends particular building treatments to ensure compliance with the Australian Standard. The report was based on the dwelling proposed on allotment 3, however, these treatments would be applicable to all proposed dwellings. Should planning consent be granted, a condition requiring all dwellings to achieve the relevant Australian Standard is reasonable.

#### **Bulk and Scale**

Each dwelling would comprise the same façade, however, would be of a low-scale with 2.7 metre high eaves and a conventional roof pitch. Single car garage doors are 2.1 metres wide and less than 50% of each façade to prevent dominance. Each dwelling would have a colorbond roof with rendered façade walls. The proposed front setback allows for landscaped areas.

Although repetitious, each dwelling is of a low bulk and scale resulting in an acceptable form.

#### **Storage**

A dwelling should incorporate a minimum storage area of 8 cubic metres within a non-habitable room of the dwelling, a garage, carport or outbuilding. The applicant has not specified a dedicated storage area on the floor plans, however, it is acknowledged that each dwelling would have excess private open space to accommodate a future outbuilding if occupants required.

#### **Stormwater**

Stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in an environmentally sensitive manner.

Stormwater from each allotment would be drained and discharged to Leicester Street via a grated sump designed to detain and slow stormwater discharge. As such, stormwater would not discharge onto other private property and would be safely and efficiently drained to the water-table.

#### **Significant Tree**

A significant tree (Corymbia Citriodora - Lemon Scented Gum) with a combined trunk circumference of 3.49 metres exists on the site. As such, the application was referred to Council's external arborist for comment.

The tree is not indigenous to the area and has poor structure and a reduced life expectancy. Removal of the tree is not proposed, however, Council's external arborist would currently support its removal if an application were lodged.

The proposal would encroach into the TPZ (Tree Protection Zone) by 1.11%, however, is not likely to impact the tree's health. The proposal would be situated outside the SRZ (Structural Root Zone) and therefore the presence of structural roots beneath proposed foundations is highly unlikely. Council's external arborist recommends that any future landscaping surrounding the tree be undertaken by hand and that any future paving be pervious.

The significant tree would be preserved and the proposal reasonably allows for the tree's conservation. The proposal would have an acceptable effect on the health of the significant tree and the proposed land division would not result in a substantial tree-damaging activity occurring.

Page 94 Item 6.4

#### **Land Division**

Proposed allotments achieve minimum allotment areas.

All proposed allotments fail to achieve the minimum 10 metre frontage requirement. Notwithstanding this, the applicant has demonstrated that the reduced frontage width is capable of supporting detached dwellings that achieve other relevant Development Plan criteria. This has been confirmed via development number 211/391/2017.

In addition, it is acknowledged that proposed frontages would match those neighbouring the site at 27 and 27a Leicester Street whose frontages are 9.15 and 9.14 metres, respectively. Narrow frontages are also established at 26, 26a, 28, 30 and 30a Salisbury Street which abut the site to the north.

Given the frontage shortfall is marginal, the proposed allotments would not diminish the presentation of the Leicester Street streetscape.

#### **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 05 May 2016 and warrants Development Plan Consent.

#### **Attachments**

- 1. Proposal Plans
- 2. Referral Reports

Page 95 Item 6.4



Land division application: 211 / D / 17 SHEET 1 OF 1 SHEETS City of West Torrens 2343m<sup>2</sup> Total area of site: No. of existing allotments: No. of proposed allotments: 6 No. of additional allotments: 5 Subject land details: Allotment 150 in D80706 Site Address: 23a - 25b Leicester Street West Richmond Adelaide Title(s): C.T. 6038 / 278

Annotations:

All measurements in metres unless shown otherwise. Do not scale drawing. Original sheet size is A3.

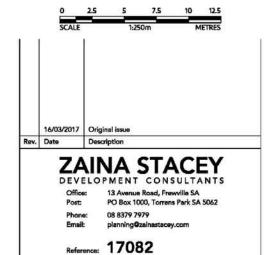
Always check the current certificate(s) of title for any easement(s) and annotations(s) that affect the within

Refer to the building plans for the proposed dwelling(s). @wder/developer or building designer to advise if the configuration of the dwellings change in any form.

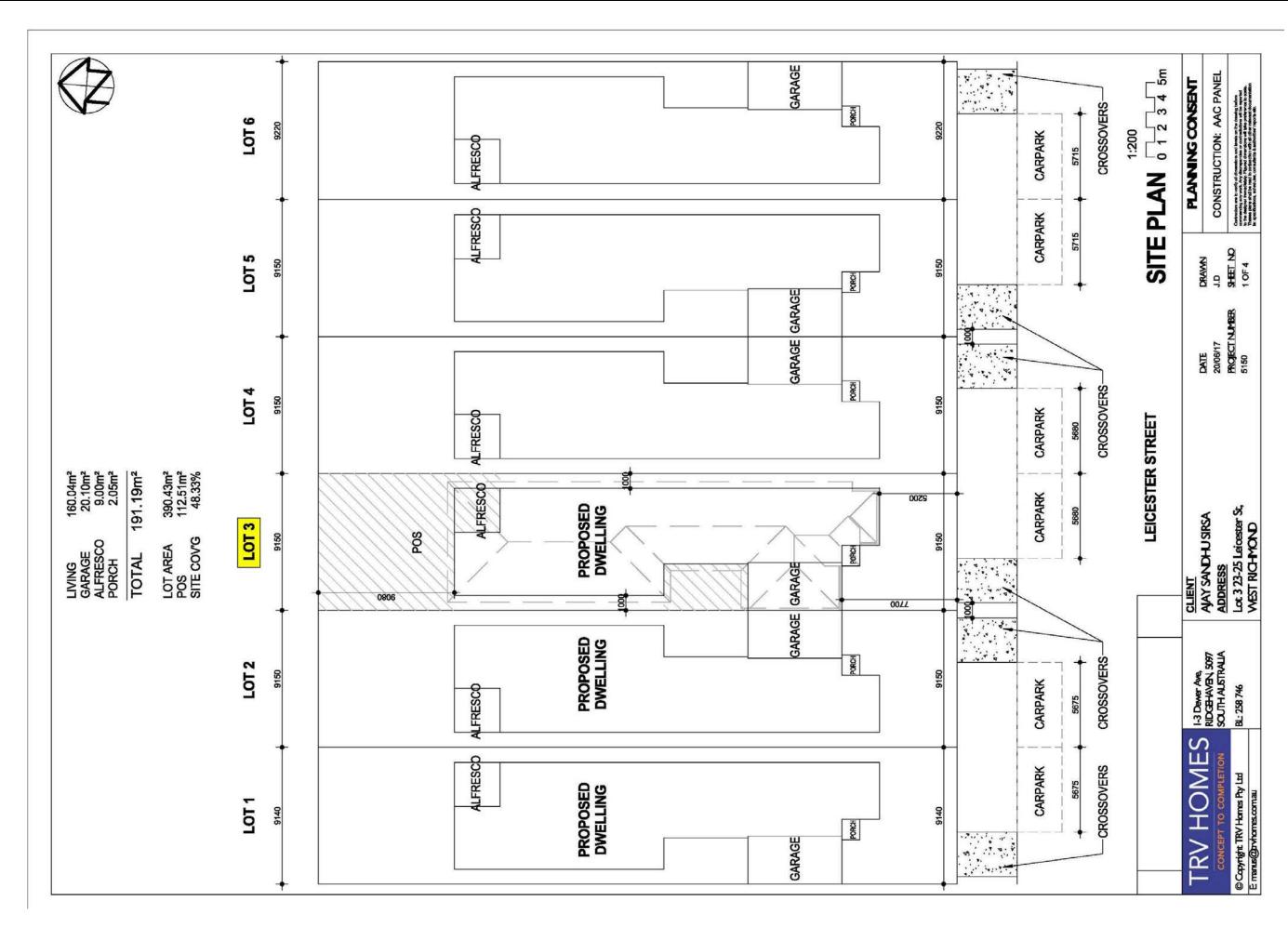
All existing structures are to be demolished. Owner or developer to apply to Council for demolition approval.

Owner or developer to provide a position for the new water meter(s).

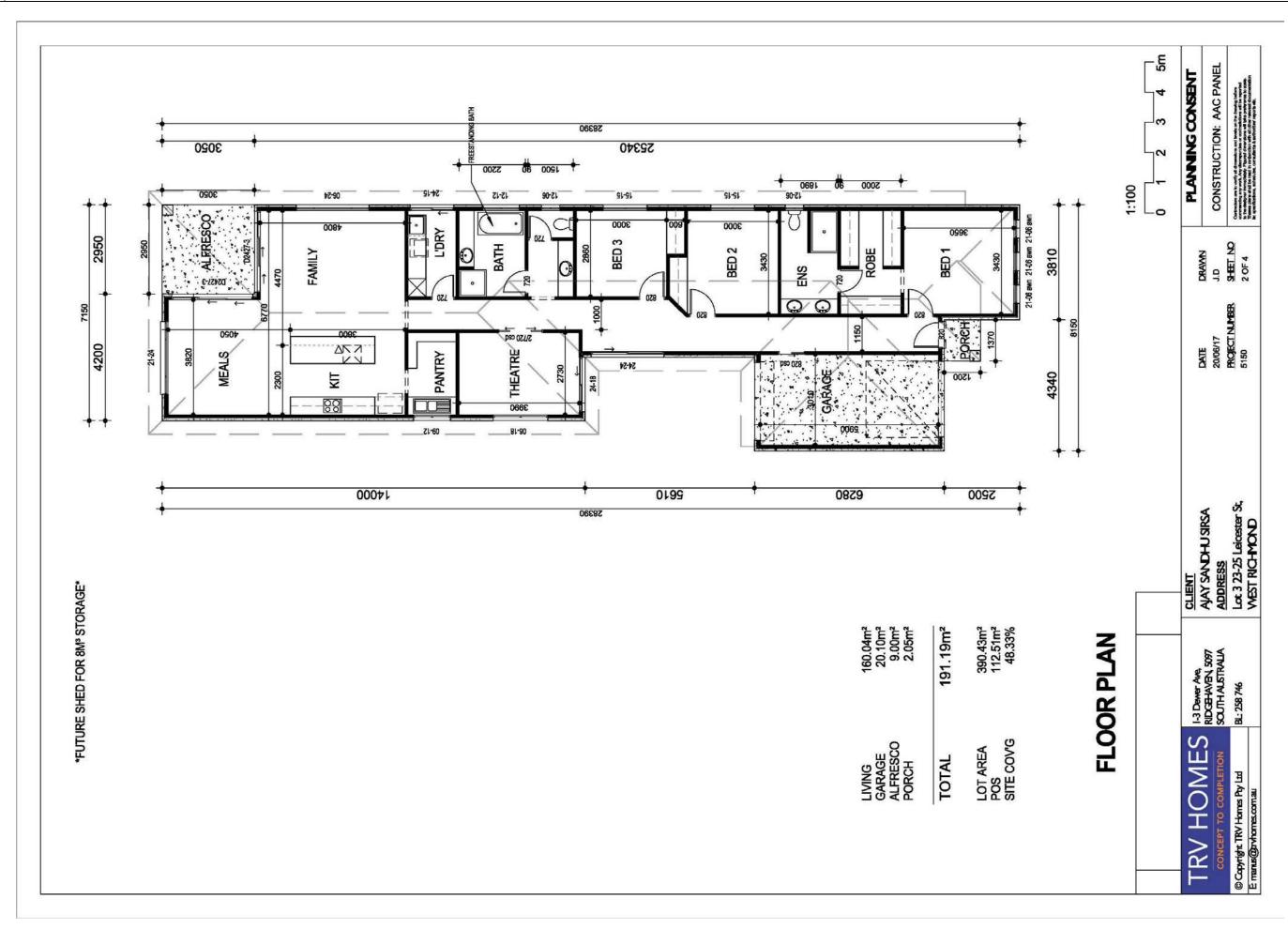
SA Water Contact Details Michael Zaina Zaina Stacey Pty Ltd Phone 8379 7979



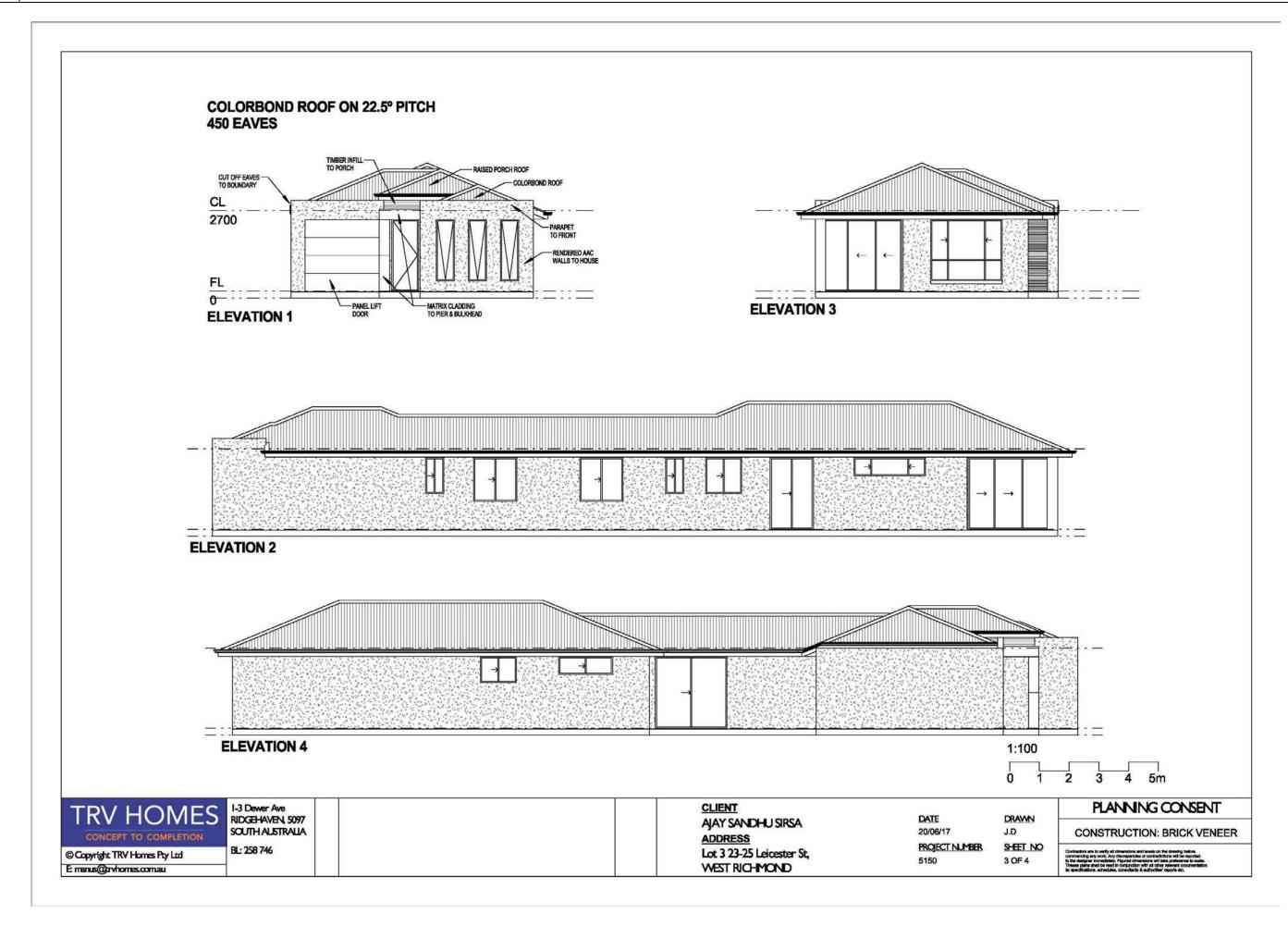
Page 96 8 August 2017



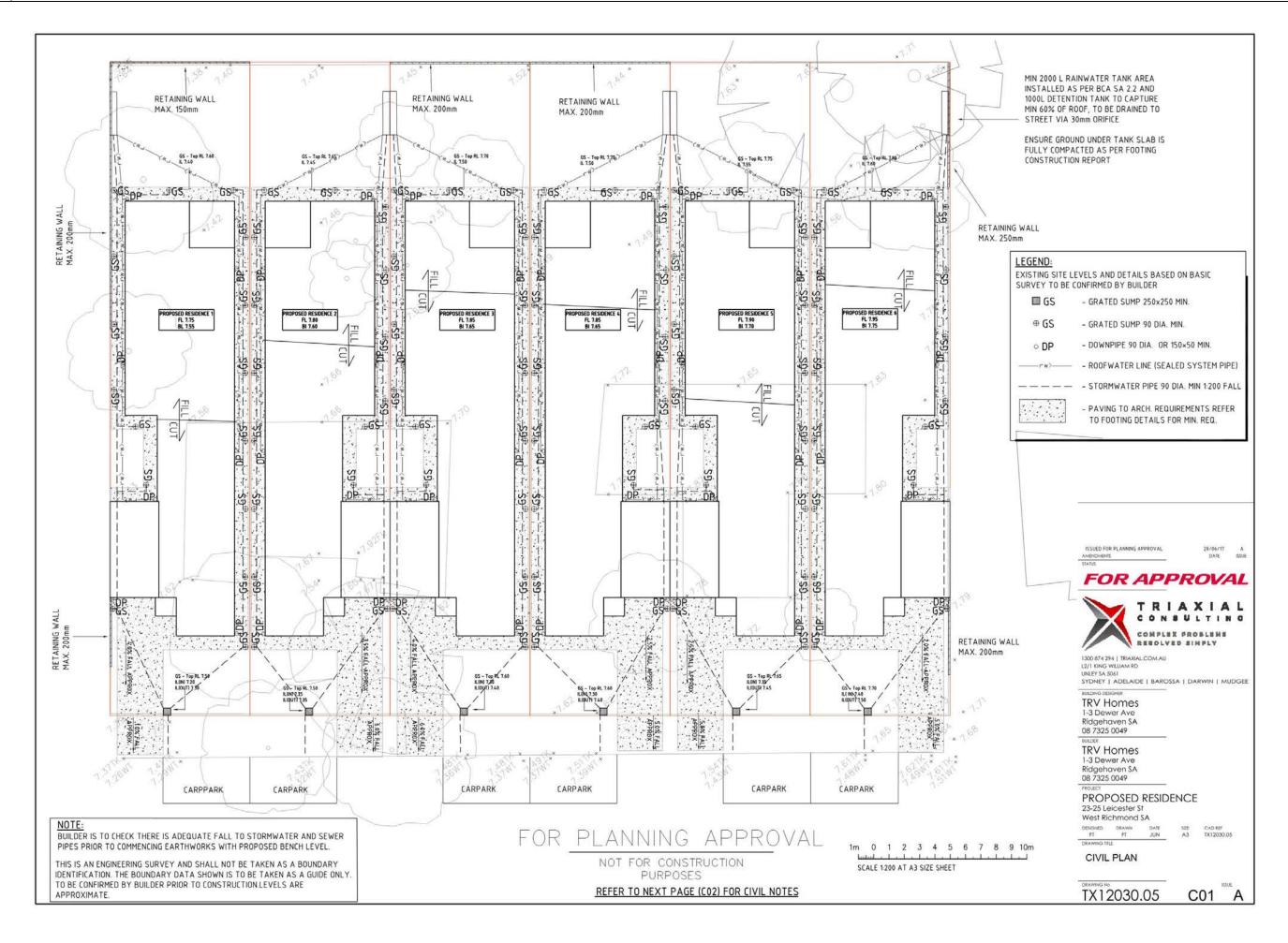
Page 97 8 August 2017



Page 98 8 August 2017



Page 99



Page 100 8 August 2017

## 23 - 25 Leicester Street

Aircraft Noise Assessment

June 2017

# sonus.

Jason Turner Associate Phone: +61 (0) 410 920 122 Email: jturner@sonus.com.au www.sonus.com.au

Prepared by
Jason Turner (MAAS)

Reviewed by Chris Turnbull (MAAS)

Page 101 8 August 2017



#### INTRODUCTION

An aircraft noise assessment has been made of the proposed residential subdivision and development at 23 – 25 Leicester Street, West Richmond.

The proposal comprises the sub-division of the existing land, removal of the existing dwellings and construction of 6 new dwellings.

The subject site is not in the "area affected by aircraft noise" in the City of West Torrens Development Plan, however the West Torrens Council (Council) has requested an acoustic assessment of aircraft noise be conducted to determine the extent of acoustic treatment required to achieve the relevant Australian Standard.

The assessment has been based on the following:

- TRV Homes site plan and architectural drawings with project number "5150", and dated 20 June 2017; and
- Australian Standard 2021: 2015 Acoustics Aircraft noise intrusion Building siting and construction (the Standard).

Page 102 8 August 2017

Page 2



#### CRITERIA

#### **Development Plan**

The City of West Torrens Development Plan (the Development Plan) locates the subject site within a Residential Zone, and outside the designated "area affected by aircraft noise". Notwithstanding this, Council has requested (refer 'matter 4') that any building work on the site is conducted in accordance with the Australian Standard 2021: 2015 Acoustics – Aircraft noise intrusion – Building siting and construction (the Standard).

#### The Standard

The Standard is not mandatory, but provides guidance for the extent of noise reduction required to provide acceptable indoor noise levels at sites exposed to aircraft noise. The standard classifies land for noise sensitive development as either:

- · unconditionally acceptable, without any need to upgrade building facades;
- · conditionally acceptable, with specific upgrades to building facades; or,
- unacceptable, subject to the planning authority.

The Standard uses a descriptor known as the ANEF (Australian Noise Exposure Forecast) to objectively determine the classification. Any site with an ANEF greater than 25 is considered to be "unacceptable" by the Standard for residential development. The proposed site is in the ANEF 25-30 contour.

Where the Standard considers the site to be conditionally acceptable or "where the relevant planning authority determines that any development may be necessary within existing built-up areas designated as unacceptable", the Standard recommends that the following maximum internal noise level criteria be achieved:

Table 1: Aircraft noise criteria inside a house based on Australian Standard AS2021

Type of room	Indoor Design Sound Level (dB(A))
Bedrooms (and dedicated lounges)	50
Other Habitable Spaces	55
Bathrooms, Laundries	60

Page 3

Page 103 8 August 2017

# sonus.

In practice, the above levels cannot be achieved with reasonable and practicable building measures for all departure and arrival flights.

Therefore, any such assessment requires consideration of the following factors:

- The proposed site is located in an area considered to be unacceptable for residential development by the standard;
- Even with measures which are well in excess of typical building construction methods, the internal noise levels in all rooms are not expected to practically achieve the recommended internal noise levels of the Standard for international aircraft.
- In contrast:
  - the site is not within the "area affected by aircraft noise" of the City of West Torrens
     Development Plan;
  - the site contains existing dwellings and is located in a "built-up" residential area and a complimentary residential zone which promotes further dwellings;

Based on the above, the report identifies the extent of noise reduction treatment required to achieve the Standard for all domestic aircraft, being the predominant impact at the site.

Page 104 8 August 2017

Page 4



#### **ASSESSMENT**

The Standard defines a method of calculating the maximum aircraft noise at a site based on the type of aircraft and the distance of the site from the flight path. This method enables consideration of all aircraft which might affect the site.

Based on the Standard, the following noise levels are predicted at the site:

- · maximum of 87 dB(A) for an international flight (Boeing 777 take-off); and
- maximum of 85 dB(A) for a domestic flight (Boeing 737-800 take-off).

Whilst the recommended treatments have been based on domestic flights, being the vast majority of aircraft which pass the site, the limited number of international flights are only higher in design noise level by a margin of 2 dB(A). A difference of 2 dB(A) can be subjectively described as "just noticeable".

The above noise levels have been supplemented with a noise spectrum measured from a Boeing 737 flyover (the spectrum provides more finite data which assists in the detailed design of each building element) and used to determine the acoustic treatment measures required to achieve the Standard for all domestic flights.

The recommended treatments have been based on the proposed layout of the dwelling on "Lot 3" of the subdivision. It is noted that if the dwelling layouts on the other lots are different to this, the treatment requirements may vary.

#### **Recommended Treatments**

The following noise reduction treatments will ensure internal noise levels in the dwelling on Lot 3 achieve the requirements of the Standard for all domestic flyovers:

- Construct the external walls from 75mm thick Hebel "Powerpanel" (or the acoustic equivalent), with 92mm wide internal studs, 75mm thick insulation (with minimum density of 14 kg/m³) installed in the cavity, and the following internal linings:
  - o 1 layer of 13mm thick plasterboard in the Entry corridor, Laundry, Bath and Ensuite; and
  - 2 layers of 13mm thick pasteboard in all other areas.
- Use 44mm thick filled core doors for the porch and garage entry doors and incorporate acoustic seals, such as Raven "RP8Si" and "RP10", into the thresholds and door frames respectively.

Page 5

Page 105 8 August 2017

## sonus.

- Construct the roof such that it comprises a pitched frame with sheet metal cladding (with minimum thickness of 0.4mm), 75mm thick glass or mineral fibre insulation installed in the cavity (with minimum density of 14 kg/m³), and the following ceiling constructions:
  - o 1 layer of 10mm thick plasterboard in the Laundry, Bath and Ensuite; and
  - o 2 layers of 13mm thick plasterboard in all other areas.
- Construct glazed windows and sliding doors using the following glazing, installed in a system with acoustic seals which provide an airtight seal when closed:
  - o minimum 12.5 mm thick Vlam Hush glass in the Kitchen, Meals, Family, Pantry and Bed 1;
  - o minimum 10.38 mm thick laminated glass in the Entry corridor, Theatre, Bed 2 and Bed 3; and
  - o minimum 6.38 mm thick laminated glass in the Laundry, Bath and Ensuite.

Based on the above constructions, Table 2 shows the maximum predicted internal noise levels in Lot 3 during a domestic flyover.

Table 2: Noise level during a domestic flyover

Room	Internal Nosie Level in dB(A)	Criteria in dB(A)
Bedroom 1	50	50
Bedroom 2	50	50
Bedroom 3	50	50
Family, Meals, Kitchen & Pantry	55	55
Hall & Entry	54	55
Theatre	54	55
Bath	56	60
WC	56	60
Laundry	58	60
Ensuite	56	60

It is noted that occasional international flyovers will increase the maximum external sound level by 2 dB(A) constituting a "just noticeable" difference in comparison to the design sound levels for domestic aircraft.

Page 6

Page 106 8 August 2017

Contact Telephone Planning Services 7109 7016

24th May 2017



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

Dear Sir/Madam

Re: Proposed Development Application No. 211/D053/17 (ID 57580) By Harpreet Singh

Further to my letter dated 19th April 2017 and to assist the Council in reaching a decision on this application, copies of the reports received by the Commission from agencies that it has consulted have been uploaded for your consideration.

IT IS REQUESTED PURSUANT TO SECTION 33 (1) (c) OF THE DEVELOPMENT ACT, 1993 THAT THE COUNCIL INCLUDE IN ITS DEVELOPMENT APPROVAL THE FOLLOWING REQUIREMENTS OF THE COMMISSION.

- The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0057742).
   SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non standard.
  - The internal drains shall be altered to the satisfaction of the SA Water Corporation.
- Payment of \$33380 into the Planning and Development Fund (5 allotment/s @ \$6676 /allotment).
   Payment may be made by credit card via the internet at <a href="www.edala.sa.gov.au">www.edala.sa.gov.au</a> 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.
- 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,

**Brett Miller** 

**TEAM LEADER - PLANNING SERVICES** 

as delegate of the

DEVELOPMENT ASSESSMENT COMMISSION

Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R edal

Page 107 8 August 2017



29 April 2017

Our Ref: H0057742

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000
Dear Sir/Madam

SA Water Level 6, 250 Victoria Square ADELAIDE SA 5000 Ph (08) 7424 1119 Inquiries Jennifer Allchurch Telephone 74241119

#### PROPOSED LAND DIVISION APPLICATION NO: 211/D053/17 AT WEST RICHMOND

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

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

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

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

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

Yours faithfully

Jennifer Allchurch

for MANAGER LAND DEVELOPMENT & CONNECTIONS

Page 108 8 August 2017



# Memo

 To
 Phil Harnett

 From
 Jane Teng

 Date
 9/05/2017

Subject 211/391/2017, 23A, 23B, 25A & 25B Leicester Street, WEST RICHMOND

SA 5033

#### Phil Harnett,

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

In accordance with the provided 'Drainage Plan' (AZZ Homes Pty Ltd – Drawing Number 01 Of 06 – Dated 31/3/2017 the FFLs of the proposed development (7.9 and 8.0 minimum) have been assessed as satisfying minimum requirements (7.86 minimum) in consideration of street and/or flood level information.

# 2.0 Verge Interaction (with street tree) and Driveway Access.

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).

Please refer sketch 1.0 below for proposed verge interaction from Council. The driveway crossover to each house required is at minimum of 3.0m wide (+300mm flares on each side at kerb alignment for crossover). A driveway access shall be constructed as near as practicable to 90 degrees to the kerb alignment and must be situated wholly within the property frontage.

It has been proposed by the development applicant for the utilisation of the existing driveway crossover for proposed House 1, House 3, House 4 and House 6. In order to meet with the minimum offset distances as mentioned above, it is recommended for the driveway crossover from House 2,3,4,5 and 6 to be readjusted to facilitate streetscape fronting this development such as

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

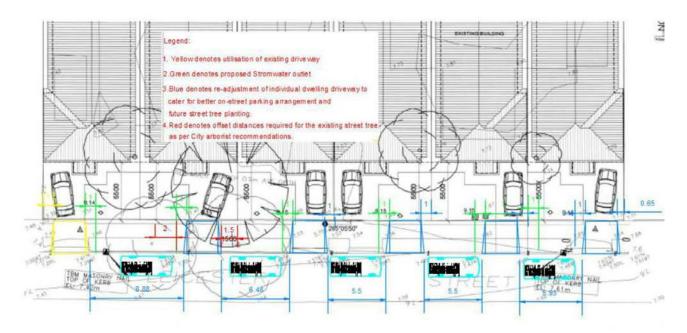
E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 109 8 August 2017



the preservation of on-street parking arrangements and provisions for future street tree plantings.

Proposed House 2 crossover will require the minimum 3.0m offset to its western side and 1.5m to its eastern side to allow sufficient clearances to the existing street tree as depicted in Sketch 1.0 below. It is recommended for the proposed garage system for House 4 to be 'swap' to the eastern side of the property.



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.

Civic Centre 165 Sir Donaid Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Webalte westtomens.sa.gov.au

Page 110 8 August 2017



#### 3.0 Garage Dimensions and Setback

Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), the internal garage length proposed as 5.80m meets the minimum internal length of 5.80m as specified in the traffic engineering best practice guides of an enclosed garage or enclosed carport space.

The garage setback of 5.5m minimum length from the property boundary has also been maintained.

#### 4.0 Vehicle Manoeuvrability

It is recommend that the elements of the vehicle manoeuvrability within this development to be undertaken by the development applicant to satisfy the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004) based on the proposed driveway crossover adjustments proposed by Council.

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

# 5.0 Residential Parking Requirement

Each dwelling has provided with two parking spaces, with one covered and the other as an open parking space for visitor use.

#### 6.0 Stormwater Detention (Large Residential)

As the size of allotment(s) being affected by the proposed development totals between 1000 and 4000 square metres, stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a maximum of 20 litres per second for the site critical 20 year ARI storm event. Therefore, each dwelling shall be restricting a maximum of 3L/s for the critical 20 year ARI storm event.

In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration.

It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council.

It is noted that the stormwater detention measures are in addition to the compulsory Building Code of Australia (BCA) stormwater re-use requirement

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 111 8 August 2017



that is necessary for the new dwellings. For clarity the BCA required rainwater re-use storage should also be indicated on the plans.

To encourage improved Water Sensitive Urban Design measures within the proposed development, once the necessary extent and distribution of detention storage has been acceptably calculated, Council will permit this storage to traded (on a one to one basis) and added to the compulsory BCA active stormwater re-use storage.

Should you require further information, please contact Jane Teng on the following direct extension number 8416 6296.

Regards

Jane Teng Civil Engineer

Page 112 8 August 2017

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

Development Application No: 211/391/2017

#### Referral Due Date:

Assessing Officer: Phil Harnett

Site Address: 23A, 23B, 25A & 25B Leicester Street, WEST

**RICHMOND SA 5033** 

Certificate of Title: CT-CT-6038/278, CT-6038/278, CT-6038/278, CT-

6038/278

Description of Development Construct six (6) single storey detached dwellings,

each with front porticos, attached rear verandahs

and single garages under main roof

To be completed by: TECHNICAL OFFICER ARORICULTURE – CITY WORKS

SPECIES & COMMON NAME: Corymbia citriodora (Lemon Scented Gum)

TOTAL CIRCUMFERENCE: 3490mm

MULTI-TRUNK: Yes AVERAGE CIRCUMFERENCE: 1745mm

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

#### **OBJECTIVE 1**

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

#### **OBJECTIVE 2:**

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

#### PDC 1:

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

- (a) Makes and important contribution to the character or amenity of the local area; or it No
- (b) Is indigenous to the local area and its species is listed under the National Parks and Wildlife
  Act 1972 as a rare or endangered native species

  No
- (c) Represents an important habitat for native fauna

  Yes

  (d) Is part of a wildlife corridor of a remnant area of native vegetation

  No
- (e) Is important to the maintenance of biodiversity in the local environment
- (f) Forms a notable visual element to the landscape of the local area No

#### PDC 2

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

Page 113 8 August 2017

Yes

#### PDC 3:

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

- (a) In the case of tree removal, where at least one of the following apply:
  - (i) The tree is disease and its life expectancy is short
  - (ii) The tree represents an unacceptable risk to public or private safety Yes
  - (iii) The tree is within 20metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area
- (b) The tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value

  Yes
- (c) All other reasonable remedial treatments and measures have been determined to be ineffective

  Yes
- (d) It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring. Yes
- (e) In any other case, and of the following circumstances apply:
  - (i) The work is required for the removal of dead wood, treatment of disease, or is in the general interest of the health of the tree No
  - (ii) The work is required due to unacceptable risk to public or private safety No
  - (iii) The tree is shown to be causing or threatening to cause damage to a substantial building or structure of value Yes
  - (iv) The aesthetic appearance and structural integrity of the tree is maintained Yes
  - It is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring

Yes

#### PDC 4:

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

#### PDC 5

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

#### **ADDITIONAL COMMENTS:**

As requested, a site inspection was carried out on one (1) significant *Corymbia citriodora* (Lemon Scented Gum) located within the rear yard of 23-25 Leicester Street, West Richmond. Plans assessed include two site plans from TRV Homes dated May 2017. I provide comments as follow:

This tree is an average representative of its species due to its poor structure and reduced life expectancy resultant of the defective main stem union approx. 200mm above ground level. The separation of the main stems represents a significant structural defect. It is considered likely that the failure of these stems will ultimately occur as a result, potentially causing significant property damage to the surrounding structures.

Corymbia citriodora are not indigenous to the local area. Natural distribution occurs throughout north-eastern Australia in Queensland and New South Wales. However, they represent an important part of the local habitat for the foraging/ shelter of native fauna.

The Structural Root Zone (SRZ) is the area around a tree required to protect the tree's stability. Generally, no development activities are permitted within this zone. To calculate this zone, a measurement is made of the diameter of the main stem, when measured just above the root buttress. Using the formula contained within the Standard:  $(D \times 50)^{0.42} \times 0.64 = SRZ$ ; the following calculations have been made:

Page 114 8 August 2017

SRZ =  $(1.18 \times 50)^{0.42} \times 0.64 = 3.55$  metres measured as a radius from the centre of the tree base.

The TPZ or Optimal Tree Protection Zone is the principal means of protecting the tree and is calculated using the formula TPZ = DBH (diameter @ 1.4 metres above ground level) x 12. The following calculations have been made:

TPZ = 0.78 x 12 = 9.36 metres measured as a radius from the centre of the tree base.

This creates a TPZ area of 275.23m2. As per the site plan, the development proposal states that the existing dwelling will be demolished and 6 additional single-storey units will be created. The closest point of this construction will be from Unit 6, 8.7 metres south from the centre of the subject tree. Therefore, the incursion area into the TPZ will be 3.06m2 which creates an encroachment of only 1.11%.

Due to their harsh natural growing conditions, *Eucalyptus* are a relatively deep rooted species tolerable of soil disturbances. The encroachment is less than the recommended 10% and is not likely to impact tree health. As proposed construction is to take place outside the Structural Root Zone (SRZ) of the subject tree and only encroach a small percentage into the TPZ, the presence of structural roots beneath the proposed foundation area is highly unlikely.

Site plans also indicate that paving and landscaping works will be undertaken between the proposed dwellings and northern boundary fence. This will be within the prescribed TPZ of the subject tree, and as such alternative construction methods must be implemented to ensure minimal adverse effects on tree health. The proposed paving area should be constructed with pervious pavers laid on a profile specifically designed for use around trees. This profile allows the movement of air and moisture into the organic soil beneath assisting in the preservation of the root environment.

Details for landscaping works have not been provided, however I strongly recommend undertaking this work by hand as construction machinery such as bobcats and excavators have the potential to cause significant soil compaction which can result in long- term damage to the trees root system.

It is apparent that consideration has been undertaken during the design phase of this project to prevent tree-damaging activities. The current development plans are in accordance with Australian Standard 4970-2009 'Protection of Trees on Development Sites'.

Having given consideration to the findings and observation made; I conclude that the potential for impacts to the neighboring tree is defined as low, if the above design methodologies and recommendations are followed. Due to the defects present, consideration must also be given to the possible removal of this tree to allow for replanting of more suitable trees; particularly due to the proposed confined area in which it will be located.

RECOMMENDATION: REMOVE

Jarrad Allen

CALYPSO TREE CO

DATE: 24/07/17

Page 115 8 August 2017

# PHOTO's ATTACHED:





Figures 1 & 2: Showing the subject tree when viewed from the south and a close-up of the defective main stem union.

Page 116 8 August 2017

# **Arboricultural Assessment of Street Trees**

Development Application No: 211/391/2017

REFERRAL DUE DATE: 5 May 2017

Assessing Officer: Jessica Grima

Site Address: 23A, 23B, 25A & 25B Leicester Street, WEST

**RICHMOND SA 5033** 

Certificate of Title: CT-6038/278, CT-6038/278, CT-6038/278, CT-

6038/278

Description of Development Construct six (6) single storey detached dwellings,

each with front porticos, attached rear verandahs

and single garages under main roof

#### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

	The removal of or impact upon the Street Tree		
	Species of Tree:		
	Your advice is also sought on other aspects of the proposal as follows:		
PLANNING	G OFFICER - Jessica Grima	DATE	19 April 2017

#### 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 and development 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 across council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless otherwise negotiated) and must be indicated/documented for approval by City Works.

A site investigation has revealed and together with the information provided that the location of the proposed crossover for House 2 on Leicester Street will impact on an existing Lophostomen confertus (Queensland brush box) street tree.

Page 117 8 August 2017

It is noted that based on the current plan set submitted by A 2 Z homes, Drawing No 6, Job B2/2017, Dated 31/3/2017 there is a nominated offset of 1.5m from the street tree and in this instance City Works will support this reduced offset.

As a result of the proposed crossover for House 2 located on Leicester Street, City Works will support a proposal with an offset of 1.5m from the *Lophostomen confertus* (Queensland brush box) street tree.

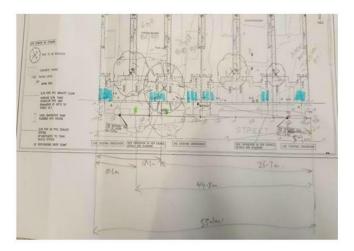
Please note, under no circumstances is any individuals other than council staff permitted to interfere with a street tree. If pruning etc. is required, council <u>must</u> be notified via the appropriate customer request, and council will perform all works associated with that community asset.

Final crossover locations will be confirmed once appropriate consultation has been received from the applicant in the form of "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: 4/05/2017



Page 118 8 August 2017

# 6.5 16 Herbert Road, ASHFORD

Application No 211/1451/2016/A

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of a two-storey, residential flat building comprising four (4) dwellings and the demolition of all existing structures - Variation to authorisation previously given - addition of balcony to Dwelling 4 and storage sheds associated with each dwelling
APPLICANT	Access Planning
APPLICATION NO	211/1451/2016/A
LODGEMENT DATE	4 July 2017
ZONE	Residential
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal  Nil External Nil
DEVELOPMENT PLAN VERSION	30 May 2017
MEETING DATE	08 August 2017

# **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. 211/1451/2016/A by Access Planning to undertake Construction of a two storey residential flat building comprising four (4) dwellings and the demolition of all existing structures - Variation to authorisation previously given - addition of balcony of Dwelling 4 and storage sheds associated with each dwelling at 16 Herbert Road, Ashford (CT5528/407) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

# **Council Conditions**

- 1. That all conditions of development plan consent for development application 211/1451/2016 granted on 13 June 2017 where relevant shall remain applicable.
- 2. That the development shall be undertaken and completed in accordance with the plans and information stamped with Development Plan Consent on 8 August 2017 as detailed in this application.

Page 119 Item 6.5

#### **BACKGROUND**

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

 A condition of the sub-delegation under section 39(7) of the Development Act 1993 only allows for variation applications to be determined by the original assessing officer. In this instance the Development Assessment Panel granted the Development Plan Consent for the original development application 211/1451/2016 on 13 June 2017.

# PREVIOUS OR RELATED APPLICATION(S)

DA 211/1451/2016 - Construction of a two storey residential flat building comprising four (4) dwellings and the demolition of all existing structures - Development Plan Consent Granted.

## SITE AND LOCALITY

The subject land is described as Allotment 40 Deposited Plan 2945 in the area named Ashford Hundred of Adelaide, as contained in Certificate of Title Volume 5528 Folio 407. The land is more commonly known as 16 Herbert Road, Ashford.

The subject land is a rectangular shaped allotment of 892m<sup>2</sup> in area, located on the western side of Herbert Road, just south of the Syme Street and Herbert Road intersection. The land has a street frontage of 18.288m and depth of 48.77m. The land currently contains a contemporary 1970s style dwelling, with dwelling additions to the rear, outbuilding, carport and swimming pool.

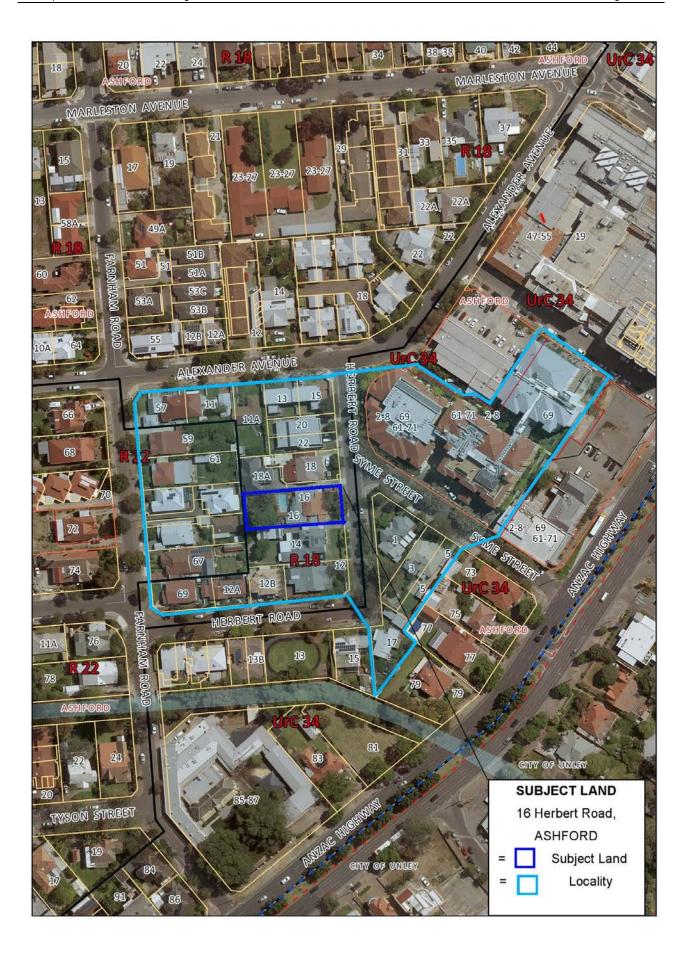
There is one mature street tree (Flowering Gum) and a stobie pole adjacent the subject site within the verge. Currently vehicle access to the land is gained via two (2) existing crossovers, one of which is a double width and the other single width.

The subject land is located within the Residential Zone, and more specifically Medium Density Policy Area 18. The land is located directly adjacent the Urban Corridor Zone (Boulevard Policy Area 34), and the rear boundary abuts the Residential Zone, Ashford Character Policy Area 22.

The existing locality consists primarily of residential uses that vary in type and building era, making for an eclectic land pattern and streetscape. Some residential types that exist within the locality include detached dwellings, single and double storey semi-detached dwellings, group dwellings and retirement living homes in the form of multi-storey apartments (three levels).

The site and locality are shown on the following maps.

Page 120 Item 6.5



Page 121 Item 6.5



Page 122 Item 6.5

#### **PROPOSAL**

The applicant seeks to vary the consent granted on 13 June 2017 for the original development application 211/1451/2016. This application will involve the following changes to the original development application:

- Inclusion of storage shed associated with Dwelling 1, 2 and 3 measuring 1.6 metres by 2.3 metres and 2.1 metres high.
- Inclusion of a storage shed associated with Dwelling 4 measuring 1.5 metres by 1.8 metres and 1.8 metres high.
- Construction of a balcony on the upper level of Dwelling 4, located off of the Retreat Area on the northern elevation of the building.

See Attachment 1 for the amended plans and details.

#### **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 Residential Zone, Procedural Matters.

#### **REFERRALS**

Nil

## **ASSESSMENT**

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

General Section		
	Objectives	1
Crime Prevention	Principles of Development Control	1, 2, 3, 6, 7& 8
	Objectives	1 & 2
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 16, 21, 22 & 23
	Objectives	1 & 2
Energy Efficiency	Principles of Development Control	1, 2 & 3
	Objectives	1, 2, 3 & 4
Land Division	Principles of Development Control	1, 2, 4, 5, 6 & 8
	Objectives	1 & 2
Landscaping, Fences and Walls	Principles of Development Control	1, 2, 3, 4, 6
	Objectives	1, 2 & 4
Medium and High Rise Development (3 or More Storeys)	Principles of Development Control	1, 2, 3, 4, 5, 7, 12 & 13

Page 123 Item 6.5

	Objectives	1, 2, 3, 4 & 5
Orderly and Sustainable Development	Principles of Development	1& 3
	Control	
	Objectives	1, 2, 3, 4 & 5
	Principles of Development	1, 4, 5, 7, 8, 9, 10,
Residential Development	Control	11, 12, 13, 14, 16,
		18, 19, 20, 21, 22,
		28, 30, 31, 32 & 33
	Objectives	2
Transportation and Access	Principles of Development	1, 2, 8, 9, 11, 23, 24,
	Control	30, 34, 35, 36, 37 &
		44

# Zone: Residential Zone

## **Desired Character Statement:**

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

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

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

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

Objectives	1 - 4
Principles of Development Control	1, 4, 5, 6, 7, 10, 11, 12, 13 & 14

Page 124 Item 6.5

# Policy Area: Medium Density Policy Area 18

## **Desired Character Statement:**

"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.

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.

Buildings on the edge of the policy area which adjoin residential policy areas at lower densities will pay particular attention to managing the interface with adjoining dwellings, especially in terms of the appearance of building height and bulk, and overshadowing.

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

Objectives	1
Principles of Development Control	1, 4, 5, 6 & 8

## **QUANTITATIVE ASSESSMENT**

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan relating to the aspects of the development that have been varied from the original consent and these are outlined in the table below:

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
PRIVATE OPEN SPACE Medium Density Policy Area 18 PDC 7	24m² with a minimum dimension of 3m	24.5m² (Allotment 704/Dwelling Lot 1)  24m² (Allotment 703/Dwelling Lot 2)  24m² (Allotment 702/Dwelling Lot 3)  24m² (Allotment 701/Dwelling Lot 4)
		Satisfies

Page 125 Item 6.5

LANDSCAPING General Section: Landscaping, Fences & Walls PDC 4	A minimum of 10 per cent of a development site	Approx. 90sqm = 10%  Satisfies
DOMESTIC STORAGE General Section: Residential Development PDC 31	8 cubic metres	12.06m3 (Allotment 704/Dwelling Lot 1)  8.86m3 (Allotment 703/Dwelling Lot 2)  8.86m3 (Allotment 702/Dwelling Lot 3)  9.19m² (Allotment 701/Dwelling Lot 4)  Satisfies

#### DISCUSSION

This proposed variation has been made to resolve the reserved matter of the Development Plan consent for development application (211/1451/2016). The reserved matter reads as follows:

"The following information shall be submitted for further assessment and approval by the City of West Torrens as reserved matters under Section 33(3) of the Development Act 1993:

1. Evidence of 8m³ of Domestic storage shall be provided for each proposed dwelling".

The proposal addresses the abovementioned reserved matter whilst not causing any deficiencies with regard to other aspects of the development. The amount of private open space that will remain after the addition of the storage sheds will still be adequate and satisfy the Principles of Development Control relating to private open space (General Section, Residential Development Principle of Development Control (PDC) 18, 19, 20, 21 & 23). The domestic storage shed associated with Dwelling 4 is reduced in height, so that it will not be visible from the public realm.

The addition of the balcony to the upper level of Dwelling 4 will not reduce the visual privacy of the adjoining properties. The proposal includes a screen to 1.7 metres high above the upper floor level which will mitigate overlooking (General Section, Residential Development PDC 27).

#### **SUMMARY**

This application will not dramatically alter the original proposal and it is considered to be consistent with the nature of the original consent. Sufficient domestic storage will now be provided for future occupants of the dwellings in a manner that will conserve the functionality of the overall development.

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

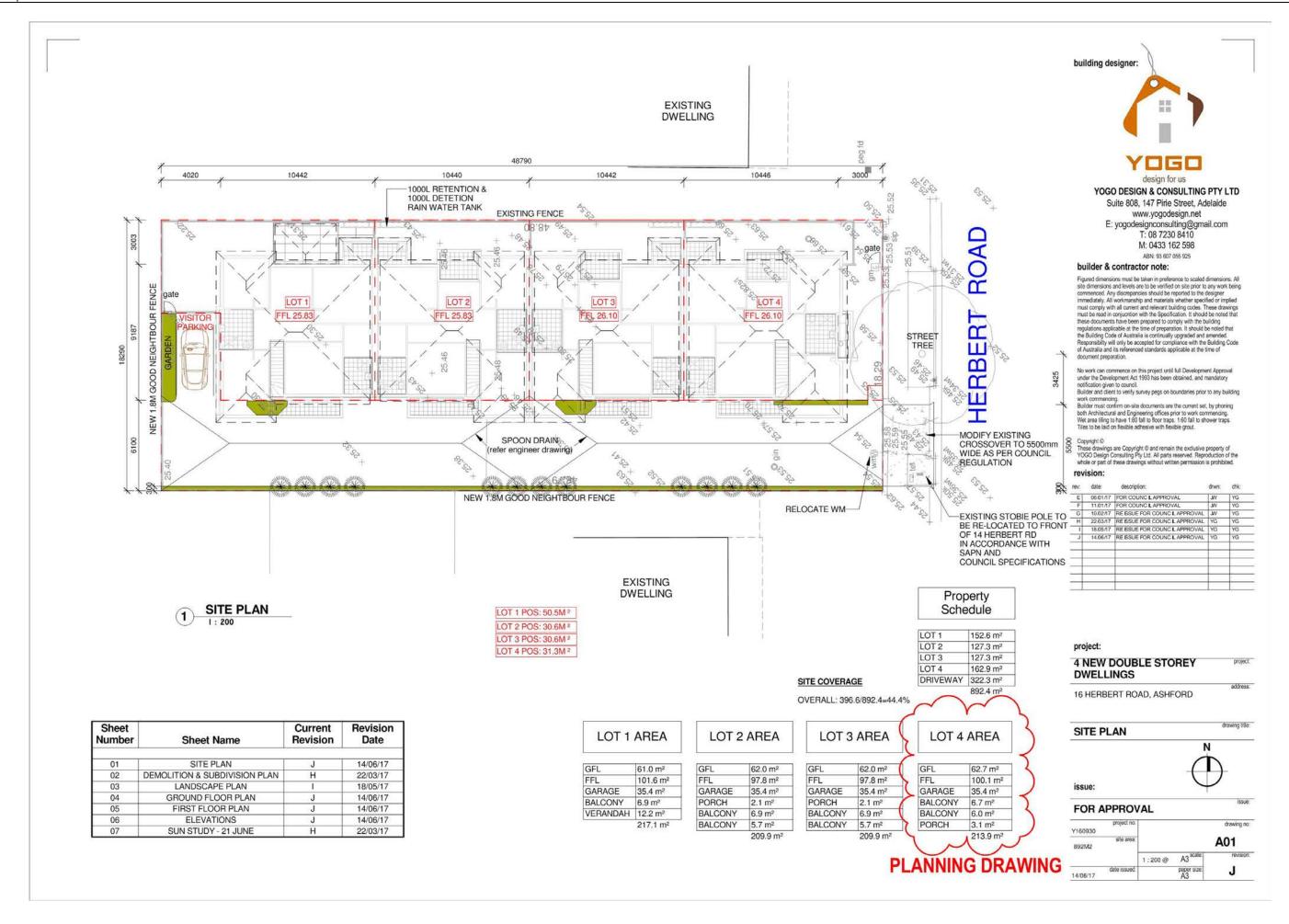
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 30 May 2017 and warrants Development Plan Consent.

#### **Attachments**

# 1. Amended Plans and Details

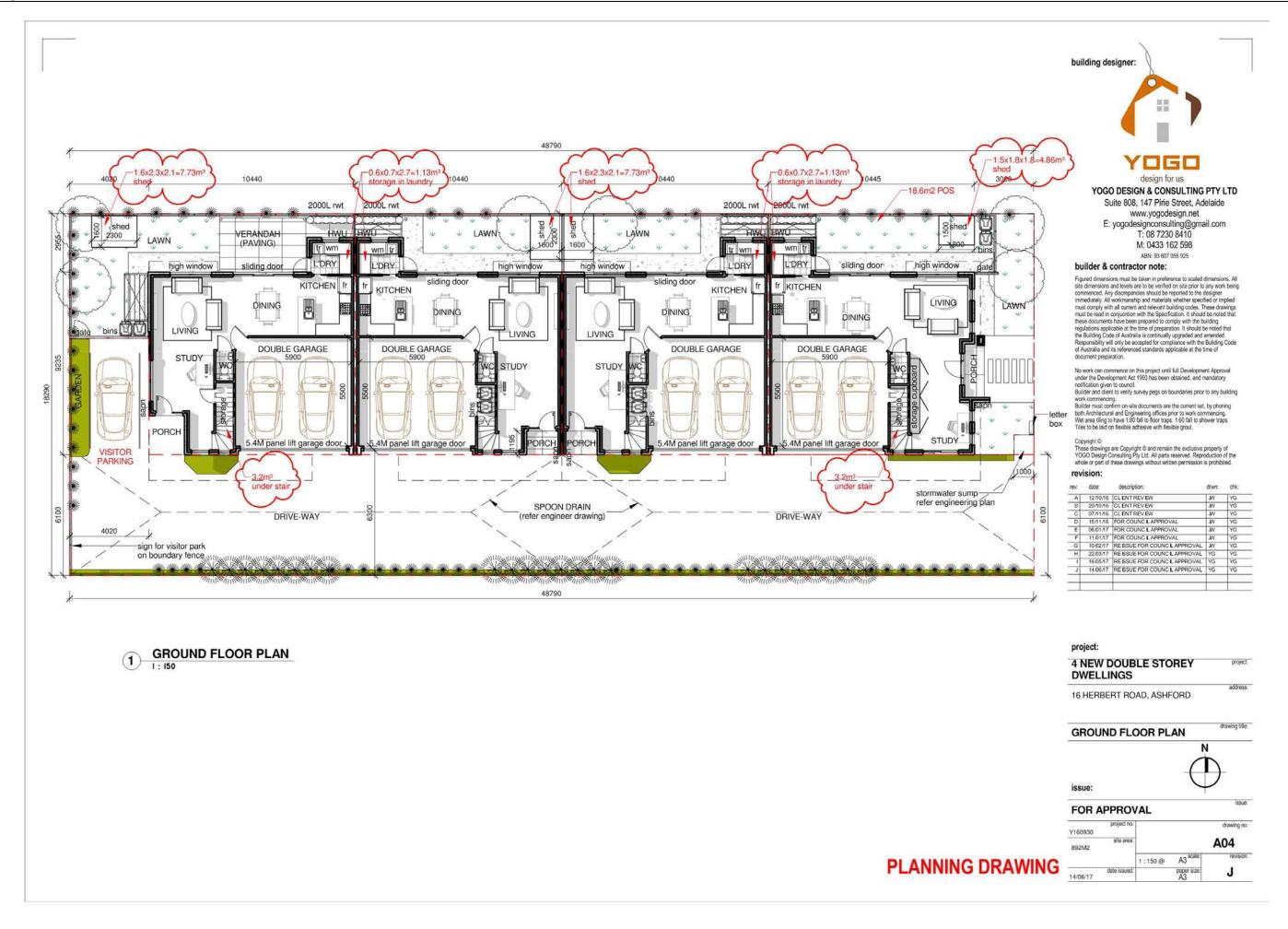
Page 126 Item 6.5

Development Assessment Panel



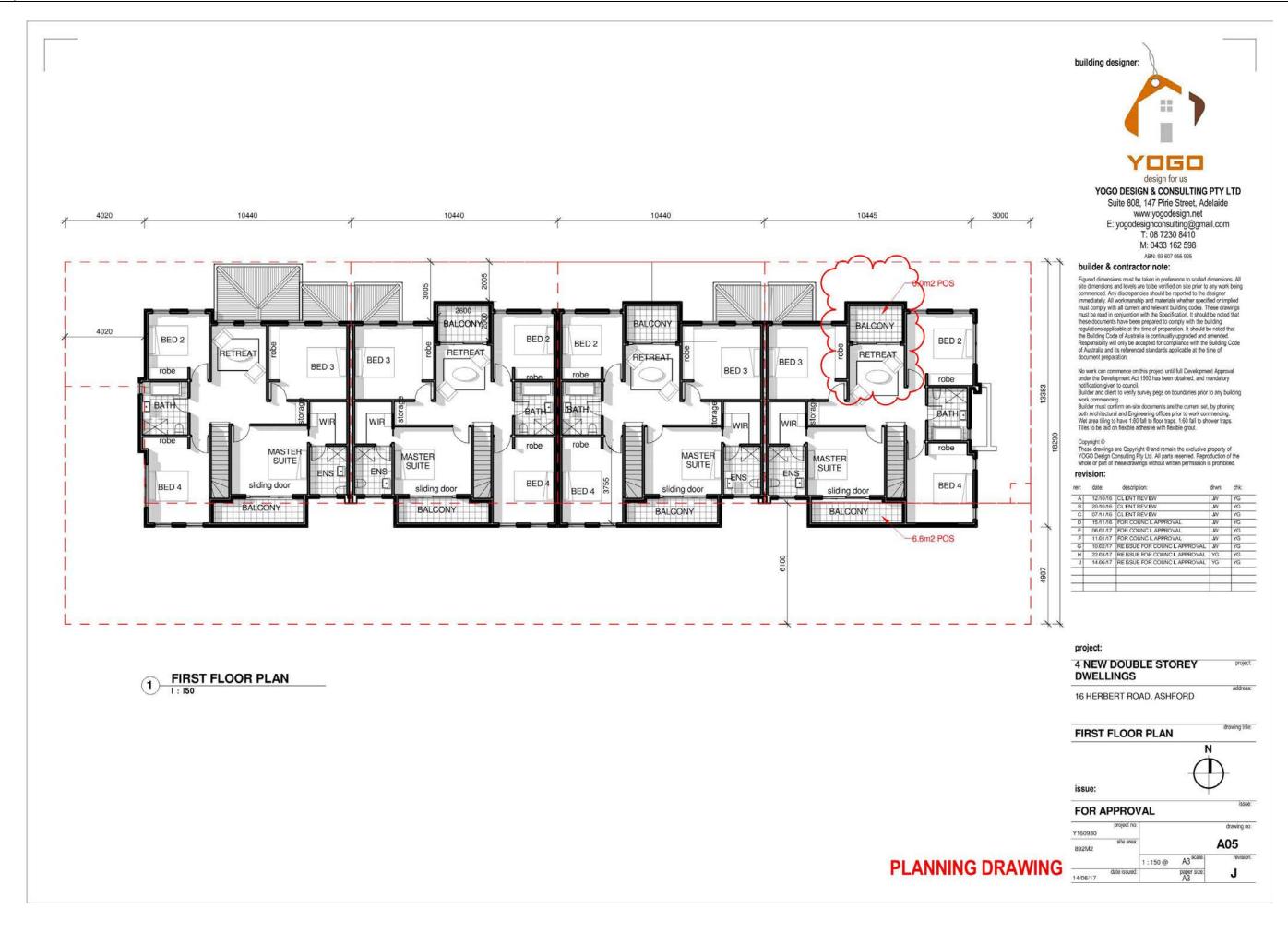
Page 127 8 August 2017

Development Assessment Panel



Page 128 8 August 2017

Development Assessment Panel Item 6.5- Attachment 1



Page 129 8 August 2017

Development Assessment Panel



Page 130 8 August 2017

# 6.6 38 Beauchamp Street, KURRALTA PARK

Application No 211/350/2017 (DAC 211/D045/17)

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Land division - Torrens Title; DAC No. 211/D045/17 (Unique ID 57402); Create two (2) additional allotments and construct three (3) single-storey, detached dwellings each with garage under main roof
APPLICANT	Mr John Kokotis
LODGEMENT DATE	14 March 2017
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal
	City Assets - Engineering
	Amenity Officer
	External
	Development Assessment Commission
	South Australian Water Corporation
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	08 August 2017

## **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. 211/350/2017 by Mr John Kokotis to undertake Land division - Torrens Title; DAC No. 211/D045/17 (Unique ID 57402); Create two (2) additional allotments and construction of three (3) detached dwellings each with garage under main roof at 38 Beauchamp Street, Kurralta Park (CT 6160/142 and CT 6160/143) subject to the following conditions of consent:

# DEVELOPMENT PLAN CONSENT

# **Council Conditions**

- 1. The development shall be undertaken in accordance with the plans and information details in this application except where varied by any condition(s) listed below.
- 2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.

Page 131 Item 6.6

- 3. The finished floor level of each dwelling shall be a minimum of 300mm above existing natural site levels within the footprint of each respective dwelling.
- 4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.

## LAND DIVISION CONSENT

#### **Council Conditions**

1. Prior to the issue of clearance to this division, existing structures must be removed from the allotment.

# **Development Assessment Commission and South Australian Water Corporation Conditions**

- 2. Payment of \$13,352 into the Planning and Development fund (1 allotment @ \$6,676/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 Level 5/50 Flinders Street, Adelaide.
- 3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.
- 4. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
- 5. The alteration of internal drains to the satisfaction of SA Water is required.
  - Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.
- 6. 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.

#### **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 all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.

Page 132 Item 6.6

## SITE AND LOCALITY

The site is rectangular and situated on the corner of Beauchamp Street and Tennyson Street with an approximate area of 713 square metres. The site is reasonably flat and comprises a detached dwelling, outbuilding and associated veranda/carport. Demolition of the existing dwelling and associated structures has been granted development approval as per development number 211/635/2017.

The locality is predominantly characterised by detached dwellings on wide and large allotments. Some division has occurred nearby resulting in "group dwellings" and "residential flat buildings". The Neighbourhood Centre Zone is situated approximately 70 metres to the east.

Page 133 Item 6.6



# Location Map WeTo/13

WEST TORRENS COUNCIL Consolidated - 5 May 2016

P Post Office
H Other Health Services
Hospital
Reilways
Local Reserves
Development Plan Boundary

Page 134 Item 6.6



Page 135 Item 6.6

## **PROPOSAL**

The proposal is for

- Land division to create two additional allotments (one allotment into three allotments);
- Three detached dwellings each with garage under main roof.

A full copy of the relevant plans and details are attached, refer Attachment 1.

## **REFERRALS**

Internal

- City Assets Engineering
- Amenity Officer

## External

- Development Assessment Commission
- South Australian Water Corporation

A full copy of the relevant reports are attached, refer **Attachment 2**.

## **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>		
	Objectives	1 and 2
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 12, 13, 14, 15, 16, 21, 22 and 23
Hazards	Objectives	1, 2 and 4
riazarus	Principles of Development Control	1, 2, 3, 4, 5, 6 and 7
	Objectives	1, 2 and 3
Infrastructure	Principles of Development Control	1, 3, 4, 5, 6, 8, 9, 10, 11 and 12
Land Division	Objectives	1, 2, 3 & 4
	Principles of Development Control	1, 2, 3, 4, 5, 6 and 8
Landscaping, Fences and	Objectives	1 & 2
Walls	Principles of Development Control	1, 2, 3, 4 and 6
	Objectives	1, 2, 3 and 4
Residential Development	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10,
		11, 12, 13, 14, 15, 16, 17,
		18, 19, 20, 21, 27, 28, 29
		and 31

Page 136 Item 6.6

## Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2 and 4	
Principles of Development Control	1, 5, 6, 7, 8, 9, 10, 11 and 12	

# Policy Area: Medium Density Policy Area 19

### Desired Character Statement:

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

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

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

Objectives	1
Principles of Development Control	1, 2, 3 and 5

Page 137 Item 6.6

# **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Medium Density Policy Area 19 PDC 5	250m²	Lot 1 = 253m <sup>2</sup> Lot 2 = 230m <sup>2</sup> Lot 3 = 230m <sup>2</sup> Lot 2 & 3 Do Not Satisfy by 8%
SITE FRONTAGE Medium Density Policy Area 19 PDC 5	9m	Lot 1 = 13.11m and 15.24m Lot 2 = 13.49m Lot 3 = 13.48m Satisfies
SITE COVERAGE Medium Density Policy Area 19 PDC 3	60%	Lot 1 = 44.1% Lot 2 = 48.3% Lot 3 = 48.3% Satisfies
MAXIMUM BUILDING HEIGHT Medium Density Policy Area 19 PDC 3	Two stories or 8.5m	Lot 1 = Single storey, 5.1m to apex of roof  Lot 2 = Single storey, 5.1m to apex of roof  Lot 3 = Single storey, 5.1m to apex of roof  Satisfies
STREET SETBACK Medium Density Policy Area 19 PDC 3	3m	Lot 1 = 3m, excluding porch Lot 2 = 3m, excluding porch Lot 3 = 3m, excluding porch Satisfies

Page 138 Item 6.6

INTERNAL FLOOR AREA Residential Development PDC 9  -3+ Bedroom, 100m² (min.)  Lot 1 = 91.34m² Lot 2 = 90.94m² Lot 3 = 90.94m² Lot 3 = 90.94m² Does Not Satisfy by 9.06m²  SIDE SETBACKS Residential Zone PDC 11  SIDE SETBACKS Residential Zone PDC 11  Lot 1 = 2.95m and 3m Lot 3 = 1.5m and 3m Lot 3 = N/A  Satisfies  SECONDARY SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  PRIVATE OPEN SPACE Residential Development DDC 19  Lot 1 = 91.34m² Lot 3 = 90.94m² Lot 3 = 90.94m² Lot 2 = 1.5m and 3m Lot 3 = 1.5m and 3m Lot 2 = N/A Lot 3 = N/A  Satisfies  Lot 1 = 2.95m Lot 2 = N/A Lot 3 = N/A  Satisfies  Lot 1 = 3m Lot 2 = 3m Lot 3 = 3m  Does Not Satisfy by 50%  Does Not Satisfy by 50%  Lot 1 = 91.34m² Lot 2 = 1.5m and 3m Lot 2 = 1.5m and 3m Lot 2 = N/A Lot 3 = N/A  Satisfies  Lot 1 = 2.95m Lot 2 = 3m Lot 3 = 3m Does Not Satisfy by 50%  Lot 2 = 3m Lot 3 = 3m  Does Not Satisfy by 50%  Lot 1 = 91.34m² Lot 2 = 1.5m and 3m Lot 2 = 1.5m and 3m Lot 3 = 1	INTERNAL ELOOP ASSA	0. D. dr. 400 0 ( )	1-14 0404 0
SIDE SETBACKS Residential Zone PDC 11  Side  1m where the vertical side wall is 3m or less  SECONDARY SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 Lot 1 = 3m Lot 2 = 3m Lot 2 = 3m Lot 2 = 3m Lot 2 = 60m² Lot 2 = 60m² Lot 2 = 60m² Lot 3 = 60m² Satisfies  LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES Transportation and Access Lot 1 = 2, 1 covered Lot 2 = 2, 1 covered Lot 2 = 2, 1 covered Lot 2 = 20, 2m² Lot 3 = 20, 2m	Residential Development	- 3+ Bearoom, 100m² (min.)	Lot $2 = 90.94$ m <sup>2</sup>
Residential Zone			Does Not Satisfy by 9.06m <sup>2</sup>
SECONDARY SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  REAR SETBACKS Medium Density Policy Area 19 PDC 3  Does Not Satisfy by 50%  Lot 1 = 3m Lot 2 = 3m Lot 2 = 3m Lot 3 = 3m Does Not Satisfy by 50%  Lot 1 = 95.5m² Lot 2 = 60m² Lot 2 = 60m² Lot 3 = 60m² Satisfies  LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES Transportation and Access Transportation and Access PDC 34  CARPARKING SPACES Transportation and Access Transportation and Ac	Residential Zone	1m where the vertical side	Lot 2 = 1.5m and 3m
Medium Density Policy Area 19			Satisfies
REAR SETBACKS Medium Density Policy Area 19 PDC 3  PRIVATE OPEN SPACE Residential Development PDC 19  Lot 1 = 95.5m² Lot 2 = 60m² Lot 3 = 60m² Lot 3 = 60m² Satisfies  LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SP	Medium Density Policy Area 19	2m	Lot $2 = N/A$
Medium Density Policy Area 19 PDC 3  Lot 2 = 3m Lot 3 = 3m  Does Not Satisfy by 50%  PRIVATE OPEN SPACE Residential Development PDC 19  Lot 1 = 95.5m² Lot 2 = 60m² Lot 3 = 60m² Lot 3 = 60m² Satisfies  LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  Lot 1 = 50.7% Lot 2 = 46% Lot 3 = 46% Satisfies  CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SPACES CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING SPACES CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES CARPARKING S			Satisfies
PRIVATE OPEN SPACE Residential Development PDC 19  Lot 1 = 95.5m² Lot 2 = 60m² Lot 3 = 60m² Satisfies  LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES Car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.  GARAGE MAXIMUM FLOOR AREA Residential Development PDC 16  Lot 1 = 95.5m² Lot 2 = 60m² Lot 2 = 46% Lot 3 = 46% Satisfies  Lot 1 = 2, 1 covered Lot 2 = 2, 1 covered Lot 3 = 20.2m² Lot 1 = 20.2m² Lot 3 = 20.2m² Lot 3 = 20.2m²	Medium Density Policy Area 19	6m	Lot 2 = 3m
Residential Development PDC 19  dimension of 3m for allotments up to 300m²  Satisfies  Lot 2 = 60m² Lot 3 = 60m² Satisfies  LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES Carrparking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.  GARAGE MAXIMUM FLOOR AREA Residential Development PDC 16  Allot 2 = 60m² Lot 1 = 50.7% Lot 2 = 46% Lot 3 = 46% Satisfies  Lot 1 = 2, 1 covered Lot 3 = 2, 1 covered Lot 3 = 2, 1 covered Lot 3 = 2, 1 covered Lot 2 = 2, 1 covered Lot 3 = 2, 2 carparking spaces per dwelling.  Lot 1 = 20.2m² Lot 2 = 20.2m² Lot 2 = 20.2m² Lot 3 = 20.2m² Lot 3 = 20.2m² Lot 3 = 20.2m²			Does Not Satisfy by 50%
LANDSCAPING Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPAGE MAXIMUM FLOOR AREA Residential Development PDC 16  Lot 1 = 50.7% Lot 2 = 46% Lot 3 = 46%  Satisfies  Lot 1 = 2, 1 covered Lot 2 = 2, 1 covered Lot 3 = 2, 1 covered Lot 3 = 2, 1 covered Lot 3 = 2, 1 covered Lot 2 = 2, 2 covered Lot 3 = 2, 1 covered Lot 2 = 2, 2 covered Lot 3 = 2, 2 covered Lot 2 = 20.2m² Lot 2 = 20.2m² Lot 3 = 20.2m² Lot 3 = 20.2m²	Residential Development	dimension of 3m for	Lot 2 = 60m <sup>2</sup>
Module: Landscaping, Fences & Walls PDC: 4  CARPARKING SPACES Transportation and Access PDC 34  CARPAGE MAXIMUM FLOOR AREA Residential Development PDC 16  Lot 2 = 46% Lot 3 = 46%  Satisfies  Lot 1 = 2, 1 covered Lot 2 = 2, 1 covered Lot 3 = 20.2m² Lot 1 = 20.2m² Lot 2 = 20.2m² Lot 3 = 20.2m² Lot 3 = 20.2m²			Satisfies
CARPARKING SPACES Transportation and Access PDC 34  CARPARKING SPACES Transportation and Access PDC 34  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.  Covered + an additional 0.25 car parking spaces per dwelling.	Module: Landscaping, Fences & Walls	10%	Lot 2 = 46% Lot 3 = 46%
Transportation and Access PDC 34  dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.  GARAGE MAXIMUM FLOOR AREA Residential Development PDC 16  dwelling, one of which is covered Lot 2 = 2, 1 covered Lot 3 = 2, 1 covered Lot			Satisfies
AREA Lot $2 = 20.2m^2$ Residential Development Lot $3 = 20.2m^2$	Transportation and Access	dwelling, one of which is covered + an additional 0.25 car parking spaces per	Lot 2 = 2, 1 covered Lot 3 = 2, 1 covered
AREA Residential Development PDC 16 Lot $2 = 20.2m^2$ Lot $3 = 20.2m^2$			
	AREA Residential Development	60m <sup>2</sup>	Lot $2 = 20.2m^2$
	PDC 16		Satisfies

Page 139 Item 6.6

GARAGE MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	Lot 1 = 2.7m Lot 2 = 2.7m Lot 3 = 2.7m Satisfies
GARAGE MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Satisfies
GARAGE MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8m or 50% of the length along that boundary, whichever is less	Lot 1 = 6.4m Lot 2 = 6.4m Lot 3 = 6.4m Satisfies
SITE FACILITIES AND STORAGE Residential Development PDC 31	8m <sup>3</sup>	Not specified  Does Not Satisfy

## **QUALITATIVE ASSESSMENT**

#### Land Use and Zoning

The Residential Zone envisages dwellings and Medium Density Policy Area 19 specifically envisages detached dwellings. The proposed land use is therefore appropriate.

The desired character statement within Medium Density Policy Area 19 seeks allotments at medium density, accommodating a range of dwelling types including detached dwellings on small allotments. In addition, it seeks denser allotment patterns close (within 400 metres) to centre zones where it is more desirable for more residents to live.

## **Bulk and Scale**

Each dwelling would have a similar design and appearance and would be of a low-scale with 2.7 metre high eaves and a conventional roof pitch. Single car garage doors are less than 50% of each façade to prevent dominance. Each dwelling would have a colorbond roof with rendered façade walls. The proposed front setback allows for landscaped areas.

Each dwelling would be discrete and of a low bulk and scale resulting in an acceptable form.

## **Setbacks**

Proposed primary and secondary road setbacks, as well as side setbacks, exceed minimum development plan requirements.

Each dwelling would have a 3 metre rear setback. Each dwelling therefore fails to achieve the minimum 6 metre rear setback specified within Medium Density Policy Area 19.

Page 140 Item 6.6

Each dwelling would face Tennyson Street with Beauchamp Street being the secondary frontage. The reduced rear setbacks would not impose an unreasonable impact upon a streetscape. Each dwelling achieves minimum private open space requirements. Proposed rear boundaries are the side boundaries of 40 and 40a Beauchamp Street to the south. Residential Zone, principle 11 allows a 1 metre setback from side boundaries when walls do not exceed 3 metres in height. As such, the reduced setback is not considered to impose an unreasonable visual impact upon 40 and 40a Beauchamp Street. In addition, the single storey nature of the proposal would not impose unreasonable overshadowing.

Proposed setbacks are therefore acceptable in this circumstance.

# **Storage**

A dwelling should incorporate a minimum storage area of 8 cubic metres within a non-habitable room of the dwelling, a garage, carport or outbuilding. The applicant has not specified a dedicated storage area on the floor plans, however, it is acknowledged that each dwelling would have excess private open space to accommodate a future outbuilding if occupants required.

# **Internal Living Area**

The Development Plan encourages a high quality living environment by setting out minimum internal floor areas for dwellings of different sizes. Dwellings which contain three bedrooms should have a minimum internal floor area of 100 square metres. Dwelling 1 will have an internal floor area that is 91.34 square metres. Dwellings 2 and 3 would have total floor areas of 90.94 square metres. Whilst the total floor areas are less than 100 square metres the proposed dwellings are still considered to provide a high quality living environment that includes:

- an open plan living and kitchen area;
- bedrooms and a living area that have windows and/or openings which will provide natural light and ventilation; and
- the living area opens directly out to the area of private open space.

The shortfall in floor area is not considered to diminish the amenity of future occupants due to the design and layout of each proposed dwelling.

# Stormwater and Flooding

Stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in an environmentally sensitive manner.

Stormwater from each allotment would be drained and discharged to the street water-table. As such, stormwater would not discharge onto other private property and would be safely and efficiently drained.

Part of the site is subject to 100 millimetres of flooding during a 1 in 100 year storm event. Providing necessary freeboard to protect from flood inundation, each floor level should be a minimum 300 millimetres above existing natural site levels within the footprint of each individual dwelling. A condition to this effect is appropriate if planning consent is granted.

# Land Division, Site Area and Frontage

Each proposed allotment exceeds minimum frontage requirements as per the Development Plan.

Proposed allotment 1 exceeds the minimum site area of 250 square metres as per the Development Plan.

Proposed allotments 2 and 3 fail to achieve minimum site areas, each by 20 square metres or 8%. Notwithstanding this, the "combined" built form has demonstrated that each allotment is suitable for its intended residential purpose and does not compromise the locality or presentation of the streetscape.

Page 141 Item 6.6

"Medium density" equals a net density between 40 and 67 dwellings per hectare. The proposed development would achieve a net density of 42 dwellings per hectare. The proposed density is appropriate to Medium Density Policy Area 19 despite site area shortfalls.

## **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.

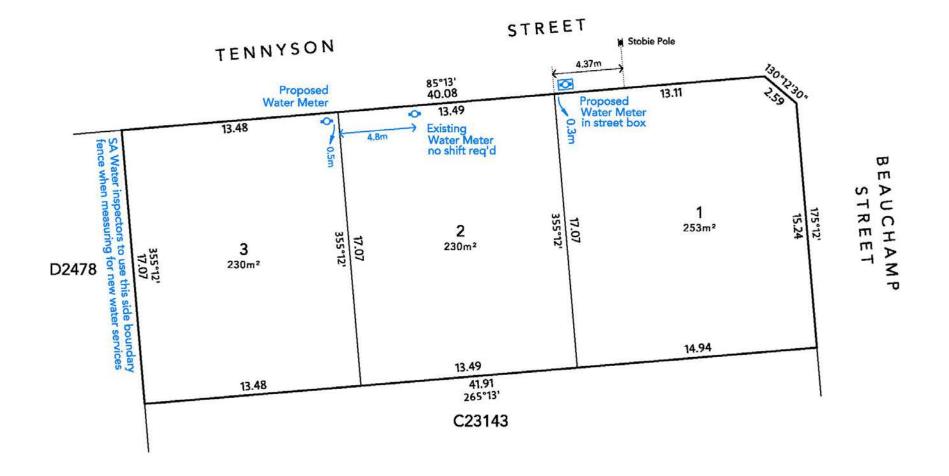
On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

# **Attachments**

- 1. Proposal Plans
- 2. Referral Reports

Page 142 Item 6.6





Land division application: 211 / D045 / 17 SHEET 1 OF 1 SHEETS City of West Torrens Total area of site: Area of reserve provided: No. of existing allotments: 1 No. of proposed allotments: 3 No. of additional allotments: 2 Subject land details: Allotment 30 in F7057 Site Address: 38 Beauchamp Street Kurralta Park Suburb: Adelaide Title(s): C.T. 6160/142 and 6160/143

Annotations:

All measurements in metres unless shown otherwise. Do not scale drawing. Original sheet size is A3.

All measurements are subject to survey and final plan of division.

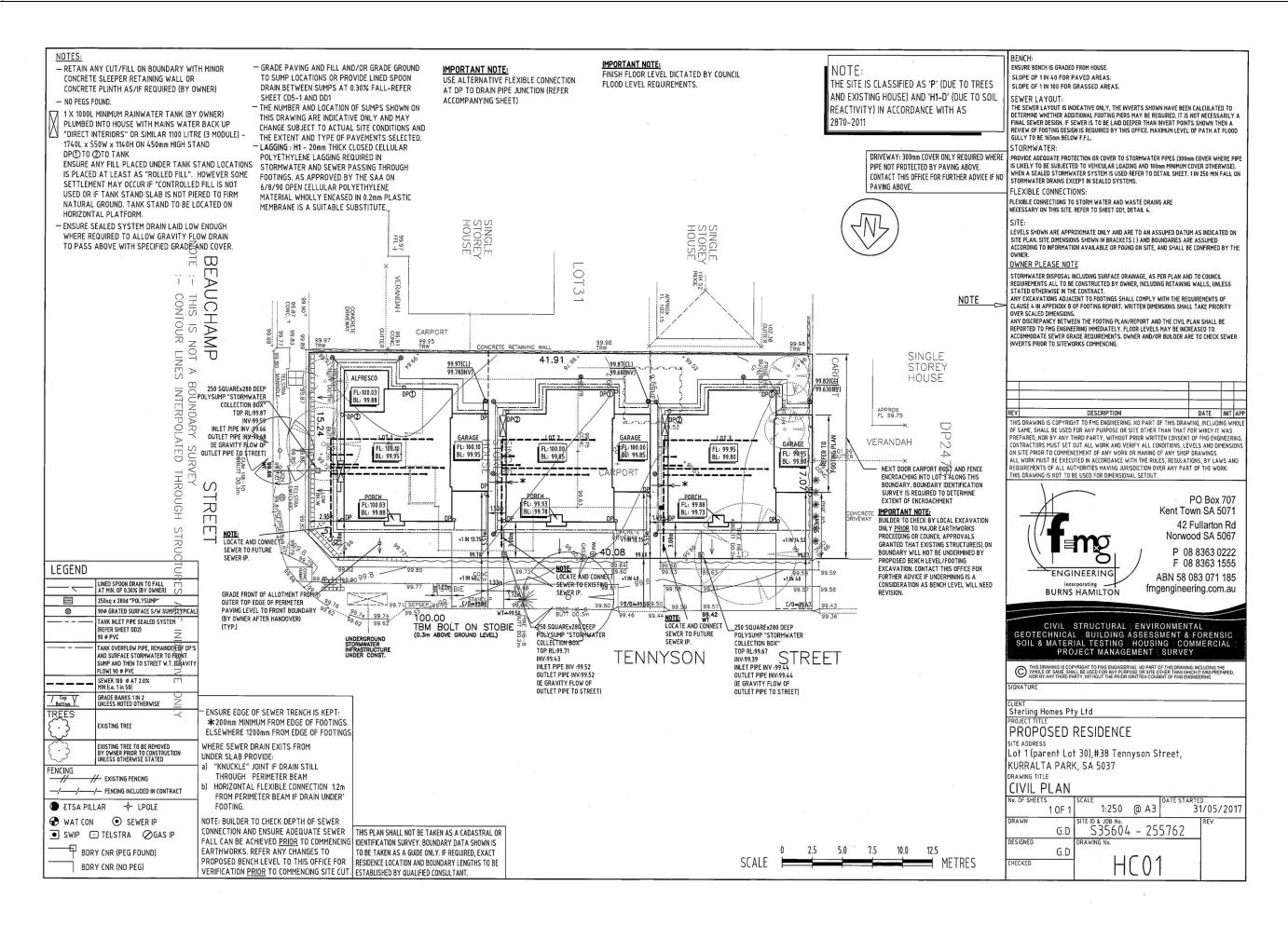
Refer to the building plans for the proposed dwelling(s). Owner/developer or building designer to advise if the configuration of the dwellings change in any form.

All existing structures are to be demolished. Owner or developer to apply to Council for demolition approval.

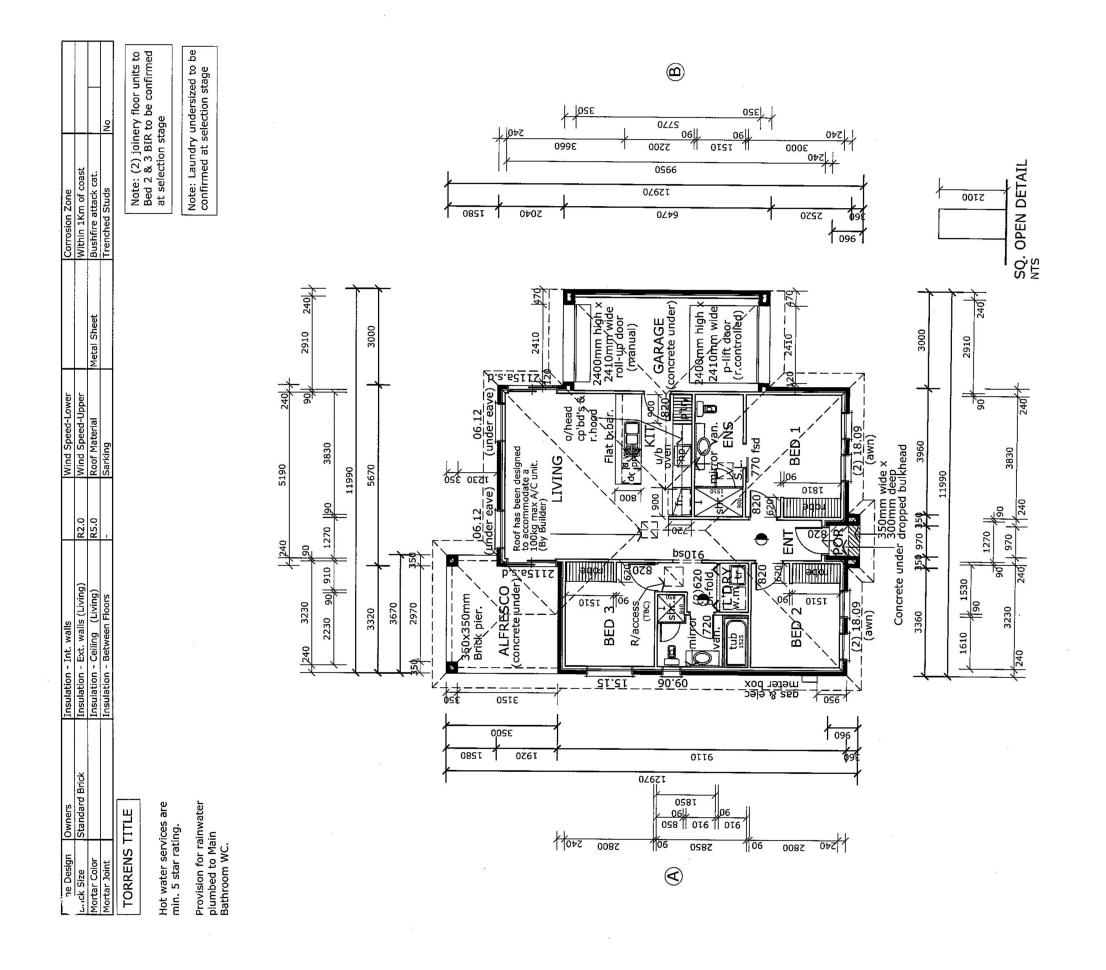
SA Water Contact Details Michael Zaina Zaina Stacey Pty Ltd Phone 8379 7979



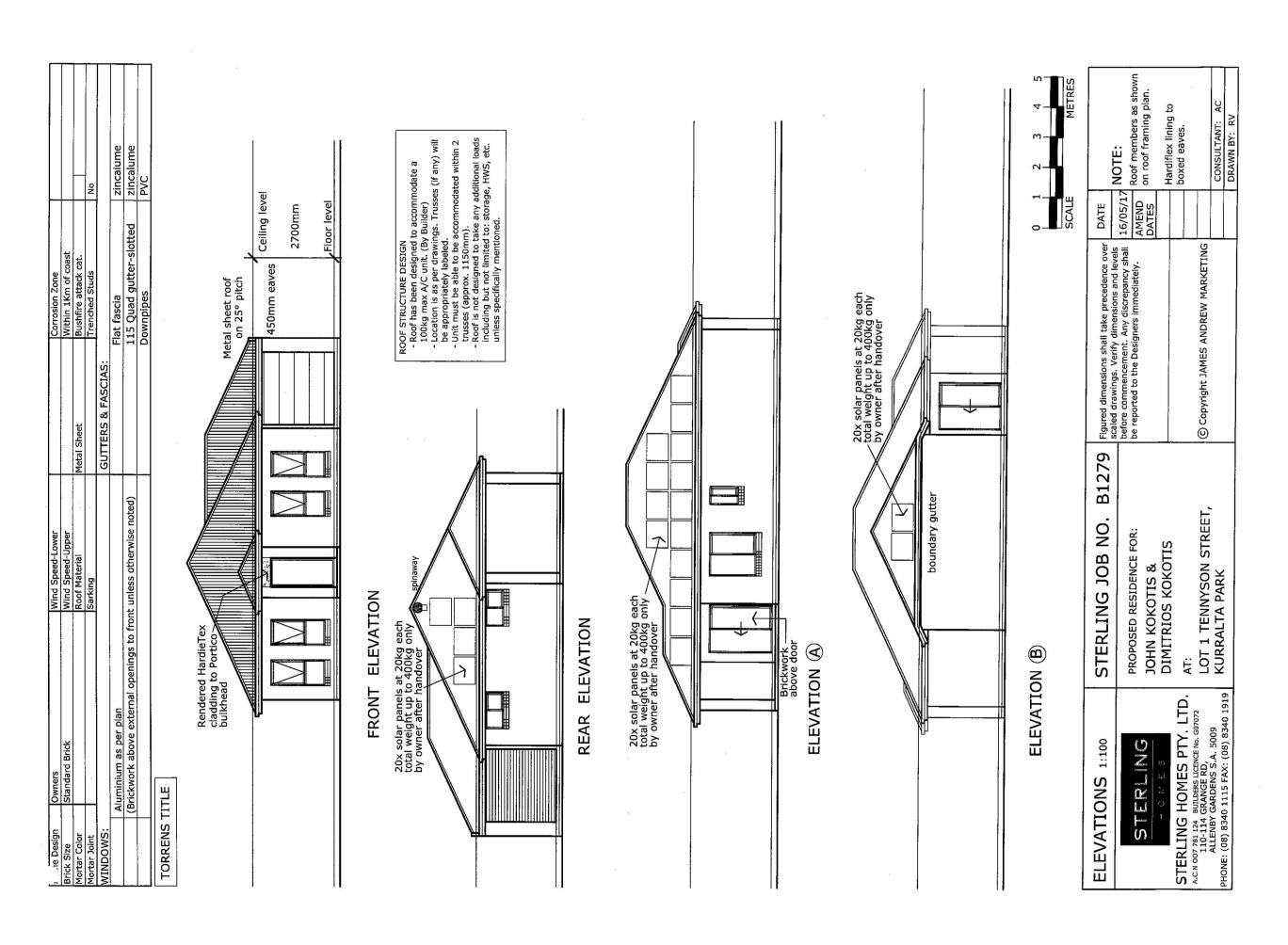
Page 143 8 August 2017



Page 144 8 August 2017



DATE AREAS:	ccordance 16/05/17 Living : 91.34 AMEND Garage : 20.28	Γ	Alfresco : 12.17	d levels	cy shall be Total : 124,97	sq.m.	CONSULTANT: AC	RKETING DRAWN BY: RV
NOTE: Interconnected Hard wired smoke alarms shown with 9 voit battery back-up to comply with the NCC part 3.7.2	NOTE: W.C. door to be removable in accordance with NCC Part 3.8.3.3	NOTE: Wet areas to comply with NCC Part 3.8	Figured dimensions shall take precedence over	scaled drawings. Verify dimensions and levels	reported to the Designers immediately.	NOTE: Window & alim door sizes noted are	0 0000 100000 100000 100000 100000 100000 100000 100000	(C) Copyright JAMES ANDREW MARKETING
STERLING JOB NO. B1279	PROPOSED RESIDENCE FOR:	JOHN KOKOTIS &	DIMITRIOS KOKOTIS			LOI 1 TENNYSON STREET,	KURRALTA PARK	
FLOOR PLAN 1:100	S S S S S S S S S S S S S S S S S S S	) I Proposed a series of the s	n  	STERLING HOMES PTY. LTD.	A.C.N 007 781 124 BUILDERS LICENCE No. G07072	ALIC-114 GRANGE RD, ALLENBY GARDENS S.A. FOOD	COOC CONTRACTOR CONTRA	PHOINE: (US) 8340 1115 FAX: (US) 8340 1919



Page 146 8 August 2017

**TORRENS TITLE** NOTE:
Rainwater tanks to be supplied and installed by owner after handover but before occupancy Important notes due to construction on boundary:

1. Owner to ensure that boundary pegs are in place NO WORK
WILL COMMENCE IF THE SURVEY PEGS ARE NOT IN PLACE.

2. Owner to advise adjacent neighbour(s) that we will be commencing work on the common boundary and that the builder will need access to their property to construct boundary wall(s).

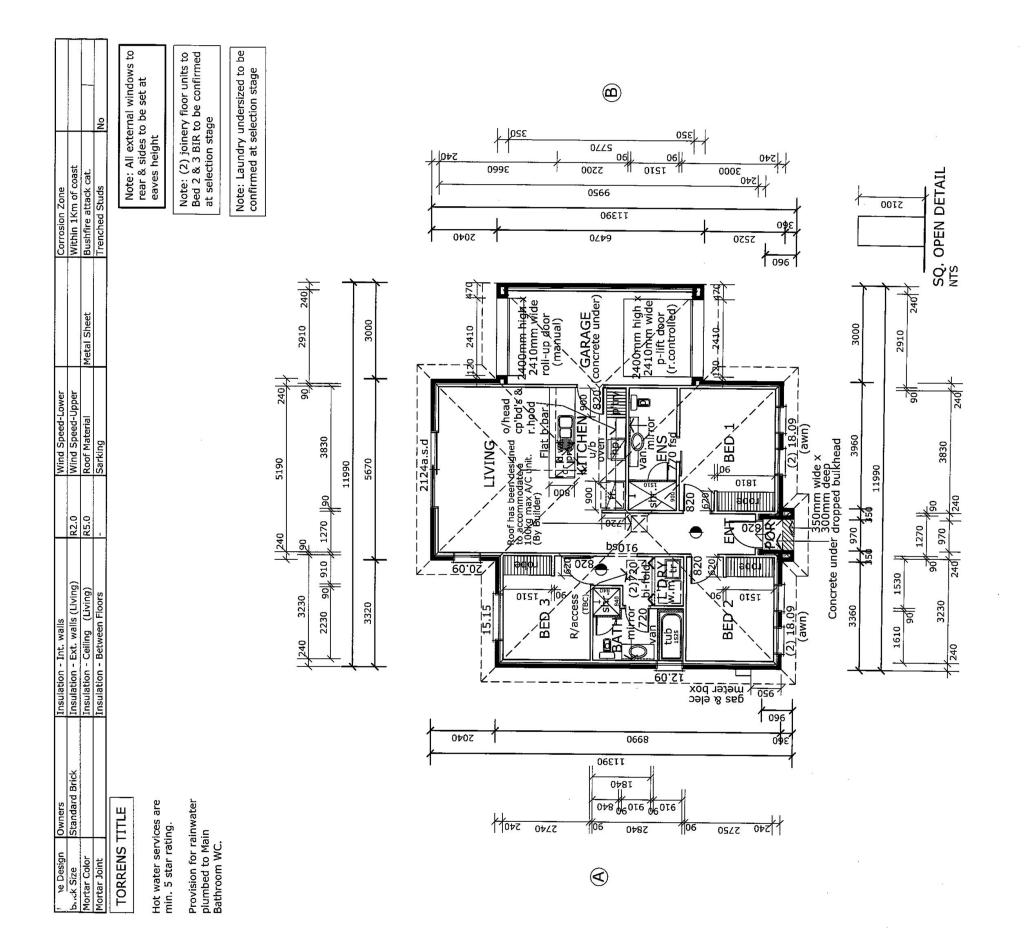
3. Owner to arrange removal of any fence (if applicable) to allow construction on the common boundary.

m70.71 LOT 3 Ш  $(m \times 0.71)$ Ш  $\propto$ Η-S (13.49m)41.91m (13.49m) SON LOT 2  $\succ$ Z hatched area denotes private open space z ш  $(m \times 0.71)$ 22**5**3mm <u> 3003mm</u> (14 F641mH L01 mm \$324 7641mm Line of 15.24m BEAUCHAMP STREET

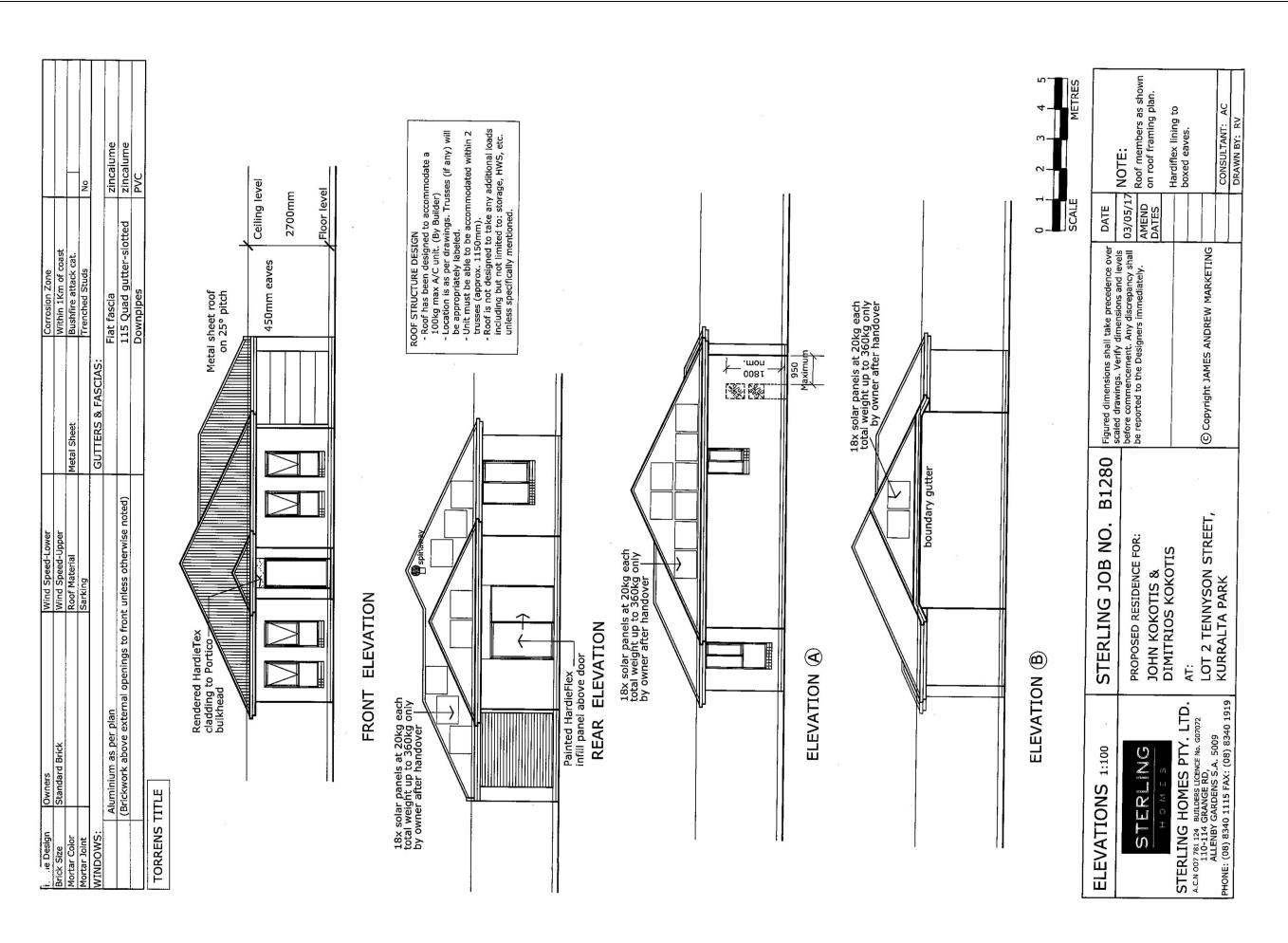
10 B1279

LOT 1 TENNYSON STREET, KURRALTA PARK STERLING JOB NO. PROPOSED RESIDENCE FOR: JOHN KOKOTIS & DIMITRIOS KOKOTIS AT: STERLING HOMES PTY, LTD, A.C.N 007 731 124 BUILDER LICENCE No. 607072 110-114 GRANGE RD, ALLENBY GARDENS S.A. 5009 PHONE: (08) 8340 1115 FAX: (08) 8340 1919 STERLING 1:200 PLAN SITE

16/05/17 AMEND DATES © Copyright JAMES ANDREW MARKETING Figured dimensions shall take precedence over scaled drawings. Verify dimensions and levels before commencement. Any discrepancy shall be reported to the Designers immediately.



AREAS:	03/05/17 Living : 90.94 AMEND Garage : 20.28	ES Porch : 1.18			Total : 112.40	illibe	CONSULTANT: AC	DRAWN BY: RV
NOTE: Interconnected Hard wired smoke alarms shown with 9 volt battery back-up to Comply with the NCC part 3.7.2	e in accordance	NOTE: Wet areas to comply with NCC Part 3.8 DATES	Figured dimensions shall take precedence over	scaled drawings. Verify dimensions and levels	reported to the Designers immediately.	NOTE: Window & alum, door sizes noted are nominal		(C) Copyright JAMES ANDREW MARKETING
STERLING JOB NO. B1280	PROPOSED RESIDENCE FOR:	JOHN KOKOTIS &	DIMITRIOS KOKOTIS	ΔΤ.	I OT 2 TENNYSON STREET		KURRALTA PARK	
FLOOR PLAN 1:100	S S S S S S S S S S S S S S S S S S S			STERLING HOMES PTY. LTD.	A.C.N 007 781 124 BUILDERS LICENCE No. G07072 110-114 GRANGE RD,	ALLENBY GARDENS S.A. 5009	PHONE: (90) CAT TARE OLCO (90) (BINOHO	THOME: (00) 0340 1113 FAX: (08) 8340 1919



Page 149 8 August 2017

**TORRENS TITLE** NOTE:
Rainwater tanks to be supplied and installed by owner after handover but before occupancy Important notes due to construction on boundary:

1. Owner to ensure that boundary pegs are in place NO WORK WILL COMMENCE IF THE SURVEY PEGS ARE NOT IN PLACE.

2. Owner to advise adjacent neighbour(s) that we will be commencing work on the common boundary and that the builder will need access to their property to construct boundary wall(s).

3. Owner to arrange removal of any fence (if applicable) to allow construction on the common boundary.

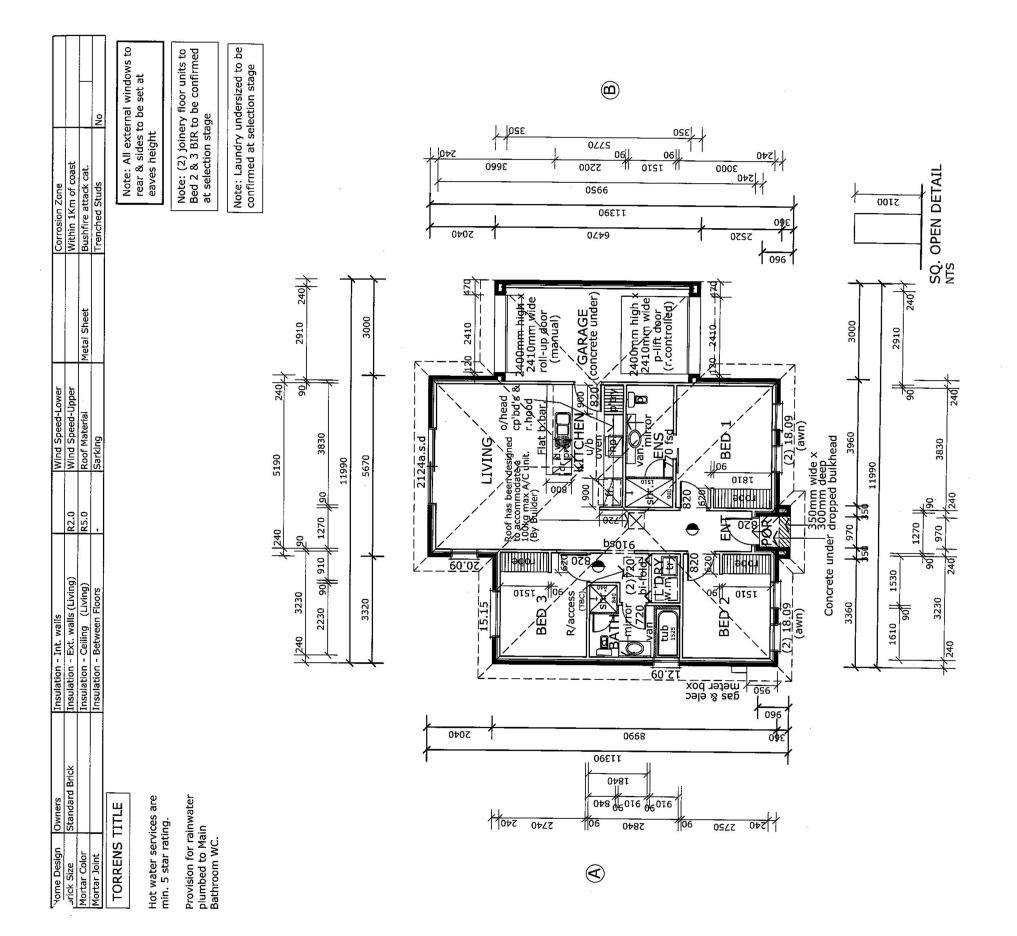
(13.48m)(UNDER SEPARATE CONTRACT) (13.48m) LOT 3 hatched area denotes private open space ш (m70.71)ш 2224mm  $\simeq$ 3003mh S (13.49m) dashed 41.91m (13.49m N 0 40.08m LOT S Line of eave shown ENNY Е ттт0000 (m70.71)(13.11m)LOT 1 BEAUCHAMP STREET

mZ0.71

03/05/17 AMEND DATES 10 ©Copyright JAMES ANDREW MARKETING B1280 AT: LOT 2 TENNYSON STREET, KURRALTA PARK STERLING JOB NO. PROPOSED RESIDENCE FOR: JOHN KOKOTIS & DIMITRIOS KOKOTIS STERLING HOMES PTY. LTD.
A.C.N 007 781 124 BUILDERS LICENCE No. 607072
110-114 GRANGE RD,
ALENBY GARDENS S.A. 5009
PHONE: (08) 8340 1115 FAX: (08) 8340 1919 STERLING 1:200 SITE PLAN

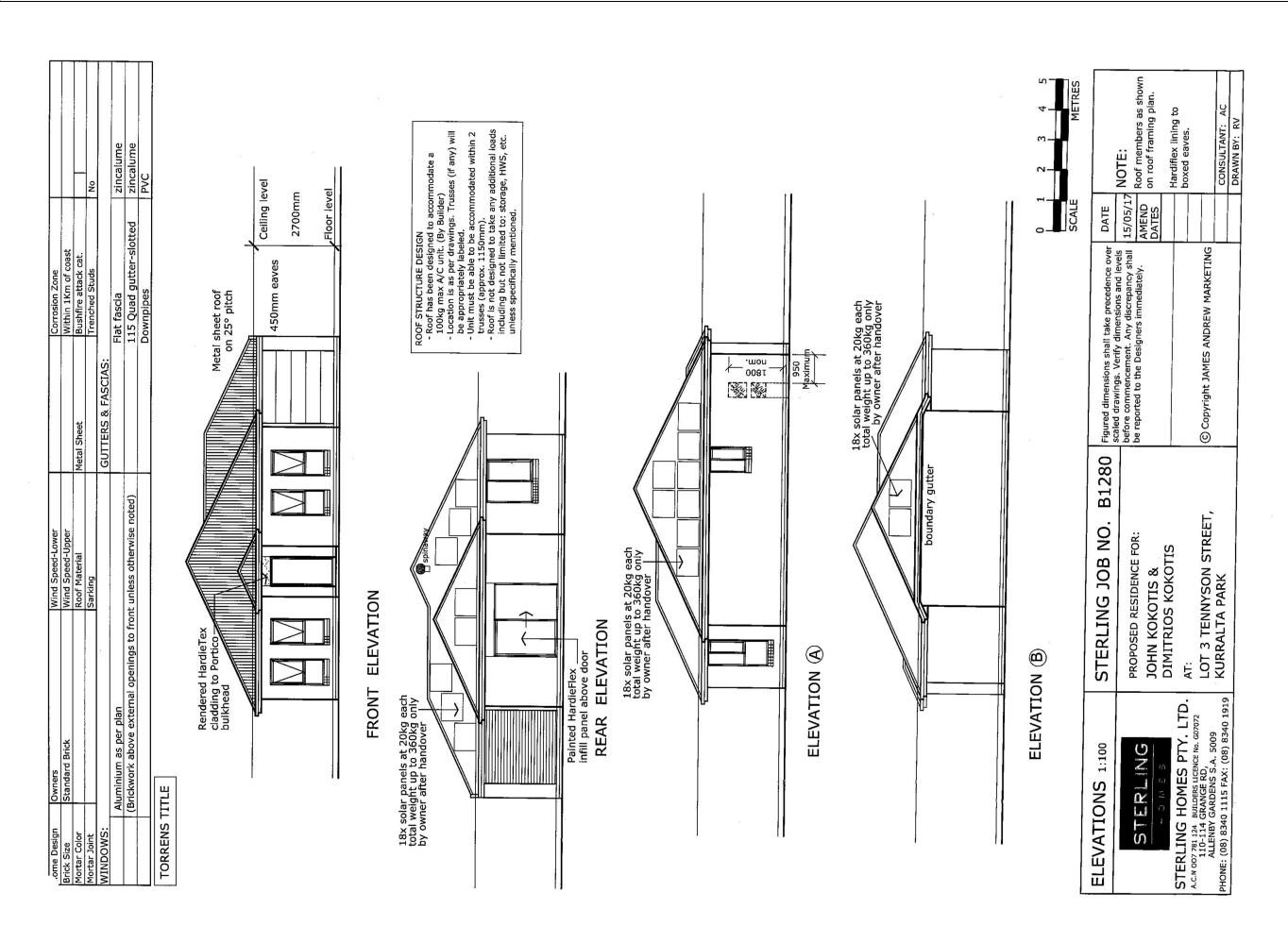
Development Assessment Panel

Item 6.6- Attachment 1



FLOOR PLAN 1:100	STERLING JOB NO. B1280		NOTE: Interconnected Hard wired smoke alarms shown with 9 volt battery back-up to comply with the NICC part 3 2 2	DATE	AREAS:	
i i	PROPOSED RESIDENCE FOR:		NOTE: W.C. door to be removable in accordance with NCC Part 3.8.3.3	15/05/17	Living Garage	: 90.94 : 20.28
	JOHN KOKOTIS &	*	NOTE: Wet areas to comply with NCC Part 3.8	DATES	Porch	: 1.18
n di	DIMITRIOS KOKOTIS		Figured dimensions shall take precedence over			
STERLING HOMES PTY, LTD.	AT.		scaled drawings. Verify dimensions and levels			
A.C.N 007 781 124 BUILDERS LICENCE No. G07072 110-114 GRANGE RD.	IOT 3 TENNYSON STREET		reported to the Designers immediately.		Total	: 112.40
ALLENBY GARDENS S.A. 5009	COLO JENNISON SIRELI	•	NOTE: Window & alum, door sizes noted are nominal			sd.m.
PHONE: (08) 8340 1115 EAV. (20)	KURRALTA PARK				CONSULTANT: AC	: AC
100) 6340 TATS LAV. (00) 8340 TATS			(C) Copyright JAMES ANDREW MARKETING		DRAWN BY: RV	RV

Page 151



Page 152 8 August 2017

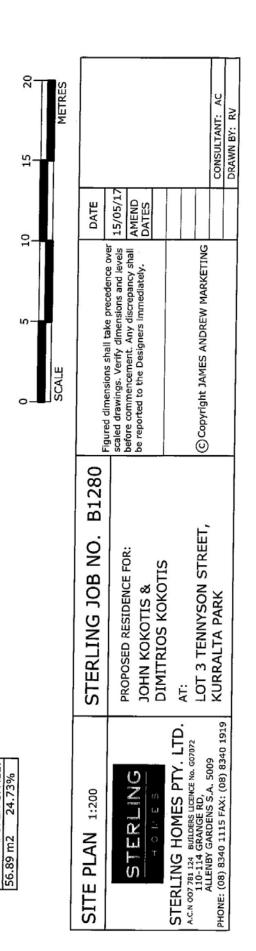
TORRENS TITLE NOTE:
Rainwater tanks to be supplied and installed by owner after handover but before occupancy Important notes due to construction on boundary:

1. Owner to ensure that boundary pegs are in place NO WORK WILL COMMENCE IF THE SURVEY PEGS ARE NOT IN PLACE.

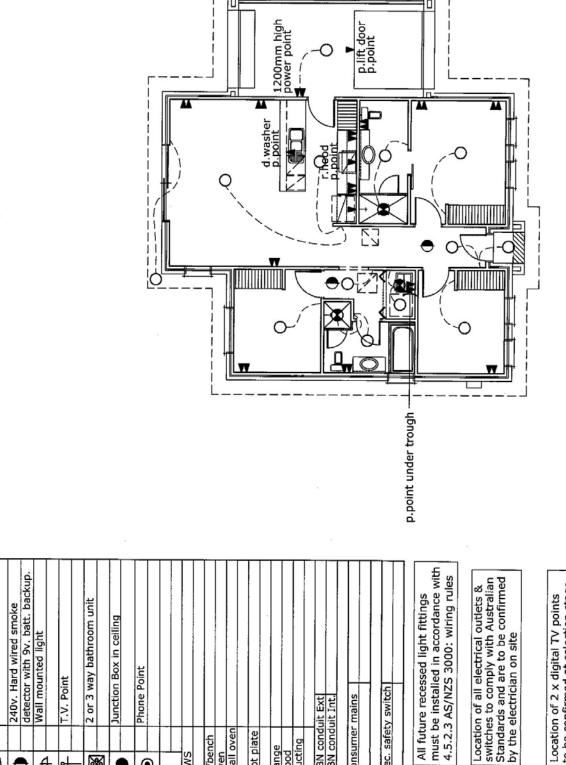
2. Owner to advise adjacent neighbour(s) that we will be commencing work on the common boundary and that the builder will need access to their property to construct boundary wall(s).

3. Owner to arrange removal of any fence (if applicable) to allow construction on the common boundary.

m70.71 hatched area denotes private open space 2224mm (13.48m)4542mb LOT Line of eave shown dashed Mm1+92 <u>Е</u>ттп000€, ш (m\0.\t\) ш  $\propto$  $\vdash$ S 41.91m (13.49m) (13.49m)SON 40.08m LOT 2 TENNY (mY0.71) LOT 1 15.24m BEAUCHAMP STREET



**Development Assessment Panel** Item 6.6- Attachment 1



NBN conduit Ext NBN conduit Int.

Junction Box in ceiling

HWS

•

240v. Hard wired s detector with 9v. bi Wall mounted light

•

4

1  Location of 2 x digital TV points to be confirmed at selection stage

Exhaust fan connected to light switch in L'dry & Ensuite

15/05/17 AMEND DATES DATE © Copyright JAMES ANDREW MARKETING B1280 LOT 3 TENNYSON STREET, KURRALTA PARK STERLING JOB NO. PROPOSED RESIDENCE FOR: JOHN KOKOTIS & DIMITRIOS KOKOTIS 1:100 STERLING HOMES PTY. LTD.
A.C.N 007 781 124 BUILDES LICENCE NO. 607072
110-114 GRANGE RD,
ALLENBY GARDENS S.A. 5009
PHONE: (08) 8340 1115 FAX: (08) 8340 1919 ELECTRICAL PLAN STERLING

Liectrical Legend

Light point

Ф 0



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

03 April 2017

Our Ref: H0057146

Dear Sir/Madam

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000

#### PROPOSED LAND DIVISION APPLICATION NO: 211/D045/17 AT KURRALTA PARK

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

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

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

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

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

Yours faithfully

Wendy Hebbard

for MANAGER LAND DEVELOPMENT & CONNECTIONS

Page 155 8 August 2017

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



4 May 2017

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

Dear Sir/Madam

Re: Proposed Application No. 211/D045/17 (ID 57402) - Amended Plan 23/03/17 for Land Division by JOhn Kokotis

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).

 The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0057146).

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

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

- Payment of \$13352 into the Planning and Development fund (1 allotment @ \$6676/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.
- 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

**Brett Miller** 

Team Leader - Planning Services

As delegate of the

**DEVELOPMENT ASSESSMENT COMMISSION** 

Page 156 8 August 2017



# Memo

 To
 Phil Harnett

 From
 Jane Teng

 Date
 24/4/2017

Subject 211/350/2017, 38 Beauchamp Street, KURRALTA PARK SA 5037

#### Phil Harnett,

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

#### Standard Offset Requirements

# 1.0 Verge Interaction (with street tree) and Driveway Access

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).

I note that the applicant has submitted two different sets of land division plans proposed for the development at 38 Beauchamp St, Kurralta park, namely proposed land division plan (Zaina Stacey Development Consultants, Original Issue, Ref 17070, Dated 08/03/2017) and land division plan (Zaina Stacey Development Consultants, Lot layout amended as per planning application, Ref 17070, Dated 23/03/2017). Both plans have depicted varying dimensions at the allotment front boundaries for proposed Lot 1, Lot 2 and Lot 3. In addition, the development is situated at a unique location due to the presence of existing street civil infrastructure, existing stobie pole, underground communications pit and existing street trees. No detailed road verge survey information has been provided on the submitted land division plans.

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tei (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westforrens.sa.gov.au

Page 157 8 August 2017



## Site Limitations:

- As outlined within the relevant sections of AS/NZS 2890.1:2004, no driveway access is allowed to be located within the minimum 6m beyond the Tangent Point (TP) of Beauchamp St and Tennyson St at the kerb and gutter returns (where the curved kerb straightens out). In addition, an onstreet car park has been allocated in place within the 6.0m 'buffer' distance.
- Existing double side entry and rain garden would not be able to relocated or altered due to the working mechanisms of the drainage system for stormwater capture and water quality systems.
- In absence of the design building envelope proposed for the site such as location of the proposed garage/carport system, it is difficult to ascertain the actual driveway access width and the adherence off the minimum standard offset distances from the street verge features.
- There is the location of an existing underground communications pit system at corner block Lot 1 fronting Beauchamp Street and existing street tree.

#### Recommendations:

In view of the abovementioned site limitations:

- It is cognizant for location of the garage system to be made known during land division stage especially to Lot 1 due to the no driveway access requirement within the 6.0m distance from the TP. The remaining verge space on the western side of Lot 1 from the proposed lot boundary between Lot 1 and 2 will be approximately as the following and would not be able to accommodate a driveway access:
  - Approximately 0.20m based on the original land division plan dated 09/3/2017) and,
  - Approximately 1.20m (based on amended land division plan dated 23/03/2017).
  - Existing street tree (eastern tree) will be required to be assessed for removal by the City Arborist.
- It is recommended for the applicant to supply a written advice in regards to the financial/technical requirements from the relevant service authority of the communications pit prior to land division consent as future alterations of this pit system would be at the full cost to the owner/applicant. It would apply should the applicant chooses for the location of the proposed driveway access of Lot 1 to front Beauchamp St. The relocation or alteration to the existing communications pit system may be cost prohibitive or may not be viable for service modifications.
- There is an existing street tree in the verge of Beauchamp St of Lot 1. 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). No
  driveway access is allowed to be located within the minimum 6m beyond

Ctvic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

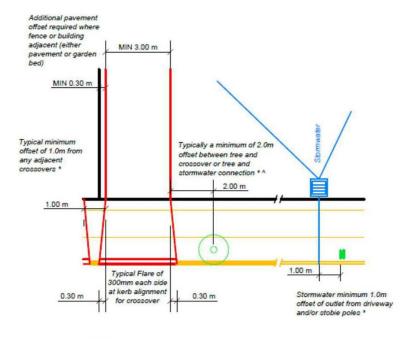
Page 158 8 August 2017



the Tangent Point (TP) of Beauchamp St. Based on site inspection, the verge space on Beauchamp St could potentially able to accommodate a single driveway access. It is difficult to assess the viability of a driveway access at this point in time due to absence of detailed site survey. The standard single driveway is typically at 3.30m in width. Please refer sketch for details.

- Pending on the location of garage/carport systems for Lots 1,2 and 3, Lot 2 would only able to accommodate a driveway access on the western side of the boundary. Lot 2 will only able to accommodate a single driveway. The standard single driveway is typically at 3.30m in width. Please refer sketch for details. An absolute minimum 0.75m offset distance from the property boundary will be required for shared driveway access.
- Lot 3 would be able to accommodate either for a single driveway on the western side and shared driveway access on the eastern side of the allotment. The standard single driveway is typically at 3.30m in width. Please refer sketch for details. An absolute minimum 0.75m offset distance from the property boundary will be required for shared driveway access.

# SINGLE DRIVEWAY ACCESS TO FRONT PROPERTY



#### NOTES:

- Distance as measured along alignment of front property boundary
- ^ Must be deemed to comply by Council's Technical Officer (Amenity)
   Stormwater connection through the road verge area to be constructed of
- shape and material to satisfy Council's standard requirements.

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

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709 E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 159 8 August 2017



# 2.0 Flood Consideration – Finished Floor Level (FFL) Requirement – up to 100mm Zone

Portions of the development are located within the 'up to 100mm' area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan.

Investigation indicates that the physical flood depth within the portions of the allotment proposed to be developed is approximately 100mm and making allowance for the necessary freeboard (200mm) over and above the flood level, the minimum finished floor level (FFL) for the proposed development, to protect from flood inundation, would need to be in the vicinity of 300mm above the existing natural site levels within the footprint of the development.

No flood corridors will be required for the site.

Should you require further information, please contact Jane Teng on the following direct extension number 8416 6296.

Regards

Jane Teng Civil Engineer

Page 160 8 August 2017

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

# **Arboricultural Assessment of Street Trees**

Development Application No: 211/350/2017

REFERRAL DUE DATE: 16 April 2017

Assessing Officer: Phil Harnett

Site Address: 38 Beauchamp Street, KURRALTA PARK SA 5037

Certificate of Title: CT-6160/142, CT-6160/143

Description of Development Land division - Torrens Title; DAC No. 211/D045/17

(Unique ID 57402); Create two(2) additional

allotments

#### TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

☐ The removal of or impact upon the Street Tree

PLANNING OFFICER - Phil Harnett

DATE

30 March 2017

## 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).

A site investigation has revealed and together with the information provided that due to the amount of existing infrastructure adjacent the proposed Allotment 1 and no proposed crossover locations provided, it is difficult in this situation for City Works to assess the possible need for removal or reduced offsets from the street trees.

It is recommended that appropriate information in the form of an accurate detailed verge survey be provided to assess the impact(s) on the current verge infrastructures as well as possible crossover locations within the limitations of this site.

Page 161 8 August 2017

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 request, and council staff will perform all works associated with the community asset.

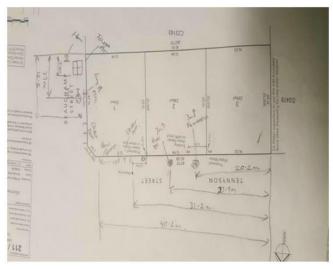
Final crossover locations will be confirmed once appropriate consultation has been received from the applicant and they have submitted "an application to construct a vehicle crossing place(s) across council land".

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: 1/05/2017





Page 162 8 August 2017



Page 163 8 August 2017

# 6.7 7 Barnes Avenue, MARLESTON

Application No 211/1039/2016

## **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Combined Application: Land division - Community Title; DAC No. 211/C127/16 (Unique ID 55353); Create three (3) additional allotments, and the construction of four (4) single storey group dwellings all with associated single carports
APPLICANT	Alex Lee
APPLICATION NO	211/1039/2016
LODGEMENT DATE	9 August 2016
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	<ul> <li>Internal</li> <li>City Assets (Civil Engineer) - traffic and vehicle manoeuvrability, stormwater disposal, finished floor level and verge interaction</li> <li>City Works (Amenity Officer) - Street tree</li> <li>Councils Arborist - Regulated tree on adjoining property</li> <li>External</li> <li>Development Assessment Commission (DAC)</li> <li>SA Water</li> </ul>
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	8 August 2017

# **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. 211/1039/2016 by Alex Lee to undertake land division - Community Title; DAC No. 211/C127/16 (Unique ID 55353) and create three (3) additional allotments, and for the construction of four (4) group dwellings all with associated single carports at 7 Barnes Avenue, Marleston (CT5716/285) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act):

# DEVELOPMENT PLAN CONSENT

# **Council Conditions**

1. The development shall be undertaken in accordance with the plans and information details in this application except where varied by any condition(s) listed below.

Page 164 Item 6.7

- 2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 3. That 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 within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
- 6. Noise reducing techniques (i.e. double glazed windows, sound insulated walls) shall be applied to the development of Dwelling 4 to mitigate the impact of industrial noise from the adjacent ETSA property.
- 7. That the Recommendations set out in 12.1 of the Development Arboricultural Assessment Report by Mark Elliot of The Adelaide Tree Surgery dated 10 February 2017 Ref TATSME00319 shall be carried out.
- 8. Only pervious pavers shall be used for the hard standing landscaped areas of Dwelling 4 that fall within the Structural Root Zone and Tree Protection Zone as identified on the Site Plan. The installation of pervious pavers shall be in accordance with Australian Standard 4970-2009, "Protection of Trees on Development Sites" and the manufacturer's recommendations.
- 9. 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

# LAND DIVISION CONSENT

# **Council Conditions**

1. Prior to the issue of clearance to this division, existing structures must be removed from the subject land. For this purpose, a separate application for demolition shall be submitted for the consideration and determination of Council.

# **Development Assessment Commission Conditions**

2. Payment of \$20,028 into the Planning and Development Fund (3 allotment(s) @ \$6,676/allotment). Payment may be made by credit card via the internet at <a href="www.edala.sa.gov.au">www.edala.sa.gov.au</a> 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.

Page 165 Item 6.7

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

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

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

## **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 all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.

# PREVIOUS OR RELATED APPLICATION(S)

DA 211/297/2016 - Demolition of existing verandah and outbuildings plus removal of one Regulated Eucalyptus cladocalyx (Sugar Gum) - Development Approval

#### SITE AND LOCALITY

The subject land is described as Allotment 22 Deposited Plan 3702 in the Area named Marleston Hundred of Adelaide as contained in Certificate of Title Volume 5716 Folio 285. The land is more commonly known as 9 Barnes Avenue, Marleston.

The subject land is situated within the Medium Density Policy Area 19, is rectangular in shape, approximately 954 square metres in area and contains a frontage to Barnes Avenue of approximately 15.5 metres and a depth of approximately 61.5 metres. Vehicle access to the subject land is available from Barnes Avenue only with the subject land being located on the eastern side of the street.

The subject land contains a 1950s single storey detached dwelling with associated verandah. Mature vegetation is primarily at the rear of the site, the majority of which is not regulated by the Development Act and is to be removed. One of the trees which is Regulated (Sugar Gum) has been approved to be removed (DA 211/297/2016).

Page 166 Item 6.7

The immediate locality contains a variety of dwelling types including detached dwellings, row dwellings, residential flat buildings and group dwellings with their form ranging from single storey to two storey. The predominant dwelling characteristics mostly reflect the built form constructed in the 1950s and 1960s, however, examples of recent urban infill are becoming more frequent within the locality. At the rear of the subject land is the ETSA Utilities Depot facility which incorporates a variety of uses including warehousing and storage, offices and workshops. The built form of the Depot site involves mostly industrial type buildings and structures.

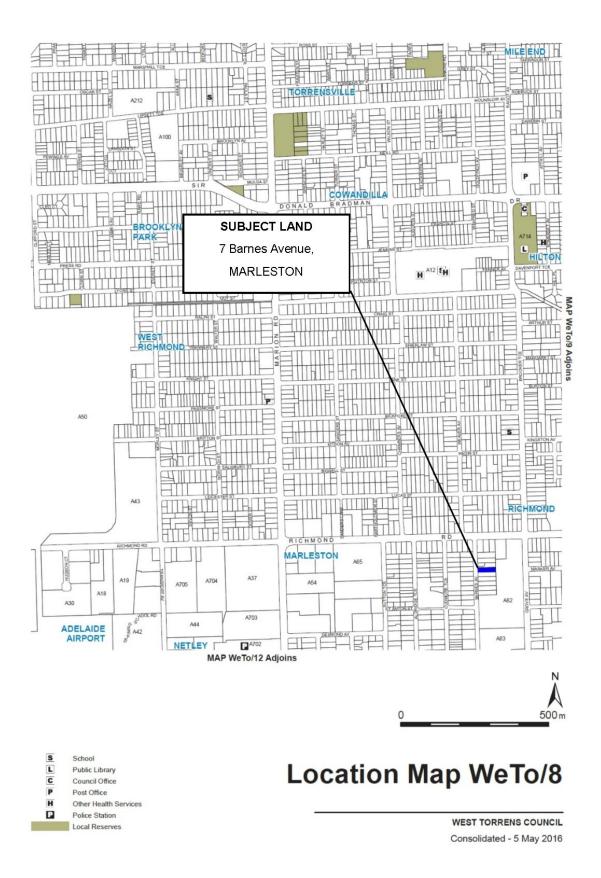
The greater locality comprises more residential and industrial land uses with additional commercial land uses located along Richmond Road to the north.

The site and locality are shown on the following maps.

Page 167 Item 6.7



Page 168 Item 6.7



Page 169 Item 6.7

#### **PROPOSAL**

The Applicant seeks Development Plan consent for a combined land division and land use proposal.

The land division component of the application will involve a community title division creating three additional allotments and a piece of common property. The common property is to allow for the location and provision of stormwater over each allotment, common facilities such as letter boxes, a communal visitor parking space, and of course a common driveway to provide access/egress to the rear dwellings.

The land use component of the development application will involve the construction of four single storey group dwellings each with an associated carport. All proposed dwellings except for Dwelling 4 will have 2 bedrooms and an open plan living and meals area. Dwelling 4 will have 3 bedrooms. Landscaping is also proposed along the common driveway and within the associated open spaces of the dwellings.

**Attachment 1** includes the plans and documentation submitted with the Development Application.

#### **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 Residential Zone, Procedural Matters.

# **REFERRALS**

Internal

# City Assets (Civil Engineer/Traffic Advisor)

The application was referred to Council's City Assets Department to provide feedback on various aspects of the proposed development including:

- Traffic and vehicle manoeuvrability;
- Stormwater disposal;
- Finished floor level; and
- Verge interaction

Initially the proposal presented concerns with regard to all of the aspects mentioned above, however, the application has since been amended and there are no outstanding concerns with the proposal. Council City Assets Department is supportive of the proposal.

# • City Works (Amenity Officer) - Street Tree

Council's Amenity Officer provided comment on the proposal with regards to its interaction with the street tree located in the verge adjacent the subject land. The street tree is a regulated tree of the species Agonis Felxuosa. Support for the proposal is given as long as all elements which pass through the verge maintain a minimum of 2.6 metres from the street tree. The proposal does maintain this minimum offset.

# • Council's Arborist - Regulated Tree on adjoining property

Council engaged Jarrad Allen of Calypso Tree Co. to provide comment on the potential impact the proposal will have on the regulated River Red Gum situated on 5A Barnes Avenue. In summary, if consent is granted the development will have a low impact on the tree if the following is adhered to:

 The paved area located on the northern side of Dwelling 4 shall be constructed with pervious pavers that are laid on a profile specifically for use around trees.

Page 170 Item 6.7

The work required to put the pervious pavers in place shall be carried out by hand. For this
purpose machinery that will cause significant soil compaction such as bobcats and
excavators are prohibited.

Jarrad made the following comment within his report:

"It is apparent that consideration has been undertaken during the design phase of this project to prevent tree-damaging activities. The current development plans are in accordance with Australian Standard 4970-2009 Protection of Trees on Development Sites".

The Applicant provided a Development Arboricultural Assessment and Report prepared by Mark Elliot of the Adelaide Tree Surgery. The Recommendations section of the report reiterates the feedback provided by Jarrad Allen. Should the proposal be granted consent a condition to reinforce the recommendations set out within the independent report and those provided by Jarrad Allen should be included.

#### External

# Development Assessment Commission (DAC) & 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 issued.

Full copies of the relevant reports are contained in Attachment 2.

#### **ASSESSMENT**

The subject land is located within the Residential Zone and more specifically within 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:

General Section	General Section						
Cuines Busyantian	Objectives	1					
Crime Prevention	Principles of Development Control	1, 2, 7, 8					
	Objectives	1					
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 20, 21, 22					
Energy Efficiency	Objectives	1 & 2					
Energy Emclericy	Principles of Development Control	1, 2 & 3					
Infrastructure	Objectives	3					
Illiastructure	Principles of Development Control	1, 2, 4, 5, 6 & 8					
Interface between Land Uses	Objectives	1, 2 & 3					
Interface between Land Oses	Principles of Development Control	1, 2, 3 & 4					
Land Division	Objectives	1, 2, 3 & 4					
Land Division	Principles of Development Control	1, 2, 5, 6, 7, 8 & 12					
Landscaping, Fences and	Objectives	1					
Walls	Principles of Development Control	1-4					
Orderly and Sustainable	Objectives	1, 2, 3, 4 & 5					
Development	Principles of Development Control	1, 3 & 7					
Pogulated Trans	Objectives	1 & 2					
Regulated Trees	Principles of Development Control	1					

Page 171 Item 6.7

	Objectives	1, 2, 3 & 4
Residential Development	Principles of Development Control	1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18,
Trediaental Bevelopment		19, 20, 21, 28, 29, 30 &
		31

Zone: Residential Zone

Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 4, 5, 6, 7, 10, 11, 12, 13 & 14

Policy Area: Medium Density Policy Area 19

Desired Character Statement:

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

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

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

Objectives	1
Principles of Development Control	1, 2, 3, 5 & 7

Page 172 Item 6.7

# **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT				
PROVISIONS		Dwelling 1	Dwelling 2	Dwelling 3	Dwelling 4	
SITE AREA Medium Density Policy Area 19 PDC 5 (within 400m of centre)	Group Dwelling 170m²(min.)	153sqm  Does Not Satisfy by 10%	147.9sqm  Does Not Satisfy by 13%	146.5sqm  Does Not Satisfy by 13.8%	234.4sqm Satisfies	
SITE FRONTAGE Medium Density Policy Area 19 PDC 5 (within 400m of centre)	Group Dwelling 9m	11.8m Satisfies	N/A not fronting a public road	N/A not fronting a public road	N/A not fronting a public road	
SITE COVERAGE Medium Density Policy Area 19 PDC 3	60% (max.)	59% Satisfies	62%  Does Not Satisfy	62%  Does Not Satisfy	49% Satisfies	
PRIMARY STREET SETBACK Medium Density Policy Area 19 PDC 3	3m (min.)	6.2m Satisfies	N/A not fronting a public road	N/A not fronting a public road	N/A not fronting a public road	
SIDE SETBACKS Residential Zone PDC 11	Side 0/1m	3m N 3.67m S Satisfies	0m (abutting simultaneous ly built wall) W & E Satisfies	Om (abutting simultaneous ly built wall) W & E Satisfies	0m (abutting simultaneously built wall) W 2.5m E Satisfies	
REAR SETBACKS Medium Density Policy Area 19 PDC 3	Rear 6m (min.)	0m  Does Not Satisfy	3m  Does Not Satisfy	3m  Does Not Satisfy	3.6m  Does Not Satisfy	

Page 173 Item 6.7

BUILDING HEIGHT Medium Density Policy Area 19 PDC 3	2 storeys or 8.5m	Single storey Satisfies	Single storey Satisfies	Single storey Satisfies	Single storey Satisfies
INTERNAL FLOOR AREA Residential Development PDC 9	- 2 Bedroom, 75m² (min.) - 3+ Bedroom, 100m² (min.)	72m²  Does Not Satisfy by 3m²	75m² Satisfies	75m² Satisfies	98m²  Does Not Satisfy by 2m²
PRIVATE OPEN SPACE Residential Development PDC 19	<300m² - 24m² (min.), of which 8m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m Minimum dimension 3m (excl. balconies) 16m² (min.) at the rear of side of dwelling, directly accessible from a habitable room.	26m² (total) 3m (min. dimension) 26m² (accessed from habitable room)  Satisfies	26m² (total) 3m (min. dimension) 26m² (accessed from habitable room)  Satisfies	26m² (total) 3m (min. dimension) 26m² (accessed from habitable room)  Satisfies	74m² (total) 3m (min. dimension) 26m² (accessed from habitable room)  Satisfies
DOMESTIC STORAGE Residential Development PDC 31	8 cubic metres per dwelling	Not provided  Does Not Satisfy	8 cubic metres Satisfies	8 cubic metres Satisfies	8 cubic metres Satisfies
LANDSCAPING Landscaping, Fences and Walls PDC 4	10% of development site	Total = approx. 133sqm = 14%  Satisfies			

Page 174 Item 6.7

CARPARKING SPACES Transportation and Access PDC 34	- 2 car-parking spaces required, 1 of which is covered	2 spaces provided  Satisfies			
0.25 s	+ an additional 0.25 spaces per dwelling	1 con	•	arking space pro	vided

#### **QUALITATIVE ASSESSMENT**

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

## Site Area

The proposed development will result in allotment sizes smaller than the Development Plan minimum that is set out for group dwellings within the Medium Density Policy Area 19 for three of the four proposed allotments. Group dwellings should have a minimum allotment size of 170 square metres (Residential Zone, Medium Density Policy Area 19 Principle of Development Control (PDC) 5). In this instance allotments of Dwellings 1, 2 and 3 will be less than this by approximately 10% to 13.8%. This departure is not considered to be grounds for refusal for the following reasons:

- Due to the allotment configuration, the departure will not be noticeable from the public realm;
- The development is considered to be medium density at 41.9 dwellings per hectare in accordance with the 30 Year Plan for Greater Adelaide which defines medium density as 35 to 70 dwellings per hectare; and
- The total amount of dwellings that could be accommodated on site would, if the dwellings were a residential flat building or row dwellings, be the same. This is because the minimum allotments size in those instances is 150 square metres.

#### Site Coverage

The proposed development presents a minor inconsistency with regard to the site coverage associated with Dwellings 2 and 3. Residential Zone, Medium Density Policy Area 19 PDC 3 states that site coverage should not exceed 60%, however, the site coverage of both Dwelling 2 and 3 is 62%. This is a minor deficiency that is not considered to be detrimental to the functionality of the proposals as site coverage of the subject land overall is only 40%.

## **Internal Living Area**

The Development Plan encourages a high quality living environment by setting out minimum internal floor areas for dwellings of different sizes. Dwellings which contain two bedrooms should have a minimum internal floor area of 75 square metres (Residential Zone PDC 9). Dwelling 1 will have an internal floor area that is 72 square metres. Whilst the total floor area is less than 75 square metres, the proposed dwelling is still considered to provide a high quality living environment as the design maintains an adequate level of openness and the layout and accessibility of internal spaces are simplistic, for example the proposed dwelling contains:

- an open plan living, meals and laundry area;
- bedrooms and a living area that has windows and/or openings which will provide natural light and ventilation; and
- the living area opens directly out to the area of private open space.

Page 175 Item 6.7

Whilst 75 square metres is not considered to be a large area the departure of 3 square metres is not expected to diminish the amenity of future occupants due to the design and layout of the proposed dwelling.

#### **Rear Setbacks**

Dwellings within Medium Density Policy Area 19 should be setback a minimum of six metres from the rear boundary (Residential Development, Medium Density Policy Area 19 PDC 3). All of the proposed dwellings are closer than six metres to the rear boundary. The proposed rear setback of the dwellings maintains a considerable level of separation between the buildings on the adjoining property 5A Barnes Avenue. Comparably, if the development was for a single detached dwelling or was set out in the same form as development on 9A, 9B, 11A and 11B the setback could be as close as 1 metre, as it would be considered the side setback of the dwellings.

The lesser setback is also considered to be appropriate in this instance as it will not result in any unreasonable impact on adjoining properties, such as overshadowing. The siting of the development to the north of the land has enabled typical issues of overshadowing to be avoided, as the common driveway provides an additional buffer between the subject land and 9A and 9B Barnes Avenue.

# **Domestic Storage**

"A dwelling should incorporate a minimum storage area of 8 cubic metres for goods and chattels, other than food and clothing, within at least one of the following:

- (a) a non-habitable room of the dwelling
- (b) a garage, carport or outbuilding
- (c) an on-site communal facility". Principle of Development Control 31, Residential Development

Domestic storage has been provided for Dwellings 2, 3 and 4, however, the proposal does not provide any domestic storage associated with Dwelling 1. The site is considered to be relatively low maintenance due to the size of the site, minimal landscaping, and the size of the dwelling being only 2 bedrooms (therefore a large number of occupants is not highly anticipated). Domestic storage solutions could be accounted for in the furnishing of the dwelling. In addition, some domestic storage could be provided for within the roof space of this particular dwelling.

## Interface between Land uses

As mentioned earlier in the report, the subject land is adjacent to an industrial property. Residential uses have abutted the industrial site for many years and, although it is acknowledged that the development will cause dwellings to creep closer to the adjacent industrial use, the changes to the subject land are unlikely to create adverse conflicts between the two uses. The nearest industrial type building on ETSA land is approximately 7 metres from the boundary with the subject land.

It has been noted that Dwelling 4 would be the dwelling most impacted by noise. To counteract against the impacts of potential noise a condition has been included in the recommendation that noise attenuation measures (i.e. double glazing windows and noise attenuated walls) be incorporated into the construction of the building.

Page 176 Item 6.7

#### **SUMMARY**

Although there are a small number of minor departures from the provisions of the Development Plan, on balance the proposed development complies with the critical expectations of the Plan. The proposal will provide residential development in a built form that is complementary to the locality and through a design and siting that will ensure the site functions as expected. In terms of compatibility with adjoining residential development and the adjacent industrial site the proposal presents minimal evidence of being detrimental to adjoining properties.

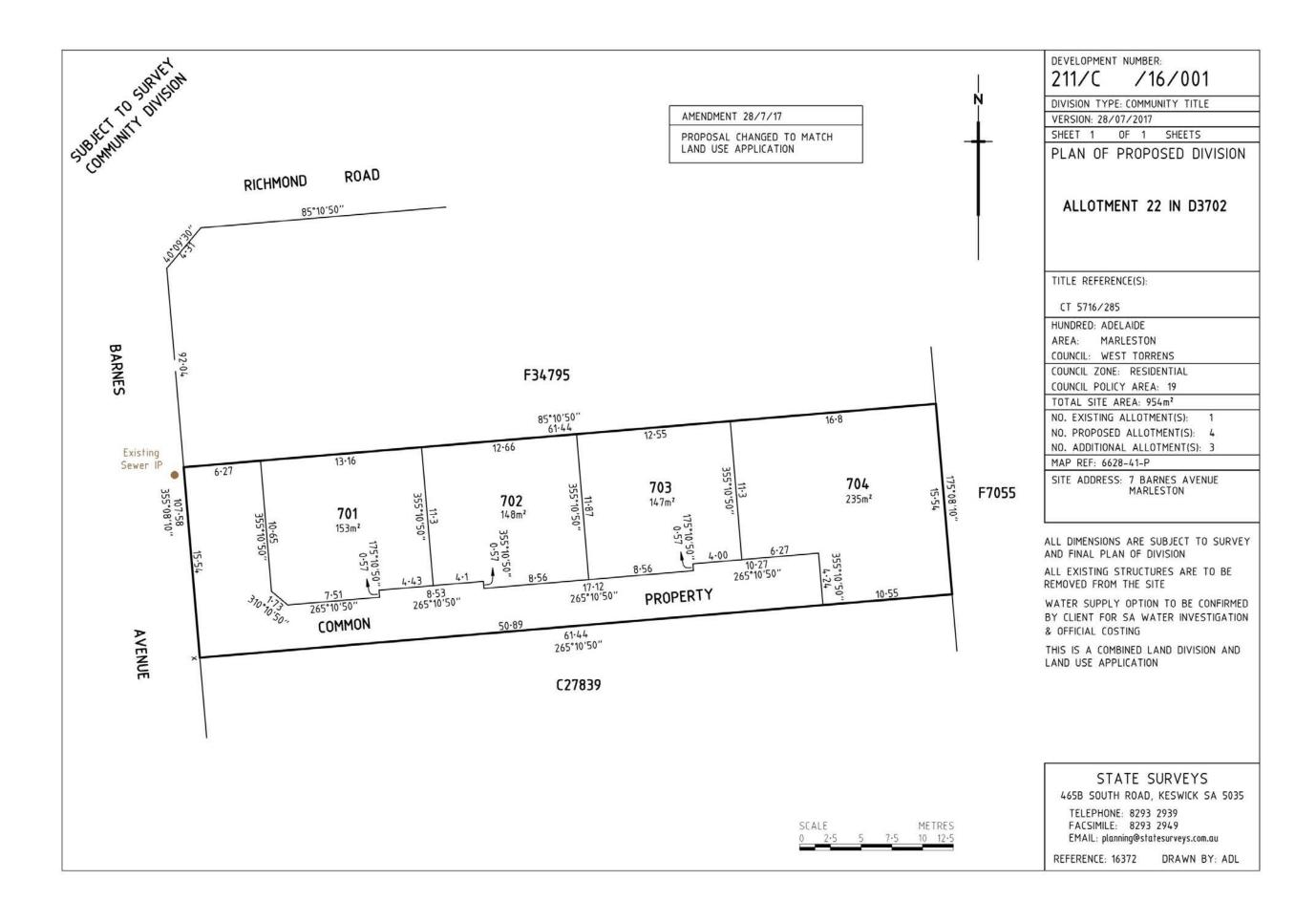
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

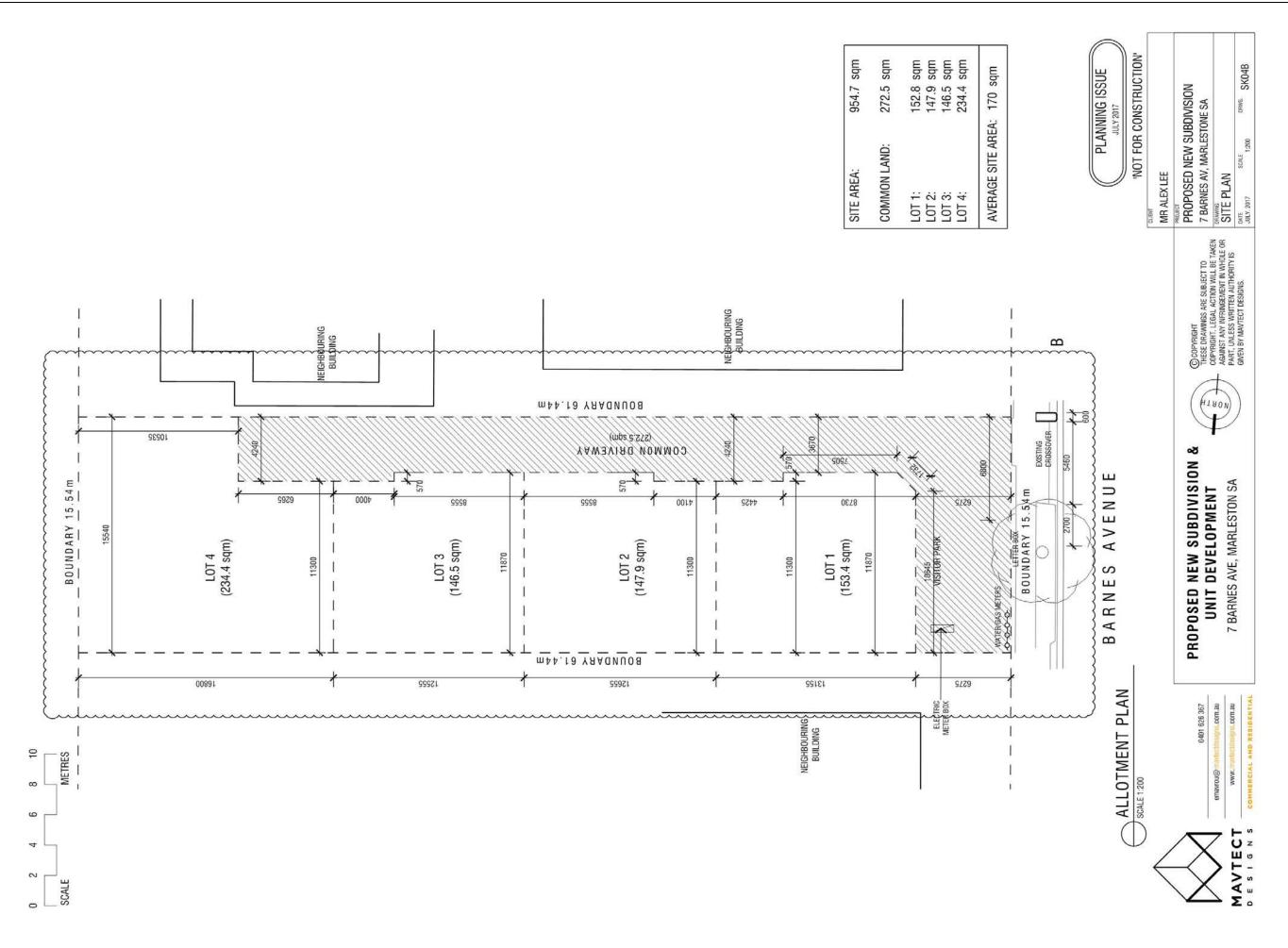
#### **Attachments**

- 1. Details and Plans
- 2. DAC Comments

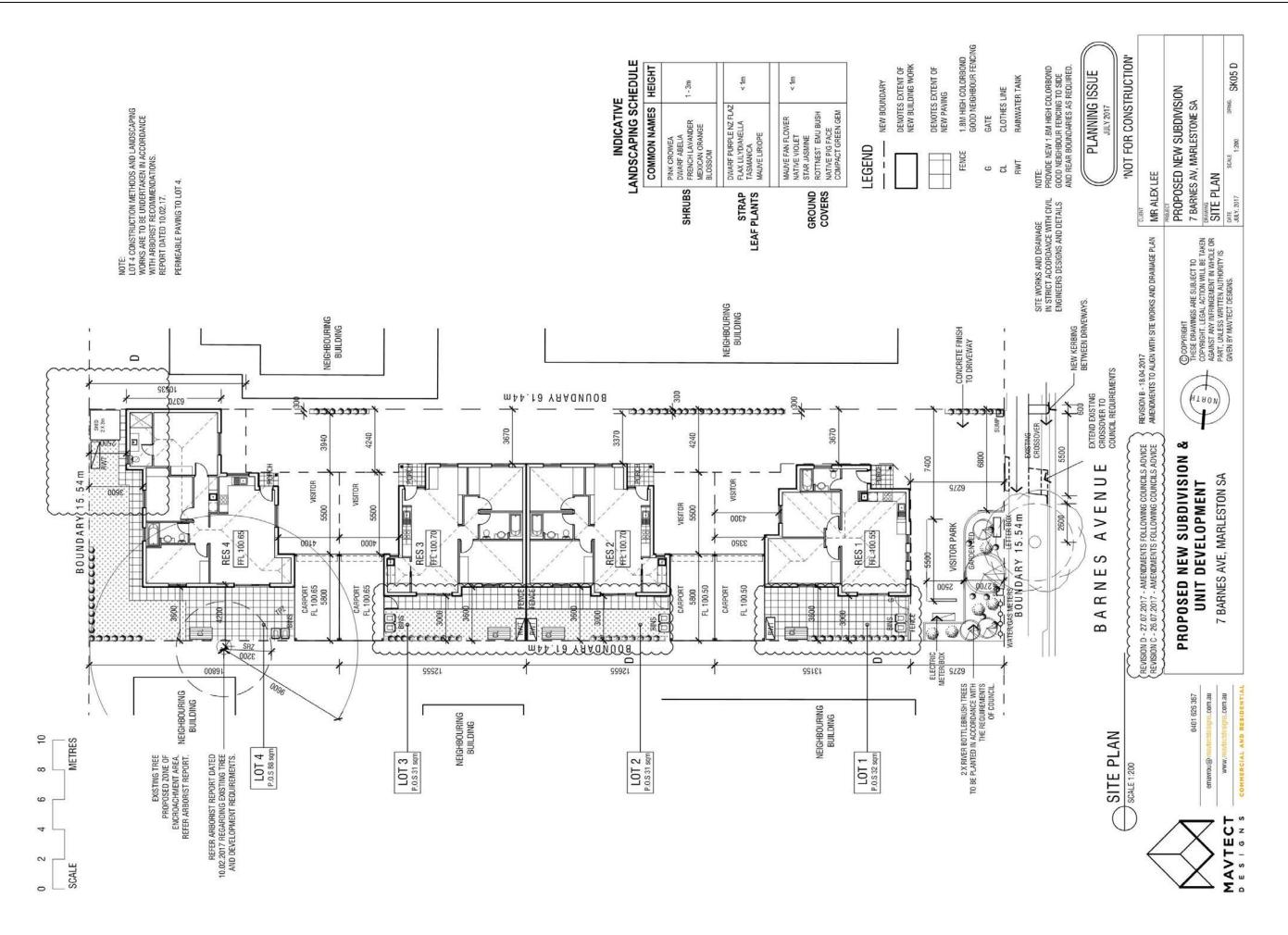
Page 177 Item 6.7



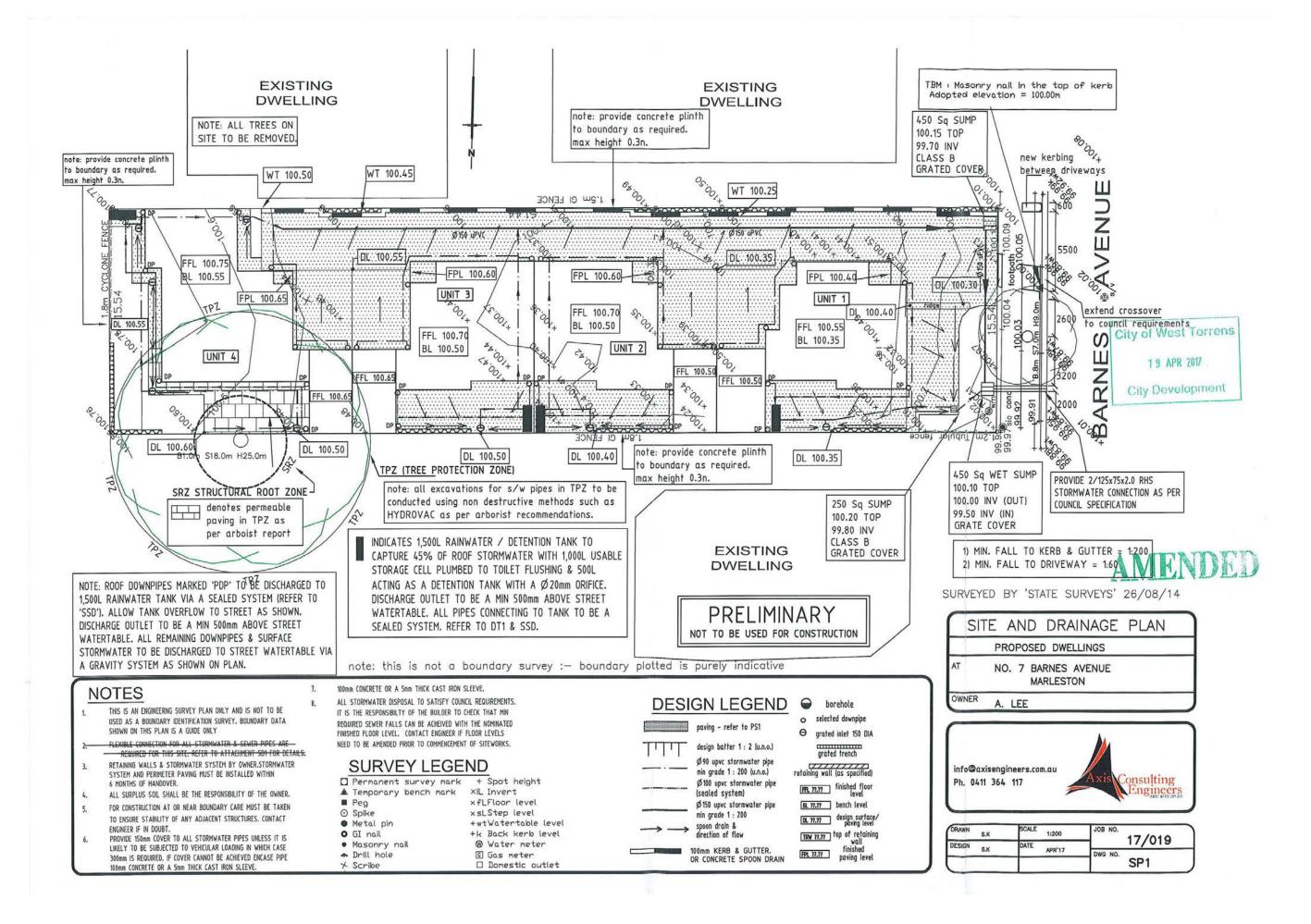
Page 178 8 August 2017



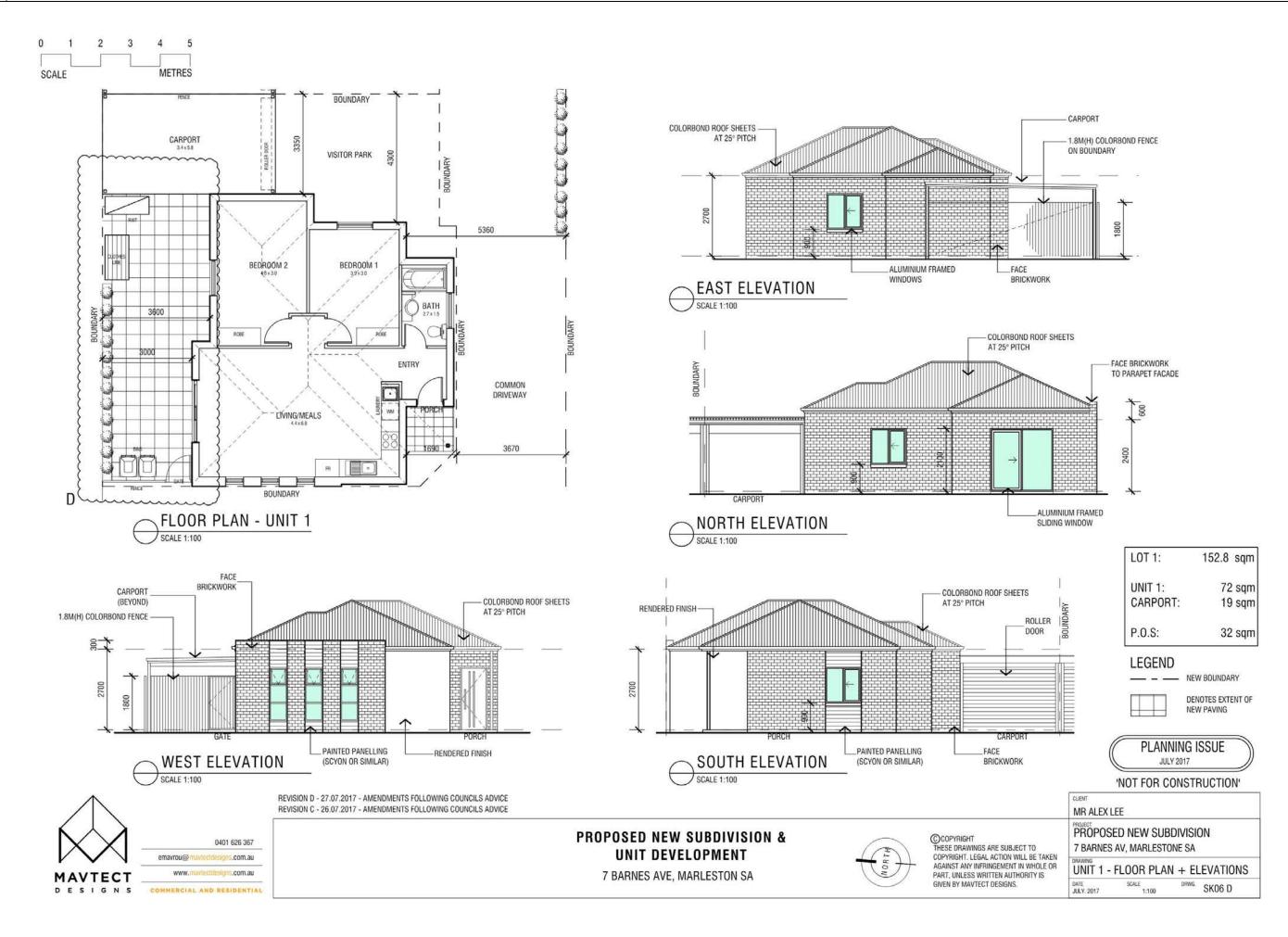
Page 179 8 August 2017



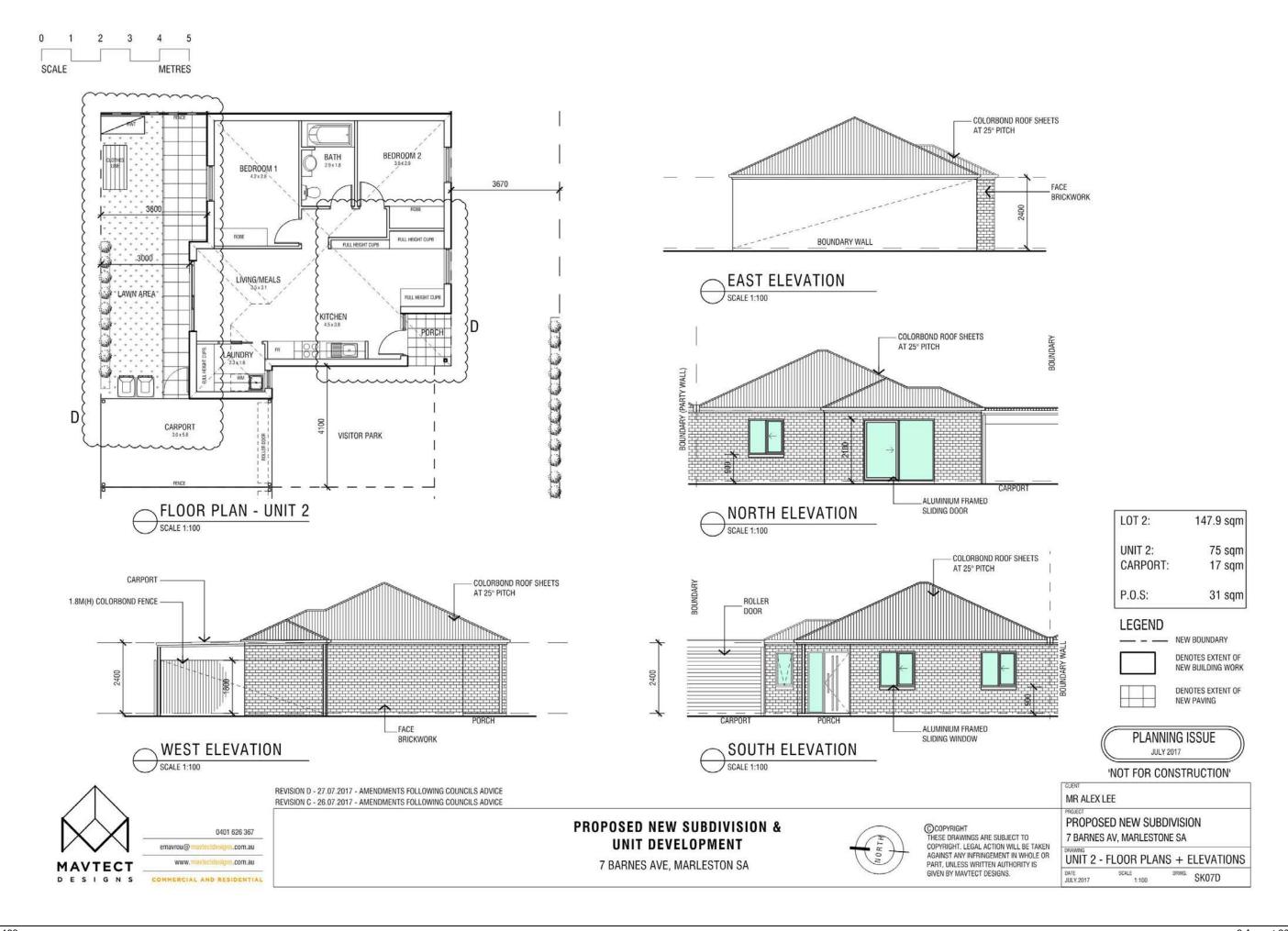
Page 180 8 August 2017



Page 181 8 August 2017



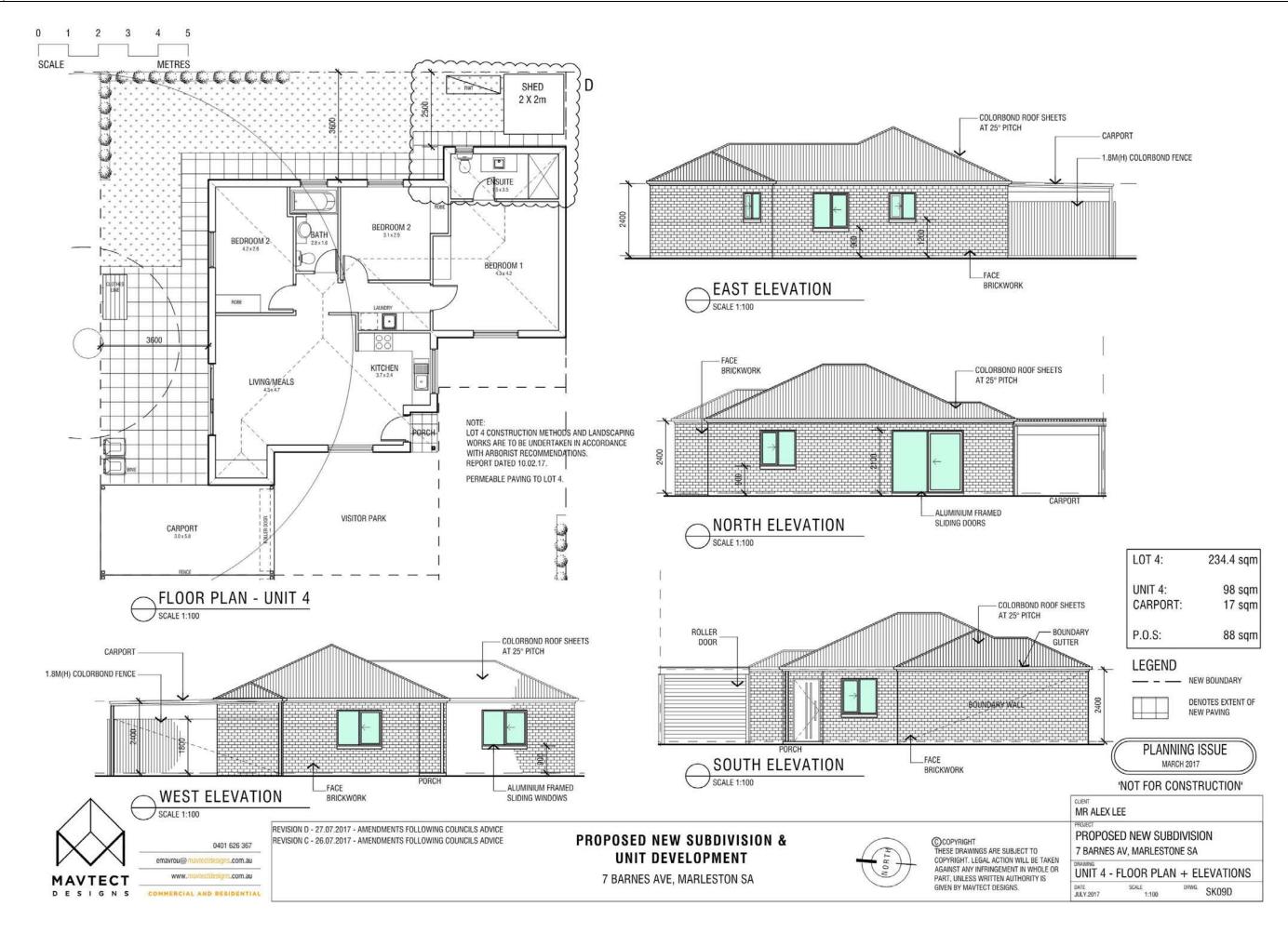
Page 182 8 August 2017



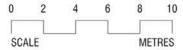
Page 183

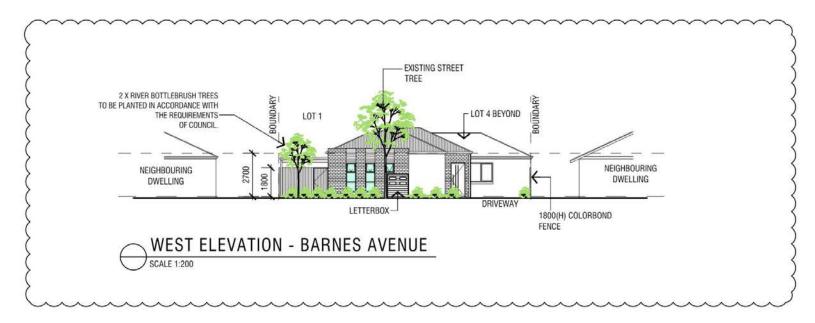


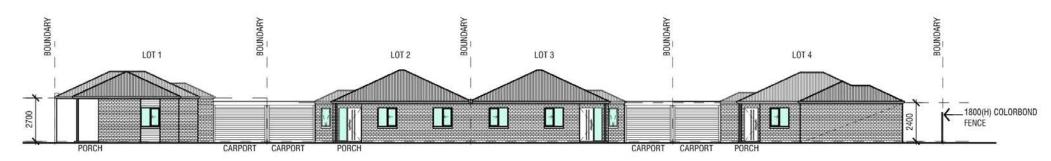
Page 184 8 August 2017



Page 185 8 August 2017







SOUTH ELEVATION - COMMON DRIVEWAY

PLANNING ISSUE MARCH 2017

'NOT FOR CONSTRUCTION'



## PROPOSED NEW SUBDIVISION & UNIT DEVELOPMENT

7 BARNES AVE, MARLESTON SA

© COPYRIGHT
THESE DRAWINGS ARE SUBJECT TO
COPYRIGHT. LEGAL. ACTION WILL BE TAKEN
AGAINST ANY INFRINGEMENT IN WHOLE OR
PART, UNLESS WRITTEN AUTHORITY IS
GIVEN BY MAVTECT DESIGNS.

PROJECT
PROPOSED NEW SUBDIVISION
7 BARNES AV, MARLESTONE SA

DRAWING
STREET ELEVATIONS

DATE
MARCH 2017

SCALE
1:200

DRIVER

DRIVER

DRIVER

DRIVER

SK10A

Page 186 8 August 2017

Contact Lands Titles Office Telephone 7109 7016



26 August 2016 The Chief Executive Officer City of West Torrens Dear Sir/Madam

Re: Proposed Application No. 211/C127/16 (ID 55353)

for Land Division by Mr Alex Lee

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 19 August 2016, I advise that the Development Assessment Commission has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

- The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
  - Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
  - The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
- Payment of \$20028 into the Planning and Development Fund (3 allotment(s) @ \$6676/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.
- 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

Page 187 8 August 2017

#### 6.8 519 Henley Beach Road, FULHAM

Application No 211/1231/2016 (211/D167/16)

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Combined Application: Land Division Torrens Title DAC 211/D167/16 (Unique ID 55916) Create two (2) additional allotments; and Construction of three (3) x two-storey detached dwellings
APPLICANT	Rogra Pty Ltd
LODGEMENT DATE	04 October 2016
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	<ul> <li>City Assets - Engineering</li> <li>External</li> <li>Development Assessment Commission</li> <li>SA Water Corporation</li> <li>Department of Planning, Transport and Infrastructure - Transport Services Division</li> <li>Department of Planning, Transport and Infrastructure - Maintenance Section</li> <li>Department of Planning, Transport and Infrastructure - Safety and Service - Traffic Operations</li> <li>Department of Education and Child Development</li> <li>SA Power Networks</li> </ul>
DEVELOPMENT PLAN VERSION	05 May 2016
MEETING DATE	8 August 2017
t.	

#### 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. 211/1231/2016 by Rogra Pty Ltd to undertake Land Division, Torrens Title, DAC 211/D167/16 (Unique ID 55916) to create two (2) additional allotments; and construct three (3) x two-storey detached dwellings each with garage under main roof at 519 (allotment 81) Henley Beach Road, Fulham (CT 5699/709) subject to the following conditions of consent:

#### DEVELOPMENT PLAN CONSENT

#### **Council Conditions**

- 1. The development shall be undertaken in accordance with the plans and information details in this application except where varied by any condition(s) listed below.
- 2. Each dwelling shall be fitted with a stormwater detention system meeting the following design criteria.
  - A minimum of 50% of the roof area from each dwelling shall be directed to the detention system.

Page 188 Item 6.8

- b) Discharge from the detention tank is to be limited through the utilisation of an outlet orifice of 20mm diameter. The design restrict flow per tank shall be 2.5 litres per second.
- 3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 4. In accordance with the 'Drainage Plan' (SAF Consulting Engineers Job No. 1606122, 1606123 and 1606124 dated April 2017), the finished floor level of each dwelling shall be 100.40.
- 5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
- 6. That all landscaping will be planted in accordance with the approved plans prior to the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping, and shall promptly replace any landscaping which may become diseased or die, with the same or like species/variety.
- 7. Side and rear facing upper level windows of the dwelling shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to the occupation of the building. The glazing in these windows will be maintained in a reasonable condition at all times.

#### LAND DIVISION CONSENT

#### **Council Conditions**

1. Prior to the issue of clearance to this division, existing structures must be removed from the

#### **Development Assessment Commission and SA Water Corporation Conditions**

- 2. Payment of \$13,352 into the Planning and Development fund (2 allotments @ \$6,676/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 by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
- 3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.
- 4. 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 developer's/owner's cost to ensure that the pipework relating to each allotment is contained within its boundaries.

Page 189 Item 6.8

#### **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 all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan

#### PREVIOUS OR RELATED APPLICATIONS

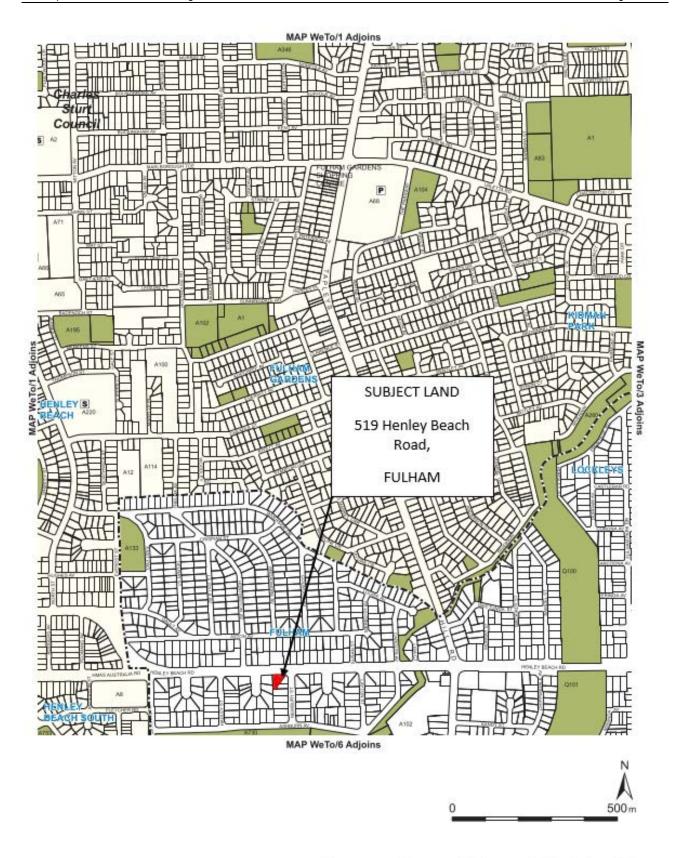
Development Number	Proposal	Status	
211/516/2010	Land division, create two additional allotments	Refused - Information not provided	
211/493/2017	Demolition of existing dwelling and associated structures	Development Approval Granted	

#### SITE AND LOCALITY

The site is triangular in shape with an area of 1043 square metres. The site narrows as it extends away from Henley Beach Road and has a frontage of 41.3 metres. The site is reasonably flat and currently comprises a detached dwelling with associated outbuilding and water tank. No easements are registered on the site.

The locality is characterised by low density residential development. Buildings are predominantly single storey and situated on large allotments. The surrounding pattern of division is unique with several angled or unusually shaped allotments. Henley Beach Road is a busy "Secondary Arterial Road". A bike lane and bus stop are situated in front of the property on Henley Beach Road.

Page 190 Item 6.8



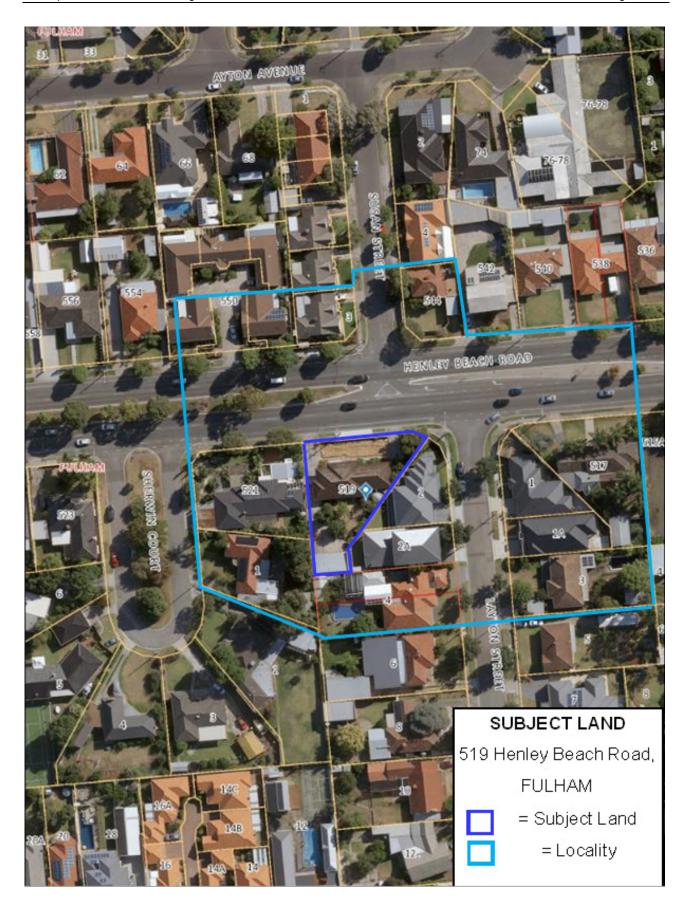
## Location Map WeTo/2



WEST TORRENS COUNCIL

Consolidated - 5 May 2016

Page 191 Item 6.8



Page 192 Item 6.8

#### **PROPOSAL**

The applications have been "combined" to include:

- Land Division to create two (2) additional allotments
- Construction of three (3) x two-storey detached dwellings each with garage under main roof

A full copy of the relevant plans and supporting information are attached, refer Attachment 1.

#### **REFERRALS**

Internal

· City Assets - Engineering

#### External

- Development Assessment Commission
- SA Water Corporation
- Department of Planning, Transport and Infrastructure Transport Services Division
- Department of Planning, Transport and Infrastructure Maintenance Section
- Department of Planning, Transport and Infrastructure Safety and Service Traffic Operations
- Department of Education and Child Development
- SA Power Networks

A full copy of the relevant reports are attached, refer Attachment 2.

#### **ASSESSMENT**

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

<u>General Section</u>						
	Objectives	1 and 2				
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 9, 10, 12, 13, 14, 15, 21 and 22				
Infrastructure	Objectives	1, 2 and 3				
Illiastructure	Principles of Development Control	1, 3, 4, 5, 6, 8 and 9				
Land Division	Objectives	1, 2, 3 & 4				
Land Division	Principles of Development Control	1, 2, 3, 4, 5, 6 and 8				
Landscaping, Fences and	Objectives	1 & 2				
Walls	Principles of Development Control	1, 2, 3, 4 and 6				
	Objectives	1, 2, 3 and 4				
	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10,				
Residential Development		11, 12, 13, 14, 15, 16, 17,				
		18, 19, 20, 21, 27, 28, 29				
		and 31				

Page 193 Item 6.8

#### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 and 4
Principles of Development Control	1, 5, 6, 7, 8, 10, 11, 12, 13 and 14

#### Policy Area: Low Density Policy Area 21

#### Desired Character Statement:

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

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

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

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

Objectives	1
Principles of Development Control	1, 2 and 4

Page 194 Item 6.8

#### **QUANTITATIVE ASSESSMENT**

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA Low Density Policy Area 21 PDC 4	350m²	Lot $1 = 358m^2$ Lot $2 = 346m^2$ (1.2% shortfall) Lot $3 = 339m^2$ (3.2% shortfall)
		Lot 2 & 3 Do Not Satisfy
SITE FRONTAGE Low Density Policy Area 21 PDC 6	9m	Lot 1 = 23.3m  Lot 2 = 9.53m  Lot 3 = 8.47m (5.9% shortfall)  Lot 3 Does Not Satisfy
STREET SETBACK Residential Zone PDC 8	Same setback as one of the adjacent buildings.	521 Henley Beach Road setback = 5.51m Lot 1 = 6.56m Lot 2 = 8.26m Lot 3 = 8.39m  Satisfies
SIDE SETBACKS (GROUND LEVEL) Residential Zone PDC 11	Side boundary setback where the vertical side wall is 3m or less in height = 1m	Lot 1 = 0.9m and 1m Lot 2 = 1.09m and 0m Lot 3 = 0.9m and 1.1m Does Not Satisfy
SIDE SETBACKS (UPPER LEVEL) Residential Zone PDC 11	Side boundary setback where the vertical side wall is between 3m and 6m in height = 2m	Lot 1 = 2.2m and 1m Lot 2 = 1.1m and 1m Lot 3 = 1m and 2m  Does Not Satisfy

Page 195 Item 6.8

	1	
REAR SETBACKS (GROUND LEVEL) Residential Zone PDC 11	Rear boundary setback for single storey components = 3m	Lot 1 = 1.7m Lot 2 = 1.9m Lot 3 = 8.4m Lot 1 & 2 Do Not Satisfy
REAR SETBACKS (UPPER LEVEL) Residential Zone PDC 11	Rear boundary setback for two storey components = 8m	Lot 1 = 3.8m Lot 2 = 4.6m Lot 3 = 6m <b>Does Not Satisfy</b>
PRIVATE OPEN SPACE Residential Development PDC 19	300-500m <sup>2</sup> 60m <sup>2</sup> min. (min. dimension 4m accessed from internal living area	Lot 1 = 60m <sup>2</sup> Lot 2 = 79.6m <sup>2</sup> Lot 3 = 67.1m <sup>2</sup> Satisfies
CARPARKING SPACES Transportation and Access PDC 34	2 car-parking spaces, 1 of which is covered, are required	Lot 1 = 3, 2 covered Lot 2 = 3, 2 covered Lot 3 = 3, 2 covered Satisfies
CARPORT MAXIMUM FLOOR AREA Residential Development PDC 16	60m²	Lot 1 = 39.51m <sup>2</sup> Lot 2 = 40.8m <sup>2</sup> Lot 3 = 37.1m <sup>2</sup> Satisfies
CARPORT MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	Lot 1 = 2.72m Lot 2 = 3.1m Lot 3 = 2.72m Lot 2 Does Not Satisfy
CARPORT MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Satisfies
CARPORT MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8m or 50% of the length along that boundary, whichever is less	Lot 1 = 1.9m Lot 2 = 6.7m Lot 3 = 6.8m Satisfies

Page 196 Item 6.8

CARPORT MAXIMUM FRONTAGE WIDTH Residential Development PDC 16	6m or 50% of the allotment frontage, whichever is less.	Lot 1 = 5.2m Lot 2 = 4.82m Lot 3 = 4.82m Satisfies
STORAGE Residential Development PDC 31	8m <sup>3</sup>	Unspecified on plans  Does Not Satisfy

#### **QUALITATIVE ASSESSMENT**

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

#### Land Use and Zoning

The Residential Zone envisages dwellings and Low Density Policy Area 21 specifically envisages detached dwellings. The proposed land use is therefore appropriate.

Low Density Policy Area 21 seeks a low density character, with denser allotment patterns close to centre zones where it is desirable for more residents to live.

#### **Bulk and Scale**

The desired character within Low Density Policy Area 21 states

"Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings... will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials".

High parapets above each garage increase bulk, however, overall each dwelling would have a conventional two-storey building height with pitched roof. Each garage would be integrated into the façade and would not appear dominant. Each façade would have a variety of textures and materials and would be staggered to provide articulation when viewed from Henley Beach Road.

The proposed bulk and scale is typical of modern residential development.

#### **Setbacks**

The triangular shape of the site presents an unusual plan of division. The resulting allotment shapes make it difficult for conventional dwelling designs to achieve minimum side and rear setback requirements, particularly when two storey. Notwithstanding this, the size of each allotment enables residential development of a low-density character.

"Setback" provisions are intended to minimise visual impact and overshadowing upon a neighbouring site or to provide visual separation between buildings when viewed from the street. Overshadowing will be discussed further in this report.

Ground level and upper storey side setbacks have attempted to achieve the minimum setback guidelines where boundaries abut neighbouring dwellings at 521 Henley Beach Road, 2 and 2a Layton Street. The intent being to minimise the proposal's impact upon established development. Ground level side setback shortfalls adjacent these properties do not exceed 100 millimetres and would not result in an undue visual impact. Upper level side setbacks adjacent these properties are achieved.

Page 197 Item 6.8

The proposed side setback shortfalls are predominantly between the proposed dwellings and measured from inner proposed allotment boundaries. These shortfalls are not considered to significantly diminish the amenity of proposed dwellings and the setback shortfalls are not considered to diminish the presentation of the streetscape.

Once again, the triangular shape of the site and unusual allotment patterns present difficulty with regard to rear setbacks. The bulk of rear setbacks are achieved, however, the angled nature of boundaries result in some encroachment. Understanding the intent of setback provisions, rear setback shortfalls are not considered fatal as they would not impose an unreasonable level of visual intrusion.

#### Overshadowing and Overlooking

With regard to overshadowing, the Development Plan states

"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.

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

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

The applicant has provided "Shadow Diagrams" that display the extent of shadow cast by the development at 9am, 11am, 1pm and 3pm on 21 June, the winter solstice.

The diagrams reveal that the north facing windows of each proposed dwelling and established dwellings at 521 Henley Beach Road and 2 and 2a Layton Street receive at least 3 hours of direct sunlight over a portion of their surface between 9am and 5pm. This is largely due to the orientation of each respective allotment.

The development will cast some shadow over the ground level open space of 521 Henley Beach Road and 2 and 2a Layton Street during particular times of the day. However, each property will continue to receive in excess of 2 hours sunlight in accordance with the Development Plan unless overshadowed by the respective dwelling situated on the same property. Given the orientation of proposed allotments, the proposed dwellings will largely overshadow their own private open space. It would appear that the proposed ground level open space of each proposed dwelling would not receive 2 hours of sunlight on 21 June, however, it is also acknowledged that this provision only applies to existing buildings. As such, the proposal does not create unreasonable overshadowing.

With regard to overlooking, the development plan states

"... upper level windows... that overlook habitable room windows or private open space of dwellings should maximise visual privacy through the use of measures such as sill heights of not less than 1.7 metres".

The plans indicate that side and rear facing windows would be obscured up to 1.85 metres above internal floor level. As such, the proposal would not impose unreasonable overlooking.

Page 198 Item 6.8

#### Stormwater

Given the size of the site, Council's engineers have advised the stormwater discharge from the total site should be restricted to a maximum of 20 litres per second during a 20 year average storm event.

Stormwater from each dwelling would be contained within its respective allotment and discharged to Henley Beach Road via a series of grated sumps and detention tanks. Stormwater would not encroach or discharge onto a neighbouring property. Council engineers have assessed the supporting calculations and recommended that the following condition be imposed upon the proposal with regard to stormwater management.

"Each dwelling shall be fitted with a stormwater detention system meeting the following design criteria.

- A minimum of 50 % of the roof area from each dwelling shall be directed to the detention system.
- Discharge from the detention tank is to be limited through the utilisation of an outlet orifice of 20mm diameter. The design restrict flow per tank shall be 2.5 litres per second".

#### Storage

A dwelling should incorporate a minimum storage area of 8 cubic metres within a non-habitable room of the dwelling, a garage, carport or outbuilding. The applicant has not specified a dedicated storage area on the floor plans, however, it is acknowledged that each dwelling has excess on-site covered car parking space and could make available storage areas under respective stairwells or within roof space. This matter is not considered to warrant the application's refusal.

#### **Transportation and Access**

Henley Beach Road is a "Secondary Arterial Road" and the proposal would change the nature of vehicle movements to and from the site. As such, the proposal was referred to DPTI (Department of Planning, Transport and Infrastructure) so that Council could have regard to their comments.

Although the site currently comprises one detached dwelling, the site has two vehicle crossovers from Henley Beach Road, neither of which is supplemented by a turn-around area allowing vehicles to leave in a forward direction. A bike lane and bus stop are situated in front of the site, along Henley Beach Road. Dwelling 1 would be served by its own vehicle access/egress point whilst dwellings 2 and 3 would share a vehicle access/egress point. The plan of division includes "reciprocal rights of way" to accommodate this.

The proposal would increase vehicle movements to and from the site given the increase from one dwelling to three dwellings. Council engineers have reviewed vehicle movements in the context of the relevant Australian Standard and confirmed that vehicles can reasonably manoeuvre to enter and exit the site in a forward direction.

DPTI have stated "that the proposed allotments should be served by a single shared access point or by a shared ingress-only/egress-only access arrangement..." The proposal would not increase the number of vehicle access/egress points to the site but would rather maintain the same number. It is not considered reasonable to have the applicant reduce the existing number of vehicle access/egress points to prevent vehicle movements that are currently occurring. The proposal would improve vehicle movements providing a turn-around area that allows vehicles to leave in a forward direction. Council's crash data between 2012 and 2016 indicates two accidents nearby the property, however on the opposite side of Henley Beach Road, unlikely to be related to vehicle movement to or from the site. The existing access/egress points are not considered dangerous and provide reasonable vehicle and pedestrian sight lines. The applicant has reasonably demonstrated that each proposed dwelling would be provided with safe and convenient access/egress as required by the Development Plan.

Page 199 Item 6.8

#### Land Division, Site Area and Frontage

The application is "combined" with an application for dwellings and the site is situated within 400 metres of a centre zone. As such, the minimum site area requirement is 350 square metres and the minimum frontage requirement is 9 metres.

Allotments 2 and 3 marginally fail to achieve minimum site areas. Notwithstanding this, each allotment is considered to be of a size that is acceptable for a low density residential use. The 30 Year Plan for Greater Adelaide defines "Low Density" as "fewer than 35 dwelling units per hectare". The proposal would result in 28.76 dwelling units per hectare.

Allotment 3 marginally fails to achieve the minimum frontage requirement. Notwithstanding this, the average frontage across the site would be 13.76 metres due to the extensive frontage of proposed allotment 1. The overall development would have a low-density character when viewed from Henley Beach Road and allows for reasonable landscaping forward of the dwellings. The reduced frontage to allotment 3 is not considered fatal to the proposal.

#### **SUMMARY**

The proposal would introduce modern two-storey development on smaller allotments into a locality that is predominantly characterised by single storey dwellings on large allotments. However, being located within 400 metres of a centre zone, denser allotment patterns and alternative dwelling types are desirable with Low Density Policy Area 21 for more residents to live and take advantage of the variety of facilities situated within the nearby centre zone.

The site will reduce the open appearance of the site, however, would not impose unreasonable visual intrusion or overshadowing upon established dwellings nearby and would preserve a low-density character with reference to The 30 Year Plan for Greater Adelaide.

Whilst the proposal may appear different in the immediate locality, the proposal is reasonably consistent with the Development Plan to warrant consent.

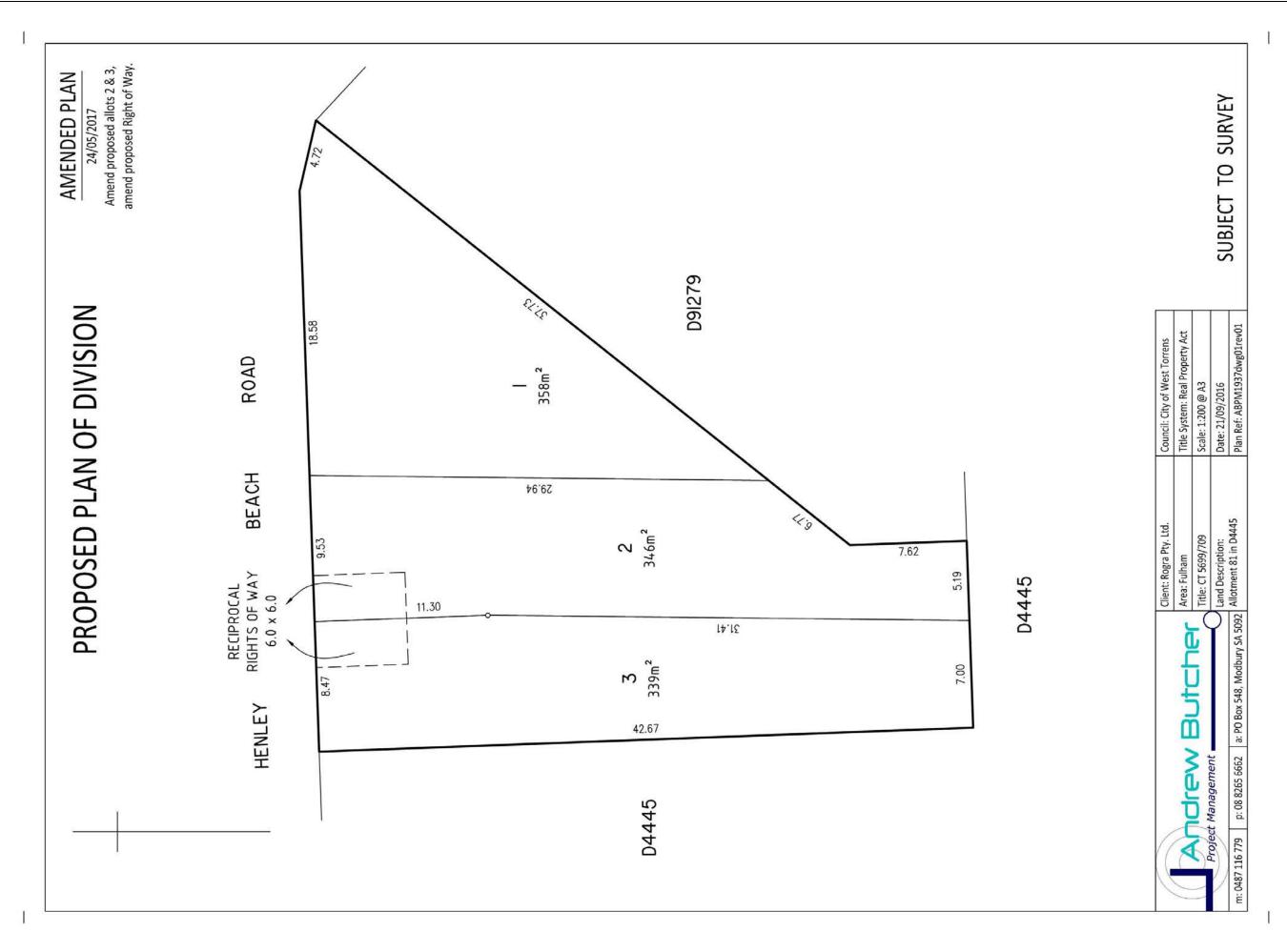
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan.

On balance, the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

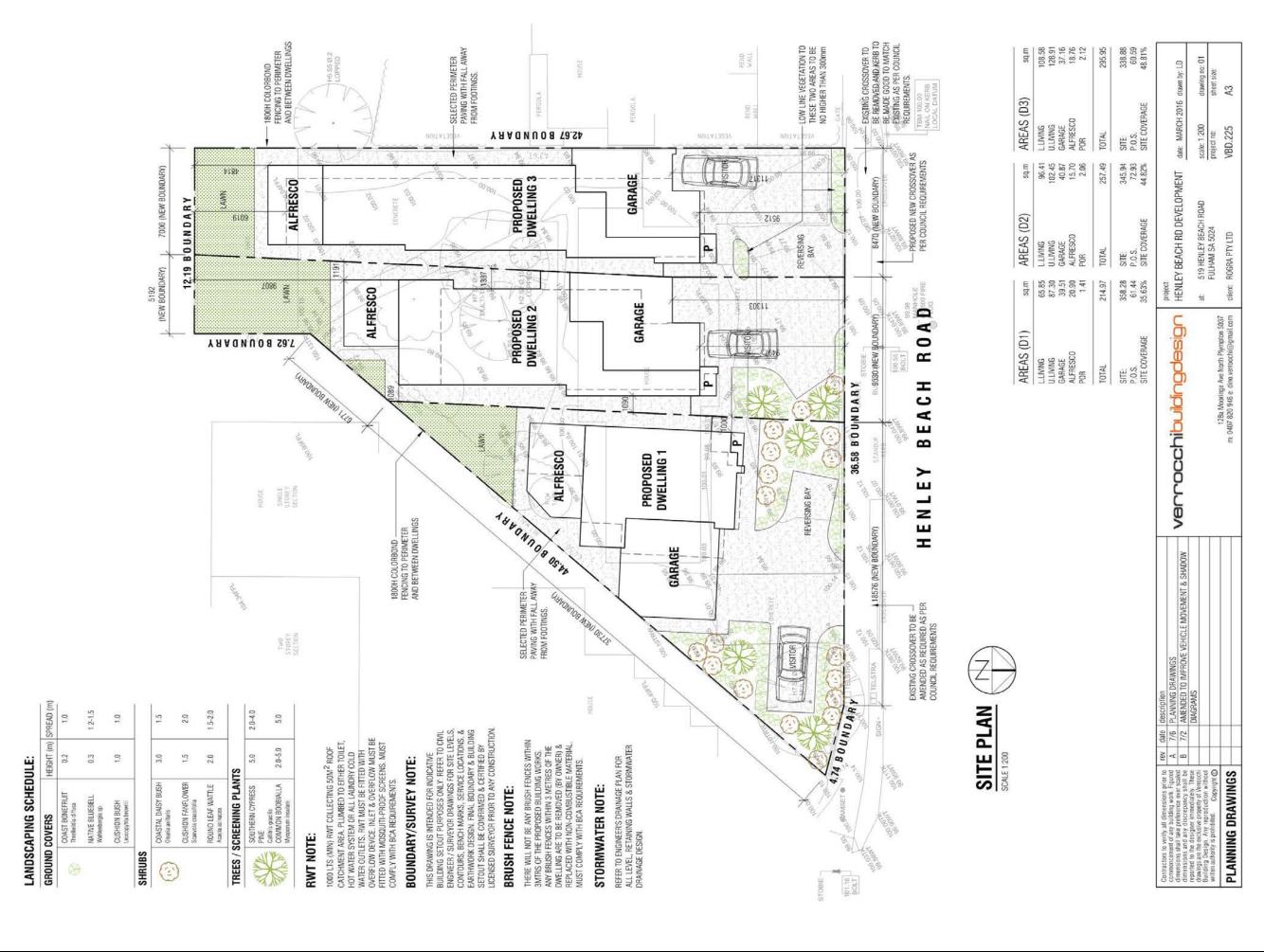
#### **Attachments**

- 1. Plans and Supporting Information
- 2. Referral Reports

Page 200 Item 6.8



Page 201 8 August 2017



Page 202 8 August 2017

Item 6.8- Attachment 1 **Development Assessment Panel** 

#### LEGEND:

S STAINLESS STEEL SINK
HP HOT PLATE
UBO UNDER BENCH OVEN
WO WALL OVEN
RH RANGE HOOD

DW DISHWASHER F FR REFRIDGERATOR

FREEZER PTRY PANTRY

SHR SHOWER B BATH

FSB FREESTANDING BATH

LINEN WM WASHING MACHINE

UBWM UNDER BENCH WASHING MACHINE

UBD UNDER BENCH DRYER

TR LC P V TROUGH LAUNDRY CHUTE TOILET PAN

VANITY BCH BENCH

BROOM CUPBOARD STORAGE

ROOF ACCESS 600x600 SKY-LIGHT

RA SL SB DP SWITCH BOARD

DP DOWNPIPE DPS DOWNPIPE WITH SPREADER

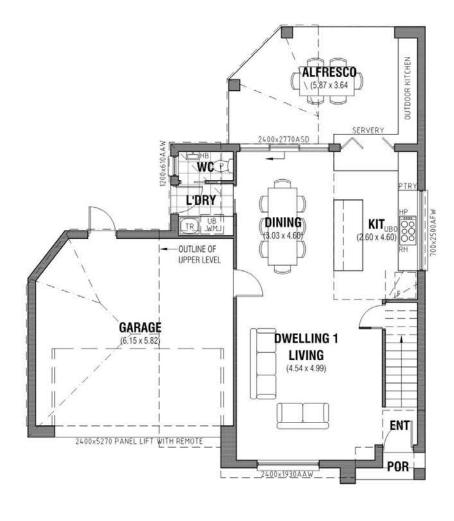
RAIN HEAD

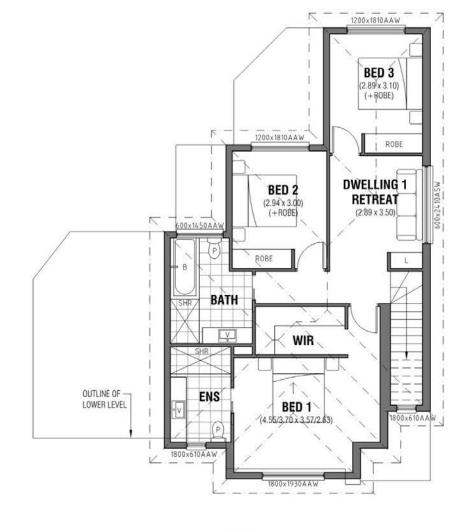
RWT RAIN WATER TANK

(\$) SMOKE ALARM HARD WIRED IN ACCORDANCE WITH AS3786 AND TO BE INTERCONNECTED WHEN TWO OR MORE SMOKE ALARMS ARE REQUIRED. EXHAUST FAN - CEILING MOUNTED

DUCTED TO OUTSIDE AIR CONTROL JOINTS AS PER ENGINEERS
REPORT









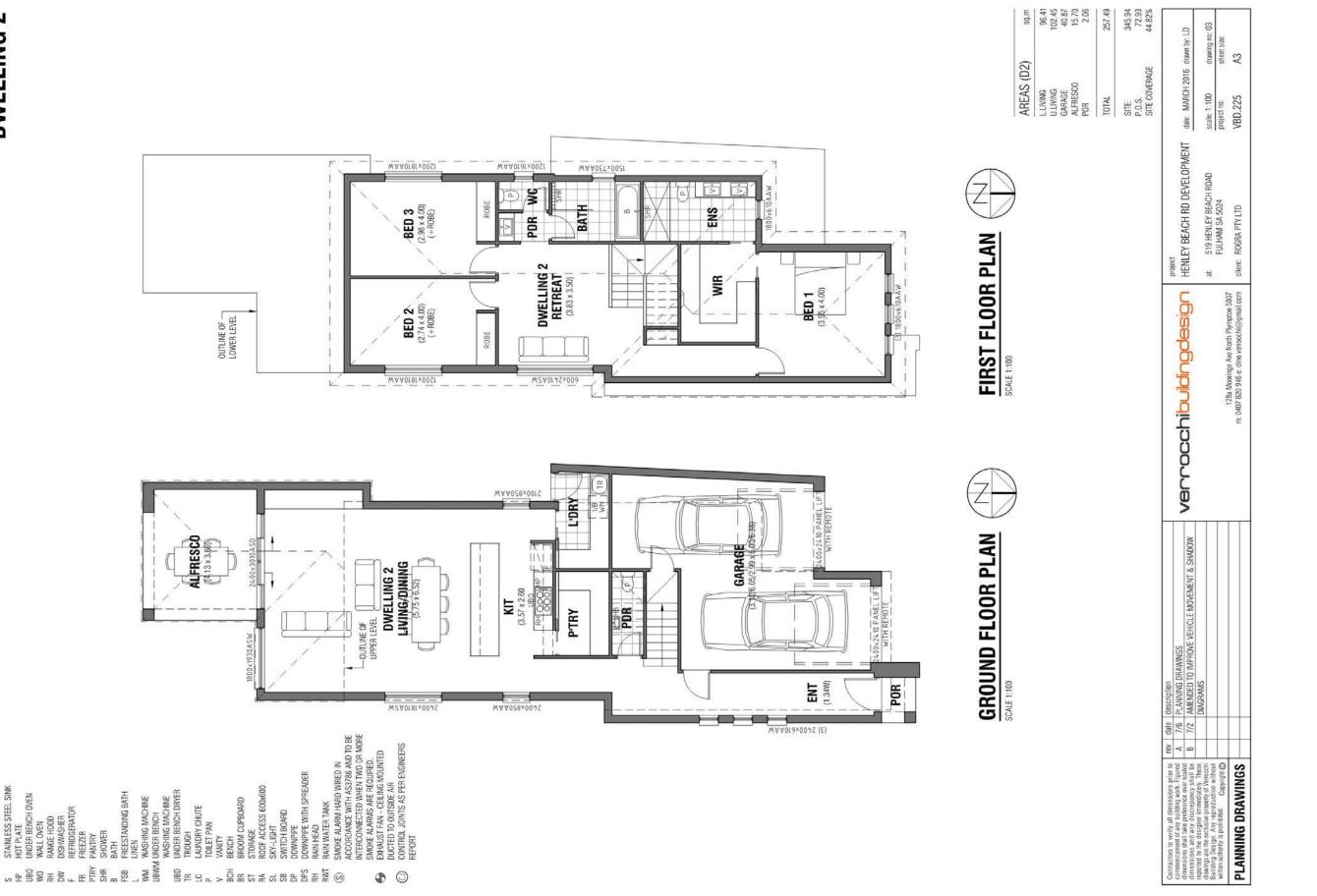


AREAS (D1)	sq.m
L.LIVING	65.85
U.LIVING	87.30
GARAGE	39.51
ALFRESCO	20.90
POR	1.41
TOTAL	214.97
SITE:	358.28
P.0.S.	61.44
SITE COVERAGE	35.63%

Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be	A B	7/6	description PLANNING DRAWINGS AMENDED TO IMPROVE VEHICLE MOVEMENT & SHADOW DIAGRAMS	notes	verrocchi <mark>buildi</mark> r	ngdesign	project: HENLEY BEACH RD DEVELOPMENT	date: MARCH 2	.016 drawn by: LD
reported to the designer immediately. These drawings are the exclusive property of Verrocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©					100-11-2-1	A N - N - N - N - N - N - N - N - N - N	at: 519 HENLEY BEACH ROAD FULHAM SA 5024	scale: 1:100 project no:	drawing no: 02 sheet size:
PLANNING DRAWINGS						ge Ave North Plympton 5037 : dino.verrocchi@gmail.com	client: ROGRA PTY LTD	VBD.225	A3

Page 203 8 August 2017

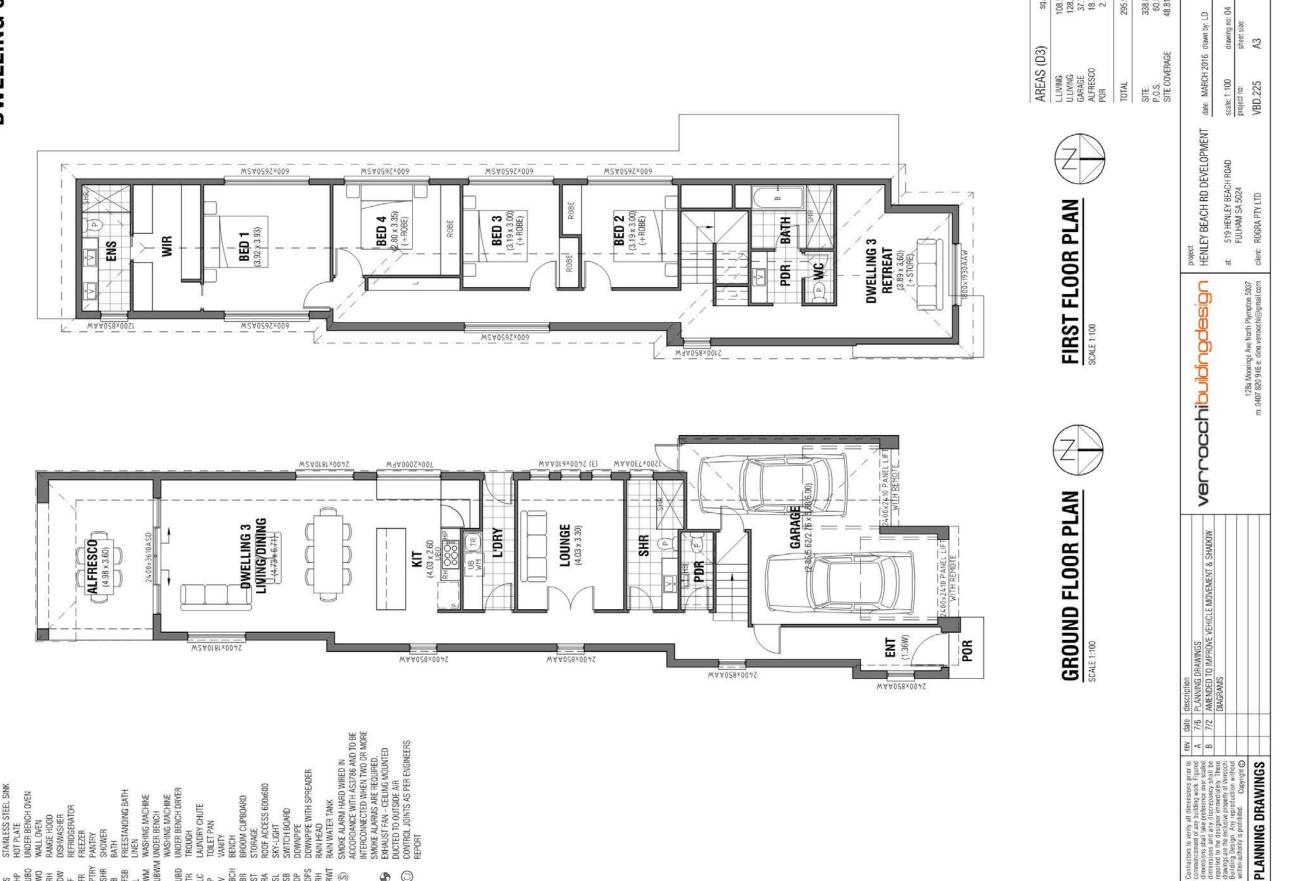
# **DWELLING 2**



Page 204 8 August 2017

sq.m 108.58 128.91 37.16 18.76 2.12 295.95 60.59 48.81%

# **DWELLING 3**



Page 205 8 August 2017

Item 6.8- Attachment 1 Development Assessment Panel





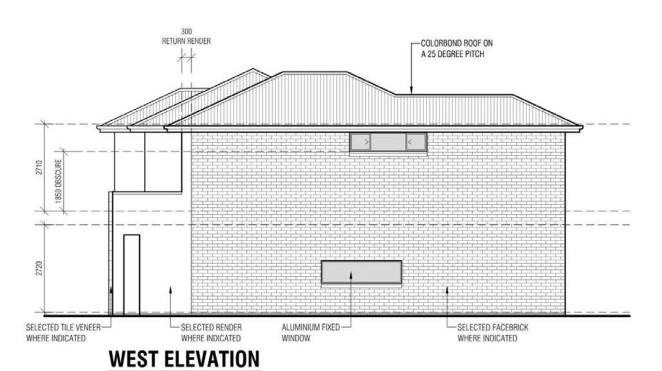
SCALE 1:100

NORTH ELEVATION (HENLEY BEACH ROAD)

SCALE 1:100

COLORBOND ROOF ON A 25 DEGREE PITCH

SELECTED FACEBRICK
WHERE INDICATED



**EAST ELEVATION** 

ALUMINIUM — AWNING WINDOW

SELECTED RENDER — WHERE INDICATED

Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the designer immediately. These	rev A B	date description 7/6 PLANNING DRAWINGS 7/2 AMENDED TO IMPROVE VEHICLE MOVEMENT & SHADOW DIAGRAMS	notes	verrocchibuildingdesign	project: HENLEY BEACH RD DEVELOPMENT	date: MARCH 20	)16 drawn by: LD
drawings are the exclusive property of Verrocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©				100 Marshard Mark 20 mars 2007	at 519 HENLEY BEACH ROAD FULHAM SA 5024	scale: 1:100 project no:	drawing no: 05 sheet size:
PLANNING DRAWINGS				128a Mooringe Ave North Plympton 5037 m: 0407 820 946 e: dino.verrocchi@gmail.com	client: ROGRA PTY LTD	VBD.225	A3

SELECTED TILE VENEER WHERE INDICATED

Page 206 8 August 2017

## **DWELLING 2**



NORTH ELEVATION (HENLEY BEACH ROAD)
SCALE 1:100

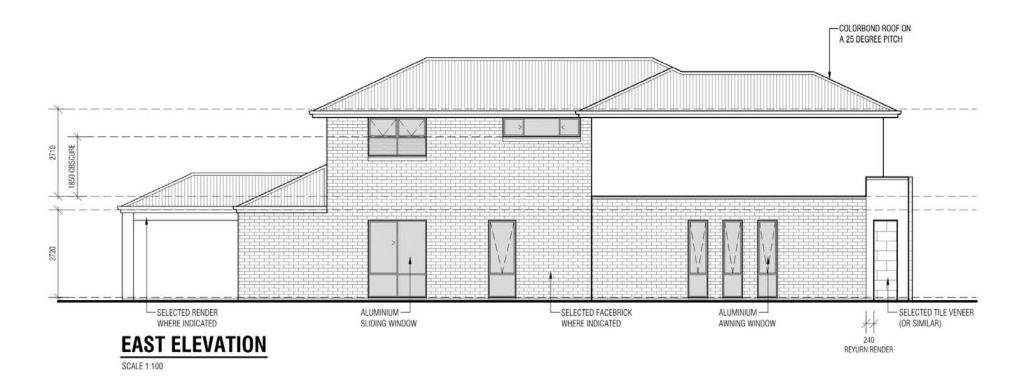


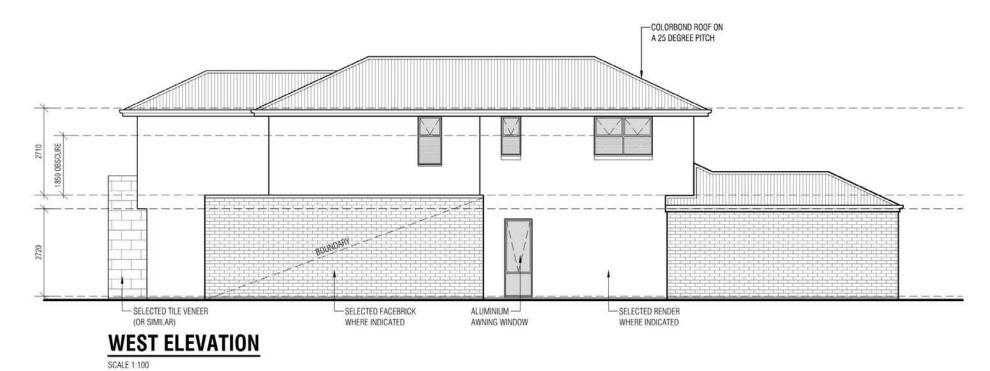
**SOUTH ELEVATION** 

Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the designer immediately. These	A B	7/6	description PLANNING DRAWINGS AMENDED TO IMPROVE VEHICLE MOVEMENT & SHADOW DIAGRAMS	notes	verrocchibuildingdesign	project: HENLEY BEACH RD DEVELOPMENT	date: MARCH 20	)16 drawn by: LD
drawings are the exclusive property of Verrocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©					100 Maries An Hart Diagram 5007	at: 519 HENLEY BEACH ROAD FULHAM SA 5024	scale: 1:100 project no:	drawing no: 06 sheet size:
PLANNING DRAWINGS					128a Mooringe Ave North Plympton 5037 m: 0407 820 946 e: dino.verrocchi@gmail.com	client: ROGRA PTY LTD	VBD.225	A3

Page 207 8 August 2017

### **DWELLING 2**





Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference ever scaled dimensions shall any discrepancy shall be reported to the designer immediately. These drawings are the exclusive property of Verrocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©	Α	7/6	description PLANNING DRAWINGS AMENDED TO IMPROVE VEHICLE MOVEMENT & SHADOW DIAGRAMS	notes  VE	verrocchibuildingdesign	project: HENLEY BEACH RD DEVELOPMENT	date: MARCH 2016 drawn by; LD	
					128a Mooringe Ave North Plympton 5037 m: 0407 820 946 e: dino.verrocchi@gmail.com	at: 519 HENLEY BEACH ROAD FULHAM SA 5024	scale: 1:100 project no:	drawing no: 07 sheet size:
PLANNING DRAWINGS						client: ROGRA PTY LTD	VBD.225	A3

Page 208 8 August 2017

## **DWELLING 3**



NORTH ELEVATION (HENLEY BEACH ROAD)
SCALE 1:100

SELECTED RENDER
WHERE INDICATED

SOUTH ELEVATION

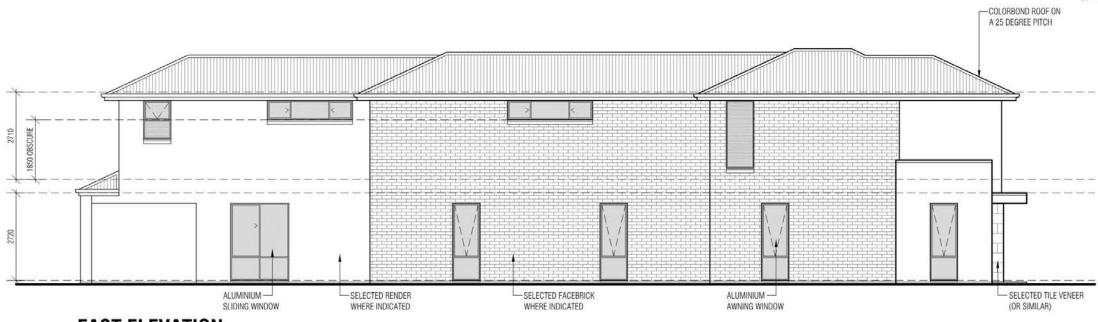
SCALE 1:100

Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference wer scale dimensions shall take preference wer scale dimensions and any discrepancy shall be reported to the designer immediately. These	notes	verrocchibuildingdesign	project: HENLEY BEACH RD DEVELOPMENT	date: MARCH 2016 drawn by: LD	
drawings are the exclusive property of Vertocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©		100 No. 10 April 10 A	at: 519 HENLEY BEACH ROAD FULHAM SA 5024	scale: 1:100 project no:	drawing no: 08 sheet size:
PLANNING DRAWINGS		128a Mooringe Ave North Plympton 5037 m: 0407 820 946 e: dino.verrocchi@gmail.com	client: ROGRA PTY LTD	VBD.225	A3

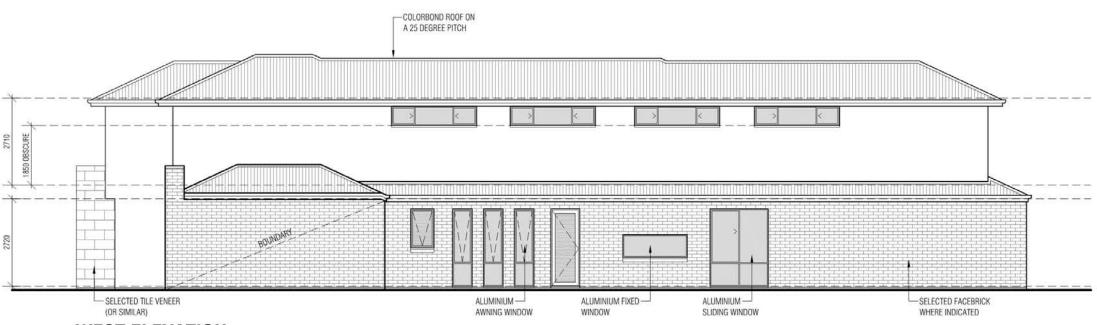
Page 209 8 August 2017

Development Assessment Panel Item 6.8- Attachment 1

### **DWELLING 3**



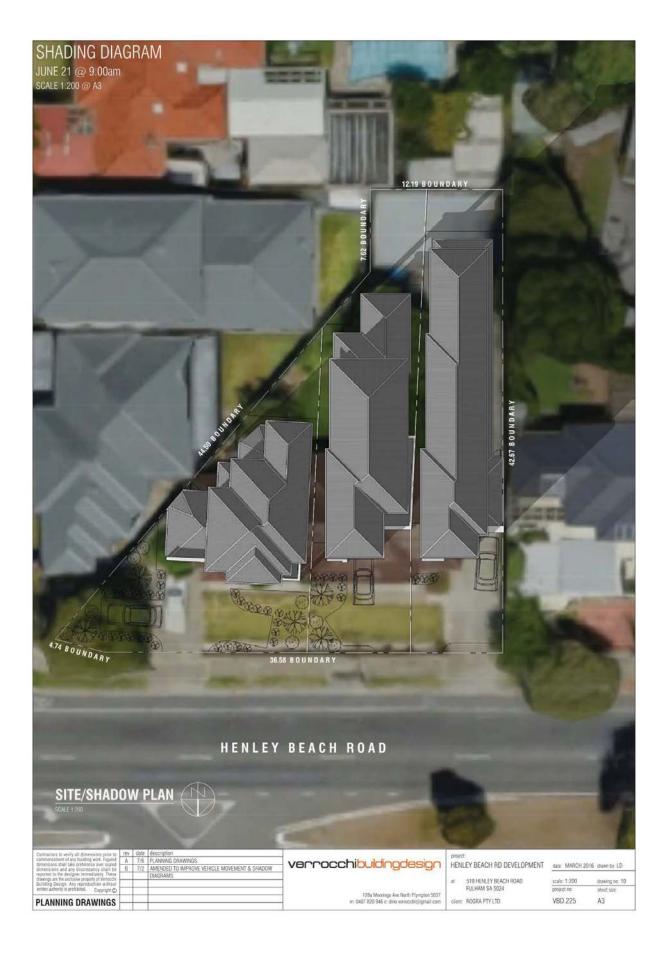
## EAST ELEVATION SCALE 1:100



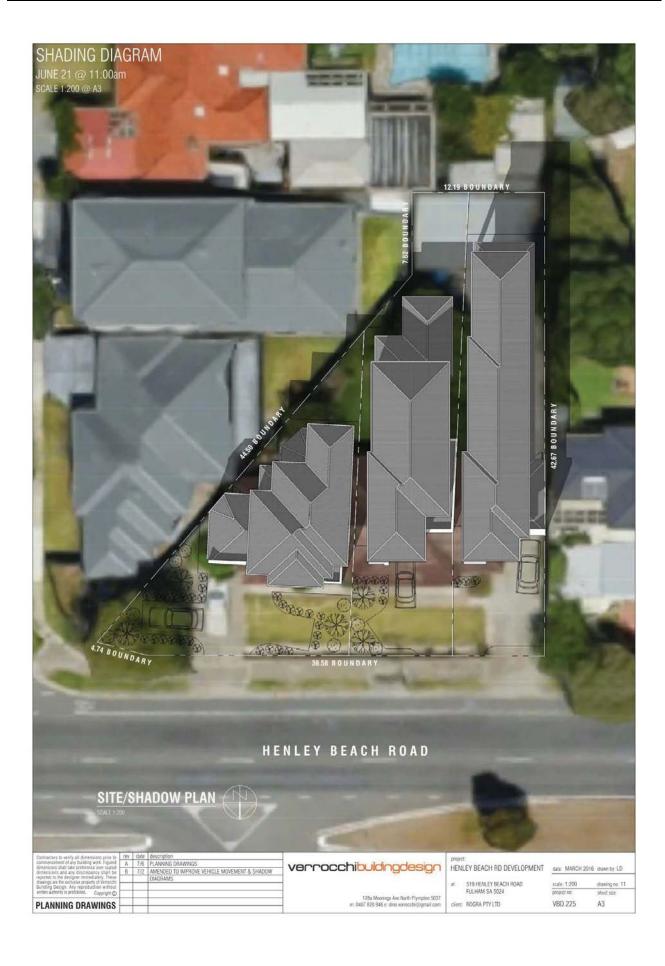
## WEST ELEVATION SCALE 1:100

Contractors to verify all dimensions prior to commencement of any building work. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the designer immediately. These	A B		verrocchi <mark>buildingdesign</mark>	project: HENLEY BEACH RD DEVELOPMENT	date: MARCH 2016 drawn by: LD		
drawings are the exclusive property of Verrocchi Building Design. Any reproduction without written authority is prohibited. Copyright ©	-			***	at: 519 HENLEY BEACH ROAD FULHAM SA 5024	scale: 1:100 project no:	drawing no: 09 sheet size:
PLANNING DRAWINGS				128a Mooringe Ave North Plympton 5037 m: 0407 820 946 e: dino.verrocchi@gmail.com	client: ROGRA PTY LTD	VBD.225	A3

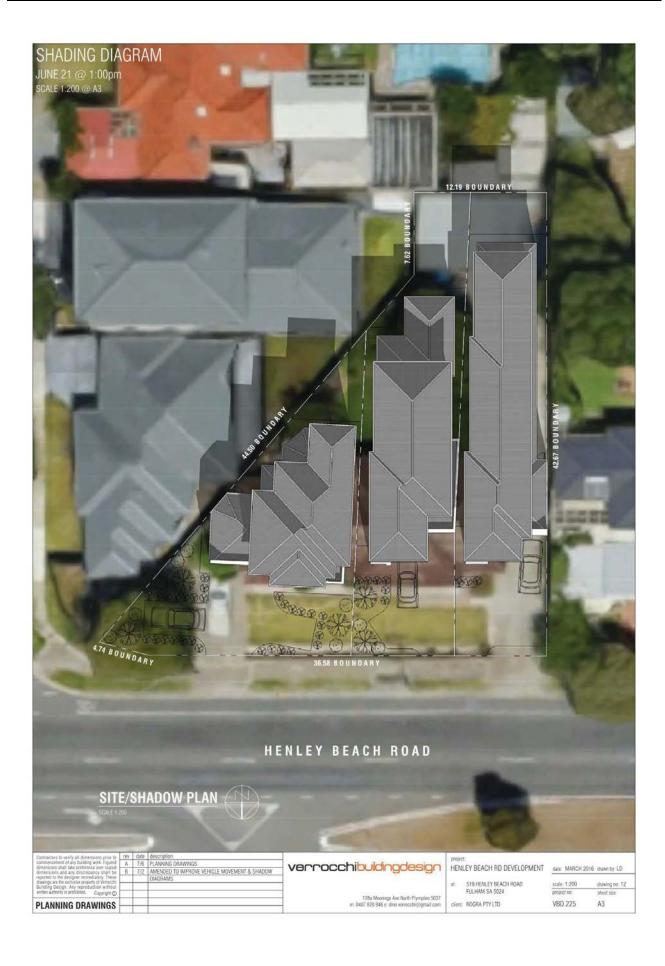
Page 210 8 August 2017



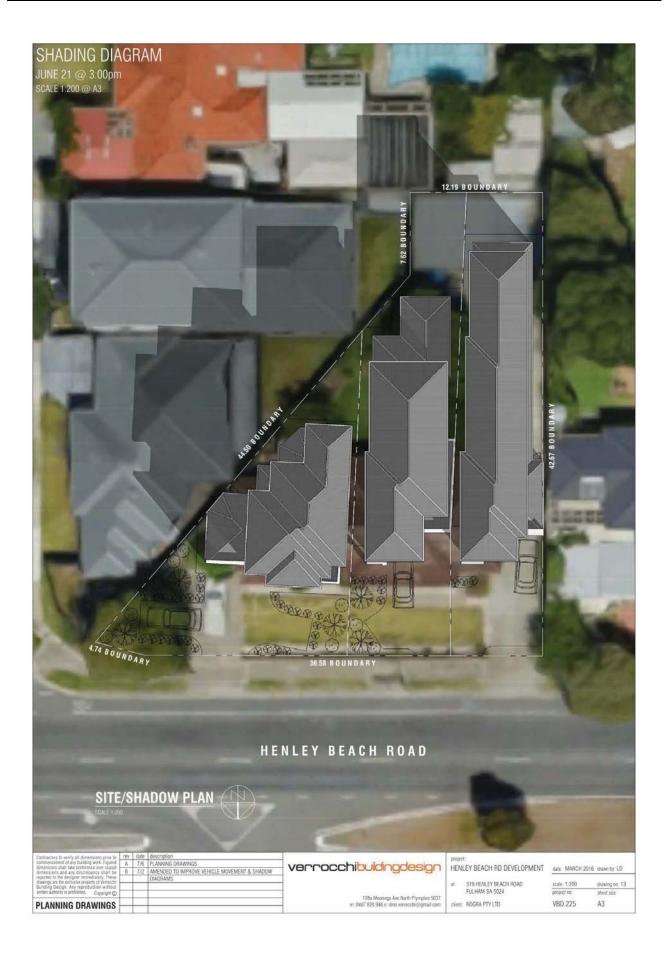
Page 211 8 August 2017



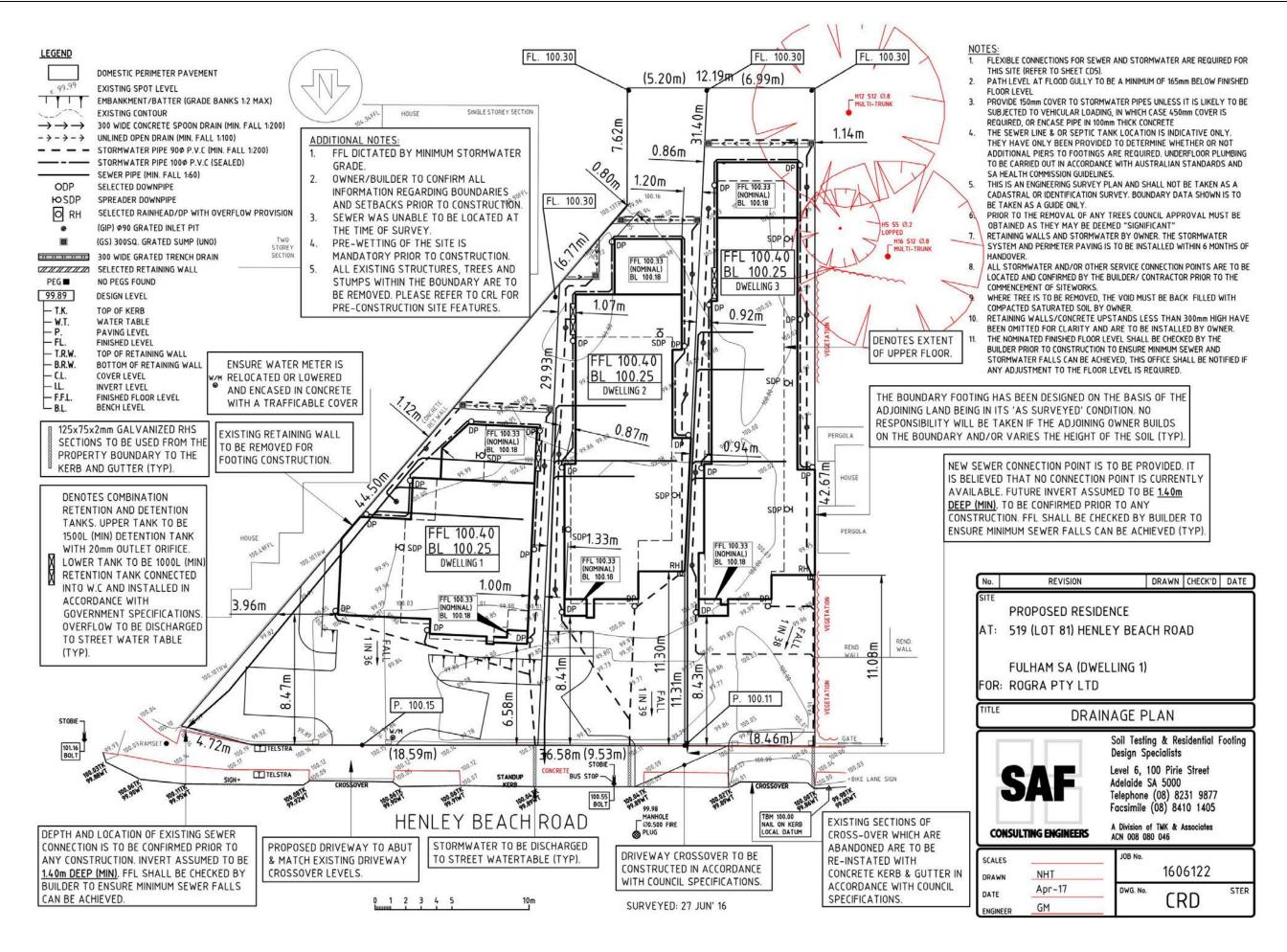
Page 212 8 August 2017



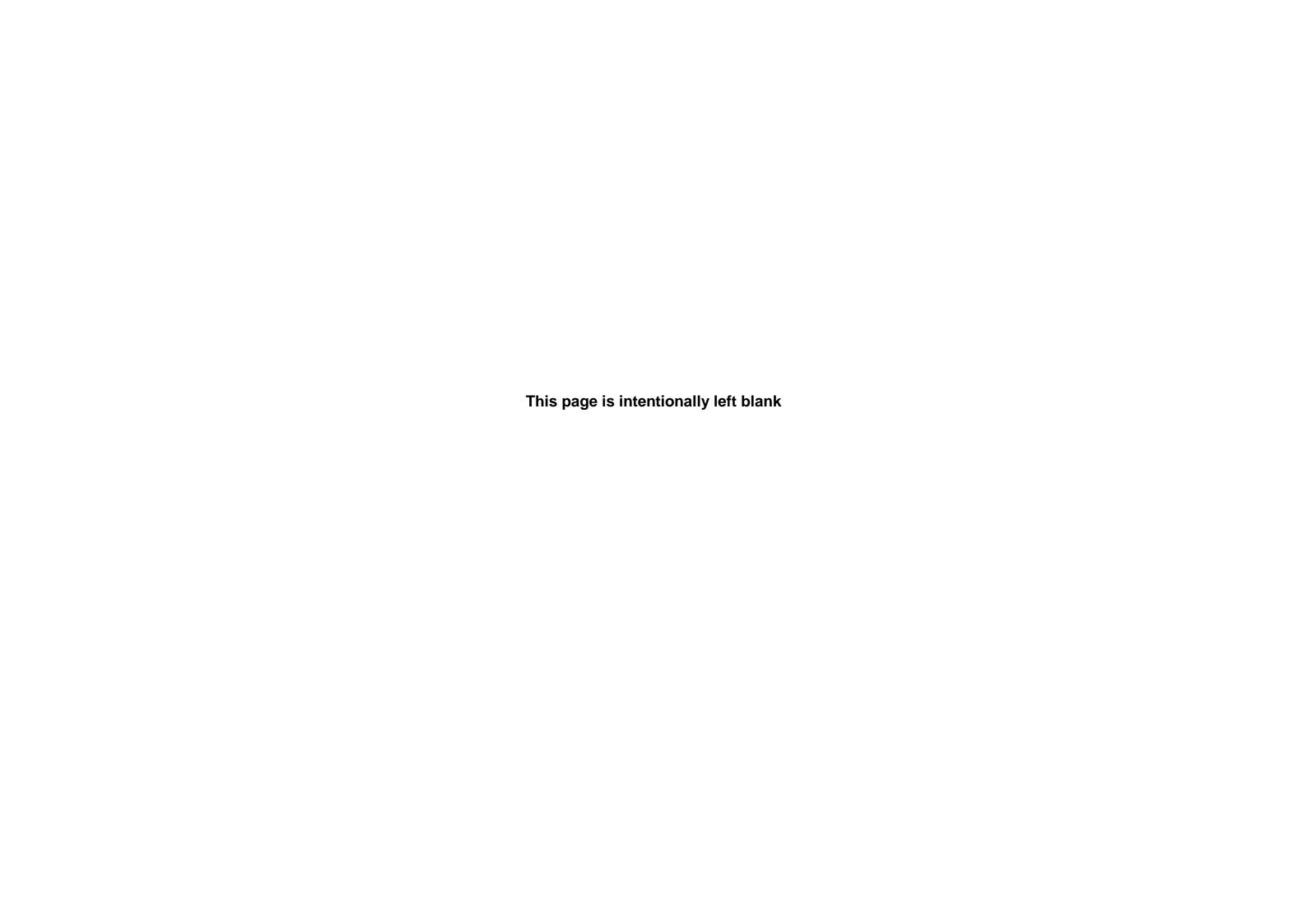
Page 213 8 August 2017



Page 214 8 August 2017



Page 215 8 August 2017



JML/ 16-0285

14 February 2017

Mr Dino Verrocchi Verrocchi Building Design 128A Mooringe Avenue NORTH PLYMPTON SA 5037



Traffic • Parking • Transport

Unit 6, 224 Glen Osmond Road FULLARTON SA 5063

T: +61 8 8338 8888 F: +61 8 8338 8880 E: mfya@mfy.com.au W: mfy.com.au

MFY Pty Ltd ABN 79 102 630 759

Dear Dino

#### PROPOSED RESIDENTIAL SUBDIVISION, 519 HENLEY BEACH ROAD, FULHAM

We are in receipt of an email from Phil Harnett of the City of West Torrens to Andrew Butcher of Andrew Butcher Project Management regarding the above development, dated 17 November 2016, which has requested the following:

"Please demonstrate that vehicles can manoeuvre throughout the site in accordance with relevant Australian Standards whilst enabling vehicles to leave in a forward direction. Demonstration through the use of either "AutoTrack" or "AutoTURN" is preferred."

Specifically, Council raised concern with the manoeuvrability from the eastern space of Dwelling 1 and the western spaces of Dwellings 2 and 3.

Accordingly, we have conducted a vehicle swept path assessment, using the AutoTurn modelling package and recommended changes be made to the plans to accommodate vehicle manoeuvring in accordance with Australian/New Zealand Standard, Parking Facilities Part 1: Off-street car parking (AS/NZS 2890.1:2004). These changes are reflected on Verrocchi Building Design Drawing VBD.225 01 Rev B dated 7 February 2017.

Figures 1 to 3 illustrate a driver of a B85 vehicle is able to leave in a forward direction for each of the parking spaces.

F:\16-0285 Dino Verrocchi Rev A 14 Feb 17.docx

Page 217 8 August 2017

16-0285 14 February 2017 Page 2 of 3



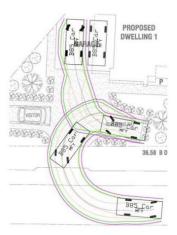


Figure 1: B85 car swept path from Dwelling 1

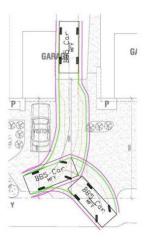


Figure 2: B85 car swept path from Dwelling 2

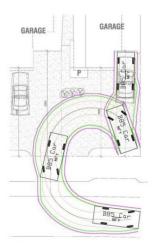


Figure 3: B85 car swept path from Dwelling 3

Page 218 8 August 2017

16-0285 14 February 2017 Page 3 of 3



We have also received correspondence from the Department of Planning, Transport and Infrastructure (DPTI) to the Development Assessment Commission (DAC), dated 24 November 2016. DPTI also requests that the site be designed to ensure that drivers are able to enter and exit in a forward direction, which can now be achieved as per the above assessment.

In addition, DPTI requested that the access points comply with Figure 3.1 of the Standard (Prohibited Locations of Access Driveways). This has two separate requirements which need to be assessed. Firstly, there is a qualified restriction on access driveway locations opposite T-intersections. This restriction excludes domestic driveway accesses and so is not applicable to the subject site.

Secondly, there is a restriction relating to the proximity of any access from an adjacent intersection, which requires that the access is at least 6 m from the tangent point of the intersection radius. The eastern access meets this offset from the intersection with Layton Street. As such, the proposal will comply with the requirements of Figure 3.1 of the Standard.

In summary, we have assessed the proposed development, and have suggested a number of amendments which have been incorporated into the amended drawing. The amended plans will ensure that drivers will be able to enter and exit the site in a forward direction and the location of the proposed access points will comply with the requirements of the Standard.

Please contact me should you require clarification or further information.

Yours sincerely,

MFY PTY LTD

JAYNE LOVELL
Senior Associate

Page 219 8 August 2017

JML/ 16-0285

24 July 2017

Mr Dino Verrocchi Verrocchi Building Design 128A Mooringe Avenue NORTH PLYMPTON SA 5037



Traffic · Parking · Transport

Unit 6, 224 Glen Osmond Road FULLARTON SA 5063

T: +61 8 8338 8888

F: +61 8 8338 8880

E: mfya@mfy.com.au W: mfy.com.au

MFY Ptv Ltd

ABN 79 102 630 759

Dear Dino

#### PROPOSED RESIDENTIAL SUBDIVISION, 519 HENLEY BEACH ROAD, FULHAM

We are in receipt of a letter from the Department of Planning, Transport and Infrastructure (DPTI) to the Development Assessment Commission, dated 23 June 2017, in which DPTI has provided commentary on the proposed access arrangement for the above development.

We have previously responded to similar concerns raised by DPTI in an earlier letter to DAC (refer MFY letter dated 14 February 2017). In this latest assessment, DPTI has reiterated its position with respect to its preferred access solution, as well as providing comments on our review.

# 1 NUMBER OF ACCESS POINTS

The existing site has two access points, neither of which is supplemented by a turnaround facility. As such, drivers would currently reverse either to or from the site onto Henley Beach Road.

It is proposed to continue to provide two access points to the site. The eastern crossover will service one residential dwelling and will be retained in its current location. The hardstand areas adjacent to both access points will be expanded to provide turnaround facilities, which is a safety improvement compared to the existing situation. The western crossover will be shifted approximately 6 m to the east and will be widened to 6m to ensure drivers will be able to enter and exit the site in a forward direction.

DPTI has expressed a preference for a single shared access point or a shared ingress-only/egress-only access arrangement to/from Henley Beach Road. This is a standard policy response by DPTI, as it seeks to minimise the number of access points on arterial roads. However, the proposed site layout will ensure that the two existing access points will be modified to provide for safer access to/from the site, allowing drivers to enter and exit the site in a forward direction. We also understand that DPTI's preference for a single access arrangement is not shared by Council staff in this instance (subject to the safety of the design), as the proposed dual access solution will provide

F:\16-0285 Dino Verrocchi 24 Jul 17

Page 220 8 August 2017

16-0285 24 July 2017 Page 2 of 4



opportunity for additional landscaping along the front of the properties, thus improving the amenity of the development.

#### 2 SIMULTANEOUS VEHICLE MOVEMENTS

DPTI has raised a concern with respect to drivers accessing the western crossover simultaneously (i.e. someone entering the site at the same time as someone exiting the site). It does not raise this as a potential issue for drivers accessing the eastern crossover. However, both crossovers will operate similarly when assessed against the requirements of the Australian/New Zealand Standard *Parking Facilities Part 1: Off-street car parking (AS/NZS 2890.1:2004)*, and neither needs to be designed for simultaneous turning movements.

The Standard defines a domestic driveway as one which services up to three residential dwellings. Therefore, it considers that the eastern driveway servicing one dwelling can be considered to operate in the same way as the western driveway servicing two dwellings. This definition is based on the low traffic volumes generated by the small number of dwellings, which makes it unlikely that there will be a driver entering the site simultaneously with a driver exiting the site. It allows such short driveways to be single width (i.e. 3.0 m).

The Standard notes that design for simultaneous movement should considered when the development generates 30 or more trips in the peak hour. The proposed development will generate traffic in the order of two trips in the peak hour (and these are likely to both be in the same direction i.e. exiting in the morning peak hour and entering in the evening peak hour). As such, the likelihood of a simultaneous movement occurring is negligible and the proposed design is compliant with requirements of the relevant Standard, and it is not considered that simultaneous movements would need to be possible for either of the access points to operate safely.

#### 3 VEHICLE SWEPT PATHS

DPTI provided specific comment with respect to manoeuvring to/from the site.

### 3.1 ANGLE OF APPROACH

DPTI identified that one of the figures in our previous report showed the driver exiting the site at a relatively shallow angle. This angle of approach relates to the ability of a driver to be able to see on-coming traffic and therefore judge an appropriate gap to enter the road.

An earlier base plan was used to prepare the figure, which did not incorporate our recommendation that the visitor space for this dwelling should be positioned behind the western garage. The correct swept path is provided in Figure 1 and demonstrates that the driver will be able to make a compliant turn.

Page 221 8 August 2017

16-0285 24 July 2017 Page 3 of 4



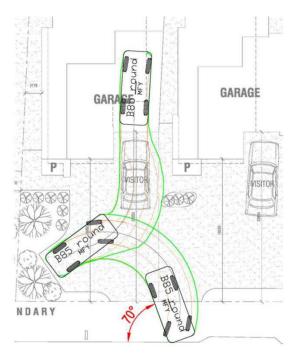


Figure 1: Vehicle swept path at western crossover

DPTI also notes that drivers will "complete their turns beyond the property boundary". This is always the case for all turning movements and will not result in an increased potential for conflict with through traffic. Drivers exiting the site will have sufficient sightlines to on-coming traffic to judge an appropriate gap to enter the traffic, and will be able to do so wholly within the kerbside lane. This is a typical and safe scenario.

#### 3.2 PROXIMITY TO GARDEN BEDS

DPTI has incorrectly identified a conflict with the proposed landscaped areas on the site. The garden beds are compliant with the requirements of the Standard, in that they will be at least 300 mm clear of the wheel paths (shown orange in the figures). The front and rear overhang of the vehicles will encroach on the landscaping for some movements. This is compliant with the Standard. As long as the landscaping is low-lying in these areas, as is proposed, it will not impede the swept paths. Low lying landscaping close to the property boundary will also ensure that there are no obstructions to sightlines to pedestrians for drivers exiting the site.

## 3.3 LIKELIHOOD OF DRIVER BEHAVIOUR

It is not possible to force drivers to make particular turning movements on the site. However, the provision of the proposed manoeuvring areas and the associated swept path modelling demonstrates that drivers will have the opportunity to do so. The swept paths do not represent complex turning movements and therefore drivers will be able to readily complete the turns as shown. As identified above, this is an improvement to the existing situation where drivers have no choice but to reverse to or from the arterial road.

Page 222 8 August 2017

16-0285 24 July 2017 Page 4 of 4



# 4 SUMMARY

In summary, we have assessed the concerns raised by DPTI and have consider that vehicle movements associated with the development will have minimal impact on the adjacent arterial road. Further, the design of the proposed access points represent an improvement to the existing situation as drivers will be able to enter and exit the site in a forward direction. DPTI notes that it would not support any development of the site that results in vehicles reversing onto the arterial road and this report, coupled with our previous assessment, demonstrates that site design will allow drivers to safely enter and exit the site in a forward direction.

Please contact me should you require clarification or further information.

Yours sincerely,

MFY PTY LTD

JAYNE LOVELL
Senior Associate

Page 223 8 August 2017



# Memo

To Phil Harnett
From Jane Teng
Date 31/05/2016

Subject 211/1231/2016, 519 Henley Beach Road, FULHAM SA 5024

#### Phil Harnett,

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

In accordance with the provided 'Drainage Plan' (SAF Consulting Engineers – Job No. 1606122,1606123 and 1606124 – dated April 17), the FFLs of the proposed development have been assessed as satisfying minimum requirements in consideration of street and/or flood level information.

- Dwelling 1: Proposed 100.40 ( minimum 100.30)
- Dwelling 2: Proposed 100.40 (minimum 100.24)
- Dwelling 3: Proposed 100.40 (minimum 100.24)

#### 2.0 Verge Interaction

Proposed new stormwater outlet at the kerb for dwelling 2 will need to be relocated to the eastern side of the allotment and at least 1.0m away from the title boundary. The stormwater outlet to dwelling 3 would be required to be offset at the minimum 1.0 from its western boundary. SAF Consulting Engineers – Job No. 1606122, 1606123 and 1606124 – dated April 17 to be revised to indicate the readjustment of the stormwater outlets to the offset distances recommended above.

# 3.0 Driveway crossovers

City Assets supports Dwelling No.1 to utilise the existing driveway crossover as it is able to accommodate the vehicle manoeuvrability from of the dwelling (vehicle exiting in the forward direction) as demonstrated in the traffic report provided by the independent traffic consultant (MFY for Verrocchi Building Design Report dated 14 Feb 2017).

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 224 8 August 2017



The proposed shared driveway crossover for Dwelling No.2 and Dwelling No.3 on the proposed development site plan (Verrocchi building design, Revision B Dated 7 Feb 2017) is currently measured at 5.50m at the kerb. For the purpose of clarity, the shared driveway crossover for Dwelling No.2 and Dwelling No.3 at the width 6.0m is to be indicated on the development proposed site plan. This is also ensure shared driveway width of 6.0m to be consistently reflected in the proposed land title and site drainage plan ( SAF Consulting Engineers, Job No. 1606123, Dated April 17).

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

#### 4. Stormwater Detention Requirements

The stormwater detention requirements for the proposed development has been assessed as satisfactory. It is recommended for the following condition to be included as part of the planning conditions.

Each of the dwelling shall be fitted with a stormwater detention system meeting the following design criteria.

- A minimum of 50 % of the roof area from each dwelling shall be directed to the detention system.
- Discharge from the per detention tank is to be limited through the utilisation of an outlet orifice of 20mm diameter. The design restrict flow per tank shall be 2.5 litres per second.

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

Regards

Jane Teng Civil Engineer

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709 E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 225 8 August 2017



# Memo

To Phil Harnett
From Jane Teng
Date 9/03/2017

Subject 211/1231/2016, 519 Henley Beach Road, FULHAM SA 5024

### Phil Harnett,

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

# 1.0 Traffic Comments - Acceptable Vehicle Manoeuvrability Provision

Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Site Plan' (Verrocchi Building Design Drawing VBD.225 01, Rev B dated 7 February 2017).

### 2.0 Finish Floor Level (FFL), Verge Interactions and Stormwater Detention

It is understood that further review will be required by City Assets upon the submission of civil drainage layout plan for the proposed site. As such, no assessment have been undertaken with regards to verge interaction (due to absence of stormwater connection information), FFL and stormwater detention requirements as part of this assessment.

Therefore, the requirements outlined in Section Item 2, 3 and 4 of City Asset referral memo dated 09/11/16 still stands.

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

Regards

Jane Teng Civil Engineer

Page 226 8 August 2017



# Memo

To Default System User

From Ming Siow Date 09/11/16

Subject 211/1231/2016, 519 Henley Beach Road, FULHAM SA 5024

## Default System User,

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

#### 1.0 Traffic Comments

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

I note that the subject development must provide suitable manoeuvring areas to allow vehicles to exit onto Henley Beach Road in a forward direction as it is an arterial road. Currently, the manoeuvrability into the reversing bay for Dwelling 1 is not possible. It is recommended that the roller door for Dwelling 1 be increased to at least 5.1m in width. The reversing bay should also be switched with the nominated visitor car park to allow vehicles to exit onto Henley Beach Road. The landscaping between the reversing bay and front boundary should be removed.

Furthermore, in assessing the manoeuvrability for Dwellings 2 and 3, it has been found that vehicles are unable to exit the site in a forward direction. Consequently, it is likely that residents of the dwellings would reverse onto Henley Beach Road which is unacceptable. Turning path diagrams are attached at the end.

Vehicle manoeuvrability should be demonstrated for all dwellings in conjunction with verge survey details (as outlined in section 3.2).

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

It is recommended that the applicant seek advice from someone suitably experienced in traffic design, to assist them in producing a vehicle manoeuvrability design for this site which complies with the Australian Standard

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 227 8 August 2017



requirements, preferably through the use of either "AutoTrack" or "AutoTURN" demonstration. Reports and drawings should then be submitted to Council.

## 2.0 General Finished Floor Level (FFL) Consideration

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

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

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

Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions).

It is recommended that appropriate site and adjacent road verge survey information be provided to correctly assess the required minimum FFL for this proposal.

# 3.0 Verge Interaction

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

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).

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 228 8 August 2017



- 3.2 I note that there is a stobie pole and bus stop adjacent to the subject site that will impact on the allowable locations of vehicle crossovers for the proposed dwellings. To appropriately assess where crossovers can be located, a site survey plan showing all of the verge features is required to be provided to Council.
  - It is recommended that revised plans indicating satisfaction to the above requirements should be provided to Council.
- 3.3 It should also be nominated for the stormwater connection through the road verge area to be constructed of shape and material to satisfy Council's standard requirements
  - 100 x 50 x 2mm RHS Galvanised Steel or
  - 125 x 75 x 2mm RHS Galvanised Steel or
  - · Multiples of the above.
  - It is recommended that revised plans clearly and accurately indicating satisfaction of the above criteria be provided to Council.

## 4.0 Stormwater Detention (Large Residential)

4.1 As the size of allotment(s) being affected by the proposed development totals between 1000 and 4000 square metres, stormwater detention measures will be required to be undertaken to restrict the total discharge from the total development site to a maximum of 20 litres per second for the site critical 20 year ARI storm event.

In calculating the stormwater detention requirements, runoff from any existing structures and buildings to be maintained must be taken into consideration.

It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council.

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

To encourage improved Water Sensitive Urban Design measures within the proposed development, once the necessary extent and distribution of detention storage has been acceptably calculated,

Civic Centre 165 Sir Donald Bradman Drive, Hilton 5033 South Australia Tel (08) 8416 6333 Fax (08) 8443 5709

E - mail csu@wtcc.sa.gov.au Website westtorrens.sa.gov.au

Page 229 8 August 2017



Council will permit this storage to traded (on a one to one basis) and added to the compulsory BCA active stormwater re-use storage.

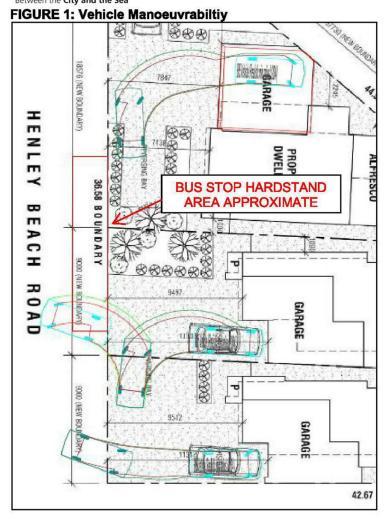
Should you require further information, please contact Baskar Kannappan on the following number 8416 6333

Regards

**Ming Siow** 

Page 230 8 August 2017





Page 231 8 August 2017

In reply please quote 2017/02001, Process ID: 462408 Enquiries to Matthew Small Telephone 8226 8387 Facsimile (08) 8226 8330 E-mail dpti.luc@sa.gov.au



SAFETY AND SERVICE – Traffic Operations

GPO Box 1533 Adelaide SA 5001

Telephone: 61 8 8226 8222 Facsimile: 61 8 8226 8330

ABN 92 366 288 135

23/06/2017

The Presiding Member
Development Assessment Commission
GPO Box 1815
ADELAIDE SA 5001

Dear Ms Fogarty,

#### **SCHEDULE 8 - REFERRAL RESPONSE**

Development No.	211/D167/16 (Amended Plan)	
Applicant	Rogra Pty Ltd	
Location	519 Henley Beach Road, Fulham	
Proposal	Land Division (1 into 3)	

I refer to the above development application forwarded to the Safety and Service Division of the Department of Planning, Transport and Infrastructure (DPTI) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4) (b) of the Development Act 1993 and Schedule 8 of the Development Regulations 2008.

#### THE PROPOSAL

This application proposes a complete redevelopment of the subject site into three new residential allotments.

#### CONSIDERATION

It is this department's policy to minimise access points onto arterial roads in the interest of road safety. Accordingly, DPTI reiterates that the proposed allotments should be served by a single shared access point or by a shared ingress-only / egress-only access arrangement to/from Henley Beach Road. Should the latter be adopted, the ingress-only access will need to be located to meet the requirements of AS/NZS 2890.1:2004, Fig. 3.1 'Prohibited Locations of Access Driveways'. Both access points would need to be no greater than 4.0 metres wide and angled at 70° to the kerb to define the required access arrangement.

It is also departmental policy that vehicles should enter and exit arterial roads in a forward direction. The turn paths attached to MFY's report (dated 14 February 2017) show that vehicles exiting the shared access point for proposed Allotments 2 & 3 will either prohibit simultaneous two-way vehicular movements by exiting across the access point, or will exit on the wrong side of the access point. This creates difficulties for another vehicle to enter the property at the same time and will result in vehicles 11615312

2

storing within the road reserve. As the swept paths also show that vehicles will not exit the site between 70 - 90°, and will complete their turn paths beyond the property boundary, the potential for conflict with through traffic is heightened. Vehicles are also shown to conflict with the garden beds shown on the site plan. Finally, visitor car parks proposed for Allotments 2 & 3 are most likely to reverse onto the arterial road as successful on-site manoeuvring of these vehicles is unrealistic.

In order to achieve forward entry and exit movements in conjunction with DPTI's recommended access arrangement, it is reiterated that a shared on-site manoeuvring area be adopted across the entire Henley Beach Road frontage of this site. DPTI will not support any development of this site that results in vehicles reversing onto the arterial road.

#### CONCLUSION

Amended plans addressing the above should be uploaded to EDALA and forwarded to DPTI for review and comment. Should that not be forthcoming, refusal of this application is strongly recommended.

Yours sincerely,

MANAGER, TRAFFIC OPERATIONS for COMMISSIONER OF HIGHWAYS

11615312

Development

Assessment Commission

Contact Telephone Planning Services 7109 7016

17th July 2017

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

Dear Sir/Madam

Re: Proposed Development Application No. 211/D167/16 (ID 55916) Amended Plan 24/5/17 By Rogra Pty Ltd

Further to my letter dated 6th June 2017 and to assist the Council in reaching a decision on this application, copies of the reports received by the Commission from agencies that it has consulted have been uploaded for your consideration.

IT IS REQUESTED PURSUANT TO SECTION 33 (1) (c) OF THE DEVELOPMENT ACT, 1993 THAT THE COUNCIL INCLUDE IN ITS DEVELOPMENT APPROVAL THE FOLLOWING REQUIREMENTS OF THE COMMISSION.

 The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0051544).

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

- Payment of \$13352 into the Planning and Development fund (2 allotment @ \$6676/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 by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
- 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.

Council's particular attention is drawn to the comments by the DPTI – Transport Services for this application advising amended plans addressing the issues raised be forwarded for review and comment. Should that not be undertaken, refusal of this application is recommended.

Council's particular attention is drawn to the comments by SA Power Networks for this application.

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,

**Brett Miller** 

**TEAM LEADER - PLANNING SERVICES** 

as delegate of the

**DEVELOPMENT ASSESSMENT COMMISSION** 

Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R edala

Page 234 8 August 2017



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

31 May 2017

Our Ref: H0051544

The Chairman
Development Assessment Commission
136 North Terrace
ADELAIDE SA 5000
Dear Sir/Madam

#### PROPOSED LAND DIVISION APPLICATION NO: 211/D167/16 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.

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

Page 235 8 August 2017



Our Ref: EM/AJC 26 July 2017

The Secretary
Development Assessment Commission
GPO Box 1815
ADELAIDE SA 5001

Dear Sir/Madam,

PROPOSED DEVELOPMENT APPLICATION: FULHAM DEVELOPMENT NUMBER: 211/D167/16

SA Power Networks have no registered easements over land in this proposal.

Our records indicate that there is an existing low voltage overhead service which currently provides supply to the existing house. This service will need to be de-energised and removed prior to any demolition of the existing house. It is the developer's responsibility to arrange this.

Should you require any further information on this matter please contact me.

Yours sincerely

Angela Clark

**Easement Manager** 

Email: angela.clark@sapowernetworks.com.au

# 6.9 23A Rowells Road, LOCKLEYS

Application No 211/1008/2015/D

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of two (2), two-storey semi-detached dwellings, associated garages and verandahs (alfrescos) and Land Division DAC 211/D020/16 - Creation of one (1) additional Torrens Title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval for built form at different times.
APPLICANT	Yogo Design and Consulting Pty Ltd
APPLICATION NO	211/1008/2015/D
LODGEMENT DATE	27 July 2017
ZONE	Residential
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal
	■ Nil
	External
	■ Nil
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	08 August 2017

### **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. 211/1008/2015/D by Yogo Design and Consulting Pty Ltd to undertake the construction of two (2), two-storey semi-detached dwellings, associated garages and verandahs (alfresco)s and Land Division DAC 211/D020/16 - Creation of one (1) additional Torrens Title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval at different times at 23 Rowells Road, Lockleys (CT 5197/849) subject to the following conditions:

### DEVELOPMENT PLAN CONSENT

# **Council Conditions**

- The development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
- 2. That all stormwater design and construction 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

Page 237 Item 6.9

- c) Create unhealthy or dangerous conditions on the site or within the building; or
- 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. That the fixed obscure glazing nominated on the upper level north, west and south-facing windows of the dwellings shall be fitted in accordance with the approved plans prior to occupation of the building. The glazing in these windows will 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

# Department of Planning, Transport & Infrastructure (Transport Division) Conditions

- 8. The obsolete crossover shall be closed and reinstated to Council standard kerb & gutter at the applicant's expense.
- 9. All vehicles must enter and exit Rowells Road in a forward direction.
- 10. Rights of way A & B shall remain clear of any impediments to vehicle manoeuvring (such as fences, vegetation, meters and parked cars).
- 11. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Rowells Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

#### **Development Assessment Commission Conditions**

Nil

### LAND DIVISION CONSENT

### **Council Conditions**

- Development is to take place in accordance with the plans prepared by Bartlett Drafting & Development (Drawing GB2115DA, Revision 3, dated 12/02/16 relating to Development Application No. 211/1008/2015 (DAC 211/D020/16).
- Prior to the issue of Section 51 Clearance to this division approved herein, all existing buildings must be removed from the site.

Page 238 Item 6.9

# **Development Assessment Commission Conditions**

3. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0042972).

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

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

- 4. Payment of \$6,488 into the Planning and Development Fund (1 allotment @ \$6,488/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.
- 5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

#### **BACKGROUND**

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

 With regard to sites where the Development Assessment Panel has previously refused an application within the last five years, all similar applications on the site shall be assessed and determined by the Development Assessment Panel

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

- At its meeting held on 13 June 2017, the Development Assessment Panel resolved to refuse Development Application Number 211/1008/2015/C for the following reason:
  - a. Council Wide Principles of Development Control 16
    Reason: The proposal will largely be dominated by garages, which will not have a positive visual impact on the streetscape.
- The Environment, Resources and Development (ERD) Court declined to deal with an appeal of that decision and has encouraged the appellant to present an amended application to the DAP. The amended plans are now submitted to the Development Assessment Panel for consideration.

A copy of the previous Report and related Decision is contained in Attachment 2.

# **AMENDMENTS**

The current proposal includes the following changes to the existing consent plans:

- Two single width doors, with the most northern door being set back to give additional articulation to front façade (changed from the 13 June 2017 DAP meeting)
- Minor changes to ground floor plan
- Minor changes to upper floor plan
- Staging to enable the two dwellings to gain development approval separately

A copy of the amended plans is contained in **Attachment 1**.

Page 239 Item 6.9

# **REFERRALS**

Nil

# **ASSESSMENT**

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

DEVELOPMENT DI ANI		
DEVELOPMENT PLAN PROVISIONS	STANDARD	PROPOSED
SITE AREA Low Density Policy Area 21 PDC 4	Semi-detached dwelling 350m <sup>2</sup> (minimum)	404m²
FDC 4		Satisfies - Unchanged
ALLOTMENT AREA	420m² (minimum)	404m²
Low Density Policy Area 21 PDC 6		Does Not Satisfy by 4% - Unchanged
FRONTAGE Low Density Policy Area 21	Semi-detached dwelling 9m	8.84 metres
PDC 4		Does Not Satisfy - Unchanged
PRIMARY STREET SETBACK Residential Zone	The same setback as one of the adjacent buildings 9.8m	10.9m
PDC 8		Satisfies - Unchanged
SIDE/REAR SETBACKS Residential Zone	Side 0/1m (Ground Floor)	Side 0.91m (Ground Floor)
PDC 11	2m (Upper Floor)  Rear 3m (Ground Floor) 8m (Upper Floor)	Does Not Satisfy -
		Unchanged
		3.85m (Upper Floor)
		Satisfies - Unchanged
		Rear
		9.1m (Ground Floor) 15.4m (Upper Floor)
		Satisfies - Unchanged
BUILDING HEIGHT Residential Zone	2 storeys	2 storeys
PDC 6		Satisfies - Unchanged

Page 240 Item 6.9

INTERNAL FLOOR AREA Residential Development PDC 9	3+ Bedrooms - 100m² (min.)	Dwellings 1 & 2 - 215m <sup>2</sup> each  Satisfies - Unchanged
PRIVATE OPEN SPACE Residential Development PDC 19	- 60m² (min.), of which 8m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m - including at least 16m² directly accessible from habitable room with minimum dimension 4m	Dwelling 1 - 89m² Dwelling 2 - 89m² including at least 16m² directly accessible from habitable room with minimum dimension 4m  Satisfies - Unchanged
CARPARKING SPACES Transportation and Access PDC 34	2 spaces per dwelling = 4 car parking spaces	4 car parking spaces  Satisfies - Unchanged
OVERLOOKING Residential Development PDC 37	Upper level, windows, balconies, terraces & decks that overlook habitable room windows or private open space require sill height or permanent screen minimum of 1.7m above floor level	Satisfies - Unchanged
OVERSHADOWING Residential Development PDC 10, 11, 12, 13	Protect winter sunlight to adjacent dwellings' north facing windows, private open space and solar panels	Satisfies - Private Open Space Does Not Satisfy - North Facing Window - Unchanged
GARAGE MAXIMUM FLOOR AREA Residential Development PDC 16	60m²	34m <sup>2</sup> Satisfies - Unchanged
GARAGE MAXIMUM WALL HEIGHT Residential Development PDC 16	3m	3.5m  Does not Satisfy 16.5% - Unchanged
GARAGE MINIMUM SETBACK FROM PRIMARY ROAD FRONTAGE Residential Development PDC 16	No closer to the primary road than any part of its associated dwelling	Second storey has the same setback as the garage  Satisfies - Unchanged

Page 241 Item 6.9

GARAGE MAXIMUM LENGTH ALONG BOUNDARY Residential Development PDC 16	8m or 50% of the length along that boundary, whichever is less	Not on boundary Satisfies - Unchanged
GARAGE MAXIMUM FRONTAGE WIDTH Residential Development PDC 16	6m or 50% of the allotment frontage, whichever is less.	4.8m  Does not Satisfy by 5% *Improvement on previous plan presented to DAP 13 June 2017

#### DISCUSSION

The only change of note to the proposal is the change to the garage.

The garage element of the dwellings is contrary to the following provision of the Development Plan:

• Residential Development, PDC 16,

"Garages, carports and residential outbuildings should not dominate the streetscape and not adversely impact on the safety of road users and pedestrians, and be designed within the following parameters:

Parameter	Value
Maximum floor area	60 square metres
Maximum wall height	3 metres
Maximum building height	5 metres
Minimum setback from a primary road frontage	Garages and carports sited no closer to the primary road frontage than any part of its associated dwelling
	Outbuildings should not protrude forward of any part of its associated dwelling
Minimum setback from a secondary road frontage	0.9 metres or in line with the existing dwelling
Maximum length along the boundary	8 metres or 50 per cent of the length along that boundary (whichever is the lesser)
Maximum frontage width of garage or carport with an opening facing a rear access lane	No maximum
Maximum frontage width of garage or carport opening facing the street	6 metres or 50 per cent of the allotment frontage, whichever is less

The plans presented to the 13 June 2017 DAP meeting showed the garage doors as a single, panel lift door, which was determined to further exacerbate the garage dominance of the development and was therefore deemed not acceptable. Subsequent to the refusal by the DAP the applicant has proposed to return the garage opening to the two single width doors, with the most northern door being set back to give additional articulation to the front façade, as was originally granted consent.

Page 242 Item 6.9

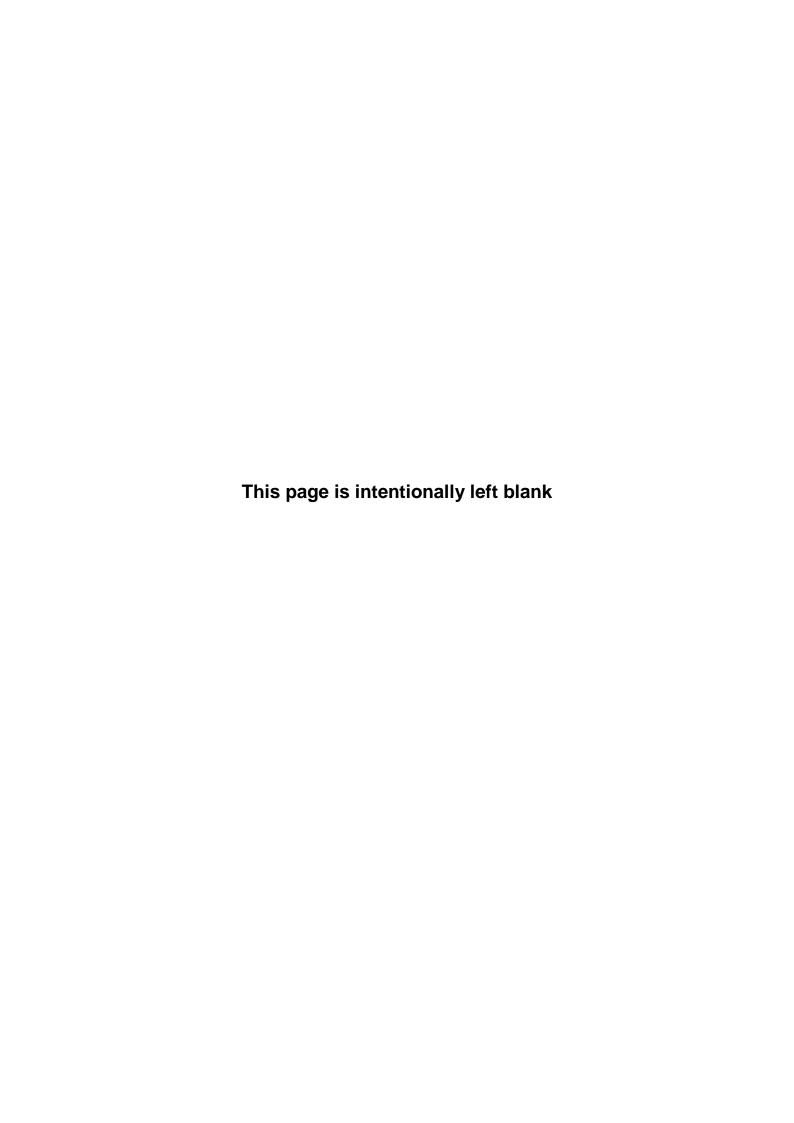
### **SUMMARY**

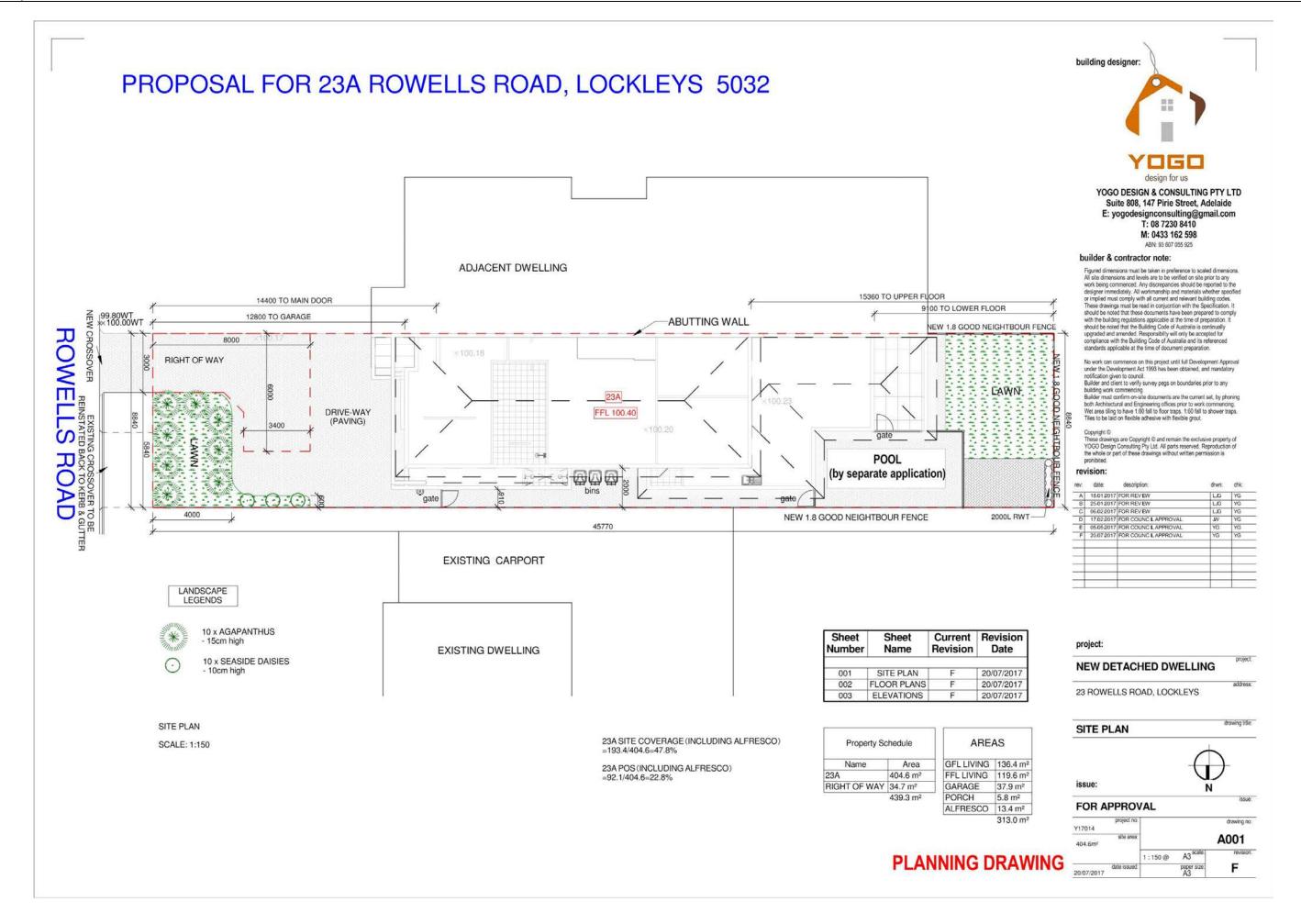
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan. On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 05 May 2016 and warrants Development Plan Consent.

### **Attachments**

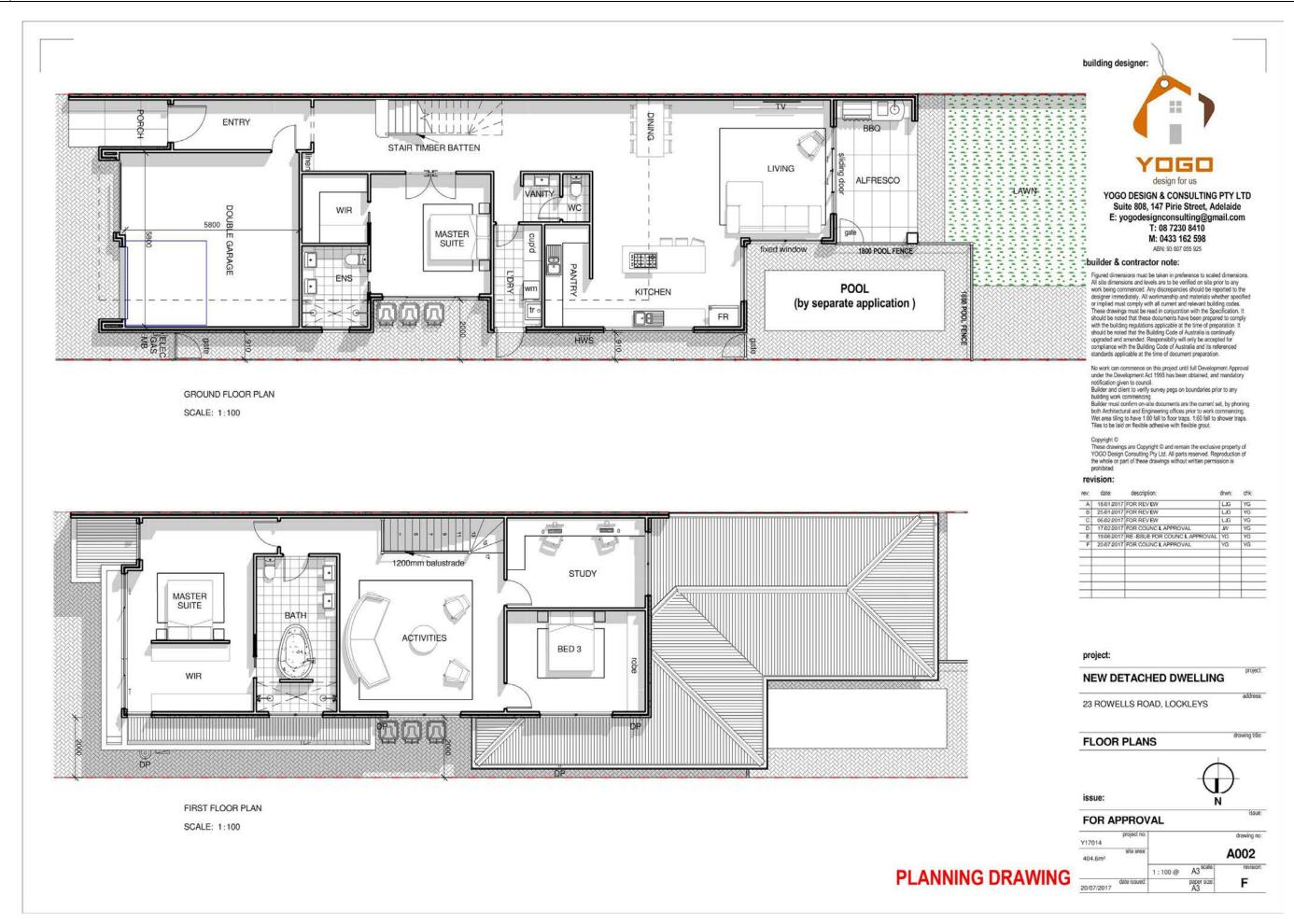
- 1. Proposed Plans
- 2. Previous Report & Refused Plans

Page 243 Item 6.9

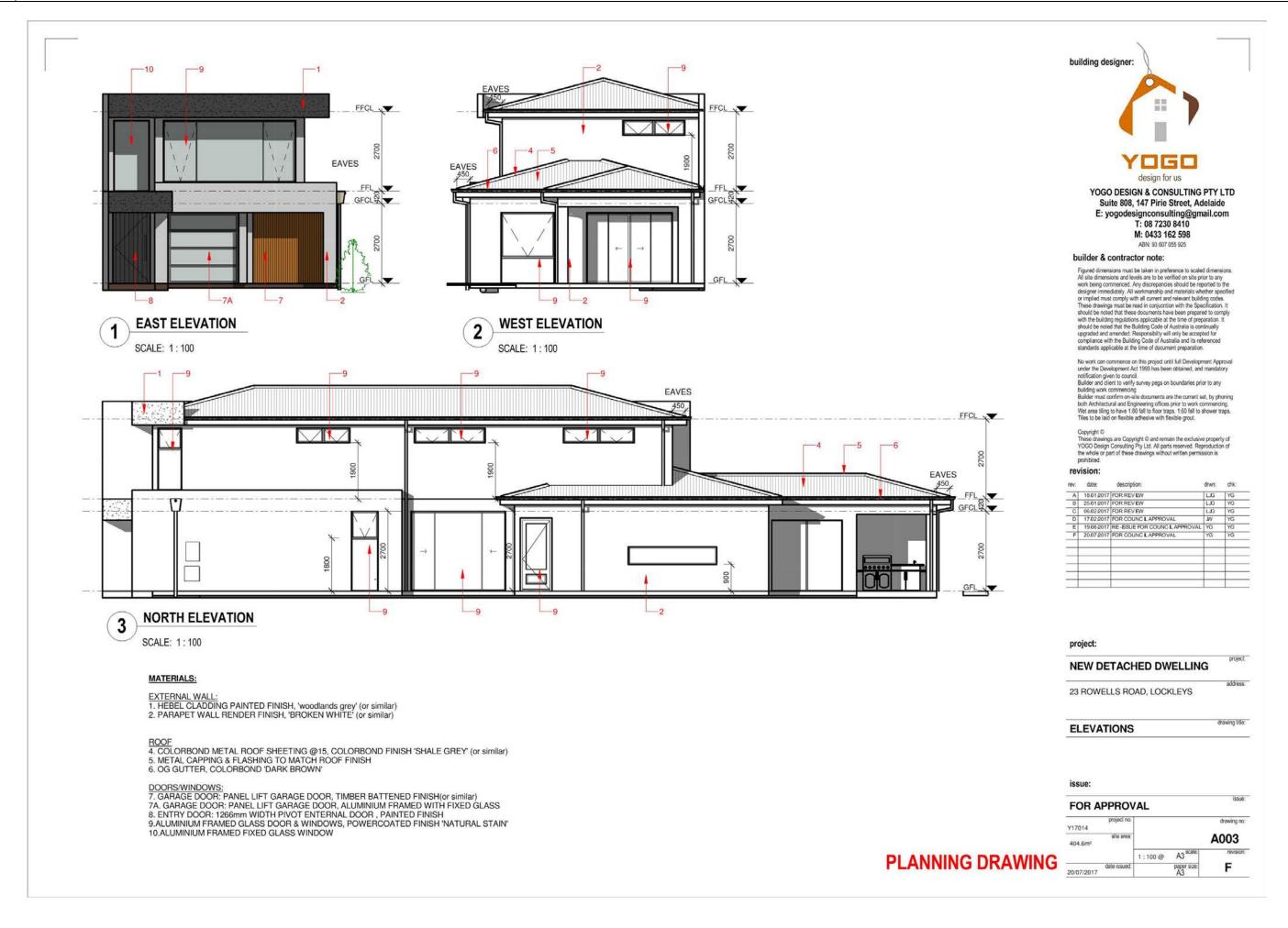




Page 245 8 August 2017



Page 246 8 August 2017



Page 247 8 August 2017

Development Assessment Panel Agenda

13 June 2017

### 6.7 23A Rowells Road, LOCKLEYS

Application No

211/1008/2015/C

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of two (2), two-storey semi-detached dwellings, associated garages and verandahs (alfrescos) and Land Division DAC 211/D020/16 - Creation of one (1) additional Torrens Title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval at different times.
APPLICANT	Yogo Design and Consulting Pty Ltd
APPLICATION NO	211/1008/2015/C
LODGEMENT DATE	4 May 2017
ZONE	Residential
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal  Nil External Nil
DEVELOPMENT PLAN VERSION	25 June 2015
MEETING DATE	13 June 2017

# 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. 211/1008/2015 by D'Andrea & Associates to undertake the construction of two (2) two-storey semi-detached dwellings, associated garages and verandahs (alfresco)s and Land Division DAC 211/D020/16 - Creation of one (1) additional torrens title allotment and the creation of carriageway easements A & B - AMENDMENT - alteration to dwelling at 23A Rowells Road and further staging to enable 23 & 23A to gain development approval at different times. at No. 23 Rowells Road, Lockleys (CT 5197/849) subject to the following conditions:

# DEVELOPMENT PLAN CONSENT COUNCIL CONDITIONS:

 The development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.

Page 206 Item 6.7

Page 248 8 August 2017

13 June 2017

- 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
  - Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 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.
- 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.
- 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.
- That the fixed obscure glazing nominated on the upper level north, east and south-facing windows of the dwellings shall be fitted in accordance with the approved plans prior to occupation of the building. The glazing in these windows will 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

# DEPARTMENT OF PLANNING, TRANSPORT & INFRASTRUCTURE (TRANSPORT DIVISION) CONDITIONS:

- 8. The obsolete crossover shall be closed and reinstated to Council standard kerb & gutter at the applicant's expense.
- 9. All vehicles must enter and exit Rowells Road in a forward direction.
- Rights of way A & B shall remain clear of any impediments to vehicle manoeuvring (such fences, vegetation, meters and parked cars).
- 11. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Rowells Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

#### **DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:**

Nil

Page 207 Item 6.7

Page 249 8 August 2017

Development Assessment Panel Agenda

13 June 2017

# LAND DIVISION CONSENT COUNCIL CONDITIONS:

- Development is to take place in accordance with the plans prepared by Bartlett Drafting & Development (Drawing GB2115DA, Revision 3, dated 12/02/16 relating to Development Application No. 211/1008/2015 (DAC 211/D020/16).
- Prior to the issue of Section 51 Clearance to this division approved herein, all existing buildings must be removed from the site.

#### **DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:**

 The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0042972).

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

The internal drains shall be altered to the satisfaction of the SA Water Corporation.

- 4. Payment of \$6,488 into the Planning and Development Fund (1 allotment @ \$6,488/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.
- 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.

#### **BACKGROUND**

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

With regard to sites where the DAP has previously refused an application within the last five
years, all similar applications on the site shall be assessed and determined by the DAP.

Since the refusal of Development Application 211/1083/2014, the Housing Diversity Development Plan Amendment was gazetted on the 18 June 2015, which reduced the specified minimum allotment frontage widths from 12 metres to 9 metres in relation to the subject site.

#### PREVIOUS OR RELATED APPLICATION(S)

- 211/1083/2014 Land Division Torrens title DAC No- 211/D136/14 Create One (1) additional allotment (Refused 10 February, 2015)
- 211/897/2014 Construction of two single storey detached dwellings, each with single garage and alfresco under main roof (Withdrawn 28 November, 2014).

Page 208 Item 6.7

Page 250 8 August 2017

13 June 2017

## SITE AND LOCALITY

The subject site is rectangular in shape and is located on the western side of Rowells Road Lockleys, between Hereford Street & Henley Beach Road which is a major transport corridor. It has a frontage width of 17.68 metres to Rowells Road and a depth of 45.72 metres, resulting in an overall site area of approximately 808m<sup>2</sup>.

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

Topographically the site is relatively flat.

No regulated trees are located on the site or adjoining the site that may be affected as part of the proposed development. There is one (1) juvenile street tree located on the verge directly in front of the site that will be impacted as a result of the proposed development.

Vehicle access to the site is currently provided via an existing single width crossover located near the site's northern boundary.

The existing neighbourhood comprises primarily detached dwellings (circa 1950's) constructed of brick, stone or render with pitched and skillion roofs and some newer infill development comprising detached dwellings, semi-detached dwellings and group dwellings. Existing dwellings are predominantly single storey, however there are some examples of two-storey dwellings to a lesser degree in the locality.

All surrounding land uses are residential, with the exception of the former Lockleys Kindergarten located to the south-east of the site.

Areas of allotments within the locality range from 362m² to 1668m² and frontage widths range from approximately 9-37 metres.

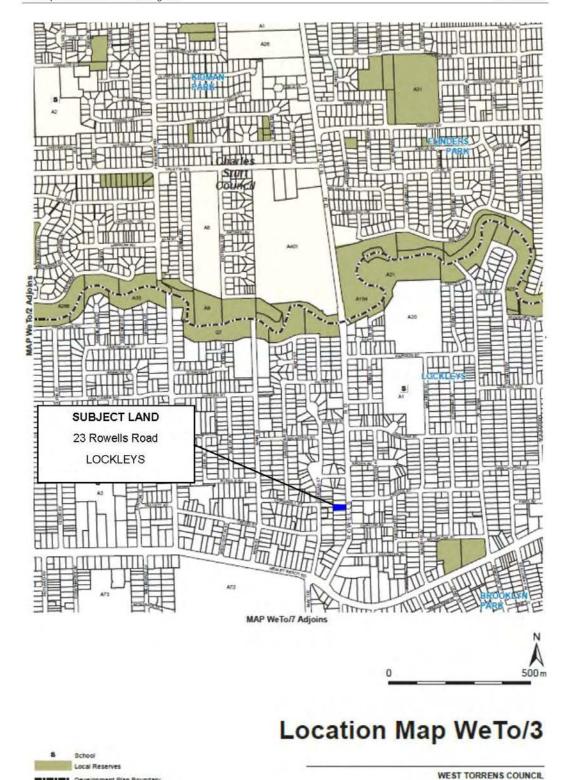
The subject site is located within 400 metres of the Local Centre Zone on the corner of Henley Beach Road and Rowells Road.

The site and locality are shown on the following maps.

Page 209 Item 6.7

Page 251 8 August 2017

Consolidated - 25 June 2015



# Page 210 Item 6.7

Page 252 8 August 2017



Page 211 Item 6.7

Page 253 8 August 2017

13 June 2017

## **PROPOSAL**

The current proposal includes the following changes to the existing consent plans:

- Double garage with 5.0m panel lift door (formerly two single widther doors, with the most northern door being set back to give additional articulation to front façade)
- · Minor changes to ground floor plan
- · Minor changes to upper floor plan
- · Staging to enable the two dwellings to gain development approval separately

The currently proposed plans can be found in **Attachment 1**, the previously approved plans can be found in **Attachment 2**.

## **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 Procedural Matters in the Residential Zone of the West Torrens Development Plan.

### **ASSESSMENT**

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

General Section		
Crima Bravantian	Objectives	1
Crime Prevention	Principles of Development Control	1, 2, 3, 7 & 8
	Objectives	1 & 2
Design and Appearance	Principles of Development Control	1, 2, 3, 9, 10, 12, 13, 14, 15, 21 & 22
Energy Efficiency	Objectives	1 & 2
Energy Enicieticy	Principles of Development Control	1, 2 & 3
Land Division	Objectives	1, 2, 3 & 4
Land Division	Principles of Development Control	1, 2, 4, 5, 6, 8, 12, 16
Landscaping, Fences and	Objectives	1 & 2
Walls	Principles of Development Control	1, 2, 3, 4 & 6
Orderly and Sustainable	Objectives	1, 2, 3, 4 & 5
Development	Principles of Development Control	1 & 3
	Objectives	1, 2, 3, 4 & 5
Residential Development	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 18, 19, 20, 21, 27, 28, 29, 30, 31, 32, 33
	Objectives	2
Transportation and Access	Principles of Development Control	1, 2, 8, 9, 10, 11, 23, 24, 30, 34, 35, 36, 37 & 44

Page 212 Item 6.7

Page 254 8 August 2017

13 June 2017

### Zone: Residential Zone

#### Desired Character Statement:

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

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

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

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

Objectives	1, 2, 3 & 4
Principles of Development Control	1, 5, 6, 7, 10, 11, 12 & 13
Policy Area: Low Density Policy Area 21	

### Desired Character Statement:

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

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

Objectives	1
Principles of Development Control	1, 2, 4, 6

Page 213 Item 6.7

Page 255 8 August 2017

13 June 2017

# **QUANTITATIVE ASSESSMENT**

The proposal is assessed for consistency with the prescriptive requirements of the Development Plan as outlined in the table below, please note that none of these dimensions have changed since the previous consent:

DEVELOPMENT PLAN PROVISIONS	STANDARD	PROPOSED
SITE AREA Low Density Policy Area 21 PDC 4	Semi-detached dwelling 350m <sup>2</sup> (minimum)	404m²
PDC 4		Satisfies
ALLOTMENT AREA Low Density Policy Area 21	420m² (minimum)	404m²
PDC 6		Does Not Satisfy by 4%
FRONTAGE Low Density Policy Area 21	Semi-detached dwelling 9m	8.84 metres
PDC 4	3111	Does Not Satisfy
PRIMARY STREET SETBACK Residential Zone	The same setback as one of the adjacent buildings	10.9m
PDC 8	9.8m	Satisfies
SIDE/REAR SETBACKS Residential Zone	Side 0/1m (Ground Floor)	Side 0.91m (Ground Floor)
PDC 11	2m (Upper Floor)	Does Not Satisfy
		3.85m (Upper Floor)  Satisfies
	Rear 3m (Ground Floor)	Rear 9.1m (Ground Floor)
	8m (Upper Floor)	15.4m (Upper Floor) Satisfies
BUILDING HEIGHT Residential Zone	2 storeys	2 storeys
PDC 6		Satisfies
INTERNAL FLOOR AREA Residential Development	3+ Bedrooms -	Dwellings 1 & 2 - 215m <sup>2</sup> each
PDC 9	100m² (min.)	Satisfies

Page 214 Item 6.7

Page 256 8 August 2017

13 June 2017

PRIVATE OPEN SPACE Residential Development PDC 19	- 60m² (min.), of which 8m² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m.  - including at least 16m² directly accessible from habitable room with minimum dimension 4m	Dwelling 1 - 89m² Dwelling 2 - 89m² including at least 16m² directly accessible from habitable room with minimum dimension 4m Satisfies
CARPARKING SPACES Transportation and Access PDC 34	2 spaces per dwelling = 4 car parking spaces	4 car parking spaces Satisfies
OVERLOOKING Residential Development PDC 37	Upper level, windows, balconies, terraces & decks that overlook habitable room windows or private open space require sill height or permanent screen minimum of 1.7m above floor level	Satisfies
OVERSHADOWING Residential Development PDC 10, 11, 12, 13	Protect winter sunlight to adjacent dwellings' north facing windows, private open space and solar panels	Satisfies - Private Open Space Does Not Satisfy - North Facing Window

# DISCUSSION

The only change of note to the proposal is the change to the garage.

The garage element of the dwellings is contrary to the following provision of the Development Plan:

Residential Development, PDC 16,

"Garages, carports and residential outbuildings should not dominate the streetscape and not adversely impact on the safety of road users and pedestrians, and be designed within the following parameters:

Page 215 Item 6.7

Page 257 8 August 2017

13 June 2017

Parameter	Value
Maximum floor area	60 square metres
Maximum wall height	3 metres
Maximum building height	5 metres
Minimum setback from a primary road frontage	Garages and carports sited no closer to the primary road frontage than any part of its associated dwelling
	Outbuildings should not protrude forward of any part of its associated dwelling
Minimum setback from a secondary road frontage	0.9 metres or in line with the existing dwelling
Maximum length along the boundary	8 metres or 50 per cent of the length along that boundary (whichever is the lesser)
Maximum frontage width of garage or carport with an opening facing a rear access lane	No maximum
Maximum frontage width of garage or carport opening facing the street	6 metres or 50 per cent of the allotment frontage, whichever is less

As a result of the amended plan, the proposal now exceeds the maximum frontage width of a garage or carport opening facing the street by 2%. It is not considered that this 2% exceedance within the context of this locality is enough to recommend refusal for this proposal.

# SUMMARY

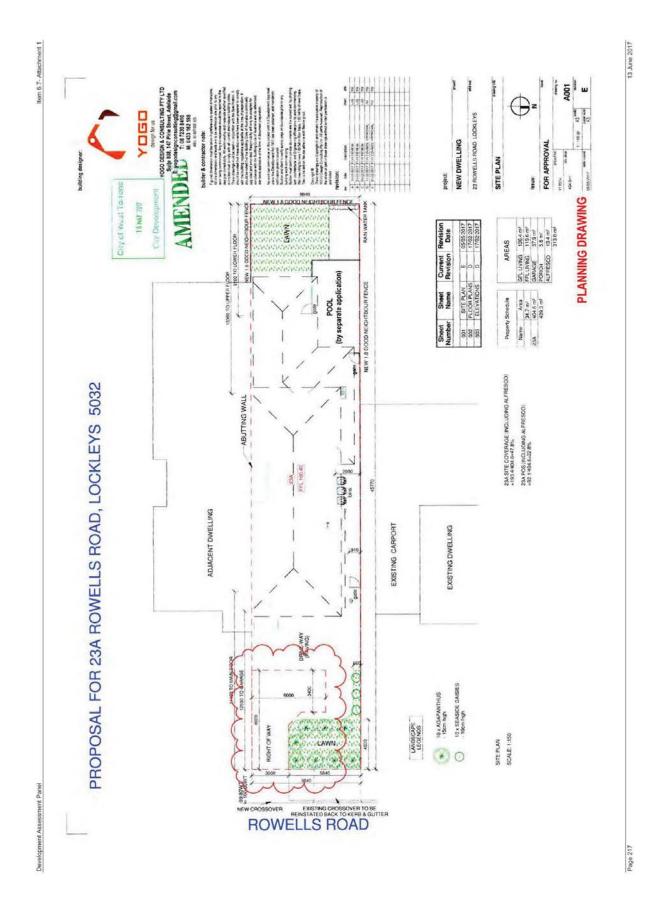
Having considered all the relevant Objectives and Principles of the Development Plan, the proposal is considered to be not seriously at variance with the Development Plan. On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and warrants Development Plan Consent.

## Attachments

- 1. Amended Proposal
- 2. Original Proposal

Page 216 Item 6.7

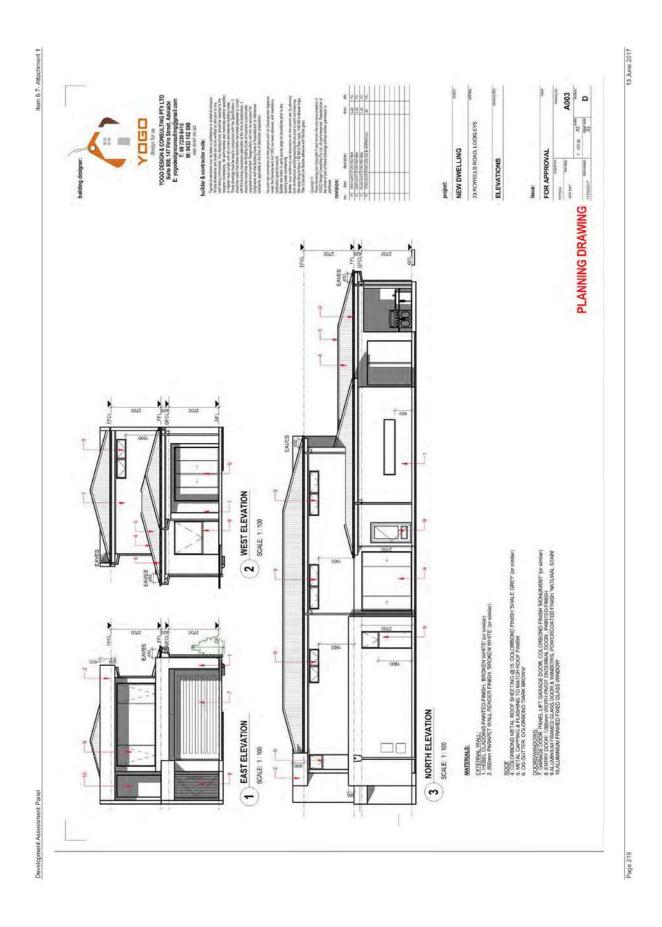
Page 258 8 August 2017



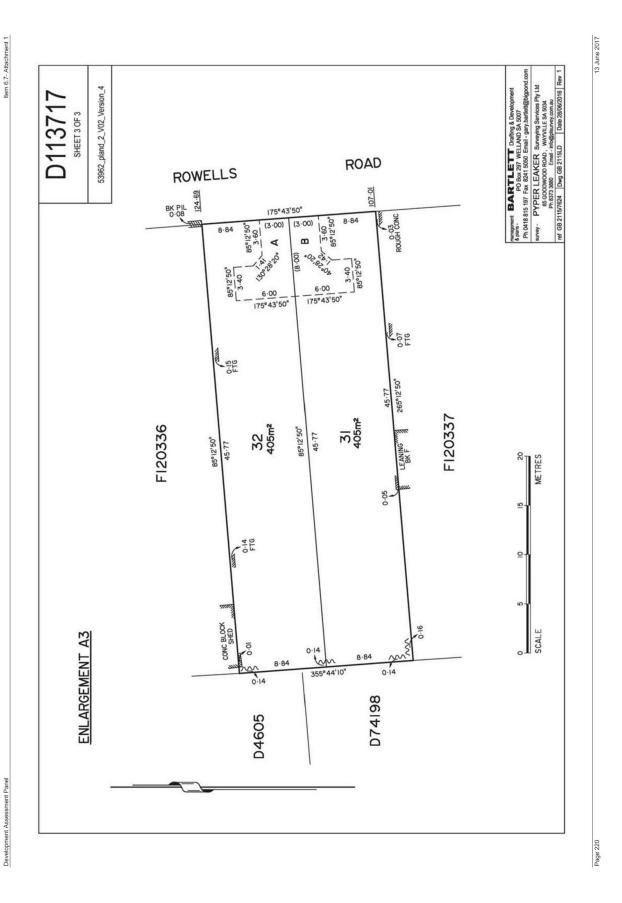
Page 259 8 August 2017



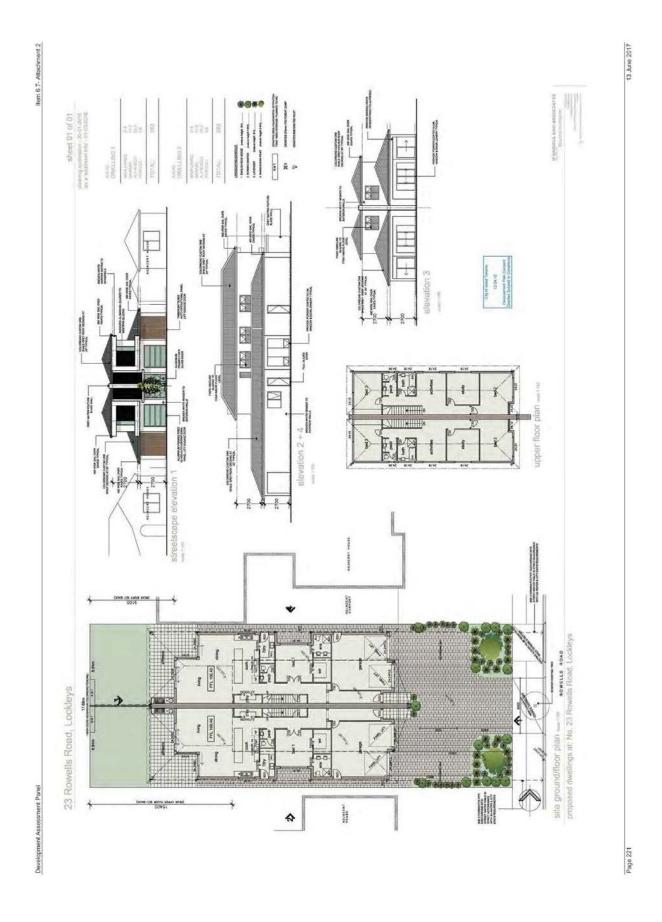
Page 260 8 August 2017



Page 261 8 August 2017



Page 262 8 August 2017



Page 263 8 August 2017

Item 6.7- Attachment 2

13 June 2017

Page 222

Development Assessment Panel

Page 264 8 August 2017

# 6.10 189-195 Holbrooks Road, UNDERDALE

Application No 211/1576/2016

# **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1)
APPLICANT	Karidis Corporation Ltd
APPLICATION NO	211/1576/2016
LODGEMENT DATE	29 December 2016
ZONE	Residential
POLICY AREA	Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal  City Assets
	External
	- Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	14 March 2017, 9 May 2017 & 8 August 2017

## 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 the Reserved Matter and Staging of Application 211/780/2016 by Karidis Corporation Ltd to construct a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1) at 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale (CT's 5704/579, 5729/90, 5819/446) subject to the following conditions:

# **Council Conditions**

- 1. The development shall be undertaken and completed in accordance with the plans and information details in the application except where varied by any conditions listed below:
- 2. The finished floor level of each dwelling shall be in accordance with the submitted Civil Plan (TMK Drawing Number 1603086-CI/PD dated 19/12/2016).
- 3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.

Page 265 Item 6.10

- 4. 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.
- 5. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
- 6. That all planting and landscaping will be completed prior to the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
- 7. External material and finishes must be low-light reflective.
- 8. The visitor spaces adjacent to the refuse enclosure will be sign-posted as no parking permitted on a predetermined week day during predetermined times for the purpose of waste collection. The car parking exclusion shall be for a maximum of two hours per week and the visitor parks shall be available for their intended use at all other times.

### **BACKGROUND**

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

 A condition of the sub-delegation under section 39(7) of the Development Act 1993 only allows for variation applications to be determined by the original assessing officer. In this instance the Development Assessment Panel granted the Development Plan Consent for the original development application 211/1576/2016 on 9 May 2017.

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 all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.

Previous DA 211/780/2016 - Retirement village of 41 dwellings consisting of a four-storey residential flat building (24 dwellings), roof top community centre, five single storey residential flat buildings (10 dwellings), a single storey residential flat building (4 dwellings), two single storey semi-detached dwellings, and a single storey group dwelling plus associated driveways and open space - was withdrawn prior to the 10 January 2017 DAP meeting where the proposal was recommended for refusal.

- 29 December 2016 current proposal was submitted to Council, being Stage 1 of the previous proposal, i.e. Retirement village of 16 dwellings and one community centre, consisting of five single storey residential flat buildings (10 dwellings), a single storey residential flat building (4 dwellings), two single storey semi-detached dwellings, and a single storey group dwelling plus associated driveways.
- 23 February 2017 the Administration contacted the applicant's planning consultant and advised the following: My primary issue is the density with regard to the desired character of the policy area, I could probably support an average of 340sqm per dwelling in this particular location but 210(ish)sqm is too low.
- 1 March 2017 the Applicant advised that they desired for the proposal to be presented to the DAP as advertised with some additional correspondence from consultants.

Page 266 Item 6.10

14 March 2017 - the Applicant requested that the matter be deferred from that day's DAP meeting to enable further discussion with the Administration. The Administration advised that it was too late to defer the matter for further discussions but that the DAP may choose to defer in order to gain additional information.

14 March 2017 - the DAP deferred consideration of the proposal in order for the Applicant to undertake the following:

- More information is required to satisfactorily assess the site's waste management plan.
- It is recommended that the applicant use this time to review their site area sizes in discussion with the Administration.

Previous reports and associated attachments can be found in **Attachment 2**.

9 May 2017 - the proposal was presented to the DAP with no change to allotment sizes and insufficient information to satisfactorily assess the site's waste management plan. The DAP determined to grant Development Plan Consent to the proposal with a Reserved Matter stating: The following information requires further assessment and approval by the City of West Torrens as a reserved matter under Section 33(3) of the Development Act 1993:

1. Waste management plan and collection details with particular regard to how visitor car parking will be managed.

# **AMENDED PLANS & ADDITIONAL INFORMATION**

On 21 July 2017 the applicant submitted a letter requesting the following:

- That the reserved matter be addressed by bin collection occurring on a predetermined day, and at a predetermined time. The visitor spaces adjacent to the refuse enclosure will be sign-posted as no parking permitted on a predetermined week day during predetermined times.
- 2. That the granting of Development Approval be able to be staged in order to enable substructure work to begin whilst superstructure documentation is being finalised.

# **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:

General Section		
Supported Accommodation,	Objectives	1
Housing for Aged Persons and People with Disabilities	Principles of Development Control	2(d), 4(b)
,	Objectives	2
Transportation and Access	Principles of Development Control	8, 14, 30(e), 32, 33, 34, 35, 39, 40, 41, 42, 43(a, b & c), 44(a & c)
Waste	Objectives	1 & 2
Wasie	Principles of Development Control	2, 5 & 6

Page 267 Item 6.10

## **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
CARPARKING SPACES Transportation and Access PDC 34 Table WeTo/2 – Off Street Vehicle Parking Requirements	Residential flat buildings and Group dwellings  1. 2 car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling 37.75 car parking spaces required	37 provided  Does Not Satisfy by 0.75 of a park
	Aged care retirement homes 1 per unit = 17	37 provided 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:

# **Car parking Provisions**

The Development Plan has two quantitative measures for car parking provision, the first referring to residential flat buildings and group dwellings, the second referring to aged care, retirement homes. By either measure the proposed car parking is acceptable.

Further to the quantitative requirements, the Development Plan also seeks:

General Section

Supported Accommodation, Housing for Aged Persons and People with Disabilities

- 2. PDC 2 Supported accommodation and housing for aged persons and people with disabilities should be designed to provide safe, secure, attractive, convenient and comfortable living conditions for residents that include:
- (d) storage areas for items such as boats, trailers, caravans and specialised equipment PDC 4 Car parking associated with supported accommodation and housing for aged persons and people with disabilities should:
- (b) be adequate for residents, service providers and visitors General Section

Transportation and Access

PDC 43 On-site visitor parking spaces should be sited and designed to:

- (c) be accessible to visitors at all times.
- PDC 44 On-site vehicle parking should be provided having regard to:
  - (a) the number, nature and size of proposed dwellings
  - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.

Page 268 Item 6.10

These Principles suggest that not only should visitor car parking be provided for retirement village accommodation, but it should be available at all times. The Principle that states that storage areas for items such as boats, trailers, caravans should be included, suggests that it is possible that the proposed visitor parks may also be used by residents for parking of recreational vehicles. The combination of these Principles make it difficult to support the proposed intermittent nature of the visitor parks to enable waste collection. Given that the proposal as it currently stands incorporates a large section of undeveloped land on the site, it may be more acceptable than if the site was fully developed (i.e. people can park on the dirt if necessary), but the amount of time that the parks are unavailable is recommended to be limited by an appropriate condition.

# **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 05 May 2016 and warrants Development Plan Consent.

# **Attachments**

- 1. Proposed Plan
- 2. Previous Reports

Page 269 Item 6.10

DAVID ROMALDI ARCHITECTURE

21-July 17

City of West Torrens Planning & Building 165 Sir Donald Bradman Drive **Hilton SA 5033** 

Attention:

Janine Lennon

Manager City Development

PO Box 90

Findon

South Australia 5023

Telephone

08 8244 1099

Facsimile

08 8345 0297

Email

dromaldi@senet.com.au

David Romaldi Pty Ltd ABN 29 092 519 732

Dear Ms Lennon

re: DA 211/1576/2016

RETIREMENT VILLAGE

189-195 HOLBROOKS ROAD & 27 NORMAN STREET

**UNDERDALE SA 5032** 

I refer to the above Development Application and provide the following response to your correspondence to Katnich Dodd dated 18 July 17.

# Staging of proposal

I confirm that the proposal for the 16 dwellings, community centre and associated driveways is not to be staged. The Decision Notification Form and associated documents issued by Katnich Dodd comprise a staging for construction flow scheduling purposes of footings and not the Development Proposal. I expect to have timber framing design calculations shortly and will immediately issue these for super structure building consent.

### Reserve Matter:

# **Waste Management**

I refer you to the attached Traffic Impact Statement by Tonkin Consulting dated 11 Oct 2016, and Waste Management Proposal by Solo Resource Recovery dated 4 April 2017 indicating the ability for on-site waste removal.

# Visitor car spaces for dwelling 8 & 9

Bin collection will occur on a predetermined day and time. The visitor spaces adjacent the refuse enclosure will be sign posted as no parking nominating the day & time period for the bun collection.

I trust I have suitably addressed your concerns and look forward to a favourable response in order for Katnich Dodd to re issue the footing documents for Approval.

Should you require further information please do not hesitate to contact me on 0417 832188 or <a href="mailto:dromation-dromat

Yours faithfully

David Romaldi

cc. Mark Booth - Karidis Corporation Ltd.

Development Assessment Panel



Page 272 8 August 2017

4th April 2017

Karidis Corporation Holbrooks Road Underdale SA

Attn: Mark Booth

Phone: 8414 7900

Email: markb@karidis.com.au

Dear Mark,



86-88 Chinderah Bay Drive Chinderah NSW 2487 P.O. Box 1427 Kingscliff NSW 2487 AUSTRALIA.

Services: 02 6676 7647 02 6674 7656 02 6674 7657 Admin: Fax: Email: solorr@solo.com.au www.solo.com.au

# Re: Waste Management Proposal

I have had the area marked for bin collection and turning circle to be sufficient for our Side loader and Rear loader trucks to access the bins for empties. As we will be using the driveway in the complex this will need to be load rated for access. Our trucks weigh 10.5 tonne empty and up to 22 tonne full.

I would suggest supplying the residents for 140ltr General Waste bins and 240ltr Recycle/Green waste bins which they could share. The number of bins will determine occupancy at the time.

We look forward to forming an association with you and providing a high standard of waste collection services.

Should you have any queries, please do not hesitate to contact me.

Yours faithfully,

Tara Venn Sales Representative Solo Resource Recovery

0418 295 507 08 8295 5077

25-27 Oakdale Road

25-27 Olatale Hold PO Box 2347 Gateshead NSW 2290 Phone: 02 4947 8511 Fax: 02 4947 8512 Email: solohunt@solo.com.au 12 035 577 136 181 Morphett Road North Plympton SA 5037

08 8295 5778 Fax: 08 8295 5778 Email: solomari@solo.com.au ABN 62 398 515 816

47 Tova Drive 47 Tova Drive
PO Box 8235
Carrum Downs VIC 3201
Phone: 03 9770 8040
Fav: 03 9770 8015 ABN 62 398 515 816

47 Camfield Dr. Heatherbrae 2324 PO Box 806
Raymond Terrace NSW 2324
Phone 02 4987 76 02 4987 7693 02 4987 6092 Fax

2 Fowlers Lane PO Box 342 Bangalow NSW 2479 Phone: Fax

02 6687 0455 02 6687 1008 62 398 515 816

SOLO WASTE AUST, PTY LTD ABN 62 398 515 816 TRUSTEE



Page 1 of 1

9 May 2017

## 6.2 189-195 Holbrooks Road & 27-27A Norman Street, UNDERDALE

Application No 211/1576/2016

## **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1)
APPLICANT	Karidis Corporation Ltd
APPLICATION NO	211/1576/2016
LODGEMENT DATE	29 December 2016
ZONE	Residential
POLICY AREA	Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal
	City Assets
	External
	Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	14 March 2017 & 9 May 2017

### 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. 211/780/2016 by Karidis Corporation Ltd to construct a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1) at 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale (CT's 5704/579, 5729/90, 5819/446) subject to the following conditions:

## **Reserved Matters**

The following information requires further assessment and approval by the City of West Torrens as a reserved matter under Section 33(3) of the *Development Act 1993*:

 Waste management plan and collection details with particular regard to how visitor car parking will be managed.

## DEVELOPMENT PLAN CONSENT

## **Council Conditions**

- The development shall be undertaken and completed in accordance with the plans and information details in the application except where varied by any conditions listed below:
- The finished floor level of each dwelling shall be in accordance with the submitted Civil Plan' (TMK - Drawing Number 1603086-CI/PD dated 19/12/2016).

Page 39 Item 6.2

Page 274 8 August 2017

- That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a) Result in the entry of water into a building; or
  - b) Affect the stability of a building; or
  - c) Create unhealthy or dangerous conditions on the site or within the building; or
  - flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
- 4. 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.
- That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
- That all planting and landscaping will be completed prior to the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
- External material and finishes must be low-light reflective.

### 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 all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan.

Previous DA 211/780/2016 - Retirement village of 41 dwellings consisting of a four-storey residential flat building (24 dwellings), roof top community centre, five single storey residential flat buildings (10 dwellings), a single storey residential flat building (4 dwellings), two single storey semi-detached dwellings, and a single storey group dwelling plus associated driveways and open space -was withdrawn prior to the 10 January 2017 DAP meeting where the proposal was recommended for refusal.

29 December 2016, current proposal was submitted to Council, being Stage 1 of the previous proposal, ie Retirement village of 16 dwellings and one community centre, consisting of five single storey residential flat buildings (10 dwellings), a single storey residential flat building (4 dwellings), two single storey semi-detached dwellings, and a single storey group dwelling plus associated driveways.

23 February 2017, the Administration contacted the applicant's planning consultant and advised the following, *My primary issue is the density with regard to the desired character of the policy area, I could probably support an average of 340sqm per dwelling in this particular location but 210(ish)sqm is too low.* 

Page 40 Item 6.2

Page 275 8 August 2017

9 May 2017

1 March 2017, the Applicant advised that they desired for the proposal to be presented to the DAP as advertised with some additional correspondence from consultants.

14 March 2017, the Applicant requested that the matter be deferred from that day's DAP meeting to enable further discussion with the Administration. The Administration advised that it was too late to defer the matter for further discussions but that the DAP may choose to defer in order to gain additional information (previous report and associated attachments can be found in **Attachment 2**)

14 March 2017, the DAP deferred consideration of the proposal in order for the Applicant to undertake the following:

- More information is required to satisfactorily assess the sites waste management plan.
- It is recommended that the applicant use this time to review their site area sizes in discussion with the Administration.

### **AMENDED PLANS & ADDITIONAL INFORMATION**

In response to the DAP's deferment of the matter, the applicant submitted the following:

- Legal advice stating:
  - "supported accommodation" is an envisaged use within the Development Plan;
  - The Development Plan does not specify a site area requirement for "residential falt buildings" within Low Density Policy Area 21;
  - Allthough the layout of the proposed development fits the criteria for "residential falt buildings" the development should not be assessed against that criteria as it does not reflect the reduced need for private open space of older retired people;
  - Amended plan results in there no longer being any semi-detached dwellings proposed
- Advice from Solo that their waste collection trucks can access the site as currently designed
- Amended site plan showing the reconfiguration of three dwellings.

### **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
AVERAGE SITE AREA Low Density Policy Area 21 PDC 3	420m² minimum (average)	Approx average 203.35m² (Dwellings 1 – 17 average, does not include internal access road)  Does Not Satisfy by 51.6%
SITE FRONTAGE Low Density Policy Area 21 PDC 3	N/A	Development no longer features any dwellings with primary street frontage

Page 41 Item 6.2

Page 276 8 August 2017

9 May 2017

	T .	
STREET SETBACK Residential Zone PDC 8	Primary street - N/A	Development no longer features any dwellings with primary street frontage
	Secondary street - 2m	3.0m
		Satisfies
SIDE/REAR SETBACKS Residential Zone:	Rear Single storey: 3m	Dwelling 3 and 4: 4.39m
PDC 11		Satisfies
		Dwelling 10: 3.5m setback
		Satisfies
PRIVATE OPEN SPACE General Section Residential Development PDC 19	24m², of which 8 may comprise balconies, roof patios and the like, provided they have a minimum	Dwellings 1 – 17: range from 28.5m <sup>2</sup> – 84m <sup>2</sup> (average 36.8m <sup>2</sup> )
PDC 19	dimension of 2m	Minimum dimension 3.5m
	Minimum dimension 3m (exl balconies)	Satisfies
	Minimum area 16m <sup>2</sup> provided at the rear or side of the dwelling, directly accessible from a habitable room	
LANDSCAPING Landscaping, Fences and Walls PDC 4	10%	Satisfies
MINIMUM FLOOR AREA/DWELLING	Two bedroom dwelling = min 74m <sup>2</sup>	B1 = 93m <sup>2</sup> B2 = 92.5m <sup>2</sup>
Council Wide PDC 9	Three bedroom dwelling = min 100m <sup>2</sup>	A1 = 104m <sup>2</sup> A2 = 103m <sup>2</sup> A3 = 107.5m <sup>2</sup>
		Satisfies
STORAGE OF GOODS & CHATTELS	8m³	B1 = 5.8m <sup>3</sup> B2 = 5.8m <sup>3</sup>
Council Wide PDC 31		$A1 = 4m^3$ $A2 = 5m^3$ $A3 = 5.25m^3$
		Not Satisfied

Page 42 Item 6.2

Page 277 8 August 2017

9 May 2017

CARPARKING SPACES Transportation and Access PDC 34 Table WeTo/2 – Off Street Vehicle Parking Requirements	2 car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling.  33.75 car parking spaces required  Two single storey semidetached dwellings  2 car parking spaces per dwelling, one of which is covered.  4 car parking spaces required	37 provided  Does Not Satisfy by 0.75 of a park
MAXIMUM NUMBER OF STOREYS Residential Zone PDC 6	2 storeys	1 storey Satisfies

## Land Use and Zoning

PDC 5 of the Residential Zone states that development should not be undertaken unless it is consistent with the desired character for the zone and policy area. Objective 1 of the Low Density Policy Area 21 is that development contributes to the desired character of the policy area.

The policy area envisages a low density character with new development predominantly replacing detached dwellings with the same. Alternative dwelling types such as semi-detached dwellings are encouraged close to centre zones. The desired character also envisages buildings up to two storeys in height.

Whilst supported accommodation is envisaged within the Policy Area, proposed development in the form of, single storey residential flat buildings, group dwellings are not specifically envisaged in the Low Density Policy Area 21 (Desired Character, PDC 1).

## Site Area

The average site area for proposed Dwellings 1 – 17 is approximately 203m<sup>2</sup>. Low Density Policy Area 21 requires a minimum site area of 420m<sup>2</sup> for semi-detached dwellings and residential flat buildings not within 400 metres of a centre zone (PDC 3).

3 Except when located within 400 metres of a centre zone, a dwelling should have a minimum site area (and in the case of residential flat buildings, an average site area per dwelling) and a frontage to a public road not less than that shown in the following table:

Site area (square metres)	Minimum frontage (metres)
420 minimum	12
420 minimum	12
	(square metres) 420 minimum

Page 43 Item 6.2

Page 278 8 August 2017

As discussed at the 14 March 2017 DAP meeting, until the consolidation of the Housing Diversity DPA in June 2015, the West Torrens Council Development Plan incorporated special dispensation for reduced site areas for supported accommodation, which is no longer the case.

It should be noted that whilst the Development Plan seeks an average site area per dwelling of 420m², the Administration has previously advised the applicant that they would be able to support a proposal that featured dwellings with an average site area of 340m² per dwelling, this advice was based upon an analysis of the character of the locality, in particular the site areas within the locality being as follows:

Address	Dwelling Type	Approximate Site Area (m)
1 Hurtle Court	Detached dwelling	374
2 Hurtle Court	Detached dwelling	340
3 Hurtle Court	Detached dwelling	339
4 Hurtle Court	Detached dwelling	337
5 Hurtle Court	Detached dwelling	335
17 Hurtle Street	Detached dwelling	1036
21 Norman Street	Detached dwelling	704
23 Norman Street	Detached dwelling	701
25 Norman Street	Detached dwelling	813
29 Norman Street	Detached dwelling	624
26 Norman Street	Detached dwelling	458
32 Norman Street	Detached dwelling	312
34 Norman Street	Detached dwelling	326
1a Howard Street	Detached dwelling	567
192 Holbrooks Road	Detached dwelling	748
194 Holbrooks Road	Detached dwelling	713
196 Holbrooks Road	Detached dwelling	1035
1-6/198 Holbrooks Road	Dwelling within Residential flat building	143 (ave)
200 Holbrooks Road	Detached dwelling	1240
197 Holbrooks Road	Detached dwelling	595
199 Holbrooks Road	Detached dwelling	444

The above analysis shows that out of the 26 dwellings within the locality, half display a site area of less than 420m² specified by the Development Plan, clearly indicating that a lesser site area is supported by the locality. Of the entire locality, only one development (198 Holbrooks Road) features dwellings of a site area less than that proposed in this application, it is noted that this development was undertaken in the 1960s prior to the advent of current zoning and development controls. The character of the locality may support a higher density of dwellings than that specified by the Development Plan.

Page 44 Item 6.2

Page 279 8 August 2017

9 May 2017

The applicant has provided an opinion authored by Brian Hayes QC stating that despite the proposed development being in the form of residential flat buildings and one group dwelling, that applying the Development Plan's minimum site areas to supported accommodated is an erroneous approach. Brian Hayes QC also suggests that the Council's Development Plan considers a Retirement Village to have different planning requirements to that of a residential flat building. Whilst the Administration has mixed views with Mr Hayes on these points, an alternate legal opinion has not been sought because, as detailed above, the Administration believes that site areas of less than the Development Plan's minimum are acceptable for this site.

#### Site Area

The reorientation of dwellings 1, 6 & 7 means that there is no longer a conflict with the Development Plan with regard to primary street setbacks and frontage widths for semi-detached dwellings, it should be noted that these conflicts were not previously listed as reasons for refusal.

#### Waste Collection

It has previously been recognized that it is not feasible to expect that all 17 proposed dwellings could take advantage of Council's regular waste collection service as this would potentially result in 51 bins being placed on the Norman Street footpath on waste collection day. Given this, the applicant has proposed a private on site waste management system and have provided a letter confirming that Solo Waste Management Services access the site for waste collection.

Council's staff retain some questions with regard to how the waste collection system will be managed particularly as the truck maneuverability area is also the site's visitor parking area, the DAP deferred this matter at the March 2017 meeting in order for the applicant to address this concern. The concern has not been addressed by the applicant and the applicant advises that they wish to have the Panel make a decision without this information. Should the Panel be of a mind to support the overall proposal, it is recommended that waste management be listed as a Reserved Matter.

### SUMMARY

The most notable and critical departure between the proposed development and the provisions of the Development Plan relates to the proposed site areas for the dwellings, in that a density of nearly double the cited maximum has been proposed.

Having considered all the relevant Objectives and Principles of the Development Plan, it has been determined that whilst the proposal is not seriously at variance with the provisions at the Development Plan but on balance, the proposed development does sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and does warrant Development Plan Consent.

### **Attachments**

- 1. Amended Plans & Additional Correspondence
- 2. 14 March 2017 DAP Report

Page 45 Item 6.2

Page 280 8 August 2017

Development Assessment Panel

Item 6.2- Attachment 1

## **MURRAY CHAMBERS**

12 Coglin Street Adelaide South Australia 5000

Telephone 61+8+8110 9100 Fax 61+8+8231 5439 Email: hayes@murraychambers.com.au

5 April 2017

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

Dear Ms Lennon,

## 21/1576/2016 - Karidis on Holbrooks Road

I have been instructed by Griffens Lawyers to act on behalf of the Karidis Group in relaltion to the above application.

I have been instructed to forward you a copy of my advice in relation to this development and accordingly I enclose a copy herewith.

Yours sincerely,

Brian Hayes QC

Brian Hayes,

Liability limited by a scheme approved under professional standards legislation

Page 46

9 May 2017

Development Assessment Panel

Item 6.2- Attachment 1

## **MURRAY CHAMBERS**

12 Coglin Street Adelaide South Australia 5000

Telephone 61+8+8110 9100 Fax 61+8+8231 5439 Email: hayes@murraychambers.com.au

5 April 2017

Griffens Lawyers Attention: Mr John McElhinney 49 Flinders Street Adelaide SA 5000

Dear John,

### 21/1576/2016 - Karidis on Holbrooks Road

I refer to previous correspondence with Griffins Lawyers, and to your request to provide my opinion in relation to a report by Ms Lennon to the DAP.

At its meeting on 16 March 2017 the DAP resolved that this application was deferred on the following grounds:

"More information is required to satisfactorily assess the sites waste management plan. It is recommended that the applicant use this time to review their site area sizes in discussion with the Administration."

I am advised the Karidis Corporation, will supply the appropriate information regarding the waste management plan.

With regard to "site area sizes" I comment as follows:

In the DAP Agenda Report of 14 March 2017 the following comments are made:

"Site Area

The average site area for proposed Dwellings 1-17 is approximately  $203m^2$ . Low Density Policy Area 21 requires a minimum site area of  $420 \text{ m}^2$  for semi-detached dwellings and residential flat buildings not within 400 metres of a centre zone (PDC3)."

- 2. The reference to site area, limited as it is, contains an error of approach.
- "Supported Accommodation" (which includes Retirement Villages) is a use specifically envisaged in the Policy Area.

However, the Agenda Report under Land Use & Zoning indicates that the proposed use is "not specifically envisaged" in the Policy Area. That is incorrect as a matter of fact.

I also note the following in the Agenda Report:

Liability limited by a scheme approved under professional standards legislation

Page 47 9 May 2017

Page 282 8 August 2017

Item 6.2- Attachment 1

"Development Plan Consent is sought for the construction of five single storey residential flat buildings containing two dwellings each, one single storey residential flat building containing four dwellings, one single storey group dwelling and two single storey semi-detached dwellings (overall total of 16 dwellings) for the purposes of housing for the aged, plus a community centre is proposed which will then be converted to a dwelling if and when Stage 2 is approved and commences."

The report indicates that the average site area of proposed Dwellings 1 - 17 is approximately 203m2 per dwelling whereas Policy Area 21 "requires a minimum site area of 420m2 for semidetached dwellings and residential flat buildings not within 400 metres of a centre zone."

2

That is incorrect as a matter of fact and law because there is no specified site area requirement in Low Density Policy Area 21 for "residential flat buildings"

A Retirement Village (subject to layout) may fall within the definition of "residential flat building" for the purpose of categorisation as a non-complying form of development. It does not mean that a Retirement Village must therefore satisfy the density criteria for a typical residential flat building. If it did, it would render the specific reference to retirement village within the land use description of "Supported Accommodation" otiose. Clearly, the Development Plan considers a Retirement Village to have different planning requirements to that of a residential flat building.

As indicated in Griffin Lawyer's letter of 8 March 2017 to the planning officer a Retirement Village is a very restricted use. It can only be occupied by a person over 55 years of age who is retired from full time employment.

Obviously the needs of such a person for a larger dwelling or open space is less than the generally younger occupants of a typical residential flat building.

In my opinion, when assessing a development application against the relevant provisions of a Development Plan, the Plan should be utilised as a flexible, advisory planning policy document, not as a mandatory legal statute, and as a practical guide for practical application. It should be assessed against the provisions of the Development Plan, having regard to its specific characteristics and impact.

The proposal is for a Retirement Village and practically it should be assessed as such and not as a normal typical retirement flat building.

I am instructed that the applicant is also prepared to amend its proposal with the 2 units facing Norman Street now facing into the site and as such they will no longer constitute a pair of semidetached dwellings.

Yours sincerely,

Brian Hayes QC

Page 48 9 May 2017

8 August 2017 Page 283



Page 284 8 August 2017

4th April 2017

Karidis Corporation Holbrooks Road Underdale SA

Attn: Mark Booth

Phone: 8414 7900

Email: markb@karidis.com.au

Dear Mark,



88-88 Chinderah Bay Drive Chinderah NSW 2487 P.O. Box 1427 Kingscliff NSW 2487 AUSTRALIA.

Services: 02 6676 7647 Admin: 02 6674 7656 Fax: 02 6674 7657

### Re: Waste Management Proposal

I have had the area marked for bin collection and turning circle to be sufficient for our Side loader and Rear loader trucks to access the bins for empties. As we will be using the driveway in the complex this will need to be load rated for access. Our trucks weigh 10.5 tonne empty and up to 22 tonne full.

I would suggest supplying the residents for 140ltr General Waste bins and 240ltr Recycle/Green waste bins which they could share. The number of bins will determine occupancy at the time.

We look forward to forming an association with you and providing a high standard of waste collection services.

Should you have any queries, please do not hesitate to contact me.

Yours faithfully,

Tara Venn Sales Representative Solo Resource Recovery

0418 295 507 08 8295 5077

25-27 Oakdale Road PO Box 2347 Gateshead NSW 2290 Phone: 02 4947 8511 Fax: 02 4947 8512

| 47 Cartfield Dr, Heatherbran 2324 | 2 Fowlers Lane PO Box 806 | PO Box 342 Raymond Terrace NSW 2324 | Bangalow NSW 2479 | Bangalow NSW 2479 | Phone: 02 4987 7693 | Phone: 02 6987 0455 | Fax: 02 6987 1008

SOLO WASTE AUST, PTY LTD ABN 62 398 515 816 TRUSTEE



Page 50 9 May 2017

Page 285 8 August 2017 Development Assessment Panel

Item 6.2- Attachment 1

From: Janine Lennon To:

"Chris Vounasis"
21//1576/2016 - Karidis on Holbrooks Road Subject: Thursday, 23 February 2017 6:14:00 PM Date:

Hi Chris,

Sorry, no matter how I look at this I can't bring myself to support it.

My primary issue is the density with regard to the desired character of the policy area, I could probably support an average of 340sqm per dwelling in this particular location but 210(ish)sqm is too low.

All other factors appear supportable or at least addressable via condition.

So, given the above does your client want us to put it up as is?

Regards,

**Janine Lennon** Manager

City Development

9 May 2017 Page 51

Page 286 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

# 6.3 189-195 Holbrooks Road & 27 Norman Street, UNDERDALE

Application No 211/1576/2016

#### **DEVELOPMENT APPLICATION DETAILS**

DEVELOPMENT PROPOSAL	Construction of a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1)
APPLICANT	Karidis Corporation Ltd
APPLICATION NO	211/1576/2016
LODGEMENT DATE	29 December 2016
ZONE	Residential
POLICY AREA	Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 3
REFERRALS	Internal
	City Assets
	External
	• Nil
DEVELOPMENT PLAN VERSION	5 May 2016
MEETING DATE	14 March 2017

## 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 Plan Consent for Application No. 211/780/2016 by Karidis Corporation Ltd to construction of a retirement village consisting of 16 single storey dwellings and one community centre (Stage 1) at 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale (CT's 5704/579, 5729/90, 5819/446) for the following reasons:

- 1. The proposed development is contrary to:
  - Zone section, Residential Zone, Low Density Policy Area 21, Objective 1
  - · Zone section, Residential Zone, Low Density Policy Area 21, Desired Character
  - Zone section, Residential Zone, Low Density Policy Area 21, Principle of Development Control 1
  - Zone section, Residential Zone, Low Density Policy Area 21, Principle of Development Control 3

Reason: The proposed development is not consistent with the relevant provisions of the Development Plan.

Page 87 Item 6.3

Page 52 9 May 2017

Page 287 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### BACKGROUND

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

- With regard to residential development and land division applications, where all proposed allotments and or sites fail to meet, nor are within 5% of, the minimum frontage widths and site areas designated in respective zones and policy areas within the West Torrens Council Development Plan,
- All applications where the assessing officer recommends refusal, shall be assessed and determined by the DAP.

# PREVIOUS OR RELATED APPLICATION(S)

DA 211/780/2016 - Retirement village of 41 dwellings consisting of a four-storey residential flat building (24 dwellings), roof top community centre, five single storey residential flat buildings (10 dwellings), a single storey residential flat building (4 dwellings), two single storey semi-detached dwellings, and a single storey group dwelling plus associated driveways and open space - WITHDRAWN.

#### SITE AND LOCALITY

The site is located on the eastern side of Holbrooks Road, Underdale between Golden Glow Avenue to the north and Norman Street to the south, and comprises three allotments:

- Allotment 10 Filed Plan 122904 in the Area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5704 Folio 579
- Allotment 11 Filed Plan 122905 in the Area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5729 Folio 90
- Allotment 12 Filed Plan 122906 in the Area named Underdale, Hundred of Adelaide as contained in Certificate of Title Volume 5819 Folio 446.

The site is more commonly known as 189 - 195 Holbrooks Road, 27 and 27A Norman Street, Underdale and has been used by the Underdale Bowling Club. The site has a frontage of 53.31 metres to Holbrooks Road and 49 metres to Norman Street, with an overall site area of 5,767m<sup>2</sup>.

Topographically the land is relatively flat.

Five established street trees are located directly in front of the site on the Norman Street verge, three of which will be impacted as a result of the proposed development.

Vehicle access to the site is currently provided via an existing single width crossover located adjacent to the eastern site boundary from Norman Street.

The subject land is located within the Residential Zone, Low Density Policy Area 21. Holbrooks Road is a Secondary Arterial Road. The site is located approximately 300 metres north of the Urban Corridor Zone on Henley Beach Road, and within 200 metres of bus stops either side of Holbrooks Road.

Commercial development adjoins the site to the north, however to the east, south and west the locality comprises predominantly single storey residential development ranging from the 1930's; more recent development includes two storey residential flat buildings on Holbrooks Road, south of Norman Street in Medium Density Policy Area 19. A single storey residential flat building is located opposite the subject site on Holbrooks Road.

The site and locality are shown on the following maps:

Page 88 Item 6.3

Page 53 9 May 2017

Page 288 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017



Norman Street frontage



Holbrooks Road frontage

Page 89 Item 6.3

Page 54 9 May 2017

Page 289 8 August 2017

Page 90

Item 6.2- Attachment 2

Item 6.3

14 March 2017 Development Assessment Panel Agenda Charles Sturt SUBJECT LAND 189-195 Holbrooks Road, 27 and 27a Norman Street, UNDERDALE 1 MAP WeTo/8 Adjoins N Location Map WeTo/4 Local Reserves WEST TORRENS COUNCIL

Page 55 9 May 2017

Page 290 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017



Page 91 Item 6.3

Page 56 9 May 2017

Page 291 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### **PROPOSAL**

Development Plan Consent is sought for the construction of five single storey residential flat buildings containing two dwellings each, one single storey residential flat building containing four dwellings, one single storey group dwelling and two single storey semi-detached dwellings (overall total of 16 dwellings) for the purposes of housing for the aged, plus a community centre is proposed which will then be converted to a dwelling if and when Stage 2 is approved and commences.

Five different dwelling types are proposed for the single storey dwellings. All single storey dwellings are configured in one bedroom plus study or two bedrooms plus study.

Each single storey dwelling is provided with a covered car space and a second uncovered car space that could be used for residential and/or visitor parking. Three additional visitor parks have been proposed.

All dwellings are accessed via a common driveway off Norman Street with the exception of the two semi-detached dwellings which will have independent access off Norman Street. These crossovers will result in the removal of three street trees.

Each dwelling is provided with private open space in the form of a ground level courtyard.

A copy of the plans and supporting information are contained in Attachment 1.

#### **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 Residential Zone Procedural Matters.

Properties notified:	63 properties were notified during the public notification process.
Representations:	No representations were received.

### REFERRALS

Internal

### City Assets

While a number of issues which were originally raised have been addressed by the applicant, the following matters remain outstanding:

# 1.0 Waste Management

It is recommended that the applicant be requested to provide a 'waste management plan'
demonstrating communal waste servicing of the site, including details on scale of waste
provision based on dwelling number and scales, accessibility to the site, manner of storage
and collection.

Page 92 Item 6.3

Page 57 9 May 2017

Page 292 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### 2.0 Traffic Comments

2.1 The following comments have been provided by Council's Traffic Consultant:

I refer to the above retirement village development on the subject site. I have previously provided comments on the proposal on 8 August 2016.

I have read the updated traffic report by Tonkin Consulting dated 11 October 2016 and referred to the latest plan, Drawing 312-P-1.1 Rev C 'Master Plan' for my assessment.

I have previously commented that the Council's Development Plan does not specifically require visitor parking for the proposed retirement dwellings. Therefore Stage 1 Dwellings 1 to 17 do not technically require the provision of a visitor parking space. I note that Dwellings 1 and 2 with direct access to Norman Street have provision for visitor parking (dimension length of 5.4m or greater) in front of the garage, which complies with the requirements of the parking standard.

For all other dwellings, except for Dwellings 8 and 9, while the paved areas have a dimensional length of greater than 5.0m (equivalent to a small car dimension in AS/NZS 2890.1-2004) but less than 5.4m, there appears to be sufficient length in front of the garages to allow a B85 design car to fit clear of the roadway. Therefore while not specifically designated as a visitor parking space, the paved area in front of garages would nonetheless be able to accommodate a visitor vehicle if required. If considered as a small car space, the dimensional length would comply with the parking standard.

For Dwellings 8 and 9, I note that 2 external visitor spaces would be provided adjacent to the screened refuse area.

Based on the above, I am satisfied that adequate parking would be provided for the development.

In terms of the parking layout, the previous design issues that I had raised appear to have been mostly addressed.

In terms of refuse collection, conditions restricting refuse trucks to the 6.5m rigid truck size and servicing times to off-peak periods would be required.

In summary, I have no objections to the proposed development, from a traffic and parking perspective, and recommend the following conditions to be included:

- The proposed car park and parking areas shall be designed to the requirements of AS/NZS 2890.1-2004 and AS/NZS 2890.6-2009.
- · Refuse collection shall be undertaken using a 6.5m rigid truck.
- Refuse collection shall be undertaken during off-peak times.

Page 93 Item 6.3

Page 58 9 May 2017

Page 293 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

# ASSESSMENT

The subject land is located within the Residential Zone and more particularly Low Density Policy Area 21 as described in the West Torrens Council Development Plan Consolidated 5 May 2016. The main provisions of the Development Plan which relate to the proposed development are as follows:

General Section		
Orient Brownstine	Objectives	1
Crime Prevention	Principles of Development Control	1, 2, 3, 5, 6, 7, 8
	Objectives	1, 2
Design and Appearance	Principles of Development Control	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 20, 21, 22, 23, 26
Francis Efficiency	Objectives	1
Energy Efficiency	Principles of Development Control	1, 2, 3
Landscaping, Fences and	Objectives	1, 2
Walls	Principles of Development Control	1, 2, 3, 4, 6
Medium and High Rise	Objectives	1, 2, 4
Development (3 or more Storeys)	Principles of Development Control	1, 2, 3, 4, 5, 6, 8, 9, 12, 13
-	Objectives	1, 5, 6, 7,
Natural Resources	Principles of Development Control	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
Orderly and Sustainable	Objectives	1. 2. 3. 4 & 5
Development	Principles of Development Control	1, 2, 3, 5
	Objectives	1, 2, 3, 4 & 5
Residential Development	Principles of Development Control	1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 30, 31
Supported Accommodation,	Objectives	1
Housing for Aged Persons and People with Disabilities	Principles of Development Control	1, 2, 3, 4
	Objectives	2
Transportation and Access	Principles of Development Control	2, 4, 5, 8, 9, 10, 11, 14, 16, 17, 23, 24, 26, 30, 31, 32, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 47

Page 94 Item 6.3

Page 59 9 May 2017

Page 294 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### Zone: Residential Zone

Desired Character Statement:

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

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

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

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

Objectives	1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing. 2 Dwellings of various types at very low, low and medium densities. 3 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces. 4 Development that contributes to the desired character of the zone
Principles of Development Control	1, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14

Page 95 Item 6.3

Page 60 9 May 2017

Page 295 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### Policy Area: Low Density Policy Area 21

Desired Character Statement:

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

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

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

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

Objectives	Development that contributes to the desired character of the policy area.
Principles of Development Control	1, 2, 3

### 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
AVERAGE SITE AREA Low Density Policy Area 21 PDC 3	420m² minimum	Approx 203.35m² (Dwellings 1 - 17 average, does not include internal access road) Does Not Satisfy by 51.6%
SITE FRONTAGE Low Density Policy Area 21 PDC 3	12m	8.2m (Dwellings 1 and 2 each to Norman Street)  Does Not Satisfy by 31.7%

Page 96 Item 6.3

Page 61 9 May 2017

Page 296 8 August 2017

Development Assessment Panel Agenda

Item 6.2- Attachment 2

14 March 2017

STREET SETBACK Residential Zone PDC 8	Primary street  Same setback as adjacent dwellings or an average of adjacent dwellings	Adjacent dwelling approx 7m  Minimum 2.075m to property boundary  Does Not Satisfy 70%
SIDE/REAR SETBACKS Residential Zone: PDC 11	Side Wall height less than 3m: 1m Wall height 3m-6m: 2m  Rear Single storey: 3m	Dwelling 1: 1.083m  Satisfies  Dwelling 3 and 4: 4.39m  Satisfies  Dwelling 10: 3.5m setback  Satisfies
PRIVATE OPEN SPACE General Section Residential Development PDC 19	Dwellings at ground level  24m², of which 8 may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m  Minimum dimension 3m (exl balconies)  Minimum area 16m² provided at the rear or side of the dwelling, directly accessible from a habitable room	Dwellings 1 – 17: range from 28.5m² – 84m² (average 36.8m²)  Minimum dimension 3.5m  Satisfies
LANDSCAPING Landscaping, Fences and Walls PDC 4	10%	Satisfies
CARPARKING SPACES Transportation and Access PDC 34 Table WeTo/2 – Off Street Vehicle Parking Requirements	2 car parking spaces per dwelling, one of which is covered + an additional 0.25 car parking spaces per dwelling. 33.75 car parking spaces required Two single storey semi- detached dwellings	37 provided  Does Not Satisfy by 0.75 of a park

Page 97 Item 6.3

Page 62 9 May 2017

Page 297 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

	2 car parking spaces per dwelling, one of which is covered.      4 car parking spaces required	
MAXIMUM NUMBER OF STOREYS Residential Zone PDC 6	2 storeys	1 storey Satisfies

#### QUALITATIVE ASSESSMENT

In assessing the merits or otherwise of the application, the proposed development substantially satisfies the relevant Development Plan provisions with the exception of where identified in the above table, and the following, as discussed under the following sub headings:

#### Land Use and Zoning

PDC 5 of the Residential Zone states that development should not be undertaken unless it is consistent with the desired character for the zone and policy area. Objective 1 of the Low Density Policy Area 21 is that development contributes to the desired character of the policy area.

The policy area envisages a low density character with new development predominantly replacing detached dwellings with the same. Alternative dwelling types such as semi-detached dwellings are encouraged close to centre zones. The desired character also envisages buildings up to two storeys in height.

The proposed development in the form of, single storey residential flat buildings, group dwellings and semi-detached dwellings located in excess of 400 metres of an existing centre zone, are not specifically envisaged in the Low Density Policy Area 21 (Desired Character, PDC 1).

#### Site Area

The average site area for proposed Dwellings 1 – 17 is approximately 203m<sup>2</sup>. Low Density Policy Area 21 requires a minimum site area of 420m<sup>2</sup> for semi-detached dwellings and residential flat buildings not within 400 metres of a centre zone (PDC 3).

The applicant, through their agents, has suggested that being a proposal for a retirement village, the standard density requirements for dwellings in the Policy Area do not apply, and in particular they have cited the following developments:

Development Application	Address	Average Site Area
211/882/2013	30-34 Marshall Tce, Brooklyn Park	145.8m²
211/1055/2013	7 Gertrude Street, Brooklyn Park	182m <sup>2</sup> or 209m <sup>2</sup>
211/1148/2014	39-45 Lipsett Tce, 2-4 Hazel St & 23 Anna St, Brooklyn Park	326m²
211/476/2015	452 Henley Beach Road, Lockleys (Stage 1)	312m²
211/1576/2016 - subject proposal	189-195 Holbrooks Road, Underdale	282.2m <sup>2</sup>

Page 98 Item 6.3

Page 63 9 May 2017

Page 298 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

Whilst it is not necessary to refer to other developments outside of the locality with regard to this assessment, addressing the applicant's suggestion may assist in demonstrating why this proposal is deemed out of character.

211/882/2013 is in Policy Area 20, which seeks a minimum of 340m², the average site area approved for these dwellings is 200m², 41% under the minimum, and the character of the locality already exhibited a considerable number of residential developments of similar allotment sizes.

211/1055/2013 is in Policy Area 20, and within 400m of a Centre Zone, this locality seeks a minimum of 300m², the average site area approved for these dwellings is 200m² 33% under the minimum, and the character of the locality already exhibited a considerable number of residential developments of similar allotment sizes or smaller.

211/1148/2015 is in Policy Area 20, which seeks a minimum of 340m², the average site area approved for these dwellings is 326m², 4% under the minimum, and is well with the character of the locality that already exhibited a considerable number of residential developments of similar or smaller allotment sizes.

211/476/2015 is in Policy Area 20, and within 400m of a Centre Zone, this locality seeks a minimum of 300m², the average site area approved for these dwellings is 312m² 4% above the minimum.

The proposed development seeks average dwelling site areas of  $203m^2$  which is 51.6% below the minimum sought by the Development Plan for this site, even in reference to the applicant's own examples, the proposed site areas are at a very large deviation from the minimums set by the Development Plan and a review of dwelling site areas in the locality suggests that site areas of the proposed site will be out of character.

This departure from the minimum site area makes it difficult for the proposed development to meet the key quantitative provisions of the Development Plan such as front setbacks and frontage widths as summarised above.

# Frontage Width

PDC 3 of the Policy Area seeks a minimum site frontage width of 12 metres, the proposed site frontage width for the two dwellings facing Norman Street is 8.2 metres. Whilst the frontage width of the sites along this portion of Norman Street are quite diverse, all existing frontage widths exceed the minimum of 12 metres and therefore this disparity with the Development Plan and the streetscape character is listed as a reason for refusal.

#### Street Setback

PDC 8 of the Residential Zone seeks new development to be setback at least the average setback of adjacent buildings. The existing dwelling to the west of the subject land has setback of approximately 6 metres. The adjacent dwelling to the east is setback approximately 9.3 metres. The proposed semi-detached dwellings facing Norman Street will be setback a minimum of 3.044 metres from the Norman Street property boundary. Despite this insufficiency, it is relevant to note that proposed Dwelling 3 will have its side wall only 3 metres from the Norman Street frontage and the dwelling at 197 Holbrooks Road has a garage situated abutting the Norman Street boundary. Given these factors the lack in front setback for Dwellings 1 and 2 is not listed as a reason for refusal.

Page 99 Item 6.3

Page 64 9 May 2017

Page 299 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### **Carparking Provisions**

"Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table WeTo/2 - Off Street Vehicle Parking Requirements." (General section, Transportation and Access, PDC 34)

Vehicle Parking for Residential Development

- 44 On-site vehicle parking should be provided having regard to:
  - (a) the number, nature and size of proposed dwellings
  - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
  - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.
- 45 Vehicle parking areas servicing more than one dwelling should be of a size and location to:
  - (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely
  - (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area
  - (c) reinforce or contribute to attractive streetscapes.

Table WeTo/2 – Off Street Vehicle Parking Requirements for residential flat buildings, group dwellings and semi-detached dwellings requires a total of 37.75 car spaces to be provided on site. 37 spaces are proposed.

The applicant's traffic consultants have assessed the car parking requirement based on the requirement in Table WeTo/2 for aged care retirement homes to provide 1 car parking space per unit, this is not supported as whilst the site is listed as being a retirement village, there is no evidence that "aged care" is being provided. Despite this the 0.75 shortfall in car parking spaces is not seen as sufficiently detrimental to the proposal to be raised as a reason for refusal.

#### **Waste Collection**

It is not feasible to expect that all 17 proposed dwellings could take advantage of Council's regular waste collection service as this would potentially result in 51 bins being place on the Norman Street footpath on waste collection day. Given this, the applicant has proposed a private on site waste management system.

The applicant's traffic consultants support the development overall from a traffic perspective, subject to:

- · garbage collection operation being restricted to off-peak times
- care should be taken for vehicles entering and exiting the development while the garbage collection is occurring.

Council's staff retain some questions with regard to how the waste collection system will be managed particularly as the truck maneuverability area is also the site's visitor parking area but should the Panel be of a mind to support the overall proposal, it is recommended that waste management be listed as a Reserved Matter.

Page 100 Item 6.3

Page 65 9 May 2017

Page 300 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel Agenda

14 March 2017

#### SUMMARY

The most notable and critical departure between the proposed development and the provisions of the Development Plan relates the proposed site areas for the dwellings as the will not contribute to or satisfy the desired character of the Low Density Policy Area 21, in that a density of nearly double the cited maximum has been proposed.

Having considered all the relevant Objectives and Principles of the Development Plan, it has been determined that whilst the proposal is not seriously at variance with the provisions at the Development Plan on balance, the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

On balance, the proposed development does not sufficiently accord with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 5 May 2016 and does not warrant Development Plan Consent.

#### **Attachments**

1. Plans and Associated Reports

Page 101 Item 6.3

Page 66 9 May 2017

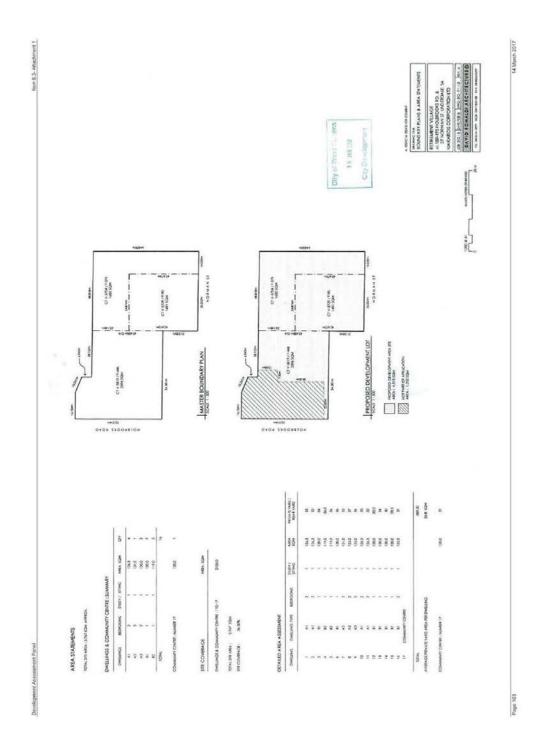
Page 301 8 August 2017

Item 6.2- Attachment 2



Page 67 9 May 2017

Page 302 8 August 2017



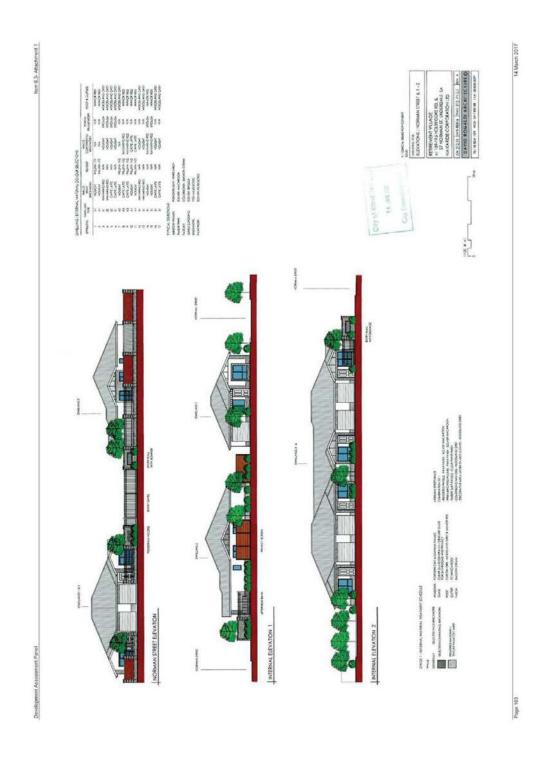
9 May 2017 Page 68

Page 303 8 August 2017



Page 69 9 May 2017

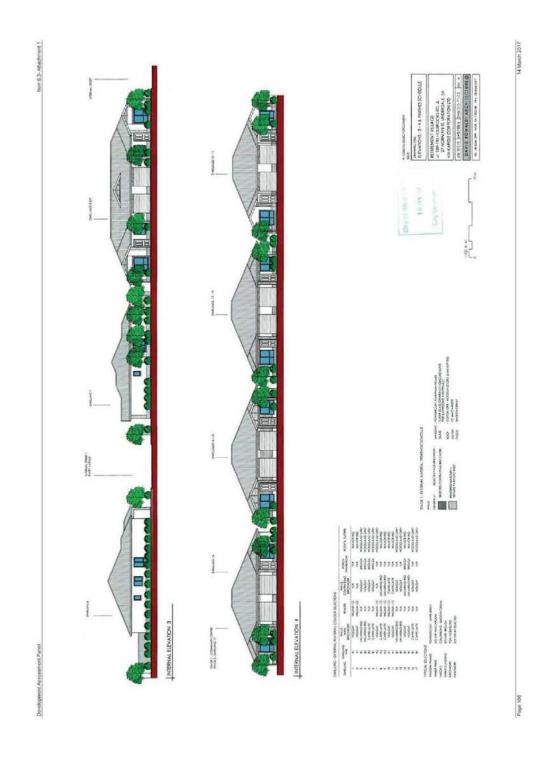
Page 304 8 August 2017



Page 70 9 May 2017

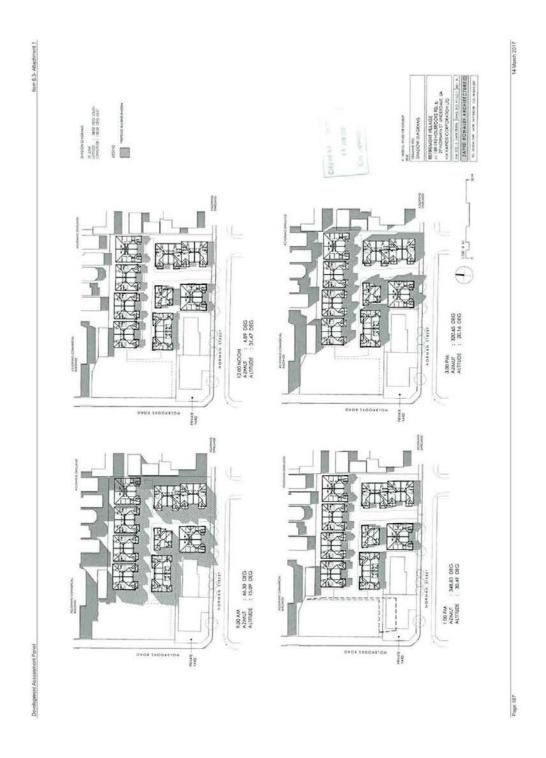
Page 305 8 August 2017

Item 6.2- Attachment 2



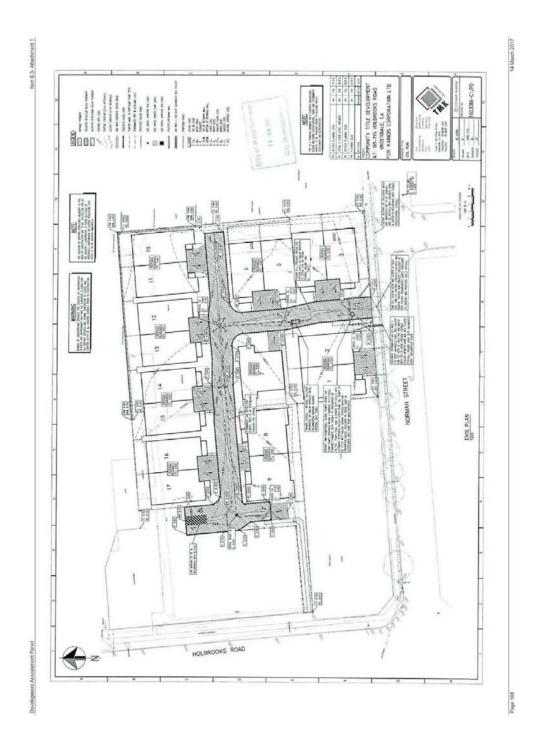
Page 71 9 May 2017

Page 306 8 August 2017



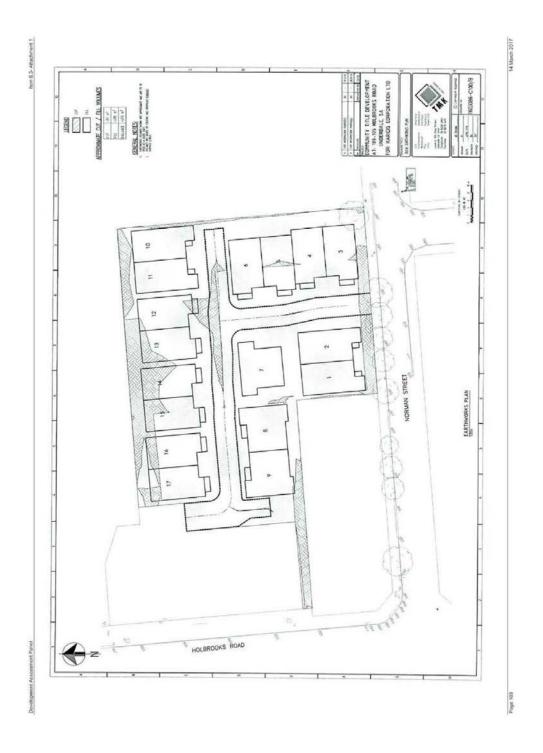
Page 72 9 May 2017

Page 307 8 August 2017



Page 73 9 May 2017

Page 308 8 August 2017



Page 74 9 May 2017

Page 309 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



# HOUSING FOR THE AGED

189-195 HOLBROOKS ROAD & 27 NORMAN STREET, UNDERDALE

PLANNING STATEMENT

Prepared for: Karidis Corporation Ltd Date: 19.12.2015

Page 110

14 March 2017

Page 75

9 May 2017

Development As	sessment Panel
----------------	----------------

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



© Future Urban Group, 2016

#### Drondatsou Information Statement

The information contained in this document produced by Future Urban Group is solely for the use of the Client identified on the cover sheet for the purpose for which it has been prepared and Future Urban Group undertakes no duty to or accepts any responsibility to any third party who may rely upon this document.

All rights reserved. No section or element of this document may be removed from this document, reproduced, electronically stored or transmitted in any form without the written permission of Future Urban Group.

Docum		*	ra	ntra
DOCUII	HC1	n.	co	IIII

Revision	Description	Author	Date	
V1	Planning Statement – Stage 1	CGV	19/02/16 19/12/16	DR
			1. 1.	20.5

REF 0072-4-Holbrooks | 19 December 2016



Page 111

14 March 2017

Page 76

9 May 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



# CONTENTS

1,	INTRODUCTION	
2.	PROPOSAL	2
3.	SITE AND LOCALITY	
4.	CITY OF WEST TORRENS COMMUNITY PROFILE	5
5.	DEVELOPMENT PLAN ASSESSMENT	
5.1	Relevant Development Plan Provisions	7
5.2	2 Density	8
5.3	B Height and Scale	9
5.4	Setbacks	10
5.5	5 Private open space	10
5.6	5 Housing for aged persons	11
5.7		12
6.	CONCLUSION	13
FIG	GURES	
Figu	jure 3.1 Subject site	3

REF 0072-4-Holbrooks | 19 December 2016



Page 112 14 March 2017

Page 77 9 May 2017

Page 312 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### 1. INTRODUCTION

This planning statement has been prepared in support of a development that will accommodate housing for the aged at 189-195 Holbrooks Road and 27 Norman Street, Underdale, otherwise known as the Underdale Bowling Club.

The housing for the aged development is to be constructed on a substantial site within the context of Underdale being approximately 5,767 square metres in area. The actual development site area comprises 4,515 square metres in area with the balance of the land forming a future development site and separate development application to Council.

The site is situated in the Residential Zone and more specifically within Policy Area 21 of the City of West Torrens Development Plan (consolidated 5 May 2016). The developer of the proposal, Karidis Corporation, has proven experience in the procurement, ownership, development, management and marketing of a range of significant aged care housing projects throughout metropolitan Adelaide, including the City of West Torrens, ensuring confidence in the delivery of quality and affordable housing for ageing communities.

Recognising the growing ageing population in the City of West Torrens, Karidis Corporation has commenced a roll out of three aged care housing developments within the Council area. This proposal represents the fifth stage of the roll-out bringing the total investment made by Karidis Corporation to over \$90M.

Karidis Corporation strongly believes that the development of high quality affordable aged care housing is necessary and desirable in this location. The development not only responds to the ageing profile of West Torrens but also achieves the key policy objectives of the 30-Year Plan for Greater Adelaide particularly those which seek higher residential densities in close proximity to public transport, services and facilities, affordable forms of housing, the achievement of a sense of place and integrated communities and environmental sustainability.

There is a limited supply of housing for the aged within the City of West Torrens and particularly within Underdale and the surrounding suburbs, primarily due to the established nature of the locality and the lack of large under-utilised or vacant allotments to support such development. The lack of compact, low maintenance housing forms in the area also limits the supply of smaller and affordable aged care housing options.

REF 0072-4-Holbrooks | 19 December 2016



Page 113 14 March 2017

Page 78 9 May 2017

Page 313 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### 2. PROPOSAL

The proposed development involves the construction of four single storey residential flat buildings containing two dwellings each, one single storey residential flat building containing four dwellings, one single storey group dwelling, two single storey semi-detached dwellings and one single storey building containing one dwelling and a community centre (overall total of 16 dwellings) all for the purposes of housing and supporting the aged.

The development is single storey in form. Five different dwelling housing types are proposed in one bedroom plus study and two bedroom plus study configurations.

Each ground level dwelling is provided with a covered car space and a second uncovered car space in front of the garage that could be used for residential and/or visitor car parking. A further two visitor car spaces (including one for people with disabilities) is proposed to at the western end of the common driveway together with a screened refuse area.

All dwellings are accessed via a common driveway off Norman Street with the exception of the two semidetached dwellings which will each have independent access off Norman Street.

Each dwelling is provided with private open space in the form of a ground level courtyard. Private open space for ground level dwellings ranges between 28.5 square metres and 84 square metres.

All single storey buildings incorporate a pitched Colorbond roof (Woodland Grey and Manor Red), brickwork and rendered walls, aluminium window frames and roller doors to the garages. The semi-detached dwellings are setback 1.1m from the western common boundary and 3m from Norman Street. The adjacent single storey residential flat building is setback 4.4m from the eastern common boundary and 3m (side wall) from Norman Street. Dwellings along the northern side of the common driveway are setback 3.5m from the northern common boundary and 1m from the eastern common boundary. Dwellings along the southern side of the common driveway are setback between 2.3m and 3m from the southern boundary.

Landscaping is proposed throughout the development site with the details of trees and species to be used identified on the site plan. The internal common access way is proposed to be bitumen and all pedestrian paths and driveways will be paved in accordance with the treatments identified on the site plan.

The Norman Street frontage will be provided with 1.8m high masonry pillar and decorative metal infill fencing together with automatic access gates.

REF 0072-4-Holbrooks | 19 December 2016



Page 114 14 March 2017

Page 79 9 May 2017

Page 314 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### 3. SITE AND LOCALITY

The subject site is located on the eastern side of Holbrooks Road between Golden Glow Avenue to the north and Norman Street to the south. The site has a frontage to Holbrooks Road of 53.31m, a frontage to Norman Street of 49m and an overall site area of approximately 5,767 square metres.

The site comprises three allotments, legally identified as:

- Allotment 12 in Certificate of Title Volume 5819, Folio, 446;
- · Allotment 11 in Certificate of Title Volume 5729 Folio 90; and
- Allotment 10 in Certificate of Title Volume 5704 Folio 579.

Figure 3.1 Subject site



The site has been used by the Underdale Bowling Club and comprises clubrooms, shedding, bowling greens and car parking areas. Access to the site is provided via Norman Street towards the eastern common boundary directly opposite Fernleigh Street.

The locality comprises a mix of land uses and dwelling types. Commercial development adjoins the site to the north however to the east, south and west the locality comprises residential development. Dwellings in the locality are predominantly single storey representative of a range of eras dating from the 1930's to recently developed stock including two storey residential flat buildings just south of the subject site. A further single storey residential flat building exists on the opposite side of Holbrooks Road.

REF 0072-4-Holbrooks | 19 December 2016



Page 115 14 March 2017

Page 80 9 May 2017

Page 315 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



Bus stops are situated within 200m of the subject site (both sides of Holbrooks Road). Additional bus stops and retail land uses (including small supermarket) and a doctors surgery are located at the Holbrooks Road/Henley Beach Road intersection within 400m of the subject site. The retail land uses on the southern side of the Henley Beach Road are contained within the Urban Corridor Zone.

REF 0072-4-Holbrooks | 19 December 2016



Page 116

14 March 2017

Page 81

9 May 2017

Page 316 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### 4. CITY OF WEST TORRENS COMMUNITY PROFILE

The Community Profile provides population characteristics for the City of West Torrens. It shows how they have changed over time and how they compare to other areas. The most recent data set is associated with the 2011 Census.

Household and family structure is one of the most important demographic indicators. It reveals the area's residential role and function, era of settlement and provides key insights into the level of demand for services and facilities as most are related to age and household types.

Analysis of households without children in the City of West Torrens in 2011 indicates that there is a larger proportion of older lone person households (65 years +) when compared to Greater Adelaide. In fact, in the City of West Torrens, older couples without children account for 9% of total households. Furthermore, the middle aged lone person households (45-64 years) grew by 156 persons.

Analysis of household/family types indicates that there were a higher proportion of lone person households and a lower proportion of couples without children. Overall, the proportion of lone person households was 32.1% compared to 26.7% in Greater Adelaide while the proportion of couples without children was 24.2% compared to 25.5% in Greater Adelaide.

The analysis of households without children and family types clearly indicate that the population of the City of West Torrens is ageing with growth experienced in the older age cohorts.

With this in mind it also interesting to look at the level and type of migration in the City of West Torrens to determine whether the population is sedentary and likely to be in the area for a long time (and perhaps have significant ties to the community), or transient, and likely to move on. Furthermore, the age structure of people who move into and out of the City of West Torrens can strongly influence demand for particular services. Understanding the City of West Torrens' attraction to different age groups helps to plan services for the community to provide facilities which may help to retain age groups which are otherwise leaving the area.

Analysis of the 65 years and over age group indicates net migration of -178 people. Analysis of the preceding cohorts (i.e. 35-44, 45-54 and 55-64 age groups) also indicates negative net migration (i.e. total of -914 people). While the population of the City of West Torrens is ageing and experiencing growth in the older age cohorts, it is also experiencing substantial outnigration in these older age cohorts which may imply there is a lack of compact, low maintenance housing forms within the Council area for aged persons.

While there has been growth in the provision of medium density housing options across the Council area, the form and type of this particular housing has targeted, or appealed to, the younger age cohorts. Analysis of the 18-24 age cohort in particular indicates in-migration of 2179 people resulting in a net migration of +1080 people within this cohort.

The proportion of people providing unpaid care can also be an important indicator of the level of demand for aged care services and facilities. An increasing proportion of carers among the population may indicate inadequate aged care provision. Overall, 11.1% of the population provided unpaid care with the number of people providing such unpaid assistance increasing by 466 people between 2006 and 2011.

In the City of West Torrens there are 5,205 carers providing unpaid assistance to a person with a disability, long term illness or old age.

In addition, 5.7% of the overall population needed assistance with core activities. The major difference in the age groups reporting a need for assistance between 2006 and 2011 in the City of West Torrens was in the 85 year and over age group which grew by 177 people.

REF 0072-4-Holbrooks | 19 December 2016



Page 117 14 March 2017

Page 82 9 May 2017

Page 317 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



Respecting the above, it is clear that the City of West Torrens requires aged care housing, and indeed a variety of aged care housing with various levels of care, to support and retain the older age groups within the Council area.

The City West Torrens' Towards 2025 Community Plan also identifies the ageing population a 'future challenge....which will increase demand for support and care services'.

The Karidis Corporation presents an unprecedented opportunity to deliver a large proportion of housing for the aged within the inner Western Adelaide Region that will provide housing options to the elderly that are currently lacking.

REF 0072-4-Holbrooks | 19 December 2016



Page 118 14 March 2017

Page 83 9 May 2017

Page 318 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### 5. DEVELOPMENT PLAN ASSESSMENT

#### 5.1 Relevant Development Plan Provisions

Upon our review of the Development Plan (consolidated 5 May 2016) we consider the provisions identified below most relevant in the assessment of this application.

# GENERAL SECTION

Crime Prevention

Objective: 1 PDC: 1-8, 10
Design and Appearance

Objective: 1, 2 PDC: 1-5, 9-15, 21-23

Energy Efficiency

Objective: 1, 2 PDC:1, 2

Landscaping, Fences and Walls

Objective: 1, 2 PDC: 1-4, 6

Natural Resources

Objective: 7 PDC: 5, 7-11

Orderly and Sustainable Development

Objective: 1-5 PDC: 1, 3, 5, 7

Residential Development

Objective: 1-3, 5 PDC: 4-16, 18-28

Supported Accommodation, Housing for Aged Persons and People with Disabilities

Objective: 1 PDC: 1-6
Transportation and Access

Objective: 2 PDC: 8, 14, 16, 23, 24, 32, 34, 35, 43, 44, 46

RESIDENTIAL ZONE

Objective: 2-4 PDC: 1, 6, 8-11, 18, 20, 21

RESIDENTIAL POLICY AREA 21

Objective: 1 PDC: 1, 2, 4

REF 0072-4-Holbrooks | 19 December 2016



Page 119 14 March 2017

Page 84 9 May 2017

Page 319 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



In our opinion, it is important to recognise that not all the identified provisions strictly apply to housing for the aged. For example, the provisions provided under the theme 'Supported Accommodation, Housing for Aged Persons and People with Disabilities' should prevail and take precedence over the 'Residential Development' provisions where inconsistencies exist.

This is not inappropriate given that an intentional and deliberate approach adopted by the Better Development Plan Policy Library is to better recognise the functional and operational differences between traditional residential forms and housing that is designed specifically for aged persons. We have not ruled out the importance of the "Residential Development" provisions rather we have used them as a reference to guide and assist in the assessment of the application, where necessary.

Having reviewed the proposal against the abovementioned provisions we believe that the proposal satisfies the majority of the relevant provisions with further discussion and assessment required in relation to the following matters:

- Density;
- Height and scale;
- · Setbacks:
- Private open space;
- Housing for aged persons;
- · Zone and Policy Area

It is to each of these matters that we now turn.

#### 5.2 Density

The proposed development is located in Low Density Policy Area 21 of the Residential Zone. We note that there is no density guideline for the type of residential development proposed. In the absence of any density guideline we believe it is appropriate to assess the proposal in the context of its use and other provisions that influence density and how the proposal may sit and relate to its context. Notwithstanding, the average site area of the development is 282.2 square metres which in our view will not present any detrimental impacts upon the character or amenity of the locality and its specific purpose in providing housing for the aged for the following reasons:

- increased dwelling densities in close proximity to public transport routes (i.e. Henley Beach Road) is specifically envisaged within the Residential Zone (Objective 3);
- the buildings have been appropriately sited on the site so as to minimise visual and overshadowing
  impacts upon adjacent residential properties substantially conforming to Residential Zone PDC 11;
- substantial landscaping is proposed throughout the single storey development softening any visual
  impact the development may have upon the locality in accordance with Landscaping, Fences and
  Walls PDC 1(a):
- the development provides a car space for every dwelling in accordance with Table WeTo/2 Off Street Vehicle Parking Requirements, While there is no specific requirement to provide visitor car parking, the proposal provides accessible visitor spaces for all dwellings;
- the development is provided with a community centre accessible to all residents in accordance with Supported Accommodation, Housing for Aged Persons and People with Disabilities PDC 2;

REF 0072-4-Holbrooks | 19 December 2015



Page 120 14 March 2017

Page 85 9 May 2017

Page 320 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



- the development provides for safe and compliant vehicular access, on-site manoeuvring and waste collection achieving Supported Accommodation, Housing for Aged Persons and People with Disabilities PDC 3;
- the development appropriately plans for the projected increase in the number and proportion of elderly people, responding to their preference to remain living in their existing community in accordance with Supported Accommodation, Housing for Aged Persons and People with Disabilities Objective 1.

In addition to the above, we have calculated that the development provides a site coverage of only 46.7%. We also note that the subject site is situated within 200m of bus stops either side of Holbrooks Road. Additional bus stops and retail land uses (including small supermarket) and a doctors surgery are located at the Holbrooks Road/Henley Beach Road intersection within 400m of the subject site. The retail land uses on the southern side of the Henley Beach Road are contained within the Urban Corridor Zone.

The 30 Year Plan for Greater Adelaide seeks to provide a significant amount of dwelling growth within 400m of transit corridors (e.g. bus route). The proposed development will clearly accommodate population growth but importantly provide a form of housing (that will assist in reversing the outmigration of older people from the City of West Torrens) within close proximity to key bus routes.

The scale and type of housing proposed ensures that the elderly will also have access to smaller housing products that are affordable providing the high proportion of elderly people in the Council area an opportunity to downsize from larger dwellings/allotments to remain living in their existing community (ageing in place).

For all the above reasons, we form the opinion that the density of the proposal is highly appropriate for this particular existing non-residential site along Holbrooks Road.

### 5.3 Height and scale

The desired character statement of Policy Area 21 envisages buildings up to two storeys in height. The proposal is consistent with the envisaged height limit for the policy area.

We also form the opinion that the proposal provides well designed dwellings that maintain a low scale built form character to the east and south, respecting the lower scale adjacent built form interfaces.

With respect to building height and potential amenity impacts, the proposal will not present any detrimental internal or external impacts. All proposed and surrounding dwellings will receive direct sunlight for three consecutive hours between 9am and 3pm on 21 June.

In addition to the above, the proposed landscaping will soften any visual impact the proposed development may have internally and upon adjacent properties. The proposal will not result in any overlooking.

General Section Design and Appearance PDC 1 encourages buildings to reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- · building height, mass and proportion;
- external materials, patterns, colours and decorative elements;
- · roof form and pitch;

REF 0072-4-Holbrooks | 19 December 2016



Page 121 14 March 2017

Page 86 9 May 2017

Page 321 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



- · façade articulation and detailing; and
- verandas, eaves, parapets and window screens.

Residential Development Design and Appearance PDC 4 encourages a building appearance that is compatible with the desired character statement of the relevant zone, policy area or precinct, in terms of built form elements such as:

- · building height;
- · building mass and proportion;
- external materials, patterns, textures, colours and decorative elements;
- · ground floor height above natural ground level;
- · roof form and pitch;
- facade articulation and detailing and window and door proportions;
- · verandas, eaves and parapets; and
- driveway crossovers, fence style and alignment.

Both provisions speak similar messages with respect to the design and appearance of new buildings. In our opinion, the overall design and appearance of the development contribute to a building height and scale of that is highly appropriate for the site and locality.

#### 5.4 Setbacks

Dwellings proposed along Norman Street are setback 3m from the street (to the front façade of two dwellings or the side wall of one dwelling).

The existing character of front and side setbacks along Norman Street between Fernleigh Street to the east and Holbrooks Road to the west in our view supports the proposed setbacks.

Respecting this, we have formed the opinion that the proposed development satisfies the intent of General Section Design and Appearance, Building setbacks from road boundaries PDC 21.

The proposed side and rear setbacks of dwellings to the common boundaries all satisfy the relevant quantitative and qualitative guidelines of the Council Wide section of the Development Plan.

# 5.5 Private open space

The provisions of the 'Supported Accommodation, Housing for Aged Persons and People with Disabilities' section of the Development Plan does not stipulate a quantitative guideline for private open space associated with housing for aged persons.

Rather PDC 1(e) encourages such development to be 'provided with.....private open space' and PDC 2(a) and (b) encourages the design of such development 'to provide safe, secure, attractive, convenient and comfortable living conditions for residents that include internal....private spaces' and 'useable recreation areas for residents and visitors, including visiting children'.

In our opinion, this would be an appropriate circumstance to refer to the private open space provisions of the 'Residential Development' provisions for guidance to assist in understanding what an appropriate level of private open space may be in this instance.

REF 0072-4-Halbrooks | 19 December 2016



Page 122 14 March 2017

Page 87 9 May 2017

Page 322 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



PDC 19 recommends a minimum private opens space area of 24 square metres and a minimum dimension of 3 metres for dwellings with a site area less than 300 square metres.

Each dwelling is provided with private open space in the form of a ground level rear courtyard. Private open space for ground level dwellings ranges between 28.5 square metres and 84 square metres thus satisfying PDC 19. In addition, it is also important to recognise that all dwellings will have access to the community centre.

Respecting this, we are satisfied that the areas of private and communal open space will be sufficient to meet the needs of the elderly occupants and their visitors.

#### 5.6 Housing for aged persons

With respect to those relevant provisions relating to 'Supported Accommodation, Housing for Aged Persons and People with Disabilities' which have not been already referred to, we note that the proposal:

- will provide accommodation that is in increasing demand for a growing sector of the City of West Torrens community and is appropriately located in accordance with Objective 1;
- is within walking distance of public transport that provides ease of access to essential facilities such
  as convenience shops, health and community services satisfying PDC 1;
- is sited and designed to respect existing residential character and amenity, promote interaction
  with other sections of the community all in manner that will not compromise privacy achieving PDC
  1 and PDC 2:
- is provided with a community centre satisfying PDC 1 and PDC 2;
- provides an access arrangement and driveways that do not have steep gradients; provides convenient access for emergency vehicles, visitors and residents; and, provides adequate space for manoeuvring cars and community buses in accordance with PDC 3;
- provides an internal access road design and layout that will allow convenient access for emergency vehicles, visitors and residents satisfying PDC 3;
- provides accessible, safe and convenient car parking arrangements for both residents and visitors
  with minimal visual intrusion upon surrounding residential properties achieving PDC 4 and 6; and
- provides street fronting dwellings and balconies to upper level apartments which will provide an
  interesting and attractive outlook from dwellings and apartments for the residents satisfying PDC 5.

Respecting the above, we have formed the opinion that the proposed development satisfies the relevant provisions for housing for aged persons.

We also note that the proposal strikes a chord with the relevant Residential Development objectives, namely:

- Objective 1 which seeks a safe, convenient, pleasant and healthy-living environment that meets the full range of needs and preferences of the community;
- Objective 2 which encourages an increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation;

REF 0072-4-Holbrooks | 19 December 2016



Page 123 14 March 2017

Page 88 9 May 2017

Page 323 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



- Objective 3 which encourages medium and high density residential development in areas close to activity centres, public and community transport; and
- Objective 5 which seeks housing for aged persons provided in appropriate locations.

#### 5.7 Zone and Policy Area

The Residential Zone seeks very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes seeks to support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes are stated to be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Residential flat buildings are encouraged 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.

Policy Area 21 seeks a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings). A denser allotment pattern and some alternative dwelling types, such as semi-detached close to centre zones is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones.

As previously discussed, no density guideline is provided for the type of housing proposed. However, the subject land is located within 400m of centre land uses (including small supermarket) and a doctor's surgery at the Holbrooks Road/Henley Beach Road intersection.

Recognising that the proposal replaces a non-residential land use, we consider the type of housing and proposed density acceptable in this instance.

The Residential Zone and Policy Area both encourage buildings up to 2 storeys in height and landscaping is envisaged to enhance the appearance of buildings from the street. Our previous discussion in relation to height has dealt with these issues.

Overall, we have formed the opinion that the single storey form at the proposed density is acceptable. The proposal replaces a non-residential land use and provides a range of dwelling types for the purposes of housing the aged.

The subject site is large, underutilised and currently non-residential in nature and will be developed in an efficient and co-ordinated manner to provide a type and range of housing that will cater for changing demographics, particularly smaller household sizes and housing for the aged.

Importantly, the proposal is compatible with adjoining residential development and presents no detrimental visual, overshadowing, privacy and/or traffic impacts.

Accordingly, we believe the proposal is appropriate for the site and locality.

REF 0072-4-Holbrooks | 19 December 2016



Page 124 14 March 2017

Page 89 9 9 May 2017

Page 324 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### 6. CONCLUSION

The proposal will provide high quality affordable aged care housing which responds to the ageing profile of West Torrens. There is a limited supply of housing for the aged within the City of West Torrens and particularly within Underdale and surrounding suburbs, primarily due to the established nature of the locality and the lack of large under-utilised or vacant allotments to support such development. The lack of compact, low maintenance housing forms in the area also limits the supply of smaller and affordable aged care housing options.

The subject site presents an excellent opportunity to redevelop the Underdale Bowling Club for the purpose aged care housing. The proposed height and scale distribution across the site and the overall configuration of the buildings will ensure that surrounding existing residential amenity is maintained to a high level.

In our opinion, the type of development proposed is desired in the Council area and an appropriate redevelopment option for the site. Accordingly, the proposal warrants Development Plan Consent.

REF 0072-4-Holbrooks | 19 December 2016



Page 125 14 March 2017

Page 90 9 May 2017

Page 325 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



Dear Mark

### HOLBROOKS ROAD UNDERDALE DEVELOPMENT - TRAFFIC IMPACT STATEMENT

Tonkin Consulting is pleased to provide Karidis Corporation Limited with a Traffic Impact Statement (TIS) regarding the preliminary drawings of a retirement village at the corner of Holbrooks Road and Norman Street at Underdale.

The proposed development will include 16 dwellings and 1 community centre. It is noted the community centre is proposed to eventually become dwelling 17.

#### Parking Supply

The City of West Torrens Development Plan 'Table WeTo/2 – Off Street Vehicle Parking Requirements' states for a group of dwellings to provide 2 car parking spaces, one of which is covered. Retirement dwellings do not require a visitor parking space; hence one space is sufficient. Each dwelling meets the aforementioned requirements; hence the 16 dwellings and community centre (dwelling 17) compty.

### Parking Layout

Each dwelling provides for one covered parking space and one visitor space on site. Of exception are dwellings 8 and 9, that provide visitor parks in the turnaround space at the western end of the site.

Two disabled spaces are provided north of the turnaround area, adjacent to the community centre (in accordance to AS2890.6).

#### Internal Road Network

Road widths range from 5m to 5.5m, less than the 5.8m aisle width required for off street parking (AS2890.1:2004). As a result, turning movements of a standard vehicle entering and exiting the 5m wide section of the road network (in front of dwellings 10 and 11) was investigated with the results shown below.



Page 126 14 March 2017

Page 91 9 May 2017

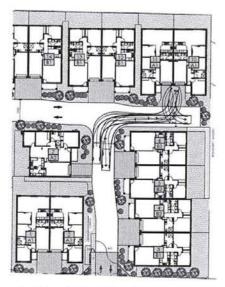
Page 326 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1





Vehicle turning movement entering and exiting dwellings 10 and 11

The turning templates indicate the movements into and out of dwellings 10 and 11 are successful assuming no other vehicles are obstructing the path. Note that the driveways have been splayed to compensate for the narrow road width and to improve manoeuvrability.

### Traffic Generation

The NSW Guide to Traffic Generating Developments indicates that Housing for Seniors Living, the generated daily trips are approximately 4 per dwelling, equating to 68 trips per day. Note these rates correspond to two way trips, so this means there are approximately 34 trips leaving and arriving to the development (34 in and 34 out).

Overall the development will generate approximately 88 trips per day, with peak hour trips approximately 10% of this figure, so 7 trips per hour. The impact on the external road network will see most of the generated traffic distributed via Norman Street to Holbrooks Road. This level of traffic is not seen to be an issue in disrupting current traffic flow conditions.



Page 127 14 March 2017

Page 92 9 9 May 2017

Page 327 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



#### Sight Distance

Austroads Guidelines state for a 50km/h design speed the Approach Sight Distance (ASD) requirement is 48m, and the Safe Intersection Sight Distance (SISD) is 90m. Sight line to the west extends 75m to the Holbrooks Road junction, and sight line to the east extends 90m along Norman Street. As a result, the proposed access point to the development meets sight distance requirements.

#### Garbage Collection

Through discussions with Karidis a garbage collection arrangement was agreed upon. The truck would drive forward along the internal road then either turn toward the disabled spaces and reverse into the loading bay, or turn forward into the loading bay and reverse back toward the disabled spaces before leaving the development. The garbage truck can either be front or rear loading, hence the following turning movements were assessed.

- Rear loading: The truck drives forward along the internal access road, turns right toward the disabled spaces, reverses into the loading bay, then drives forward to exit the development;
- Front loading: The truck drives forward along the internal access road, turns left into the loading bay, reverses toward the disabled spaces, then drives forward to exit the development.

The results of the turning movement analysis for a garbage truck can be seen below. It is understood a small truck will be used for garbage collection. The design vehicle used for Autoturn analysis was therefore a 6.5m garbage truck.

Refer to the attached turning templates for the two garbage truck manoeuvres.

The rear and front loading garbage truck movements show the garbage truck has sufficient room to perform both collection maneuverers assessed. The collection process will require the two visitor spaces for dwellings 8 and 9 and the two disabled spaces to be unoccupied.

The truck will need to utilise the opposite side of the access road to enter and exit the development, and also to undertake the left turn into the loading bay. This is not considered an issue due to the low level of traffic generation from the development, and operation of garbage collection restricted to off-peak times.

### Pedestrian / Cyclists / Public Transport

Pedestrian access is provided from Holbrooks Road along the western end of the development. Access is also provided from Norman Street adjacent to the proposed access point, with internal pedestrian links within the development.

There is no dedicated cyclist access point or cyclist lock-up within the development, which is not considered essential.

Bus stops are located within walking distance north and south of the development on Holbrooks Road. A convenience store is also located within walking distance at the Holbrooks Road / Henley Beach Road junction.

3

Page 128 14 March 2017

Page 93 9 May 2017

Page 328 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



Overall we think the development can be supported from a traffic perspective, subject to the following.

- Garbage collection operation is restricted to off-peak times;
- The visitor parks for dwellings 8 and 9 and two disabled spaces are unoccupied during garbage collection. This can be achieved using appropriate signage;
   Care should be taken for vehicles entering and exiting the development while the garbage collection is constituted.

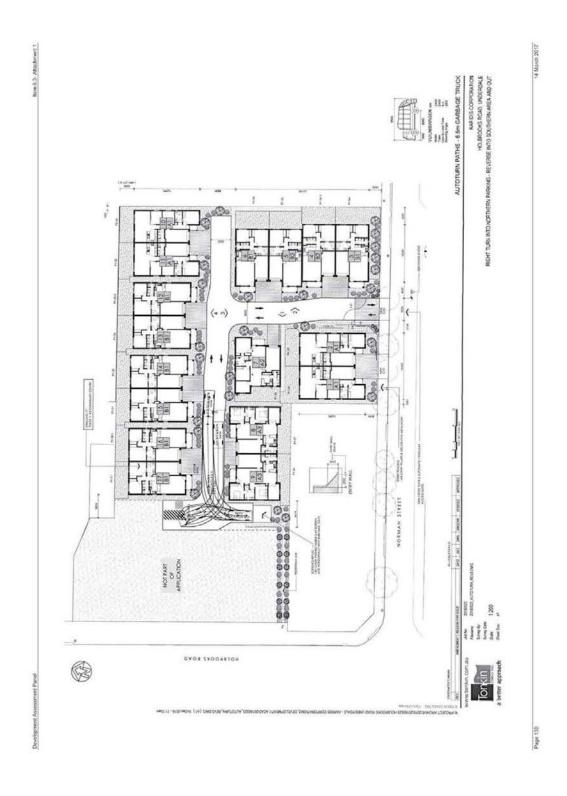
Yours faithfully TONKIN CONSULTING



Page 129 14 March 2017

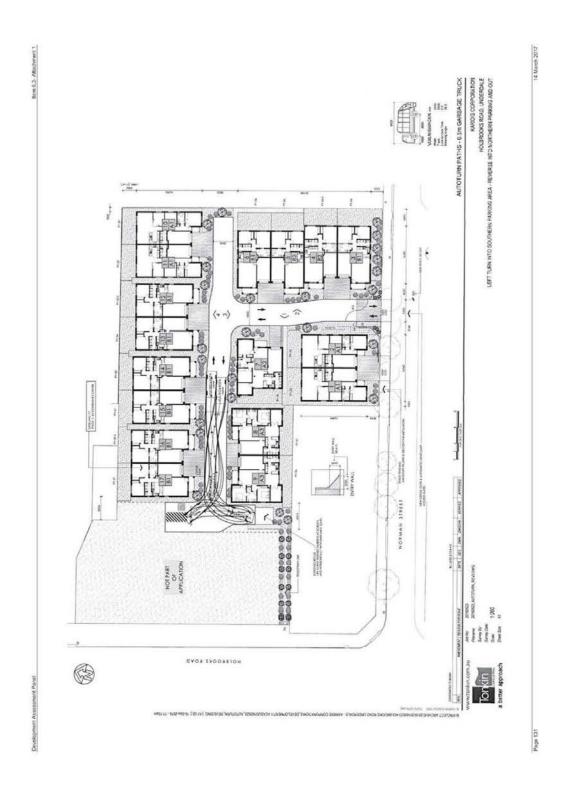
Page 94 9 May 2017

Page 329 8 August 2017



Page 95 9 May 2017

Page 330 8 August 2017



Page 96 9 May 2017

Page 331 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1

REF:0072-5-Holbrooks

1 March 2017

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



Level 1, 89 King William Street GPO Box 2403 Adelaide SA 5001 PH: 08 8221 5511 E: Info@futureurbangroup.com W: www.futureurbangroup.com ABN: 34 452 110 398

Dear Janine,

#### DA/211/1576/2016 AT 189-195 HOLBROOKS ROAD, UNDERDALE

We write in response to your email dated 23 February 2017.

You advised in your email that "My primary issue is the density with regard to the desired character of the policy area, I could probably support an average of 340sqm per dwelling in this particular location but 210(ish)sqm is too low". You also confirmed that "All other factors appear supportable or at least addressable via condition".

The proposed development is located in Low Density Policy Area 21 of the Residential Zone. We note that there is no density guideline for the particular type of residential development proposed. While you have suggested that you could support an average of 340sqm per dwelling we are of the opinion that such a guideline relates to typical residential dwelling types (i.e. detached, semi-detached and row dwellings as identified under PA PDC 3 and 4). We find it curious that supported accommodation is a form of development that is specifically envisaged in the policy area (see PA21 PDC 1) however is not provided with a specific density guideline particularly when occupants of such housing are down-sizing from larger dwellings and allotments.

We refer to Section 4. City of West Torrens Community Profile of our planning statement which accompanied the development application. Our analysis of households without children in the City of West Torrens in 2011 indicated that there is a larger proportion of older lone person households (65 years +) when compared to Greater Adelaide. In fact, in the City of West Torrens, older couples without children account for 9% of total households. Furthermore, middle aged lone person households (45-64 years) grew by 156 persons. Our analysis of household/family types indicated that there were a higher proportion of lone person households and a lower proportion of couples without children. Overall, the proportion of lone person households was 32.1% compared to 26.7% in Greater Adelaide while the proportion of couples without children was 24.2% compared to 25.5% in Greater Adelaide. Our analysis of households without children and family types clearly indicated that the population of the City of West Torrens is ageing with growth experienced in the older age cohorts.

Our analysis of the 65 years and over age group indicated net migration of -178 people. Analysis of the preceding cohorts (i.e. 35-44, 45-54 and 55-64 age groups) also indicated negative net migration (i.e. total of -914 people). While the population of the City of West Torrens is ageing and experiencing growth in the older age cohorts, it is also experiencing substantial outmigration in these older age cohorts which may imply there is a lack of compact, low maintenance housing forms within the Council area for aged persons.

The City of West Torrens Development Assessment Panel ('DAP') has previously considered these issues and the unique characteristics of retirement villages across the council area. In all circumstances known to us, the DAP has approved such retirement villages at densities higher than those which have been identified for the typical dwelling types.

REF 072-5-Holbrooks | 1 March 2017



Page 132 14 March 2017

Page 97 9 May 2017

Page 332 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



Many of these retirement villages have involved the Karidis Corporation as identified below:

Table 1 Approved Karidis Retirement Villages within the City of West Torrens

Development Application	Address	Average Site Area
211/882/2013	30-34 Marshall Tce, Brooklyn Park	145.8m <sup>2</sup>
211/1055/2013	7 Gertrude Street, Brooklyn Park	182m <sup>2</sup> or 209m <sup>2</sup>
211/1148/2014	39-45 Lipsett Tce, 2-4 Hazel St & 23 Anna St, Brooklyn Park	326m <sup>2</sup>
211/476/2015	452 Henley Beach Road, Lockleys (Stage 1)	312m²
211/1576/2016 - subject proposal	189-195 Holbrooks Road, Underdale	282.2m <sup>2</sup>

We are unsure as to how you have calculated the density of the proposed development. We have calculated an average site area of 282.2 square metres (16 retirement units averaged across a site of 4,515 square metres).

In the context of the previous decisions made by the DAP we are of the opinion that the proposed density is acceptable and should with respect be supported.

As you are aware, whether a development comprises low, medium or high density is a matter of planning judgment. There are many other factors that need to be considered when assessing density, including but not limited to site coverage, the number of bedrooms per dwelling, the number of persons per dwelling, the areas of private and communal open space, car parking and traffic and access arrangements. These are all useful indicators of density and whether a proposal achieves the density guidelines, this in itself will not always be decisive in a planning assessment. For example, the small scale and form of each dwelling proposed in this particular application and the type of occupant that will be residing within each dwelling compared to say larger two storey dwellings on 340 square allotments (which are contemplated within the Policy Area) are less likely to result in overlooking, overshadowing or other potential impacts on adjoining land.

In short, there will usually be important qualitative questions to ask about the consequences of proposing a form of development into a residential area that does not strictly achieve minimum quantitative guidelines and particularly those which relate to density. As is demonstrated in this proposal, the proposed density and overall single storey form of the dwellings is compatible with adjoining residential development and the character of the locality.

Should you require further information please do not hesitate to contact our office.

Yours sincerely

Chris Vounasis Director

REF 072-5-Holbrooks | 1 March 2017

12

Page 133 14 March 2017

Page 98 9 9 May 2017

Page 333 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1



Our Ref 85744JNM

1 March 2017

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

By Post and Email: jlennon@wtcc.sa.gov.au

Dear Ms Lennon

#### 21/1576/2016 - Karidis on Holbrooks Road

As you are aware we act for the Karidis Corporation in this matter.

I refer to your email of 23 February 2017 to Chris Vounasis in which you indicated:

"Sorry, no matter how I look at this I can't bring myself to support it.

My primary issue is the density with regard to the desired character of the policy area, I could probably support an average of 340sqm per dwelling in this particular location but 210(ish)sqm is too low."

I am instructed to respond to your concerns as follows:

### Proposed Use

The proposed use is that of a Retirement Village and after approval and construction the Certificate of Title will be endorsed as such pursuant to section 56 of the *Retirement Village Act 2016*. Section 4 of that Act provides that only a person over 55 years of age and who is retired from full time employment may reside on the land.

As you are aware, our client operates a number of Retirement Villages (11) in the metropolitan area and we are instructed the average age of a resident is 72 years.

#### 2. City of West Torrens Community Profile

I understand as part of the application Chris Vounasis has forwarded a copy of his comments on the above.

There is clearly a high demand for aged accommodation in Council's area.

1

ADELAIDE

SYDNEY

MELBOURNE

PERTH

GOLD COA

49 Flinders Street Adelaide SA 5000 GPO Box 2077 Adelaide SA 5001 telephone + 61 8 8410 2020 facsimile + 61 8 8410 1920 email@griffins.com.au

GMG Legal Services Pty Ltd on Incorporated Legal Practice ABN 19 074 972 231

www.griffins.com.au

jnm:ajt:p85744\_004.docx

Page 134 14 March 2017

Page 99 9 9 9 May 2017

Page 334 8 August 2017

Item 6.2- Attachment 2

Development Assessment Panel

Item 6.3- Attachment 1

Page 2

1 March 2017

#### 3. Other DAP Approvals

Our client has obtained a number of Retirement Village Approvals from Council's DAP.

The relevant approvals (as I am instructed from Chris Vounasis reports accompanying the DA's) the site area per dwelling is as follows:

	Villages	Site Area Per Dwelling
1.	452 Henley Beach Road, Lockleys (DN 211/476/15)	160m²
2.	39 Lipsett Terrace, Brooklyn Park (DN 211/1148/2014)	169 or 184 m <sup>2</sup>
3.	30 Marshall Terrace, Brooklyn Park (DN 211/882/2013)	145.8 m <sup>2</sup>
4.	7 Gertrude Street, Brooklyn Park (DN 211/1055/2013	182 or 209 m <sup>2</sup>
	With regard to the subject proposal:	
5.	Holbrooks (DN 211/1576/2016)	282.2 m <sup>2</sup>

#### 6. Community Centre

All of the above Retirement Villages and the proposed Village on the subject have a community centre which is well used by residents.

#### 7. Need for greater site area per dwelling

Continual research by our client clearly indicates that there is no request for nor need for any additional site area per dwelling in any of the villages above.

Accordingly, we respectfully ask that you reconsider your concerns with this application.

If you have any queries, please do not hesitate to contact me.

Yours faithfully GRIFFINS LAWYERS

JOHN MCELHINNEY

Direct email: Direct line: jmcelhinney@griffins.com.au (08) 8113 5119

jnm ajt p85744\_004 docx

Page 135 14 March 2017

Page 100 9 May 2017

Page 335 8 August 2017

# 7 CONFIDENTIAL REPORTS OF THE CHIEF EXECUTIVE OFFICER

# 7.1 8 Packard Street, NORTH PLYMPTON

Application No. 211/1500/2015

## **Reason for Confidentiality**

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A(12)(a) (vii) 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.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

### RECOMMENDATION

It is recommended to Development Assessment Panel that:

- 1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Development Assessment Panel orders pursuant to Section 56A(12)(a) of the Development Act 1993, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Chief Executive Officer.
- 2. At the completion of the confidential session the meeting be re-opened to the public.

Page 336 Item 8.1

# 8 SUMMARY OF COURT APPEALS

# 8.1 Summary of Court Appeals

### **Brief**

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.

### **RECOMMENDATION**

The Development Assessment Panel receive and note the information.

The current status is listed as follows:

# **Matters pending determination by DAC**

Reason for referral	DA number	Address	Description of development	
Section 49	211/722/2016	Lot 2 West Beach Road, WEST BEACH	Change of use to function room	
Schedule 10	211/136/2015	134-136 Anzac Highway, GLANDORE	On The Run redevelopment	
Section 49	211/1155/2012/A	Lot 2 West Beach Road, WEST BEACH	Amendment to condition regarding lighting	
Inner Rim	211/740/2017	192 ANZAC Highway, GLANDORE	Eight-storey building, 36 dwellings	
Section 49	211/54/2017	370 South Road, RICHMOND	Permanent storage of five shipping containers	
Section 49	211/370/2017	11-13 Desmond Avenue, MARLESTON	Change of use to distribution facility	
Section 49	211/911/2017	8 & 8a West Thebarton Road, THEBARTON	Boundary Re-alignment	
Section 49	211/504/2017	Lot 2 West Beach Road, WEST BEACH	Installation of two grandstands & one viewing platform	
Section 49	211/507/2017	Lot 2 West Beach Road, WEST BEACH	Installation of two transportable cabins	
Section 49	211/586/2017	Lot 14 Richmond Road, KESWICK TERMINAL	Removal of two regulated trees	

Page 337 Item 8.1

Section 49	211/819/2017	19 Owen Street, PLYMPTON	School upgrade
Section 49	211/698/2017	Lot 12 Richmond Road, KESWICK TERMINAL	Construction of an outbuilding for storage
Concurrence	211/557/2016	294 Marion Road, NETLEY	Signage
Concurrence	211/1337/2016	103-105 Sir Donald Bradman Drive, HILTON	Signage
Concurrence	211/1546/2016	101-105 Hardys Road, UNDERDALE	Sixteen Dwellings

# **Development Application appeals before the ERDC**

DA Number	Address	Reason for Appeal	Description of Development	Status
211/1500/2015	8 Packard Street, NORTH PLYMPTON	Applicant appealed DAP refusal	Construct a residential flat building containing six dwellings	Conciliation Plan pending
211/486/2016	24 Garfield Avenue, KURRALTA PARK	Applicant appealed DAP refusal	Construct a residential flat building containing seven dwellings	Finalisation of compromise pending
211/1079/2016 211/1295/2016	6 Kimber Terrace, KURRALTA PARK	Applicant appealed DAP refusal	Construct a residential flat building containing four dwellings	Finalisation of compromise pending
211/271/2017	23 White Avenue, LOCKLEYS	Applicant appealed DAP refusal	Carport, alfresco, swimming pool, safety fence, masonry front fence	Preliminary Conference pending

# **SUMMARY**

The information requested by the Panel has been provided for information purposes.

# **Attachments**

Nil

Page 338 Item 8.1

# 9 MEETING CLOSE