

CITY OF WEST TORRENS



Notice of Panel Meeting

Notice is Hereby Given that a Meeting of the

COUNCIL ASSESSMENT PANEL

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

on

TUESDAY, 10 MARCH 2020
at 5.00pm

Hannah Bateman
Assessment Manager

City of West Torrens Disclaimer

Council Assessment Panel

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

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

INDEX

1	Meeting Opened.....	1
1.1	Evacuation Procedures	
2	Present	1
3	Apologies	1
4	Confirmation of Minutes.....	1
5	Disclosure Statements	1
6	Reports of the Assessment Manager	2
6.1	36 Garfield Avenue, KURRALTA PARK	2
6.2	17-19 Surrey Road, KESWICK.....	66
6.3	41 Barwell Avenue, MARLESTON	186
6.4	35 Wheaton Road, PLYMPTON.....	244
6.5	33 Lorraine Avenue, LOCKLEYS	265
6.6	10 Grallina Street, LOCKLEYS.....	289
7	Confidential Reports of the Assessment Manager	326
	Nil	
8	Summary of Court Appeals.....	326
8.1	Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - March 2020.....	326
9	Other Business	327
10	Meeting Close	327

1 MEETING OPENED**1.1 Evacuation Procedures****2 PRESENT****3 APOLOGIES****4 CONFIRMATION OF MINUTES****RECOMMENDATION**

That the Minutes of the meeting of the Council Assessment Panel held on 11 February 2020 be confirmed as a true and correct record.

5 DISCLOSURE STATEMENTS

In accordance with section 7 of the *Assessment Panel Members – Code of Conduct* the following information should be considered by Council Assessment Panel members prior to a meeting:

A member of a Council Assessment Panel who has a direct or indirect personal or pecuniary interest in a matter before the Council Assessment Panel (other than an indirect interest that exists in common with a substantial class of persons) –

- a. must, as soon as he or she becomes aware of his or her interest, disclose the nature and extent of the interest to the panel; and
- b. must not take part in any hearings conducted by the panel, or in any deliberations or decision of the panel, on the matter and must be absent from the meeting when any deliberations are taking place or decision is being made.

If an interest has been declared by any member of the panel, the Assessment Manager will record the nature of the interest in the minutes of meeting.

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 36 Garfield Avenue, KURRALTA PARK

Application No 211/223/2018

Appearing before the Panel will be:

Representor: **Donna Vehlow** of 30 Selby Street, Kurralta Park wishes to appear in support of the representation.

Applicant: **Jake Vaccarella** on behalf of the applicant wishes to appear in response to the representation.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined Application : Land Division - Community Title; SCAP No. 211/C019/18; create five (5) additional allotments and common property; demolition of all structures and construction of a two storey residential flat building comprising six (6) dwellings with alfresco, driveway, landscaping and retaining wall to rear of dwelling 6 adjacent Brown Hill Creek
APPLICANT	L Liu
LODGEMENT DATE	22 May 2018 (original application for Land Division only was lodged via EDALA dated 19 February 2018)
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 19
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> • City Assets • City Operations External <ul style="list-style-type: none"> • SA Water • SCAP
DEVELOPMENT PLAN VERSION	Consolidated 6 February 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions
AUTHOR	Sonia Gallarello

BACKGROUND

This application was on hold at the applicant's request for a period of time awaiting the outcome of the adjacent developments at 38 and 38-40 Garfield Avenue, Kurralta Park.

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 123 Deposited Plan 2478 in the area named Kurralta Park, Hundred of Adelaide, Volume 5720 Folio 921, more commonly known as 36 Garfield Avenue, Kurralta Park. The subject site is rectangular in shape with a 19.2 metre (m) wide frontage to Garfield Avenue, the same frontage to Brown Hill Creek (to rear) and a site area of around 1031 square metres (m²).

It is noted that there are no encumbrances or Land Management Agreements on the Certificate of Title.

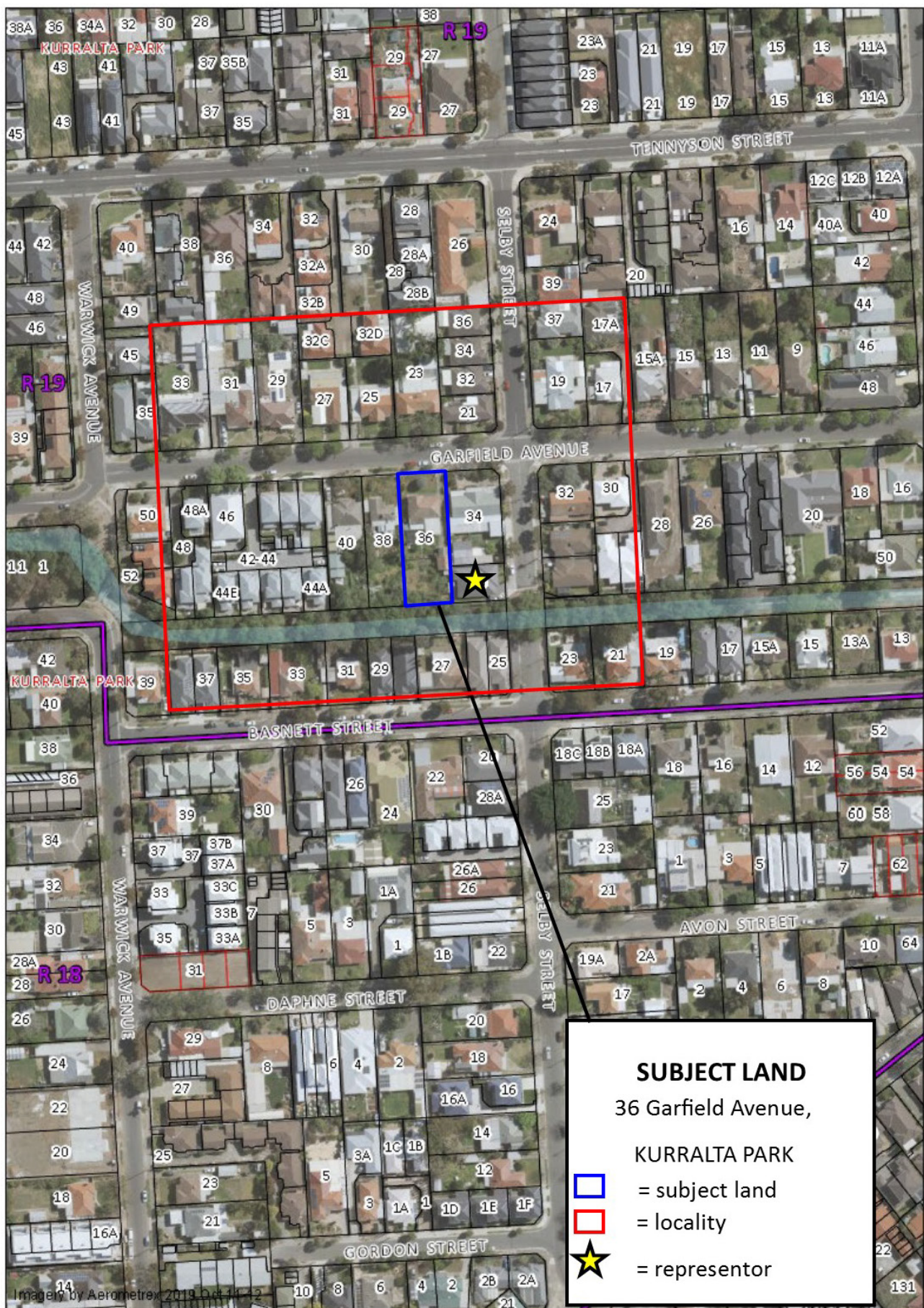
The site currently contains a single storey detached dwelling with a verandah to the rear and shedding toward the back of the site. The site is relatively flat and slopes down toward Brown Hill Creek to the rear where it is more heavily vegetated. There are no regulated trees on the subject site or on adjoining land that would be affected by the development.

Pedestrian access to the rear of the site is limited given that there is no linear path along this section of Brown Hill Creek. There are concrete-stepped retaining walls near the Warwick Avenue footbridge to the west of the subject land, however the section immediately adjacent the land consists of soil, rock, trees and shrubs. There is evidence of erosion along the creek bank within the locality.



Figure 1: View of 36 Garfield Avenue, Kurralta Park from street looking south

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





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

Location Map WeTo/13

WEST TORRENS COUNCIL
Consolidated - 6 February 2018

RELEVANT APPLICATIONS

DA Number	Description of Development	Decision	Decision Date
211/1344/2018 38 & 40 Garfield Avenue, Kurralta Park	Combined Application: Land division - Community Title; SCAP No. 211/C170/18; Create ten (10) additional allotments and common property and demolition of all buildings and construction of 2 x residential flat buildings containing a total of 12 dwellings and common property and two 1.2 metre high walls	Development Approval Granted	10 September 2019
211/1185/2017 38 Garfield Avenue, Kurralta Park	Construct a residential flat building comprising five (5) two-storey dwellings, each with double garages under main roof and rear attached verandahs	Refused Development Plan Consent	14 August 2018
211/1268/2017 38 Garfield Avenue, Kurralta Park	Land Division - Community Title; SCAP No. 211/C167/17 (Unique ID 59607); Create four (4) additional allotments and common property	Refused Development Plan Consent	14 August 2018

There have been a number of medium density developments similar to this development in the locality. Of particular interest are the recent approvals issued for the sites adjacent to the west at 38-40 Garfield Avenue.

PROPOSAL**Land Division**

The applicant proposes the division of the existing allotment to create five additional allotments along with common property in the form of driveway access and landscaping. The dimensions of the proposed allotments are as follows:

Allotment	Allotment Area	Allotment Frontage
1	126m ²	N/A
2	112m ²	N/A
3	112m ²	N/A
4	112m ²	N/A
5	112m ²	N/A
6	135m ²	N/A
Common property	322m ²	19.2m
Average allotment size including common property	171.8 m ²	N/A

Dwellings

The residential component of the combined application consists of a two storey residential flat buildings, comprising six dwellings.

Each dwelling comprise a ground floor with a single garage, living, kitchen, dining and laundry area and upper level with three (3) bedrooms, two (2) bathroom areas and an activity room. Dwellings 2-5 have balcony areas to the east and each dwelling has an alfresco area.

The design of the proposed residential flat building is modern with a main 3 degree skillion roof with 450mm eave overhang. Viewed from the driveway, the design appears with a horizontal roof line with a small 10 degree skillion section for dwelling 1, closest to the street.

A mix of materials is proposed and includes rendered walls, rendered spandrels, scyon axon cladding, scyon matrix cladding, Colorbond® custom orb roof, obscure glass for balconies balustrades, aluminium windows and panel lift roller doors. The colour palette displays neutral tones of white, off-white, shale grey, dark grey and timber feature elements such as front doors.

Vehicular access to each dwelling is to be gained via a common driveway. The development incorporates a mix of landscaping along the paved driveway, lawn in the rear private open spaces and medium to higher level plantings to the front of the development and within private open space areas along the eastern side boundary. A new 1.8 metre high Colorbond® fence is proposed on the eastern and western side boundaries above maximum 300mm high retaining walls. No fencing will occur in the closest 3 metres to the rear boundary of the site to avoid impacts on Brown Hill Creek. There is a retaining wall proposed 3 metres from the rear wall of unit 6 and around 7.8 metres from the centre line of Brown Hill Creek. The wall will retain a portion of fill and sit below the ground of the natural creek bank. It is 2.2m deep plus associated footing.

The applicant proposes a shared waste collection area that would include:

- 5 x 140 litre General Waste Bins (red lid)
- 4 x 240 litre Recycling Bins (yellow lid)
- 3 x 240 litre Food/Organics Waste Bins (green lid).

The general waste is to be collected by a private contractor internally within the site and the recycling and food waste will be collected kerbside by the Council.

A copy of the plans and supporting documents are contained in **Attachment 2**.

PUBLIC NOTIFICATION

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

Properties notified	Sixteen properties were notified during the public notification process.
Representations	One (1) representation was received.
Persons wishing to be heard	One (1) representor wishes to be heard. <ul style="list-style-type: none"> • Donna Vehlow

Summary of representations	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • Density; • Overshadowing; • Car parking; • Privacy; • Noise from air-conditioning units; • Waste and associated storage areas.
Applicant's response to representations	<p>Summary of applicant's response:</p> <ul style="list-style-type: none"> • The development is consistent with the desired character of the Medium Density Policy Area in terms of 'medium density'; • Residential flat buildings are considered as envisaged dwelling types; • Two storey buildings are contemplated together with a varied streetscape; • The development meets the Development Plan requirements in terms of car parking minus the 1.5 visitor spaces. There is sufficient on-site car parking when consider each dwelling has 2 car spaces; preferences of the occupants are different to standard dwellings; and considering the site's proximity to public transport, cycling and walking; • Safe and convenient access is provided from the street; • On street parking will not be prejudiced; • North facing windows and private open space on adjacent allotments will receive the desired amount of sunlight; • Minimal overshadowing impact will occur to adjacent development; • Overlooking is adequately addressed in the design; • Air-conditioning units are located as far as practicable from habitable rooms of adjacent dwellings; • Air-conditioning noise can be controlled via the <i>Local Nuisance and Litter Control Act 2016</i>; • On-site waste collection is to occur and stored on the western side of the driveway.

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

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> • The offset from the development to the centreline of the watercourse achieves a minimum of 10m; • The rear alfresco needs to be separate from the building so to minimise damage to the main building as a result of a storm event; • No filling and retaining to 3m from the rear boundary is acceptable; • Manoeuvring was assessed as acceptable; • Two on-street car parking spaces will be maintained; • Driveway passing area is acceptable as long as is clear of obstructions; • Flaring of the driveway at entrance should occur; • 3,000L stormwater tanks are required. Conditions will be required to reinforce this; • A hybrid waste system would work if the collection vehicle for the general waste is collected by an SRV.
City Operations	<ul style="list-style-type: none"> • The western street tree is acceptable for removal subject to a replacement cost to the developers. • The development will not have an adverse impact on vegetation within the creek to the rear.

EXTERNAL REFERRALS

Department	Comments
SCAP	<ul style="list-style-type: none"> • Did not raise any concerns and imposed the standard suite of conditions with respect to the land division component.
SA Water	<ul style="list-style-type: none"> • Did not raise any concerns and imposed the standard suite of conditions with respect to the land division component.

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

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, the Medium Density Policy Area 19 as described in the West Torrens Council Development Plan consolidated 6 February 2018.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3, 4
Principles of Development Control	1, 5, 6, 7, 11, 12, 13

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

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

QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 5 (within 400m of centre zone)</i>	Residential Flat Building 150m ² (avg.)	112m ² (min) site 171.8m ² (avg) inclusive of common driveway Satisfies
SITE FRONTAGE <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 5 (within 400m of centre zone)</i>	Residential Flat Building 15m (complete building)	19.2m Satisfies
SITE COVERAGE <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i>	60% (max.)	49.7% Satisfies
PRIMARY STREET SETBACK <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i>	3m (min.)	3m Satisfies
SIDE SETBACK (complete building) <i>Residential Zone</i> <i>PDC 11</i>	1m (minimum where the vertical side wall is 3m or less) 2m (minimum where the vertical side wall measures between 3m and 6m)	0.9m (east) 4.7m (west) Does not satisfy 2m (east) 4.7m (west) Satisfies

<p>SIDE SETBACK (individual dwellings) <i>Residential Zone</i> <i>PDC 11</i></p>	<p>1m (minimum where the vertical side wall is 3m or less)</p> <p>2m (minimum where the vertical side wall measures between 3m and 6m)</p>	<p><u>Dwelling 1</u> 0.9m (east) garage element 7m (west)</p> <p><u>Dwellings 2-5</u> N/A</p> <p><u>Dwelling 6</u> N/A (north) 6m (south)</p> <p>Does not Satisfy</p> <p><u>Dwelling 1</u> 2m (east) 7m (west)</p> <p><u>Dwellings 2-5</u> N/A</p> <p><u>Dwelling 6</u> N/A (north) 6m (south)</p> <p>Satisfies</p>
<p>REAR SETBACK (complete building) <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i></p>	<p>6m (min.)</p>	<p>6m</p> <p>Satisfies</p>
<p>REAR SETBACK (individual dwellings) <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i></p>	<p>6m (min.)</p>	<p>Dwelling 1-6 = 0.9m</p> <p>Does Not Satisfy</p>
<p>BUILDING HEIGHT <i>Medium Density Policy</i> <i>Area 19</i> <i>PDC 3</i></p>	<p>2 storeys or 8.5m (all other locations)</p>	<p>2 storeys or 7.2m</p> <p>Satisfies</p>
<p>INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i></p>	<p>100m² (min.)</p>	<p>Dwelling 1 = 123.8m² Dwelling 2 - 5 = 119.3m² Dwelling 6 = 125.7m²</p> <p>Satisfies</p>

PRIVATE OPEN SPACE <i>Residential Development</i> PDC 19	<300m ² 24m ² (min.), of which 8m ² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m.	Dwelling 1 = 34.8m ² Dwelling 2 - 5 = 26.1m ² Dwelling 6 = 37.8m ² Satisfies
STORAGE <i>Residential Development</i> PDC 31	8m ³ (min.)	Dwelling 1 = 6.3m ³ Dwelling 2 - 5 = 8.7m ³ Dwelling 6 = 7m ³ Does Not Satisfy
CARPARKING SPACES <i>Transportation and Access</i> PDC 34	2 carparks required per dwelling plus an additional 0.25 per dwelling	2 carparks per dwelling provided. The additional 1.5 spaces for the development have not been provided. Does Not Satisfy
LANDSCAPING <i>Landscaping, Fences and</i> <i>Walls</i> PDC 4	10% (min.)	34.9% Satisfies

ASSESSMENT

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

Land Use

Residential development and in particular residential flat buildings are envisaged within the Medium Density Policy Area 19 as described in PDC 1. The land division and land use are considered to be an appropriate form of medium density development for this site.

Desired Character & Pattern of Development

The Desired Character statement for the policy area seeks medium density residential development accommodating a range of dwelling types (including residential flat buildings) on generally smaller allotments. Such development should incorporate sufficient landscaping to enhance the streetscape appearance of buildings, improve the transitional space between the public and private realms and mitigate heat loads.

The proposal is consistent with the desired character. The proposed site areas and frontage meet the average size envisaged by PDC 5 of Medium Density Policy Area 19, and are considered to be medium density and appropriate given the prevailing allotment pattern in the locality. As the site is located within 400m of a Centre Zone and a primary arterial road, it is highly accessible to a variety of facilities (including high frequency public transport services) where smaller site areas such as these are considered appropriate.

The proposed landscaping to the front, side and rear of the site meet the general intent of the desired character in terms of contributing positively to the built form and reducing urban heat loads.

Accordingly, the proposed development is considered to be in accordance with Objective 1 and PDC 1 of Medium Density Policy Area 19.

Land Division

The land division component of the application is considered to be an orderly and appropriate form of development in the policy area. The division reflects the layout of the corresponding built form component of the application and makes use of existing infrastructure therefore meeting Objective 1 of the Land Division module of the Development Plan.

The average site area (inclusive of common driveway) results in excess of the Development Plan Requirement PDC 5 of the Medium Density Policy area. The resultant allotment areas exclusive of the common property offer sufficient space for siting of dwellings that are compact, affordable and in close proximity to South Road and the associated services that this offers, including shops and public transport.

The representor raised density as a concern. This development proposes medium density parcels with an average site area of 171.8m² in a policy area that prescribes an average site area of 150m². The development meets the quantitative provision of PDC 5 of the Medium Density Policy and satisfies the density criteria.

Built Form

From the street the development presents as a modern building with a mix of materials and colours with a driveway extending along the western side.

The western elevation presents a building with a variety of depth in built form, different window elements and material colours that create visual interest. The front dwelling has a skillion section which breaks up the design. There are also alfresco areas and balconies which add visual interest to the proposal. The rear dwelling has an internal living area that faces southward towards the creek with a formal outdoor alfresco area adjacent.

The mass of the two storey residential flat building is broken up by a variety of roof forms, eaves, protruding sections and sits in context with existing and proposed development within the immediate locality by way of scale and form.

The development meets PDC 4 of the Residential Development module in that it is sufficiently articulated, and presents an appropriate building mass in context with adjoining development.

Setbacks

Front setback

The development meets the front setback requirement with both the ground and upper level setbacks at 3m. The front area will have some landscaping to the front of the site, a 1.8m high Colorbond® shale grey fence and the strip inbetween this and the front of dwelling 1 is to be used as part of the private open space. This area is deemed to be useable, functional and acceptable.

Rear setback

The rear of the complete building is setback in accordance with the Development Plan provisions. There is adequate separation between the building and the centre line of Brown Hill Creek with as minimal disruption to the creek bed as possible.

The rear setbacks for the individual dwellings do not meet the Development Plan requirements. This is due to the garages being setback 0.9m from the eastern boundary. Despite this deficiency, the area to the east of the building is well landscaped with taller plantings. The built form on the eastern side is staggered so as to have the majority of the building set further away from the eastern boundary than the garages including the lower level and upper level. The impact on the adjacent properties at 34 Garfield will largely be on the side yard of 34 Selby Street and rear area of private open space for 30 Selby Street. The garages will not cause undue overshadowing and given they are set off the boundary in this case, cause minimal adverse impact on the adjacent residents. Overall despite the shortfall of the individual unit's rear setback, this is deemed acceptable.

Side setback

The upper level side setbacks are accomplished for both the complete building and the individual dwellings. There are small shortfalls for the lower level for the complete building and dwelling 1's eastern side. This is due to the garages being setback 0.9m instead of 1m along the eastern boundary. As described above in the rear setback section, the separation of the garages 0.9m from the eastern boundary is deemed acceptable and there is articulation and variation in the built form on this side and landscaping that contributes to softening the overall eastern façade. Furthermore, the Development Plan and the *Development Regulations 2008* allows for garages on the boundary. In this instance they form part of the residential flat building. The setback distance of the garage walls fall marginally short of PDC 11 of the Residential Zone. In this case, this is considered to be acceptable.

Amenity

Noise

The representor raised air conditioning noise as a concern. The siting of each of the air conditioning units have been sited as far as practical away from the eastern boundary and in private areas of the six units. Dwelling 1 has the air conditioning unit to the front of the dwelling and dwelling 6 toward the rear and the creek. Dwellings 2 to 5 have them located adjacent the living room walls on the lower floor and eastern side.

The development is consistent with PDC 28 of the Residential Development module.

Should there be disturbance from fixed noise sources such as air conditioning, this is now handled through the *Local Nuisance and Litter Control Act 2016*. A note to the effect has been listed as a reminder for this to be included in a decision should the CAP determine to grant planning consent.

Overlooking

The representor raised concerns about overlooking. The building has been designed to avoid overlooking of the adjacent dwellings via appropriate window treatments. To the east and toward the representor at 30 Selby Street, all upper level windows and balconies have overlooking treatment in terms of fixed obscure glass windows to sill heights of 1.7m and obscure screens to balconies have a sill height of 1.7m. To the west and over the driveway, despite not showing it clearly on the plans, it is intended and will be conditioned that the windows here are also to have fixed obscure glass up to 1.7m. The rear elevation over the creek has been treated for overlooking, despite not being considered to be necessary given the orientation, that it is over a heavily vegetated public space and the distance to adjacent dwellings,

The development meets PDC 27 of the Residential Development module and conditioned accordingly.

Overshadowing

The representor raised overshadowing as a concern. In response the applicant provided an overshadowing diagram. This demonstrates that the greatest area affected is only a small section south of the subject development, to the rear of dwelling 6. This small area will experience overshadowing during winter solstice for all three time periods plotted. There is adequate area within the private open space for this adjacent dwelling that will have solar access, noting that this will increase at other times throughout the year.

The overshadowing has been assessed against PDCs 10-13 of the Residential Development module and considered to be satisfactory for the subject development and the adjacent dwellings.

Storage

Dwellings 2 to 5 achieve the minimum internal storage area requirement. Dwellings 1 and 6 fall slightly short. The slight shortfall is considered to be relatively minor when looked at in totality. Each dwelling has various storage options within the garage, under-stairs and cupboards that is considered to sufficiently meet the needs of future occupants.

Landscaping

The proposed development meets the quantitative requirements for at least 10% of the site to be landscaped (PDC 4 of the Landscaping module). Landscaping is proposed along both sides of the driveway, to the front of the development and within the private open spaces of each dwelling. This includes mature tree plantings, shrubs, ground covers that will add to the aesthetic appeal of the proposed development and soften the built form.

The proposed landscaping is considered to effectively minimise or mitigate the impacts associated with the extent of hard paved surfaces and extent of fencing as sought by PDCs 1(a), (f), (g) and (h) of the Landscaping, Fences and Walls module of the Development Plan. Overall the landscaping for the development is deemed to be satisfactory.

Parking and Access

The access accommodates two way vehicle movement and adequate manoeuvring within the development. Due to the nature of the street and on street vehicle parking, waste trucks accessing the site privately should not exceed SRV size. This can be appropriately reinforced by way of condition should the Panel be minded to support the development.

The development does fall short of the parking provisions, failing to provide 1.5 (scaled up to two) additional spaces. There will be provision for two on-street parking spaces in front of the subject land, and the site is close to a primary arterial road with access to high frequency public transport services and cycling lanes.

While the development does not strictly meet PDC 34 of the Transportation and Access module, this is not deemed fatal to the application.

Waste Management

The development consists of private and public waste collection with a communal bin storage area along the common driveway and western boundary. This area for storage of bins is as far as practicable away from the proposed dwellings and neighbouring property to the west. The area is to be shielded from direct street view with 1.8m high aluminium slat screening and some nominal landscaping forward of this. It is considered that any negative impacts both visual and odour related have been sufficiently negated.

The proposed waste management arrangements for the site are considered satisfactory and conditioned accordingly.

Interface with Brown Hill Creek

A small portion to the rear of the subject land is included in the 1.5-2.5mm flood affected area:



Figure 2: Flood affected area and Brown Hill Creek at 36 Garfield Avenue

The design of the development has considered and responded to Brown Hill Creek to the rear by limiting earthworks in this area; providing a 10m setback from the centreline of the creek; and having only a lightweight and separate structure in the form of an alfresco sited closest to the creek. This will minimise the potential for erosion within the existing creek bed, landslip and risk of flooding to property. The development includes a 2.2m high retaining wall between the rear of dwelling 6 and the centreline of Brown Hill Creek. This will assist in stabilising the bank for the protection of property. The development has been designed to meet Objective 6 of the Natural Resources module in terms of being integrated and designed with existing environmental features (Brown Hill Creek) in mind.

The development is also consistent with Objective 1 and 2 and Principles of Development Control 1, 2, 3, 4, 5 (a) and (b), 6 and 7 of the Hazards module.

SUMMARY

The proposed development is on a street that has had a number of these types of developments recently approved and / or constructed. This development has adequately and respectfully considered the context of Brown Hill Creek by providing minimal disturbance in terms of dwelling setback distance, retaining and fencing, and thoughtful dwelling design.

The building has been designed with positive design elements, will provide six compact but liveable three bedroom dwellings with associated car parking for each dwelling, sufficient private open space areas and adequate on-site waste collection services. External impacts that may result from setbacks, overshadowing, overlooking and air-conditioning placement have been adequately addressed.

The proposed development meets the majority of the relevant quantitative provisions in a location that is desirable in terms of its proximity to high frequency public transport and a range of services.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan 6 February 2018 and warrants Development Plan Consent and Land Division Consent subject to conditions.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/223/2018 by L Liu to undertake a Combined Application: Land Division - Community Title; SCAP No. 211/C019/18; create five (5) additional allotments and common property; demolition of all structures and construction of a two storey residential flat building comprising six (6) dwellings with alfresco, driveway, landscaping and retaining wall to rear of dwelling 6 adjacent Brown Hill Creek at 36 Garfield Avenue (CT 5720/921) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - Survey Plan by John C Bested & Assoc Pty Ltd, Reference No. 19385, Drawing No. 19385-COM, Version 4
 - Site Plan and Elevations by D'Andrea Architects, Revision F
 - Sitework and Drainage Plan by SCA Engineers, Drawing No. 180422-C1-C6; and

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

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

Reason: To minimise the spread of dust and soil and to ensure safe and convenient vehicle manoeuvring on-site.

4. All landscaping shall be planted in accordance with the approved plans within three (3) months of the occupancy of the development or next available planting season. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

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

5. All wall cladding, roofing materials and external building finishes and colours used on the dwellings shall be natural and non-reflective, and shall be maintained in good condition to the satisfaction of Council.

Reason: To maintain the amenity of the locality.

6. The upper level eastern and western windows of all dwellings shall be provided with fixed obscure glass to a minimum height of 1.7 metres from the upper floor level prior to occupation of the dwelling, and shall be maintained in good condition at all times to the satisfaction of Council.

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

7. No above-ground structures such as letterboxes, service metres or similar shall be installed within the common driveway entrance and passing area.

Reason: To avoid conflict between services and vehicle manoeuvring areas.

8. Prior to the occupancy of the dwellings, the 3000 litre stormwater connection and reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational.

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

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

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

10. No fencing or retaining walls shall occur within 3 metres of the land adjacent Brown Hill Creek.

Reason: To protect the stability of the banks of the Brown Hill Creek.

11. A hybrid waste service shall be provided to the site, which will include the provision of 5 general waste bins, 4 recycling bins and 3 food/organic waste bins to be shared amongst all dwellings on the site. General waste is to be collected by private contractors from within the site and the service vehicle must be limited to a SRV and shall reverse into the site from the road and exit the site in a forward direction.

Reason: To ensure that the storage and collection of waste occurs in an orderly manner.

Land Division Consent Conditions

Council Requirements

Nil

State Assessment Planning Commission Requirements

12. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0069448)
The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building.-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119.

Reason: To satisfy the requirements of the SA Water Corporation.

13. Payment of \$34,150.00 into the Planning and Development Fund (5 allotment/s @ \$6,830.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

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

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

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

Note:

The noise level of any fixed noise sources, such as air conditioning, pool pumps or water pumps should be in accordance with the Local Nuisance and Litter Control Act 2016. This specifies that the noise level generated from fixed machinery should be maintained at levels where no adverse impact on an amenity value of an area is caused by noise, and has avoided travelling to a habitable room or an outdoor courtyard or entertainment area, on neighbouring premises, at such a level that it should not constitute an unreasonable interference with the enjoyment of the neighbouring premises by persons occupying those premises.

Attachments

1. Relevant Development Plan Provisions
2. Proposal plans
3. Representation and response to representation
4. Internal and external referrals

Relevant Development Plan Provisions

General Section		
Crime Prevention	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7, 8, 10
Design and Appearance	<i>Objectives</i>	1, 2
	<i>Principles of Development Control</i>	1, 2, 3, 5, 9, 10, 12, 13, 14, 15, 20
Energy Efficiency	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2
Hazards	<i>Objectives</i>	1, 2, 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7
Infrastructure	<i>Objectives</i>	-
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 8, 9
Land Division	<i>Objectives</i>	1, 2, 3, 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 7, 8, 9, 10, 11, 12
Landscaping, Fences and Walls	<i>Objectives</i>	1, 2
	<i>Principles of Development Control</i>	1, 2, 4, 6
Natural Resources	<i>Objectives</i>	1, 4, 5, 6, 7, 10, 12
	<i>Principles of Development Control</i>	1, 2, 3, 4, 10, 17, 23
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4, 5
	<i>Principles of Development Control</i>	1
Residential Development	<i>Objectives</i>	1, 2, 3, 4, 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 23, 27, 28, 29, 30, 31
Siting and Visibility	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 4, 5
Sloping Land	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 4, 5
Transportation and Access	<i>Objectives</i>	1, 2
	<i>Principles of Development Control</i>	1, 8, 10, 11, 14, 18, 23, 24, 34, 35, 36, 43, 44
Waste	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product Register Search (CT 5720/921)
Date/Time 16/01/2018 08:55AM
Customer Reference
Order ID 20180116000917
Cost \$28.25

REAL PROPERTY ACT, 1986



South Australia

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



Certificate of Title - Volume 5720 Folio 921

Parent Title(s) CT 1787/130
Creating Dealing(s) CONVERTED TITLE
Title Issued 21/12/1999 Edition 3 Edition Issued 03/10/2017

Estate Type

FEE SIMPLE

Registered Proprietor

SOUTH AUSTRALIA INVESTMENTS PTY. LTD. (ACN: 620 748 094)
OF 36 GARFIELD AVENUE KURRALTA PARK SA 5037

Description of Land

ALLOTMENT 123 DEPOSITED PLAN 2478
IN THE AREA NAMED KURRALTA PARK
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12801454	MORTGAGE TO SECURE FUNDING PTY. LTD. (ACN: 081 982 872)

Notations

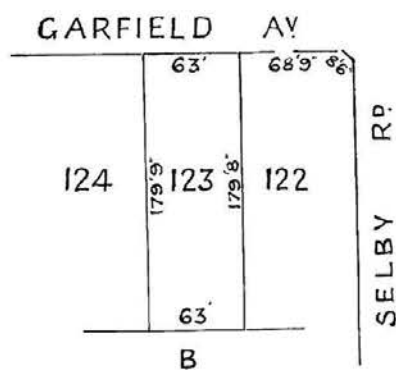
Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



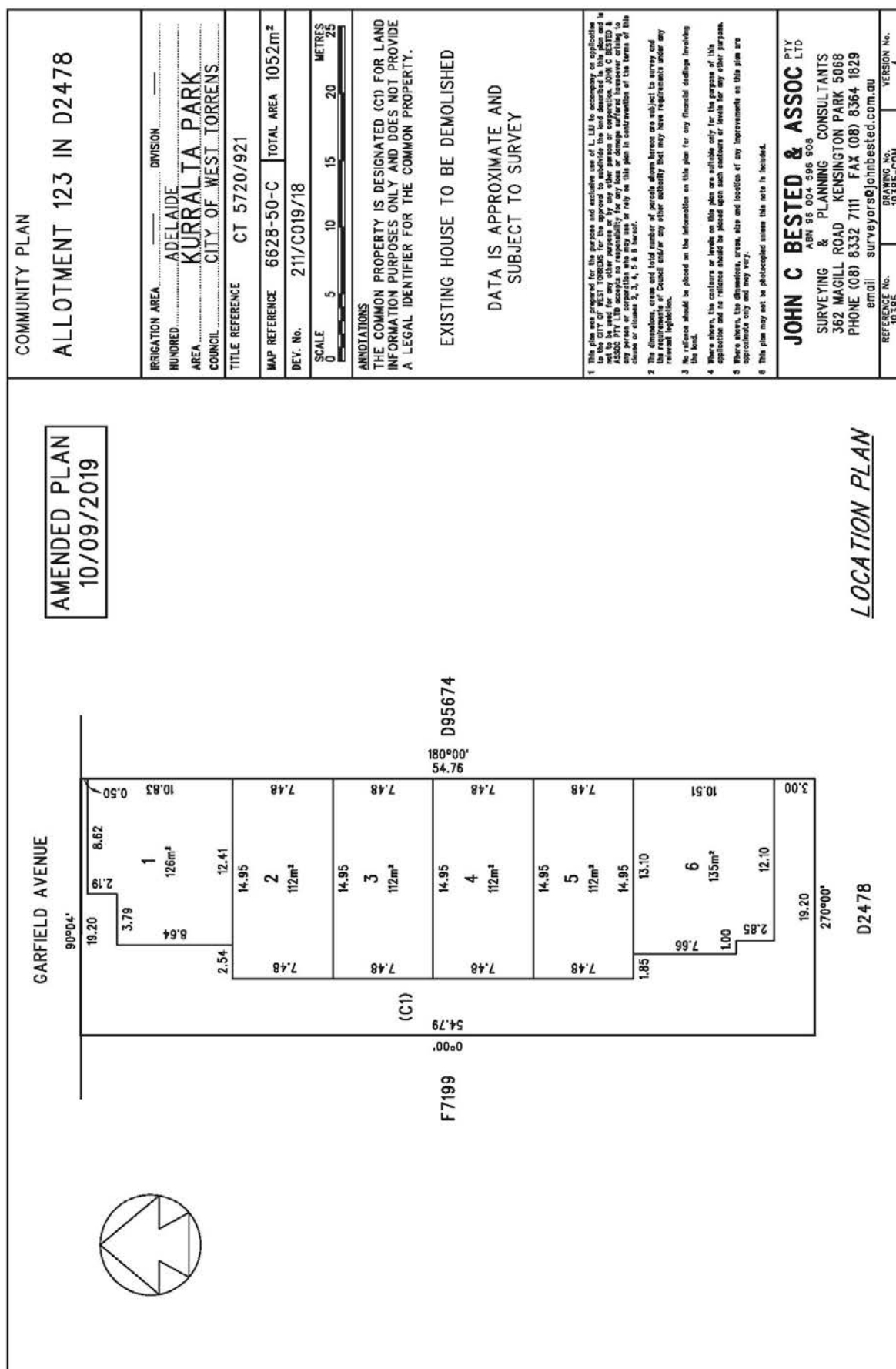
Government of South Australia
Department of Planning,
Transport and Infrastructure

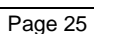
Product
Date/Time
Customer Reference
Order ID
Cost

Register Search (CT 5720/921)
16/01/2018 08:55AM
20180116000917
\$28.25

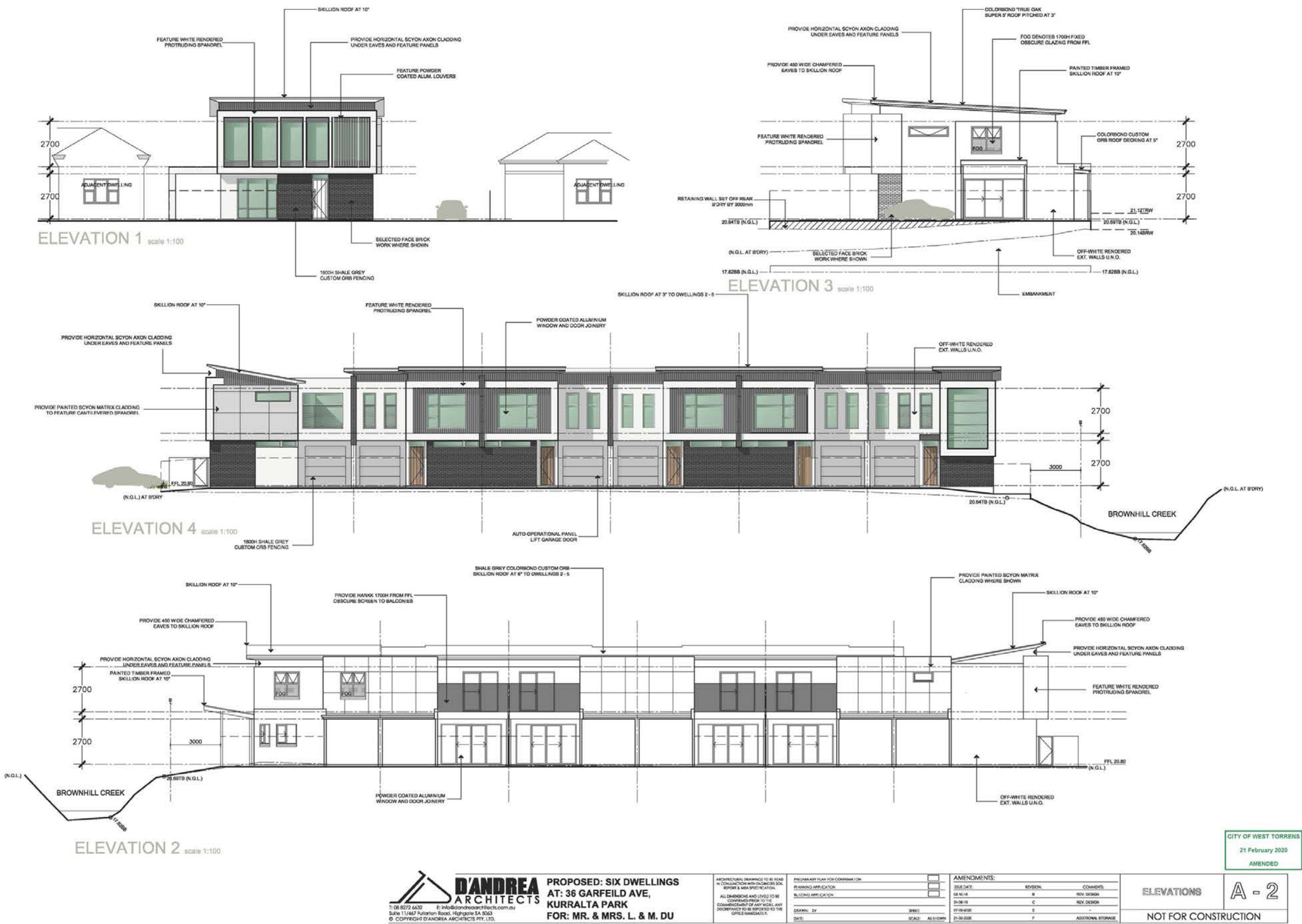


DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES





36 GARFIELD AVE, KURRALTA PK





shadow diagrams scale 1:200
winter solstice June 21st at 9:00am,
12:00 noon, & 3:00pm



D'ANDREA
ARCHITECTS

T: 08 8272 6632

E: info@dandreaarchitects.com.au

Suite 11/467 Fullarton Road, Highgate SA 5063

© COPYRIGHT D'ANDREA ARCHITECTS PTY. LTD.

**PROPOSED: SIX DWELLINGS
AT: 36 GARFEILD AVE,
KURRALTA PARK
FOR: MR. & MRS. L. & M. DU**

ARCHITECTURAL DRAWINGS TO BE READ
IN CONJUNCTION WITH ENGINEERS SOIL
REPORT & MBA SPECIFICATION.

ALL DIMENSIONS AND LEVELS TO BE
CONFIRMED PRIOR TO THE
COMMENCEMENT OF ANY WORK. ANY
DISCREPANCY TO BE REPORTED TO THIS
OFFICE IMMEDIATELY.

PRELIMINARY PLAN FOR CONFIRMATION	<input type="checkbox"/>
PLANNING APPLICATION	<input type="checkbox"/>
BUILDING APPLICATION	<input type="checkbox"/>
DRAWN:	SHEET:
DATE:	SCALE:

AMENDMENTS:		
ISSUE DATE:	REVISION:	COMMENTS:

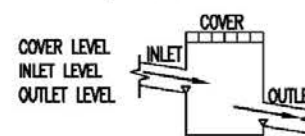
NOTES:

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

LEGEND

.....	uPVC SEWER PIPE
—	Ø100 uPVC STORMWATER SEALED SYSTEM
—	uPVC STORMWATER PIPE
— PUMP —	HDPE PUMP CHAMBER DISCHARGE PIPE
+100.456	EXISTING SURFACE SPOT LEVEL
+W199.46	EXISTING WATER TABLE LEVEL
+TK99.61	EXISTING TOP OF KERB LEVEL
+RW99.61	TOP OF RETAINING WALL LEVEL
+PL99.61	NEW PAVEMENT LEVEL
+LL99.61	LAWN/LANDSCAPE LEVEL
⊙	STORMWATER INSPECTION POINT
⊙	STORMWATER Ø90 PVC GRATE
⊞	300sq GRATED SUMP (U.N.O)
⊞	STORMWATER JUNCTION BOX
• dp	Ø90 DOWNPIPE
• E	SPREADER DRAIN
⊙	ETSA PIT/CABLE
⊙	TELSTRA SERVICES
	STOBIE POLE
⊞	GAS METER
⊗	WATER METER
⊗	EXISTING TREE
	"ACO" DRAIN K200s WITH GALVANISED GRATE (150kN)
	PAVING
	100 KERB AND GUTTER
	CONCRETE SPOON DRAIN
.....	RETAINING WALL
.....	LANDSCAPING/LAWN AREA

CL	=	119.92
IL	=	119.52
OL	=	119.47



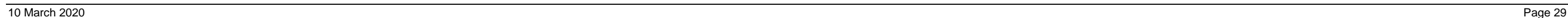
CITY OF WEST TORRENS
21 February 2020
AMENDED

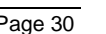
B	26.07.19	Changes due to new architectural drawings.
Amend	Date	Description

SCA PTY LTD
ENGINEERS
SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
T:08 83310126 E:office@scaengineering.com.au

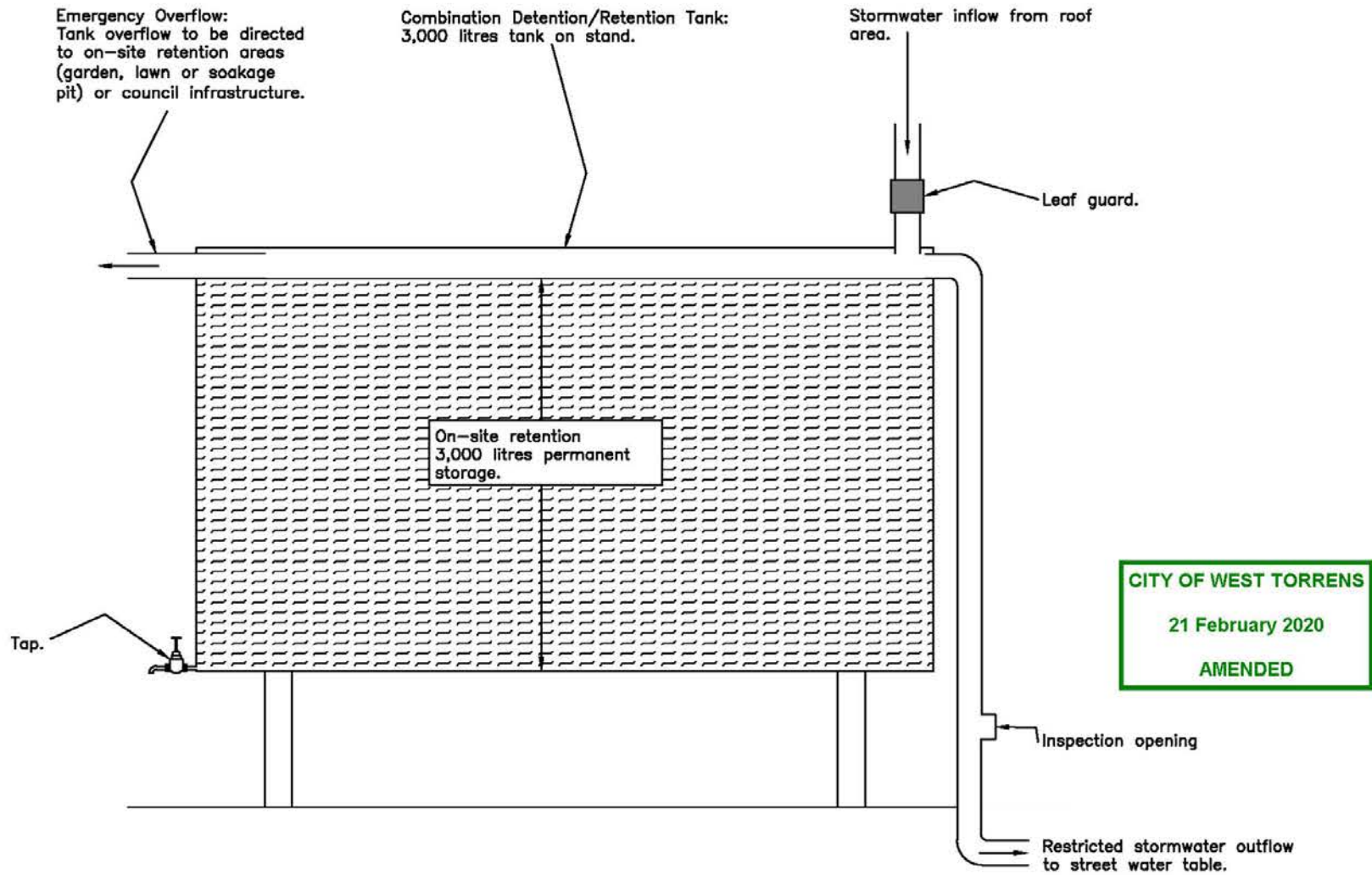
**PROPOSED RESIDENTIAL DEVELOPMENT
AT 36 GARFIELD AVENUE KURRALTA PARK
FOR L. LIU**

Title:	CIVIL COVER PAGE		
Design:	MC	Scale:	SHOWN
Drawn:	ST	Dwg No:	
Date:	JUL 19	180422-C1/B	



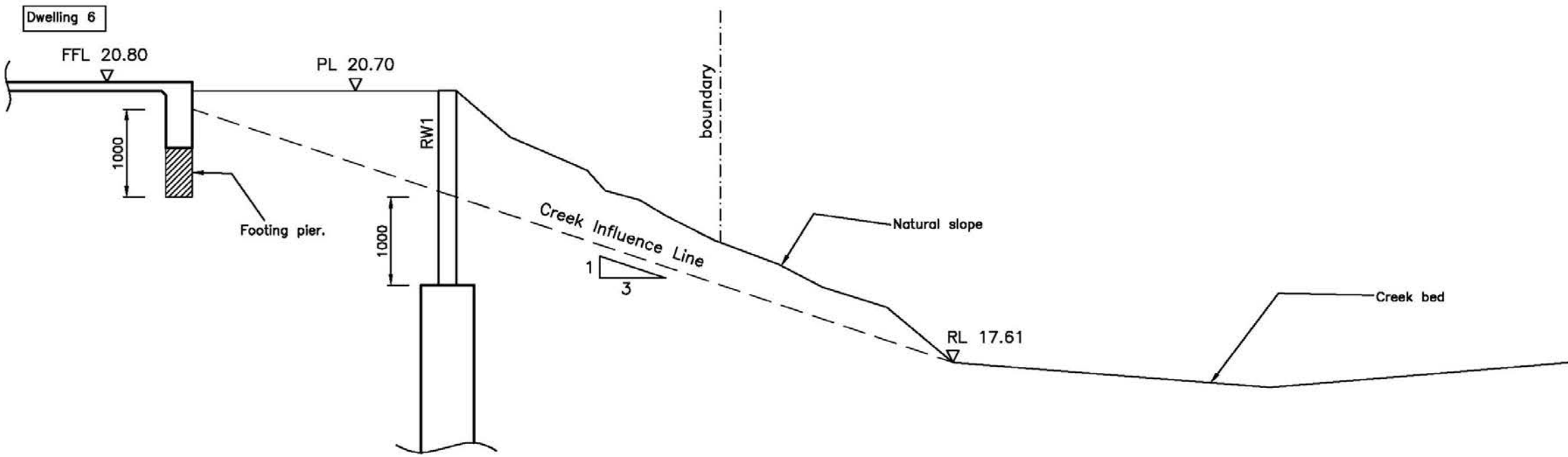


- In accordance with Council and BCA requirements, ensure:
- i) Water from rainwater tank to be plumbed to ALL toilets within the dwelling AND laundry cold taps (other uses can also be included if so desired)
 - ii) The inlet and overflow of the tank must be fitted with mosquito-proof, non-degradable screens formed from Ø0.315mm material and have a minimum of 6x7 openings per cm2.
 - iii) Other plumbing requirements associated with this re-use system (ie mains backup and isolation) to be in accordance with standard compulsory stormwater re-use requirements in the building code.
 - iv) All elements of the stormwater collection and re-use system to be installed and fully operational prior to the occupancy of a dwelling.



COMBINATION DETENTION/RETENTION WATER TANK DETAIL
NTS

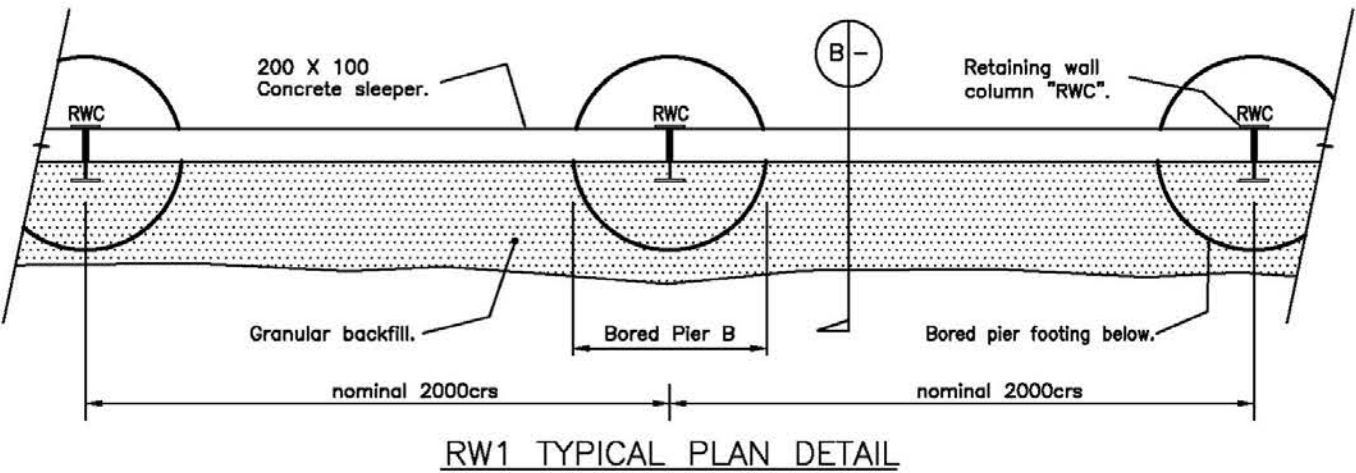
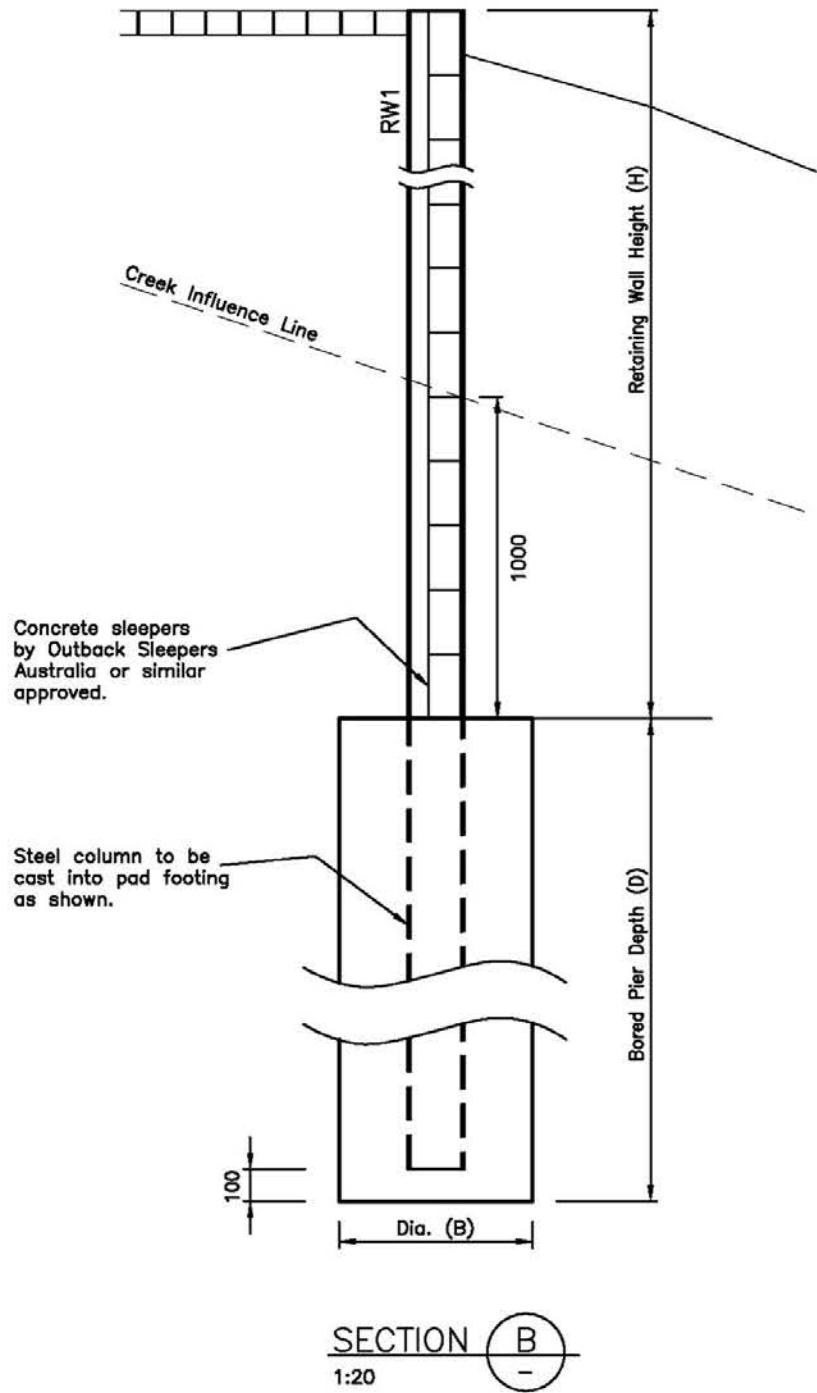
		Changes due to new architectural drawings.
B	26.07.19	
A	28.11.18	Minor changes.
Amend	Date	Description
<div><div>SCA</div><div>ENGINEERS</div><div>SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067 T:08 83310126 E:office@scaengineering.com.au</div></div>		
PROPOSED RESIDENTIAL DEVELOPMENT AT 36 GARFIELD AVENUE KURRALTA PARK FOR L. LIU		
Title: CIVIL DETAIL		
Design: MC	Scale: SHOWN	
Drawn: ST	Dwg No:	
Date: JUL 19	180422-C4/B	



SECTION A
1:50 @ A3

CITY OF WEST TORRENS
21 February 2020
AMENDED

Amend	Date	Description
<div><div>SCA</div><div>ENGINEERS</div><div>SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067</div><div>T:08 83310126 E:office@scaengineering.com.au</div></div>		
PROPOSED RESIDENTIAL DEVELOPMENT AT 36 GARFIELD AVENUE KURRALTA PARK FOR L. LIU		
Title: CIVIL DETAIL - 2		
Design: MC	Scale: SHOWN	
Drawn: ST	Dwg No:	
Date: SEP 19	180422-C5	



RETAINING WALL "RW1" SCHEDULE

Wall Height (mm)	Bored Pier Depth (D)	Bored Pier Diameter (B)	Retaining Wall Column "RWC"
2200	3000	600	250UB25 Hot dip galvanised to AS1650.
2400	3400	600	250UB25 Hot dip galvanised to AS1650.

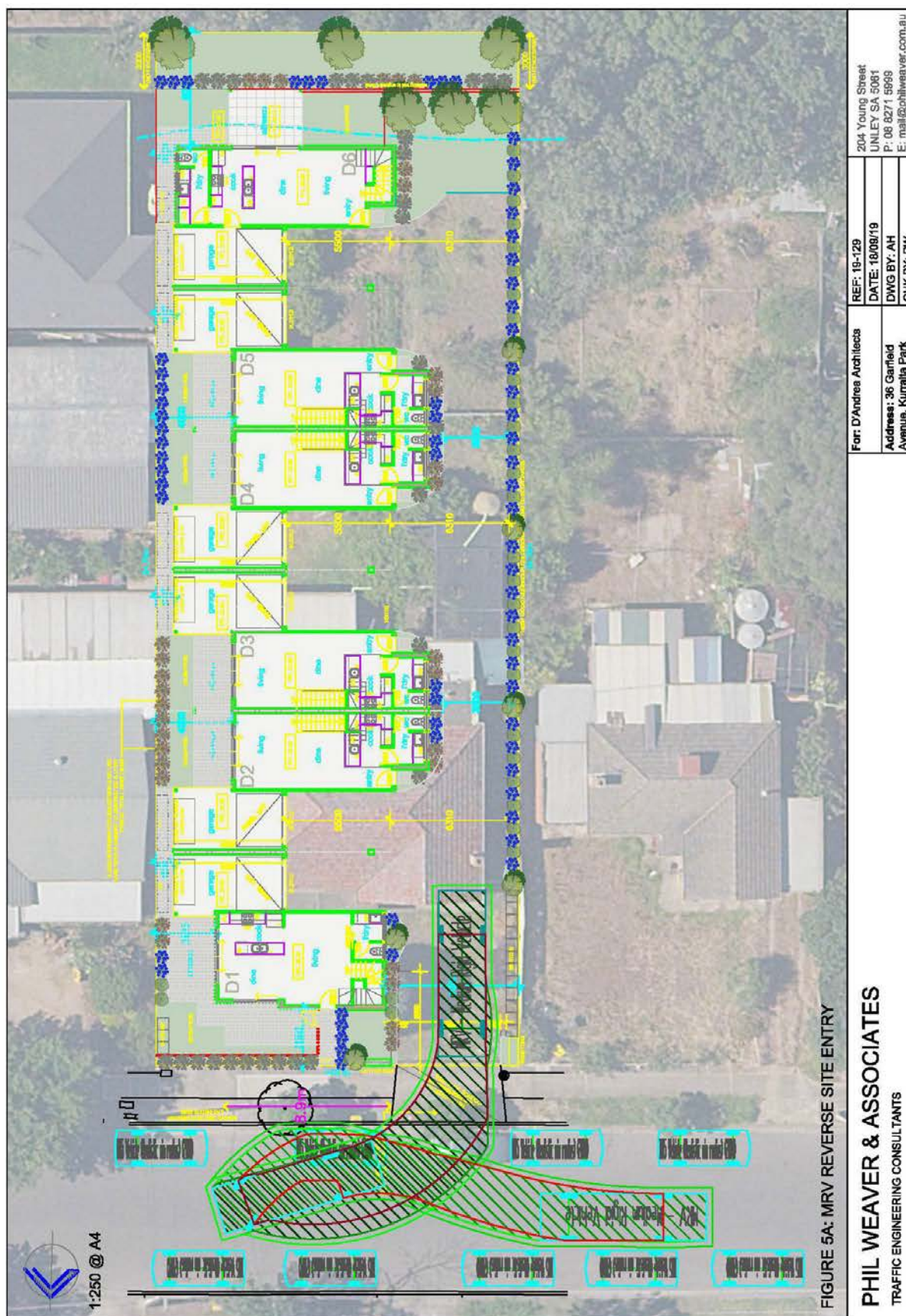
- NOTES:
- Concrete for bored piers to be Grade F_c=25 MPa.
 - The bored pier depth in the retaining wall schedule is to be fully founded into firm, natural, undisturbed soil. If fill is encountered on site, then the bored pier depth will need to be increased by the depth of fill encountered on site. This may require bored piers to be deeper than the nominated depths.
 - Provide concrete sleepers to manufacturer's specifications.

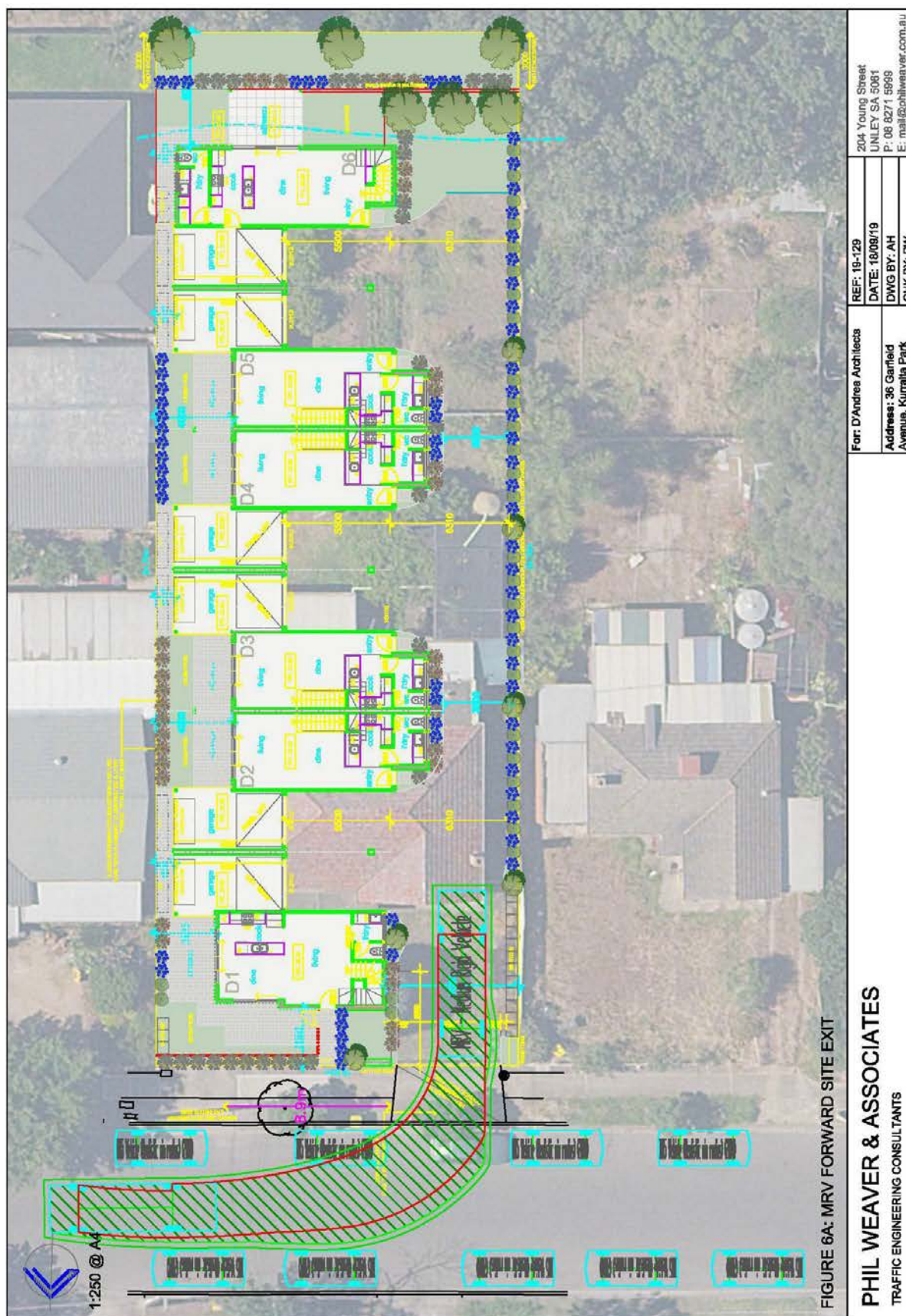
Amend	Date	Description
 SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067 T:08 83310126 E:office@scaengineering.com.au		
PROPOSED RESIDENTIAL DEVELOPMENT AT 36 GARFIELD AVENUE KURRALTA PARK FOR L. LIU		
Title: CIVIL DETAIL - 3		
Design: MC	Scale: SHOWN	
Drawn: ST	Dwg No:	
Date: SEP 19	180422-C6	

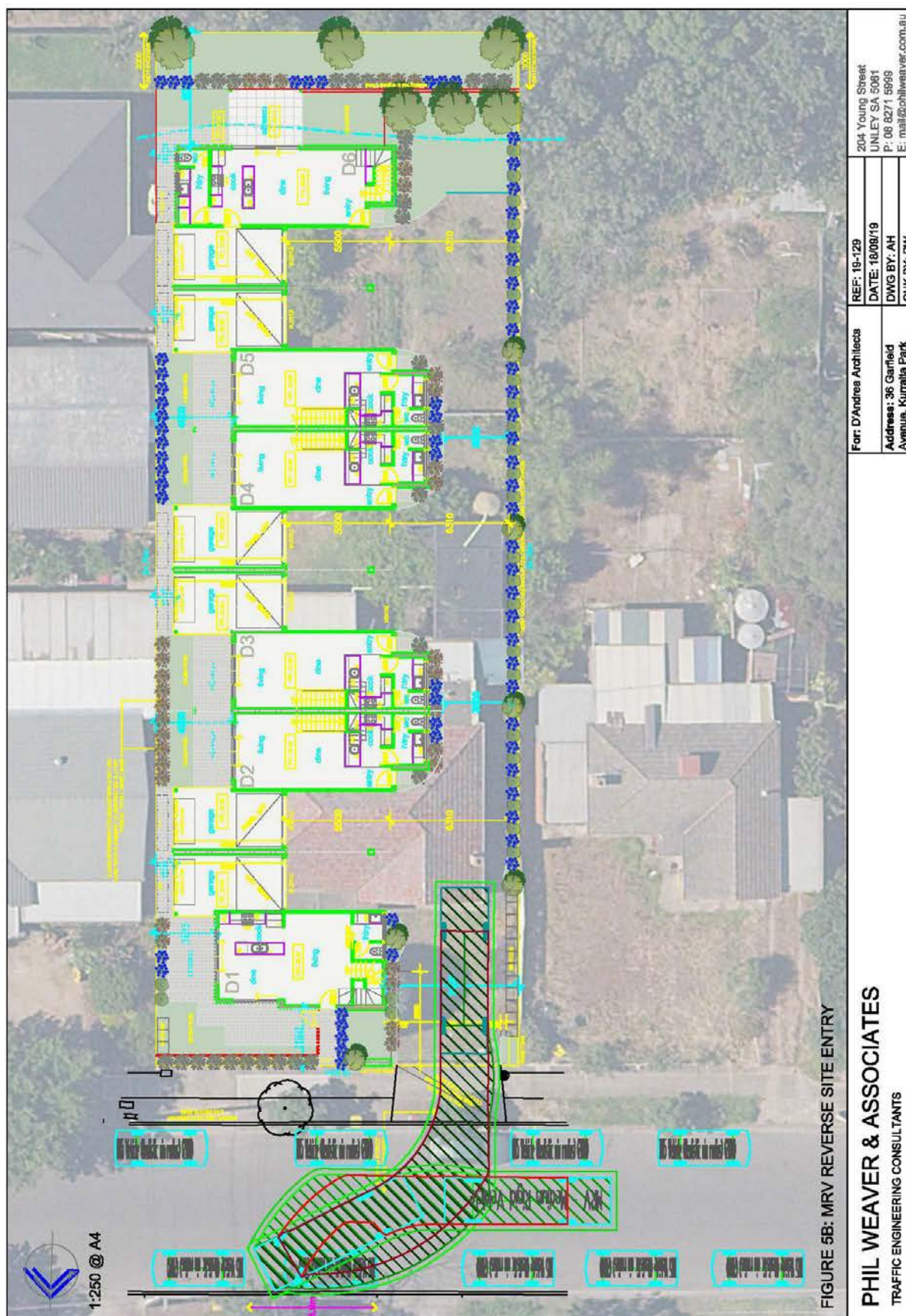
CITY OF WEST TORRENS

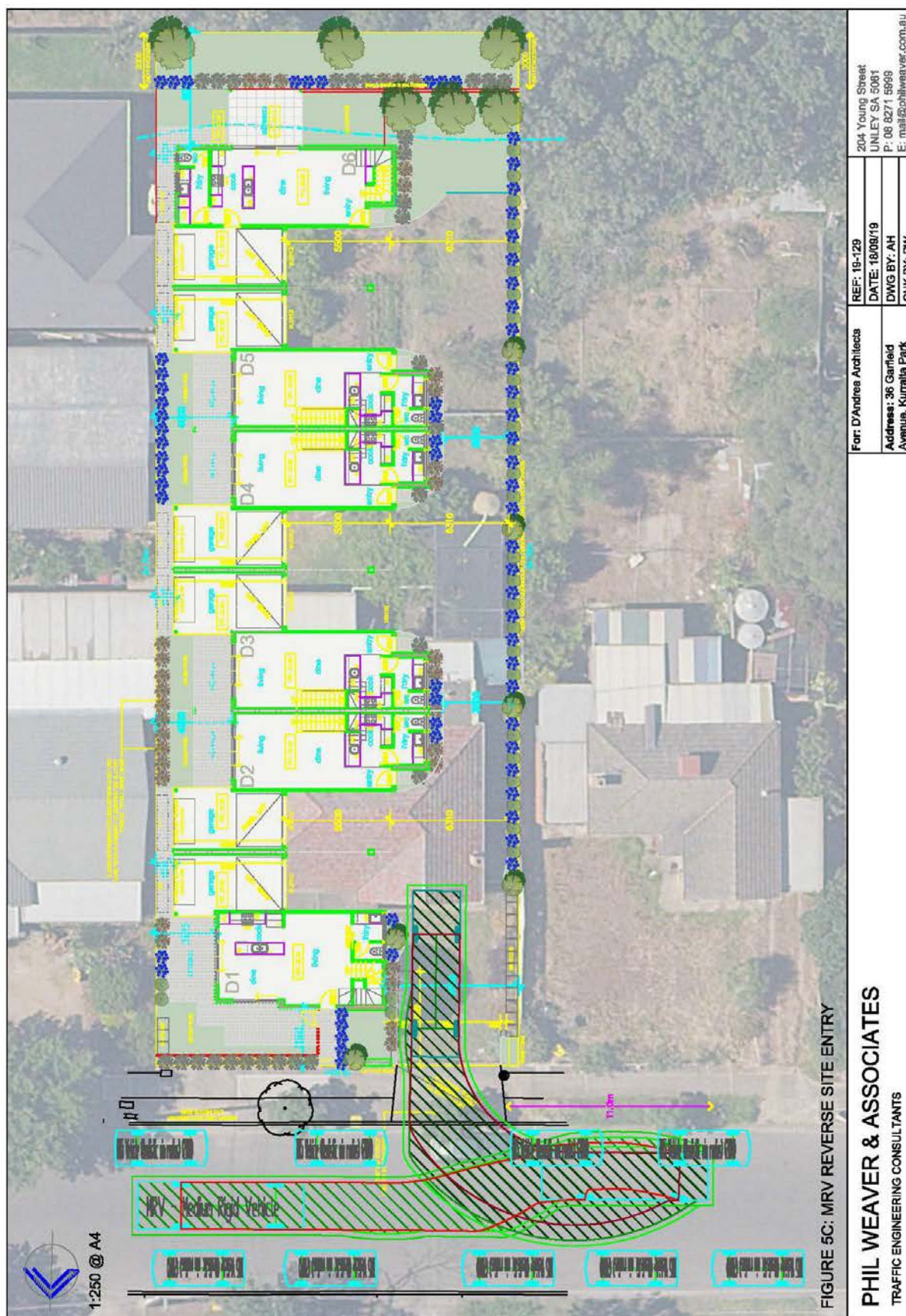
21 February 2020

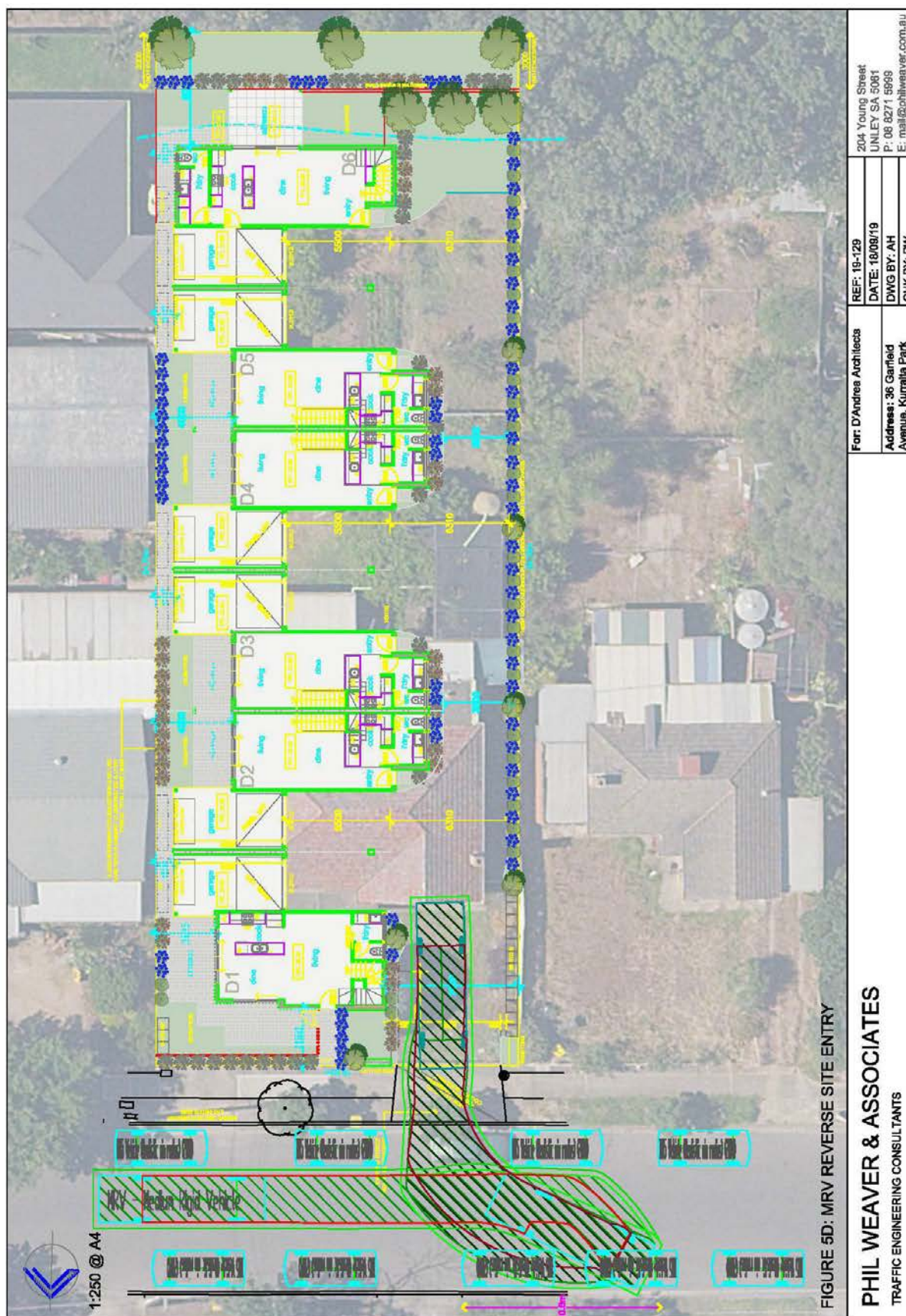
AMENDED











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

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

DEVELOPMENT No. 211/223/2018
 PROPERTY ADDRESS: 36 Garfield Avenue, KURRALTA PARK SA 5037

YOUR FULL NAME	Donna Vellow
YOUR ADDRESS	Property - 30 Selby St, Kurralta Park, SA 5037 My Residential - 1 Eyre St, Southend SA 5280
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	Owner (eg. Adjoining resident, owner of land in the vicinity etc.)
REASON/S FOR REPRESENTATION Concerns with development density & shadowing See attached sheet signed 15.12.2019 Two Page Document	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) See attached sheet signed 15.12.2019 Two Page Document	

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY _____ ☐

(PLEASE SPECIFY)

SIGNED

DATE 15.12.2019

Responsible Officer: Sonia Gallarello
 Ends: Tuesday 17 December 2019

If space insufficient, please attach sheets

Development 211/223/2018 Statement of Representation - Donna Vehlow

The Kurralta Park area is a high quality residential area with a mixture of low and medium residential properties. The general character of the streets North of Brownhill Creek is treelined, green and provides an attractive streetscape.

This attractive streetscape is being eroded by increasing numbers of medium to high density dwellings set back the minimum 3 metres all along Garfield Avenue. If this development goes ahead, there is the potential for a wall of double story developments from 36 to 50 Garfield Avenue, altering the streetscape to become an solid facade of two story housing.

The proposed design refers to 30 Selby Street as a "Vacant Allotment". Could all plans be reviewed with consideration the development is adjacent to a modern family home?

Comments and questions below are based on the WTCDP.

Land Development Design and Layout, Roads and Access, Point 13, Page 62

- With six dwellings on 1030 SqM (less 60 SqM of easement space adjacent to Brownhill Creek), has adequate consideration been given for visitor car parking both on and off the site?
- With future development planned for 38-40 Garfield Avenue, is car parking being considered for the street as a whole – or are decisions being made piecemeal for each development?
- The access driveway appears to be the minimum 4 metres wide in front of Dwellings 2 to 5.
 - Has adequate swing space been retained to park a family sized car in dwelling 2 and 5 if there is already a car parked in driveway 4 and 6?

Design and Appearance, Point 9, Page 89

- High quality living environment recommends 3+ bedroom dwelling/apartment should provide a minimum internal floor area including internal storage areas but not including balconies and car parking.
 - Dwellings 2 to 5 at 119.2 SqM, including entry and stairs are in reality at the absolute nadir of the "high quality living" scale.

Solution – reduce the number of dwellings on this long narrow block. Slightly larger dwellings will make for happier residents and rate payers.

Overshadowing, Point 10 and 11, Page 89

- The design and location of buildings should ensure that direct winter sunlight is available.
 - While the design shadow meets the "guideline", a planned future solar array on the North facing roof of 32 Selby Street would receive the absolute minimum sun in winter.
 - The design shadow basically removes all afternoon North sun from the rear facing outdoor areas of 32 Selby Street.
 - Existing or future single story dwellings on Lot 38 Garfield Avenue would be in a similar situation, with minimal morning sun to the East of Lot 36.
 - Dwellings 2-5 Living Rooms appear to have an East facing sliding door onto a small alfresco area. These rooms would receive limited North sun and don't appear to have a two way flow of fresh air.
 - Please confirm with a shadow diagram that dwellings 2-5 living areas do meet the minimum standard for overshadowing from the dwelling itself
 - Please confirm if the ground level space of Dwellings 2-5 receives direct sunlight for a minimum of 2 hours between 9- and 3 on 21st June.

Solution – Reduce the number of dwellings or include a creative mix of single and double story dwellings to allow winter sunlight to advantage on both the new dwellings and neighbours.

Development 211/223/2018 Statement of Representation - Donna Vehlow

Visual Privacy, Point 27, Page 92

- Dwelling 6 – an opaque lower window is designed for Bedroom 3 adjacent the private area of 30 Selby Street.

Solution - Request this window be relocated to the South wall to avoid overlooking private areas. The South window would also view green creek tree views instead of roofs.

Noise, Point 28, Page 92

- Noise from AC units should be located to avoid nuisance to adjoining landowners.
 - Please confirm the Air Con unit for Units 5 and 6 are not located on East facing walls adjacent 30 Selby Street private areas.

Site Facilities and Storage, Point 30, Page 93

- Site facilities should include household waste and recyclable storage areas away from buildings.
 - The drawings do not indicate where waste bins for six dwellings are stored. Does each dwelling have bins, or are they stored in a community area at the front of the property?
 - Has adequate space been assigned for waste bins for six dwellings?

While the six proposed dwellings at 36 Garfield Avenue may individually meet the minimum council standards, I don't believe the development truly the real intent of the WTCDP which is to provide an "attractive living environment for urban dwellers".

The proposed development would better retain both the character and value of the Kurralta Park area if the number of dwellings was reduced, or the design was altered to include a creative mix of single and double story buildings.

Thank you for considering my concerns, I wish to be heard personally for this submission.



Donna Vehlow





07 February 2020

City of West Torrens
ATT: Sonia Gallarelo
165 Sir Donald Bradman Drive
HILTON SA 5033

Dear Sonia,

**RESPONSE TO REPRESENTATION – 36 GARFIELD AVENUE, KURRALTA PARK –
211/223/2018**

I understand that pursuant to Section 38 of the Development Act Council has undertaken Category 2 public notification in relation to the combined Community Titled Land Division involving the creation of five (5) additional allotments, demolition of existing structures and construction of a two-storey residential flat building comprising six (6) dwellings at 36 Garfield Avenue, Kurralta Park.

I confirm that the applicant has requested my opinion on the issues raised in one (1) representation received by Council (of which has articulated a desire to be heard by the CAP). Consequently, I offer the following comments to assist the remainder of the assessment process.

Submission received from Donna Vehlow of 30 Selby Street, Kurralta Park. Concerns raised include:

- *Density & Character;*
- *Site Functionality, Access & Car Parking;*
- *Design & Appearance;*
- *Overshadowing;*
- *Overlooking;*
- *Noise; &*
- *Waste Storage.*

Density & Streetscape Character

The representation has raised concerns with respect to the compatibility of the proposed development with the established character of the area, specifically making reference to:

- The increase in medium to high density development taking place within the Policy Area,
- The two-storey nature of these developments; and
- The minimal setback of these developments (3 metres) from Garfield Avenue.

The Desired Character statement for Medium Density Policy Area 19 seeks medium density development, accommodating a range of dwelling types including residential flat buildings. Additionally, the Policy Area contemplates new buildings which contribute to a highly varied streetscape and buildings of up to two storeys in height.

The proposed development is consistent with the Desired Character for the Policy Area by introducing a contemporary two-storey residential flat building comprising six (6) dwellings which satisfies the desired density requirement for Policy Area 19 and is found to add to the varied streetscape character sought for the Policy Area. Furthermore, the siting of the building is consistent with the 3m set-back minimum prescribed by the Policy Area 19 PDC 3.



Site Functionality, Access & Off-Street Car Parking

The representation raises concern with respect to the provision of visitor car parking spaces (both on and off-street).

Table WeTo/2 of the West Torrens Council Development Plan offers guidance with respect to off-street vehicle parking. For dwellings within a residential flat building, a minimum of two (2) car parking spaces (one of which is covered) plus an additional 0.25 spaces is required per dwelling. The proposed development generally satisfies this provision although deficient in the additional (1.5 spaces) required. It is presumed that this additional requirement is for visitors of the site.

Despite this shortfall, the proposed development is likely to service the needs of its future occupants by providing two allocated parking spaces per every 3-bedroom dwelling. Traffic experts have commonly held the view that medium-to-high density development should not rely upon the standard car parking rates for residential development due to the vastly differing circumstances and preferences exhibited in higher density communities.

For example, medium-to-high density developments are generally established in close proximity to Centre Zones which are surrounded by high-frequency public transit services (GO ZONES). Furthermore, these types of developments typically attract a specific demographic, of whom have a preference for alternative modes of transport such as public transport, cycling and walking.

Moving onto access, the common driveway has been configured to enable safe and convenient access with turning circles complying with the relevant Australian Standards. Existing on-street car-parking availability will not be prejudiced by the proposed development as the subject land will be serviced by one, double width (6.0m) crossover in the north-western corner of the site, with the existing crossover to be removed and reinstated with kerbing.

Design & Appearance

Comments made with respect to the living environment and scale of the proposed dwellings are a matter of personal opinion and fail to raise any valid planning considerations. This particular Policy Area (MDPA 19) contemplates a range of dwelling types at medium to high density and up to two-storeys in height. Having considered this, the design and appearance of the proposed development is fundamentally consistent with the Development Plan.

Overshadowing

In relation to sunlight access, a shadow analysis provided by the applicant confirms that the siting of the building will not inhibit the ability for adjoining allotments (specifically windows and POS areas) to receive sunlight access in accordance with the following Development Plan provisions (my underlining added):

General Section (Residential Development) PDC 11

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

PDC 12

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

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



North-facing windows and private open spaces areas on adjoining allotments will receive the desired amount of sunlight as prescribed by the abovementioned provisions. Accordingly, the access to sunlight will be in accordance with the Development Plan as no 'significant overshadowing' will arise.

Furthermore, the submission queries whether or not the proposed dwellings will receive adequate sunlight into their primary east-facing internal living areas. Given., the adjoining buildings to the east are of a single-storey scale and the living areas in question are well-setback from the eastern boundary, it is understood that these areas will receive an amount sunlight which is consistent with the relevant Development Plan provisions.

Overlooking (privacy)

In relation to preservation of privacy the Development Plan seeks the following (my underlining added):

General Section PDC 10

'Development should minimise direct overlooking of the habitable rooms and private open spaces of dwellings through measures such as:

- (a) *appropriate site layout and building orientation*
- (b) *off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct to avoid direct line of sight*
- (c) *building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms*
- (d) *screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.'*

In the first instance, the Representor has acknowledged in their submission that the east-facing upper level windows are in fact fitted with fixed obscure glazing to the portion of the windows below 1700mm above the finished floor level, thereby satisfying the Development Plan.

Within the submission, it is suggested that this window be relocated from the eastern side to the southern side to mitigate overlooking potential over private open space areas within the property at 30 Selby Street.

I argue that relocating the window will have no bearing on the potential for overlooking given the window in question incorporates fixed obscure glazing to a height of 1700mm, thereby reducing potential for direct and overbearing overlooking.

Accordingly, the proposed development is considered to have regard for the relevant privacy provisions of the West Torrens Council Development Plan and it is simply not necessary for this window to be relocated for the benefit of the concerned party.

Noise

The revised set of drawings detail the location of the outdoor air-conditioning units for each of the six dwellings. The location of the units has been carefully considered so that they are well separated from habitable room windows on adjacent dwellings, so as to avoid nuisance to neighbouring occupants, thereby having regard for General Section Principle of Development Control 28. Furthermore, if noise was found to be an issue for neighbouring occupiers of land following competition of these dwellings, there would have an avenue for affected parties to pursue this nuisance through the Local Nuisance and Litter Control Act 2016.

**Waste Storage**

The plans indicate that the storage of household waste and recycle bins is located on the western side of the common driveway away from the dwellings. This enables on-site collection of waste and prevents the storage of bins along the street. I trust this clarifies the situation for the concerned party.

Summary

Having considered the representations raised, the additional information supplied and the Development Plan provisions I am of the view that the proposed development is worthy of Development Plan Consent.

I understand that this application will be considered by the Council Assessment Panel. Should the opportunity arise to speak before the CAP, the applicant has expressed an interest in doing so.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'Jake Vaccarella', is positioned below the 'Yours Sincerely' text.

Jake Vaccarella
Urban Planner
BA Urban & Regional Planning

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/223/2018

Assessing Officer: Sonia Gallarello
Site Address: 36 Garfield Avenue, KURRALTA PARK SA 5037
Certificate of Title: CT-5720/921
Description of Development: Combined Application: Land division - Community Title; SCAP No. 211/C019/18; create five (5) additional allotments and common property; demolition of all structures and construction of a two storey residential flat building comprising six (6) dwellings with alfresco

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Sonia Gallarello

DATE 16 September, 2019



Memo

To Sonia Gallarelo
From Richard Tan
Date 16-Sep-2019
Subject 211/223/2018, 36 Garfield Avenue, KURRALTA PARK SA 5037

Sonia Gallarelo,

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

Note that this assessment is provided based on current DA is a combined DA, the following comments should be read separate from the previous referral, which is previously a land division only DA. I have also refer to previous development application DA 211/316/2018 prior to this DA changed from land division to a combined DA.

1.0 Watercourse Impacts

- 1.1 It appears that the building setback from centerline of the watercourse to the dwelling closest to the creek ranges have been increased to minimum 10m offset.

The 'alfresco' area to the rear of the rear of Dwelling 6 would need to be structurally separate from the building and a lightweight structure.

- 1.2 As outlined in previous assessment dated 27/12/2018, based on existing site observations and survey information, it would be considered acceptable for filling and retaining of the site to be required to be restricted to a minimum of 3.0m offset from the rear boundary (on the western side of the site) and varying to a minimum of 2.0m offset from the rear boundary on the eastern side of the site. Current proposal has indicated that no fencing and retaining wall will be proposed within 3m offset from rear boundary.

It is recommended that a condition similar to the following be included with any approval

- The 'alfresco' area to the rear of the rear of Dwelling 6 would need to be structurally separate from the building and a lightweight structure.



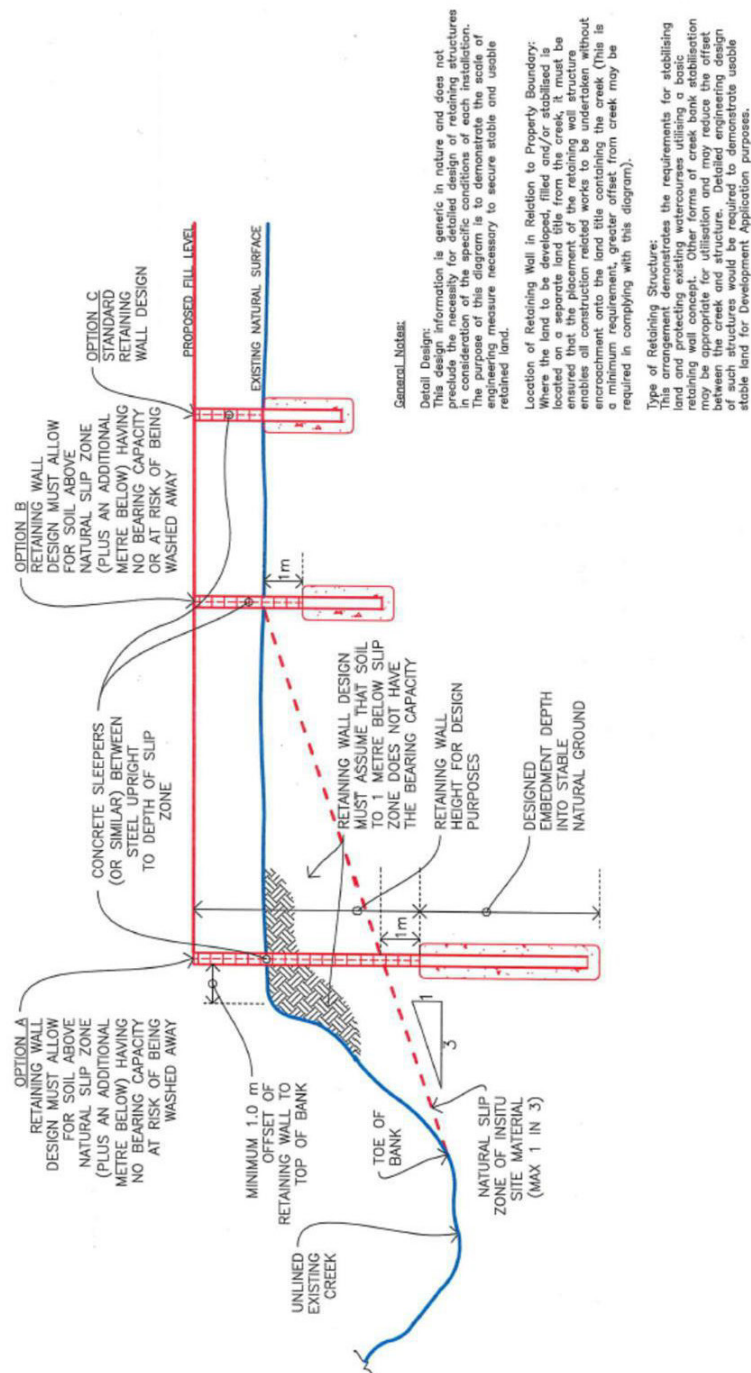
City of **West Torrens**

Between the City and the Sea

- No filling or retaining of the site should be within the 3m offset from the rear boundary.

1.3 As outlined in detail in the previous feedback, the detailing of any retaining within proximity of the watercourse is also critically importance and receiving concept design information from the applicant as part of a planning application would be considered necessary to ensure they are aware of the potential scale, extent and cost of such measures. It is expected that there should be some extent of retaining structures along the 3m offset from the property rear boundary (where the fill ends) which no details have been provided in the latest plan.

The attached sketch (also as previously provided) provides an indication of the scale of retaining structures likely to be required in relation to the proposed proximity of a development site to a watercourse. It is noted that this sketch is not a detailed design; however is based on the conservative principles of the construction of a conventional post and sleeper retaining structure.

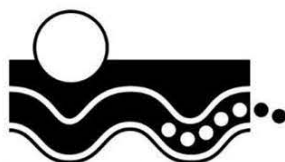


**BASIC RETAINING WALL
LOCATION AND OFFSET TO
UNLINED CREEK**

DRAWING 'NOT TO SCALE'



8 JUNE 2016 – DWG 1516.003



City of West Torrens

Between the City and the Sea

It is recommended that amendments to the proposed development be made to address the above typical creek impact and retaining requirements, as well as associated relocation of visitor parking. Revised plans should be provided to Council

2.0 Traffic Comments

2.1 Manoeuvrability

Traffic manoeuvrability has been assessed as acceptable in accordance with the traffic manoeuvrability check prepared by Phil Weaver & Associates (Ref: 19-129, dated 18/07/2019).

2.2 Visitor Parking Space

With the provided updated plan, two on-street car parking space will be maintained.

2.3 Garage Dimensions

Based on the scale of an Australian Standard vehicle and the provision of minimal pedestrian movement around a car, it is recommended that the minimum depth of a garage should be 5.8m.

It is noted that storage locker has been proposed within all the Garage. It should be noted that these storage locker will reduce the length of a garage for vehicle access/manoeuvrability/storage. If these lockers are overhead lockers, then further detail should be provided to enable further assess regarding the potential impact.

It is recommended that further clarification regarding the above should be provided.

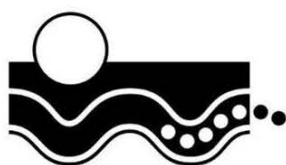
2.4 Driveway Passing Area

Proposed driveway passing area has been assessed as acceptable.

2.5 Site Services

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

Provided plans has indicated location for letterboxes and meters which has been assessed as satisfying this requirement.



City of West Torrens

Between the City and the Sea

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

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

3.0 Verge Interaction

3.1 It was previously raised that the proposed new common driveway would conflict with an existing street tree. No information is evident on the electronic file in relation to the Horticulture Services comments on the suitability or otherwise of the removal of this tree.

It is recommended clarification is sort from Council's Horticultural Services in relation to the suitability or otherwise and/or conditions of removal, in association with the proposed street tree conflict.

3.2 The common crossover is wider than the maximum 5.5m crossover (measured at boundary) which would typically be supported by City Asset. There are no evident circumstances associated with this site arrangement which would support the provision of a wider, non-standard crossing place. A crossover of 5.5m wide with 0.3m flaring on each side (6.1m wide at the kerb line) will be supportable.

It is recommended that revised plans showing a crossover of 5.5m wide with 0.3m flaring on each side (6.1m wide at the kerb line) be provided to Council.

4.0 Stormwater Management

4.1 The applicant has provided revised information nominating the adoption of the 'alternate' approach to stormwater flow management. This sees the inclusion of a larger stormwater re-use only tank with a high rate of use of this water within the development.

It is recommended that a condition similar to the following be included with any approval;

- Prior to occupancy of a dwelling, the 3000 litre stormwater collection & reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational.
- A minimum of 90% of each dwelling roof area is to have its stormwater runoff directed to a rainwater tank.



City of **West Torrens**

Between the City and the Sea

I noted that the portion of the stormwater tank for Dwelling 6 runs outside the landscaping design within the 3m offset distance from property rear boundary. Further clarification should be provided as stormwater pipe should be constructed within a compacted fill area, and also consideration regarding access to this portion of stormwater during pipe maintenance/replacement should also be considered.

It is recommended that further clarification should be provided in relation to the above.

5.0 Waste Management

5.1 A bin storage that accommodates 12 bins has been proposed. Combining the email from City Development to the applicant dated 4/9/2019 (Objective ID: A2360705) regarding waste, it would not be unreasonable to assume that the applicant has adopted the 'Hybrid' waste services which consist of the following bins:

- 5 x 140 litre General Waste Bins (red lid)
- 4 x 240 litre Recycling Bins (yellow lid)
- 3 x 240 litre Food/Organics Waste Bins (green lid)

Where the general waste generated by the development is collected by private contractor engaged and managed by a body corporate or similar for the dwellings, whilst the Recycling and Food/Organics are collected by Council utilising shared bins as outlined above.

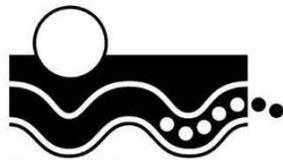
However, as outlined previously, the 'Hybrid' approach would necessitate the design of the development to accommodate a commercial waste vehicle to be able to reverse into the site and access the communal waste storage location. Demonstration of this this would be required in support of the application.

At present, manoeuvrability for truck reversing in and leaving the site has not been provided.

It is recommended that the applicant be requested to provide a truck manoeuvrability assessment for reversing in and leaving the site.

6.0 Finish Floor Level

6.1 In accordance with the provided 'Stormwater Layout Plan' (SCA Engineers – Drawing No 180422-C3/B, dated 07/2019), the FFLs of the proposed development (20.80) have been assessed as satisfying minimum requirements (20.73 minimum) in consideration of street level information.



City of **West Torrens**

Between the City and the Sea

Regards

Richard Tan

Civil Engineer

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/223/2018

Assessing Officer:	Sonia Gallarello
Site Address:	36 Garfield Avenue, KURRALTA PARK SA 5037
Certificate of Title:	CT-5720/921
Description of Development	Combined Application: Land division - Community Title; SCAP No. 211/C019/18; create five (5) additional allotments and common property; demolition of all structures and construction of a two storey residential flat building comprising six (6) dwellings with alfresco, driveway and landscaping

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Sonia Gallarello

DATE 17 February, 2020



Memo

To Sonia Gallarello
From Richard Tan
Date 17-Feb-2020
Subject 211/223/2018, 36 Garfield Avenue, KURRALTA PARK SA 5037

Sonia Gallarello,

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

1.0 Watercourse Impacts

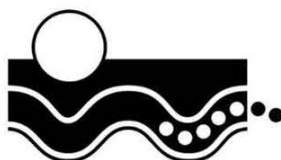
- 1.1 It appears that the building setback from centerline of the watercourse to the dwelling closest to the creek ranges have been increased to minimum 10m offset.

The 'alfresco' area to the rear of the rear of Dwelling 6 would need to be structurally separate from the building and a lightweight structure. The applicant has indicated that a note related to the structure separation has been included in the plan, however I am unable to locate the plan.

- 1.2 As outlined in previous assessment dated 27/12/2018, based on existing site observations and survey information, it would be considered acceptable for filling and retaining of the site to be required to be restricted to a minimum of 3.0m offset from the rear boundary (on the western side of the site) and varying to a minimum of 2.0m offset from the rear boundary on the eastern side of the site. Current proposal has indicated that no fencing and retaining wall will be proposed within 3m offset from rear boundary.

It is recommended that a condition similar to the following be included with any approval

- The 'alfresco' area to the rear of the rear of Dwelling 6 would need to be structurally separate from the building and a lightweight structure.
- No filling or retaining of the site should be within the 3m offset from the rear boundary.



City of **West Torrens**

Between the City and the Sea

- 1.3** The provided retaining wall concept plan as outlined in 'Civil Detail - 2 & 3' (SCA, Ref: 180422-C5, dated 09/2019) has indicated that the applicant is aware of the potential scale, extent and cost of retaining structures which is required for the development.

2.0 Traffic Comments

- 2.1** This has been previously accepted in City Asset's assessment dated 16/09/2019
- 2.2** This has been previously accepted in City Asset's assessment dated 16/09/2019
- 2.3** Brochure for the locker in garage has been provided. However, the dimensions for the lockers have not been shown on the brochure. Storebay website has provided dimension for BigMaxi and MegaMaxi which will be acceptable. However, it is unclear whether applicant will proposed to use TowerMaxi, which no information regarding the dimension has been provided.

It is recommended that further clarification regarding the above should be provided.

- 2.4** This has been previously accepted in City Asset's assessment dated 16/09/2019

2.5 Site Services

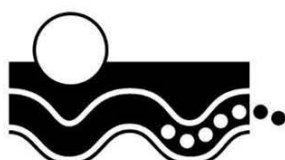
It is important to ensure that the functionality of this driveway entrance and passing area is not compromised by the ultimate installation of letterboxes, above ground service metres or similar.

Provided plans has indicated location for letterboxes and meters which has been assessed as satisfying this requirement.

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

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

3.0 Verge Interaction



City of **West Torrens**

Between the City and the Sea

3.1 It was previously raised that the proposed new common driveway would conflict with an existing street tree. Refer to comments provided by Council's Arboriculture team.

3.2 Applicant has indicated that crossover has been limited to 5.5m wide at boundary with 0.3m flaring on each side (6.1m wide at the kerb line). However, the measurement on civil plan failed to reflect this.

It is recommended that revised plans showing a crossover of 5.5m wide with 0.3m flaring on each side (6.1m wide at the kerb line) be provided to Council.

4.0 Stormwater Management

4.1 The applicant has provided revised information nominating the adoption of the 'alternate' approach to stormwater flow management. This sees the inclusion of a larger stormwater re-use only tank with a high rate of use of this water within the development.

It is recommended that a condition similar to the following be included with any approval;

- Prior to occupancy of a dwelling, the 3000 litre stormwater collection & reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational.
- A minimum of 90% of each dwelling roof area is to have its stormwater runoff directed to a rainwater tank.

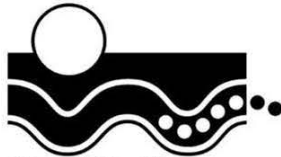
5.0 Waste Management

5.1 Turn path assessment for MRV truck has been provided. The turn path assessment has indicated that the MRV truck will be in conflict with several on-street car parking space due to the narrowness of the street. Council is not willing to restrict on-street car parking space for the purpose of MRV truck reversing once every week.

Given that this development is utilising the 'Hybrid' waste service, which resulting only the general waste collected by private waste collector, and it is my understanding that SRV truck is available for general waste collection.

Hence it is recommended that a condition to restrict SRV waste truck reversing in to service the site should be included.

6.0 Finish Floor Level



City of **West Torrens**

Between the City and the Sea

6.1 This has been previously accepted in City Asset's assessment dated
16/09/2019

Regards
Richard Tan
Civil Engineer

Arboricultural Assessment of Street Trees

Development Application No: **211/223/2018**

REFERRAL DUE DATE: 30 September 2019

Assessing Officer: **Sonia Gallarello**
Site Address: **36 Garfield Avenue, KURRALTA PARK SA 5037**
Certificate of Title: **CT-5720/921**
Description of Development **Combined Application: Land division - Community Title; SCAP No. 211/C019/18; create five (5) additional allotments and common property; demolition of all structures and construction of a two storey residential flat building comprising six (6) dwellings with alfresco**

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:
PLEASE COMMENT ON Western street tree and creek to rear if any trees affected - I think from 38 garfield check, we should be okay.**

PLANNING OFFICER - Sonia Gallarello

DATE 16 September 2019

FROM THE TECHNICAL OFFICER

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

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

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

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

A site investigation together with the information provided has revealed that at 36 Garfield Avenue, Kurralta Park there is an existing *Acer pseudoplatanus* (Sycamore Maple) street tree located 6.7m from the eastern property boundary. There is also a second *Acer pseudoplatanus* (Sycamore Maple) street tree located 14.9m from the same existing eastern property boundary. This Street tree will be in direct conflict with the proposed crossover.

As a result of the proposed crossover location for 36 Garfield Avenue, City Operations has considered the health, structure, form, useful life expectancy and age of the existing street tree and given the current situation will support the removal.

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

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

A fee of \$460.00 will be required prior to the commencement of any work.

With regards to the creek at the rear of the property, there is several *Fraxinus angustifolia* (Desert Ash) trees near the rear fence line of this property, although at this time the overhang into the property is only minimal and should not impact on the development.

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

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

Sam Harvey
Technical Support Officer Arboriculture (Acting)
165 Sir Donald Bradman Drive
Hilton SA 5033
Telephone: 8416 6333
Fax: 8443 5709

DATE: 30/09/2019











Contact
Telephone 7109 7018
Email dldtpdpcclearanceletters@sa.gov.au

State Commission
Assessment Panel

20 September 2019

City Manager
City of West Torrens
165 Sir Donald Bradman Dr.
HILTON SA 5033

Level 5
50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

Dear Sir

08 7109 7061

**Re: Proposed Development Application No. 211/C019/18 (ID 60783) – Amended Plan 10/09/2019
for Land Division (Community Title Plan) by Longkun Lui**

Further to my letter dated 14 December 2018 and to assist the Council in reaching a decision on this application, copies of consultation agency reports received by the State Commission Assessment Panel (SCAP) are available 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 SCAP.**

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0069448)

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

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119

2. Payment of \$34,150.00 into the Planning and Development Fund (5 allotment/s @ \$6,830.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit 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 State Commission Assessment Panel for Land Division Certificate purposes.

IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE SCAP WITH:

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; and
- c) a copy of its Decision Notification Form (via EDALA) pursuant to Regulations 60 (4) (b) ii and 44 respectively.

**IT IS RECOMMENDED THAT THIS INFORMATION BE INCORPORATED INTO COUNCIL'S ADVICE WHEN
REPORTING THAT THEIR REQUIREMENTS (IF ANY) HAVE BEEN FULLY SATISFIED.**

Yours faithfully,

A handwritten signature in blue ink that reads 'Biljana B.'.

Biljana Prokic
LAND DIVISION COORDINATOR – PLANNING SERVICES
as delegate of the
STATE COMMISSION ASSESSMENT PANEL



18 September 2019

Our Ref: H0069448

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

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/C019/18 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.

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

Wendy Hebbard

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

6.2 17-19 Surrey Road, KESWICK

Application No 211/20/2019

Appearing before the Panel will be:

Representors: **Ella Blake** on behalf of the Richmond Primary School of 8 Surrey Road, Keswick wishes to appear in support of the representation; and

A N & S J Harrison of 15 Surrey Road, Keswick wishes to appear in support of the representation

Applicant: **URPS** on behalf of Robinson Family Group Pty Ltd wishes to appear in response to the representations

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined Application: Land division - Community Title; SCAP No. 211/C181/18; Create eight (8) additional allotments and common property; construction of two (2) two-storey residential flat buildings containing a total of 10 dwellings and associated landscaping, removal of one Regulated tree and demolition of existing buildings (Affordable Housing development)
APPLICANT	Robinson Family Group Pty Ltd
APPLICATION NUMBER	211/20/2019
LODGEMENT DATE	9 January 2019
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> • City Assets • Arboriculture Advisor • Independent Arborist • Waste Management External <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation.
RECOMMENDATION	Support with conditions
AUTHOR	Brendan Fewster

SUBJECT LAND AND LOCALITY

The subject land comprises two contiguous allotments commonly known as 17 and 19 Surrey Road, Keswick. The subject land is formally described as:

- Allotment 406 in Deposited Plan 1288 in the area named Keswick Hundred of Adelaide, Volume 5777 Folio 340; and
- Allotment 407 in Deposited Plan 1288 in the area named Keswick Hundred of Adelaide, Volume 5228 Folio 600.

The subject site is rectangular in shape with a combined frontage of 30.48 metres to Surrey Road and a total site area of 1393.5 square metres (m²).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title.

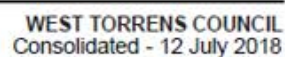
The site currently contains two single storey dwellings, one on each allotment. The land is relatively flat with a natural fall of approximately 400mm from the rear south-eastern corner of the site to the front boundary. There is a Regulated Tree (River Red Gum) on the site that is located adjacent to the rear boundary.

The locality comprises an established residential area that interfaces with commercial development to the north along Richmond Road and a primary school and commercial and small industrial uses to the west along South Road. The land use and built form character is relatively mixed. Existing residential development includes detached dwellings with some group dwellings and residential flat buildings up to two storeys in height. The original allotment pattern has been fragmented as a result of infill development and various commercial activities.

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

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





RELEVANT APPLICATIONS

Nil

PROPOSAL

The application is for a 'combined' land division and dwelling proposal.

The proposed division of land is in the form of a Community Title land division to create eight additional allotments (2 allotments into 10) and associated common property. The proposed allotments range in size between 99m² and 138m², with an average site area of 139m² inclusive of the common property.

The application includes the construction of two, two-storey residential flat buildings containing a total of 10 dwellings. The applicant has entered into an Affordable Housing Land Management Agreement with the Minister for Planning. All dwellings within the development are therefore to be assessed for affordable housing.

The proposed residential flat buildings are of a modern design with a common architectural style and form. The building facades include framed and recessed elements to the upper levels, contrasting materials and a series of pitched roofs. External materials and finishes include rendered Hebel cladding, Colorbond® garage doors, aluminium frame windows and doors and Colorbond® roof sheeting.

The main front wall of the Dwelling 1 and 2 is setback 3 metres from the road boundary at ground level with the upper level extending marginally forward to 2.8 metres. All of the proposed dwellings will be accessed via a new common driveway that is centrally located between the two buildings.

A mix of landscaping will be provided along the road frontage and perimeter boundaries and alongside the common driveway.

There is a Regulated Tree (River Red Gum) located at the rear of the site that is to be removed.

All existing buildings on the site are to be demolished.

The relevant plans, executed Land Management Agreement and supporting documents are contained in **Attachment 2**.

PUBLIC NOTIFICATION

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

Properties notified	22 properties were notified during the public notification process.
Representations	Three (3) representations were received.
Persons wishing to be heard	Two (2) representors who wish to be heard: <ul style="list-style-type: none">• Ella Blake on behalf of the Richmond Primary School• A N & S J Harrison of 15 Surrey Road, Keswick

Summary of representations	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • Reduced on-street parking • Traffic congestion • Road and student safety • Insufficient area for waste collection • Urban heating and visual impact from tree removal • Overdevelopment • Boundary setbacks and visual impacts
Applicant's response to representations	<p>Summary of applicant's response:</p> <ul style="list-style-type: none"> • The proposal is for affordable housing which allows for a reduced allotment density of 100m² • Existing traffic and parking issues should be addressed by the school • The school has a shortfall of on-site car parking • There is ample room on the footpath for a maximum of 20 waste bins • The side and rear setbacks comply with the Development Plan requirements • The building design is attractive and would maintain the visual amenity of the locality • Tree 1 in the arborist report is not protected and can be removed without approval • Tree 2 exhibits few attributes to be worthy of retention

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

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> • Portions of the development are located within the '100mm to 250mm' area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan. In accordance with the provided 'Siteworks Plan' (RCI, Ref: C26287-1/2-B, dated 19/08/2019), the FFLs of the proposed development in following table have been assessed as satisfying minimum requirements in consideration of street and/or flood level information. • The offset distance between proposed crossover and existing street tree is less than 2.0m. • Current proposed driveway crossover is in direct conflict with existing stobie pole. A condition and the annotation on the resubmission of plans should be included that the existing stobie pole be relocated at the expense of the applicant. • The garages dimension as indicated in 'Lower Floor Plan Details' (MCA Design (SA), Ref: PD3-Sheet 6, dated 31/07/2019) have been assessed as satisfying minimum requirements.

	<ul style="list-style-type: none"> It is understood that for group and residential flat dwellings it is recommended that there should be a provision of an on-site visitor car parking spaces at a rate of 0.25 spaces per dwelling. As there are 10 proposed dwellings there would be the expectation of 3 on site visitor car parks. The current proposal does not allow for this. However if this is an affordable housing, then visitor car parking space is not required. Prior to occupancy of a dwelling, the 3000 litre stormwater collection & reuse tank and associated plumbing to service all toilets and laundry is to be installed and operational. Initial concerns raised by City Assets have been resolved by way of amendments. Relocation of the stobie pole has also been confirmed by SA Power Networks. City Assets are now satisfied with the proposal subject to the inclusion of conditions that are outlined in the recommendation.
Arboriculture Advisor	<ul style="list-style-type: none"> As a result of the proposed crossover, an existing <i>Pyrus calleryana</i> (Bradford) street tree will need to be removed. City Operations has considered the health, structure, form, useful life expectancy and age of the street tree and in this instance will support the removal. A fee of \$920.00 will be required prior to the commencement of any work.
Independent Arborist	<ul style="list-style-type: none"> Removal recommended for the River Red Gum (<i>E. camaldulensis</i>). The adjacent <i>C. citriodora</i> is the much larger of the two which creates approx. 90% of the combined canopy. They are impressive as a pair but once the non-regulated Lemon Scented Gum is removed there won't be much left. The <i>E. camaldulensis</i> has a very over-extended structure and once the larger sheltering tree is removed, its likelihood of major limb failure will drastically increase.
Waste Management	<p><u>Original Comments</u></p> <p>Using the Zero Waste SA Better Practice Guide to calculate projected waste generation for this development, it is anticipated that this site will generate; 700L of residual waste per week, 600L of comingled recycling per week and 300L of organic waste per week. Council will provide the following shared waste service:</p> <ul style="list-style-type: none"> 5 x 140L bins for residual waste 5 x 240L bins for comingled recycling 3 x 240L bins for organic waste <p>A shared bin storage area is required to adequately store the bins in a manner that is accessible to all residents. A waste management plan is requested to demonstrate how waste will be managed for this site.</p> <p>The remaining concern for an individual waste service for each dwelling relates to the availability of verge space where 24.48m of verge would be required to present 20 bins for collection at peak including a preferred spacing of 0.5m between bins. A shared service as defined above will require 10.075m and is considered suitable for Council's kerbside collection service.</p>

	<p><u>Final Comments (revised proposal)</u></p> <p>I support individual bins from both policy and serviceability aspects. Waste Management is happy to support City Development and provide individual bins for this development (DA 211/20/2019).</p>
--	--

EXTERNAL REFERRALS

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

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

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, within Medium Density Policy Area 18 as described in the West Torrens Council Development Plan.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character:

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.

Medium Density Policy Area 18 - Desired Character:

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.

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

QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Medium Density Policy Area 18 PDC 7</i>	100m ² average - residential flat building (affordable housing)	139m ² average Satisfies
SITE FRONTAGE <i>Medium Density Policy Area 18 PDC 7</i>	No standard	30.48m Satisfies
SITE COVERAGE <i>Medium Density Policy Area 18 PDC 5</i>	70% (max.)	50% Satisfies

PRIMARY STREET SETBACK <i>Medium Density Policy Area 18</i> PDC 5	3m (min.)	3.0m – ground floor 2.8m – upper floor Partially satisfies
SIDE SETBACKS <i>Residential Zone</i> PDC 11	Side 1m minimum - vertical side wall is 3 metres or less 2m minimum - vertical side wall is between 3 and 6 metres	3.0m - ground floor 3.7m min - upper floor Satisfies
REAR SETBACK <i>Medium Density Policy Area 18</i> PDC 5	4m (min.)	2.0m – ground floor 2.1m – upper floor Does not satisfy
BUILDING HEIGHT <i>Medium Density Policy Area 18</i> PDC 5	3 storeys or 12.5m (max.)	2 storeys (7.2m) Satisfies
PRIVATE OPEN SPACE <i>Medium Density Policy Area 18</i> PDC 7	24m ² with a minimum dimension of 3m	28m ² min Satisfies
LANDSCAPING <i>Module: Landscaping, Fences & Walls</i> PDC 4	A minimum of 10 per cent of a development site	15% approx. (inclusive of private yards) Satisfies
CARPARKING SPACES <i>Medium Density Policy Area 18</i> PDC 7	1 covered space per dwelling No visitor parking required	1 covered space per dwelling (No visitor parking) Satisfies
DOMESTIC STORAGE <i>Site Facilities and Storage</i> <i>Module</i> PDC 4	Minimum storage area of 8m ³	Approx. 8m ³ within garages, under stairs and bedrooms Satisfies

ASSESSMENT

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

Land Division

The proposed Community Title land division will create 10 dwelling allotments and one common property allotment. The new dwelling allotments correspond to the layout of the proposed residential flat buildings. The common property allotment comprises a common driveway that is centrally located between the two residential flat buildings.

For land division proposals, Principle of Development Control 8 of Medium Density Policy Area 18 prescribes a minimum site area of 250m², unless where combined with an application for dwellings. Therefore, when the land division is assessed in isolation the size of proposed allotments would be significantly less than this recommended standard.

Principle of Development Control 7 of the Policy Area is seeking a minimum site area of 100m² for dwellings within a residential flat building that constitute 'affordable housing'. The applicant has entered into an Affordable Housing Land Management Agreement with the Minister for Planning. The density of the proposed development achieves an average site area per dwelling of 139m², and given that the proposed dwellings constitute affordable housing, the proposed site areas are well within the desired dwelling density.

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

Affordable Housing

As already highlighted, the applicant has entered into an Affordable Housing Land Management Agreement with the Minister for Planning and therefore all dwellings within the development are to be assessed for affordable housing.

Principle of Development Control 7 of Medium Density Policy Area 18 prescribes dwelling density and private open space parameters for affordable housing. These parameters are supported by Principle of Development Control 32 and 33 of the General Section (Residential Development), which encourage further increases in density in locations that "*optimise access to shops, social services and facilities, or public transport*". The subject land is considered suitable for affordable housing as it comprises the amalgamation of two existing allotments that are located in short walking distance of public transport and local services on Richmond Road and South Road.

Dwelling Density and Desired Character

The Desired Character for Medium Density Policy Area 18 envisages medium density development that includes "*a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments*".

The representors raised some concerns with the overall density of the development and the impacts that such density may have on existing traffic safety and car parking availability. As already highlighted, the proposed development has an overall dwelling density that is within the envisaged density range for affordable housing. The subject land is also located within 200 metres of Richmond Road and South Road, which have local shopping facilities and high frequency public transport (bus) routes.

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

From a streetscape perspective, the proposed residential flat buildings would not appear cramped or visually overbearing due to their modest height and the spatial separation to side and rear boundaries.

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

Design and Appearance

The proposed buildings are designed with an integrated form and common architectural style. The dwellings are modern, with reasonably well-proportioned and articulated facades that include framed and recessed elements, single garages and a series of pitched roofs. External materials and finishes include rendered Hebel and vertical panel cladding, Colorbond® garage doors, aluminium frame windows and doors and Colorbond® roof sheeting.

Although the proposed buildings have a continuous form with some repetition, the front projections and wall recesses would break up the building mass and the use of different materials add visual interest. The façades include windows to both the ground and upper floors to facilitate passive surveillance of the adjacent public and internal roads and the dwelling entrances are readily identifiable.

The Desired Character and Principle of Development Control 5 of the Medium Density Policy Area 18 envisage building heights up to three storeys or 12.5 metres above ground level. The proposal comprises two storey buildings with a maximum height of 7.2 metres. The proposed building height is therefore considered appropriate.

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

Boundary Setbacks

Front and rear setbacks

The front setback for dwellings in Medium Density Policy Area 18 should be a minimum of three metres as recommended by Principle of Development Control 5. The nearest front walls of the proposed residential flat buildings are setback three metres at ground level. The upper levels would project only 200mm further forward which would not have any significant streetscape impacts. The front building setbacks are therefore acceptable and would be complemented by landscaping along the frontage.

A representor raised concern regarding the rear setback for the dwellings. Dwellings 9 and 10 are setback a minimum of 2 metres at ground level. Although Principle of Development Control 5 of Medium Density Policy Area 18 recommends a rear setback of at least four metres, the rear boundary setbacks are considered acceptable for the followings reasons:

- The rear-facing walls of the respective dwellings are only 6.2 metres length and therefore are of modest scale;
- The building height is well within the maximum height parameters;
- The adjoining land to the rear has a westerly aspect and therefore would not be significantly overshadowed;
- The locality is characterised by dwellings and outbuildings located in close proximity to rear boundaries; and
- There is adequate area between the dwellings and the rear boundary for landscaping.

Side setbacks

The ground and upper levels will be setback from side boundary at 3 metres and 3.7 metres respectively. The side setbacks are well within the parameters of Principle of Development Control 11 of the Residential Zone, which seek setbacks of 1 and 2 metres.

Overlooking

The proposed dwellings have been designed with all upper storey window openings having either raised sills or fixed obscure glazing to a height of 1.7 metres above the floor level, except for the windows on the street-facing elevations of Dwelling 1 and 2. This can be appropriately reinforced by way of condition should the Panel be minded to support the development.

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

Overshadowing

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

The applicant has provided a series of shadow diagrams for the winter solstice. While the neighbouring property immediately to the south at 21 Surrey Road would be most affected, the shadow diagrams confirm that the rear yard and main front and rear habitable room windows of this adjoining property would receive at least two hours of natural light during the day in winter, as required under PDC 11 of the General Section (Residential Development).

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

Retaining and Fencing

The proposal includes the construction of retaining walls with a maximum height of 500mm. The retaining walls are generally required to retain excavation works as the south-eastern corner of the site is higher than the rest of the subject land.

Although the proposal does not include boundary fencing, the installation of fencing on top of the retaining walls would not have any adverse amenity impacts. A note will be included with the approval should the Panel be minded to support the application to advise the applicant that any combined fence/retaining wall exceeding 2.1m in height will be subject to a separate Development Application.

Access, Traffic and Car Parking

The representation on behalf of the adjacent school has raised concerns with the potential for reduced on-street parking, traffic congestion and impacts on student safety. The applicant's response has highlighted that the school has an existing shortfall of on-site car parking and therefore parking deficiencies should be addressed by the school.

A common driveway onto Surrey Street will provide vehicular access to the dwellings within both residential flat buildings. There would be adequate lines of sight in both directions. In terms of street obstructions, Council's Horticultural Department supports the removal of an existing street tree and SA Power Networks has no objection to the relocation of an existing stobie pole (at the applicant's cost). The access arrangements are therefore considered safe and convenient.

All of the proposed dwellings are provided with a single garage, which satisfies Principle of Development Control 7 of Medium Density Policy Area 18. It is noted that the adjacent school has raised concerns with the lack of on-site parking and the potential for on-street congestion. While the proposal may result in additional demand for on-street parking, the Development Plan does not seek on-site visitor car parking for affordable housing developments.

Given the Development Plan guidance for affordable housing, there is considered to be sufficient on-site car parking to meet the anticipated demand generated by the proposed development. Accordingly, the proposal satisfies Principle of Development Control 7 of Medium Density Policy Area 18 and Principle of Development Control 34 of the General Section (Transportation and Access).

Private Open Space

The proposed dwellings will be provided with between 28m² and 37m² of private open space. The amount of the private open space for each dwelling would satisfy Principle of Development Control 7 of Medium Density Policy Area 18.

The rear yards of all dwellings would achieve the minimum dimension guidelines and are therefore considered acceptable. Suitable private open space for entertaining, clothes drying and other domestic functions is therefore provided for occupants of the dwellings.

Domestic Storage

PDC 31 of the General Section (Residential Development) recommends a storage area of at least 8 cubic metres for occupants of the dwellings. A combined area of approximately 8 cubic metres of storage would be provided for each dwelling within the garages, under the stairs and within bedroom cupboards.

Landscaping

The proposal is considered to meet the minimum landscaping requirement of 10 percent of the site. The applicant has provided a comprehensive landscaping proposal for the development. The landscaping includes a variety of small trees, shrubs and grasses to the common driveway and the front and rear yards of each dwelling. In particular, the road frontages and side boundaries will be landscaped to enhance the internal amenity and external appearance of the development and to minimise urban heat loads. PDC 4 of the General Section (Landscaping, Fences and Walls) is therefore satisfied.

Regulated Trees

There are two large trees located close to one another adjacent to the rear boundary of 19 Surrey Road. The applicant has provided an Arboricultural Impact Assessment and Development Impact Report prepared by Arborman Tree Solutions. The report identifies the trees as follows:

- *Tree 1 - Corymbia citriodora (Lemon Scented Gum) with a trunk circumference of 2.45 metres - non-regulated (exempt); and*
- *Tree 2 - Eucalyptus camaldulensis (River Red Gum) with a trunk circumference of 2.33 metres - Regulated tree*

The proposal includes the removal of the Regulated tree (Tree 2) on the basis that the *"tree is not considered to provide important aesthetic or environmental benefit nor does it achieve any other attributes, other than being an indigenous species, that would indicate its protection at the expense of an otherwise reasonable and expected development is required"*.

Council's independent arborist has inspected the tree and reviewed the arborist report. The removal of the tree is supported as the non-regulated Lemon Scented Gum is the much larger of the two which contributes approximately 90% of the combined canopy. Without the Lemon Scented Gum, the Regulated tree is likely to be the subject of major limb failure.

Accordingly, the proposal is considered to satisfy Objectives 1 and 2 and Principle of Development Control 2 of the General Section (Regulated Trees) and removal of Tree 2 is supported to accommodate the development.

Stormwater and Flood Management

A stormwater management plan has prepared by RCI Consulting Engineers. Stormwater runoff from roofs of the dwellings will be directed to individual retention tanks with a minimum capacity of 3000L. The tanks will be plumbed to the respective dwellings. Overflow from the rainwater tanks will discharge to the street water table in accordance with Council's standard requirements.

The stormwater management measures are considered to satisfy the requirements of Council's City Assets Department.

It is noted that portions of the subject land are located within the 100mm to 250mm flood effected areas from the Keswick and Brown Hill Creek, as nominated in Council's Development Plan. Council's City Assets Department considers the finished floor levels of the proposed dwellings to satisfy the minimum flood level requirements.

Waste collection

On-street waste collection will be provided for the dwellings. While Council's City Assets Department originally recommended a communal waste arrangement, the use of individual bins for each dwelling has been supported as there is considered adequate area for on-site storage within the private yards and sufficient verge space available for collection.

The proposal satisfies Council's requirements and is consistent with Objective 2 of the General Section (Waste).

SUMMARY

When balanced against the existing site and locality characteristics and the Desired Character for Medium Density Policy Area 18, the proposed division of land and associated residential development is considered to be an orderly and desirable form of development.

The dwelling density and allotment layout of the proposal sufficiently accords with the Desired Character for the Zone and Policy Area and is compatible with the existing and desired built form characteristics of the locality.

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/20/2019 by Robinson Family Group Pty Ltd to undertake a Combined Application: Land division - Community Title; SCAP No. 211/C181/18; Create eight (8) additional allotments and common property, construction of two (2) two-storey residential flat buildings containing a total of 10 dwellings and associated landscaping, removal of one Regulated tree and demolition of existing buildings (Affordable Housing development) at 17 and 19 Surrey Road, Keswick (CT5228/600 & 5777/340) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the following plans and information detailed in this Application except where varied by any conditions listed below:
 - Plan of Division prepared by Weber Frankiw Surveyors dated 19/12/19
 - Landscaping Layout Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 1 of 12 dated 31/07/19)
 - Proposed Site Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 2 of 12 dated 31/07/19)
 - Existing Site / Demolition Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 3 of 12 dated 31/07/19)
 - Lower Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 4 of 12 dated 31/07/19)
 - Upper Floor Plans prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 5 of 12 dated 31/07/19)
 - Lower Floor Plans Detail prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 6 of 12 dated 31/07/19)
 - Upper Floor Plans Detail prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 7 of 12 dated 31/07/19)
 - Elevations 1 Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 8 of 12 dated 31/07/19)
 - Common Elevations Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 9 of 12 dated 31/07/19)
 - Elevations 2 Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Sheet 10 of 12 dated 31/07/19)
 - Proposed Shadow Diagram for 9am, 21 June Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Appendix A dated 31/07/19)
 - Proposed Shadow Diagram for 12am, 21 June Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Appendix B dated 31/07/19)
 - Proposed Shadow Diagram for 3pm, 21 June Plan prepared by MCA Design SA Pty Ltd (Drawing No. PD3, Appendix C dated 31/07/19)
 - Siteworks Plan prepared by RCI Consulting Engineers (Job No. C26287, Sheet 1 of 2, Issue B dated 17/01/19)
 - Sewer Plan prepared by RCI Consulting Engineers (Job No. C26287, Sheet 2 of 2, Issue B dated 17/01/19)
 - Arboricultural Impact Assessment and Development Impact Report prepared by Arborman Tree Solutions dated 16/12/19.

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

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

3. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
- 100 x 50 x 2mm RHS Galvanised Steel; or
 - 125 x 75 x 2mm RHS Galvanised Steel; or
 - Multiples of the above.

Reason: To maintain existing Council infrastructure.

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

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

5. That all landscaping shall be planted in accordance with the approved plans (Landscaping Layout prepared by MCA Design (SA) Pty Ltd dated 31 July 2019) within three (3) months of the occupancy of the development or the next available planting season. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

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

6. That the upper storey windows of all dwellings (except for the west-facing windows of Dwellings 1 and 2) shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained to the satisfaction of Council at all times.

Reason: To maintain the privacy of neighbouring residents.

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

Reason: To ensure safe and convenient vehicle access

8. In lieu of planting two (2) replacement trees, \$188.00 (2 trees @ \$94.00 per tree) must be paid into the City of West Torrens Urban Tree Fund prior to the granting of Development Approval.

Reason: To ensure that the removal of the Regulated tree is compensated in accordance with the Development Regulations 2008.

Land Division Consent Conditions Council Requirements

Nil

SCAP Requirements

9. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services.
 1. 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.

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.
10. Payment of \$58,024.00 into the Planning and Development fund (8 Allotments @ \$7,253.00/lot). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
11. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

NOTES

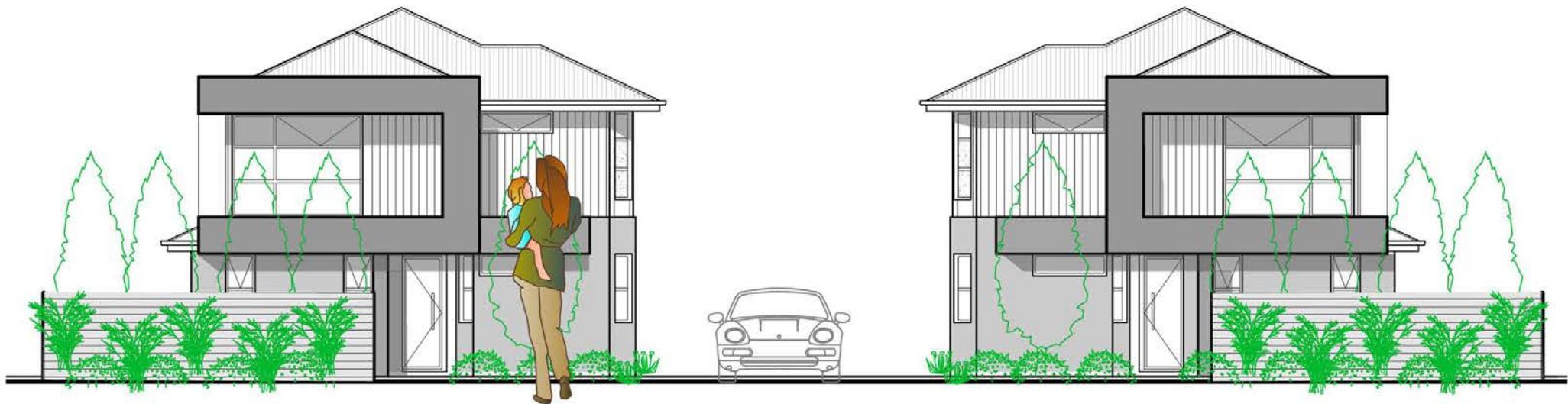
- The applicant is reminded that a retaining wall and fence with a combined height exceeding 2.1 metres will require a separate Development Application to be lodged with Council for approval.
- The applicant is reminded that the relocation of the existing stobie is to be undertaken in consultation with SA Power Networks and at the applicant's cost.

Attachments

1. **Relevant Development Plan Provisions**
2. **Proposal Plans and Documents**
3. **Representations and Applicant's Response**
4. **Referral Responses**

Relevant Development Plan Provisions

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



ARTISTIC IMPRESSION ONLY

**Proposed Development-
Affordable Housing Scheme**

10 Group Dwellings

At - 17 & 19 Surrey Road, KESWICK

For - Alliance Development & Construction

Date - JULY 2019

Issue - PLANNING DRAWINGS PD3

Sheet No.	Title
Sheet 1-	Proposed Landscaping Plan
Sheet 2-	Proposed Site Plan
Sheet 3-	Existing Site / Demolition Plan
Sheet 4-	Lower Floor Plans
Sheet 5-	Upper Floor Plans
Sheet 6-	Lower Floor Plan Detail
Sheet 7-	Upper Floor Plan Detail
Sheet 8,9,10-	Proposed Elevations
Sheet 11, 12-	Typical Details
Appdx A-F	Shadow Diagrams

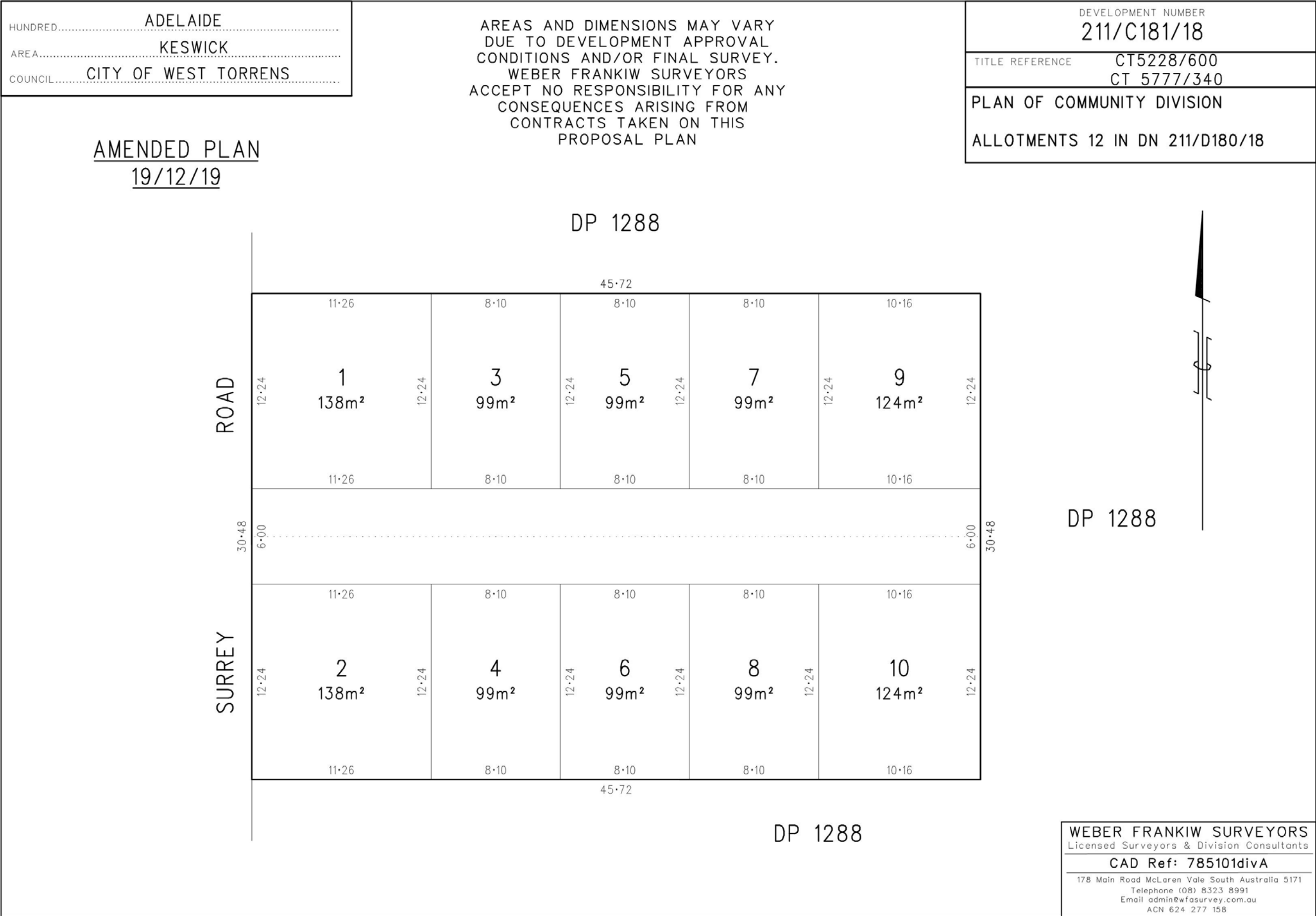
MCA Design (SA) Pty Ltd
PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

ACN 130 175 674

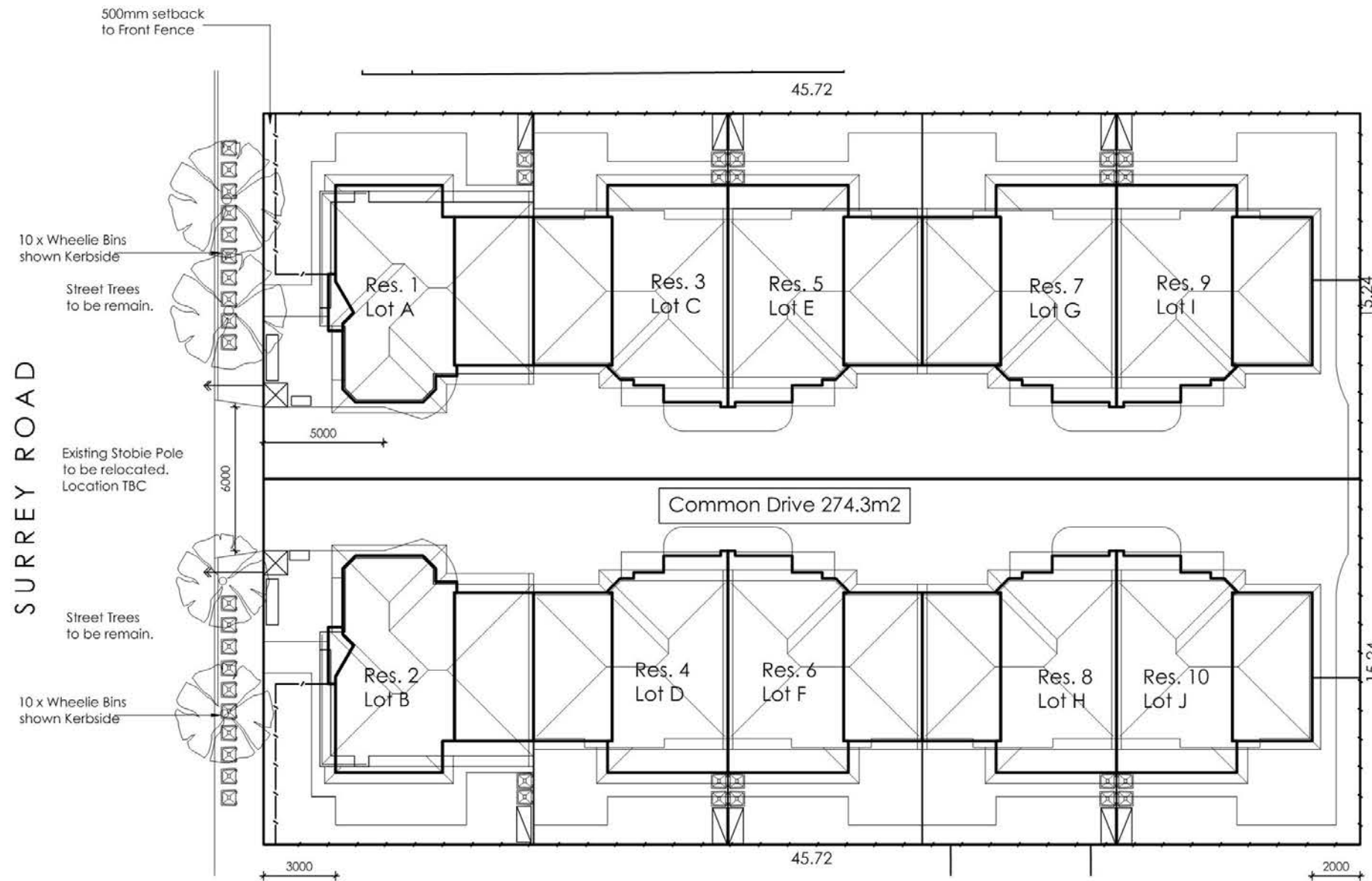
PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION

31-07-19	PD3	Issued for Dev. Consent
DATE	ISSUE	COMMENT

**Alliance**
Development & Construction







Residence 1-2 m ² EA	
Total Building Area	126.8
Lower Living Area:	41.4
Upper Living Area:	63.7
Garage:	20.4
Porch:	1.3
Site Area A, B	
Site Coverage	44.8%
Floor/Site Ratio	0.76
Private Open Space Area	30

Residence 3-8 m ² EA	
Total Building Area	116.2
Lower Living Area:	42.2
Upper Living Area:	52.5
Garage:	20.2
Porch:	1.3
Site Area C-H	
Site Coverage	64.3%
Floor/Site Ratio	0.96
Private Open Space Area	28.4

Residence 9-10 m ² EA	
Total Building Area	116.4
Lower Living Area:	42.2
Upper Living Area:	52.3
Garage:	20.6
Porch:	1.3
Site Area I, J	
Site Coverage	51.6%
Floor/Site Ratio	0.76
Private Open Space Area	37.4

City of WEST TORRENS
Zone Residential,
Policy Area 18
Site Area: 1393.5m²

10x Group Dwellings - Affordable Housing Scheme

Res. 1-10: 1 Carpark Each (Undercover)
4x OFF-site Kerbside Carparks.

PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION

31-07-19 PD3 Issued for Dev. Consent
DATE ISSUE COMMENT

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

© copyright remains
the property of the
designer at all times

ACN 130 175 674

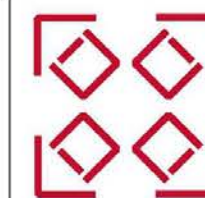
Proposed Development

at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 2 of 12
PLANNING DRAWINGS PD3

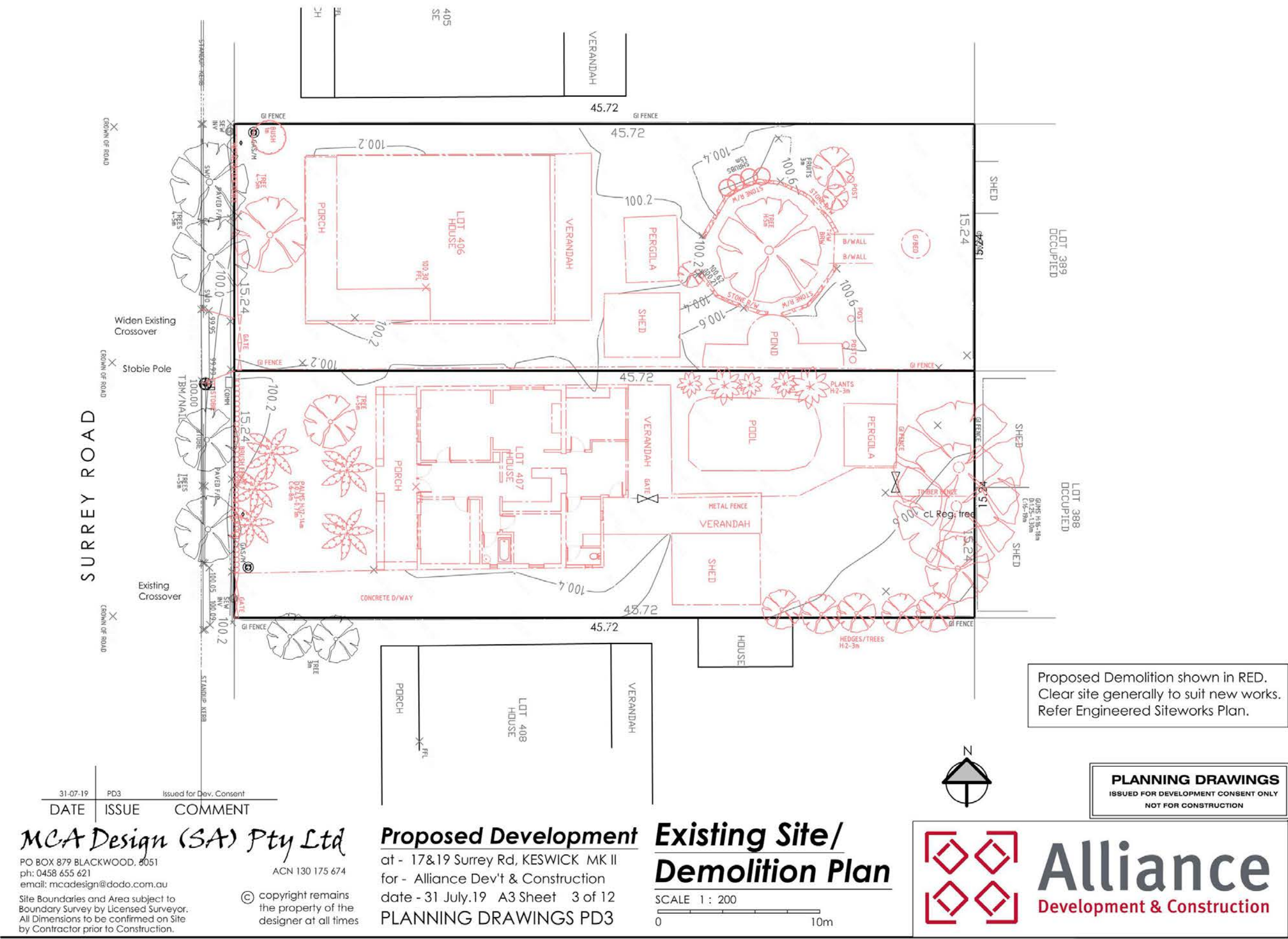
Proposed Site Plan

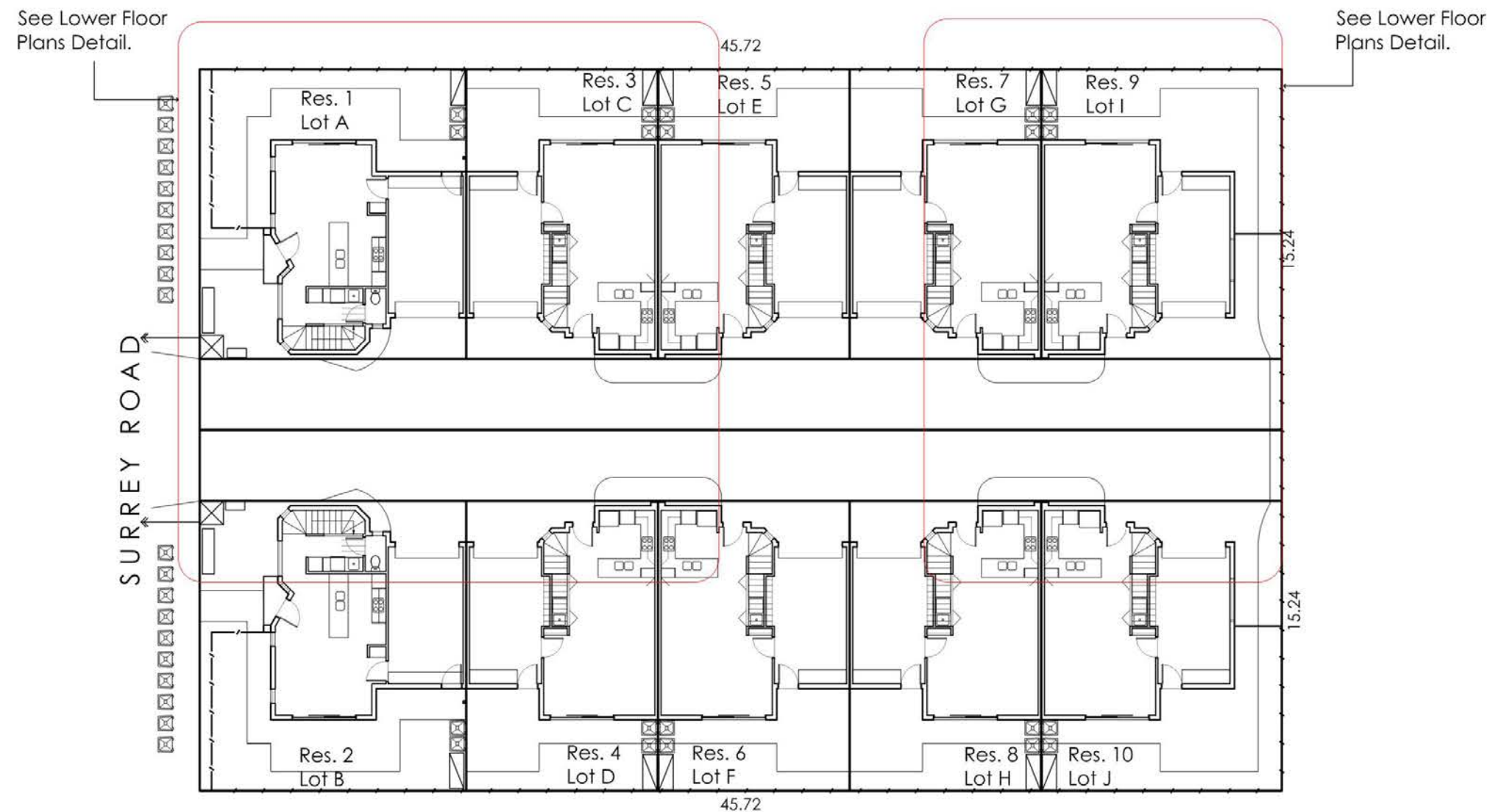
SCALE 1 : 200

0 10m



Alliance
Development & Construction





DATE	ISSUE	COMMENT
31-07-19	PD3	Issued for Dev. Consent

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

ACN 130 175 674

© copyright remains
the property of the
designer at all times

Proposed Development

at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 4 of 12
PLANNING DRAWINGS PD3

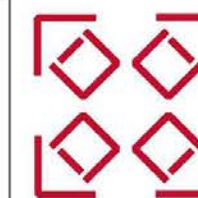
Lower Floor Plans

SCALE 1 : 200

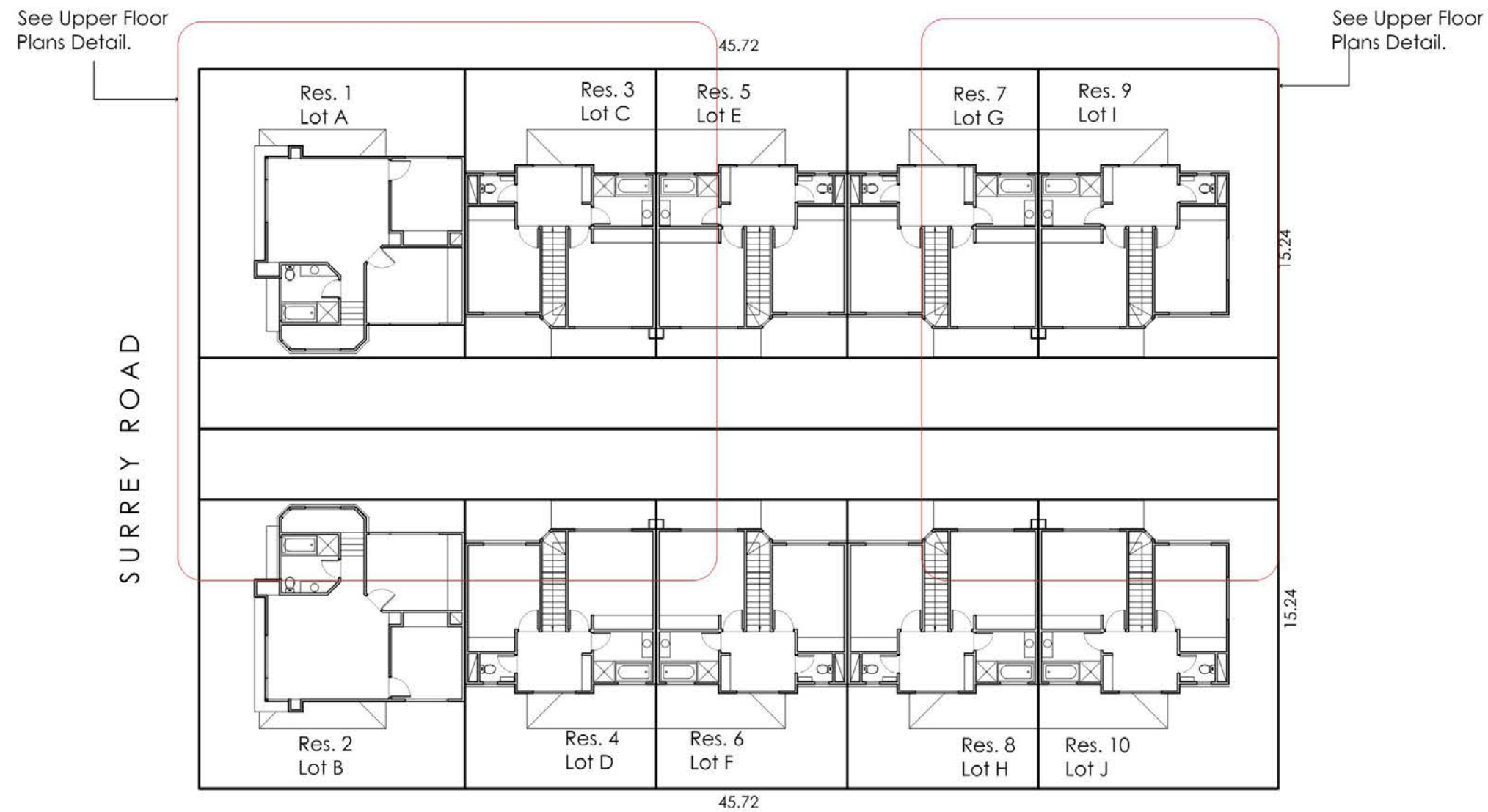
0 10m



PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION



Alliance
Development & Construction



DATE	ISSUE	COMMENT
31-07-19	PD3	Issued for Dev. Consent

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

ACN 130 175 674

© copyright remains
the property of the
designer at all times

Proposed Development

at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 5 of 12
PLANNING DRAWINGS PD3

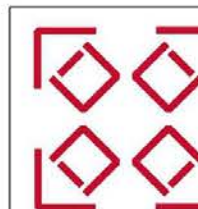
Upper Floor Plans

SCALE 1 : 200

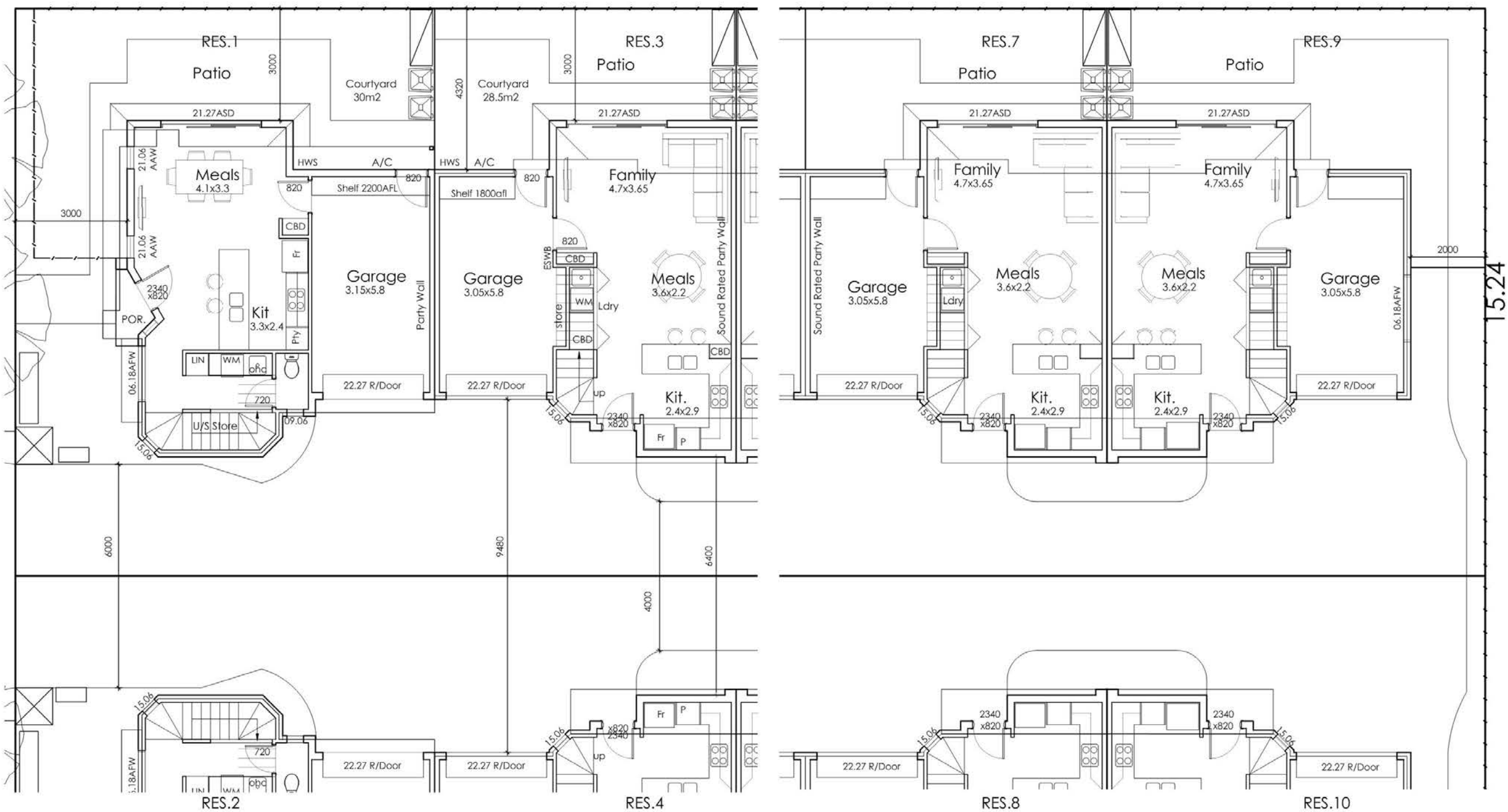
0 10m



PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION



Alliance
Development & Construction



31-07-19

PD3

Issued for Dev. Consent

DATE

ISSUE

COMMENT

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 8051
ph: 0458 655 621
email: mcadesign@dodo.com.au

ACN 130 175 674

© copyright remains
the property of the
designer at all times

Proposed Development
at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 6 of 12
PLANNING DRAWINGS PD3

Lower Floor
Plans Detail

SCALE 1 : 100

0 5m

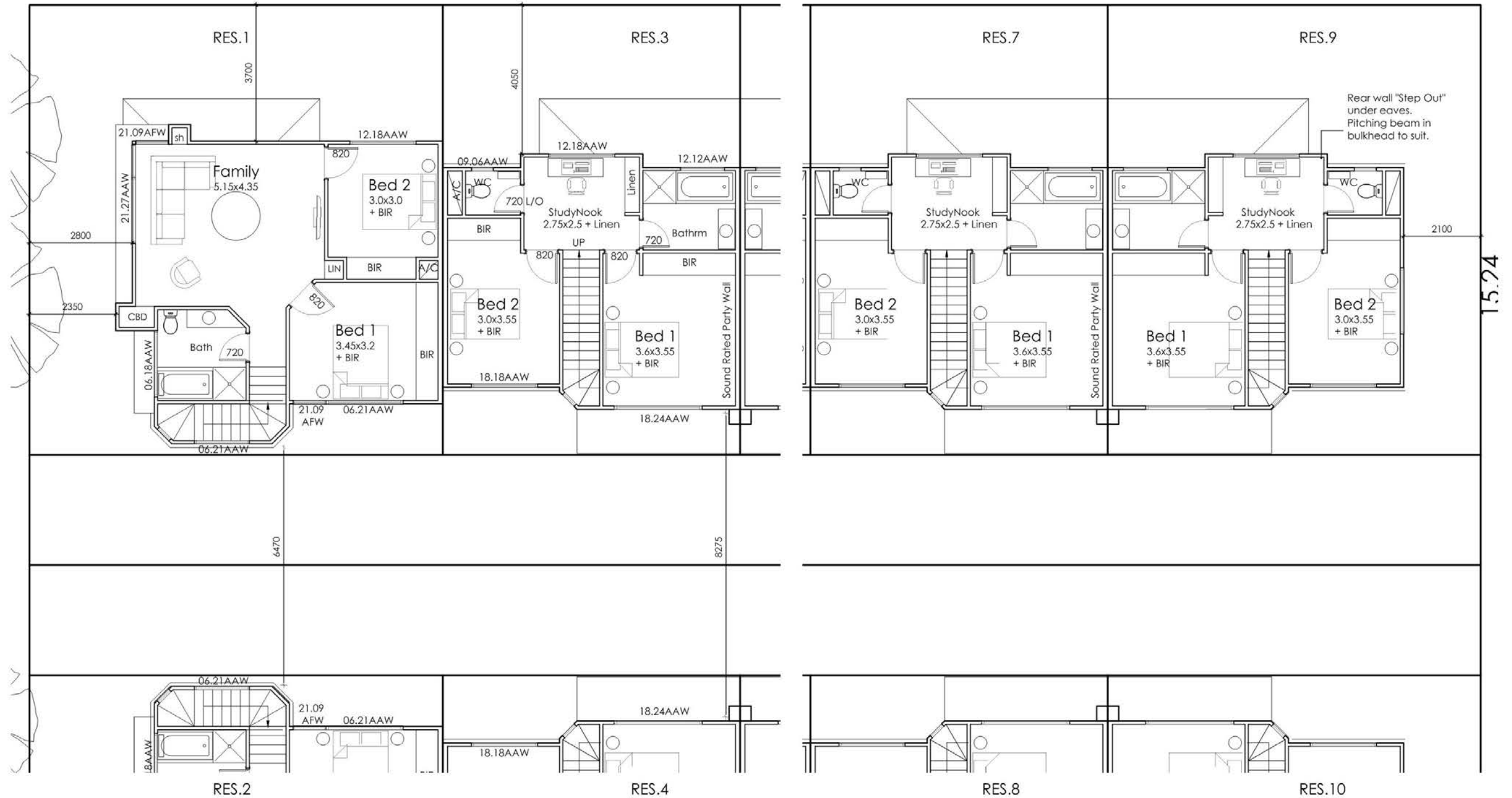
PLANNING DRAWINGS

ISSUED FOR DEVELOPMENT CONSENT ONLY

NOT FOR CONSTRUCTION

Alliance

Development & Construction



DATE	ISSUE	COMMENT
31-07-19	PD3	Issued for Dev. Consent

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

© copyright remains
the property of the
designer at all times

Proposed Development

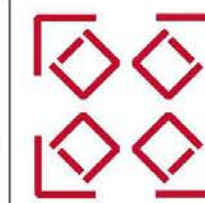
at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 7 of 12
PLANNING DRAWINGS PD3

**Upper Floor
Plans Detail**

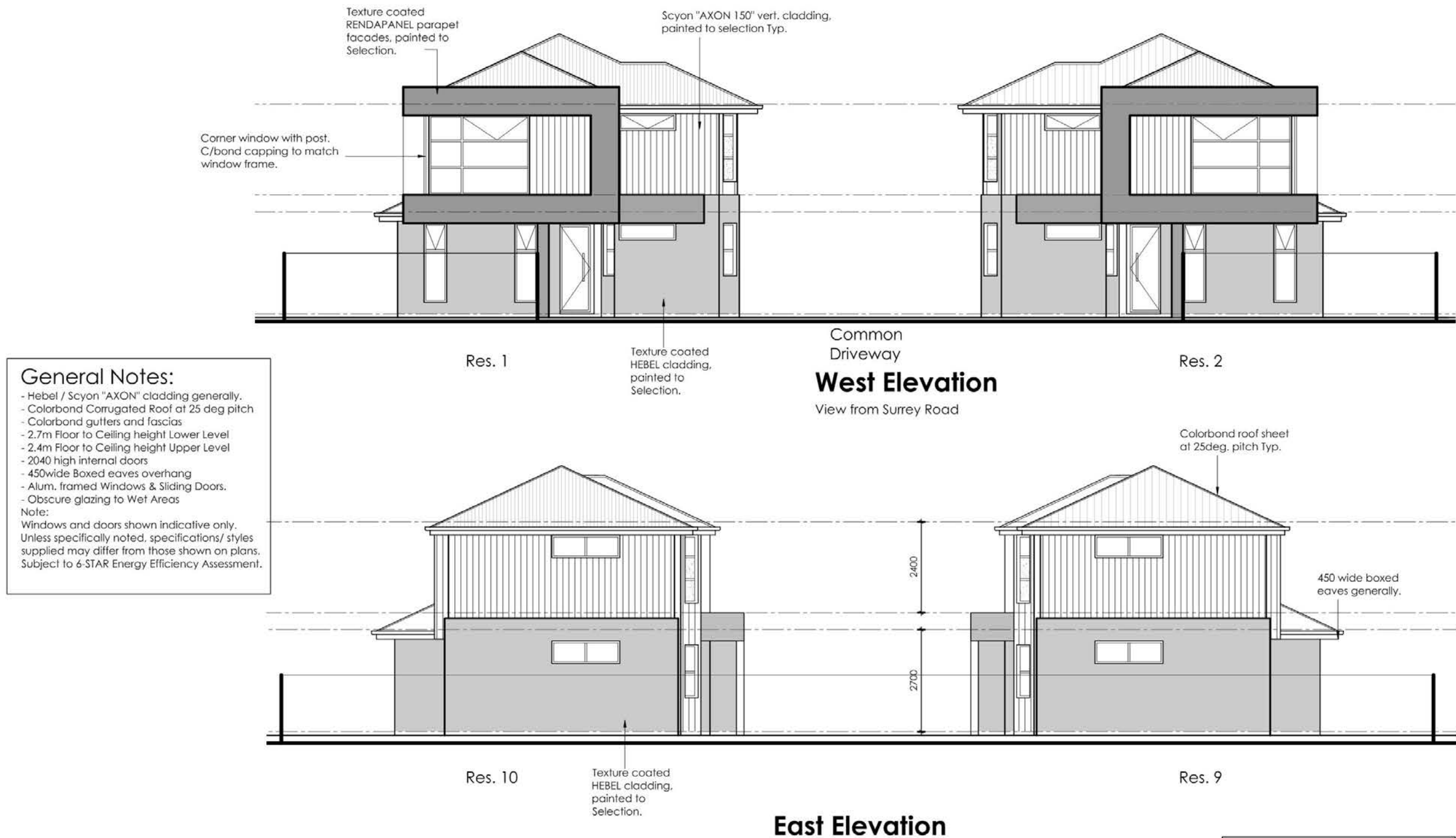
SCALE 1 : 100
0 5m



PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION



Alliance
Development & Construction



31-07-19	PD3	Issued for Dev. Consent
DATE	ISSUE	COMMENT

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to Boundary Survey by Licensed Surveyor. All Dimensions to be confirmed on Site by Contractor prior to Construction.

ACN 130 175 674

© copyright remains the property of the designer at all times

Proposed Development

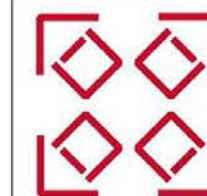
at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 8 of 12
PLANNING DRAWINGS PD3

Elevations 1

SCALE 1 : 100

0 1 2 3 4 5m

PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION



Alliance
Development & Construction



**North
Elevation**



**North
Elevation**

View from Common
Driveway



**South
Elevation**

View from Common
Driveway



**South
Elevation**

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

ACN 130 175 674

© copyright remains
the property of the
designer at all times

Proposed Development

at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 9 of 12
PLANNING DRAWINGS PD3

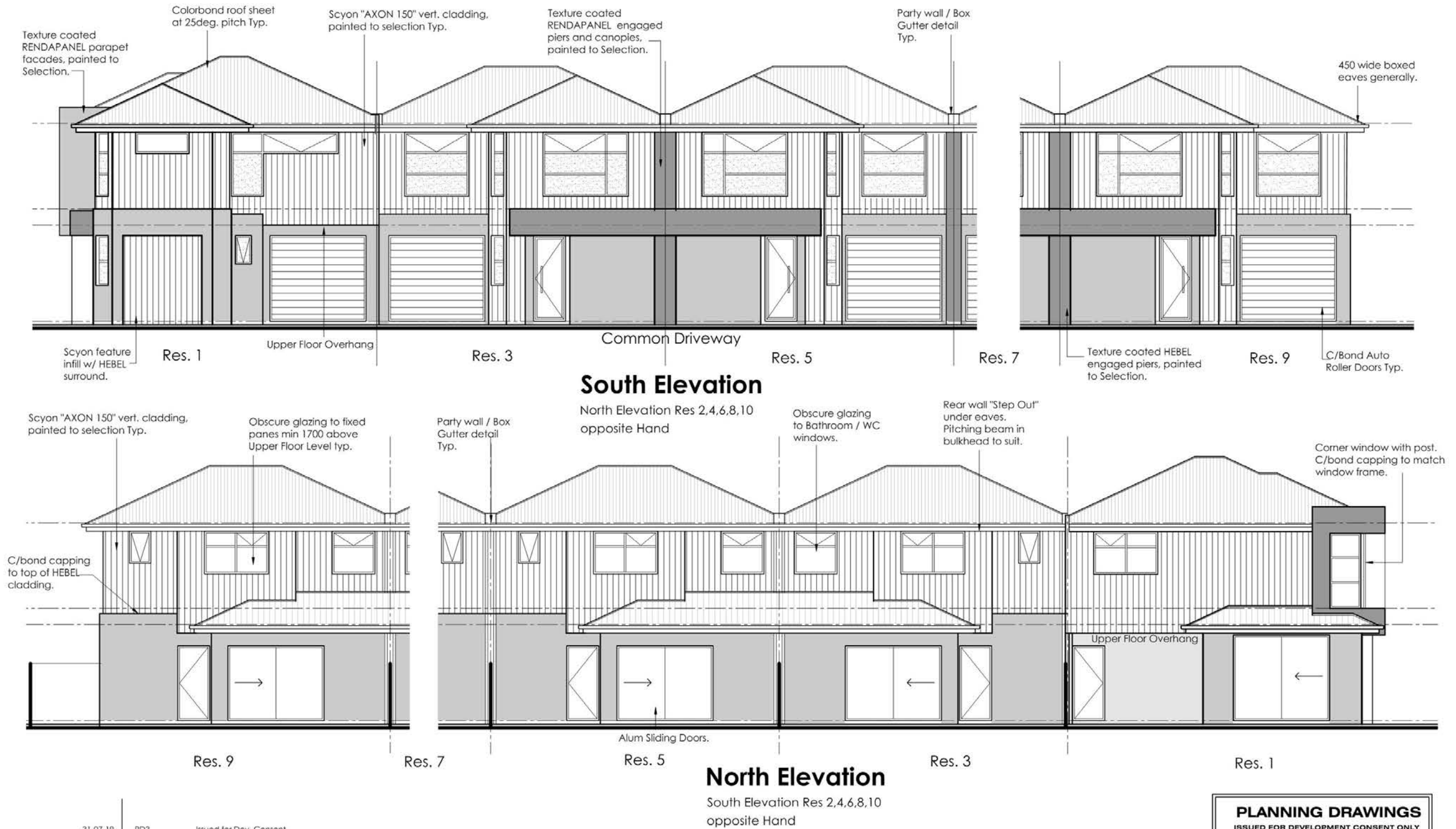
**Common
Elevations**

SCALE 1 : 200

0 10m



Alliance
Development & Construction



DATE	ISSUE	COMMENT
31-07-19	PD3	Issued for Dev. Consent

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to Boundary Survey by Licensed Surveyor. All Dimensions to be confirmed on Site by Contractor prior to Construction.

ACN 130 175 674

© copyright remains the property of the designer at all times

Proposed Development

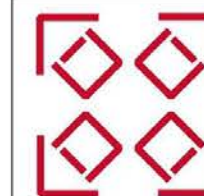
at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet 10 of 12
PLANNING DRAWINGS PD3

Elevations 2

SCALE 1 : 100

0 1 2 3 4 5m

PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION



Alliance
Development & Construction

SURREY ROAD

Shadow cast by Proposed
2 Storey Dwellings.

31-07-19	PD3	Issued for Dev. Consent
DATE	ISSUE	COMMENT

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

© copyright remains
the property of the
designer at all times

Proposed Development
at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet Appdx B
PLANNING DRAWINGS PD3

**Proposed Shadow
Diagram for 12pm,
21 June**

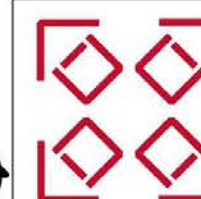
SCALE 1 : 200

0 10m



Altitude : 31Deg.
Azimuth : 5 Deg.

PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION



Alliance
Development & Construction

SURREY ROAD



31-07-19	PD3	Issued for Dev. Consent
DATE	ISSUE	COMMENT

MCA Design (SA) Pty Ltd

PO BOX 879 BLACKWOOD, 5051
ph: 0458 655 621
email: mcadesign@dodo.com.au

Site Boundaries and Area subject to
Boundary Survey by Licensed Surveyor.
All Dimensions to be confirmed on Site
by Contractor prior to Construction.

ACN 130 175 674
© copyright remains
the property of the
designer at all times

Proposed Development
at - 17&19 Surrey Rd, KESWICK MK II
for - Alliance Dev't & Construction
date - 31 July.19 A3 Sheet Appdx C
PLANNING DRAWINGS PD3

Note: Shadows shown for Winter Solstice (21 June) for proposed building only.
Neighbouring buildings, trees etc have not been taken into account. Actual
Shadow length varies subject to local topography on neighbouring allotments.

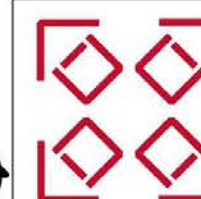
Altitude : 20 Deg.
Azimuth : 321 Deg.

PLANNING DRAWINGS
ISSUED FOR DEVELOPMENT CONSENT ONLY
NOT FOR CONSTRUCTION

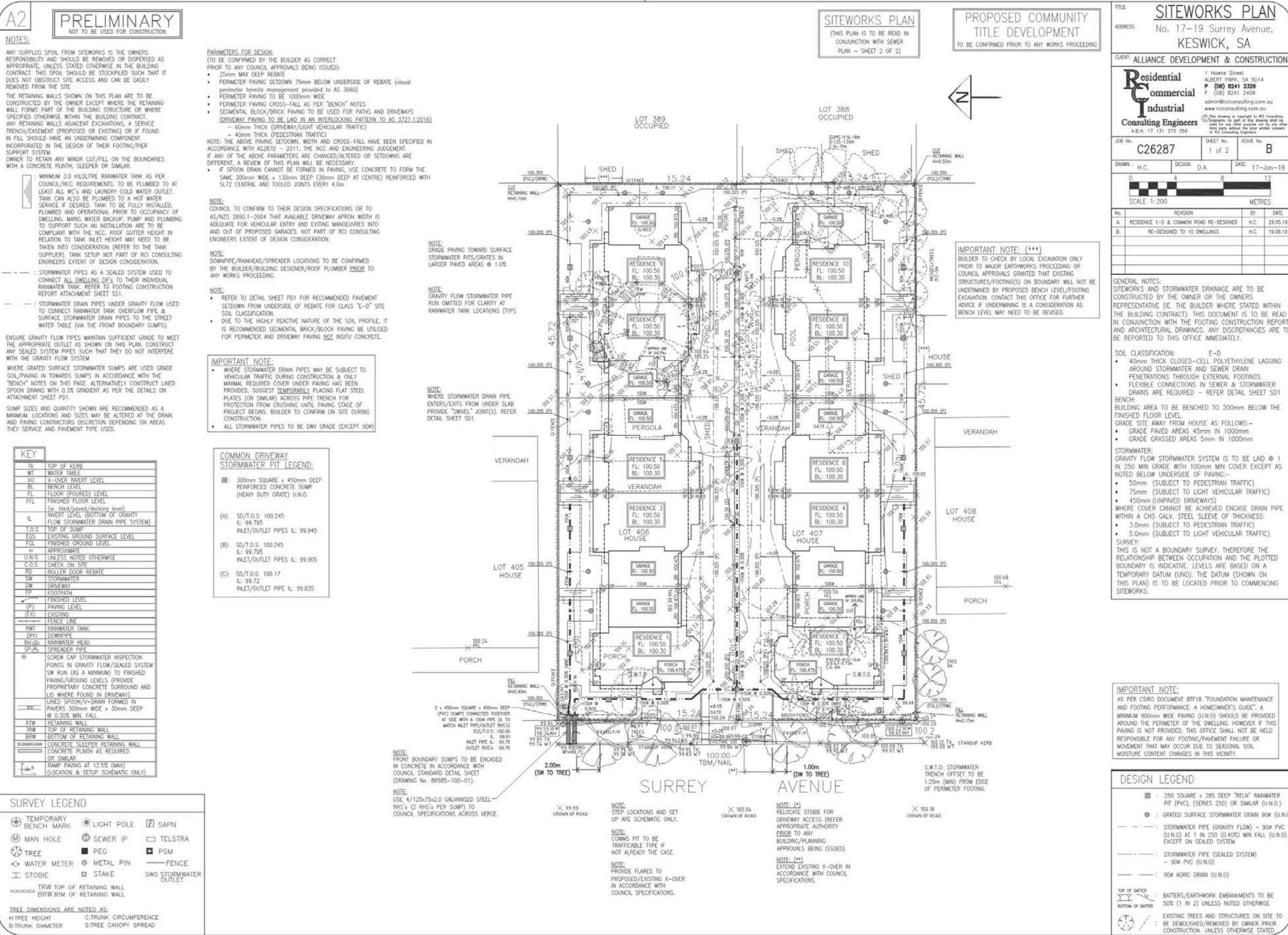
**Proposed Shadow
Diagram for 3pm,
21 June**

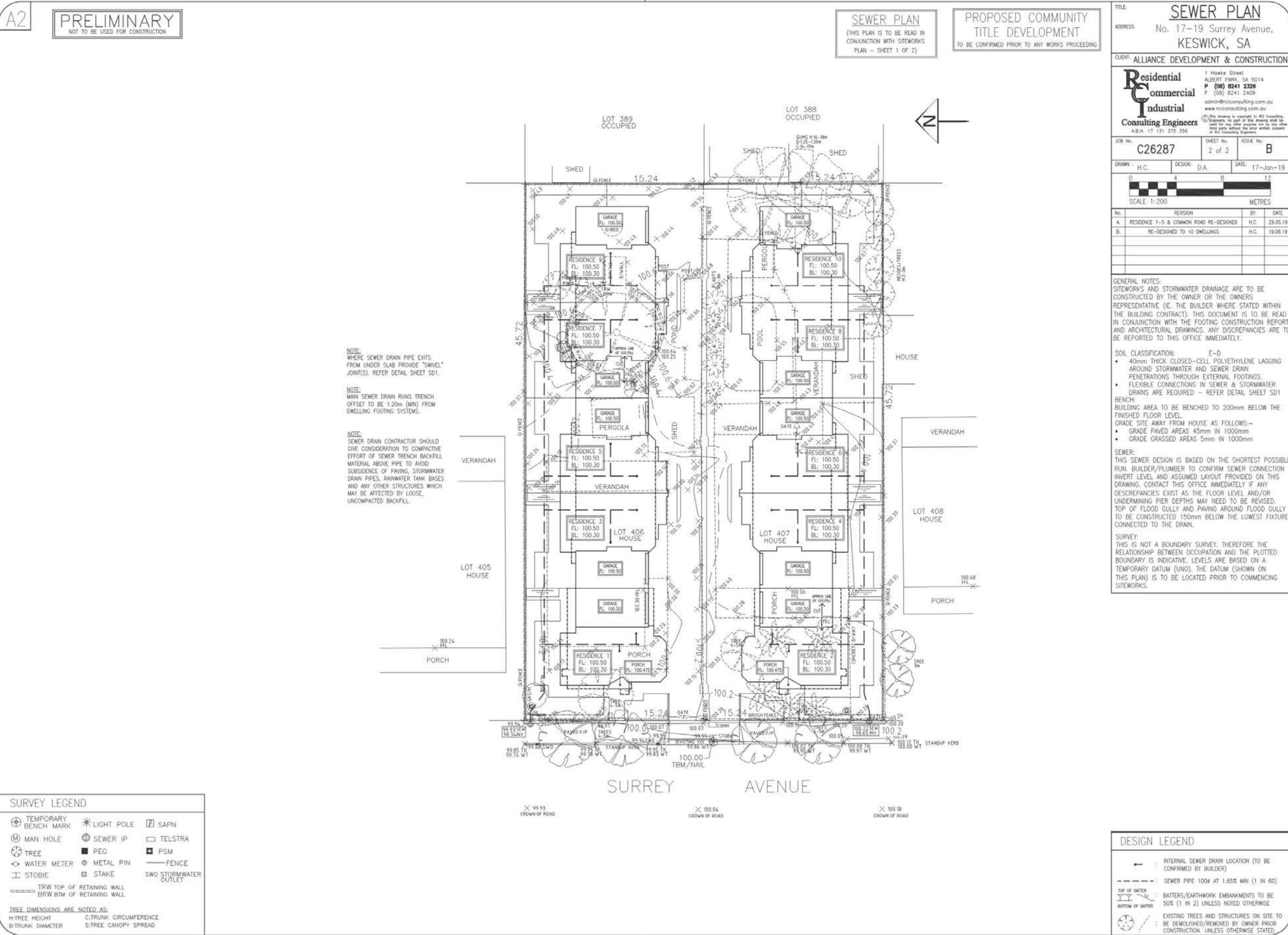
SCALE 1 : 200

0 10m



Alliance
Development & Construction







Arboricultural Impact Assessment and Development Impact Report

Site: 19 Surrey Road, Keswick

Date: Monday, 16 December 2019
ATS5233-019SurRdDIRAmdV2



Contents

Executive Summary	1
Brief	2
Documents and Information Provided	2
Site Location.....	3
Assessment.....	5
Conclusion.....	6
Definitions.....	7
References	7

Appendix A - Tree Assessment Methodology

Appendix B - Tree Assessment Findings

Appendix C - Mapping

Report Reference Number: ATS5233-019SurRdDIRAmdV2

Report prepared for
Daniel Morton, Director
Alliance Development and Construction

Author
Marcus Lodge, Consulting Arborist,
Arborman Tree Solutions Pty Ltd

Arborman Tree Solutions Pty Ltd – Professionals in Arboriculture

23 Aberdeen Street

Port Adelaide SA 5015

ATS5233-019SurRdDIRAmdV2 – Monday, 16 December 2019

Phone: (08) 8240 5555

Mobile: 0418 812 967

Email: arborman@arborman.com.au



Executive Summary

Arborman Tree Solutions has assessed the Regulated Tree within 19 Surrey Road, Keswick to determine the potential impacts the proposed development of the site will have on two trees. The assessment has determined the impacts to the trees and recommended mitigation strategies where appropriate.

Tree 1 was identified as having a regulated trunk circumference however this tree is exempt from control as it is within 10 metres of an inground pool and is not from the genus *Eucalyptus* or an *Agonis flexuosa*. Tree 2 also has a regulated trunk circumference and has been assessed as a Regulated Tree in accordance with the *Development Act 1993* and the City of West Torrens Development Plan.

The development encroachment into the root zone of the trees has been calculated as a 'Major' encroachment. There are no opportunities for protection of these trees as they are in direct conflict with the proposal.

The removal of these trees is required as part of the proposed development.



Brief

Arborman Tree Solutions was engaged by Alliance Development and Construction to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for 19 Surrey Road, Keswick. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees.

The proposed development includes the demolition of the existing dwelling and the construction of five new dwellings as part of a larger development incorporating the neighbouring property. This assessment will determine the potential impacts the proposal may have on the Regulated Tree within the site and recommend impact mitigation strategies in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009) for trees to be retained.

In accordance with section 2.2 of the AS4970-2009 the following information is provided:

- Assessment of the general condition and structure of the subject trees.
- Identification of the legislative status of trees on site as defined in the *Development Act 1993*.
- Identify and define the Tree Protection Zone for the tree.
- Identify potential impacts the development may have on tree health and/or stability.
- Recommend impact mitigation strategies in accordance with AS4970-2009.
- Provide information in relation to the management of trees.

Documents and Information Provided

The following information was provided for the preparation of this assessment

- Planning Drawings dated 31 July 2019



Site Location

Figure 1: Site location - 19 Surrey Road, Keswick



Arborman Tree Solutions Pty Ltd – Professionals in Arboriculture

23 Aberdeen Street

Port Adelaide SA 5015

ATS5233-019SurRdDIRAmdV2 – Monday, 16 December 2019

Phone: (08) 8240 5555

Mobile: 0418 812 967

Email: arborman@arborman.com.au



Methodology

The proposed design was reviewed in association with the Planning Drawings as supplied by Alliance Development and Construction.

The potential impact of the proposed works on tree condition is considered in accordance with the guidelines in AS4970-2009 *Protection of trees on development sites* (AS4970-2009). When determining potential impacts of an encroachment into a Tree Protection Zone (TPZ), the following should be considered as outlined in section 3.3.4 of AS4970-2009;

- a) Location of roots and root development.
- b) The potential loss of root mass from the encroachment.
- c) Tree species and tolerance to root disturbance.
- d) Age, vigour and size of the tree.
- e) Lean and stability of the tree.
- f) Soil characteristics and volume, topography and drainage.
- g) The presence of existing or past structures or obstacles affecting root growth.
- h) Design factors.

Impacts are classified into the following categories: -

No Impact	no encroachment into the TPZ has been identified.
Low <10%	the identified encroachment is less than 10% of the TPZ area.
Low >10%	the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.
High >10%	the identified encroachment is greater than 10% of the TPZ area but does not impact the Structural Root Zone (SRZ) or the trunk.
Substantial	the identified encroachment is greater than 20% of the TPZ area but does not impact the SRZ or the trunk.
Conflicted	the identified encroachment impacts the SRZ and/or the trunk and will result in the removal of the tree.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 which indicate these trees should be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore non-destructive excavation and/or tree sensitive construction is required to minimise potential impacts.

Trees with an Impact identified as 'Substantial' have calculated encroachments greater than 20% and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required, in some instances tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' directly impact upon the SRZ or the trunk of the tree, additional root investigations or tree sensitive construction measures are not available and the only option is alternative designs or tree removal.

Regulatory Status, Tree Protection Zones and Development Impacts are shown in Appendix B.



Assessment

Arborman Tree Solutions has assessed two trees at 19 Surrey Road, Keswick to determine the potential impacts the proposed development of the site will have on the tree. The proposal involves development involving the demolition of the existing dwelling and the construction of five new dwellings as part of a larger development incorporating the neighbouring property. This assessment has determined the impacts to the tree and recommended mitigation strategies in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009).

Tree 1 was identified as having a regulated trunk circumference however this tree is exempt from control as it is within 10 metres of an inground pool and is not from the genus *Eucalyptus* or an *Agonis flexuosa*.

Tree 2 is identified as a Regulated Tree when assessed against the *Development Act 1993* and the City of West Torrens Development Plan and has been assessed against the relevant Objectives and Principles of Development Control that apply to Regulated Trees. When considered against the Objectives the subject tree is not considered to provide important aesthetic or environmental benefit nor does it achieve any other attributes, other than being an indigenous species, that would indicate its protection at the expense of an otherwise reasonable and expected development is required. Additionally, when assessed against the relevant Principles of Development Control the tree achieves one Principle, Principle 2 (d), that indicates it is preventing a development which is understood to be reasonable and expected.

Tree 2 is identified as a *Eucalyptus camaldulensis* (River Red Gum) which is a large tree reaching 25-35 metres in height with a broad spreading crown, as the tree matures it can develop buttress roots from its very thick trunk. *Eucalyptus camaldulensis* (River Red Gum) is the most widespread and best known of the Australian eucalypts. As the common name would suggest it is generally found along waterways and on floodplains, despite this it is a very adaptable tree and will grow in a wide variety of soils and conditions.

An advantage of this species heritage as a floodplain tree for the urban environment is that it is able to adapt to changes in soil levels and moisture content to a much greater extent than many other eucalypts being able to withstand changes in soil level, drought and water logging for extended periods. This is at least partially due to the species characteristic of deep sinker roots within two to three metres of the trunk that can extend considerable depths into the soil to areas of permanent water.



Conclusion

The subject trees are conflict with a development which is understood to be reasonable and expected and the tree does not achieve criteria that indicate alternative designs are required to be considered. The removal of these trees as part of the proposed development is consistent with the Objectives and Principles of Development Control within the *Development Act 1993* and the City of West Torrens Development Plan.

Thank you for the opportunity to provide this report. Should you have any questions or require further information, please contact me and I will be happy to be of assistance.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "M. Lodge".

MARCUS LODGE

Senior Consulting Arboriculturist

Australian Arborist License AL11

Diploma in Arboriculture

International Society of Arboriculture – Tree Risk Assessment

Quantified Tree Risk Assessment (QTRA) License – 5780

VALID Tree Risk Assessment (VALID) – 2018





Definitions

Circumference:	trunk circumference measured at one metre above ground level. This measurement is used to determine the status of the tree in relation to the <i>Development Act 1993</i> .
Diameter at Breast Height:	trunk diameter measured at 1.4 metres above ground level used to determine the Tree Protection Zone as described in Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> .
Tree Damaging Activity	Tree damaging activity includes those activities described within the <i>Development Act 1993</i> such as removal, killing, lopping, ringbarking or topping or any other substantial damage such as mechanical or chemical damage, filling or cutting of soil within the TPZ. Can also include forms of pruning above and below the ground.
Tree Protection Zone:	area of root zone that should be protected to prevent substantial damage to the tree's health.
Project Arborist	A person with the responsibility for carrying out a tree assessment, report preparation, consultation with designers, specifying tree protection measures, monitoring and certification. The Project Arborist must be competent in arboriculture, having acquired through training, minimum Australian Qualification Framework (AQTF) Level 5, Diploma of Horticulture (Arboriculture) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by this standard.
Important:	<p>When assessing trees against the <i>Development Act 1993</i> and local Development Plan the term "Important" is used when assessing a tree's amenity, aesthetic and environmental contribution. Commissioner Nolan of the Environment, Resource and Development Court in the case of <i>Savoy Developments Pty Ltd v Town of Gawler</i> [2013] SAERDC 32 defined "Important" in the following manner:</p> <p><i>"In my view, for habitat to be raised to the level of 'important' (as sought by Objective 2(d)), it must be beyond that likely to be expected in any mature tree of indigenous origins – that is, it is beyond the normal level that might be expected or that it is so unique or special that it may be considered important."</i></p> <p>Whilst this definition relates to Habitat Value this definition has been considered and applied when assessing all Objectives that use the term "Important".</p>

References

Australian Standard AS4970-2009 *Protection of trees on development sites*: Standards Australia.

Matheny N. Clark J. 1998: *Trees and Development a Technical Guide to Preservation of Trees During Land Development*: International Society of Arboriculture, Champaign, Illinois, USA.



Appendix A - Tree Assessment Methodology



Tree Assessment Form (TAF©)

Record	Description
Tree	In botanical science, a tree is a perennial plant which consists of one or multiple trunks which supports branches and leaves. Trees are generally taller than 5 metres and will live for more than ten seasons, with some species that live for hundreds or thousands of seasons.
Genus and Species	Botanical taxonomy of trees uses the binominal system of a genus and species, often there are subspecies and subgenus as well as cultivars. When identifying tree species, identification techniques such as assessing the tree's form, flower, stem, fruit and location are used. Identifying the right species is critical in assessing the tree's legalisation and environmental benefit. All efforts are made to correctly identify each tree to species level, where possible. Genus is the broader group to which the tree belongs e.g. <i>Eucalyptus</i> , <i>Fraxinus</i> and <i>Melaleuca</i> . Species identifies the specific tree within the genus e.g. <i>Eucalyptus camaldulensis</i> , <i>Fraxinus griffithi</i> or <i>Melaleuca styphelioides</i> . Trees will also be assigned the most commonly used Common Name. Common Names are not generally used for identification due to their nonspecific use, i.e. <i>Melia azedarach</i> is commonly known as White Cedar in South Australia but is also called Chinaberry Tree, Pride of India, Bead-tree, Cape Lilac, Syringa Berrytree, Persian Lilac, and Indian Lilac; equally similar common names can refer to trees from completely different Genus e.g. Swamp Oak, Tasmanian Oak and English Oak are from the <i>Casuarina</i> , <i>Eucalyptus</i> and <i>Quercus</i> genus's respectively.
Height	Tree height is estimated by the arborist at the time of assessment. Tree height is observed and recorded in the following ranges; <5m, 5-10m, 10-15m and >20m.
Spread	Tree crown spread is estimated by the arborist at the time of assessment and recorded in the following ranges <5m, 5-10m, 10-15m, 15-20m, >20m.
Health	Tree health is assessed using the Arborman Tree Solutions - Tree Health Assessment Method that is based on international best practice.
Structure	Tree structure is assessed using Arborman Tree Solutions - Tree Structure Assessment Method that is based on international best practice.
Tree Risk Assessment	Tree Risk is assessed using Tree Risk Assessment methodology. The person conducting the assessment has been trained in the International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ), Quantified Tree Risk Assessment (QTRA) and/or VALID Tree Risk Assessment (VALID). Refer to the Methodology within the report for additional information.
Legislative Status	Legislation status is identified through the interpretation of the <i>Development Act 1993</i> , the <i>Natural Resource Management Act 2004</i> , the <i>Native Vegetation Act 1991</i> and/or any other legislation that may apply.
Mitigation	Measures to reduce tree risk, improve tree condition, remove structural flaws, manage other conditions as appropriate may be recommended in the form of pruning and is listed in the Tree Assessment Findings (Appendix B). Tree pruning is recommended in accordance with AS4373-2007 <i>Pruning amenity trees</i> where practicable. Where measures to mitigate risk is not possible and the risk is unacceptable, then tree removal or further investigation is recommended.



Useful Life Expectancy (ULE)

ULE Rating	Definition
Surpassed	The tree has surpassed its Useful Life Expectancy. Trees that achieve a surpassed ULE may do so due to poor health, structure or form. Additionally, trees that are poorly located such as under high voltage powerlines or too close to structures may also achieve a surpassed ULE. Trees that achieve this status will be recommended for removal as there are no reasonable options to retain them.
<10 years	The tree displays either or both Poor Health and/or Structure and is considered to have a short Useful Life Expectancy of less than ten years. Some short-lived species such as <i>Acacia sp.</i> may naturally achieve a short ULE.
>10 years	The tree displays Fair Health or Structure and Good Health or Structure and is considered to have a Useful Life Expectancy of ten years or more. Trees identified as having a ULE of >10, will require mitigation such as pruning, stem injections or soil amelioration to increase their ULE.
>20 years	The tree displays Good Health and Structure and is considered to have an extended Useful Life Expectancy of more than twenty years.

Maturity (Age)

Age Class	Definition
Senescent	The tree has surpassed its optimum growing period and is declining and/or reducing in size. May be considered as a veteran in relation to its ongoing management. Tree will have generally reached greater than 80% of its expected life expectancy.
Mature	A mature tree is one that has reached its expected overall size, although the tree's trunk is still expected to continue growing. Tree maturity is also assessed based on species; as some trees are much longer lived than others. Tree will have generally reached 20-80% of its expected life expectancy.
Semi Mature	A tree which has established but has not yet reached maturity. Normally tree establishment practices such as watering will have ceased. Tree will generally not have reached 20% of its expected life expectancy.
Juvenile	A newly planted tree or one which is not yet established in the landscape. Tree establishment practices such as regular watering will still be in place. Tree will generally be a newly planted specimen up to five years old; this may be species dependant.

Tree Health Assessment (THA©)

Category	Description
Good	Tree displays normal vigour, uniform leaf colour, no or minor dieback (<5%), crown density (>90%). When a tree is deciduous, healthy axillary buds and typical internode length is used to determine its health. A tree with good health would show no sign of disease and no or minor pest infestation was identified. The tree has little to no pest and/or disease infestation.
Fair	Tree displays reduced vigour abnormal leaf colour, a moderate level of dieback (<15%), crown density (>70%) and in deciduous trees, reduced axillary buds and internode length. Minor pest and/or disease infestation potentially impacting on tree health. Trees with fair health have the potential to recover with reasonable remedial treatments.
Poor	Tree displays an advanced state of decline with low or no vigour, chlorotic or dull leaf colour, with high crown dieback (>15%), low crown density (<70%) and/or in deciduous trees, few or small axillary buds and shortened internode length. Pest and or disease infestation is evident and/or widespread. Trees with poor health are highly unlikely to recover with any remedial treatments; these trees have declined beyond the point of reversal.
Dead	The tree has died and has no opportunity for recovery.



Tree Structural Assessment (TSA©)

Category	Description
Good	Little to no branch failure observed within the crown, well-formed unions, no included bark, good branch and trunk taper present, root buttressing and root plate are typical. Trees that are identified as having good health display expected condition for their age, species and location.
Fair	The tree may display one or more of the following a history of minor branch failure, included bark unions may be present however, are stable at this time, acceptable branch and trunk taper present, root buttressing and root plate are typical. Trees with fair structure will generally require reasonable remediation methods to ensure the tree's structure remains viable.
Poor	History of significant branch failure observed in the crown, poorly formed unions, unstable included bark unions present, branch and/or trunk taper is abnormal, root buttressing and/or root plate are atypical.
Failed	The structure of the tree has or is in the process of collapsing.

Tree Form Assessment (TFA©)

Category	Description
Good	Form is typical of the species and has not been altered by structures, the environment or other trees.
Fair	The form has minor impacts from structures, the environment or adjacent trees which has altered its shape. There may be slight phototropic response noted or moderate pruning which has altered the tree's form.
Poor	The tree's form has been substantially impacted by structures, the environment, pruning or other trees. Phototropic response is evident and unlikely to be corrected.
Atypical	Tree form is highly irregular due to structures or other trees impacting its ability to correctly mature. Extreme phototropic response is evident; or the tree has had a substantial failure resulting in its poor condition, or extensive pruning has altered the tree's form irreversibly.

Priority

Category	Description
Low	Identified works within this priority should be carried out within 12 months.
Medium	Identified works within this priority should be carried out within 6 months.
High	Identified works within this priority should be carried out within 3 months.
Urgent	Identified works within this priority should be carried out immediately. Works within this priority rating will be brought to attention of the responsible person at the time of assessment.



Tree Retention Rating (TRR)

The Tree Retention Rating is based on a number of factors that are identified as part of the standard tree assessment criteria including Condition, Size, Environmental, Amenity and Special Values. These factors are combined in a number of matrices to provide a Preliminary Tree Retention Rating and a Tree Retention Rating Modifier which combine to provide a Tree Retention Rating that is measurable, consistent and repeatable.

Preliminary Tree Retention Rating

The Preliminary Tree Retention Rating is conducted assessing Tree Health and Structure to give an overall Condition Rating and Height and Spread to give an overall Size Rating. The following matrices identify how these are derived.

Condition Matrix				
Structure	Health			
	Good	Fair	Poor	Dead
Good	C1	C2	C3	C4
Fair	C2	C2	C3	C4
Poor	C3	C3	C4	C4
Failed	C4	C4	C4	C4

Size Matrix					
Spread	Height				
	>20	15-20	10-15	5-10	<5
>20	S1	S1	S1	S2	S3
15-20	S1	S1	S2	S3	S3
10-15	S1	S2	S2	S3	S4
5-10	S2	S3	S3	S4	S5
<5	S3	S3	S4	S5	S5

The results from the Condition and Size Matrices are then placed in the Preliminary Tree Retention Rating Matrix.

Preliminary Tree Retention Rating				
Size	Condition			
	C1	C2	C3	C4
S1	High	Moderate	Low	Low
S2	Moderate	Moderate	Low	Low
S3	Moderate	Moderate	Low	Low
S4	Moderate	Moderate	Low	Low
S5	Low	Low	Low	Low

The Preliminary Tree Retention Rating gives a base rating for all trees regardless of other environmental and/or amenity factors and any Special Value considerations. The Preliminary Tree Retention Rating can only be modified if these factors are considered to be of high or low enough importance to warrant increasing or, in a few cases, lowering the original rating.



Tree Retention Rating Modifier

The Preliminary Tree Retention Rating is then qualified against the recognised Environmental and Amenity benefits that trees present to the community thereby providing a quantitative measure to determine the overall Tree Retention Rating. Data is collected in relation to Environmental and Amenity attributes which are compared through a set of matrices to produce a Tree Retention Rating Modifier.

Environmental Matrix				
Origin	Habitat			
	Active	Inactive	Potential	No Habitat
Indigenous	E1	E1	E2	E3
Native	E1	E2	E3	E3
Exotic	E2	E3	E3	E4
Weed	E3	E3	E4	E4

Amenity Matrix				
Character	Aesthetics			
	High	Moderate	Low	None
Important	P1	P1	P2	P3
Moderate	P1	P2	P3	P3
Low	P2	P3	P3	P4
None	P3	P3	P4	P4

Tree Retention Rating Modifier				
Amenity	Environment			
	E1	E2	E3	E4
P1	High	High	Moderate	Moderate
P2	High	Moderate	Moderate	Moderate
P3	Moderate	Moderate	Moderate	Moderate
P4	Moderate	Moderate	Moderate	Low

Tree Retention Rating

The results of the Preliminary Tree Retention Rating and the Tree Retention Rating Modifier matrices are combined in a final matrix to give the actual Tree Retention Rating.

Tree Retention Rating Matrix			
Tree Retention Rating Modifier	Preliminary Tree Retention Rating		
	High	Moderate	Low
High	Important	High	Moderate
Moderate	High	Moderate	Low
Low	Moderate	Low	Low



Special Value Trees

There are potentially trees that have Special Value for reasons outside of normal Arboricultural assessment protocols and therefore would not have been considered in the assessment to this point; to allow for this a Special Value characteristic that can override the Tree Retention Rating can be selected. Special Value characteristics that could override the Tree Retention Rating would include factors such as the following:

Cultural Values

Memorial Trees, Avenue of Honour Trees, Aboriginal Heritage Trees, Trees planted by Dignitaries and various other potential categories.

Environmental Values

Rare or Endangered species, Remnant Vegetation, Important Habitat for rare or endangered wildlife, substantial habitat value in an important biodiversity area and various other potential categories.

Where a tree achieves one or more Special Value characteristics the Tree Retention Rating will automatically be overridden and assigned the value of Important.

Tree Retention Rating Definitions

- | | |
|------------------|--|
| Important | These trees are considered to be important and will in almost all instances be required to be retained within any future development/redevelopment. It is highly unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should as a minimum be consistent with Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> however given the level of importance additional considerations may be required. |
| High | These trees are considered to be important and will in most instances be required to be retained within any future development/redevelopment. It is unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should be consistent with Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> . |
| Moderate | These trees are considered to be suitable for retention however they achieve less positive attributes than the trees rated as Important or High and as such their removal or other tree damaging activity is more likely to be considered to be acceptable in an otherwise reasonable and expected development. The design process should where possible look to retain trees with a Moderate Retention Rating. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> . |
| Low | These trees are not considered to be suitable for retention in any future development/redevelopment; trees in this category do not warrant special works or design modifications to allow for their retention. Trees in this category are likely to be approved for removal and/or other tree damaging activity in an otherwise reasonable and expected development. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> . |



Development Impact Assessment

Potential development impacts were determined in accordance with Australian Standard 4970-2009 *Protection of trees on development sites*. The identification of the impact of development considers a number of factors including the following:

- a. The extent of encroachment into a tree's Tree Protection Zone by the proposed development as a percentage of the area.
- b. Results of any non-destructive exploratory investigations that may have occurred to determine root activity.
- c. Any required pruning that may be needed to accommodate the proposed development.
- d. Tree species and tolerance to root disturbance.
- e. Age, vigour and size of the tree.
- f. Lean and stability of the tree.
- g. Soil characteristics and volume, topography and drainage.
- h. The presence of existing or past structures or obstacles potentially affecting root growth.
- i. Design factors incorporated into the proposed development to minimise impact.

Impacts were classified into the following categories:

- **None** The proposed development does not impact on the tree.
- **Low** The proposed development is unlikely to impact the health of the tree.
- **Moderate** The proposed development is expected to impact the health of the tree however mitigation strategies are available to maintain tree condition.
- **High** The proposed development is expected to substantially the health and potentially the stability of the tree.
- **Conflicted** The proposed development substantially affects the tree including the Structural Root and/ the trunk.

Trees with an impact identified as 'Low' require general Tree Protection Zone management.

Trees with Low Retention Ratings and High or Conflicted impacts are recommended for removal as alternative designs or installation methods are not warranted.

Trees with a Moderate Retention Rating and High or Conflicted impacts are recommended for further investigation such as minor design alteration, other considerations or removal.

Trees with a High Retention Rating and High or Conflicted impacts are recommended for alternative installation methods, alternative designs or if these are not practicable or are unreasonable, tree removal may be recommended.



Appendix B - Tree Assessment Findings

Corymbia citriodora

Lemon Scented Gum

Tree: 1

Inspected: 17 September 2018
Height: 15-20 metres
Spread: 10-15 metres
Health: Good
Structure: Good
Age: Mature
Useful Life Expectancy: >20 years
Circumference: 2.45 metres
Tree Protection Zone: 8.88 metres

Observations:

The tree consists of a single trunk to approximately four metres above ground level where scaffold branches emerge to form an upright crown.

This tree is in good overall condition as evidenced by its good health and structure.

The root zone includes a concrete pad, a small lawn area and the swimming pool within the property and buildings on the neighbouring property.

**Legislative Status:**

Exempt

Whilst this tree achieves a regulated trunk circumference this tree is exempt from control as it is within 10 metres of an inground pool and is not from the genus *Eucalyptus* or an *Agonis flexuosa*.

Retention Rating:

Moderate

This tree has a Moderate Retention Rating and could be considered for retention in any future development.

Development Impact:

Conflicted

The tree is in direct conflict with the proposed development and requires removal for the development to proceed.

Eucalyptus camaldulensis

River Red Gum

Tree: 2

Inspected: 10 December 2019
Height: 15-20 metres
Spread: 10-15 metres
Health: Good
Structure: Good
Age: Semi-mature
Useful Life Expectancy: >20 years
Circumference: 2.33 metres
Tree Protection Zone: 8.40 metres

Observations:

This tree is in good overall condition as evidenced by its good health and structure.

The root zone of this tree is restricted with over 40% of the area being under hardstand, building or other impermeable surface.

**Legislative Status:**

Regulated

This tree is identified as a Regulated Tree as defined in the Development Act 1993.

Retention Rating:

Moderate

This tree has a Moderate Retention Rating and could be considered for retention in any future development.

Development Impact:

Conflicted

The tree is in direct conflict with the proposed development and requires removal for the development to proceed.

Development Plan Objectives:

The subject tree is identified as a Regulated Tree when assessed against the *Development Act 1993* and the City of West Torrens Development Plan and is required to be assessed against the relevant Objectives and Principles of Development Control that apply to Regulated Trees.

Objective: *The conservation of regulated trees that provide important aesthetic and environmental benefit.*
This tree does not provide important aesthetic or environmental benefit.

Objective: *Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:*

This tree, other than being indigenous to the locality, does not demonstrate any of the other attributes as discussed below.

- (a) *Does the tree significantly contribute to the character or visual amenity of the locality?*
This tree makes a limited contribution to the character and amenity of the local area. This is a relatively small tree with atypical form that shares a crown volume with an adjacent tree.
- (b) *Is this species indigenous to the locality?*
This tree whilst planted is a species which is indigenous to the local area.
- (c) *Is this species identified as a rare or endangered species?*
This species is not identified as a rare or endangered native species. *Eucalyptus camaldulensis* is Australia's most widespread and common eucalypt and is not rare or endangered in any of its ranges.
- (d) *Is this tree an important habitat for native fauna?*
This is an indigenous species however it has limited opportunity for nesting sites and as such is not considered to provide important habitat for native fauna. This is a semi-mature tree that has not developed hollows or other features suitable for native fauna habitat and as such its value in this regard is relatively low.

Principles of Development Control:

As a Regulated Tree it is required to be assessed against the relevant Principles of Development Control as follows:-

Principle: *Development should have minimum adverse affects on regulated trees.*
The proposed development requires the removal of this tree.

Principle: *A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:*
This tree achieves point (d) as indicated below

- (a) *Is the tree diseased and its life expectancy short?*
This tree is not diseased nor does it have a short life expectancy.
- (b) *Does this tree represent a material risk to public or private safety?*
This tree has a Low Risk Rating and therefore is not identified as representing a material risk to public or private safety.
- (c) *Is this tree causing damage to a building?*
This tree has not been identified as causing damage to a building.
- (d) *Is this tree preventing development that is reasonable and expected that would not otherwise be possible?*
This tree is in conflict with the proposed development which is understood to be otherwise reasonable and expected.
- (e) *Is the work required for the removal of deadwood, treatment of disease, or in the general interests of tree health?*
This criterion is not relevant to this application.

Principle: *Tree damaging activity other than removal should seek to maintain the aesthetic appearance and structural integrity of the tree.*
The proposed development requires the removal of this tree.



Definitions

Important: When assessing trees against the *Development Act 1993* and local Development Plan the term "Important" is used when assessing a tree's amenity, aesthetic and environmental contribution. Commissioner Nolan of the Environment, Resource and Development Court in the case of *Savoy Developments Pty Ltd v Town of Gawler* [2013] SAERDC 32 defined "Important" in the following manner:

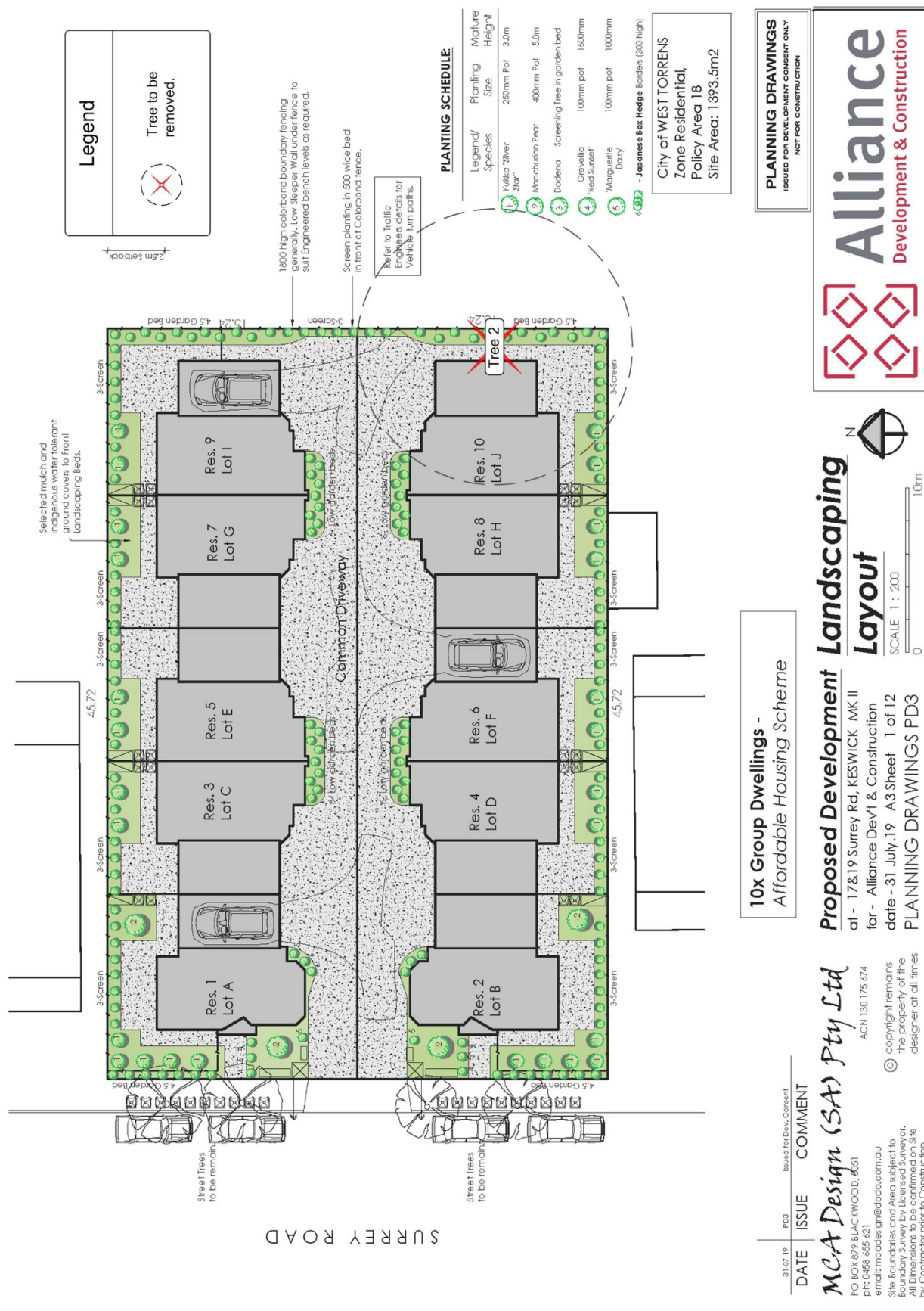
"In my view, for habitat to be raised to the level of 'important' (as sought by Objective 2(d)), it must be beyond that likely to be expected in any mature tree of indigenous origins – that is, it is beyond the normal level that might be expected or that it is so unique or special that it may be considered important."

Whilst this definition relates to Habitat Value this definition has been considered and applied when assessing all Objectives that use the term "Important".





Appendix C - Mapping



Affordable Housing Land Management Agreement

dated the date specified in Item 1 of the Schedule

Parties

Minister for Planning a body corporate pursuant to the *Administrative Arrangements Act 1994* (SA) of 12th Floor, 136 North Terrace, Adelaide SA 5000 ("**Minister**")

and

The entity named in Item 2 of the Schedule, of the address specified in Item 2 of the Schedule ("**Owner**")

Table of Contents

BACKGROUND.....	3
1. DEFINITIONS AND INTERPRETATIONS.....	4
2. DEVELOPMENT OF AFFORDABLE HOUSING.....	6
3. MARKETING, OFFER FOR SALE OR LEASE OF AFFORDABLE HOUSING	7
4. NOTING OF THIS AGREEMENT	8
5. OWNER TO OBTAIN CONSENTS.....	8
6. COSTS.....	9
7. REPORTING	9
8. INDEMNITY.....	10
9. NOTICES	10
10. DISPUTE RESOLUTION.....	10
11. MINISTER MAY DELEGATE	11
12. GENERAL.....	11
SCHEDULE	13
SIGNING PAGE.....	14
ANNEXURE 1.....	15
13. AFFORDABLE HOUSING MARKETING AND SELLING OBLIGATIONS TO ELIGIBLE HOME BUYERS	15

Background

BACKGROUND

- A. The Owner is the registered proprietor of the Land.
- B. The Owner acknowledges that the South Australian Government, via the South Australian Planning Strategy is committed to increasing both affordable home purchase and rental opportunities, and high need housing opportunities for South Australians, and that the planning strategy establishes a target of at least fifteen percent (15%) affordable housing in all significant new developments.
- C. The Minister and the Owner wish to manage the Land and to control development of the Land to ensure that the Government's affordable housing targets as set out in Background B above, are met.
- D. Pursuant to the provisions of Section 57(1) of the Act the Owner has agreed with the Minister to enter into this Agreement relating to any proposed development of the Land subject to the terms and conditions set out in this Agreement.
- E. The parties acknowledge that the matters recited in the Background and Schedule to this Agreement are true and accurate and agree that they form part of this Agreement.
- F. The Owner acknowledges that they must adhere to the obligation set out within this Land Management Agreement as it is their intention to utilise development concessions associated with the development of affordable housing to assist the assessment (by the relevant authority) of application(s) for development on the Land.

Agreed Terms

1. DEFINITIONS AND INTERPRETATIONS

In this Agreement:

- 1.1 **Act** means the *Development Act 1993* (SA), and its replacement the *Planning Development and Infrastructure Act 2016* (SA);
- 1.2 **Affordable Homes Program** is the marketing brand and activity used by the State Government to target affordable housing exclusively to eligible home buyers;
- 1.3 **Affordable Housing Apartment** means an apartment constructed, or to be constructed, on the Land that meets the criteria for affordable housing specified in the Notice;
- 1.4 **Affordable Housing Facilitation Agreement** means a legal agreement made between the South Australian Government and a provider of housing which recognises, records and secures the policy and the respective financial interests agreed between the parties in respect to the provision of affordable housing;
- 1.5 **Affordable Housing Property** means a property created on the Land by the Plan of Division, and may be either a completed or partially completed:
 - (a) Affordable Housing House and Land Package;
 - (b) Affordable Housing Dwelling;
 - (c) Affordable Housing Apartment;
 - (d) Land Only Affordable Housing Allotment
- 1.6 **Affordable Housing Plan** means the plan developed by the Owner and approved by the Manager in accordance with clause 2.2 of this Agreement;
- 1.7 **Community Housing Provider** is a community housing provider under the Community Housing Providers (National Law) (South Australia) Act 2013 (SA) or a party which is a transitioning housing association or transitioning housing co-operative under that Act;
- 1.8 **Development Approval** means a development authorisation from the relevant authority under the *Development Act 1993* but does not include building rules consent;
- 1.9 **Eligible Home Buyer (at the time of this Agreement and in any event as specified in the Notice)** means either:-
 - (a) a prospective homeowner listed on the SA Home Purchase Eligibility Register maintained by the SA Housing Authority; or
 - (b) a registered Community Housing Provider; or
 - (c) South Australian Housing Trust; or
 - (d) a housing provider that is subject to an affordable housing facilitation agreement with any Minister, instrumentality or agency of the Crown in the right of the State of South Australia; or
 - (e) a Person approved to provide affordable rental under the NRAS; or
 - (f) such other Person as the Minister may from time to time nominate to the Owner in writing;
- 1.10 **Exclusive Listing Period** is the period by which a property is offered for affordable home ownership opportunities, such as through the Affordable Homes Program;
- 1.11 **GST** means the tax imposed by the GST Law;

- 1.12 **GST Law** has the meaning attributed in the *A New Tax System (Goods and Services Tax) Act 1999* (Cth);
- 1.13 **House and Land Package** means a package deal that includes both a new home and the land on which it is built. The buyer selects the block of land of their choice, then chooses from a number of standard or customised home designs;
- 1.14 **Land** means the whole of the land comprised in the Certificates of Title specified in Item 3 of the Schedule and includes any part or parts of the Land;
- 1.15 **Land Only Affordable Housing Allotment** means an Affordable Housing Property that is not a completed or partially completed a House and Land Package, apartment or dwelling, and which comprises only the land to be offered for sale in accordance with clause 13.11.3;
- 1.16 **Manager** means the Manager, Industry Partnerships within SA Housing Authority;
- 1.17 **Maximum Price** refers to properties being advertised and sold to prospective eligible home buyers and is the maximum sale price for the Affordable Housing Property specified in the Notice, and is inclusive of GST payable by an Eligible Home Buyer but excludes stamp duty and registration fees payable by an Eligible Home Buyer;
- 1.18 **Mortgage** means the mortgage specified in Item 6 of the Schedule;
- 1.19 **Mortgagee** means the finance institution specified in Item 6 of the Schedule;
- 1.20 **Notice** means a notice published in the South Australian Government Gazette pursuant to Regulation 4 of the *South Australian Housing Trust (General) Regulations 2010* (SA) as amended from time to time;
- 1.21 **NRAS** means the former National Rental Affordability Scheme established by the Australian Government;
- 1.22 **Outcomes** has the meaning as set out in clause 2.1;
- 1.23 **Person** will include a corporate body or other entity;
- 1.24 **Planning Strategy** means the strategy formulated under the Act;
- 1.25 **Practical Completion** means when an Affordable Housing Apartment is complete except for minor omissions and defects;
- 1.26 **Sales Report** has the meaning as set out in clause 7 (b);
- 1.27 **Schedule** means the schedule to this Agreement;
- 1.28 **SA Housing Authority** means a statutory corporation under the *South Australian Housing Trust Act (1995)*;
- 1.29 **SA Housing Trust** means the statutory authority pursuant to the *South Australian Housing Trust Act (1995)*;
- 1.30 **Standard Turn Key Home** means a dwelling other than an Affordable Housing Apartment which satisfies both the definition of "Turn Key Home" and includes the 'mandatory inclusions' as specified in the Government of South Australia Affordable Homes Program, Turn Key Home definition provided by the SA Housing Authority at the time the Affordable Housing Property is listed for sale;
- 1.31 **Torrens Title Allotments** means a single certificate of title for an allotment of land, on which all transactions such as transfers of ownership are registered on the certificate of title. It is not a community lot, a development lot or common property as defined in and created in accordance with the *Community Titles Act 1996*;
- 1.32 **Website** means the part of the website www.affordablehomes.sa.gov.au that is used and maintained by the SA Housing Authority for the purposes of promoting the Affordable Homes Program, eligibility criteria and listings for affordable properties;

- 1.33 Words and phrases used in this Agreement which are defined in the Act or in the Regulations made under the Act will have the meanings ascribed to them by the Act or the Regulations as the case may be;
- 1.34 References to any statute or subordinate legislation will include all statutes and subordinate legislation amending, consolidating or replacing the statute or subordinate legislation referred to;
- (a) any term which is defined in the statement of the names and descriptions of the parties or in the Background will have the meaning there defined;
 - (b) a reference to a party includes that party's administrators, successors and permitted assigns;
 - (c) words importing the singular number or plural number will be deemed to include the plural number and the singular number respectively;
 - (d) words importing any gender will include every gender;
 - (e) clause headings are provided for reference purposes only and will not be resorted to in the interpretation of this Agreement.
- 1.35 The requirements of this Agreement are at all times to be construed as additional to the requirements of the Act and any other legislation affecting the Land.

2. DEVELOPMENT OF AFFORDABLE HOUSING

2.1 Obligation to Create Affordable Housing

In order to be assessed for affordable housing by the planning assessing authority, the Owner must commit to and construct not less than one hundred percent (100%) Affordable Housing Properties as 'Outcomes', and either:

- (a) offer for sale as Affordable Housing Properties to Eligible Home Buyers; or
- (b) offer for sale to a person approved to provide affordable rental; or
- (c) offer for affordable lease or rent, provided always that the Owner is a person as set out in the Notice and in accordance with clause 3.2.

2.2 Affordable Housing Plan

- 2.2.1 The Owner must prepare an initial Affordable Housing Plan, and in doing so consult with and obtain approval from the Manager of the Affordable Housing Plan by no later than the date specified in Item 4 of the Schedule.
- 2.2.2 The Affordable Housing Plan must:
- (a) Reflect the Owner's proposal;
 - (b) specify development of the Land on a stage by stage basis;
 - (c) specify the approximate number, type and location of Affordable Housing Properties which are to be offered for sale in each sub-stage;
 - (d) control a balanced delivery across a project that may support sub-stage approval with increased or decreased Affordable Housing Properties, providing that the Outcomes are delivered;
 - (e) in the case of Affordable Housing Apartments, specify the number, type and floor level within the building or buildings that the apartments are to be offered for sale.
- 2.2.3 An Affordable Housing Plan can be amended from time to time by the Owner, provided that:
- (a) the Outcomes are delivered in the amended Affordable Housing Plan; and

- (b) the amended Affordable Housing Plan is approved by the Manager within fourteen (14) days of the amendment being made.
- 2.2.4 If requested by the Manager, the Owner must meet and consult with the Manager in good faith in relation to any concerns that the Manager may have with the Affordable Housing Plan or any amendments to the Affordable Housing Plan.
- 2.2.5 The Owner acknowledges that the factors to be taken into account by the Manager in considering the Affordable Housing Plan submitted by the Owner include:
 - (a) the distribution of the Affordable Housing Properties through the stages;
 - (b) the style and specifications of the Affordable Housing Properties which the Owner proposes to construct or approve for construction on the Land;
 - (c) the attributes of the Land such as slope, location of water courses, trees and vegetation;
 - (d) the home ownership and rental mix;
 - (e) the mix of built form.
- 2.2.6 The Owner must ensure that all Affordable Housing Properties are constructed, marketed and offered for sale in accordance with the approved Affordable Housing Plan (subject to any amendments agreed pursuant to clause 2.2.3) and in accordance with any development authorisation received in respect of the application for the development of the Land.

2.3 Construction of Affordable Housing

The Owner must ensure that:

- 2.3.1 Affordable Housing Properties are well integrated and complementary in design and appearance to other dwellings within the development;
- 2.3.2 In the event that the Owner is to develop the Land in stages, then the staging of the development must provide for the development of Affordable Housing Properties with the development of other land and dwellings;
- 2.3.3 Affordable Housing Properties are equivalent to other dwellings in the development in their energy efficiency, insulation, water conservation mechanisms, and solar access rating;
- 2.3.4 the exterior appearance of Affordable Housing Properties are reasonably similar to other dwellings built on the Land in the nature and quality of exterior building materials and finishes.

3. MARKETING, OFFER FOR SALE OR LEASE OF AFFORDABLE HOUSING

3.1 Sale for the purpose of Affordable Home Ownership

The Owner must ensure that any Affordable Housing Property is marketed, offer for sale or lease to Eligible Home Buyers in accordance with the requirements set out in Annexure 1.

3.2 Sale or Retention for the purpose of Affordable Rental

The Owner must, in offering Affordable Housing Properties for lease or rental in accordance with clause 2.1(b, c) ensure that such affordable rental is provided;

- a) Through a Community Housing Provider; or
- b) Under NRAS; or
- c) At a rental being 80% of market rent at the commencement of the relevant tenancy; or
- d) some other scheme as approved by the Minister responsible for the Notice in the Government Gazette.

Where the property is to provide for affordable rental, there is no need for the value of the property to be below the Maximum Price. The affordable outcome is delivered through the affordable rental to the tenant.

4. NOTING OF THIS AGREEMENT

4.1 Noting of Agreement

The Minister and the Owner will do all things and execute all such documents that may be necessary to ensure that as soon as is possible, after the execution of this Agreement by all necessary parties, this Agreement is noted and a memorial thereof is entered on the Certificate of Title for the Land pursuant to the provisions of Section 57 of the Act in priority to any other interest in the Land.

4.2 Noting of Rescission

4.2.1 The Owner and the Minister agree that the Minister shall rescind (as that term is used in the Act) this Agreement and procure the noting by the Registrar General of such rescission of this Agreement over such relevant portions of the Land following:

- (a) the approval of the Affordable Housing Plan by the Manager; and
- (b) the grant of Development Approval for the development of the Affordable Housing Properties by the Relevant Authority; and
- (c) the deposit of any plans at the Lands Titles Office (if required, given the nature of the Owner's development on the Land); and
- (d) where homes are being made available for home ownership, the expiration of the Exclusive Listing Period; and
- (e) the Owner requesting the Minister to rescind the Agreement and specifying the particular allotment numbers in the relevant plan of division that will be used to deliver Affordable Housing Properties on that portion of the Land in accordance with the Affordable Housing Plan; and
- (f) the fulfilment of the Agreement up to the stage number of the development the rescission is for or forms part of, to the reasonable satisfaction of the Manager.

4.2.2 The Owner and the Minister agree that:

- (a) any rescission of this Agreement and noting of such rescission under this clause 4.2 shall not release the Owner from its obligations under this Agreement to deliver the Outcomes contemplated by the Affordable Housing Plan; and
- (b) the obligation on the Owner to deliver the Outcomes pursuant to this Agreement shall remain in full force and effect and is hereby confirmed.

4.2.3 Both the Owner and the Minister agree to undertake best endeavours to expedite the signing of any documents appropriate to rescind this Agreement from the relevant properties to meet the Owner's timing required to complete the sale of the relevant apartments in the development.

5. OWNER TO OBTAIN CONSENTS

The Owner must:

- 5.1 obtain any consent(s) required to satisfy the requirements of Section 57 of the Act; and

- 5.2 provide a copy of the consent(s) to the Minister.

6. COSTS

- 6.1 The Owner agrees to pay the costs incurred in the stamping and noting of this Agreement against the relevant certificates of title for the Land.
- 6.2 The Owner shall pay the Minister's costs of and incidental to the rescission or partial rescission of this Agreement and the noting of such rescission or partial rescission against the relevant portions of the Land.

7. REPORTING

The Owner must provide to the Manager information reasonably requested by the Manager (in the form of the Affordable Housing Plan, Sales Report and other documents as requested) to demonstrate compliance with the requirements of this Agreement on a six-monthly basis, including (without limitation) the following details:

- (a) Evidence of marketing the affordable housing properties exclusively to the target audience over a minimum 30-day period (unless sold within that day 30 period).
- (b) Property details delivered as affordable housing outcomes, including:
 - (i) stage number
 - (ii) street address
 - (iii) number of bedrooms
 - (iv) type of dwelling (apartment/flat/unit, mews, detached house, attached house, townhouse)
 - (v) sale price (or valuation at completion if being retained for rental)
 - (vi) settlement date (or Certificate of Occupancy if being retained for rental)
 - (vii) buyer type (home buyer, open market, rental provider)
 - (viii) variance
 - (ix) new Certificate of Title
- (c) Where applicable, statutory declaration as evidence of sale to an eligible home buyer.

Every Affordable Housing Outcome must be reported as outlined in clause 7 to be counted towards the Owner's obligation to deliver the Outcomes in line with the requirements of this Agreement.

8. INDEMNITY

In the event of a breach or non-performance of its obligations under this Agreement, the Owner hereby indemnifies the Minister and agrees to keep the Minister forever indemnified in respect of the whole of the Minister's costs and expenses (including without limitation legal costs and expenses) of and incidental to the enforcement of the Owner's obligations under this Agreement.

9. NOTICES

9.1 Without prejudice to any other means of giving notice any notice required to be served under this Agreement shall be sufficiently served or given:

9.1.1 by personal service on that party (or if it is a body corporate on a director, secretary or other officer of the party);

9.1.2 if to the Owner, by post to the address of the Owner set out in Item 7 of the Schedule such other address as the Owner may notify the Minister from time to time as being the Owner's address for service of notices; and

9.1.3 if to the Minister, by post to the address of the Minister set out in Item 7 of the Schedule or such other address as the Minister may notify each other party from time to time as being the Minister's address for service of notices.

9.2 Any notice may be signed on that party's behalf by its attorney, director, secretary or other officer or solicitor.

9.3 A notice by post shall be deemed to be served or given at the time when it ought to be delivered in the due course of post.

10. DISPUTE RESOLUTION

10.1 Except in a case of genuine urgency, where a party seeks immediate interlocutory relief or other interim remedy (including in any instance where the South Australian Housing Trust's interests or the public interest may be prejudiced if the South Australian Housing Trust did not take immediate action), no party may take legal proceedings in respect of any dispute in relation to this Agreement without attempting resolution in accordance with this clause.

10.2 The party initiating the dispute resolution process must issue the other parties with a "Dispute Notice" setting out the details of the dispute.

10.3 Each party must submit the Dispute Notice to one of its officers or representatives ("Negotiators"). (The parties receiving the Dispute Notice must submit the notice to its Negotiators within five Business Days of receipt of the Dispute Notice).

10.4 The Negotiators must meet as soon as practicable to resolve the dispute.

10.5 If the Negotiators cannot resolve the dispute within ten Business Days of its reference to them, each Negotiator must prepare a written summary of his or her attempts to resolve the dispute and immediately refer that summary to that party's relevant executive officer ("Executive Negotiators").

10.6 The Executive Negotiators must meet as soon as practicable to resolve the dispute, but in any case, within ten Business Days of its reference to them. Each party must authorise and inform its Executive Negotiator sufficiently so that he or she can undertake that meeting without detailed reference to another person.

10.7 A party may change its Executive Negotiator at any time during the Term by written notice to the other party.

10.8 Notwithstanding the existence of a dispute each party must continue to perform its obligations under this Agreement.

11. MINISTER MAY DELEGATE

The Minister may delegate any of its powers under this Agreement to any person.

12. GENERAL

12.1 Good Faith

The Owner and the Minister must deal with one another in good faith in relation to their respective obligations under this Agreement.

12.2 Joint and Several Liability

When two or more persons are parties to this Agreement the covenants obligations and agreements on their part contained in this Agreement shall bind them jointly and each of them severally.

12.3 Restrictions on dealing with Land

12.3.1 The Owner must not assign, encumber or attempt to novate any of its rights or obligations in relation to this Agreement without the prior written consent of the Minister.

12.3.2 Unless this Agreement has been rescinded from the Land (or portion of the Land) pursuant to the provisions of this Agreement the Owner must not sell, assign, convey, transfer, create a trust in respect of, or otherwise dispose of the legal or any beneficial estate or interest in or to the Land or any portion of the Land other than in accordance with this Agreement, at any time during the term of this Agreement without the prior written consent of the Minister.

12.3.3 The Owner must not grant any lease, licence, or any other right which may enable any person any right to breach an obligation imposed on the Owner under this Agreement, unless such grant is made in writing and with the prior written consent of the Minister.

12.4 Entire Agreement

12.4.1 This Agreement incorporates the attached Schedule.

12.4.2 This Agreement contains the entire agreement between the parties with respect to its subject matter.

12.4.3 This Agreement supersedes any prior agreement, understanding or representation of the parties on the subject matter.

12.5 Modification

Any modification of this Agreement must be in writing and signed by each party.

12.6 Waiver

The Minister may waive compliance by the Owner with the whole or any part of the Owner's obligations provided that no such waiver will be effective unless expressed in writing and signed by the Minister.

12.7 Severance

12.7.1 Each word, phrase, sentence, paragraph and clause of this Agreement is severable.

12.7.2 If a court determines that a part of this Agreement is unenforceable, invalid, illegal or void that court may sever that part.

12.7.3 Severance of a part of this Agreement will not affect any other part of this Agreement.

12.8 Relationship between the Parties

Nothing in this Agreement will constitute either party as the partner, agent, employee or officer of, or as a joint venturer with, the other party, and neither party has any authority to bind the other party in any manner without the prior written consent of the other party.

12.9 Governing Law

12.9.1 This Agreement is governed and construed in all respects in accordance with the law of the State of South Australia and the Commonwealth of Australia.

12.9.2 The parties submit to the jurisdiction of the Courts of the State of South Australia and the Commonwealth of Australia in respect of all matters arising under or relating to this Agreement, provided that any proceedings issued in the Courts of the Commonwealth of Australia are issued in the Adelaide Registry of any such Court.

12.10 Construction of Agreement

In the interpretation of this Agreement no rules of construction shall apply to the disadvantage of one party on the basis that that party put forward the Agreement or any part thereof.

Schedule

ITEM 1 - Date of Agreement

ITEM 2 – Owner

Owner's Name: Robinson Family Group Pty Ltd
 Owner's Address: PO Box 40 Park Holme SA 5043
 A.B.N.: 70612864785

ITEM 3 – Land (Clause 1.13)

The whole of the land comprised in Certificates of Titles Volume 5228 Folio 600 and Volume 5777 Folio 340

Address of development

17-19 Rurrey Road, Keswick SA 5035

ITEM 4 - Provision of Affordable Housing Plan (Clause 2.2.1)

Due Date: within 30 days of obtaining Development Plan consent.

ITEM 5 - Current Maximum Price (Clause 13.1.2)

Dwelling or House and Land	\$354,000.00
If price variance is approved	\$407,100.00
Land Only	\$159,300.00

ITEM 6 – Mortgage

Mortgage Institution	n/a
Mortgage Number	n/a

ITEM 7 Addresses for Notices (Clause 9)

Minister

Contact Officer: Jodi Davy

Phone Number: 08 8207 0223

E-mail address: jodi.davy@sa.gov.au

Postal Address: South Australian Housing Trust

Attention: Jodi Davy, Team Leader Affordable Housing

Courier: Level 5, Riverside Centre, North Terrace, Adelaide SA 5000

Post: GPO Box 1669, Adelaide SA 5001

Owner:

Contact Person: Rebecca Robinson

Phone Number: 0407 390 306

E-mail address: rebecca@alliancedevelopment.com.au

Postal Address: PO Box 40, Park Holme SA 5043

Signing page

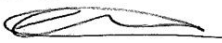
EXECUTED as a Land Management Agreement

By the CHIEF EXECUTIVE, SOUTH
AUSTRALIAN HOUSING TRUST
as delegate for THE MINISTER FOR PLANNING
pursuant to an instrument of delegation dated
25 July 2018, pursuant to s20 of
the *Development Act 1993*:



in the presence of

Witness



Courtney Amelia Tyler

Print Name:

Position Held: Executive Assistant

Address: Level 3, Riverside Centre
North TC

Contact Phone: 82071311

Date 16.10.19

Executed by Robinson Family Group Pty Ltd
(A.B.N. 70612864785) in
accordance with Section 127 of the Corporations
Act 2001



Signature

Rebecca Kate Robinson

Full Name (print)

Director

Office Held

1.10.19

Date



Signature

Vanessa Mary Lambert

Full Name (print)

Director

Office Held

8/10/19

Date

If only one person has signed, that person warrants that he/she is the sole director and the sole secretary of the company.

(Please affix the common seal if the company has a common seal)

S57 LMA Affordable Housing May 2019

Page 14 of 16

ANNEXURE 1

13. AFFORDABLE HOUSING MARKETING AND SELLING OBLIGATIONS TO ELIGIBLE HOME BUYERS

The State Government Affordable Homes Program (Website) provides targeting and eligibility frameworks to enable the marketing and sale of properties to Eligible Home Buyers.

13.1 Marketing and Sale of Affordable Housing Properties to Eligible Home Buyers

13.1.1 The Owner must ensure that:

- (a) any Affordable Housing Property is marketed, offer for sale or to Eligible Home Buyers in accordance with the requirements set out this Annexure 1.
- (b) Affordable Housing Properties being offered for sale to Eligible Home Buyers are listed at a price under the Maximum Price which at the date of this Agreement is specified in Item 5 of the Schedule.

13.1.2 The parties acknowledge and agree that the Maximum Price may vary by publication of a fresh Notice. On publication of a fresh Notice the Maximum Price will vary accordingly provided that the Maximum Price for the purposes of this Agreement will not be less than the price specified in Item 5 of the Schedule at the execution of this Agreement.

13.1.3 The Owner, in marketing or offering to sell any Affordable Housing Property, must:

- (a) not commence marketing to Eligible Home Buyers earlier than 30 days after Development Approval has been granted;
- (b) market exclusively to Eligible Home Buyers for a minimum period of 30 days after Development Approval has been granted;
- (c) list each Affordable Housing Property for a fixed price under the Maximum Price;
- (d) sell the Affordable Housing Property on a first-in-line basis;
- (e) ensure that any Land Only Affordable Housing Allotment is sold as a Torrens Title Allotment;
- (f) follow any direction by the Manager, who may require at least 14 days of further listing after the plan of division creating the relevant Affordable Housing Property has been accepted for deposit by the Registrar-General of the Office of the Registrar-General.

13.1.4 An eligible home buyer is one that meets the following criteria as set out for the Affordable Homes Program, and signs a statutory declaration to this effect:

- (a) Are 18 years of age or older
- (b) Does not currently own a property
- (c) Meets the income and asset limits of the Affordable Homes Program
- (d) Is a resident of South Australia
- (e) Intends to live in the property for a minimum of 12 months, commencing within 12 months of purchasing the property

13.1.5 Sale or Rent of Affordable Housing Properties after the exclusive listing period.

In the event that no Eligible Home Buyer makes an offer which complies with clause 3.1, then the Owner may sell the Affordable Housing Property to any person provided that the Affordable Housing Property is sold at a price not higher than the Maximum Price. This sale if reported as set out in clause 7 will be counted as a sale of Affordable Housing Property towards the Owner's obligation to deliver the Outcomes.

Alternatively, the owner may choose to retain the Affordable Housing Property to provide as a rental outcome in line with clause 3.2 of this Agreement.

13.2 Price Variance

The Owner may apply to the Minister in accordance with the *Affordable Housing Gazette notice (Determination of Criteria for the Purposes of the Concept of Affordable Housing, Regulation 4 of Development Act 1993)* for a variance to the Maximum Price of up to 15% where certain criteria are met in relation to environmental inclusions, unique finance options, and location to public transport.

The Owner may sell Affordable Housing Properties at a price higher than the Maximum Price if a Price Variance is approved pursuant to Clause 2(3) of the Notice.

13.3 Selling above the Maximum Price Point

For affordable housing house and land packages, the property may be sold above the Maximum Price point when the Eligible Home Buyer has requested inclusion of items in excess of the Standard Turn Key Home.

Our Ref: 500023257

08 October 2019

ALLIANCE DEVELOPMENT
PO Box 40
PARK HOLME SA 5043
Att: Daniel Morton



Dear Sir,

**Indicative Estimate to Relocate Existing Electricity Asset(s) at
17 SURREY ROAD, KESWICK SA 5035.**

Thank you for contacting SA Power Networks with your Asset Relocation Enquiry. We look forward to working with you on this project.

This letter and its accompanying documents represent our Indicative Estimate of costs should you enter into a Contract to Relocate Existing Electricity Asset(s) at 17 SURREY ROAD, KESWICK SA 5035.

An Asset Relocation Offer, if requested, would be made in accordance with the requirements of Chapter 5A of the National Electricity Rules and, if accepted, the Charges payable would be in the order of approximately \$21,000 (GST Inclusive).

SA Power Networks has made assumptions with best intentions on both the scope and line route that may be available or suitable.

This is an **indicative estimate only** and does not commit SA Power Networks to undertake the construction works at the estimated cost. That is, this letter does not constitute a binding offer by SA Power Networks to carry out the construction works at the figure referred to in this letter. In addition, this estimate is based on the information that you have provided to SA Power Networks and, as such, if this information is incomplete or inaccurate, SA Power Networks reserves the right to vary its estimate of the costs involved in carrying out the construction works. In particular this estimate is given without the benefit of other authorities' requirements or a detailed site inspection.

The Construction Terms booklet, 'Construction Terms (Non-Contestable & Contestable) 3302' provides details under which we would complete the Works for you and is available at:

<https://www.sapowernetworks.com.au/public/download.jsp?id=9603>

A printed copy of this document can be provided on request.

The scope of works includes:

- Removal of existing stobie pole on the boundary of 17-19 Surrey Rd;
- Installation of a new stobie pole approximately 4m South of existing pole to be removed (final location to be confirmed);
- Installation of a new Overhead Low Voltage road crossing;
- SA Power Networks' management of these works.

You will be responsible to contact Telstra and City of West Torrens for relocation of their assets. No cost for this work has been included in this estimate.



L-43B 02/05/2017

SA Power Networks ABN 13 332 330 749 a partnership of: Spark Infrastructure SA (No.1) Pty Ltd ABN 54 091 142 380, Spark Infrastructure SA (No.2) Pty Ltd ABN 19 091 143 038, Spark Infrastructure SA (No.3) Pty Ltd ABN 50 091 142 362, each incorporated in Australia. CKI Utilities Development Limited ABN 65 090 718 880, PAI Utilities Development Limited ABN 82 090 718 951, each incorporated in The Bahamas.

www.sapowernetworks.com.au

Progression to Firm Offer

The person requesting this Offer must sign and date the 'Asset Relocation Offer Request Form' and return it to SA Power Networks.

If you have any questions please do not hesitate to contact Siti Malik, Network Project Officer at our SA Power Networks - 5th floor Keswick, 1 Anzac Highway, Keswick SA 5035 office, on 8404 4782 or siti.malik@sapowernetworks.com.au.

Signed for and on behalf of SA Power Networks by:

A handwritten signature in blue ink, appearing to read 'Muhammad Asad', with a small blue checkmark to its right.

Muhammad Asad

Acting Senior Network Project Officer - ADELAIDE

Included:

Asset Relocation Offer Request Form.



Product	Title Details
Date/Time	28/12/2018 10:50AM
Customer Reference	
Order ID	20181228001213
Cost	\$10.20

Certificate of Title

Title Reference	CT 5777/340
Status	CURRENT
Easement	NO
Owner Number	13974437
Address for Notices	17 SURREY RD KESWICK 5035
Area	730M ² (APPROXIMATE)

Estate Type

FEE SIMPLE

Registered Proprietor

JULIANNE FRANCES GIBBS
OF 17 SURREY ROAD KESWICK SA 5035

Description of Land

ALLOTMENT 406 DEPOSITED PLAN 1288
IN THE AREA NAMED KESWICK
HUNDRED OF ADELAIDE

Last Sale Details

Dealing Reference	TRANSFER (T) 10466221
Dealing Date	11/05/2006
Sale Price	\$0
Sale Type	CHANGE OF OWNERSHIP FOR NO MONETARY CONSIDERATION OR UNDISCLOSED CONSIDERATION

Constraints

Encumbrances

Dealing Type	Dealing Number	Beneficiary
MORTGAGE	10466222	COMMONWEALTH BANK OF AUSTRALIA

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
2134644003	CURRENT	17 SURREY ROAD, KESWICK, SA 5035

Notations



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Title Details
Date/Time	28/12/2018 10:50AM
Customer Reference	
Order ID	20181228001213
Cost	\$10.20

Dealings Affecting Title

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Title Details
Date/Time	28/12/2018 10:51AM
Customer Reference	
Order ID	20181228001224
Cost	\$10.20

Certificate of Title

Title Reference	CT 5228/600
Status	CURRENT
Easement	NO
Owner Number	71036190
Address for Notices	POST OFFICE BOX 40, PARK HOLME, SA 5043
Area	700M ² (APPROXIMATE)

Estate Type

FEE SIMPLE

Registered Proprietor

ROBINSON FAMILY GROUP PTY. LTD. (ACN: 612 864 785)
OF PO BOX 40 PARK HOLME SA 5043

Description of Land

ALLOTMENT 407 DEPOSITED PLAN 1288
IN THE AREA NAMED KESWICK
HUNDRED OF ADELAIDE

Last Sale Details

Dealing Reference	TRANSFER (T) 13013869
Dealing Date	24/10/2018
Sale Price	\$580,000
Sale Type	FULL VALUE / CONSIDERATION AND WHOLE OF LAND

Constraints

Encumbrances

NIL

Stoppers

NIL

Valuation Numbers

Valuation Number	Status	Property Location Address
2134645006	CURRENT	19 SURREY ROAD, KESWICK, SA 5035

Notations

Dealings Affecting Title

NIL



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Title Details
Date/Time	28/12/2018 10:51AM
Customer Reference	
Order ID	20181228001224
Cost	\$10.20

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

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

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



DEVELOPMENT No. 211/20/2019
 PROPERTY ADDRESS: 19 Surrey Road, KESWICK SA 5035,
 17 Surrey Road, KESWICK SA 5035

YOUR FULL NAME	A.N. Harrison + S.J. Harrison
YOUR ADDRESS	15 Surrey Rd KESWICK SA 5035
YOUR PHONE No	
YOUR EMAIL	
NATURE OF INTEREST	Adjoining resident <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
REASON/S FOR REPRESENTATION Refer to attached letter.	
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought) Refer to attached letter	



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

I DO **NOT** WISH TO BE HEARD

☐

I DESIRE TO BE HEARD PERSONALLY

☒

I DESIRE TO BE REPRESENTED BY _____

☐

(PLEASE SPECIFY)

SIGNED

DATE

S. Harrison *S. Harrison*
 30/10/19



Responsible Officer: Jordan Leverington
 Ends: Thursday 7 November 2019

If space insufficient, please attach sheets

Shannon & Andrew Harrison
15 Surrey Rd
KESWICK SA 5035

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

30 October 2019

Dear Sir/Madam

RE: Development No. 211/20/2019 (17 & 19 Surrey Rd, Keswick)

We would like to respond to the notification we received for this development.

PART 1

The fundamental concern is that the following reports only consider a previous iteration of the development proposal (8 dwellings) and not the development at hand (10 dwellings):

- Planning Statement from Urban Planning & Design
- Arborist's report from Arborman Tree Solutions
- Parts of the planning drawings

As the development now has 25% more dwellings than what these outdated reports are based on, the above need to be updated and re-submitted so that Council and residents can properly consider it.

PART 2

As noted in Part 1, although we don't have a complete picture on which to assess the impact, below we have noted concerns based on the information provided, as best can be pieced together.

These concerns mostly arise from the development being larger in scale than the area can sustain and/or inadequate design to compensate for its size:

1. Too much pressure on street parking
2. Not enough frontage for rubbish bins
3. Impact on traffic and safety
4. Tree removal - urban heating and aesthetics
5. Rear boundary setbacks
6. Dwelling site area

1. Too much pressure on street parking

1.1. The existing on-street car parking around the proposed site is currently insufficient for current use, which includes:

- The main drop off/pick up zone for Richmond Primary School.
- Employee and customer parking for several local businesses

To illustrate the degree of the crowding:

- During peak times, people regularly park in or across our driveway. Our neighbours have told us that they have the same problem.
- In Appendix 1, we have shown typical weekday on-street parking usage on Surrey Road.

1.2. The proposed development will exacerbate existing parking shortages as there is inadequate off-street car parking provided, noting:

- 10 residences with only 1 car park each (i.e. no space allowance for second car in front of the garage). This would not be sufficient to accommodate the average number of motor vehicles per dwelling (1.4) in Keswick (refer ABS census link below).
https://quickstats.censusdata.abs.gov.au/census_services/getproduct/census/2016/quickstat/SSC40679?opendocument
- All garages on the plan are just above 3m width and not wide enough to accommodate popular modern cars (e.g. SUVs). For an idea as to how small these garages will be, refer to the photo in Appendix 2 of a Yaris (i.e. the smallest Toyota on sale) parked in front of a garage at recent new development at 52 Farnham Rd.
- No visitor car parks.

Overall, we are concerned that from the development, there will be a number of additional residents and guests without sufficient off-street parking who will have to use on-street parking in an already crowded area.

1.3. This representation would be overcome by ensuring the development meets all of the following criteria:

- Maximum 6 dwellings
- 3.6m wide garages
- 1.4 car parks for every dwelling (residents)
- Additional 0.5 car parks for every dwelling (visitors)

2. Not enough frontage for rubbish bins

2.1. 10 group dwellings will result in 20 rubbish bins on the footpath on rubbish collection day. The frontage of the development (accounting for the driveway and existing four trees on the footpath) does not appear wide enough to fit 20 bins.

2.2. Safety - a large block of bins will also block off the kerbside for children trying to exit a parked car for school drop-off on rubbish collection day, and will present a safety hazard if they try to exit on the roadside.

2.3. This representation would be overcome by ensuring the development meets either of the following criteria:

- Maximum 6 dwellings
- Mandated private rubbish removal

3. Impact on traffic and safety

3.1. As stated above, this part of Surrey Road is the main pick-up and drop-off point for Richmond Primary School students, and the area gets particularly busy during these times.

A development of this scale suggests that there will be a material increase in road traffic in this area. It does not seem wise to put a development of this scale in this part of Surrey Road.

- 3.2. This representation would be overcome by ensuring the development meets the following criterion:
- Maximum 6 dwellings

4. Tree removal – urban heating and aesthetics

- 4.1. The 2 regulated trees in question are ideally situated on the back-fence line of 19 Surrey Rd and nothing in the Development Impact Report prepared by Arborman Tree Solutions indicates current adverse effects from the trees (e.g. interference with the existing home on the site, or neighbouring properties).
- 4.2. The trees are some of the biggest in the area and add to the aesthetic appeal of the area. They reduce urban heating in a suburb that is one of the hottest in CWT council (per the recent CWT urban heat mapping report).
- 4.3. The arborist report advises Tree 2 is *“not expected to be compromised by this development”* and its *“protection within a redevelopment site is warranted”*. The report outlines a plan to protect the tree within the development and it is unclear why the removal of Tree 2 is required.
- 4.4. Once gone, they will take decades to be replaced in the best-case scenario (i.e. assuming CWT had a plan to replace significant trees lost).
- 4.5. This representation would be overcome by ensuring the development meets the following criterion:
- Keep both trees, and failing that, keeping Tree 2 as a minimum.

5. Rear boundary setback

- 5.1. As noted in the Urban Planning and Design report, the rear boundary set-back of 3m is outside guidelines.
- 5.2. Given that the height and length of this development (i.e. almost along the entire length of the block), it will be an imposing structure for adjoining neighbours.
- 5.3. This representation would be overcome by ensuring the development meets the following criterion:
- Increase rear boundary set-back to 4m.

6. Dwelling site area

- 6.1. As noted in the Urban Planning and Design report, the minimum site area per guidelines is 150 sqm.
- 6.2. With a site area of approximately 1394 sqm across 10 dwellings, average site area per dwelling would be 139 sqm and therefore outside guidelines.

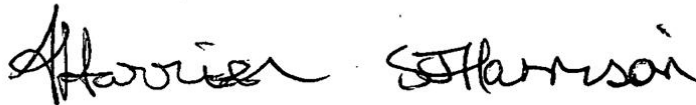
6.3. This representation would be overcome by ensuring the development meets the following criterion:

- Decrease total number of dwellings.

Other matters to be clarified/confirmation

Per the plan, it looks like the north facing windows on the northern block of units appear to be mostly obscured glass, which is a positive. We would like obscured glass confirmed/mandated for the sake of our privacy.

Yours sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is 'Andrew Harrison' and the signature on the right is 'Shannon Harrison'. Both are written in a cursive, flowing style.

Andrew Harrison

Shannon Harrison

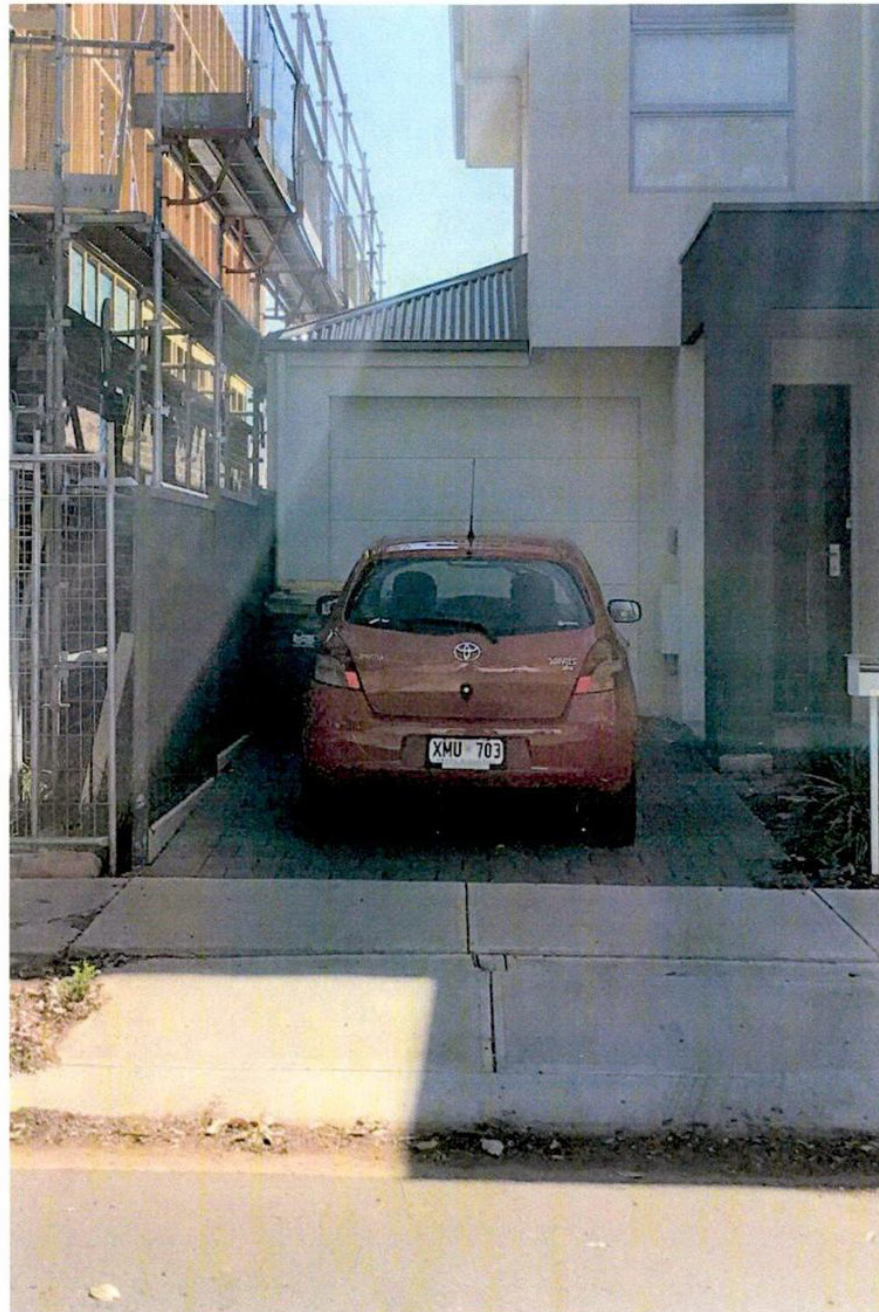
APPENDIX 1

- South facing photo of Surrey Road at 2.45pm, 28 October 2019, illustrating traffic and street parking usage.
- The 50 km/h sign on the left is where the frontage of the subject area is.



APPENDIX 2

- Photo of a small car in front of a small garage at 52 Farnham Rd development.



Shannon & Andrew Harrison
15 Surrey Rd
KESWICK SA 5035

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

6 Nov 2019

Dear Sir/Madam

RE: Development No. 211/20/2019 (17 & 19 Surrey Rd, Keswick)

I would like to respond to the notification we received for this development on behalf of Richmond Primary School staff. As a representative of our school staff I oppose this development, a total of 10 dwellings, due to such high density of residents and the resulting issues such as reduced on street parking, additional traffic congestion and the impact on road safety for our students.

Existing traffic congestion on Surrey Road and existing parking availability/restrictions for our staff have for this year, and previous years, posed many difficulties. A high density dwelling will only add to this problem.

The proposed Category 2 Development is planned to be directly opposite Richmond Primary School, Surrey Road. As you may be aware, our school has experienced recent and regular increased enrolments equating to significant population growth.

These figures taken from our school context statements. In increments of 2 yearly figures;

2015 283 students

2017 341 students

2019 Currently 393 students.

This equates to 35% growth in 5 years.

It has many flow on effects; more students, more staff, and more parents. Earlier this year a Department for Education capacity audit and demographic report was conducted, predicting an increase in residential housing and therefore continued increasing enrolment demands placed on our school.

To address this the Department for Education has examined all information including demographic data, future enrolment trends, feedback from parents and the views of staff.

We regularly receive enrolment enquiries daily. In order to prioritise this, Richmond Primary School accept children who reside nearest to our school, not any other government school – utilising the link <https://www.education.sa.gov.au/search/Find%20a%20school> on the Department for Education SA website.

Our staff continue to experience parking issues, there are simply not enough parking spaces in our staff carpark and all day duration on Surrey Road. DFE conducted a study, mid 2019, to assist us with capacity issues. The total land space for the site is 1.1455 Ha, which works out at a spatial amount of

28.6m² per student, which is less than half the standard entitlement per student. Therefore no land on the site could be converted to parking.

On refuse collection day, the parking situation is further exasperated. I cannot predicted where 10 x 2 bins would be placed outside the area proposed. If frontage is used for rubbish collection on frontage, further parking spaces would be utilised and therefore restricted, further reducing available parking. Our school population is nearing 400 students. Any parking space is considered valuable and constantly utilised at the beginning and ending of the school day in particular.

Surrey Road is the only viable road in which we can utilise a drop off/pick up zone for our community. Our site is landlocked, north and south and western side of our school is South Road and therefore not possible to be used in this way.

At pick up and drop off time we experience extreme peak traffic conditions. As a staff we are highly committed to maintaining safe conditions within and outside of our school yard. We have regularly requested community assistance in regards to the flow of traffic on Surrey Road and refrain from 3-point turns or U-turns directly outside of the school. Young children do not anticipate changes in vehicle direction and during times of heavy pedestrian and traffic congestion, this poses many safety issues and concerns. SAPOL are also assisting us, however present road markings permit vehicle change in direction, and due to the sheer numbers of vehicles extremely heavy traffic conditions exist. I am also in conversation with West Torrens City Council re safety concerns caused by heavy traffic congestion.

In summary, a development of 10 dwellings directly opposite Richmond PS will present increased pressure on street parking- which is already a daily concern for staff and school community members, add to increasing traffic congestion and negatively impact on traffic safety.

Please contact me if you require any further information in this regard.

Regards,



Ella Blake

Principal
Richmond Primary School
8 Surrey Road
Keswick 5035
8293 1863

Email ella.blake856@schools.sa.edu.au
Website <https://www.richmondps.sa.edu.au/>
Learning and Caring, for Life.

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

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

DEVELOPMENT No. 211/20/2019
 PROPERTY ADDRESS: 19 Surrey Road, KESWICK SA 5035,
 17 Surrey Road, KESWICK SA 5035

YOUR FULL NAME	Ella Blake
YOUR ADDRESS	40 8 Surrey Road Keswick 5035.
YOUR PHONE No	
YOUR EMAIL	ella.blake856@schools.sa.edu.au
NATURE OF INTEREST	Principal of Richmond P. School <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small> opposite proposed development
REASON/S FOR REPRESENTATION	Representing Richmond Primary School community concerns re high density residential population - construction phase, parking concerns, traffic congestion
MY REPRESENTATIONS WOULD BE OVERCOME BY (state action sought)	<u>Student Safety</u>

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

I DO NOT WISH TO BE HEARD ☐


I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY ☐

(PLEASE SPECIFY)

SIGNED

DATE

7/11/19 

Responsible Officer: Jordan Leverington
 Ends: Thursday 7 November 2019

If space insufficient, please attach sheets

Richmond Primary School Governing Council
8 Surrey Road
KESWICK SA5035

Attention Mr Terry Buss PSM
Chief Executive Officer
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033
(by email csu@wtcc.sa.gov.au)

November 7 2019

Re Development 211/20/2019 17, 19 Surrey Road Keswick

Dear Mr Buss,

I write to you to make a representation on the above development on behalf of the Richmond Primary School Governing Council.

The Governing Council of the school is against this development proceeding in its current form. We have concerns that a development of this intensity will cause a decrease on amenity and could result in a decrease in safety for our young students using this street every school day.

Car Parking

On-street car parking is a major issue for the residents and our school community. During the school year, on-street car parking is at near 100% capacity, and during school drop off and pick up times, parking is over 100% capacity, with many drivers parking illegally across driveways. The proposed development will result in additional demand which cannot be accommodated. With car garages of only 3 metres wide, there will be limited use of on-site parking resulting in a loss of short term parking on Surrey Road for our school community.

Traffic Movements

The proposed development is directly across the road from the School drop off and pick up area, which has a high volume of young children entering and leaving cars during this time. We are concerned that the increase in car movements both via the development crossover where there are large volumes of pedestrian traffic, and on the roadway directly opposite the designated pickup and drop off location, could cause a dangerous situation for young children that may not expect such large volume of traffic to be coming from location.

Refuse Collection

An increase to 10 dwellings (from 2) will increase the number of bins on the footpath from 4 to 20 each Wednesday morning. This will result in even less space available for on street carparking, and also impede our students being able to walk, ride or scoot safely on the footpath on the way to school, which could result in them having to cross the busy Surrey Road, not being able utilising the pedestrian crossing.

Removal of 2 Regulated Trees

We note that this development proposes the removal of two regulated trees.

Page 78 of the West Torrens Development Plan states that

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.

We would argue that none of these reasons apply, and considering the two trees in question are some of the largest in the area, we see no good reason that the first objective listed on page 78 of the plan 'The conservation of regulated trees that provide important aesthetic and/or environmental benefit' not be adhered to.

The surrounding trees provide local character and amenity to the Keswick area for our school children to enjoy when coming to Surrey Road Keswick to attend school. There is proven evidence that the existence of trees with large foliage canopies can reduce the local heat build-up. During the 2017 Urban heat map study by the City of West Torrens, Keswick was the second hottest suburb in the Council area.

We are against the removal of any trees that have the possibility of contributing the creation of Heat Islands that can occur where buildings, roads and pavements associated with urban development have largely replaced trees and green space.

In summary, the Richmond Primary School community urges the relevant authority to consider the impact of this development on the almost 400 young students, and their families. We ask that the development in its current form be rejected.

Kind regards



Michael Farnden

For and on behalf of the Richmond Primary School Governing Council

Ref: 2019-0543

16 December 2019

Mr Brendan Fewster
Contract Planner
City of West Torrens
165 Sir Donald Bradman Drive
HILTON SA 5033



URPS

Suite 12
154 Fullarton Road
ROSE PARK SA 5067

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

Dear Brendan

Response to representations – Proposed 10 affordable dwellings, land division, regulated tree removal, fence and retaining wall at 17-19 Surrey Road, Keswick (DA 211/20/19)

URPS acts for the applicant in this matter, Robinson Family Group Pty Ltd. This letter provides a summary of the representations and a response to the planning issues raised.

Summary of representations

The proposal underwent Category 2 public notification. Three representations were received. Two representations were made by Richmond Primary School and its Governing Council. One representation was made by Mr and Mrs Harrison, being the adjoining residents to the north at 15 Surrey Road.

Figure 1: Representer location map (Vehicle access point shown – proposed and existing)



shaping great communities

The representor's concerns are summarised below:

Mr & Mrs Harrison	School
<ul style="list-style-type: none"> • Density. • On-street parking. • Refuse collection and impact upon on-street parking, footpath use • Traffic and particularly its impact on the school pick-up/drop-off zone. • Tree removal. • Rear setback. • Application documentation. 	<ul style="list-style-type: none"> • Density. • On-street parking. • Refuse collection and impact upon on-street parking, footpath use. • Traffic and particularly its impact on the school pick-up/drop-off zone. • Tree removal • Amenity • Construction phase.

A common theme is evident, where the representors are concerned that the proposed density is excessive, and will in-turn culminate in unreasonable impacts upon parking and traffic conditions within Surrey Road.

In response, we note that the representors appear to have difficulty/concerns with the existing traffic and parking situation on Surrey Road. Therefore, we respectfully contend that the proposal is not at fault for the existing situation, nor will it worsen the existing situation, as will be explained in more detail below.

No concerns were raised in respect to overlooking, overshadowing, site coverage, private open space, setbacks other than rear setback, design, noise, etc.

Our detailed response to the issues raised is provided below.

Response to issues

Density

The subject land (site) is located in the **Residential Zone, Medium Density Policy Area 18** (DP 12.7.18).

The applicant has entered into an "Affordable Housing Land Management Agreement" with the SA Housing Trust as delegate for the Planning Minister. As such, the proposal constitutes "affordable housing".

The proposal provides average sites of 139m², which **complies** with the site area minimum of 100m² suggested by Policy Area PDC 7. To be clear, PDC 7 provides a lesser site area minimum for "affordable housing" development, which is understandable given the link between land size and cost.

The Policy Desired Character provides further support for the proposed density, as it states:

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. Buildings will be up to 3 storeys and provide a strong presence to streets...

The amalgamation of the two allotments into a larger development site is a positive outcome according to the above.

Finally, the site could theoretically accommodate up to 13 dwellings (3 more than proposed), up to 3 storeys (or 12.5m) in height. Therefore, any claim that the proposal is 'too dense' is unsupported by the Development Plan policy.

Quantitative assessment generally

While the representors have not raised the proposal's quantitative performance as a concern, it's important to highlight the proposal complies with the vast majority of quantitative guidelines, which reinforces the appropriateness of the proposed density in our view.

Table 1: Quantitative assessment

Attribute	Development Plan guideline	Proposed	✓ / ✗
Site area PA PDC 7	100m ² average	139m ² average	✓
Frontage	15m	30m	✓
Building height	Three storeys or 12.5m	Two storeys or 7.4m	✓
Site coverage PA PDC 5	70% Defined by PA18 PDC 5 as the coverage of any ground floor building but excluding verandahs	45% across whole site inc. driveway 44-64% individually exc. driveway	✓ ✓
Private open space PA PDC 7	24m ² total per dwelling; 3m minimum dimensions.	28.4m ² to 37.4m ² ; 3m min dimensions	✓ ✓
Front setback	3m	3m	✓
Side setback Zone PDC 11	1m, one storey walls (<3m high); 2m, two storey walls (3m-6m high)	3m 3.7m to 4m	✓ ✓
Side boundary walls	8m long by 3m high maximum	Not proposed	✓
Rear setback	4m	2m ground and 2.1m upper	✗
Car parking PA PDC 7	1 covered space each dwelling	1 covered space each	✓

Table 1 confirms the development is wholly compliant with the Development Plan guidelines that control site area, frontage, building height, site coverage, front and side setbacks, private open space, and parking. A rear setback shortfall is identified, but is considered acceptable as discussed later in this correspondence.

Traffic and car parking

The bulk of the representors' concerns relates to parking and traffic within Surrey Road.

On our review, it appears that much of the concern stems back to the existing situation, as illustrated by the following remarks extracted from their statements:

Representor	The representor's comment
Mr and Mrs Harrisons (Adjoining resident)	The <u>existing on-street car parking</u> around the proposed site is <u>currently insufficient</u> for current use, which includes [the school and local businesses].
Ms Blake (School Principal)	<p><u>Existing traffic congestion on Surrey Road</u> and <u>existing parking availability/restrictions</u> for our staff have for this year, and previous years, posed many difficulties...</p> <p>As you may be aware, <u>our school has experienced recent and regular increased enrolments</u> equating to significant population growth...</p> <ul style="list-style-type: none"> - 2015: 283 students - 2017: 341 students - 2019: 393 students <p>This equates to 35% growth in 5 years.</p> <p>Our staff continue to experience parking issues, <u>there are simply not enough parking spaces in our staff carpark and all day duration [parking] on Surrey Road....</u></p> <p><u>We have regularly requested community assistance</u> in regards to the flow of traffic on Surrey Road...</p>
Mr Farnden (School Governing Council)	<u>On-street car parking is a major issue for the residents and our school community.</u> During the school year, on-street car parking is at near 100% capacity, and <u>during school drop off and pick up times, parking is over 100% capacity</u> , with many <u>drivers parking illegally across driveways.</u>

We respectfully suggest that instead of limiting the proposed development, the responsibility to resolve any existing traffic and parking issues lies with the school and/or the Council. This is because:

- The 35% growth in enrolment since 2015 has not occurred in conjunction with an increase to the on-site car parking supply, nor has any tangible improvement to traffic management occurred. We query whether the increase in enrolments has intensified the use of the land, and whether such growth has occurred beyond the school's existing use rights.
- Based on data contained on the 'MySchool' website, the school employs around 36 FTE staff, which equates to a Development Plan parking demand of some 41 parking spaces. The school only provides 24 spaces, which is a 17-space shortfall from the guideline.

- The school does not provide an on-site drop-off and pick-up zone, and instead this zone is on located on Surrey Road.

The representors have claimed that the proposed increase in density will worsen the existing parking and traffic situation on Reynell Road.

In response, the proposal complies with density and parking guidelines as discussed earlier in this statement. As such, the proposal cannot be criticised for a parking overspill, and any traffic generated by the development is in accordance with the Development Plan's expectations for this Policy Area

Further, the proposal is unlikely to materially affect or worsen on-street parking and traffic congestion on Surrey Road in our view. This is based on the following analysis:

- **Daily trip analysis**

It's commonly accepted that a single dwelling will generate about 10 daily vehicle trips¹. The proposal for 8 additional dwelling will generate approximately 80 additional trips per day (which is conservative / on the high side).

In contrast, based on enrolment of 393 students, the school generates approximately 550 daily trips². There are also approximately 17 dwelling sites accessing Surrey Road (170 daily trips). There are also a similar number of commercial and non-residential sites accessing Surrey Road (likely 200+ daily trips). In total, the existing traffic generation onto Surrey Road appears to be at least 920 daily trips.

As such, the proposed increase of 80 daily trips represents a traffic increase of only 8.6% across the day. This is a minor and inconsequential increase in our view.

- **Peak hour analysis**

Each dwelling generates about 1 movement in each peak hour³. This means the proposal will generate an additional 8 movements in the AM peak hour, and additional 8 movements in the PM peak hour.

As stated above, the school generates approximately 550 vehicles trips per day. The majority of these trips will occur during drop-off and pick-up times (ie during peak hours).

The addition of 8 vehicle movements to Surrey Road during the AM and PM peak hours is clearly minor, equating to only 2.9% of the traffic generated by the school during peak hour⁴ (let alone other uses), and such an increase is highly unlikely to impact on the function, flow and safety of Surrey Road.

- **Waste bins**

As the site frontage is 30m, there is ample room for *maximum* 20 bins, where each bin requires about 1m of space to present to the street. The site plan demonstrates this. Often, there will be less bins.

¹ SA DPTI's 2014 guide 'Trip Generation rates for assessment of development proposals'; Tasmania Department of Infrastructure, Energy and Resources 2007 document 'Traffic Impact Assessment Guidelines'.

² SA DPTI's 2014 guide 'Trip Generation rates for assessment of development proposals'

³ RTA Guide 2013 'Guide to Traffic Generating Developments' page 1.

⁴ ie 16 peak hour trips divided by 550 peak hour trips

The site's frontage does not coincide with the school's designated drop-off and pick-up area, which is on the opposite side of the road (see Appendix A). The bin area does not impact the designated drop-off and pick-up area.

Bins facing the street are a common and acceptable outcome in suburban Adelaide, and this is no different in a Medium Policy Area. It is to be expected that, at times, the bins may deter on-street parking.

To minimise any concerns regarding traffic flow, pedestrian safety and on-street parking, we simply suggest that Council collects the bins before 8am, as this will allow vehicles to park in front of the development during the day. We certainly encourage Council to avoid collecting the bins during the peak drop-off and pick-up periods.

With all the above said, we note that parking in front of the site and within the street generally is already restricted by parking controls to maximum 30 minutes and 2 hours during the relevant times (Appendix A). As such, there should be a natural turnover of parking in the locality throughout the day.

The Development Plan does not require private waste collection for a development of this scale. On-site collection is only required for "Medium and High-Rise Development (3 or More Storeys)".

- **School crossing**

Per Appendix A and Figure 1, the proposed site access point is separated from the school crossing by some 45 metres. We foresee no conflicts with cars exiting the subject site toward the crossing point.

- **Council initiatives**

Council has advised that a road upgrade project will be undertaken on Surrey Road, the scope of which will include re-instatement of redundant crossovers to create up to 3 additional parking spaces.

Rear setback

The representation by the Harrisons asserts that the proposed 'rear' setback of 3m is insufficient, and should be 4m. It appears that the Harrisons were referring to the setback from the side boundary of the subject land.

Per table 1, the proposed setbacks from the northern and southern side boundaries (proposed at 3m for ground level and 4m for upper level) comfortably comply with the Development Plan minimum (1m for ground level and 2m for upper level). The impact on the Harrisons is minimised, and well within Development Plan expectations.

We acknowledge that the proposed setback from the rear boundary falls short of the Development Plan guideline. However, in our opinion, the shortfall will not culminate in unreasonable visual or overshadowing impact on adjacent allotments to east and south given their large size and favourable orientation. Further, there is no impact upon the streetscape.

We note that development up to three storeys, with 3 additional dwellings, and some boundary development, would be acceptable on this site according to the Development Plan. Therefore, *on balance*, the rear setback shortfall is considered acceptable given the proposal's compliance (often comfortably) with all other quantitative criteria.

Amenity and design

Brief concern has been raised that the proposal will detract from the amenity of the locality.

In our view the proposal will not culminate in unreasonable noise, light or interface impacts upon other land as it involves a 'low impact' residential use at a compliant density, with sufficient setbacks from adjacent dwellings.

Neither representor will be materially affected by overshadowing from the proposed development, while the proposed two-storey height building height (in a three-storey Policy Area) and southern setback of the building will assist with minimising overshadowing impacts on the land to the south.

The proposal will feature obscure glazing or raised sills to a height of 1.7m above upper floor level to the side and rear elevations, in accordance with Residential Development PDC 27.

While not expressly raised as a concern, we contend that the design of the proposal is attractive and will sufficiently maintain the visual amenity of the locality. In particular:

- Contemporary design approaches are acceptable, as proposed here. The Desired Character of the Policy Area seeks "new buildings will contribute to a highly varied streetscape".
- Side boundary walls are avoided.
- Two dwellings address the street, similar to the existing situation where 2 dwellings face the street.
- The form of the development reinforces the traditional subdivision pattern of the locality, by providing two built form elements either side of the common driveway.
- Garaging facing the street is minimised/avoided.
- The design incorporates significant visual interest and articulation. Side and rear elevations are highly articulated, by their physical forms, colourings and materials.
- A combination of colours and materials are used, including darker and lighter tones and 'Scyon' vertical cladding.
- The walls are physically articulated, whereby large flat surfaces are avoided, particularly for the long elevations.
- The design provides interesting and varied roof lines (as opposed to flat roof line across the whole development).
- The use of hipped/pitched roofing individual to each dwelling, ensuring the bulk of the roof is minimised, while remaining reflective of traditional roofing forms in the locality. The use of 450mm eaves is also sympathetic to traditional architectural styles.
- The proposal features landscaping beds along all boundaries of the site, within the common driveway, and in front of the front fence.

Tree removal

The proposal involves the removal of two trees at the rear of 19 Surrey Road.

Per the revised arborist report prepared by Arborman Tree Solutions (enclosed):

- One of the trees is a 'Corymbia citriodora' (not being a eucalypt or willow myrtle). This tree is within 10m of a swimming pool on the same allotment, therefore the tree is not regulated. The tree can be removed as of right.

- The other tree proposed for removal is a regulated (not significant) River Red Gum tree. The tree is unable to be retained in association with this development. The tree exhibits few attributes worthy of retention, as specified by Regulated Trees Objectives 1 and 2, in that:
 - > It does not provide 'important' aesthetic or environmental benefits.
 - > It is not rare or endangered
 - > It is not an 'important' habitat for native fauna. It is a semi-mature tree, it does not contain hollows, it provides "limited opportunity for nesting sites", and its habitat value is "relatively low".

On our reading of Regulated Trees Objectives 1 and 2, development is to occur 'in balance' with preserving regulated trees. **Only 'important' regulated trees are worthy of conservation.** Therefore, three matters must be considered. These are:

- Is the development appropriate?
- Does the tree provide important environmental benefit?
- Does the tree provide important aesthetic benefit?

The proposed development is appropriate because it involves an expected built form and land use outcome within the Medium Density Policy Area, and it is also highly compliant with the quantitative provisions of the Development Plan.

The use of the word 'important' has been judicially considered before. In the matter of *Savoy Development Pty Ltd v Town of Gawler (2013)* – SAERDC 32, the court delivered the following statement:

"In my view, for habitat to be raised to the level of 'important' (as sought by Objective 2(d)), it must be beyond that likely to be expected in any mature tree of indigenous origins – that is, it is beyond the normal level that might be expected or that it is so unique or special that it may be considered important. From the evidence before me I do not consider the trees to provide "important habitat for native fauna".

This definition of 'importance' as being "beyond the normal level that might be expected" can also be applied when considering biodiversity and aesthetic value.

We accept that the tree likely provides *some* environmental/aesthetic benefits however this can be said about every tree and we contend that the tree does not provide an important environmental or habitat benefit as required by Regulated Trees Objective 1 and 2(d). Per the Arborman report, the tree is not rare or endangered.

Further, we do not consider the tree to provide an important aesthetic or visual amenity benefit as it is located in the rear corner of the land, behind the existing dwelling, and it has little influence upon the streetscape. It is not an especially large, unique or noteworthy tree. There are a significant number of other trees, and particularly street trees, that form the dominant landscape elements in the locality.

Arborman Tree Solutions agree that the tree is not important for aesthetic or environmental reasons.

For the above reasons, the regulated tree is not considered worthy of retention, particularly at the expense of this expected and highly compliant form of development.

Application documentation

The planning drawings notified were sufficiently detailed for the purpose of notification.

The notified reports (arborist and planning reports) were 'for information purposes', they are not required by planning legislation, and do not form part of the proposed development.

Notwithstanding the above, the planning report prepared by 'Urban Planning and Design' can be replaced with this current correspondence as this provides an up to date assessment of the proposal.

The arborist report has been amended to provide further justification for the removal of the regulated tree.

Construction phase impacts

These concerns have not been fully detailed, but we assume these concerns relate to noise and traffic management matters during construction. While such concerns are understandable, they are to be managed outside the planning assessment process, where the builder/s are obliged to comply with relevant noise policies and local parking requirements.

Conclusion

This proposal involves 10 two-storey dwellings on an amalgamated site at 17 and 19 Surrey Road, Keswick.

Three representations were received, two being from the adjacent school on the opposite side of the street. One adjoining resident to the north made a representation.

The proposal exhibits sound planning merit in that:

- The proposal complies with respect to site area, frontage width, majority of setbacks, building height, site coverage, and private open space.
- Most concerns raised related to parking and traffic, and these concerns appear to stem from the existing traffic/parking situation in the locality. The proposal will cause a minor and reasonable increase in traffic, particularly in comparison to the neighbouring school. The proposal provides sufficient parking and will not materially exacerbate or worsen existing traffic conditions in the locality.
- The proposal involves an attractive and landscaped design.
- The regulated tree proposed for removal is not considered important to the aesthetics or environment of the locality, and is not worthy of preservation at the expense of this appropriate development. The removal of this tree is justified.

For the reasons above, planning consent is warranted.

When known, can you please confirm the date of the Council Assessment Panel meeting. We confirm that the applicant and ourselves will be available to respond to verbal representations.

Yours sincerely



Joshua Skinner RPIA

Associate

ANALYSIS OF ON-STREET PARKING

10 Dwellings at 17-19 Surrey Road, Keswick

JOB REF. 19ADL-0543
DATE 27.11.2019



Arboricultural Assessment of Street Trees

Development Application No: 211/20/2019

REFERRAL DUE DATE:

Assessing Officer:	Jordan Leverington
Site Address:	19 Surrey Road, KESWICK SA 5035, 17 Surrey Road, KESWICK SA 5035
Certificate of Title:	CT-5228/600, CT-5777/340
Description of Development	Combined Application: Land division - Community Title; SCAP No. 211/C181/18, Create six(6) additional allotments; and construction of 2 x residential flat buildings containing a total of 7 dwellings and retention of existing detached dwelling along with construction of carport

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Jordan Leverington

DATE 22 August 2019

FROM THE TECHNICAL OFFICER

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

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

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

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

A site investigation together with the information provided has revealed that the location of the proposed crossover for 17 & 19 Surrey Road, Keswick will directly impact on an existing *Pyrus calleryana* (Bradford) street tree on the southern side of the proposed crossover.

City Operations will support the removal of this street tree to accommodate a crossover at this location.

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

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

As a result of the proposed 6.0m central crossover for 10x Group Dwellings on Surrey Street, City Operations has considered the health, structure, form, useful life expectancy and age of the street tree and in this instance will support the removal.

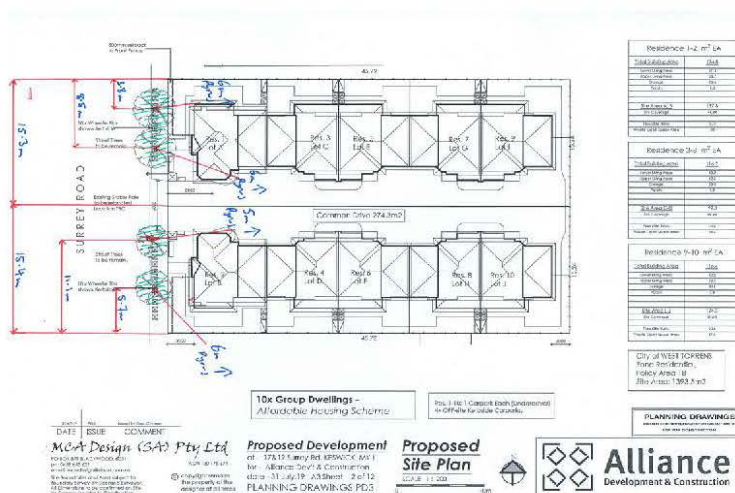
A fee of 920.00 will be required prior to the commencement of any work.

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

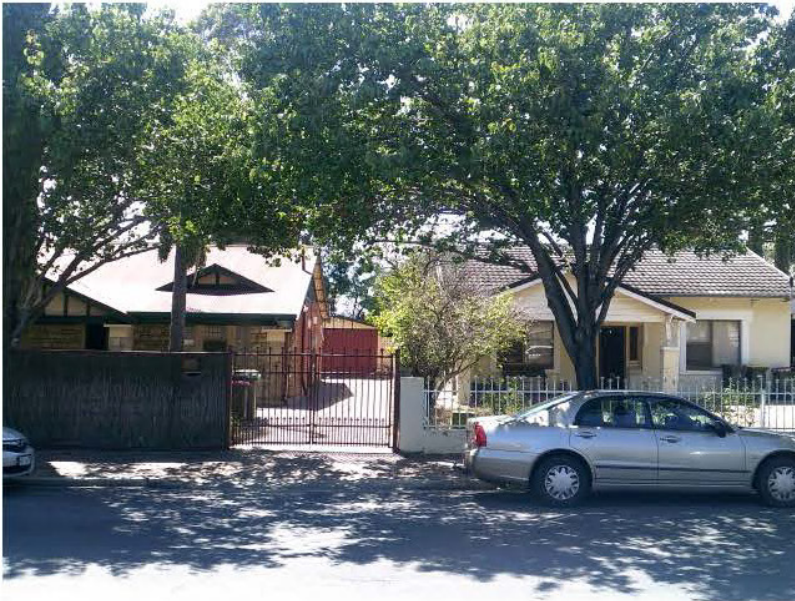
Final crossover locations will be confirmed once appropriate documentation has been received from the applicant and they have submitted "an application to construct a vehicle crossing place(s) across council land".

Sam Harvey
Technical Support Officer Arboriculture (Acting)
165 Sir Donald Bradman Drive
Hilton SA 5033
Telephone: 8416 6333
Fax: 8443 5709

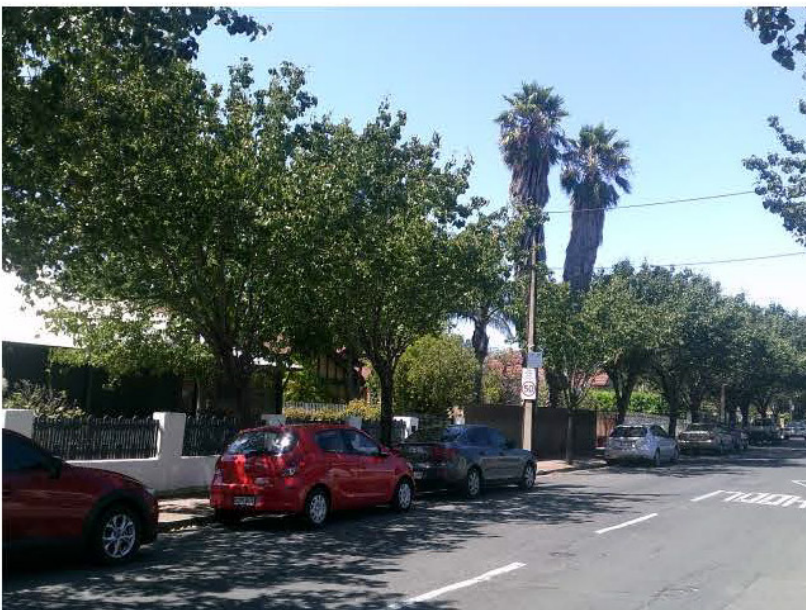
DATE: 4/09/2019











Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/20/2019

Assessing Officer: Jordan Leverington
Site Address: 19 Surrey Road, KESWICK SA 5035, 17 Surrey Road, KESWICK SA 5035
Certificate of Title: CT-5228/600, CT-5777/340
Description of Development Combined Application: Land division - Community Title; SCAP No. 211/C181/18, Create six(6) additional allotments; and construction of 2 x residential flat buildings containing a total of 7 dwellings and retention of existing detached dwelling along with contruction of carport

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Jordan Leverington **DATE** **21 August, 2019**

City of **West Torrens**

Between the City and the Sea

Memo

To Jordan Leverington
 From Richard Tan
 Date 21-Aug-2019
 Subject 211/20/2019, 19 Surrey Road, KESWICK SA 5035, 17 Surrey Road, KESWICK SA 5035

Jordan Leverington,

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

Note: The following is an assessment separate from previous provided assessment due to significant change on provided plans.

1.0 Flood Consideration – Finished Floor Level (FFL) Requirement – 100mm to 250mm Zone

- 1.1 Portions of the development are located within the '100mm to 250mm' area of flood effect from Keswick and Brown Hill Creek flood plain mapping as nominated in Council's Development Plan.

In accordance with the provided 'Siteworks Plan' (RCI, Ref: C26287-1/2-B, dated 19/08/2019), the FFLs of the proposed development in following table have been assessed as satisfying minimum requirements in consideration of street and/or flood level information.

Dwelling	Proposed minimum FFL	Minimum FFL required
1 & 3-10	100.50	100.45
2	100.50	100.50

2.0 Verge Interaction

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

New driveways and stormwater connections are typically desired to be located a minimum 1.0 metre offset from other existing or proposed



City of **West Torrens**

Between the City and the Sea

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

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

2.1.1 The offset distance between proposed stormwater connection and existing street tree is less than 2.0m.

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

2.1.2 The offset distance between proposed crossover and existing street tree is less than 2.0m.

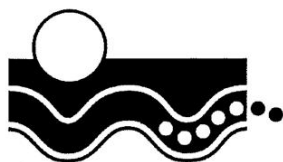
It is recommended that further assessment from Council's Arboriculture team is required.

2.2 A stobie pole is indicated to be removed in order to accommodate the crossover. Evidence must be provided to Council indicating that the appropriate authority (SAPN) has agreed to the removal of the pole and that any relevant expenses are borne by the developer. Until such evidence is provided to Council, the proposed crossover cannot be accommodated in the proposed area. A condition and the annotation on the resubmission of plans should be included that the existing stobie pole be relocated at the expense of the applicant.

The applicant should provide correspondence from the appropriate authority indicating that the existing stobie pole can be removed and should confirm that any relevant expenses would be borne by the developer.

3.0 Traffic Requirements

3.1 Current proposed driveway crossover is in direct conflict with existing stobie pole. Refer to dot point 2.2 for further information. In the event that dot point 2.2 has been resolved, then this proposed crossover will be assessed as satisfying minimum requirements.



City of **West Torrens**

Between the City and the Sea

It is recommended that further information should be provided to the Council.

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

Provided plans has indicated that there will be a gate installed within the 5.5m by 5m common driveway area. It is noted that generally a 6.1m (5.5m + 0.3m wide landscaping at both sides) is required, but in this case that will be acceptable.

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

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

- 3.3 The garages dimension as indicated in 'Lower Floor Plan Details' (MCA Design (SA), Ref: PD3-Sheet 6, dated 31/07/2019) have been assessed as satisfying minimum requirements. However it should be noted that only car park dimension for Res 1, 3 7 and 9 have been provided.

It is recommended that garage dimension for the remaining house should be provided

- 3.4 Traffic manoeuvrability has been assessed as acceptable in accordance with the site layout shown in 'Proposed Site Plan' (MCA Design (SA), Ref: PD3 Sheet 2, dated 31/07/2019)
- 3.5 Generally each dwelling must be provided with two parking spaces, at least one of which is covered and the other preferably openly accessible for visitor use. However, I noted that the title of this proposed development has indicated that all 10 new dwellings is affordable housing. In this case, the number of car parking space has been assessed as satisfying minimum requirements.

As there is still no evidence of this development has been approved as affordable housing, I leave this to the planners to follow up with this issue.

- 3.6 It is understood that for group and flat dwellings it is recommended that there should be a provision of an on-site visitor car parking spaces at a



City of **West Torrens**

Between the City and the Sea

rate of 0.25 spaces per dwelling. As there are 10 proposed dwellings there would be the expectation of 3 on site visitor car park. The current proposal does not allow for this. However if this is an affordable housing, then visitor car parking space is not required.

Following dot point 3.6, I leave this for the planners to follow up.

4.0 Waste Management

- 4.1** This development would generate up to 20 bins on any given bin collection day. As this has exceeded Council's guideline of maximum 10 bins presentation, hence it is recommended that referral to Council's Waste Management Team is required.

In the event that a private waste service is required, then further assessment regarding waste truck access is required.

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

5.0 Stormwater Management

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

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

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

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



- The stormwater collection and re-use system is to be installed and operational prior to occupancy of the dwelling.

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

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

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

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

Regards
Richard Tan
Civil Engineer



Waste Management Assessment

Development Application No: 211/20/2019

Assessing Officer: Jordan Leverington

Site Address: 19 Surrey Road, KESWICK SA 5035, 17 Surrey Road, KESWICK SA 5035

Certificate of Title: CT-5228/600, CT-5777/340

Description of Development Combined Application: Land division - Community Title; SCAP No. 211/C181/18, Create six(6) additional allotments; and construction of 2 x residential flat buildings containing a total of 10 dwellings

TO TEAM LEADER WASTE MANAGEMENT - REGULATORY SERVICES

Please provide your comments in relation to:

☐ Any aspect that you feel needs further attention or detail

.....
.....



Memo

To Jordan Leverington
From Nick Teoh
Date 27-Aug-2019
Subject 211/20/2019 19 Surrey Road, KESWICK SA 5035, 17 Surrey Road, KESWICK SA 5035

Dear Jordan

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

Waste Management

1. Waste Collection System

The Waste Management Team does not support individually allocated bins for 10 dwellings as it exceeds Council's guidelines where no more than 10 bins are to be presented on the verge for collection.

The amended plans indicate individual storage for 2 bins where Council encourages better practice for waste minimisation and resource recovery through the capture of garden and food waste for resource recovery, therefore designing for 3 streams of waste is preferred.

Using the Zero Waste SA Better Practice Guide to calculate projected waste generation for this development, it is anticipated that this site will generate; 700L of residual waste per week, 600L of comingled recycling per week and 300L of organic waste per week. Council will provide the following shared waste service:

- 5 x 140L bins for residual waste
- 5 x 240L bins for comingled recycling
- 3 x 240L bins for organic waste

A shared bin storage area is required to adequately store the bins in a manner that is accessible to all residents. A waste management plan is requested to demonstrate how waste will be managed for this site.

2. Bin Presentation and Collection

The remaining concern for an individual waste service for each dwelling relates to the availability of verge space where 24.48m of verge would be required to present 20 bins for collection at peak including a preferred spacing of 0.5m between bins. A shared service as defined above will require 10.075m and is considered suitable for Council's kerbside collection service.

Kind regards

Nick Teoh
Team Leader Waste Management

Brendan Fewster

From: Nick Teoh
Sent: Friday, 6 September 2019 10:38 AM
To: Jordan Leverington
Subject: RE: number of bins for 17 & 19 Surrey Road, Keswick.

Hi Jordan,

Yes, if 17 Surrey Road and 19 Surrey Road were developed independently I would have supported individual bins from both policy and serviceability aspects. Waste Management is happy to support City Development and provide individual bins for this development (DA 211/20/2019).

Thanks,
Nick Teoh
Team Leader Waste Management
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Phone: 08 84166338
Mobile: 0499 226 632
Email: nteoh@wtcc.sa.gov.au

From: Jordan Leverington
Sent: Friday, 6 September 2019 10:30 AM
To: Nick Teoh
Subject: number of bins for 17 & 19 Surrey Road, Keswick.

Hi Nick,

Thank you for your time today. As discussed I would like to request that in this instance a shared bin service is not necessary. From a planning perspective it is preferable that each dwelling has its own bins because it lessens the potential impact from a communal stored area (smell noise etc.). People are more likely to look after their bins if they are their own.

I would also like to highlight that as this application seeks to combine two allotments, there is sufficient road frontage to accommodate the 20 bins (in total) being presented each week. I note that had these allotments been developed individually that our policy would likely have supported each development to have 10 bins.

Could you please let me know if this is something that you could support?

Kind regards

Jordan Leverington
Senior Development Officer - Planning
City of West Torrens
165 Sir Donald Bradman Drive
Hilton SA 5033

Phone: 08 8416 6209
Email: jleverington@wtcc.sa.gov.au

Any preliminary advice provided shall not be relied upon or be otherwise interpreted as a guarantee that the Council will approve any subsequent development application.

Brendan Fewster

From: Jarrad Allen <jarrad@calypsotreeco.com.au>
Sent: Wednesday, 29 January 2020 6:48 PM
To: Brendan Fewster
Subject: RE: DA211/20/2019 - 17-19 Surrey Road, Keswick - Referral to Calypso
Attachments: Surrey Rd Red Gum.jpg

Hi Brendan,

I had a look earlier and I recommend removal for the River Red Gum (*E. camaldulensis*). The adjacent *C. citriodora* is the much larger of the two which creates approx 90% of the combined canopy. They are impressive as a pair but once the non regulated Lemon Scented Gum is removed there won't be much left. The *E. camaldulensis* has a very over-extended structure and once the larger sheltering tree is removed, its likelihood of major limb failure will drastically increase. Ive attached a photo highlighting the structure of the *E. camaldulensis* in amongst the *C. citriodora*.

Let me know if anything else is required.

Cheers,

Jarrad Allen
Director/ Arborist
CALYPSO TREE CO.

M | 0488 934 459
W | www.calypsotreeco.com.au
E | jarrad@calypsotreeco.com.au

On 29 January 2020 at 8:19:33 am, Brendan Fewster (bfewster@wtcc.sa.gov.au) wrote:

Hi Jarrad

Apologies for not getting back to you. I have been out of the office.

If you could let me know your thoughts that would be great!

Regards

Brendan Fewster

Contract Development Assessment

City of West Torrens

165 Sir Donald Bradman Drive

Hilton SA 5033

Phone: 08 8416 6209



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

State Commission
Assessment Panel

7 January 2020

Level 5
50 Flinders Street
Adelaide SA 5000

City Manager
City of West Torrens
165 Sir Donald Bradman Dr.
HILTON SA 5033

GPO Box 1815
Adelaide SA 5001

Dear Sir

08 7109 7061

**Re: Proposed Development Application No. 211/C181/18 (ID 63945) – Amended Plan 19/12/19
for Land Division (*Community Title Plan*) by Robinson Family Group**

Further to my letter dated 9 January 2019 and to assist the Council in reaching a decision on this application, copies of consultation agency reports received by the State Commission Assessment Panel (SCAP) are available 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 SCAP.

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0080930)

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.

The developer must inform potential purchasers of the community lots in regards to 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 \$58,024.00 into the Planning and Development Fund (8 allotment/s @ \$7,253.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit 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 State Commission Assessment Panel for Land Division Certificate purposes.

IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE SCAP WITH:

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; and
- c) a copy of its Decision Notification Form (via EDALA) pursuant to Regulations 60 (4) (b) ii and 44 respectively.

IT IS RECOMMENDED THAT THIS INFORMATION BE INCORPORATED INTO COUNCIL'S ADVICE WHEN REPORTING THAT THEIR REQUIREMENTS (IF ANY) HAVE BEEN FULLY SATISFIED.

Yours faithfully,

Biljana Prokic
LAND DIVISION COORDINATOR – PLANNING SERVICES
as delegate of the
STATE COMMISSION ASSESSMENT PANEL

6.3 41 Barwell Avenue, MARLESTON

Application No 211/1102/2019 & 211/1142/2019

Appearing before the Panel will be:

Representors: **Amit and Nidhi Sharma** of 29A Barwell Avenue, Marleston wish to appear in support of the representation.

Applicant: **Garth Heynen** on behalf of Lindaway Pty Ltd wishes to appear in response to the representation.

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Land division - Community Title; SCAP No. 211/C119/19; Create three (3) additional allotments and common property for the purposes of residential flat buildings	Construction of two (2) two-storey residential flat buildings comprising four dwellings with associated fencing, retaining walls, driveways and landscaping
APPLICANT	G Gully	Lindaway Pty Ltd
APPLICATION NUMBER	211/1102/2019	211/1142/2019
LODGEMENT DATE	4 November 2019	15 November 2019
ZONE	Residential Zone	
POLICY AREA	Medium Density Policy Area 19	
APPLICATION TYPE	Merit	
PUBLIC NOTIFICATION	Category 1	Category 2
REFERRALS	Internal <ul style="list-style-type: none"> • Nil External <ul style="list-style-type: none"> • SCAP • SA Water 	Internal <ul style="list-style-type: none"> • City Assets External <ul style="list-style-type: none"> • Nil
DEVELOPMENT PLAN VERSION	12 July 2018	12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more. • The relevant application is for a merit, Category 2 or Category 3 form of development, representations have been received and one or more representors wish to be heard on their representation. 	
RECOMMENDATION	Support with conditions	
AUTHOR	Josh Banks	

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 113 Filed Plan 19497 in the area named Marleston Hundred of Adelaide, Volume 5840 Folio 677, more commonly known as 41 Barwell Avenue, Marleston. The subject site is irregular in shape with a 17.05 metre (m) wide frontage to Barwell Avenue and a site area of 958.5 square metres (m²).

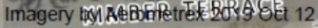
It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title.

The site currently contains a single-storey dwelling and a number of ancillary buildings. The site appears topographically flat. There are no Regulated Trees on the subject site or on adjoining land that would be affected by the proposed development.

The locality is residential in nature and consists of a mix of older and newer housing stock - particularly east of the subject site where examples of subdivision and redevelopment has taken place within the last five to ten years. The amenity of the locality is fair to good, with mature street vegetation offering a strong contribution.

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





PROPOSAL

The proposal consists of two development applications lodged separately, being the land division and the land use (built form).

Land Division

The land division proposes the creation of three additional allotments for the purpose of residential flat buildings along with common property in the form of a community title.

Allotment	Site Area
131 (Residence 1)	151m ²
132 (Residence 2)	128m ²
133 (Residence 4)	159m ²
134 (Residence 3)	247m ²
Common Property	273.5m ²
Average site area per dwelling (including common property)	239.6 m ²

Land Use

The land use proposes the construction of two, two-storey residential flat buildings comprising a total of four (4) dwellings, together with retaining walls/fencing, driveway areas and landscaping. Each dwelling will contain:

Ground Floor:

- double garage
- kitchen and dining area
- living room
- laundry and toilet
- alfresco private open space.

First floor:

- three bedrooms (all except Residence 4 - two bedrooms)
- ensuite (all except Residence 4)
- bathroom and toilet
- living area

The design of the building includes a mix of face brick and rendered walls, aluminium windows, and Colorbond® roof sheeting. Coloured 3D renderings are shown but specific colours have not been specified.

The common property provides driveway access that extends along the majority of the western side of the site. Limited areas of landscaping are proposed against boundaries and within private open space areas. The dwellings are internally oriented on the subject land. A shared area adjacent dwelling 1 is proposed at the front of the site for meters, letterboxes, fencing and landscaping.

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

PUBLIC NOTIFICATION

The land division application is a Category 1 form of development pursuant to Schedule 9, Part 1, clause 5 of the *Development Regulations 2008*.

The land use application is a Category 2 form of development pursuant to Schedule 9, Part 2, clause 18 of the *Development Regulations 2008*.

Properties notified	Fifteen (15) properties were notified during the public notification process.
Representations	Two representations were received.
Persons wishing to be heard	<ul style="list-style-type: none"> Amit and Nidhi Sharma.
Summary of representations	Concerns were raised regarding the following matters: <ul style="list-style-type: none"> Overshadowing of the rear yard (private open space) Proximity of new dwellings to side boundary.
Applicant's response to representations	Summary of applicant's response: <ul style="list-style-type: none"> Additional shadow diagrams demonstrate that 4 hours of direct sunlight will be available to the land (habitable room windows and private open space) at 39A Barwell Avenue - exceeding both PDCs 11 and 12 of General Section - Residential Development module.

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

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> Initial concerns with verge interaction and manoeuvrability. Verge interaction negotiated and compromise reached with applicant to balance waste collection, on-street vehicle parking and 1m separation between crossovers.
Regulatory Services - Waste	<ul style="list-style-type: none"> On-site waste storage and bin presentation and collection area suitable for proposed dwellings.

EXTERNAL REFERRALS

Department	Comments
SCAP	<ul style="list-style-type: none"> No concerns were raised by the SCAP and standard conditions have been recommended should the application be supported.
SA Water	<ul style="list-style-type: none"> SA Water raised no concerns with the proposal and have recommended standard conditions should the application be supported.

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

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Medium Density Policy Area 19 as described in the West Torrens Council Development Plan consolidated 12 July 2018.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 3, 4
Principles of Development Control	1, 5, 6, 7, 10, 11, 12, 13, 14, 22

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

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

QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
(Land Division) ALLOTMENT AREA <i>Medium Density Policy Area 19</i> PDC 7	270m ²	(Lot 131) Residence 1 151m ² (Lot 132) Residence 2 128m ² (Lot 133) Residence 4 159m ² (Lot 134) Residence 3 247m ² Does not Satisfy
(Land Division) ALLOTMENT FRONTAGE <i>Medium Density Policy Area 19</i> PDC 7	9m	17.05m Satisfies
(Land Use) SITE AREA <i>Medium Density Policy Area 19</i> PDC 5	150m ² average	239.6m ² average Satisfies
MINIMUM FRONTAGE <i>Medium Density Policy Area 19</i> PDC 5	15m (for complete building)	17.05m Satisfies
SITE COVERAGE <i>Medium Density Policy Area 19</i> PDC 3	60% (max.)	56.3% Satisfies
STREET SETBACK <i>Medium Density Policy Area 19</i> PDC 3	3m (min.)	3m Satisfies

Page 194

BUILDING HEIGHT <i>Medium Density Policy Area 19</i> <i>PDC 3</i>	2 storeys or 8.5m	2 storeys / 7.7m Satisfies
INTERNAL FLOOR AREA <i>Residential Development</i> <i>PDC 9</i>	100m ² (min.)	(Lot 131) Residence 1 154m ² (Lot 132) Residence 2 156m ² (Lot 133) Residence 4 195m ² (Lot 134) Residence 3 163m ² Satisfies
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	24m ² (min. area) 3m (min. dimension) 16m ² (min. at the rear or side of dwelling, directly accessible from a habitable room).	<u>Lot 131 Residence 1</u> 24m ² (total) 4.8m (min. dimension) 24m ² (accessed from habitable room) <u>Lot 132 Residence 2</u> 24m ² (total) 4.8m (min. dimension) 24m ² (accessed from habitable room) <u>Lot 133 Residence 4</u> 60m ² (total) 3m (min. dimension) 60m ² (accessed from habitable room) <u>Lot 134 Residence 3</u> 24m ² (total) 3m (min. dimension) 24m ² (accessed from habitable room) Satisfies
CAR PARKING SPACES <i>Transportation and Access</i> <i>PDC 34</i>	2 per dwelling + an additional 0.25 spaces per dwelling 9 required	8 spaces provided (shortfall of 1 space) Does not Satisfy
LANDSCAPING <i>Landscaping, Fences and Walls</i> <i>PDC 4</i>	10% (min.)	12.3% Satisfies

ASSESSMENT

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

Land Use

Residential development and more specifically residential flat buildings are envisaged within Medium Density Policy Area 19 as described in PDC 1. The land use is considered to be an appropriate form of medium density development within this policy area.

Land Division

The proposed community title land division creates four community lots consistent with the layout of the four proposed dwellings together with a common property driveway along the western side of the subject land.

The proposed allotments will be appropriately serviced by water and sewer, and can be appropriately accessed. General Section Land Division PDC's 1, 4 and 5 are therefore considered met.

Principle of Development Control (PDC) 7 of Medium Density Policy Area 19 of the Residential Zone prescribes that land division should create allotments greater than 270m², unless where combined with an application for dwellings. On this basis and when considered in isolation, the land division would appear to demonstrate a significant shortfall in allotment sizes, however it is not considered fatal to the application for reasons discussed below.

Desired Character and Pattern of Development

The Desired Character statement for the policy area seeks medium density residential development accommodating a range of dwelling types including residential flat buildings on generally smaller allotments. The proposal is for development of this nature.

In contrast with the land division PDC 7, PDC 5 of the same policy area seeks a minimum average site area per dwelling of 150m² for residential flat buildings (within 400m of a Centre Zone). The proposal achieves an average site area of 239.6m² - well in excess of this desired minimum requirement.

The intent of minimum site areas is to achieve a residential density that is consistent with the desired character for the area. In this instance the desired character for Medium Density Policy Area 19 is for allotments to be at medium densities. On the basis of the land having a total area of 958.5m², the 'net' residential density of the development has been calculated at 42 dwellings per hectare. As defined by the *Planning Strategy for Metropolitan Adelaide (30 Year Plan for Greater Adelaide - 2017 Update)*, the proposed development is of 'medium' density and is therefore considered satisfactory.

Similarly, there would be no material consequences for the pattern of development proposed as significant infill development has already occurred throughout the locality (as previously noted), with several recent instances of two storey detached and semi-detached dwellings on reduced allotment sizes.

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

Design and Appearance

The proposed development will sit amongst a variety of dwelling types, sizes and styles, including single-storey detached dwellings, two-storey detached dwellings and semi-detached dwellings within the locality.

From the street, the development presents as modern buildings which feature a variety of materials and includes varying dimensions to avoid extensive areas of uninterrupted walling. The design also incorporates a considerable amount of articulation coupled with front fencing and landscaping to add streetscape appeal.

The façade of Residence 1 (facing the street) includes windows to both the ground and upper floors that facilitate passive surveillance of the adjacent public space. The dwelling entry points are readily identifiable and accessible from public street frontages and vehicle parking areas.

With respect to both residential flat buildings, the southern and northern elevations of the building have some elements of repetition however this will not be overly apparent from the street. The walls are also recessed at certain points to break up the building mass and proportions, and the design also uses a number of different materials and colour variation that add visual interest.

The proposed buildings incorporate a contemporary design that is compatible with the locality in respect to:

- building height;
- built form bulk and scale;
- front and side setbacks;
- façade articulation and detailing; and
- presentation of windows and a front door to Barwell Avenue.

In terms of dwelling design, the internal living rooms have external outlooks to private space, ample access to sunlight and internal floor areas that provide quality living environments. The staggered and varied building lines are considered to minimise impacts to adjoining allotments, particularly in terms of bulk and scale.

The desired character and PDC 3 of the Medium Density Policy Area 19 envisages building heights up to two storeys, or 8.5 metres. The proposal is for two-storey buildings with a maximum height of 7.7 metres. It is noted that the locality contains many single storey buildings, however it is also important to acknowledge that this policy area is seeking a transition to medium density built forms of up to two storeys. The proposed building height and scale is therefore considered appropriate.

Overall, the design and appearance of the proposed development is considered to adequately address the relevant provisions of the Design and Appearance module, including Objective 1, PDCs 1, 2 and 5.

Setbacks

Front and rear setbacks

The front setback for dwellings in the Medium Density Policy Area 19 should be a minimum of 3 metres, and the proposal satisfies this quantitative provision.

The rear setback for dwellings in the Medium Density Policy Area 19 should be at least 6 metres. The proposal does not satisfy this provision for any of the dwellings. Consideration has been given to the unique angle of the rear boundary of the subject land, the surrounding domestic outbuildings, the orientation of the land, and the impact of this proposal on any adjacent allotments. The desired 6 metre setback would render a large portion of the subject land unsuitable for development due to the sharp angle of the rear allotment boundary. The orientation of the site also results in no overshadowing impacts to the majority of the adjacent allotments towards the rear, so in this instance a departure from this suggested distance is considered reasonable.

With respect to Residences 1 and 2, the rear setbacks are more akin to side setbacks due to the chosen orientation of the dwellings. A 6m setback to the eastern boundary is therefore considered unreasonable, and given the proposal satisfies private open space provisions, the 1m ground and 2m upper level setbacks to the eastern boundary are appropriate.

Side setbacks

The design of the proposed development has ground level portions of the buildings at 1 metre from side boundaries and first floor portions at 2 or more metres. This satisfies the Development Plan requirement for a 2 metre offset for walls 3 to 6 metres in height.

The internal boundary setbacks do not satisfy the required upper level setbacks, however this is not considered to be an issue as the dwellings abut each other.

PDC 3 of the policy area seeks a 6m setback from rear boundaries. The development proposes various staggered setbacks at ground level from 1m (Residence 4) up to 13.5m (Residence 3). Upper levels vary from 2m (Residences 1 and 2) up to 16m (Residence 3). While these setbacks do not satisfy this PDC it is important to recognise that these relevant provisions would be satisfied through a two-storey dwelling with a 2m upper-storey side setbacks to the east and west.

Complying development also envisages outbuildings and garages for a length of 8m on shared boundaries which would similarly have a potentially greater impact.

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

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

Car Parking & Access

Vehicular access and manoeuvring diagrams were presented by the applicant, and whilst very tight it did achieve the minimum Australian Standards for internal manoeuvrability.

The proposal includes a double garage for each dwelling, providing a total of eight car parking spaces. PDC 34 of the Transportation and Access module, and *Table WeTo/2* of the Development Plan seek 0.25 parking spaces per dwelling for visitors. This would result in 1 additional visitor space being made available on the site. The proposal does not accommodate any visitor parking.

The lack of an on-site visitor parking space is not considered detrimental to the proposal. There is adequate opportunity for on street parking of which will not unreasonably impact traffic flows or safe and efficient movements to and from the site and beyond. Furthermore the subject land is approximately 100 metres from the Westside Bikeway and within 300 metres of a public transport route along Grove Avenue to the west.

Landscaping, Retaining & Fencing

The proposal meets the minimum landscaping requirement of 10% of the site with a variety of planting to the front and rear of the subject land, and with limited planting along the side of the common area and to each of the private open space areas. PDC 4 of the Landscaping, Fences and Walls module is therefore satisfied.

Landscaping along the western side of the driveway is a nominal strip of 400mm which allows appropriate access and on-site manoeuvrability to be achieved. Planting within this strip is proposed to provide clumping and compact plantings that are low-maintenance and will provide effective softening of the fence line and adjoining driveway area. The functionality of landscaping to maximise shade and shelter, reduce visual impact and heat island effects as sought in PDC 1 of this module is considered reasonably met given the constraints of the site.

The civil plan includes some retaining walls along the rear boundary and portions of both side boundaries. The site plan shows 1.8m boundary fencing to all sides, but given the absence of specific retaining or fencing final design detail, it is recommended to condition that any retaining wall/fencing of a cumulative height exceeding 2.1m shall be the subject of a separate application to Council should the Panel be minded to support the development.

Private Open Space

General Section - Residential Development PDC 19 outlines minimum private open space provisions, being 24m² for site areas under 300m². All proposed dwellings meet or exceed this area, and all areas of private open space are directly accessible from living areas and have minimum dimensions of 3 metres.

Overlooking

Visual privacy is dealt with in PDC 27 of the Residential Development module, and PDC 10 of the Design and Appearance module of the Development Plan. The development has been designed having regard to this provision with the majority of upper storey windows having window sill heights of 1.7 metres and/or fixed obscure glazing to this height. This is considered reasonable in this instance as it will mitigate casual overlooking into habitable room windows or private open space of adjoining land. A condition reinforcing window treatments is recommended to be imposed should the Panel be minded to support the development.

Overshadowing

The applicant has provided detailed shadow diagrams to demonstrate the extent of overshadowing from the proposed dwellings. This was in direct response to the concerns of adjoining occupants of 39A Barwell Avenue directly east of the subject land.

Upon examination of the additional shadow diagrams, the extent of overshadowing shows that the proposal mitigates the representor's concerns as more than 4 hours of direct sunlight will be available to both the private open space and the dwelling. On this basis PDC 12 of the Residential Development module is therefore considered satisfied.

The limited depth and total height of the buildings together with upper storey setbacks of 2 metres from the eastern boundary of the site will result in acceptable levels of overshadowing. All adjoining properties will still receive adequate access to more than 3 hours of direct sunlight, thereby also satisfying PDCs 10 and 11 and of the Residential Development module.

Stormwater Management

The civil plan has been considered by Council's engineers as being suitable, with appropriate finished floor levels and drainage systems that can adequately cater for and manage stormwater runoff for the development. PDCs 9, 10 and 11 of the Natural Resources module are therefore considered satisfied.

Waste Management

A waste management plan was not required given that there is ample space to place 8 bins on any given rubbish collection day. This was reviewed by Council's Team Leader Waste Management and is consistent for other properties in the street.

SUMMARY

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

The dwelling density and allotment layout of the proposal sufficiently accords with the Desired Character and is compatible with the established pattern and built form characteristics of the locality. With the exception of some quantitative shortfalls in rear setbacks and a visitor car parking space, the proposal satisfies the relevant quantitative provisions of the Development Plan.

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

On balance the proposed development sufficiently accords with the relevant provisions contained within the West Torrens Council Development Plan Consolidated 18 July 2018 and warrants Development Plan Consent, Land Division Consent and Development Approval (for the land division), and Development Plan Consent (for the land use).

RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1102/2019 by G Gully to undertake a land division - Community Title; SCAP No. 211/C119/19; Create three (3) additional allotments and common property for the purposes of residential flat buildings at 41 Barwell Avenue, Marleston (CT 5840/677) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. Development is to take place in accordance with the plans prepared by Alexander & Symonds Pty Ltd relating to Development Application No. 211/1102/2019 (SCAP 211/C119/19).

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

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

2. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water H0091614).

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

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119.

3. Payment of \$22,848.00 into the Planning and Development Fund (3 allotment/s @ \$7,616 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1142/2019 by Lindaway Pty Ltd to undertake the construction of two (2) two-storey residential flat buildings comprising four dwellings with associated fencing, retaining walls, driveways and landscaping at 41 Barwell Avenue, Marleston (CT 5840/677) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development shall be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any conditions listed below.
Reason: To ensure the proposal is developed in accordance with the plans and documents lodged with Council.
2. Prior to the occupation or use of the development, the upper storey windows on the eastern, western and southern elevations of Residences 3 and 4 shall be fitted with fixed obscure glass (not film coated) or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for direct overlooking of adjoining properties. The glazing in these windows shall be maintained in good condition at all times to the reasonable satisfaction of Council.
Reason: To minimise the impact on privacy to residents of adjoining dwellings.
3. The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.
Reason: To provide amenity for the occupants of the development and those of adjacent properties.
4. Prior to the occupation or use of the development, all driveways, parking and vehicle manoeuvring areas shall be constructed and surfaced with concrete, bitumen or paving, and shall be drained and maintained in a good condition at all times to the reasonable satisfaction of Council.
Reason: To provide safe and convenient parking and manoeuvring areas for users of the development.
5. Prior to the occupation or use of the development, all stormwater design and construction shall be to the satisfaction of Council to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage shall not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create insanitary or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.*Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.*

6. That any retaining wall/fencing of a cumulative height exceeding 2.1m shall be the subject of a separate application to Council.

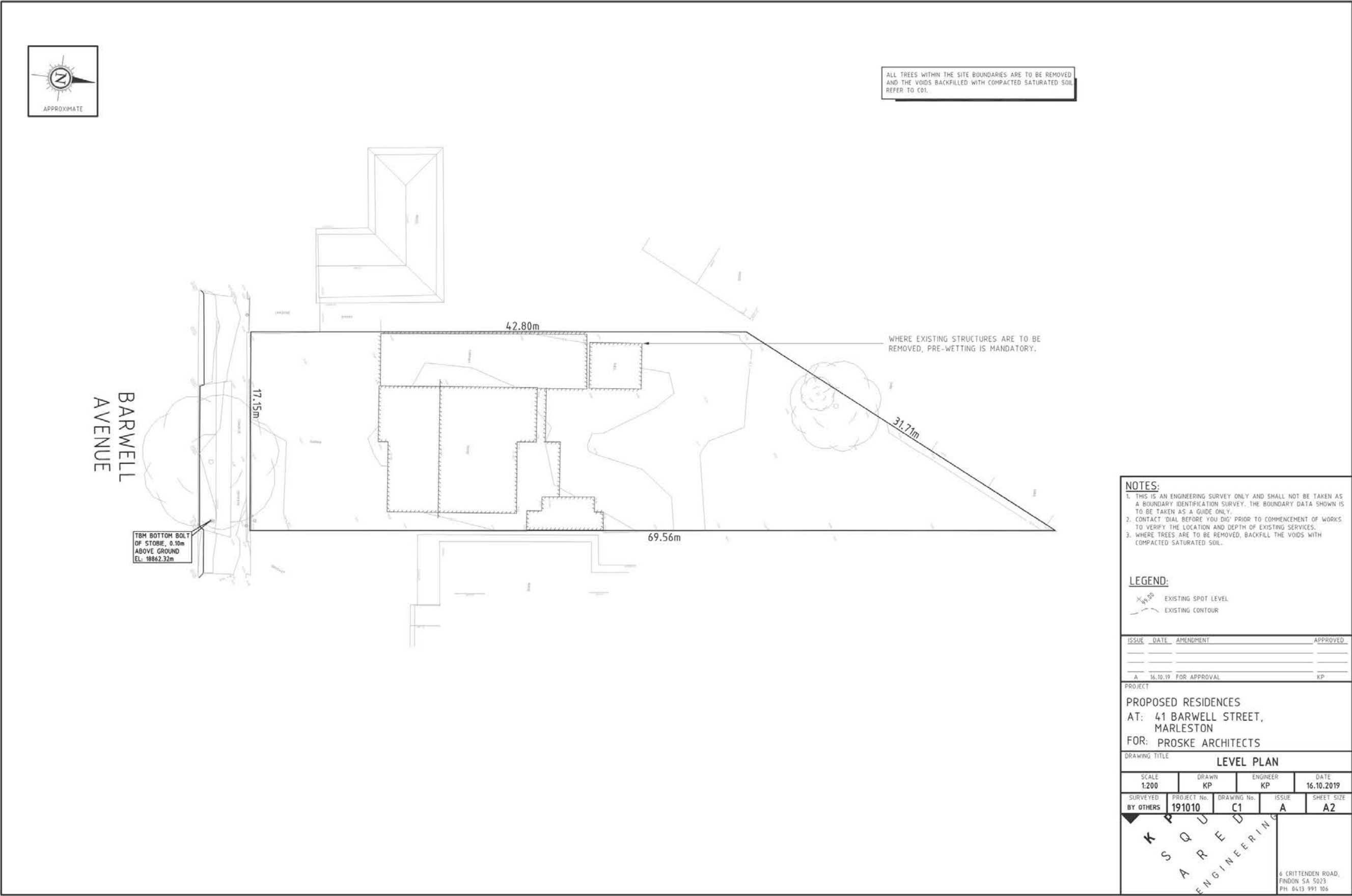
Reason: To ensure that unauthorised development does not occur.

Attachments

- 1. Additional Development Plan Provisions**
- 2. Plans and Information**
- 3. Representation and Response**
- 4. Referral Responses**

Relevant Development Plan Provisions

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





PROPOSED DEVELOPMENT

41 Barwell Avenue
Marleston 5033

SITE PLAN - ANALYSIS PLAN
SCALE: 1:200

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member
Australian Institute of Architects

APRISA

Client
GDG

Drawn
LR

Scale
1 : 200

Checked
-

Paper Size
A1

Date
07.11.2019

Copyright Reserved Proske Architects 2019

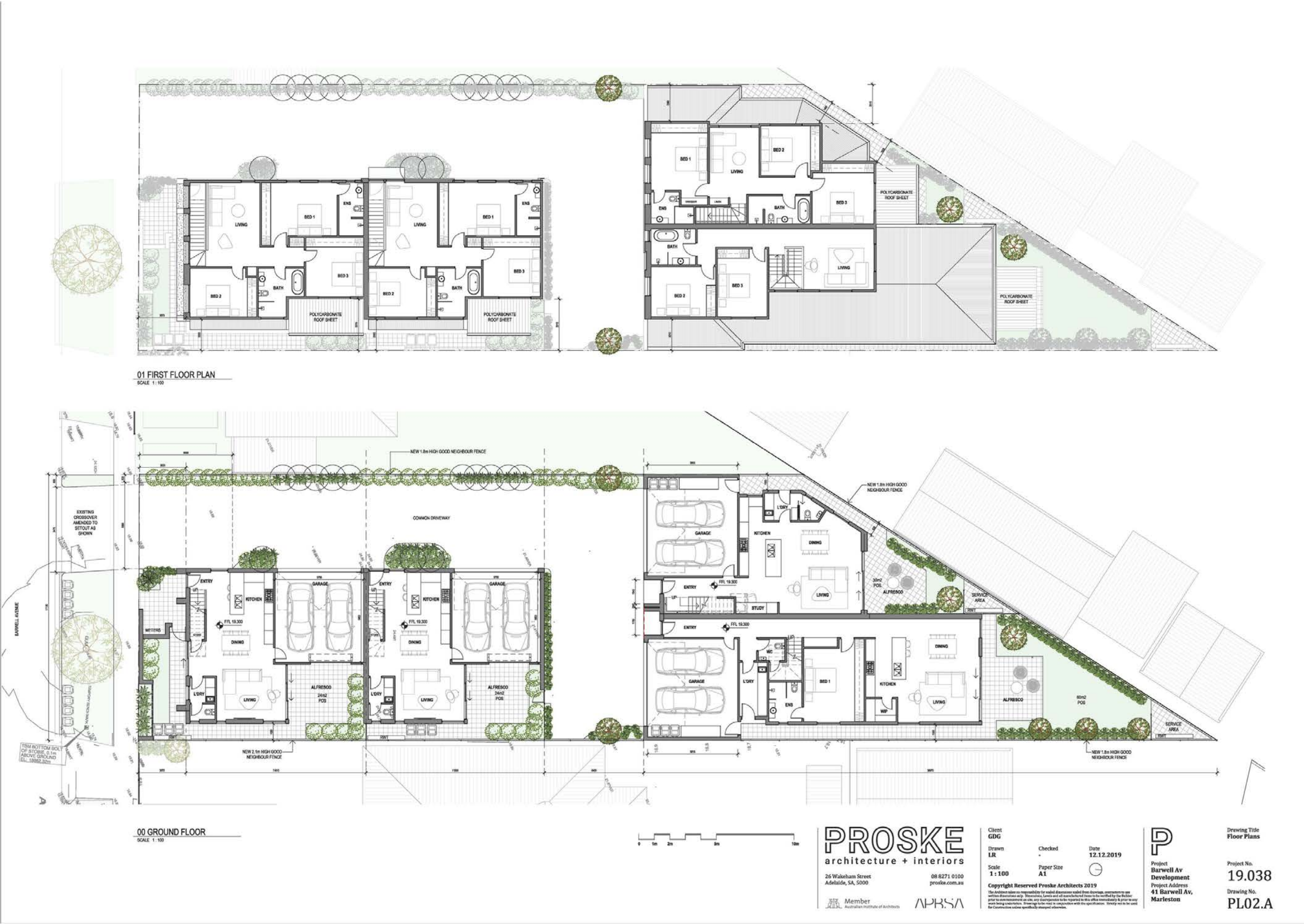
The Architect takes no responsibility for errors or omissions in this drawing. The client is responsible for ensuring that the drawing is used for the intended purpose. The Architect is not responsible for any errors or omissions in this drawing. The Architect is not responsible for any errors or omissions in this drawing. The Architect is not responsible for any errors or omissions in this drawing.

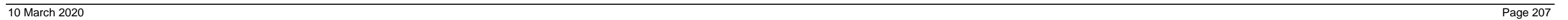
Project
Barwell Av
Development
Project Address:
41 Barwell Av,
Marleston

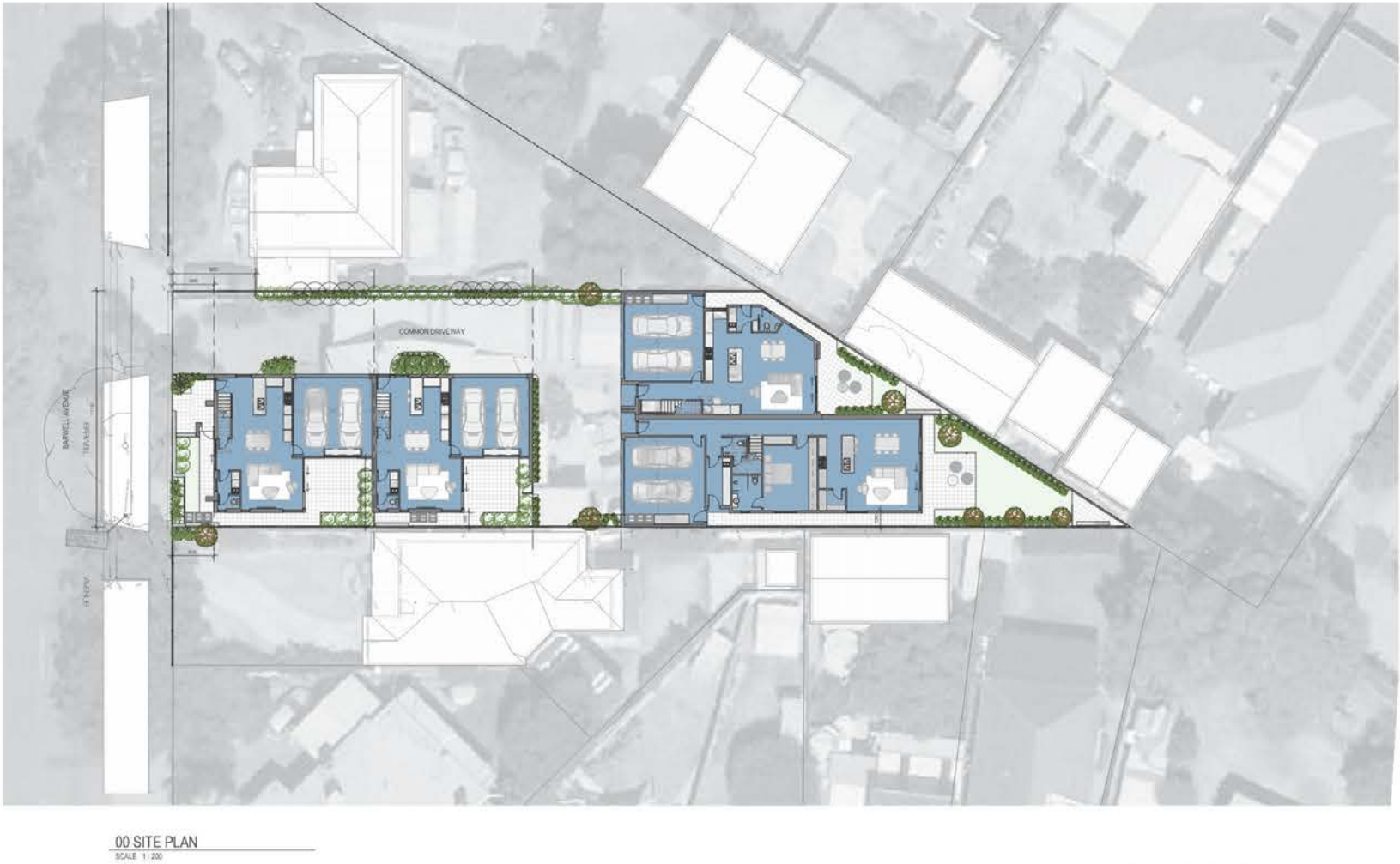
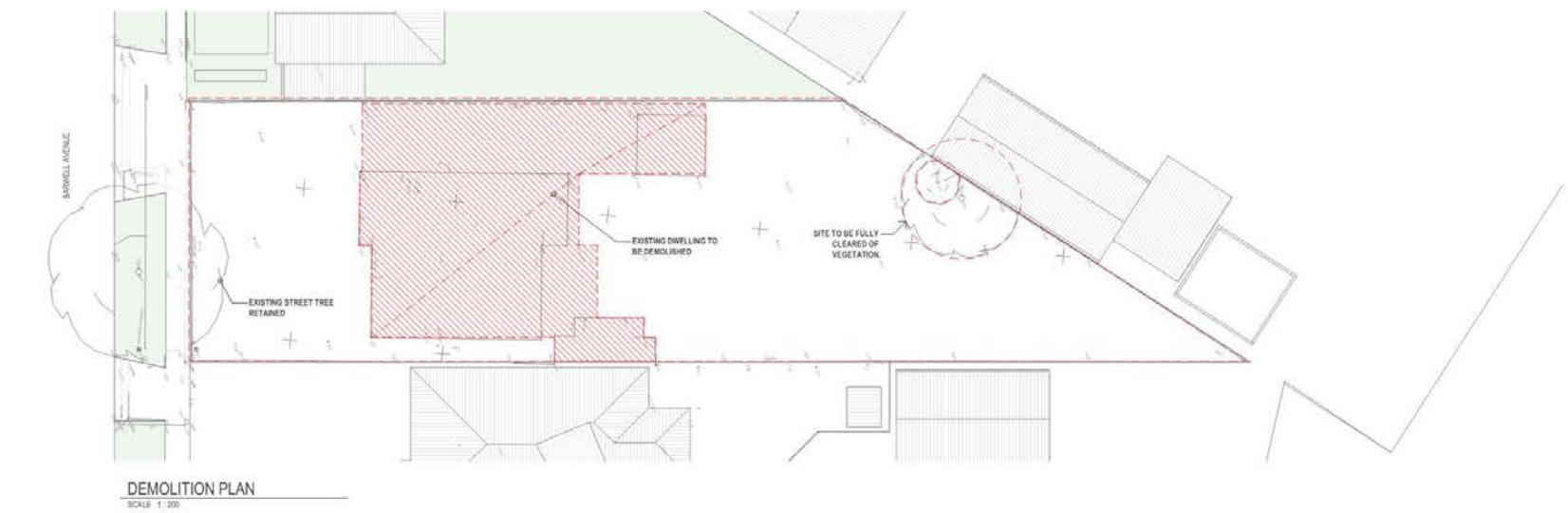
Drawing Title
Site Analysis Plan

Project No.
19.038

Drawing No.
PL00.-







PROSKE
architecture + interiors

26 Wakoham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member
Australian Institute of Architects

AIPSA

Client
GDG

Drawn
LR

Scale
1:200

Checked
-

Paper Size
A1

Date
07.11.2019

Copyright Reserved Proske Architects 2019

This document is the property of Proske Architects and is not to be reproduced, stored, or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Proske Architects. It is to be used only for the project and site for which it was prepared. It is not to be used for any other project or site without the prior written permission of Proske Architects.

P

Project
Barwell Av
Development

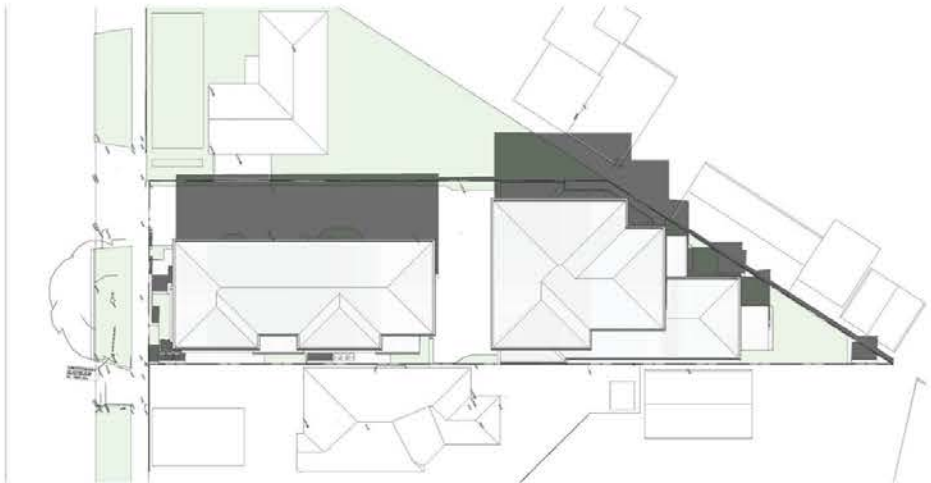
Project Address:
41 Barwell Av,
Marleston

Drawing Title
Site Plan

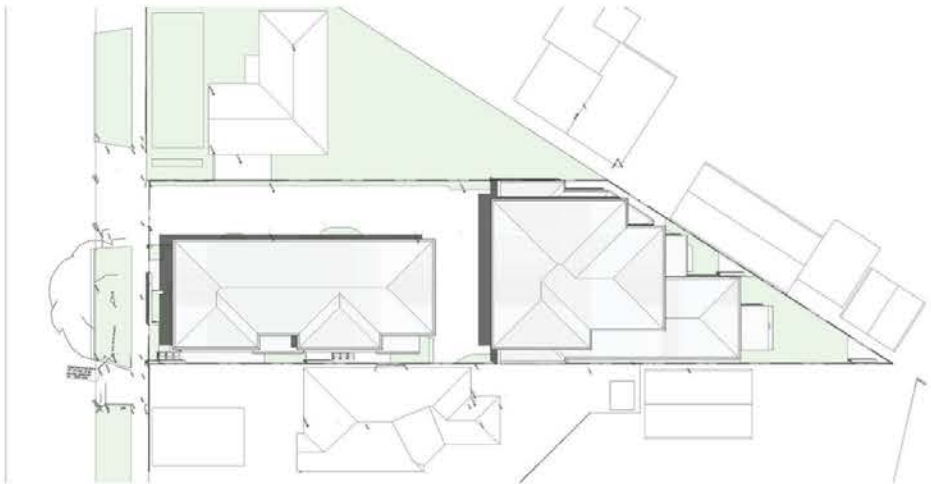
Project No.
19.038

Drawing No.
PL01.-

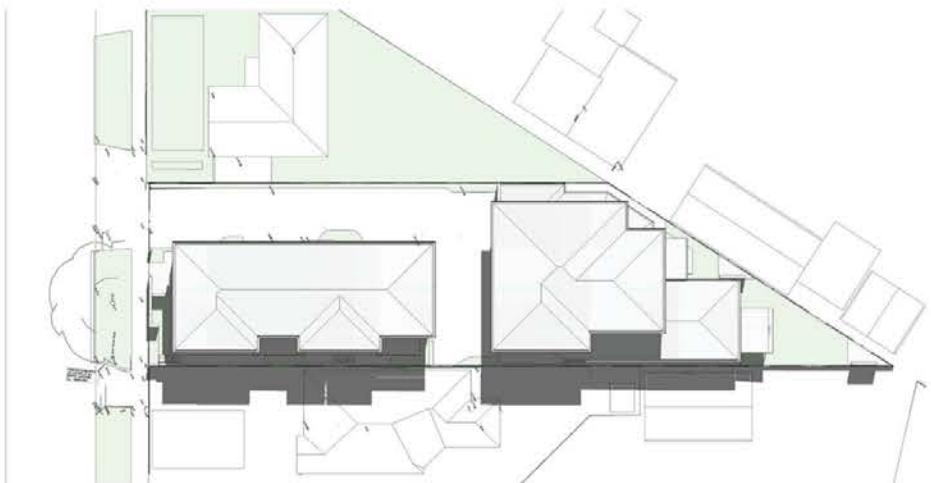




SHADOWS AT 21st DEC- 9am



SHADOWS AT 21st DEC- 12pm



SHADOWS AT 21st DEC- 3pm

SHADOW DIAGRAMS - SUMMER SOLSTICE
ALL SHADOWS SHOWN AT 21st DECEMBER

PROSKE

architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 6271 0100
proske.com.au

Member

Australian Institute of Architects

APRISA

Australian Professional Register of Architects

Client
GDG

Drawn
LR

Scale
1:300

Checked
-

Paper Size
A1

Date
29.01.2020

P

Project
Barwell Av
Development
Project Address:
41 Barwell Av,
Marleston

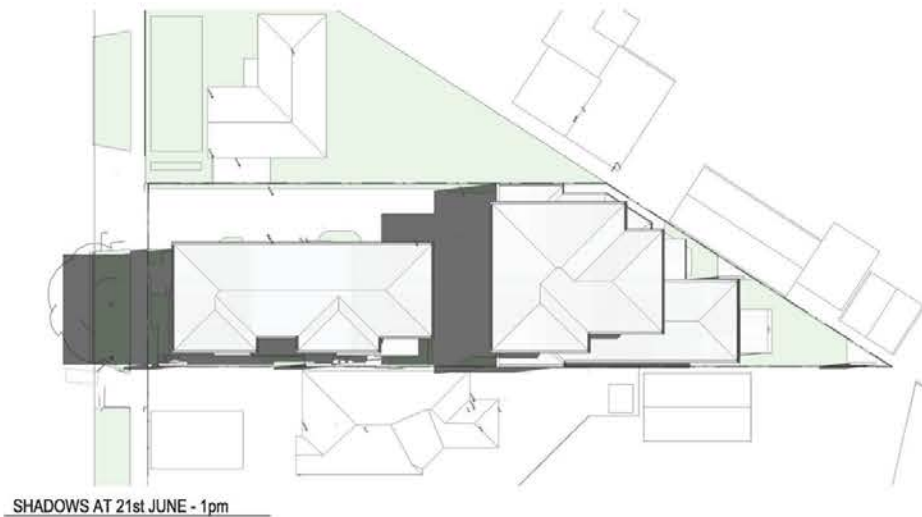
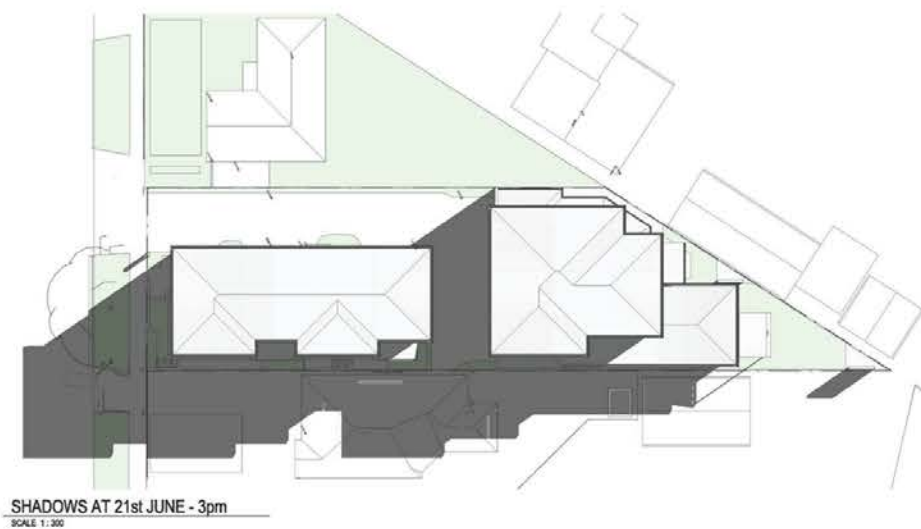
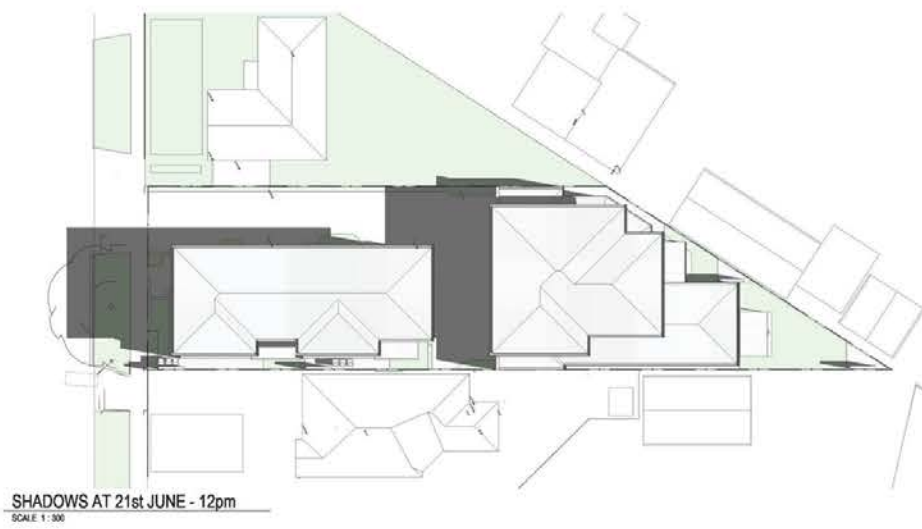
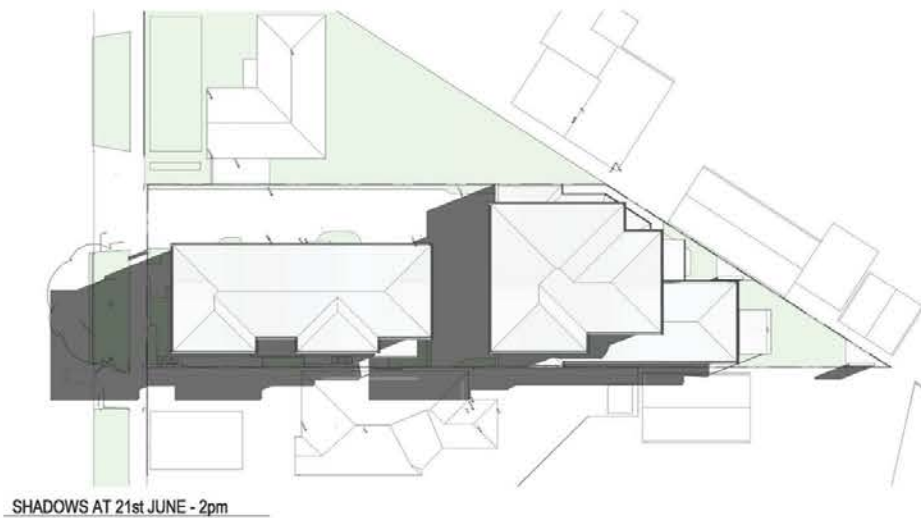
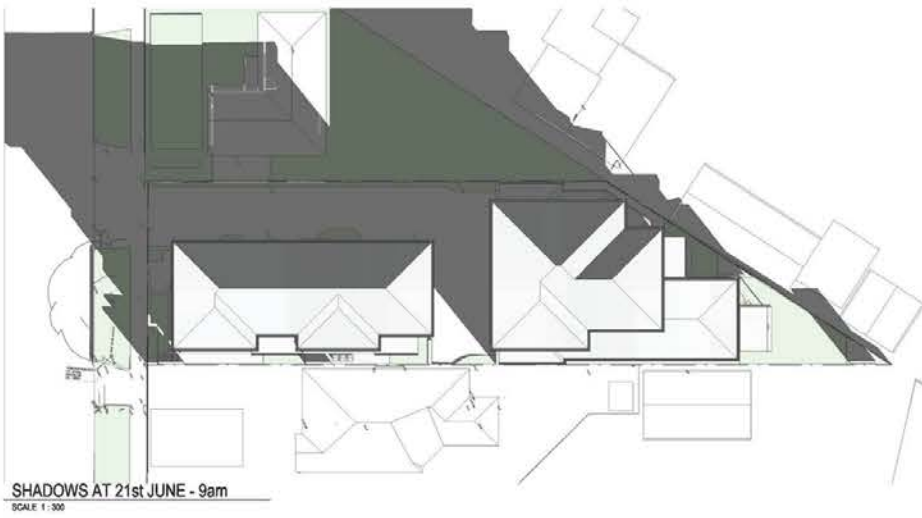
Drawing Title
Shadow Diagrams -
Summer

Project No.
19.038

Drawing No.
PL07.-

10 March 2020

Page 210



SHADOW DIAGRAMS - WINTER SOLSTICE

ALL SHADOWS SHOWN AT 21st JUNE

PROSKE
architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 6271 0100
proske.com.au

Member
Australian Institute of Architects

APSRA

Client
GDG

Drawn
LR

Scale
1:300

Checked
-

Paper Size
A1

Date
29.01.2020

Copyright Reserved Proske Architects 2019

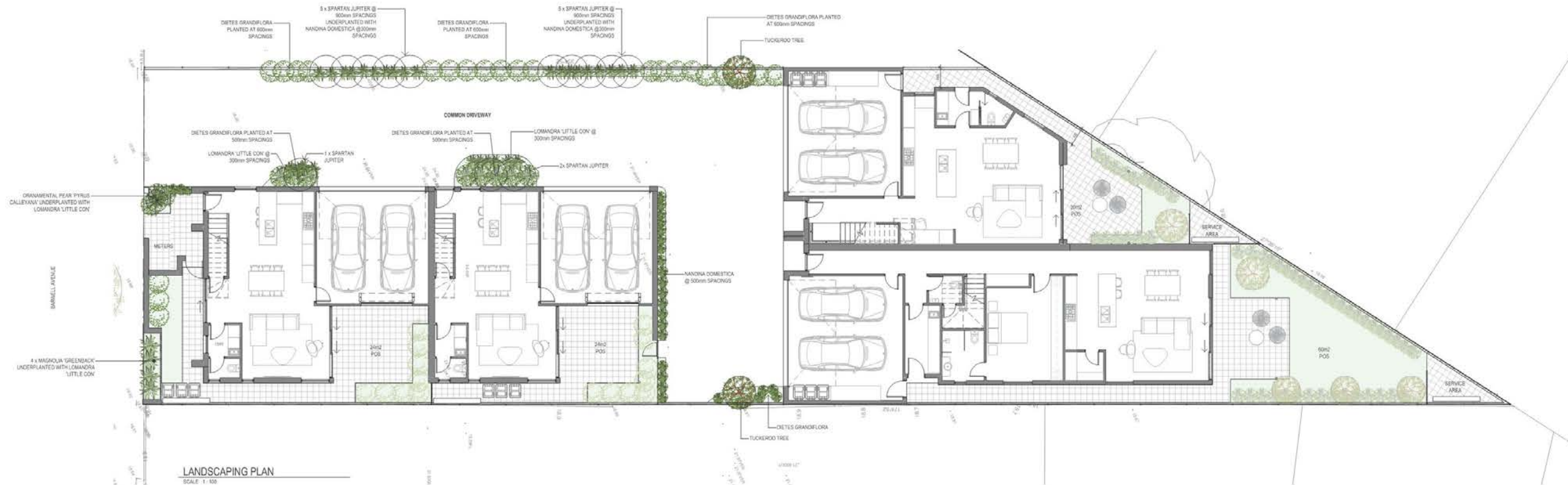
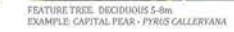
The Architect retains no responsibility for scaled dimensions noted from drawings intended to use without dimensions only. Dimensions, Levels and all unanchored notes to be verified by the Builder prior to construction as all are approximate to be reported to the client immediately & prior to any work being undertaken. Drawings to be read in conjunction with the specification. Strictly not to be used for Construction unless specifically changed otherwise.

Project
Barwell Av
Development
Project Address:
41 Barwell Av,
Marleston

Drawing Title
Shadow Diagrams -
Winter

Project No.
19.038

Drawing No.
PL04.A


Member
 Australian Institute of Architects

APKSA

Journal of the
American
Society of
Neurology

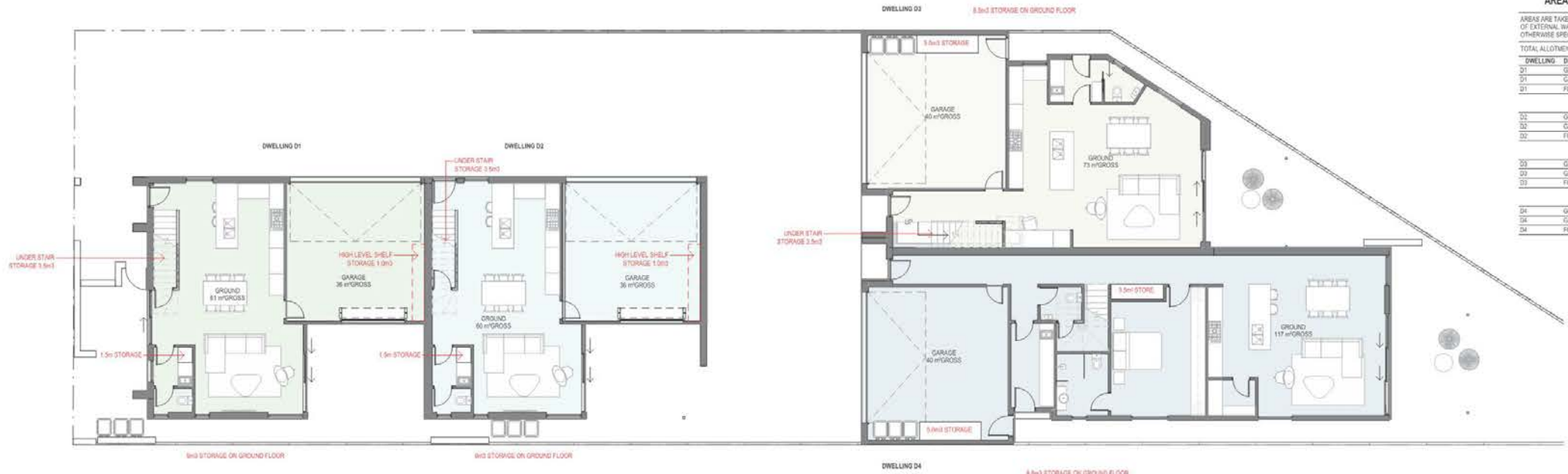
with the following assumptions:

1

TABLE 5.



FIRST FLOOR AREA
SCALE: 1:100



GROUND FLOOR AREA
SCALE: 1:100

AREA SCHEDULE		
AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.		
TOTAL ALLOTMENT AREA = 903m ²		
DWELLING	DESCRIPTION	AREA
D1	GROUND	81 m ²
D1	CARAGE	38 m ²
D1	FIRST	91 m ²
		190 m ²
D2	GROUND	60 m ²
D2	CARAGE	38 m ²
D2	FIRST	91 m ²
		190 m ²
D3	GROUND	73 m ²
D3	CARAGE	40 m ²
D3	FIRST	90 m ²
		203 m ²
D4	GROUND	117 m ²
D4	CARAGE	40 m ²
D4	FIRST	77 m ²
		235 m ²

PROSKE

architecture + interiors

26 Wakeham Street
Adelaide, SA, 5000

08 8271 0100
proske.com.au

Member

Australian Institute of Architects

APRISA

Client
GDG

Drawn
LR

Scale
1:100

Checked
-

Paper Size
A1

Date
07.11.2019

Copyright Reserved Proske Architects 2019

The Architect takes no responsibility for third parties using drawings, content or services in any way without the written permission of the Architect. The Architect is not responsible for any loss or damage to any property or person arising from the use of the drawings, content or services. The Architect is not responsible for any loss or damage to any property or person arising from the use of the drawings, content or services. The Architect is not responsible for any loss or damage to any property or person arising from the use of the drawings, content or services.

P

Project
Barwell Av
Development
Project Address:
41 Barwell Av,
Marleston

Drawing Title
Area Plans

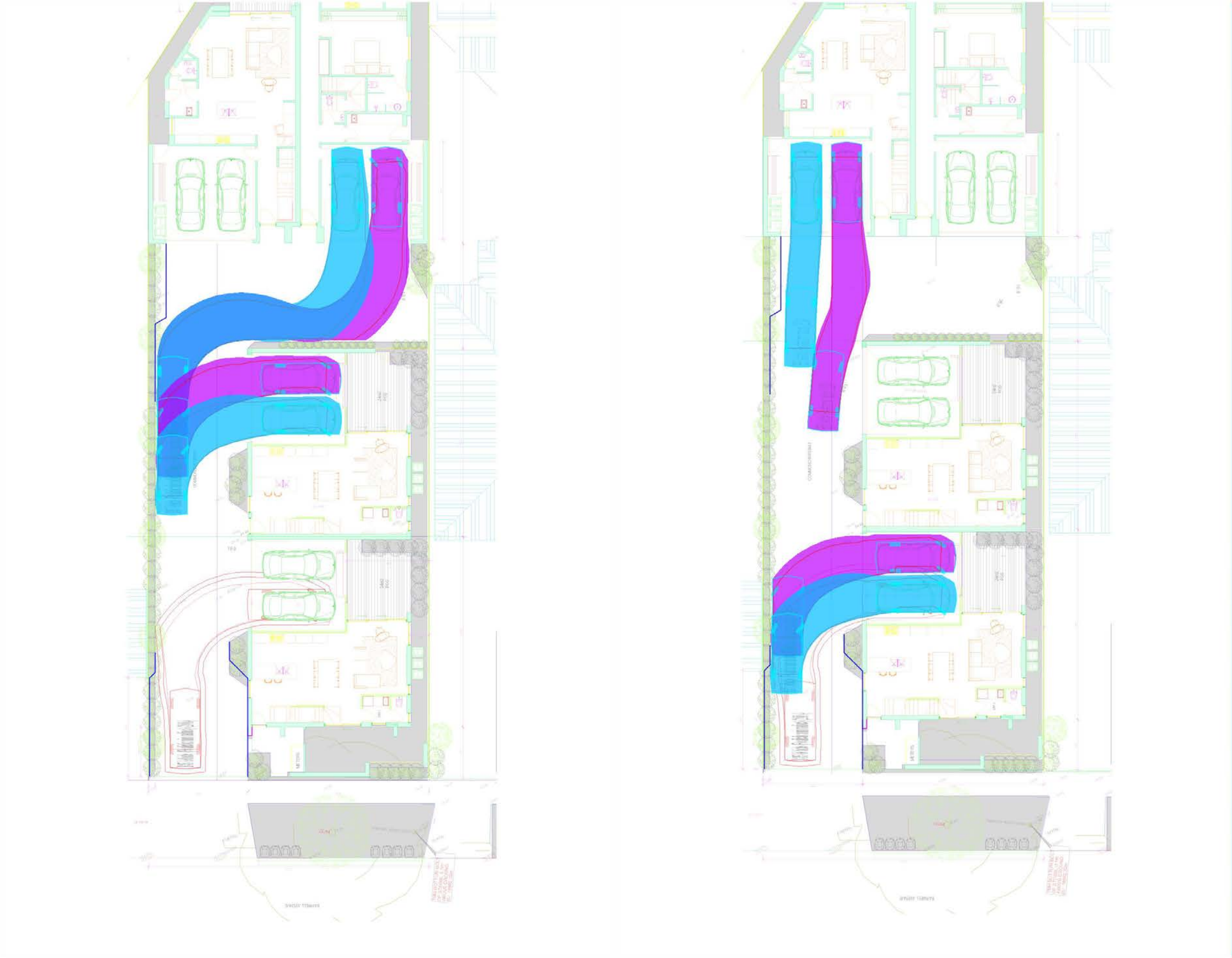
Project No.
19.038

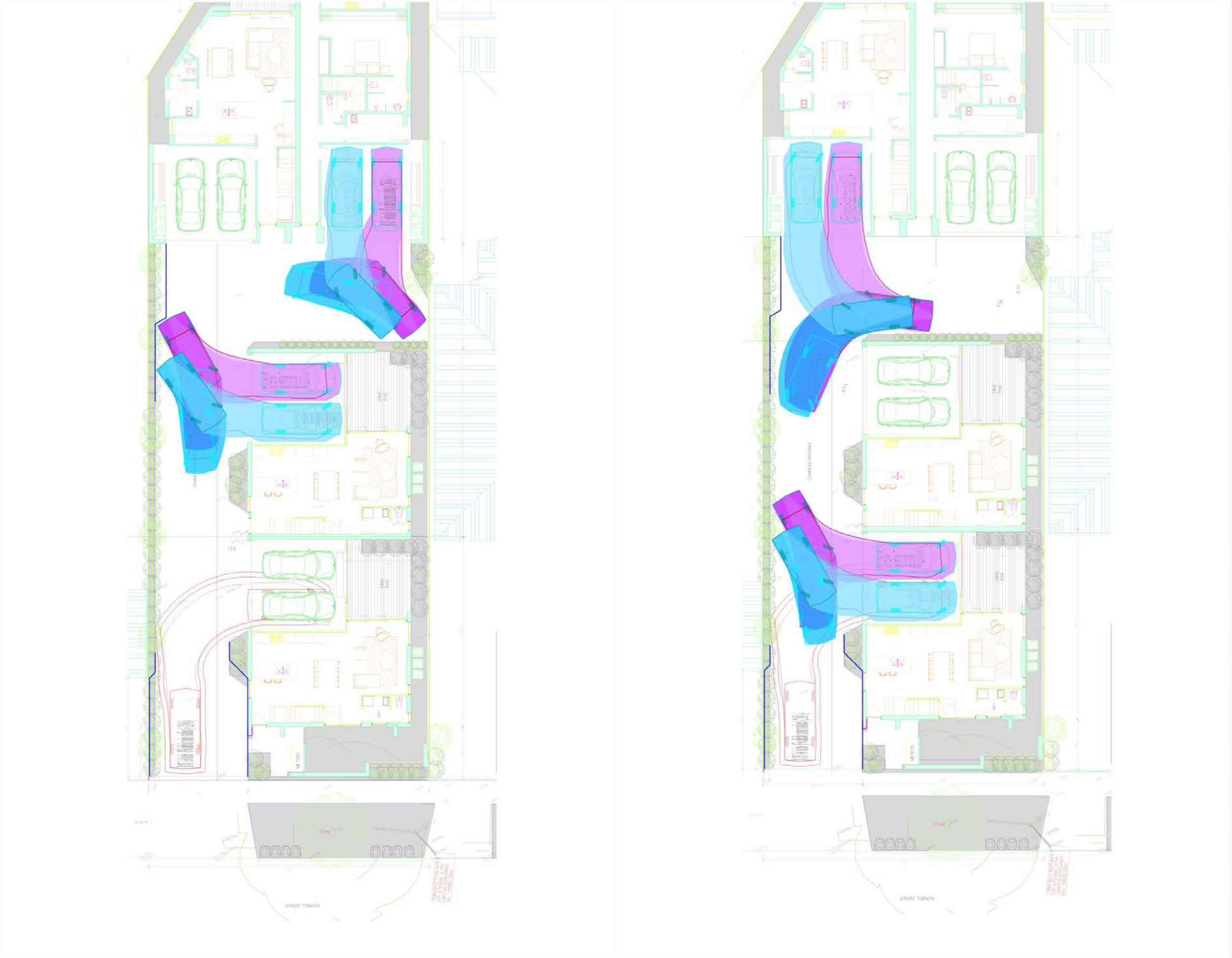
Drawing No.
PL06.-









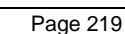


DRAWING AMENDMENTS			
VER	DATE	DESCRIPTION	CHK
A	17/10/2019	DESIGN COMMENTS	BNW

PROPOSED DEVELOPMENT
41 BARWELL AVENUE, MARLESTON
TURN PATH ASSESSMENT
PROJECT # 19347 SHEET # 01_SH02



This drawing is a concept plan only and subject to the provision of detailed survey information by others and the preparation of detailed design. The drawing is not suitable for construction purposes. The information and data identified within this drawing are the property of CIRQA Pty Ltd and copyright. This drawing and the information contained herein is for the use of the authorised Client only and not to be used, copied, reproduced or modified in whole or in part for any purpose other than for which it was supplied by CIRQA Pty Ltd. CIRQA Pty Ltd accepts no responsibility or liability to any other party who may use or rely upon this drawing or the information contained herein.





Product Register Search (CT 5840/677)
 Date/Time 02/07/2019 12:54PM
 Customer Reference
 Order ID 20190702006478



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



Certificate of Title - Volume 5840 Folio 677

Parent Title(s) CT 1313/120
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 27/02/2001 Edition 1 Edition Issued 27/02/2001

Estate Type

FEE SIMPLE

Registered Proprietor

GORDON RALPH HIME
 CORALIE JOAN HIME
 OF 41 BARWELL AVENUE MARLESTON SA 5033
 AS JOINT TENANTS

Description of Land

ALLOTMENT 113 FILED PLAN 19497
 IN THE AREA NAMED MARLESTON
 HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL
 Priority Notices NIL
 Notations on Plan NIL

Registrar-General's Notes

COMPARE ADDRESS FOR SERVICE OF NOTICE WITH 6608150

Administrative Interests NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5840/677)
02/07/2019 12:54PM
20190702006478



0 15 30 45 METRES



HEYNEN
PLANNING CONSULTANTS

T 08 8271 7944
Suite 15, 198 Greenhill Road
EASTWOOD SA 5063

ABN 54 159 265 022
ACN 159 265 022

12 November 2019

City of West Torrens
ATT: Rachel Knuckey
165 Sir Donald Bradman Drive
HILTON SA 5033

By Email

Dear Rachel

**RE: 41 BARWELL AVENUE, MARLESTON
CONSTRUCTION OF TWO, TWO-STOREY RESIDENTIAL FLAT BUILDINGS
WITH ASSOCIATED FENCING AND RETAINING WALLS**

Please find attached a development application seeking consent for the construction of two, two-storey residential flat buildings (4 dwellings in total) with associated fencing and retaining walls at 41 Barwell Avenue, Marleston. Included in the bundle of documents is:

- completed development application form and electricity declaration;
- Certificate of Title;
- planning drawings prepared by Proske Architecture and Interiors (7 Sheets Dated 07.11.2019) including site plan and demolition plan, floor plans, elevations, landscape plan and shadow diagrams;
- three untitled and undated 3D perspectives of the proposed development prepared by Proske Architecture and Interiors;
- civil documentation incorporating WSUD principles prepared by KP Squared Engineering (9 sheets, Issue: A, Date 16/10/2019); and
- Turn Path Assessment (2 sheets) prepared by Cirqa as dated 17/10/2019.

Could you please advise of the fees payable in respect of this application at your earliest convenience.

The applicant has requested a brief planning opinion on the proposed development and in doing so I have reviewed all of the documents forming the lodgement package, viewed the site and locality, considered decisions of the Court, reviewed the Development Plan (consolidated 12 July 2018) and noted the Development Regulations.

Having considered the Development Plan provisions, I am of the view that the planning merit with respect to site coverage, private open space, car parking, safe and convenient access, building height, maintenance of privacy and access to sunlight, supply of 8 m³ of storage, stormwater management, landscaping and set backs from all boundaries (northern boundary to be discussed in more detail hereafter), is self-evident¹.

¹ Recalling that we discussed the suitability of the visitor car park being placed on-street at our meeting of 27 September 2019.

Accordingly, I have limited my consideration of the Development Plan to three key “policy” questions, firstly.

1. Is the nature and density of the proposed development appropriate within Policy Area 19 (Medium Density) of the Residential Zone?

Upon review of the Residential Zone, Policy Area 19 (Medium Density), it is apparent that a residential flat building is envisaged (PDC 1) and initially Policy Area 19 (Desired Character) guides that “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.” The proposed development is consistent with the broad types of development generally sought by Policy Area 19.

I note that the Development Plan guides further as follows:

Residential Zone – Medium Density Policy Area 19

Desired Character

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.

In this regard the proposed site is located within 400 m of a centre zone (consistent with the Desired Character)² and accordingly PDC 5 (below) is invoked:

Residential Zone – Medium Density Policy Area 19

PDC 5 When a dwelling is located within 400 metres of a centre zone, it 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:

Dwelling type	Site area (square metres)	Minimum frontage (metres)
Detached	250 minimum	9
Semi-detached	200 minimum	9
Group dwelling	170 minimum	9
Residential flat building	150 average	15 (for complete building)
Row dwelling	150 minimum	5

I also note that Barwell Avenue is a “secondary road” as per Overlay Map WeTo/13 Transport and as a consequence provides ready access to public transport (consistent with good planning practice, see for example Residential Zone Objective 3). It is evident that the site is well placed to progress the Desired Character of Policy Area 19.

In relation to the dwelling density, I note that the average site area per dwelling relative to the total site is 240.5 m² (in excess of the PDC 5 guideline). If, hypothetically, the area associated with the common driveway is removed, the average site area per dwelling would equate to 174.25 m² (which again with this more conservative approach achieves consistency with PDC 5 in full).

I note that the site frontage to Barwell Avenue is 17.13 m, as compared to the 15 m “for complete building” guideline. In my experience, the “complete building” guideline is somewhat unusual and a little ambiguous.

² The nearest Neighbourhood Centre Zone is 310 m north of the site to Richmond Road, while the site is 410 m from the Neighbourhood Centre Zone and 480 m to a Local Centre Zone both on South Road and both in an easterly direction.

For example, a “complete building” could consist of a fence and gate combined across the entire frontage, in which case the complete building would have a frontage of 17.13 m. Alternatively, a dwelling could include an arch type structure to span the common driveway as an architectural feature (sometimes seen in mews style dwellings), and again such a design solution would have a frontage of 17.13 m.

Interestingly, I note that a pair of semi-detached dwellings would require an 18 m frontage, which is almost achieved by the 17.13 m site frontage. Furthermore, a detached dwelling need only have a 9 m wide frontage. On review of the proposed development, “Residence 1” arguably presents to Barwell Avenue as a detached dwelling on site with a frontage of 11.13 m and a 6 m side boundary set back (to the original western allotment boundary). In this regard the proposed development achieves greater separation to side boundaries than would be the case for a detached dwelling.

In my opinion, the ambiguity with the “complete building” guideline is overcome by the design and appearance (to be discussed in more detail) and the spacious siting of Residence 1.

Additionally, it is apparent that the proposed development (Residence 1 included) will favourably address the following provision:

Residential Zone – Medium Density Policy Area 19

Desired Character

New buildings will contribute to a highly varied streetscape... Garages and carports will be located behind the front facade of buildings.

Accordingly, I am of the opinion that the proposed development by way of its nature and proposed density are consistent with the relevant provisions of the Development Plan.

2. Is the design and appearance of the proposed buildings appropriate within Policy Area 19?

As previously noted that the proposed development addresses appropriately the following elements of the Desired Character (my underlining added):

Residential Zone – Medium Density Policy Area 19

Desired Character

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.

Clearly, the proposed 2 storey building height is also consistent with the Desired Character.

I also note that the overall scheme provides landscaping as per the Desired Character (my underlining added):

Residential Zone – Medium Density Policy Area 19

Desired Character

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.

Turning to broader design outcomes, the Development Plan seeks (my underlining added):

General Section – Design and Appearance

Objective 1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

PDC 1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- (a) building height, mass and proportion
- (b) external materials, patterns, colours and decorative elements
- (c) roof form and pitch
- (d) façade articulation and detailing
- (e) verandas, eaves, parapets and window screens.

PDC 12 Buildings (other than ancillary buildings, group dwellings or buildings on allotments with a battle axe configuration) should be designed so that the main façade faces the primary street frontage of the land on which they are situated.

PDC 13 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.

PDC 14 Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view.

PDC 15 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

In my opinion, the dwellings as designed achieve all of the above design related outcomes. Furthermore, the architectural approach is well resolved, clear in its expression, well detailed and will contribute a positive two storey form to the streetscape and locality generally. In my opinion, this aspect of the proposal is consistent with the Development Plan.

3. Is the relationship between proposed “Residence 3” and “Residence 4” and the northern boundary appropriate?

In the first instance, I note that a conventional view of Residential Zone PDC 11 is that it guides a 2 m side boundary set back and a rear boundary set back of 8 m. In the circumstances of Residence 4 it is apparent that the angular northern boundary serves as both a side boundary and rear boundary, while Residence 3 also experiences an unusual triangular shaped “back yard”. The manner in which PDC 11 applies to the sites of Residences 3 and Residence 4 is clearly unclear. At this point, I recall the clear guidance provided by the matter of *AG Building and Developments Pty Ltd v City of Holdfast Bay and Tanti* [2009] SASC 11 which stated (my underlining added):

43. What is required by Principle 99 is sufficient space for pedestrian and vehicle access and vehicle parking, sufficient space for storage and clothes drying, sufficient space for private open space and landscaping and front, side and rear boundary setbacks appropriate to the locality. Apart from the issue of boundary setbacks to which reference is made below, there is no doubt that the proposed development, as a permitted multi-storey development, complied with the requirements of Principle 99. The fact that the design technique referred to in Principle 99.1 was difficult to apply to this particular building design was a good reason to place little or no weight on it and to concentrate on the substance of Principle 99.

In the same way that zone PDC 11 is ambiguous in this circumstance the overarching qualitative provisions offer the clearest policy guidance, see for example:

Residential Zone

PDC 7 Dwellings should be set back from allotment or site boundaries to:

- (a) contribute to the desired character of the relevant policy area
- (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.

PDC 10 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building, (with the total wall height of the building being measured from the existing ground level at the boundary of the adjacent property as shown by *Figure 1*), increases to:

- (a) minimise the visual impact of buildings from adjoining properties
- (b) minimise the overshadowing of adjoining properties.

PDC 12 Side boundary walls in residential areas should be limited in length and height to:

- (a) minimise their visual impact on adjoining properties
- (b) minimise the overshadowing of adjoining properties.

Separately, I note that the garage wall “on boundary” is consistent with Residential Zone PDC 13 (b). I also note that overshadowing and overlooking are well resolved and in accordance with the Development Plan. Accordingly, the planning issue is whether the proposed dwellings “minimise their visual impact on adjoining properties”. In my opinion, such an assessment must have regard to the existing built form present on adjoining land, consistent with the matter of *Unley and Hall and Ors* (6 May 2002) which stated:

“... the existing characteristics of the land may mean that objectives and principles of development control have very little relevance. Furthermore development must be judged in its historical and factual context.”

Upon review of the site plan and associated aerial imagery it is apparent that the ground floor walls of Residence 3 and Residence 4 are commensurate with set back distances sought by the Development Plan, while proposed Residence 3 largely aligns with a large outbuilding at the rear of the land at 41A Anstey Crescent and two smaller outbuildings located in the back corners of the land at 43A Anstey Crescent and 39A Barwell Avenue. When combined with the upper level setback and staggered east facing upper level wall of Residence 3 I am of the opinion that the relationship within adjoining land will appropriately minimise the visual impact.

Turning to Residence 4, similarly the large outbuilding at 45 Ritchie Terrace provides a physical separation from the north-western portion of Residence 4 which also minimises the visual impact. In relation to 49 Ritchie Terrace, I note that the group dwelling is one of four dwellings and the configuration of the allotments is such that the building is set back in close proximity to the boundary shared with Residence 4 (i.e. spatially both dwellings relate to this boundary as a side boundary).

Given the additional articulation to the “West Elevation” of Residence 4 and the position of the closest wall to the shared boundary (2.365 m from the boundary) I am of the opinion that Residence 4 will again “minimise the... visual impact on adjoining properties”.

Accordingly, I am of the opinion that relationship between Residence 3 and Residence 4 and adjoining land and buildings is appropriate and consistent with the Development Plan.

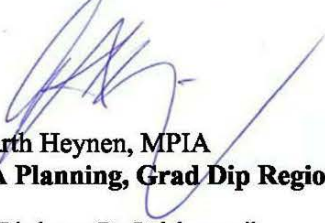
Conclusion

In conclusion, having considered the relevant provisions of the Development Plan, I am of the opinion that the proposed development (and necessary demolition of existing structures) is appropriate for the subject land and locality and displays consistency with the quantitative and qualitative policy guidance.

In my opinion, the proposed development displays substantial planning merit.

I welcome discussion regarding my opinion, if so required.

Yours faithfully



Garth Heynen, MPIA
BA Planning, Grad Dip Regional & Urban Planning, Grad Dip Property

cc. Lindaway Pty Ltd, by email

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

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

City of West Torrens

15 JAN 2020

City Development

DEVELOPMENT No. 211/1142/2019
 PROPERTY ADDRESS: 41 Barwell Avenue, MARLESTON SA 5033

YOUR FULL NAME	AMIT SHARMA & NIDHI SHARMA
YOUR ADDRESS	39A BARWELL AVENUE, MARLESTON - 5033
YOUR PHONE No	[REDACTED]
YOUR EMAIL	[REDACTED]
NATURE OF INTEREST	ADJOINING RESIDENT <small>(eg. Adjoining resident, owner of land in the vicinity etc.)</small>
REASON/S FOR REPRESENTATION The 2 units at the rear of the property will hinder our sunlight in our backyard. We (AMIT SHARMA) suffers from a medical condition, which requires him to get lots of sun exposure every day. The rear units will block our sunlight and the medical condition will aggravate.	
MY REPRESENTATIONS WOULD BE OVERCOME BY <small>(state action sought)</small> The rear units should start atleast 2 meters away from the common wall, as the two storey dwelling is will hinder our sunlight.	

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

I DO NOT WISH TO BE HEARD ☐

I DESIRE TO BE HEARD PERSONALLY ☒

I DESIRE TO BE REPRESENTED BY ☐

(PLEASE SPECIFY)

SIGNED

DATE 14/01/20. Nidhi

Responsible Officer: Josh Banks
 Ends: Monday 20 January 2020

If space insufficient, please attach sheets

From: [Rushforth, John \(Housing\)](#)
 To: [Development](#)
 Subject: attn Josh Banks : DA 211/1142/2019 - 41 Barwell Avenue, Marleston SA 5033
 Date: Wednesday, 8 January 2020 10:40:52 AM
 Attachments: [image002.png](#)

Thank you for the opportunity for the SA Housing Authority to comment on this development at 41 Barwell Avenue, Marleston SA 5033 in respect of the abutting SAHT properties at Lots 110 and 112.

Comments:

1. Where the development affects the common boundary with the SAHT property, SAHA would like to remind the applicant/ owner that he/she is required to give notice, in writing at least 48 hours prior to commencing any work on the site, advising of the proposed start and completion dates of work affecting the boundary with the abovementioned SAHT properties to:
 - the SAHT tenants of the properties, and
 - Housing SA Maintenance, Housing SA Maintenance, 120 Flinders Street, Adelaide 5000.
2. Where applicable, prior to commencing any building work or removing fencing/structures on the common boundary, you or your building contractor is to ensure the following:
 - Negotiate with the affected neighbouring SAHT tenants the days and times which the building contractor requires access to SAHT property for the work to be undertaken;
 - Contact Housing SA Maintenance on to arrange for inspection of the boundary building works adjoining the SAHT property prior to commencement and again prior to completion.
 - Cost of any retaining walls and new fencing to be at full cost of developer.
3. Ensure that overlooking of private open space of the abutting SAHT dwellings is not possible via appropriate window sill heights and/or obscure glazing.
4. Ensure that the development plan's side set backs are applied.

Kind regards

John



John Rushforth



HEYNEN
PLANNING CONSULTANTS

T 08 8271 7944
Suite 15, 198 Greenhill Road
EASTWOOD SA 5063

ABN 54 159 265 022
ACN 159 265 022

3 February 2020

City of West Torrens
ATT: Josh Banks
165 Sir Donald Bradman Drive
HILTON SA 5033

By Email

Dear Josh

RE: 211/1142/2019 – 41 BARWELL AVENUE, MARLESTON

I understand that pursuant to Section 38 of the *Development Act* Council has undertaken public notification in relation to the proposal to construct two residential flat buildings (a total of four dwellings) at 41 Barwell Avenue, Marlestone.

I confirm that the applicant has requested my opinion on the points raised in the two representations received by Council, and in particular whether any of the items mentioned affect the planning merit of the development.

On review of the representations the applicant has provided me with (hereby enclosed):

- (a) shadow diagrams prepared by Proske Architecture and Interiors, dated 29.01.2020 incorporating the following additional detail:
 - winter solstice including also 1 PM and 2 PM “points in time”; and
 - summer solstice for 9 AM, 12 noon and 3 PM.

Having reviewed the representations I firstly note that the submission from the SA Housing Authority reminds the applicant of various obligations for notification when building on boundary, replacing fencing and costs to be borne by the applicant. These comments are acknowledged, where relevant.

The SA Housing Authority has also sought that overlooking be addressed, which in my opinion occurred with the development proposal “as lodged”, while I have previously outlined by view on the appropriateness of the side boundary set backs as per my correspondence of 12 November 2019.

As a consequence, no further response is required with respect to the SA Housing Authority submission.

On review of the second representation (from the owner of land at 39A Barwell Avenue, Marlestone) it is apparent that the sole concern relates to the shadow cast by the “2 units at the rear” (i.e. Dwelling 3 in particular). The relationship between the representor’s land and buildings and the proposed development is illustrated by way of Figure 1 overleaf.

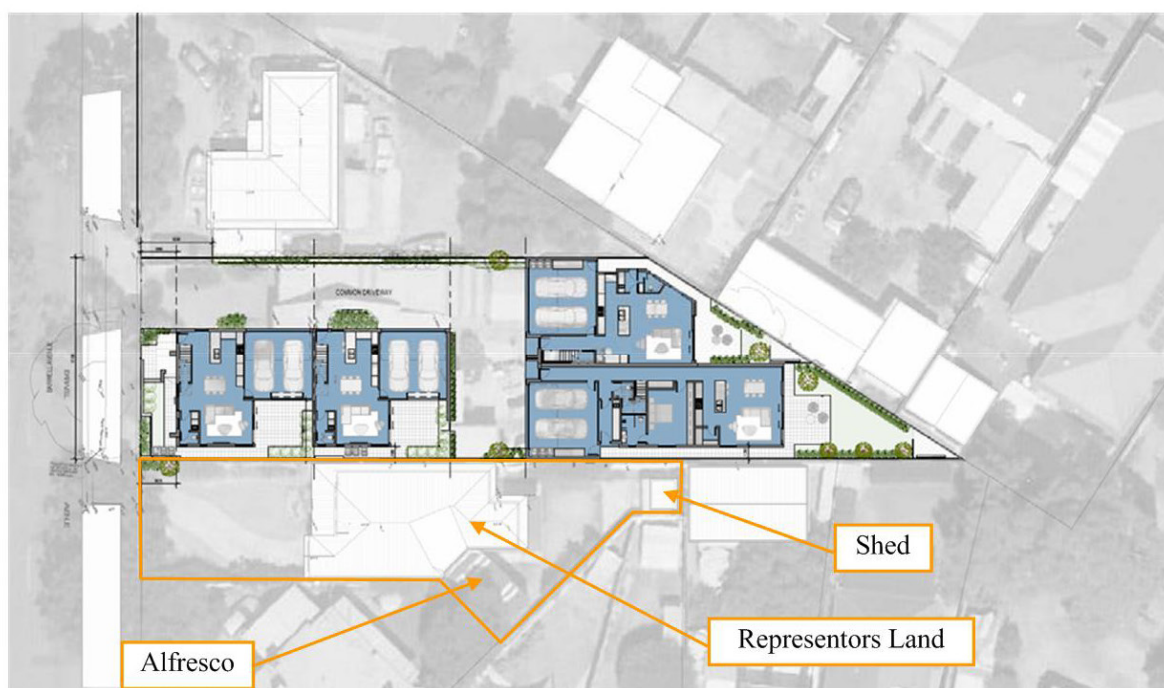


Figure 1: Proposed Development and 39A Barwell Avenue, Marlestone (Source: Proske, Site Plan, PL01)

Upon further review, I note that the floor plan of 39A Barwell Avenue, Marlestone is understood to be as per Figure 2 (as at November 2017).

While the “alfresco” noted as per Figure 1 and noted as an “Entertaining Area” per Figure 2 is illustrated by way of Figure 3.

From Figure 2, it is apparent that none of Bed 1, Bed 2 and Bed 3 incorporates west facing windows (i.e. none have windows facing the proposed development). The Kitchen incorporates an “over sink” window, which is secondary to the functionality of the open plan Lounge/Dining/Kitchen room, while it is apparent that the window looks directly out onto an existing brick wall on the boundary shared with 41 Barwell Avenue, Marlestone. On review of Figure 1, this outlook will be improved by removal of the current boundary wall and replacement with a fence and the increased openness brought about by the position of the private open space area of proposed Dwelling 2.

Additionally I note that the alfresco (as per Figure 3) will not alter by way of its access to sunlight, and I further note incidentally that the image depicted is dated “June 2017”.

It is appropriate to also consider that any shadow cast onto the “shed” depicted on Figure 1 will not affect the use and enjoyment of the representor’s property.

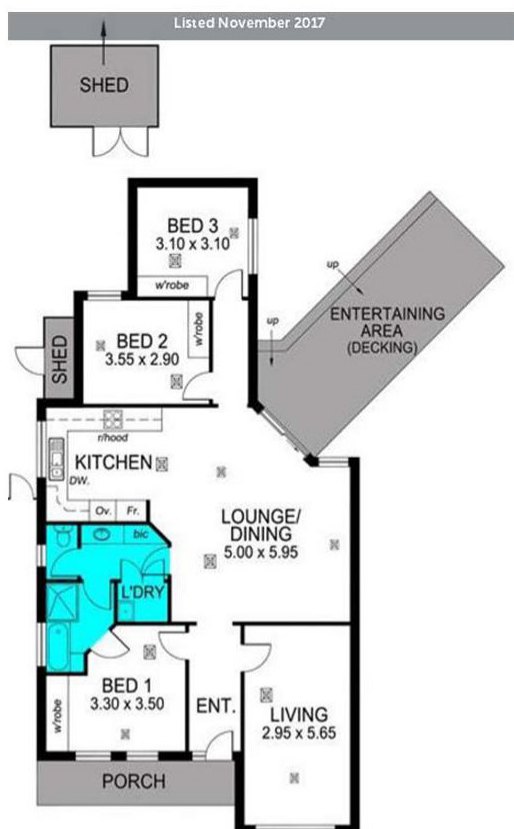


Figure 2: Floor Plan of 39A Barwell Avenue, Marlestone as at November 2017 (Source: realestate.com.au)

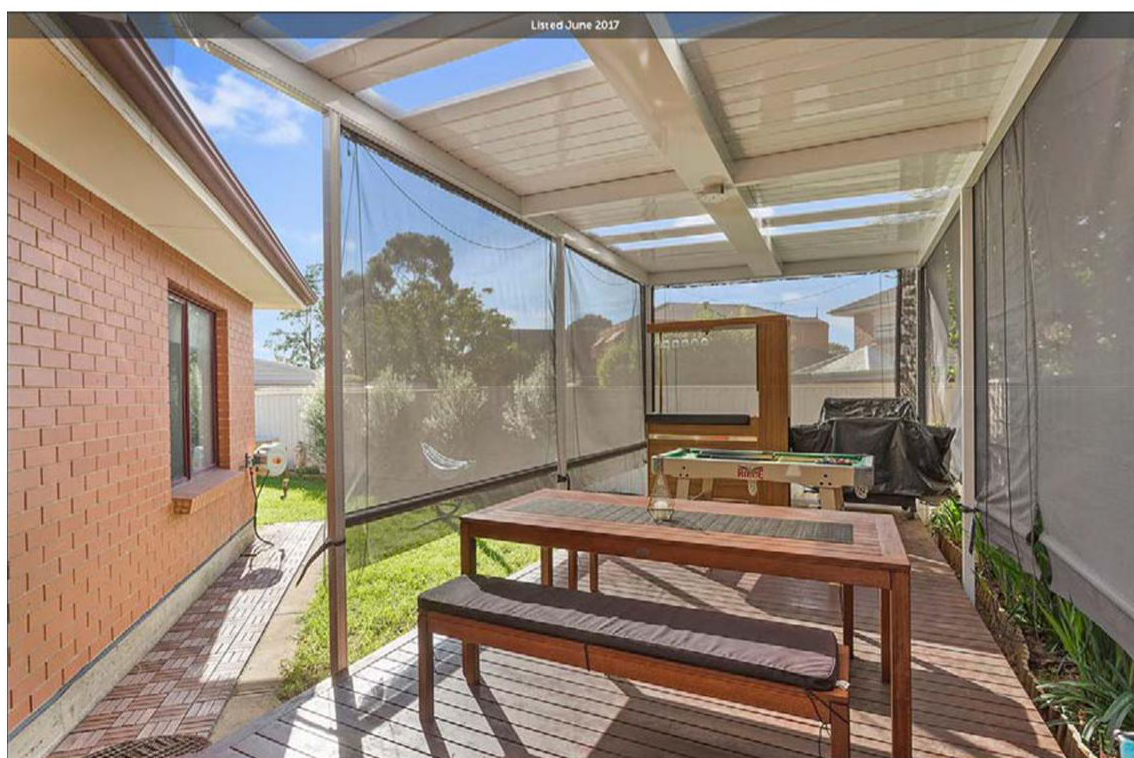


Figure 3: Alfresco of 39A Barwell Avenue, Marlestone as at June 2017 (Source: realestate.com.au)

Turning to the Development Plan, the following provisions provide guidance of relevance (my underlining added):

General Section – Design and Appearance

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

- (a) windows of main internal living areas
- (b) ground-level private open space ...

General Section – Residential Development

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

- (a) windows of habitable rooms, particularly living areas
- (b) ground-level private open space...

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

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

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

Upon review of the additional shadow details provided by Proske it is apparent that no shadow will be cast on the representor's land between 9 AM and 1 PM on 21 June. The access to 4 hours of sunlight is double that contemplated by General Section – Residential Development PDC 12. Additionally, no shadow is cast on a north-facing window, noting again Figure 2, between the hours of 9 AM and 1 PM. As a consequence General Section – Residential Development PDC 11 is also achieved by the proposed dwellings. It is also apparent that very little shade is cast over the dwelling at 39A Barwell Avenue, Marlestone at 2 PM on 21 June, further extending access to sunlight.

For completeness, the summer solstice shadow diagrams highlight that the shade cast by the proposed development will have minimal to no effect on the use and enjoyment of living areas and private open space.

Finally, it is apparent that the representor's dwelling is designed to take advantage of a north-easterly solar orientation, see for example the east facing Bed 3 window, the north-east facing Living/Dining glass doors and windows and the north-east angled alfresco with clear roof sheets. The design functionality of the dwelling at 39A Barwell Avenue, Marlestone will be unaffected by the proposed development.

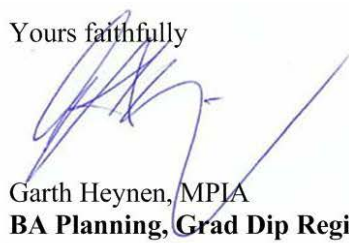
Accordingly, I am of the opinion that the proposed development allows adequate levels of access to natural light to the neighbouring land and building.

In closing, I am of the view that the proposed development appropriately considers and addresses all aspects of the representations.

I welcome discussion in relation to my comments, if you so require, otherwise should the occasion arise to speak before the CAP, the applicant and/or representative would welcome this opportunity.

On behalf of the applicant I request that the application be scheduled for the next available CAP meeting.

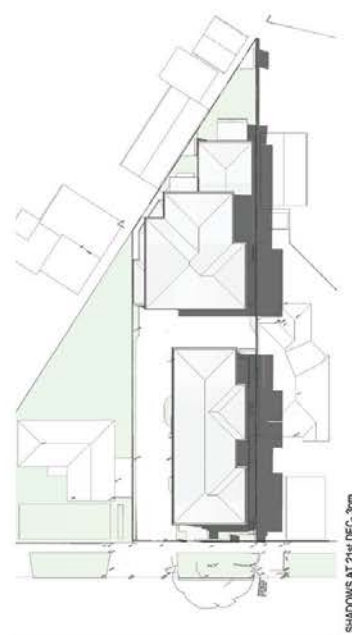
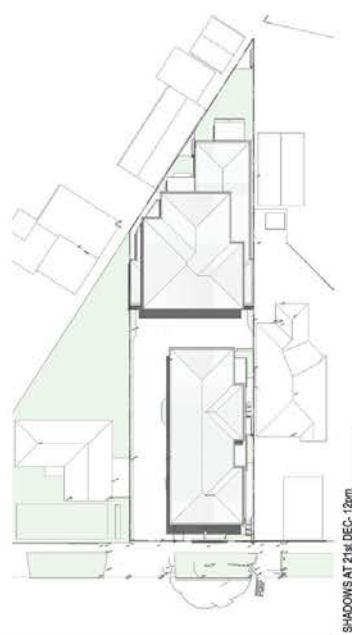
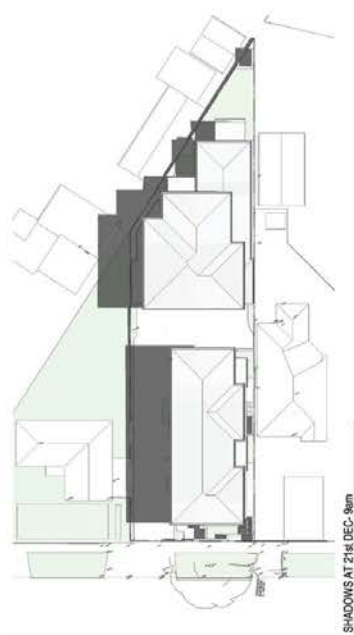
Yours faithfully



Garth Heynen, MPLA
BA Planning, Grad Dip Regional & Urban Planning, Grad Dip Property

cc. Mr G Gully, by email

Enc. Shadow Diagrams, Proske Architecture and Interiors, 2 sheets, dated 29.01.2020



SHADOW DIAGRAMS - SUMMER SOLSTICE

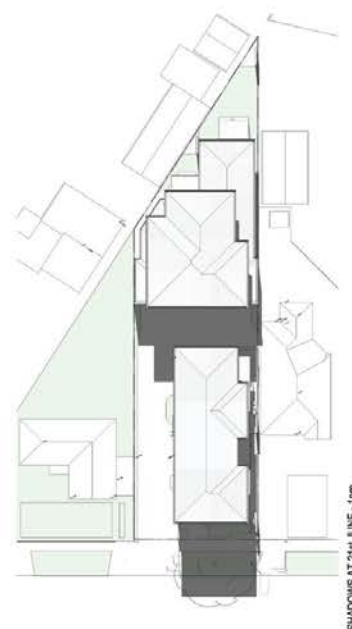
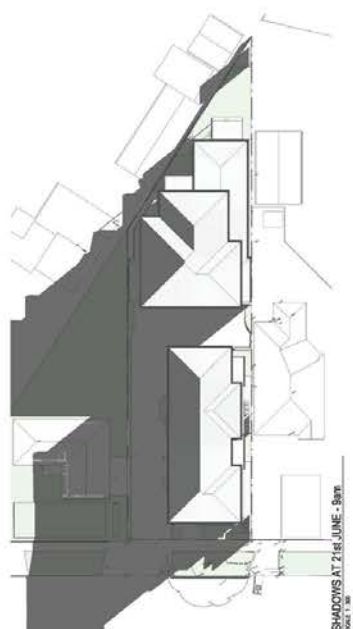
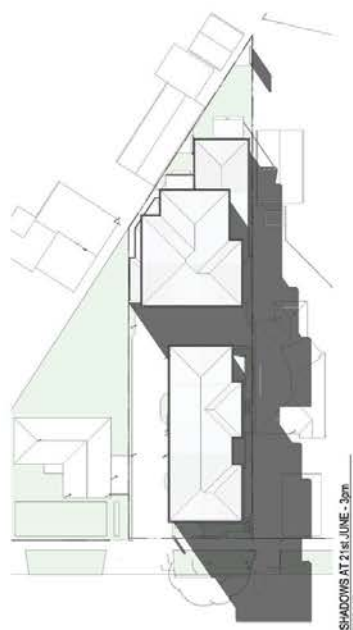
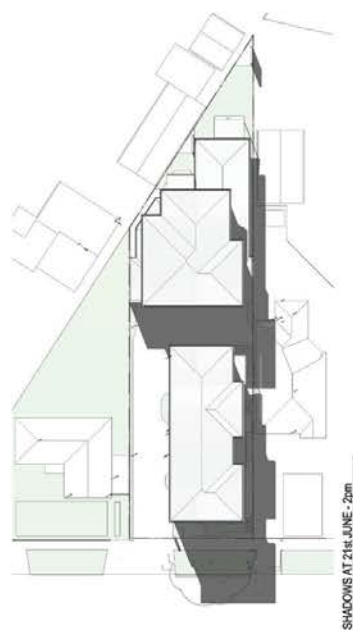
ALL SHADOWS SHOWN AT 21st DECEMBER

PROSKE architecture + interiors 24 Mainland Street Adelaide, SA, 5000 08 8271 0130 proske.com.au		Client Name Program Scale 1:1300	Checked Date 29.01.2020	Project No. 19,038 Drawing No. PL07
--	--	--	-------------------------------	--

During This Summer
 Project No. 19,038
 Drawing No. PL07

Project
 19,038
 Development
 41 Mainland Street
 Adelaide, SA, 5000

Copyright Reserved Proske Architecture 2019
 All Rights Reserved
 No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage or retrieval system, without prior written permission from Proske Architecture.



SHADOW DIAGRAMS - WINTER SOLSTICE

ALL SHADOWS SHOWN AT 21st JUNE

PROSKE architecture + interiors 24 Walsingham Street Adelaide, SA 5000 Tel: 08 8277 0100 prosk@proske.com.au		Client: MR Design: MR Scale: 1:100 Copyright Reserved Product Architecture 2019	Checked: MR Paper Size: A1 Date: 29.01.2020	Drawing Title: Winter Project No: 19.038 Drawing No: PL04.A
--	--	---	--	--

Project: **Development**
 Site: **41 Walsingham Street**
 Map Ref: **41 Walsingham Street**
 Map Ref: **41 Walsingham Street**



Memo

To Josh Banks
From Nick Teoh
Date 17-Dec-2019
Subject 211/1142/2019 41 Barwell Avenue, MARLESTON SA 5033

Dear Josh Banks

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

Waste Management

1. Waste Collection System

Proposed onsite storage within each dwelling is acceptable.

2. Bin Presentation and Collection

At peak, 4 x 140L general waste bins and 4 x 240L recycling bins including 0.5m spacing between bins will require 7.96m of verge space to accommodate kerbside collection.

This site is considered suitable for an individual Council kerbside waste collection service.

Kind regards

Nick Teoh
Team Leader Waste Management

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1142/2019

Assessing Officer:	Josh Banks
Site Address:	41 Barwell Avenue, MARLESTON SA 5033
Certificate of Title:	CT-5840/677
Description of Development	Construction of two (2) two-storey residential flat buildings comprising four dwellings with associated fencing, retaining walls, driveways and landscaping

TO THE TECHNICAL OFFICER - CITY ASSETS

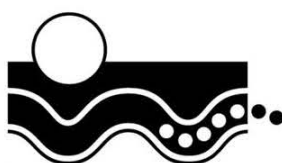
Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Josh Banks

DATE 20 December, 2019



City of **West Torrens**

Between the City and the Sea

Memo

To Josh Banks
From Richard Tan
Date 20-Dec-2019
Subject 211/1142/2019, 41 Barwell Avenue, MARLESTON SA 5033

Josh Banks,

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 This has been previously accepted in City Asset's assessment dated 29/11/2019

2.0 Verge Interaction

- 2.1 Verge interaction has been assessed as acceptable in accordance with the site layout shown in 'Civil & Drainage Plan' (KP Squared, Ref: 191010-C2-B, dated 16/12/2019).

- 2.2 No further assessment provided. Item still considered outstanding.

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

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

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

- 2.3 No further assessment provided. Item still considered outstanding.

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



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

- 2.4** Minor adjustment has been made on the proposed crossover. However, the measurement provided on the amended plan is inaccurate. Measuring from the edge of crossover at boundary, there is only 0.66m offset from western property boundary which is the same as previous submission. Hence item still considered outstanding.

The proposed crossover should be separated from the existing crossover servicing the adjacent property. The offset between the crossovers is required to be a minimum of 1m (measured at the front property boundary). The 1m separation allows for a pedestrian refuge. The extension and separation of the driveway crossover shall be undertaken prior to the completion of any building works at the expense of the applicant.

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

3.0 Traffic Requirements

- 3.1** No further assessment provided. Item still considered outstanding.

It is recommended that the width of the crossover servicing these properties is 5.5m with 0.3m flaring on each side (6.1m wide at the kerb line). This 0.3m flaring enables for easier entering and exiting from the driveway. It should be noted that crossover should be constructed 90 degree to the kerb alignment.

It is recommended that revised plans showing a 5.5m crossover with 0.3m flaring on each side (6.1m wide at the kerb line) be provided to Council.

- 3.2** No further assessment provided. Item still considered outstanding.

The internal garage length for Residence 1 & 2 are currently proposed as 5.7m. Although not specified in the relevant Australian Standards (AS/NZS 2890.1:2004), traffic engineering best practice guides that the minimum internal length of an enclosed garage or enclosed carport space should be a minimum of 5.8m.

It is recommended that revised plans be submitted, showing a garage internal length of 5.8m.



Between the City and the Sea

- 3.1** This has been previously accepted in City Asset's assessment dated 29/11/2019

4.0 Waste Management

- 4.1** Currently there is approximately 10.35m wide verge space for bin placement. Considering in the changes required in dot point 2.4 and 3.1, there will be approximately 9.3m wide verge space left for presentation of 8 bins. This has not considered in the offset distance from existing street tree and crossovers.

Due to the likely insufficient kerb space for presentation of all 8 bins, it is recommended that further assessment from Council's Waste Management Team is required.

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

5.0 Stormwater Management

- 5.1** Stormwater calculation has been assessed as satisfying minimum requirements

Regards
Richard Tan
Civil Engineer

**STATE
COMMISSION
ASSESSMENT
PANEL**

A COMMITTEE OF THE STATE PLANNING COMMISSION

Contact
Telephone
Email**Planning Services**
7109 7016
dldptipdclearanceletters@sa.gov.auState Commission
Assessment Panel

11 November 2019

City Manager
City of West Torrens
165 Sir Donald Bradman Dr.
HILTON SA 5033Level 5
50 Flinders Street
Adelaide SA 5000GPO Box 1815
Adelaide SA 5001

Dear Sir

08 7109 7061

**Re: Proposed Development Application No. 211/C119/19 (ID 66488) – Amended Plan 1/11/19
for Land Division (*Community Title Plan*) by Glen Gully**

Further to my letter dated 1 May 2019 and to assist the Council in reaching a decision on this application, copies of consultation agency reports received by the State Commission Assessment Panel (SCAP) are available 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 SCAP.

1. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0091614)

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

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119

2. Payment of \$22,848.00 into the Planning and Development Fund (3 allotment/s @ \$7,616.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit 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 State Commission Assessment Panel for Land Division Certificate purposes.

IT IS ALSO REQUIRED THAT COUNCIL PROVIDE THE SCAP WITH:

- a) the date on which any existing building(s) on the site were erected (if known);
- b) the postal address of the site; and
- c) a copy of its Decision Notification Form (via EDALA) pursuant to Regulations 60 (4) (b) ii and 44 respectively.

IT IS RECOMMENDED THAT THIS INFORMATION BE INCORPORATED INTO COUNCIL'S ADVICE WHEN REPORTING THAT THEIR REQUIREMENTS (IF ANY) HAVE BEEN FULLY SATISFIED.

Yours faithfully,

Biljana Prokic
LAND DIVISION COORDINATOR – PLANNING SERVICES
as delegate of the
STATE COMMISSION ASSESSMENT PANEL



06 November 2019

Our Ref: H0091614

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

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/C119/19 AT MARLESTON

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 developer must advise SA Water the preferred servicing option. Information can be found at: <http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information> 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

Michael Zoanetti

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

6.4 35 Wheaton Road, PLYMPTON

Application No 211/1258/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Land division - Community Title; SCAP No. 211/C139/19; Create two (2) additional allotments and common property
APPLICANT	D Wood
LODGEMENT DATE	18 December 2019
ZONE	Residential Zone
POLICY AREA	Medium Density Policy Area 18
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> City Assets External <ul style="list-style-type: none"> State Commission Assessment Panel (SCAP) South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.
RECOMMENDATION	Support with conditions
AUTHOR	Brendan Fewster

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 74 in Deposited Plan 3476 in the area named Plympton Hundred of Adelaide, Volume 5391 Folio 152, and is more commonly known as 35 Wheaton Road, Plympton. The subject site is rectangular in shape with an 18.28 metre (m) wide frontage to Wheaton Road and a site area of 777 square metres (m²).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title.

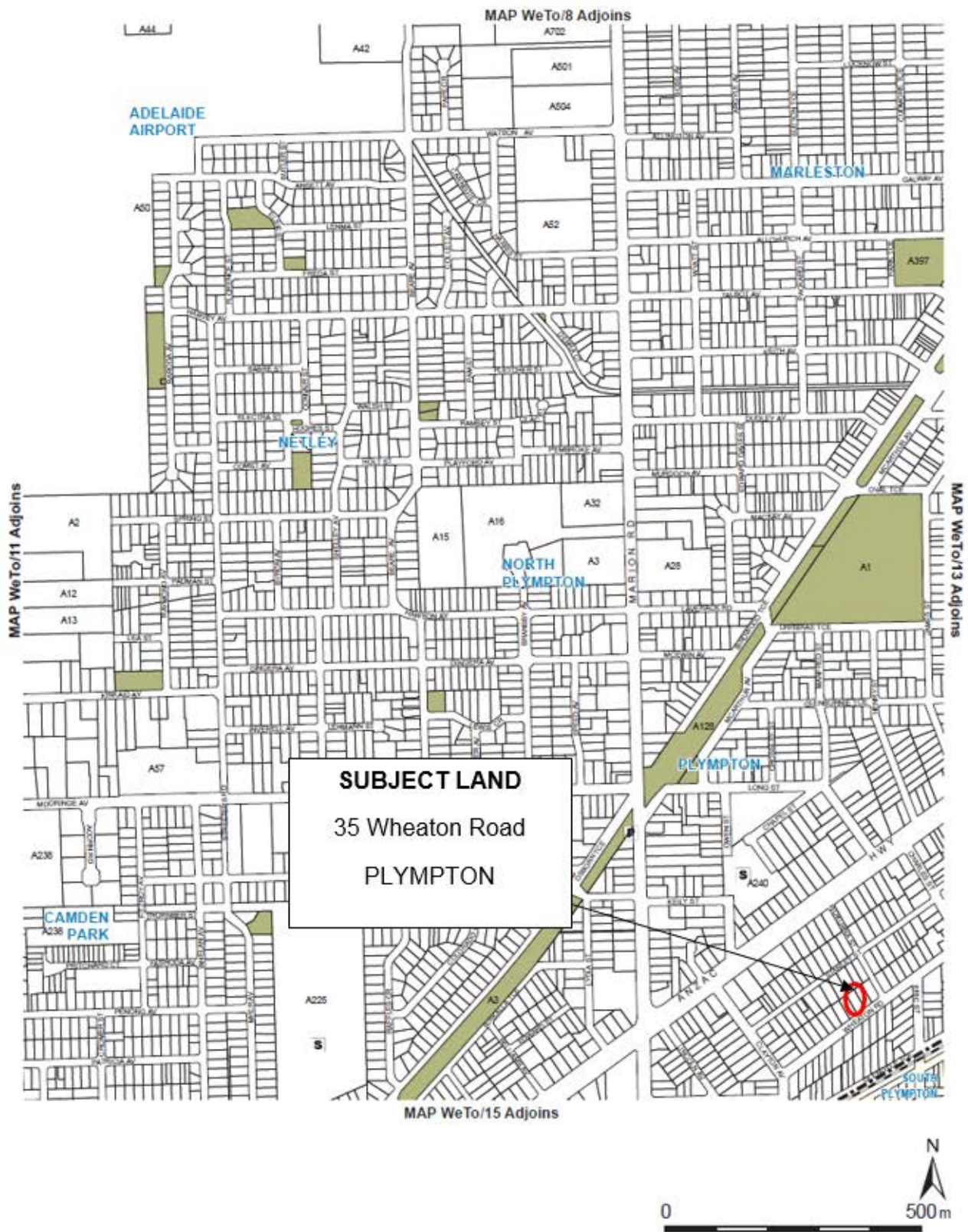
The site is currently vacant as all buildings and vegetation have been removed. The land is relatively flat and there are no Regulated Trees on the site or on adjoining land that would be affected by the development.

The locality comprises an established residential area with a mixed built form character. Existing development includes a mix of detached, semi-detached and group dwellings and residential flat buildings up to two storeys in height. The original allotment pattern has been fragmented as a result of recent infill development.

The amenity of the locality is considered only moderate due to the mixed housing and significant infill development.

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





Location Map WeTo/12

WEST TORRENS COUNCIL
Consolidated - 12 July 2018

RELEVANT APPLICATIONS

Nil

PROPOSAL

The application is for a Community Title land division to create two additional allotments (one allotment into three) along with common property for access purposes. The proposed allotments range in size between 202m² and 235m², with an average site area of 259m² (including common property).

The proposed allotments are being created for residential purposes (i.e. group dwellings).

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

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Schedule 9, Part 1, 2(f) of the *Development Regulations 2008*.

As the proposal is Category 1, public notification was not required to be undertaken.

INTERNAL REFERRALS

Department	Comments
City Assets	<p>There is sufficient verge space for access to all the subdivision land.</p> <p>As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic.</p>

EXTERNAL REFERRALS

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

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

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, within Medium Density Policy Area 18 as described in the West Torrens Council Development Plan consolidated 12 July 2018.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character:

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.

Medium Density Policy Area 18 - Desired Character:

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.

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

QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
Site Area <i>Medium Density PA 18</i> <i>PDC 8</i>	250m ²	202m ² -235m ² (excluding common property) Does not satisfy
Site Frontage <i>Medium Density PA 18</i> <i>PDC 8</i>	9m	18.28m Satisfies

ASSESSMENT

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

Suitability of Land for Intended Purpose

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

The Desired Character for Medium Density Policy Area 18 envisages *"a range of dwelling types including residential flat buildings, row dwellings, group dwellings, semi-detached dwellings and some detached dwellings on small allotments"*.

As the proposed division of land would create three relatively small allotments for group dwellings, the proposal is a desirable form of development within the policy area.

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

A copy of the indicative dwelling plans is contained in **Attachment 4**.

Allotment Size / Density

PDC 8 of Medium Density Policy Area 18 prescribes a minimum allotment area of 250m² unless the land division is combined with an application for dwellings, in which case the allotments should have a minimum site area of 150m² when group dwellings are proposed. As the proposed land division is not combined with a dwelling proposal for the site, the proposed allotments are less than the minimum site area requirement. A dwelling proposal has not been submitted on this occasion to combine with the land division as the applicant has separate buyers for each allotment, with each potential buyer to submit their own dwelling design.

PDC 6 of the Policy Area is seeking a minimum site area of 150m² for group dwellings. The proposed allotments are well in excess of 150m² and the overall allotment density would be in the "medium density" range, as envisaged by Objective 1 and PDC 1 and 6 of Medium Density Policy Area 18. Furthermore, the subject land is located in the close proximity to local services and is accessible to high frequency public transport services along nearby arterial roads.

Allotment Layout and Pattern

The proposed allotments are regular in shape and orientated north to south, which would provide optimal energy efficiency for future dwellings. The size and battle-axe configuration of the proposed allotments would not be at odds with the existing and desired allotment pattern.

Vehicle Access

PDC 7 of the Land Division module requires the driveway corridor to be a minimum of 5.5 metres in width for at least the first 5 metres of the driveway as it would serve two or more dwellings. As the driveway corridor is only 5 metres in width, a condition of consent is recommended so that the driveway is widened to 5.5 metres to ensure that vehicles can safely pass. This will need to be reflected on the final plan that is lodged with the State Commission Assessment Panel prior to the issue of Certificates for the land division.

Services and Infrastructure

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

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

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

SUMMARY

The proposed division of land is considered to be an orderly and desirable form of development within Medium Density Policy Area 18 of the Residential Zone.

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

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1258/2019 by Mr D Wood to undertake a Land division - Community Title; SCAP No. 211/C139/19; Create two (2) additional allotments and common property at 35 Wheaton Road, Plympton (CT5391/152) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
2. The pavement of the common driveway corridor shall be a minimum of 5.5 metres in width for the first 5.0 metres into the site to allow vehicles to safely pass. This shall be reflected on the Final Plan.

Land Division Consent Conditions

SCAP Requirements

3. 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 nonstandard 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.

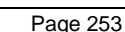
4. Payment of \$15232.00 into the Planning and Development Fund (2 allotment(s) @ \$7616.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

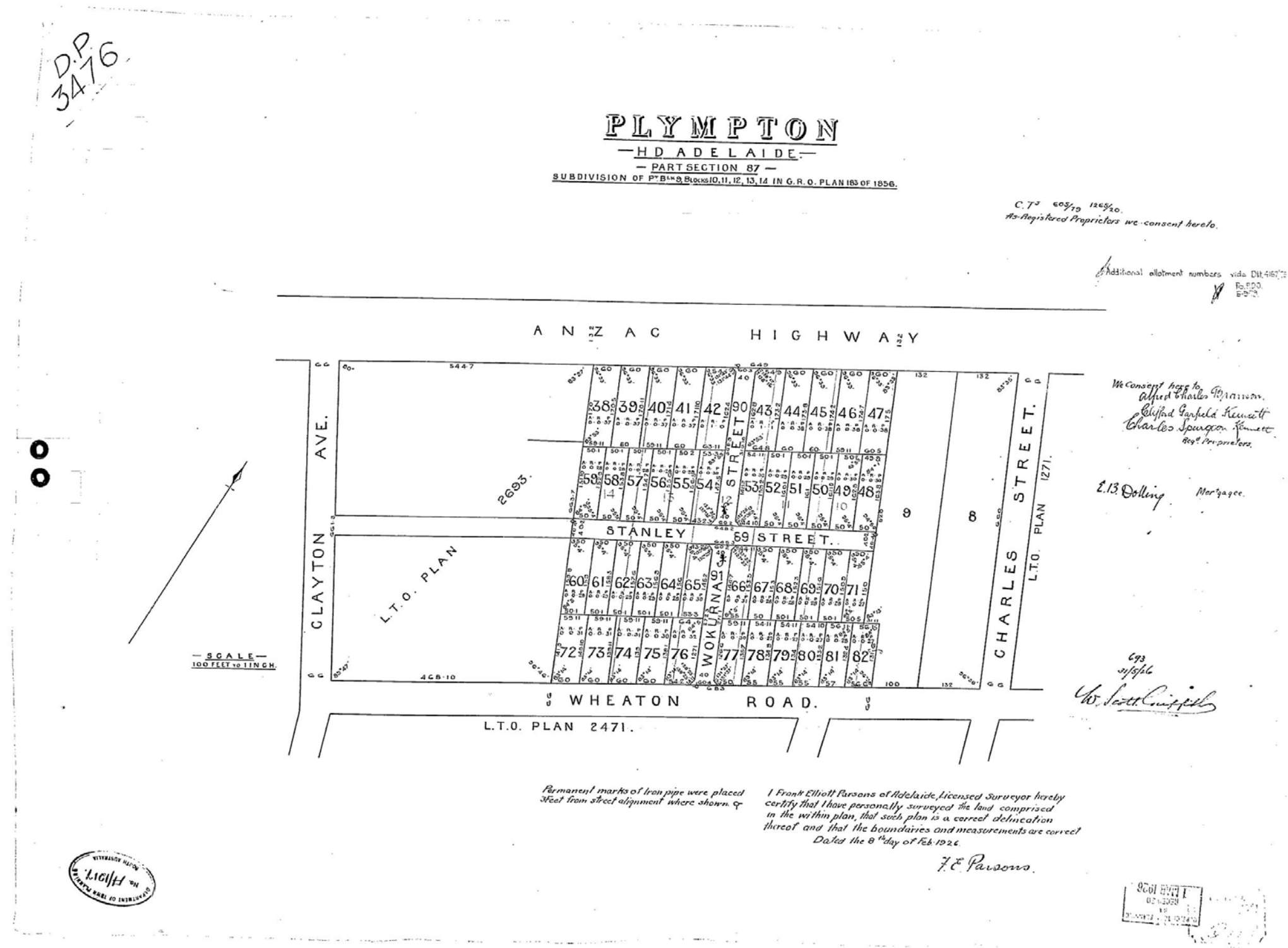
Attachments

1. Relevant Development Plan Provisions
2. Plan of Division
3. Referral Responses
4. Indicative Dwelling Plans

Relevant Development Plan Provisions

<u>General Section</u>		
<i>Land Division</i>	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7, 8, 13, 14, 15, 16 & 17
<i>Orderly and Sustainable Development</i>	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 6, 7 & 8
<i>Transportation and Access</i>	<i>Objectives</i>	2 & 4
	<i>Principles of Development Control</i>	1, 8, 9, 10, 11, 12, 15, 23, 24, 25, 30, 32, 33, 34, 35, 36, 44 & 45





Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/1258/2019

Assessing Officer: Brendan Fewster
Site Address: 35 Wheaton Road, PLYMPTON SA 5038
Certificate of Title: CT-5391/152
Description of Development: Land division - Torrens Title; SCAP No. 211/C139/19;
Create two (2) additional allotments

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Brendan Fewster

DATE 6 January, 2020



Memo

To Brendan Fewster
From Richard Tan
Date 06-Jan-2020
Subject 211/1258/2019, 35 Wheaton Road, PLYMPTON SA 5038

Brendan Fewster,

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

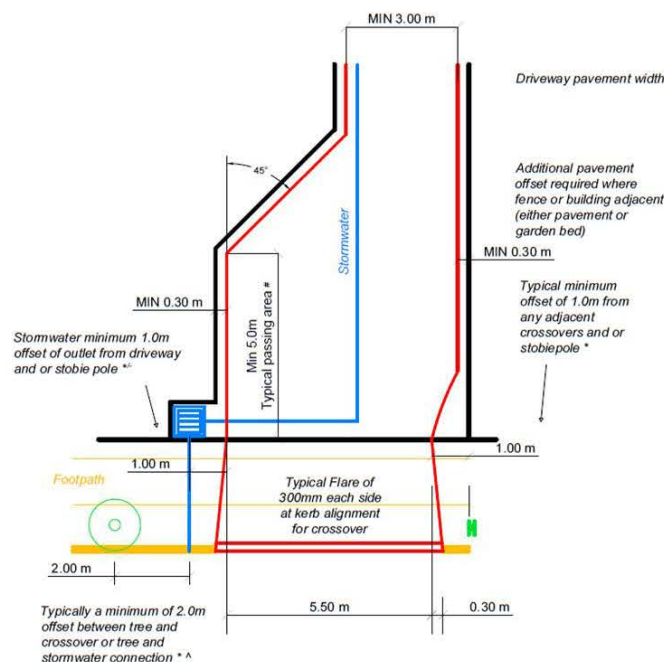
Note: I noted that this is a land division application with indicative house plan attached. I have however provided some brief comments regarding the indicative house plan attached, and leave this for planner's consideration whether these information needs to be pass to the applicant)

1.0 Traffic Requirements

- 1.1 There is sufficient verge space for access to all the subdivision land.
- 1.2 As the access driveway will service more than one property at the rear, the driveway corridor to the site will require widening to a minimum of 5.5m wide pavement width (+ 300mm offset from fences/walls/boundary) for the first 5.0m into the site to permit the passing of entering and exiting traffic. The proposed driveway shortfall of this requirements. Please refer to the attached sketch for a typical layout.



ACCESS ARRANGEMENT SERVICING REAR CAR PARK OFF LOW VOLUME ROAD



NOTES:

- * Distance as measured along alignment of front property boundary
- [^] Must be deemed to comply by Council's Technical Officer (Amenity)
- [#] No aboveground structure(s) such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.
- 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.

Please note that the 300mm offset on either side of the 5.5m wide driveway access can be pavement or landscape. To satisfy landscape requirements this offset in some cases may be larger than 300mm.

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.

- 1.3 (For information only)** It is recommended that the width of the crossover servicing the front dwelling is 3m with 0.3m flaring on each side (3.6m wide at the kerb line). This 0.3m flaring enables for easier entering and exiting from the driveway.



City of **West Torrens**

Between the City and the Sea

2.0 FFL Consideration – Finished Floor Level (FFL) Requirement (For information only)

- 2.1** Based on the survey information provided on 'Civil & Drainage Plan' (KPS, Ref: 190602-C2-A, dated 01/10/2019), a minimum FFL of 100.15 would be required.

3.0 Verge Interaction (For information only)

- 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. Any new driveway access shall be constructed as near as practicable to 90 degrees to the kerb alignment (unless specifically approved otherwise) and must be situated wholly within the property frontage.

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

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

4.0 Stormwater (For information only)

- 4.1** I have a quick look at the provided stormwater calculation, which seems have adopted the correct requirements, and matching internal calculations.

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



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

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

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

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

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

This alternate solution will provide cost savings to applicant as the installation of underground detention tank and pump station will not be required.

Regards
Richard Tan
Civil Engineer



17 December 2019

Our Ref: H0093341

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

Dear Sir/Madam

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

PROPOSED LAND DIVISION APPLICATION NO: 211/C139/19 AT PLYMPTON

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

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

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.

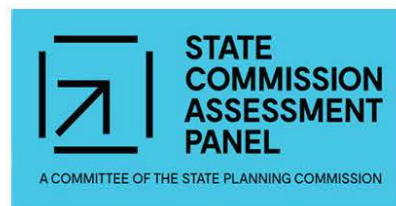
The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

Yours faithfully

Sia Papazafiropoulos

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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



17 December 2019

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/C139/19 (ID 66762)
for Land Division
(Community Title Plan) by Mr David Wood**

In accordance with Section 33 of the Development Act 1993 and Regulation 29 (1) of the Development Regulations 2008, and further to my advice dated 13 December 2019, I advise that the State Commission Assessment Panel (SCAP) has consulted with SA Water Corporation (only) regarding this land division application. A copy of their response has been uploaded in EDALA for your consideration. The Commission has no further comment to make on this application, however there may be local planning issues which Council should consider prior to making its decision.

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
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 \$15232 into the Planning and Development Fund (2 allotment(s) @ \$7616/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel (SCAP) for Land Division Certificate purposes.

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

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

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

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

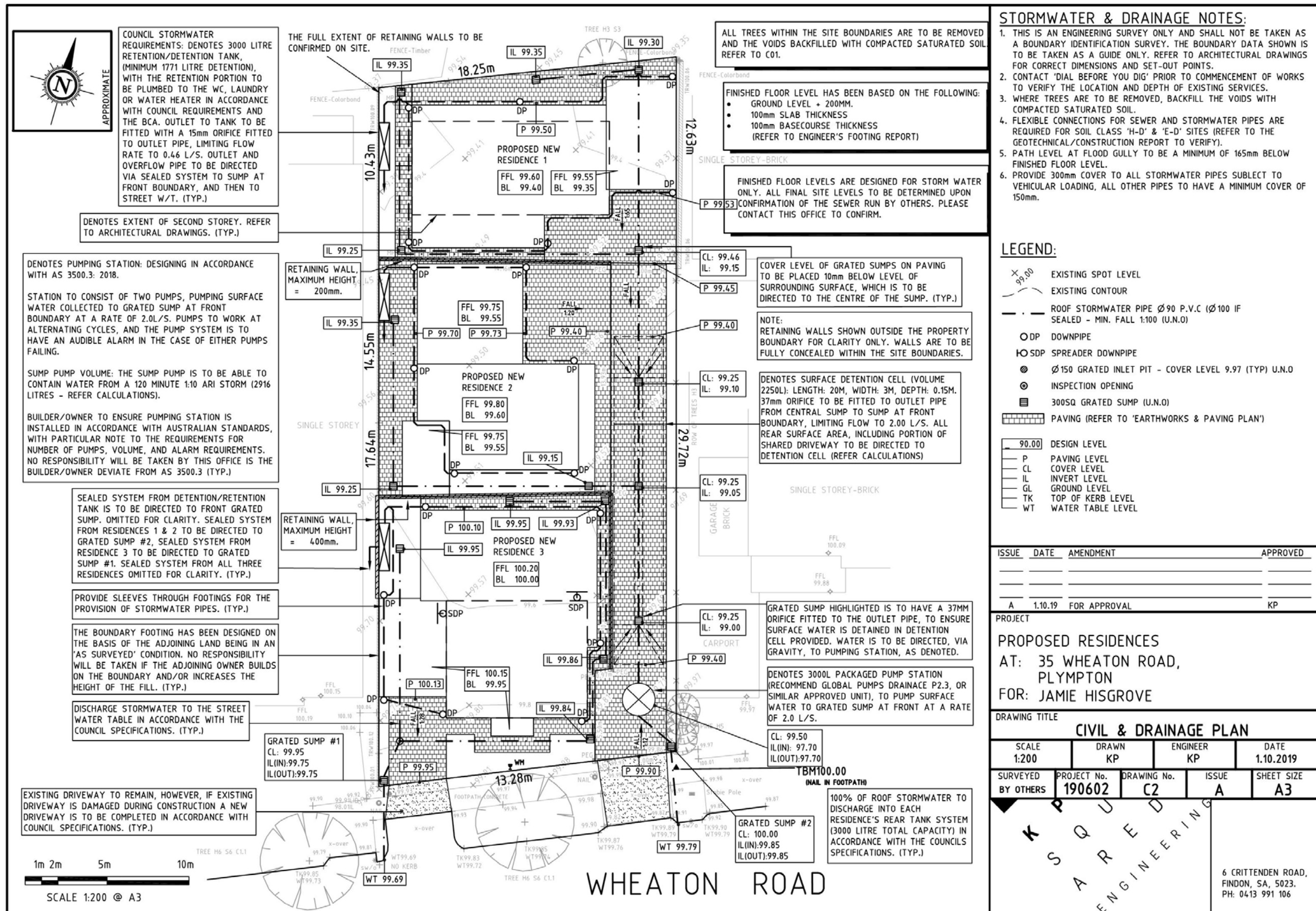
PLEASE UPLOAD THE DECISION NOTIFICATION FORM (VIA EDALA) FOLLOWING COUNCIL'S DECISION.

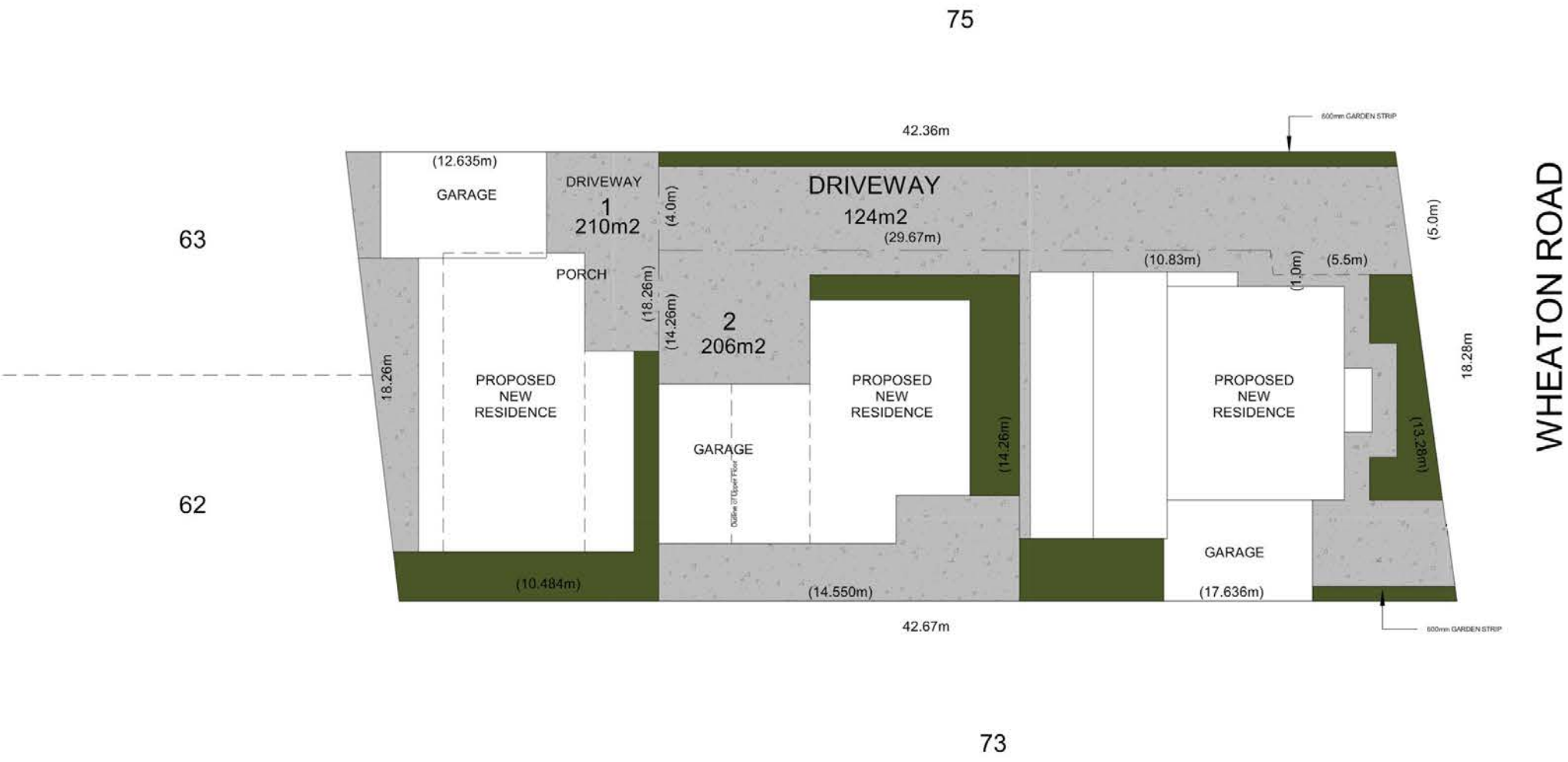
Yours faithfully

Yours faithfully

A handwritten signature in blue ink that reads "Prokic B." The signature is written in a cursive style with a large 'P' and a distinct 'B'.

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





1 Drainage Plan
1 : 200

© BUILDING CONNECTIONS SA

BUILDING CONNECTIONS SA

DESIGN · DEVELOP · CONSTRUCT



(08) 8330 4040

Level 3, 169 Fullarton Road, Dulwich SA 5065

www.buildingconnections.sa.com

admin@buildingconnections.sa.com

No.	Description	Date

Jamie Hisgrove

35 Wheaton Road
Plympton

Site Plan

Project number	BC018	A108
Date	26/09/2019	
Drawn by	DW	
Checked by	DW	
Scale		1 : 200

26/09/2019 1:53:46 PM

6.5 33 Lorraine Avenue, LOCKLEYS

Application No 211/823/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Land division - Torrens Title; SCAP No. 211/D100/19; Create one (1) additional allotment for the purpose of semi-detached dwellings with reciprocal party wall rights
APPLICANT	Mark Wundenberg
LODGEMENT DATE	23 August 2019
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> • City Assets • City Operations External <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.
RECOMMENDATION	Support with conditions
AUTHOR	Phil Smith

BACKGROUND

The application has been presented to the Council Assessment Panel (CAP) as the application proposes a merit form of development which does not meet the minimum site area requirement in the relevant zone or Policy Area by 7.5% or more.

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 14, Deposited Plan 4602 in the area named Lockleys, Hundred of Adelaide, Volume 5676 Folio 303, more commonly known as 33 Lorraine Avenue, Lockleys. The subject site is rectangular in shape with a 19.81 metre (m) wide frontage to Lorraine Avenue, and a site area of 749 square metres (m²).

It is noted that there are no easements or Land Management Agreements on the Certificate of Title and there are no regulated trees on the subject site or on adjoining land that would be affected by the development. There are two street trees that are impacted and proposed to be removed to facilitate driveway access should the division be supported.

The site is relatively flat and currently contains a detached dwelling and associated outbuilding.

The locality consists of residential land uses of varying architectural styles. More recent infill development has occurred in close proximity to the subject site and in the wider locality. Similar type divisions can be seen directly east of the subject land at 30 and 32 White Avenue. These sites range from 376 - 380m² in area with 10m wide frontages (See Figures 2 and 3 below).



Figure 1 - Subject site



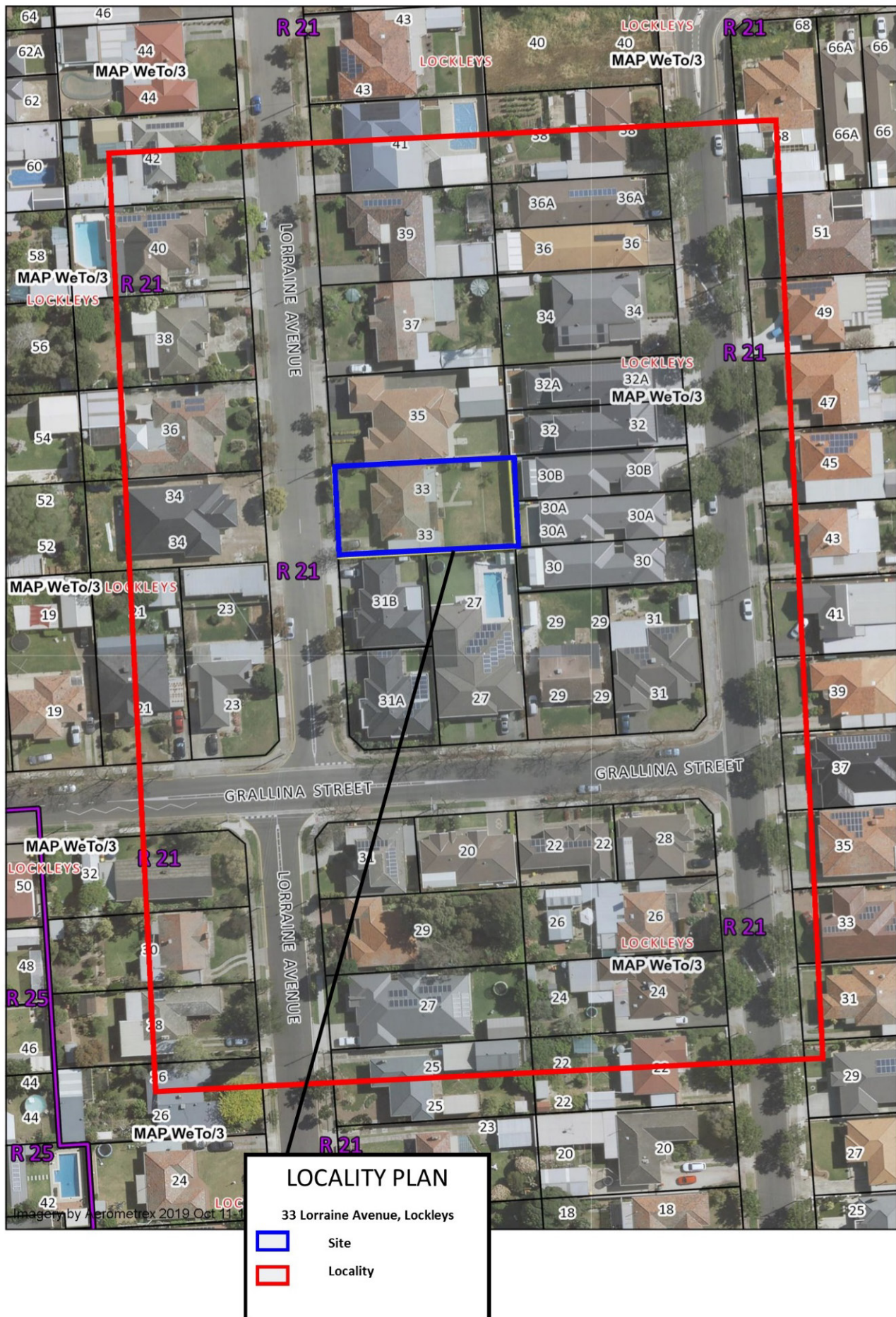
Figure 2 - Two story semi-detached dwellings at 32 and 32A White Avenue

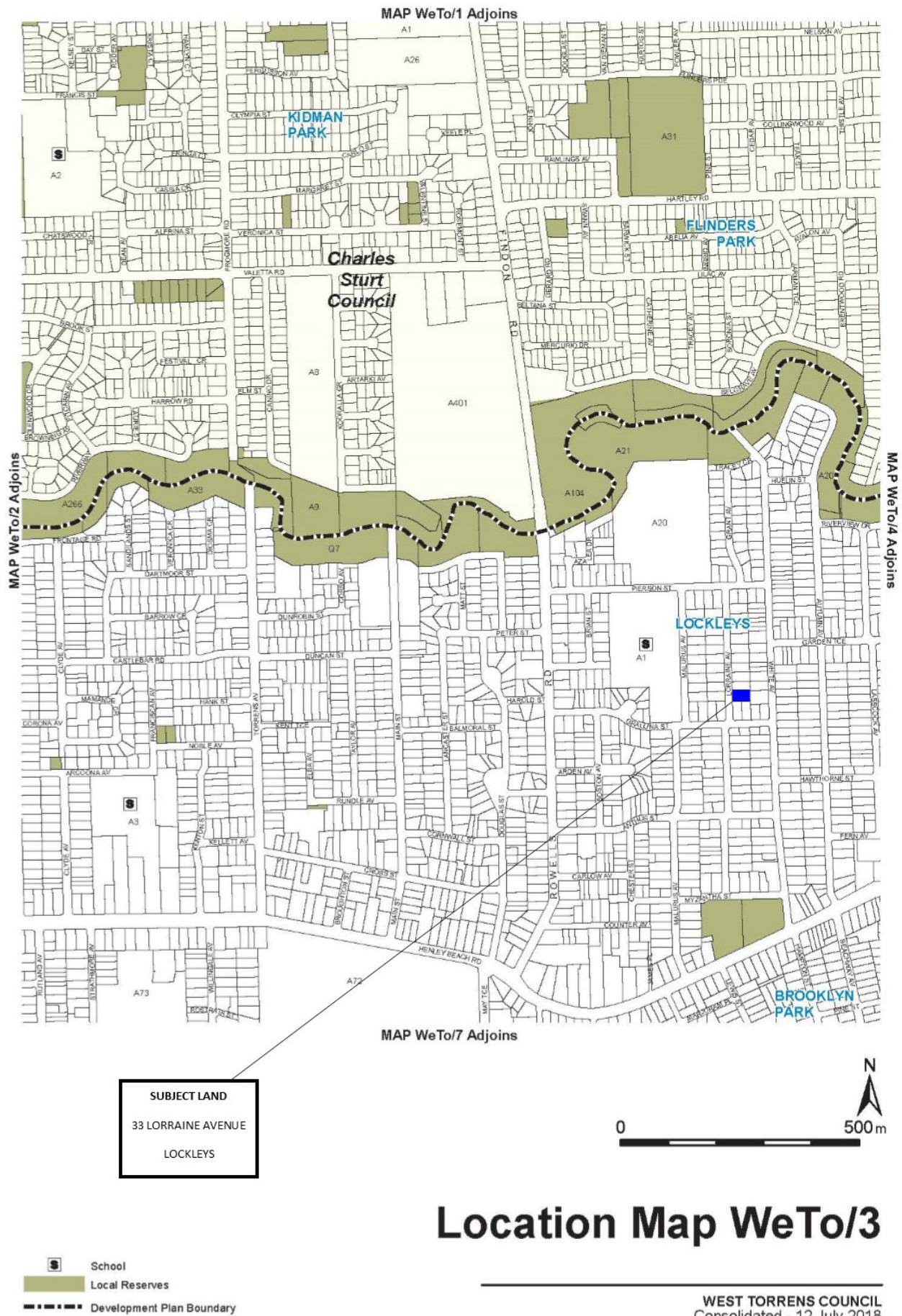


Figure 3 - Detached dwellings at 30A and 30B White Avenue

Henley Beach Road is located approximately 500m from the site to the south.

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





RELEVANT APPLICATIONS

211/1124/2019 - two, two-storey semi-dwellings - pending outcome of land division

PROPOSAL

The application seeks Development Plan Consent, Land Division Consent and Development Approval for a Torrens Title land division to create one (1) additional allotment for the purpose of semi-detached dwellings with reciprocal party wall rights. The details of this application are as follows:

- The existing allotment is to be split into two Torrens Title allotments measuring 374m² and 375m² with frontage widths of 9.9m and 9.91m respectively;

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

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Schedule 9, clause 5 of the *Development Regulations 2008*.

As the proposal is Category 1, public notification was not required to be undertaken.

INTERNAL REFERRALS

Department	Comments
City Operations	<ul style="list-style-type: none">• Council's Arboriculture Officer supports the removal of the two existing street trees (Corymbia ficifolia - red flowering gum) to facilitate future development of the proposed allotments.

EXTERNAL REFERRALS

Department	Comments
SCAP	<ul style="list-style-type: none">• SCAP has raised no concerns with the proposal. Standard conditions of consent have been recommended should the application be supported.
SA Water	<ul style="list-style-type: none">• SA Water has raised no concerns with the proposal. The developer will be required to meet the requirements of SA Water for the provision of water and sewerage services. Standard conditions of consent have been recommended should the application be supported.

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

RELEVANT DEVELOPMENT PLAN PROVISIONS

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

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character	
<p><i>This zone will contain predominantly residential development. There may also be some small-scale non-residential activities such as offices, shops, consulting rooms and educational establishments in certain locations. Non-residential activities will be complementary to surrounding dwellings.</i></p> <p><i>Allotments will be at very low, low and medium densities to provide a diversity of housing options in different parts of the zone. The range of allotment sizes will support the desired dwelling types anticipated in each policy area, and the minimum allotment sizes shall be treated as such in order to achieve the Desired Character for each policy area and, in turn, reinforce distinction between policy areas. Row dwellings and residential flat buildings will be common near centres and in policy areas where the desired density is higher, in contrast to the predominance of detached dwellings in policy areas where the distinct established character is identified for protection and enhancement. There will also be potential for semi-detached dwellings and group dwellings in other policy areas.</i></p> <p><i>Residential development in the form of a multiple dwelling, residential flat building or group dwelling will not be undertaken in a Historic Conservation Area.</i></p> <p><i>Landscaping will be provided throughout the zone to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer.</i></p>	
Objectives	1, 2, 4
Principles of Development Control	1, 5, 6, 7, 8, 11, 12, 13

Low Density Policy Area 21 - Desired Character	
<p><i>This policy area will have a low density character. In order to preserve this, development will predominantly involve the replacement of detached dwellings with the same (or buildings in the form of detached dwellings).</i></p> <p><i>There will be a denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones. Battleaxe subdivision will not occur in the policy area to preserve a pattern of rectangular allotments developed with buildings that have a direct street frontage. In the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park, where the consistent allotment pattern is a significant positive feature of the locality, subdivision will reinforce the existing allotment pattern.</i></p> <p><i>Buildings will be up to 2 storeys in height. Garages and carports will be located behind the front façade of buildings. Buildings in the area bounded by Henley Beach Road, Torrens Avenue and the Linear Park will be complementary to existing dwellings through the incorporation of design features such as pitched roofs, eaves and variation in the texture of building materials.</i></p> <p><i>Development will be interspersed with landscaping, particularly behind the main road frontage, to enhance the appearance of buildings from the street as viewed by pedestrians, provide an appropriate transition between the public and private realm and reduce heat loads in summer. Low and open-style front fencing will contribute to a sense of space between buildings.</i></p>	
Objectives	1
Principles of Development Control	1, 2, 3, 6,

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

QUANTITATIVE STANDARDS

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

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT	
		Proposed allotment 101	Proposed allotment 102
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 3</i>	420m ² (min.)	374m ² (min) Does not satisfy by 11%	375m ² (min) Does not satisfy by 11%
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 3</i>	12m	9.90m Does Not Satisfy by 17.5%	9.91m Does Not Satisfy by 17.5%

ASSESSMENT

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

Land Use

With respect to land use, the development proposes a land division to facilitate two semi-detached dwellings. Within Low Density Policy Area 21, land divisions are envisaged where they preserve the pattern of rectangular allotments that have a direct street frontage. The division as proposed achieves this.

Principle of Development Control (PDC) 1 within Policy Area 21 specifically states that a semi-detached dwelling is an envisaged use. On this basis, it is considered that the land division facilitating the potential use of the site for semi-detached dwellings is appropriate.

The Development Plan provisions relating to land use are therefore considered to be appropriately met.

Desired Character and Pattern of Development

The desired character implicitly states that the policy area will have a low density character, however there will be a denser allotment pattern and some alternative dwelling types. It is noted in the statement that buildings will be up to 2 storeys in height.

The proposed pattern of development is consistent with the existing pattern of development, which is variable having regard to the amount of redevelopment occurring across the locality, in particular to the east. There are several examples of single dwellings on allotments and allotments that have been split into two to three Torrens Title allotments of similar site areas and frontages. The proposed development is consistent with this variability as it proposes a split into two Torrens Title allotments. Furthermore, the applicant intends to construct two semi-detached dwellings as shown on the indicative plans. The plans clearly show that dwellings can be appropriately sited on allotment areas of 374-375 square metres. This is further reinforced with the semi-detached dwellings abutting to the rear of the subject site at 32 White Avenue.

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

Site Area and Frontage

As stated previously, the Desired Character Statement for Low Density Policy Area 21 states that the policy area will have a low density character. On this basis, there will be a denser allotment pattern comprising alternative dwelling types such as semi-detached and row dwellings to take advantage of the variety of facilities located within Centres Zones. Furthermore, the statement discourages battleaxe type subdivision so to preserve the rectangular allotment patterns. The division does not propose a battleaxe configuration of division and preserves the regular rectangular pattern of division, thus satisfying the Development Plan in this regard.

By way of density, the 30 Year Plan for Greater Adelaide defines low density as being less than 35 dwelling units per hectare. By this calculation, 2.5 dwellings would be permissible on the existing site to maintain a low density character. As the site is proposed to be split into two allotments, the application is consistent with the intent of the Desired Character Statement in that the low density character will be maintained.

As this application for division is not accompanied by a land use application, PDC 6 of Low Density Policy Area 21 requires that land divisions should create allotments with an area greater than 420 square metres, and a minimum frontage width of 12 metres. The division as proposed does not satisfy either of these quantitative requirements, however their appropriateness is described below.

The appropriateness of the less than envisaged site area and frontages can be illustrated in two ways, the first being whether a functional and compliant dwelling can be accommodated on the reduced site area/frontages and second, whether or not these shortfalls are consistent with the prevailing character of the locality.

Based on the indicative plans provided with the application (**Appendix 2**), it is considered that the reduced site area and frontages can appropriately accommodate a dwelling and still satisfy the Development Plan requirements relating to setbacks, open space and car parking.

The second test to gauge the suitability of the site area is how it responds to the prevailing character in the immediate and wider locality.

Based on Figure 4 and Table 1 below, it is clear that the locality is transitioning to smaller, Torrens Title allotments with reduced frontage widths than that of the existing more traditional allotments. There are several examples of similar divisions with comparable site areas and frontage widths to the division proposed within the broader locality and the same zoning. These are highlighted in blue below. It is noted that a variety of dwelling types have been approved, ranging from detached to semi-detached and both single and two storey built forms. A number of these divisions have occurred in White Avenue east to north east of the subject land. Although some of the land divisions in locality may have been assessed under older Development Plan provisions, the majority of the divisions as shown in Table 1 that are used to justify the current development, are more recent divisions, including the allotments directly to rear of the subject site.



Figure 4 - Similar development created in the area

Address	Site Area	Frontage Width
30 White Avenue	377 square metres	10 metres
30A White Avenue	380 square metres	10 metres
30B White Avenue	376 square metres	10 metres
32 White Avenue	377 square metres	10 metres
32A White Avenue	376 square metres	10 metres
36 White Avenue	376 square metres	10 metres
36A White Avenue	375 square metres	10 metres
44A White Avenue	370 square metres	10 metres
44B White Avenue	345 square metres	9 metres
44C White Avenue	340 square metres	9 metres
46 White Avenue	360 square metres	9 metres
46A White Avenue	341 square metres	9 metres

Table 1 - Some comparable land divisions in the same zone and locality

Taking a balanced approach, it is considered that the outcome proposed is an appropriate one taking into consideration that the development is consistent with recent land divisions within the broader locality and the overall intent of the Development Plan. Table 1 above further illustrates this point.

SUMMARY

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

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/823 /2019 by Mark Wundenberg to undertake the Land division - Torrens Title; SCAP No. 211/D100/19; Create one (1) additional allotment for the purpose of semi-detached dwellings with reciprocal party wall rights at 33 Lorraine Avenue, Lockleys (CT5676/303) subject to the following conditions of consent:

Development Plan Consent Conditions:

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

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

Land Division Consent Conditions

Council requirements:

Nil

State Commission Assessment Panel Requirements

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

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

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

3. Payment of \$7616 into the Planning and Development Fund (1 allotment(s) @ \$7616/allotment).

Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.

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

Attachments

1. **Provision Table**
2. **Development Plans**
3. **Referral responses**

Relevant Development Plan Provisions

General Section		
Land Division	<i>Objectives</i>	1, 2, 3 & 4
	<i>Principles of Development Control</i>	1, 2, 4, 5, 6, 8, 14, 15, 16, 17
Orderly and Sustainable Development	<i>Objectives</i>	1, 2, 3, 4 & 5
	<i>Principles of Development Control</i>	1, 3, 5, 7
Residential Development	<i>Objectives</i>	1, 2,
	<i>Principles of Development Control</i>	3

Location Restrictions for Water and Wastewater Connections

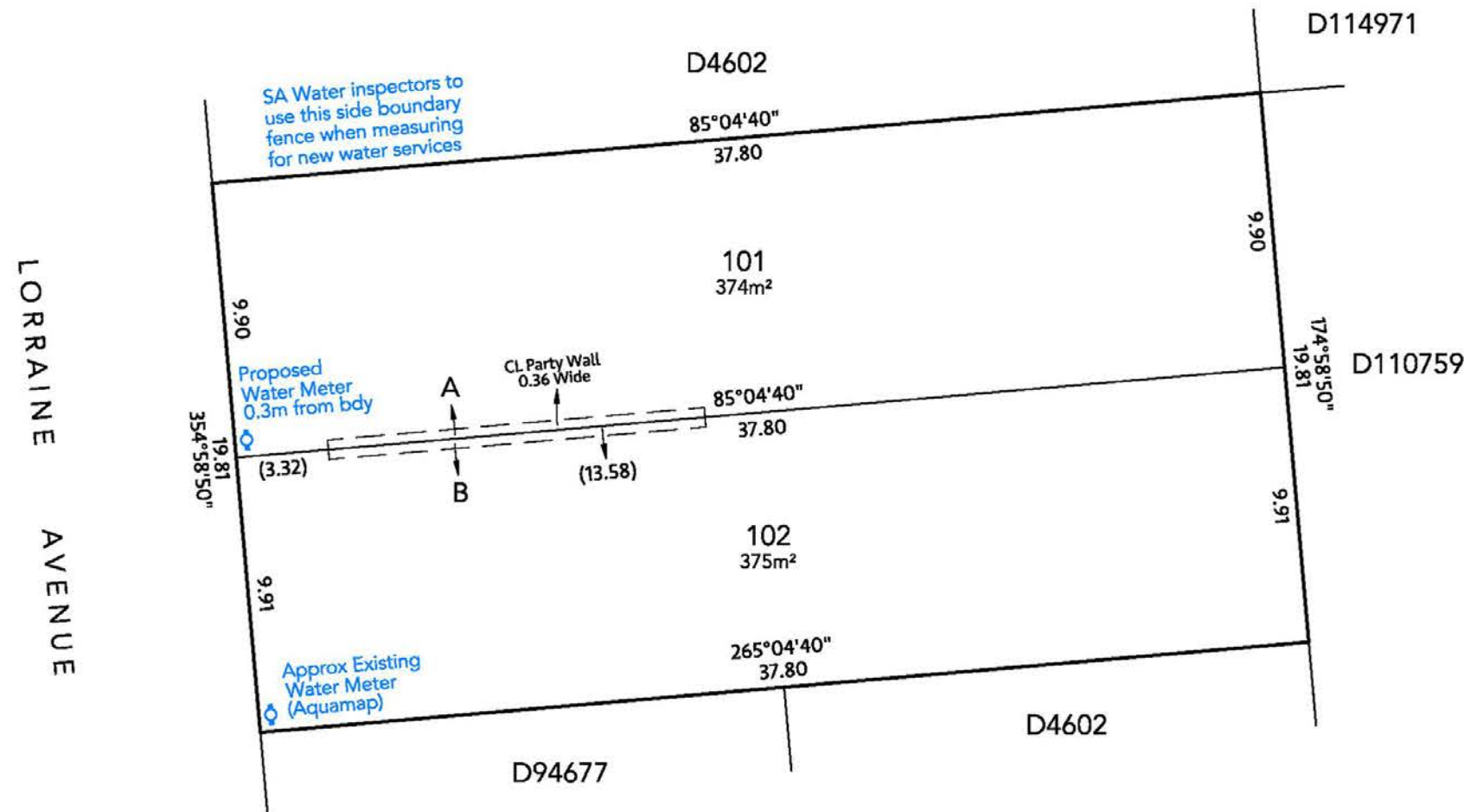
Gas Meter
Light Poles
Stobie Poles

Stormwater Culverts
Telstra Pit
Trees

Water and Wastewater Connections

Minimum 1.0m from a gas meter
Minimum 1.0m from a light pole
Minimum 1.5m from a stobie pole (Water)
Minimum 3.0m from a stobie pole (Sewer)
Minimum 0.5m from edge of culvert
Minimum 0.5m from edge of pit
Girth > 1.0m - Minimum 3.0m from the tree and not within tree canopy
Girth < 1.0m - Possibly closer to the tree than above and not within tree canopy
Minimum 0.6m apart

SA Water Contact Details
Amanda Mitchell
Zaina Stacey Pty Ltd
Phone 8379 7979



Land division application:

211 / D100 / 19

SHEET 1 OF 1 SHEETS

City of West Torrens

Total area of site: 749m²Area of reserve provided: 0m²

No. of existing allotments: 1

No. of proposed allotments: 2

No. of additional allotments: 1

Subject land details:

Allotment 14 in D4602

Site Address: 33 Lorraine Avenue

Suburb: Lockleys

Hundred: Adelaide

Title(s): C.T. 5676 / 303

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

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.

Council Rates Department to provide street numbering on the Decision Notification Form to allow new electricity and telecommunications connections to be established as per NBN Co/Telstra Smart Communities and SA Power Networks.

Reciprocal party wall rights are to be created over the portions marked A and B.



A	11/12/2019	Party wall added to plan
	12/08/2019	Original issue
Rev.	Date	Description
ZAINA STACEY DEVELOPMENT CONSULTANTS Office: 13 Avenue Road, Frewville SA Post: PO Box 1000, Torrens Park SA 5062 Phone: 08 8379 7979 Email: planning@zainastacey.com Reference: 19221		





Product Register Search (CT 5676/303)
Date/Time 09/08/2019 07:51AM
Customer Reference
Order ID 20190809000307



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



Certificate of Title - Volume 5676 Folio 303

Parent Title(s) CT 2337/9

Creating Dealing(s) CONVERTED TITLE

Title Issued 28/07/1999 Edition 3 Edition Issued 16/06/2016

Estate Type

FEE SIMPLE

Registered Proprietor

MARK ANTHONY WUNDENBERG
OF 33 LORRAINE AVENUE LOCKLEYS SA 5032

Description of Land

ALLOTMENT 14 DEPOSITED PLAN 4602
IN THE AREA NAMED LOCKLEYS
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12533317	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

Notations

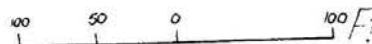
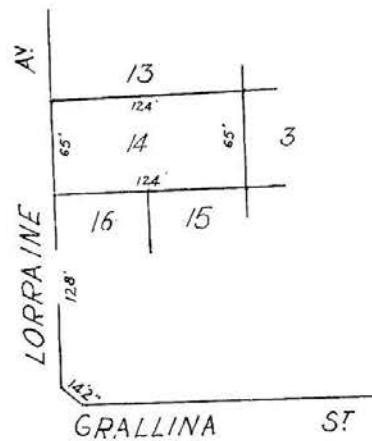
Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5676/303)
09/08/2019 07:51AM

20190809000307



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

Arboricultural Assessment of Street Trees

Development Application No: 211/823/2019

REFERRAL DUE DATE:

Assessing Officer: **Phil Smith**
Site Address: **33 Lorraine Avenue, LOCKLEYS SA 5032**
Certificate of Title: **CT-5676/303**
Description of Development **Land division - Torrens Title; SCAP No. 211/D100/19; Create one (1) additional allotment**

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Phil Smith

DATE 2 December 2019

FROM THE TECHNICAL OFFICER

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

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

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

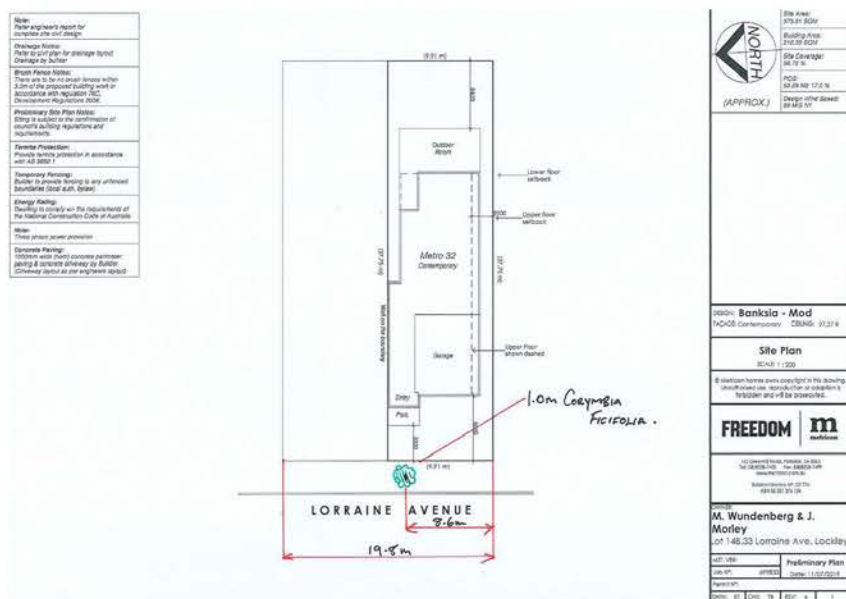
Verge interaction must consider all services that cross council land including stormwater outlets (and other) which will need to be maintained a minimum of 2.0m from any existing street tree (unless existing or otherwise negotiated). All services must be indicated /documented on appropriate plans for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

A site investigation together with the information provided has revealed that there are two existing *Corymbia ficifolia* (red flowering gum) street trees in conflict with the location of the proposed crossovers for the proposed dwellings at Lot 14a and 14b, 33 Lorraine Avenue.

In this instance City Operations will support the removal of these existing street trees.

With reference to the City of West Torrens, Fees and Charges Document 2019-2020 “Tree removal for driveway construction”, once Council has assessed all circumstances and

DATE: 04/12/2019









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



23 August 2019

The Chief Executive Officer
City of West Torrens

Dear Sir/Madam

**Re: Proposed Application No. 211/D100/19 (ID 65952)
for Land Division by Mark Wundenberg**

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

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

1. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.
On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.
On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
2. Payment of \$7616 into the Planning and Development Fund (1 allotment(s) @ \$7616/allotment).
Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

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

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

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Biljana B.', is written over a light blue horizontal line.

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



23 August 2019

Our Ref: H0089280

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

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 211/D100/19 AT LOCKLEYS

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

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

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

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

Yours faithfully

Wendy Hebbard

for MANAGER LAND DEVELOPMENT & CONNECTIONS

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

6.6 10 Grallina Street, LOCKLEYS

Application No 211/974/2019

DEVELOPMENT APPLICATION DETAILS

DESCRIPTION OF DEVELOPMENT	Combined Application - Land division - Torrens Title; SCAP No. 211/D108/19; Creating one (1) additional allotment, construction of a carport to existing dwelling and construction of a two storey detached dwelling
APPLICANT	Town Planning Advisors
APPLICATION NUMBER	211/974/2019
LODGEMENT DATE	4 October 2019
ZONE	Residential Zone
POLICY AREA	Low Density Policy Area 21
APPLICATION TYPE	Merit
PUBLIC NOTIFICATION	Category 1
REFERRALS	Internal <ul style="list-style-type: none"> • City Assets • Arboriculture Advisor External <ul style="list-style-type: none"> • State Commission Assessment Panel (SCAP) • South Australian Water Corporation (SA Water)
DEVELOPMENT PLAN VERSION	Consolidated 12 July 2018
DELEGATION	<ul style="list-style-type: none"> • The relevant application proposes a merit form of development which does not meet the minimum site area requirements in the relevant Zone or Policy Area by 7.5% or more.
RECOMMENDATION	Support with conditions
AUTHOR	Rachel Knuckey

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 39 in Deposited Plan 4495 in the area named Lockleys Hundred of Adelaide, Volume 5692 Folio 313, and is more commonly known as 10 Grallina Street, Lockleys. The subject site is mostly rectangular in shape with an 18.61 metre (m) wide frontage to Grallina Street (excluding corner cut-off), a secondary frontage to Boston Avenue of 41.14m and a site area of 914 square metres (m²).

It is noted that there are no easements, encumbrances or Land Management Agreements on the Certificate of Title.

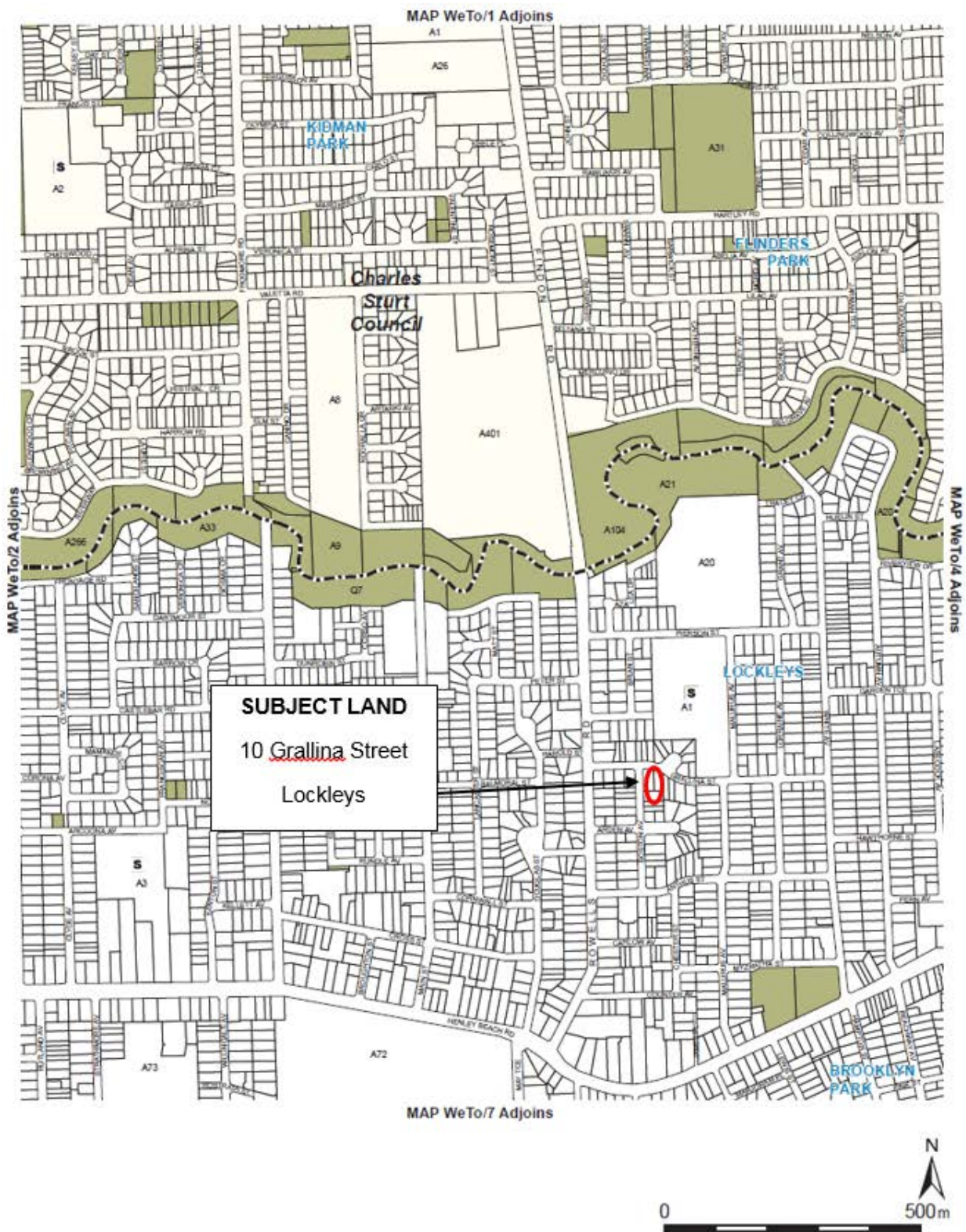
The site currently contains a single storey dwelling, a garage and several shade structures. The land is relatively flat and there are no Regulated Trees on the site or on adjoining land that would be affected by the development.

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

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

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





Location Map WeTo/3

- School
- Local Reserves
- Development Plan Boundary

WEST TORRENS COUNCIL
Consolidated 12 July 2018

PROPOSAL

The application is for a 'combined' land division and dwelling proposal.

The proposed division of land comprises a Torrens Title land division to create one additional allotment (one allotment into two). The proposed allotments will be 541m² and 373m² in area and will maintain a frontage of 18.61m to Grallina Street and have frontages of 23.64m and 17.5m to Boston Avenue. The proposed allotments are being created for residential purposes (i.e. a detached dwelling).

The application includes the construction of a two-storey detached dwelling on proposed Lot 121, with the existing dwelling on Lot 120 to be retained. The proposed dwelling is of a modern design with articulated building facades that recessed fenestration, a framed front portico and feature stone cladding. External materials and finishes include rendered Hebel cladding (surfmist), a Colorbond® garage door, aluminium frame windows and doors and Colorbond® metal roof sheeting (monument).

The main front wall of the dwelling will be setback a minimum of 4.3 metres from the road boundary at ground level with the upper level setback further at 5.2 metres.

A single-bay carport is to be constructed on the eastern side of the existing dwelling to be accessed off Grallina Street. The carport is designed with a flat roof and Colorbond® sheet metal roof cladding.

A mix of landscaping will be provided along the road frontage and perimeter boundaries of the proposed dwelling.

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

PUBLIC NOTIFICATION

The application is a Category 1 form of development pursuant to Schedule 9, Part 1, 2(a)(i) & 2(f) of the *Development Regulations 2008*.

As the proposal is Category 1, public notification was not required to be undertaken.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> The FFLs of the proposed development (8.55 minimum) have been assessed as satisfying minimum requirements (8.03) in consideration of street and/or flood level information. The proposed crossover for the existing dwelling is in direct conflict with existing street tree. The proposed new dwelling is located in an unconsolidated area with frontage wider than 18m. As such it is believed that on street parking is not a major issue for this area at this stage or in near future. Hence City Assets will support a 5.4m wide crossover for Dwelling 1 with 0.3m flaring on both sides (5.4m at boundary and 6.0m at kerbline) for this development.

	<ul style="list-style-type: none"> • The garage dimension as measured in 'Site & Drainage Plan' (ZA, Ref: 2191105, dated 21/11/2019) has been assessed as satisfying minimum requirements. • The garage setback distance as measured in 'Site & Drainage Plan' (ZA, Ref: 2191105, dated 21/11/2019) has been assessed as satisfying minimum requirements. • The public kerbside space available for bin presentation has been assessed as satisfying minimum requirement. • Stormwater detention is not required for this development.
Arboriculture Advisor	<ul style="list-style-type: none"> • As a result of the proposed crossover, an existing Jacaranda mimosifolia street tree will need to be removed. City Operations has considered the health, structure, form, useful life expectancy and age of the street tree and in this instance will support the removal. A fee of \$1150.00 will be required prior to the commencement of any work.

EXTERNAL REFERRALS

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

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

RELEVANT DEVELOPMENT PLAN PROVISIONS

The subject land is located within the Residential Zone and, more specifically, Low Density Policy Area 21 as described in the West Torrens Council Development Plan consolidated 12 July 2018.

The relevant Desired Character statements are as follows:

Residential Zone - Desired Character:

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.

Low Density Policy Area 21 - Desired Character:

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

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

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

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

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

QUANTITATIVE STANDARDS

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

QUANTITATIVE ASSESSMENT

DEVELOPMENT PLAN PROVISIONS	STANDARD	ASSESSMENT
SITE AREA <i>Low Density Policy Area 21</i> <i>PDC 3</i>	Detached Dwelling 420m ² (min.)	Lot 120 - 541m ² Lot 121 - 373m ² Does not satisfy
SITE FRONTAGE <i>Low Density Policy Area 21</i> <i>PDC 3</i>	Detached Dwelling 12m	Lot 120 - 18.61 (existing) Lot 121 - 17.5m ² Satisfies
SITE COVERAGE <i>Residential Development</i>	Not specified	Lot 120 - 38% Lot 121 - 51%
STREET SETBACK <i>Residential Zone</i> <i>PDC 8</i>	0-2m - the same as one of the adjacent buildings >2m - at least the average of the adjacent buildings	4.3m - main face (adjoining building - 2.25m) Satisfies
SIDE/REAR SETBACKS <i>Residential Zone</i> <i>PDC 11</i>	0/1m (ground floor) 2m (upper floor) 3m (ground floor) 8m (upper floor)	Ground level - 1m & 2.9m (garage wall on boundary) Upper level - 2.9m & 3.4mm Satisfies Ground level - 3.74m Upper level - 8m Satisfies
PRIVATE OPEN SPACE <i>Residential Development</i> <i>PDC 19</i>	300-500m ² - 60m ² (min.), of which 10m ² may comprise balconies, roof patios and the like, provided they have a minimum dimension of 2m. -Minimum dimension 4m. - 16m ² (min.) at the rear of side of dwelling, directly accessible from a habitable room. >500m ² 80m ²	Lot 120 - 85m ² Lot 121 - 120m ² Satisfies

BUILDING HEIGHT <i>Residential Zone</i> PDC 6	Two storey maximum Maximum side wall height of 6m	Two storey 7.65 max height Satisfies
CARPARKING SPACES <i>Transportation and Access</i> PDC 33	2 car parking spaces required, at least 1 of which is covered	2 spaces min per dwelling Satisfies
OVERLOOKING <i>Residential Development</i> 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	Side and rear upper level windows to have raised sills to height of 1.7m above FFL. Satisfies
OVERSHADOWING <i>Residential Development</i> PDC 10, 11, 12, 13	Protect winter sunlight to adjacent dwellings' north facing windows, private open space and solar panels	Rear yard and main habitable room windows of southern neighbour would receive in excess of two hours of direct sunlight. Satisfies

ASSESSMENT

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

Land Division

Principle of Development Control (PDC) 3 and 6 of Low Density Policy Area 21 prescribe a minimum allotment area of 420m² and a frontage width of 12m for a detached dwelling. While proposed Lot 120 is well in excess of 420m², Lot 121 that will contain the proposed dwelling has a site area of 373m², which is 47m² less than the minimum site area requirement. This shortfall is not considered to be significant in the overall context of the subject land given that the average allotment size would be 457m². The wide frontages of 23.64m and 17.5m to Boston Street would ensure the site area shortfall for Lot 121 would not be readily perceivable from the street.

The intent of minimum allotment sizes is to achieve a residential density that is consistent with the desired character for the area. The desired character for Low Density Policy Area 21 is seeking allotments at low densities with a *"denser allotment pattern and some alternative dwelling types, such as semi-detached and row dwellings, close to centre zones where it is desirable for more residents to live and take advantage of the variety of facilities focused on centre zones"*.

As the subject land is located in relative close proximity to a Local Centre (the site is only 16 metres outside of the 400m centres area) and is accessible to high frequency public transport services along Rowells Road and Henley Beach Road, the proposal would contribute positively to the desired character.

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

It has also been demonstrated by the built form proposal that the new allotment is large enough for the proposed dwelling to reasonably satisfy the relevant quantitative requirements relating to building height and scale, private open space, site coverage and vehicle access and manoeuvrability.

Dwelling Density and Desired Character

The Desired Character for Low Density Policy Area 21 seeks to maintain a "*low density character*", with detached dwellings being the preferred form of development. The proposal will retain the existing detached dwelling fronting Grallina Street and construct a new two storey detached dwelling within the existing rear yard (i.e. corner cut-off). The overall density of the development is considered low and the proposed site areas would not compromise the spatial characteristics and built form relationship with the street and adjoining properties.

From a streetscape perspective, the proposed detached dwelling would not appear cramped or visually overbearing due to the wide frontage and spatial separation to side and rear boundaries.

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

Services & Infrastructure

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

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

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

Design and Appearance

The proposed dwelling is of a modern design with articulated building facades that displays recessed fenestration, a framed front portico and feature stone cladding. External materials and finishes include rendered Hebel cladding (surfmist), a Colorbond® garage door, aluminium frame windows and doors and Colorbond® metal roof sheeting (monument).

The upper level is located well within the ground floor building envelope and includes recesses and set-ins to break up the building mass and to provide visual interest. The façades include windows to both the ground and upper floors to facilitate passive surveillance of the adjacent public and internal roads and the dwelling entrance is readily identifiable.

The Desired Character for the policy area envisages building heights up to two storeys. The proposed building height is therefore considered appropriate.

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

Boundary Setbacks

The front of the proposed dwelling is setback 4.3 metres at ground level and 5.2 metres at the upper level. The Development Plan provisions require front building setbacks to be complementary to those of adjacent buildings. As the existing dwelling has a wall on the Boston Avenue frontage and the adjoining dwelling on the southern side is setback approximately 5.5 metres from the road boundary, the proposed setbacks would be greater than the average setback of the two adjoining buildings. The proposal therefore satisfies PDC 8 of the Residential Zone.

The ground and upper levels of the dwelling satisfy the side and rear setback parameters of PDC 11 of the Residential Zone.

The proposed garage wall on the southern boundary is of a size that is consistent with a wall that could be constructed 'as of right' under Schedule 4 of the Development Regulations 2008.

Overlooking

The proposed two storey dwelling has been designed with all side and rear upper storey window openings having raised sills to a height of 1.7 metres above the floor level.

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

Overshadowing

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

Although shadow diagrams have not been provided, it is evident that the shadow cast over the adjoining property at 8 Boston Avenue would primarily affect the northern side of the dwelling, which mostly contains bedroom windows. The main living room windows are located to the rear of the dwelling, as is a swimming pool and the main usable yards areas. The small size of the proposed upper storey wall on this side and the boundary setback of 2.9 metres would minimise the extent of shadowing so that the living room windows and rear yard of the adjoining property receive at least two hours of natural light pm during winter.

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

Vehicle Access and Car Parking

A new vehicle access is to be provided for the existing dwelling on Lot 120 from Grallina Street. Driveway access for the proposed dwelling on Lot 121 will be via an existing crossover. There would be adequate lines of sight for both access points. In terms of street obstructions, Council's Horticultural Department supports the removal of an existing street tree on Grallina Street. The existing and proposed access arrangements are therefore considered safe and convenient in accordance with PDC 24 of the General Section (Transportation and Access).

When assessed against *Table WeTo/2 – Off Street Vehicle Parking Requirements*, there is a requirement for at least two car parking spaces for each dwelling, with one space to be covered. The proposal includes a new carport for the existing dwelling and there is sufficient area in front of the carport for a tandem visitor space. The proposed dwelling is provided with two covered spaces within the garage and at least one tandem visitor space in front of the garage. The on-site car parking provision satisfies PDC 34 of the General Section (Transportation and Access).

Private Open Space

The existing and proposed dwellings will be provided with 85m² and 120m² of private open space respectively. The amount of the private open space for each dwelling would satisfy PDC 19 of the General Section (Residential Development).

The rear yards of the dwellings would achieve the minimum dimension guidelines and are therefore considered acceptable. Suitable private open space for entertaining, clothes drying and other domestic functions is therefore provided for occupants of the dwellings.

Landscaping

The proposal is considered to meet the minimum landscaping requirement of 10 percent of the site. The applicant has provided a landscaping proposal for the development. The landscaping includes a variety of small trees, shrubs and grasses to the front and rear yards of the proposed dwelling that assist in softening the built form and fencing whilst also providing cooling effects to the hard paved surfaces.

PDC 4 of the General Section (Landscaping, Fences and Walls) is therefore satisfied.

Stormwater and Flood Management

A stormwater management plan has prepared by Zafiris & Associates Pty Ltd. Stormwater runoff from the roof of the dwelling will be directed to a detention/retention tank with a minimum capacity of 2000L. The tank will be plumbed to the dwelling and overflow will be discharged to the street water table in accordance with Council's standard requirements.

The stormwater management measures are considered to satisfy the requirements of Council's City Assets Department.

New carport for existing dwelling

The proposed flat-roofed carport to the eastern side of the existing dwelling satisfies General Section - Residential Development PDCs 14 and 16 in that the roof form and pitch complement the associated dwelling and is designed with appropriate front and side setbacks that will not impact the streetscape character or the neighbouring residential allotment.

SUMMARY

When balanced against the existing site and locality characteristics and the Desired Character for Low Density Policy Area 21, the proposed division of land and associated dwelling is considered to be an orderly and desirable form of development.

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

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

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

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/974/2019 by Town Planning Advisors for Combined Application - Land division - Torrens Title; SCAP No. 211/D108/19; Creating one (1) additional allotment, construction of a carport to existing dwelling and construction of a two storey detached dwelling at 10 Grallina Street, Lockleys (CT5692/313) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application except where varied by any conditions listed below:
 - Plan of Division prepared by Donaghey Surveyors Pty Ltd with Reference F253919
 - Site / Floor Plans & Elevations prepared by Visual Lines (Drawing No. VL19-42, Sheet 1 of 2 dated 30/10/19)
 - Carport Elevations prepared by Visual Lines (Drawing No. VL19-42, Sheet 2 of 2 dated 30/10/19)
 - Colour Schedule prepared by Visual Lines (Drawing No. VL19-42, Sheet 3 of 3 dated 13/12/19)
 - Site & Drainage Plan prepared by Zafiris & Associates (Job No. 2191105, Drawing No. CFS dated 21/11/19)
 - Stormwater Drainage Calculations prepared by Zafiris & Associates

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

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

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

3. The stormwater connection through the road verge area shall be constructed of shape and material to satisfy Council's standard requirements as follows:
 - 100 x 50 x 2mm RHS Galvanised Steel; or
 - 125 x 75 x 2mm RHS Galvanised Steel; or
 - Multiples of the above.

Reason: To maintain existing Council infrastructure.

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

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

5. All landscaping shall be planted in accordance with the approved plans (Site Plan prepared by Visual Lines Building Design dated 13 December 2019) within three (3) months of the occupancy of the development or the next available planting season. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.

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

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

Reason: To maintain the privacy of neighbouring residents.

Land Division Consent Conditions

SCAP Requirements

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

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 nonstandard fees.

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

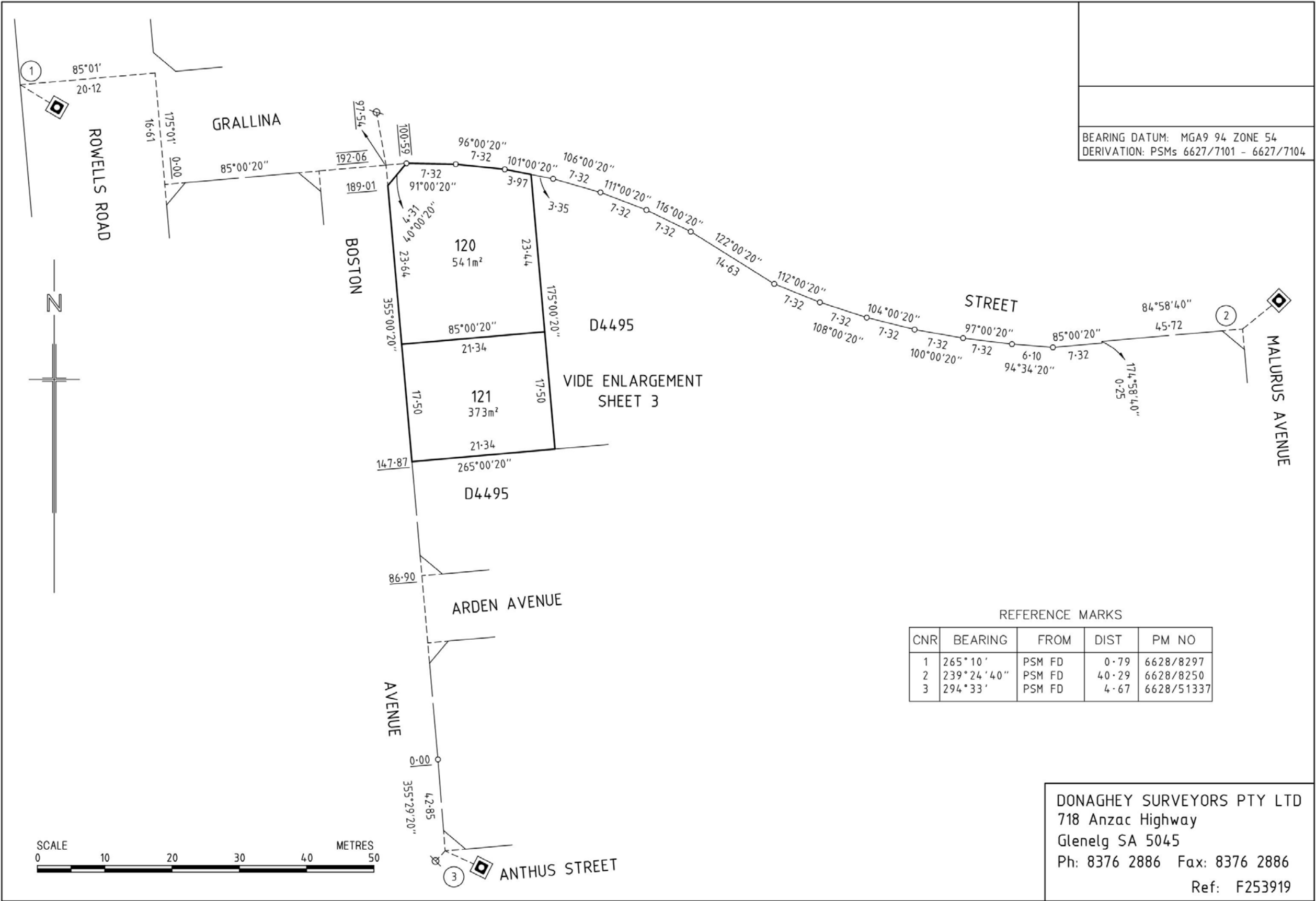
8. Payment of \$7616.00 into the Planning and Development Fund (1 allotment(s) @ \$7616.00/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 50 Flinders Street, Adelaide.
9. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

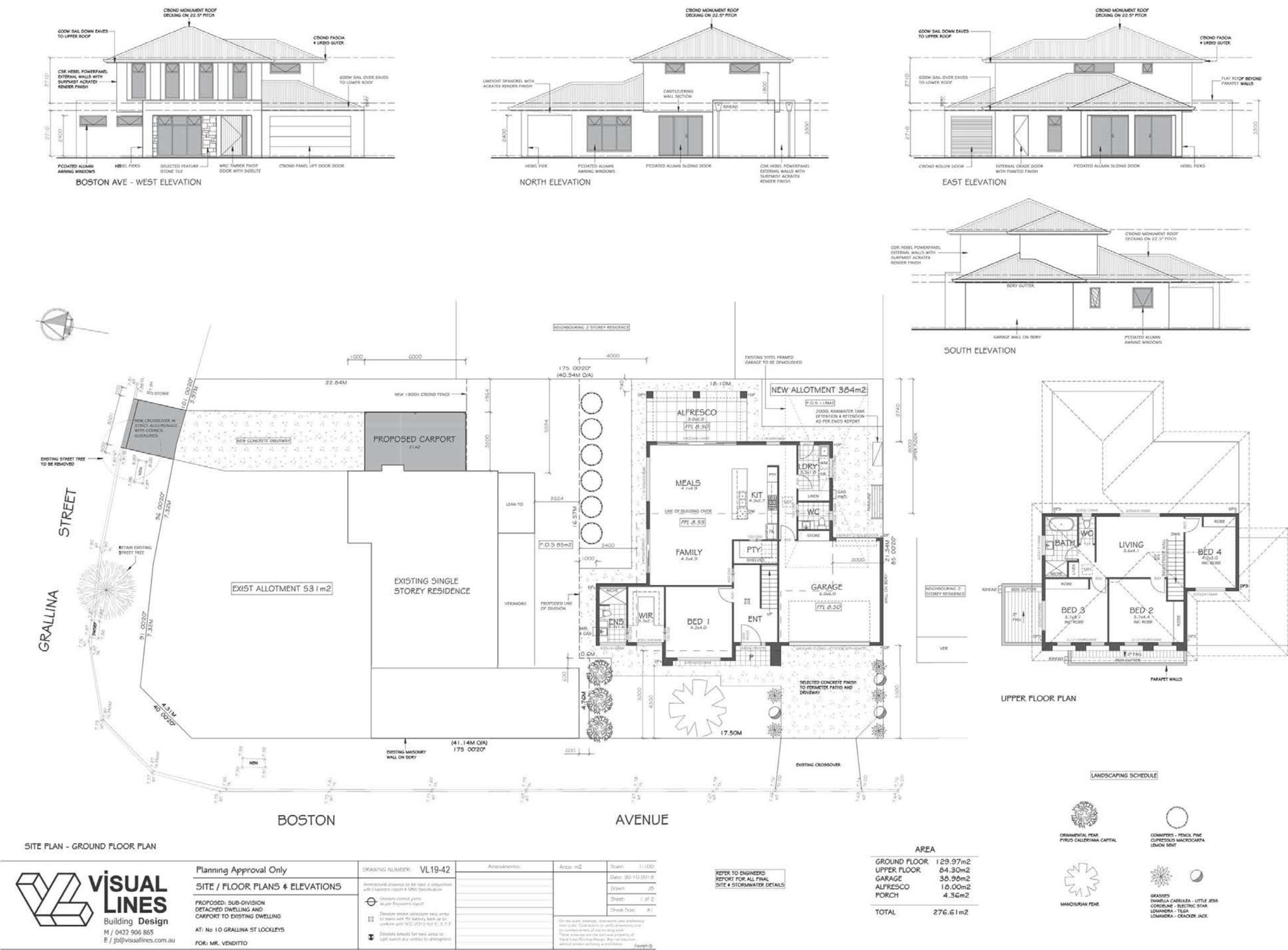
Attachments

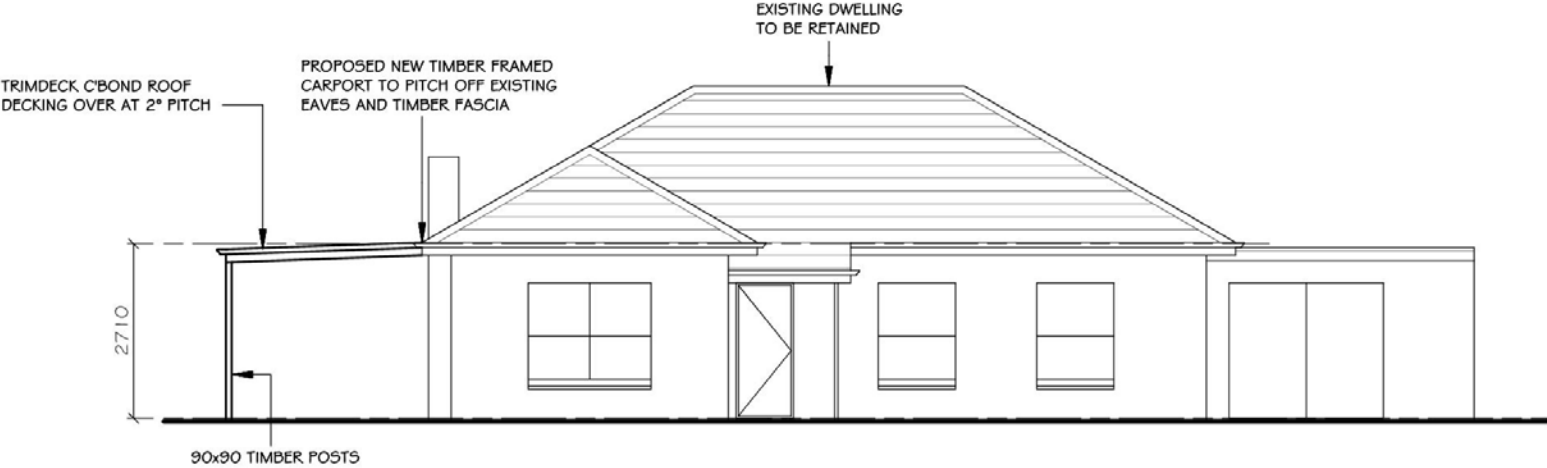
1. **Relevant Development Plan Provisions**
2. **Proposal Plans & Documents**
3. **Referral Responses**

Relevant Development Plan Provisions

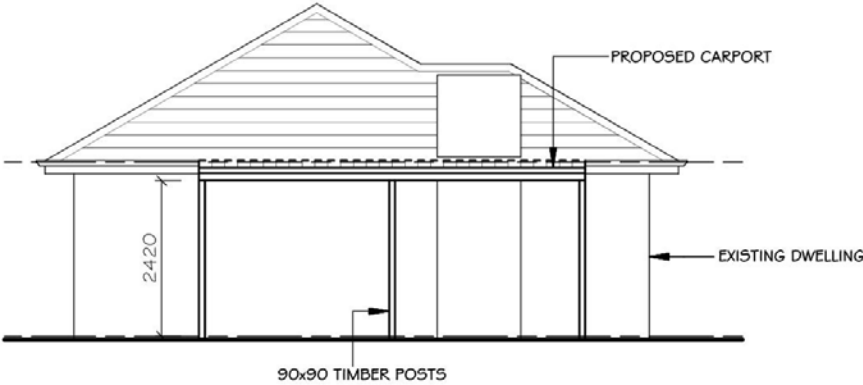
General Section		
<i>Crime Prevention</i>	<i>Objectives</i>	1
	<i>Principles of Development Control</i>	1, 2, 3, 6, 7 & 8
<i>Design and Appearance</i>	<i>Objectives</i>	1 & 2
	<i>Principles of Development Control</i>	1, 2, 3, 4, 5, 9, 10, 12, 13, 14, 15, 16, 21, 22 & 23
<i>Energy Efficiency</i>	<i>Objectives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



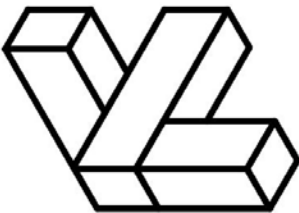




GRALLINA ST - NORTH ELEVATION



EAST ELEVATION



**VISUAL
LINES**

Building Design

M / 0422 906 865
E / jb@visuallines.com.au

Planning Approval Only

Architectural drawings to be read in conjunction with Engineers report & MBA Specification

- Denotes control joints as per Engineers report
- Denotes smoke detectors hard wired to mains with 9V battery back up to conform with NCC 2015 Vol 2, 3.7.2
- Denotes exhaust fan hard wired to light switch and vented to atmosphere

**PROPOSED: SUB-DIVISION
DETACHED DWELLING
AND NEW CARPORT TO
EXISTING DWELLING**

**AT: No 10 GRALLINA ST
LOCKLEYS**

FOR: MR. VENDITTO

CARPORT ELEVATIONS

DRAWING NUMBER: VL19-42

Area: m2	Scale: 1:100
	Date: 30-10-2019
	Drawn: JB
	Sheet: 2 of 2
	Sheet Size: A3

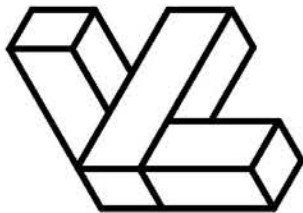
Amendments:

Do not scale drawings, dimensions take preference over scale. Contractors to verify dimensions prior to commencement of any building work. These drawings are the exclusive property of Visual Lines Building Design. Any reproduction without written authority is prohibited.

Copyright ©



COLOUR SCHEDULE



**VISUAL
LINES**

Building Design

M / 0422 906 865
E / jb@visuallines.com.au

Planning Approval Only

Architectural drawings to be read in conjunction with Engineers report & MBA Specification

- Denotes control joints as per Engineers report
- Denotes smoke detectors hard wired to mains with 9V battery back up to conform with NCC 2015 Vol 2, 3.7.2
- Denotes exhaust fan hard wired to light switch and vented to atmosphere

**PROPOSED: SUB-DIVISION
DETACHED DWELLING
AND NEW CARPORT TO
EXISTING DWELLING**

**AT: No 10 GRALLINA ST
LOCKLEYS**

FOR: MR. VENDITTO

COLOUR SCHEDULE

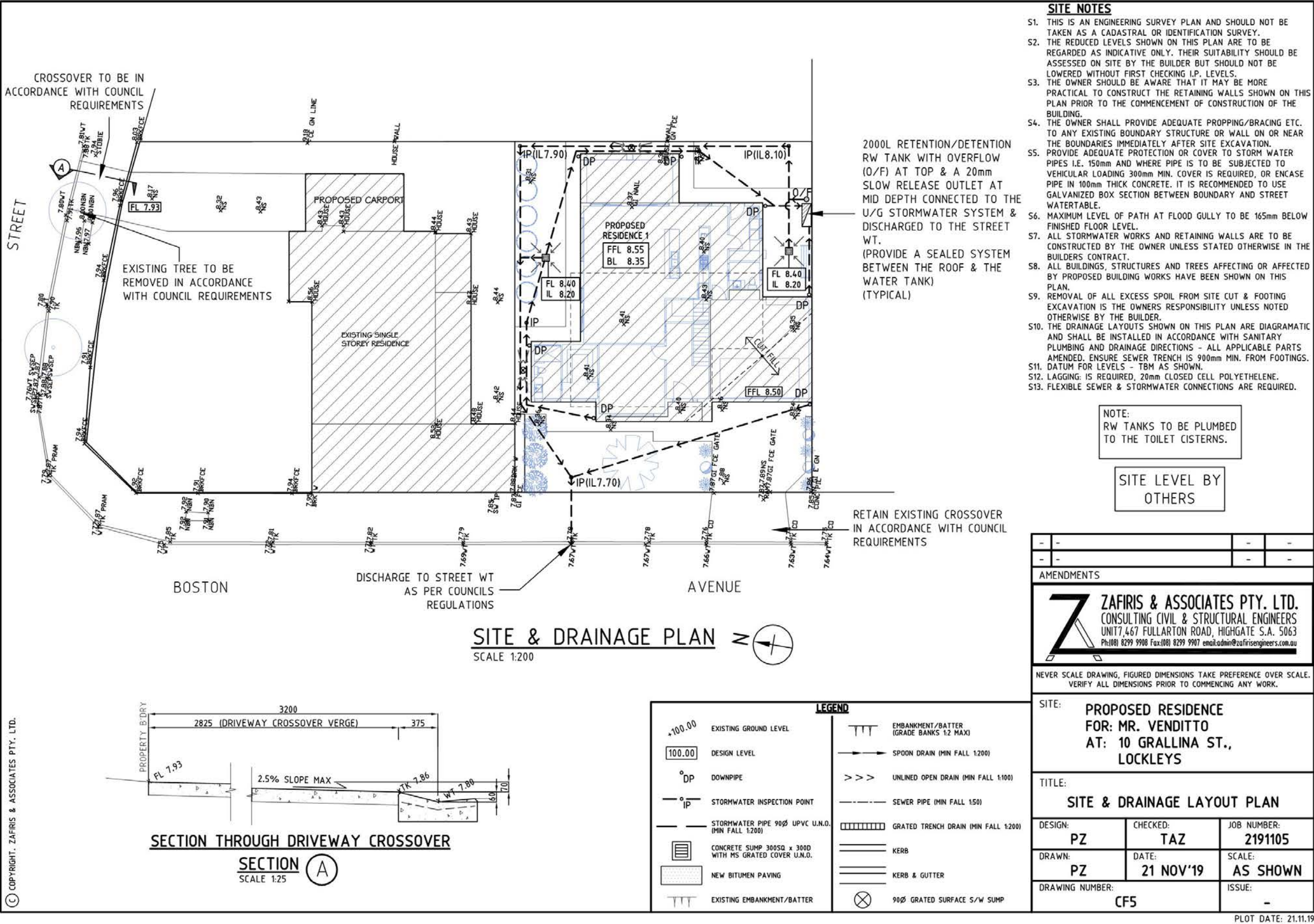
DRAWING NUMBER: **VL19-42**

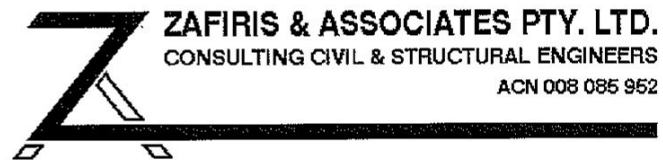
Area: m2	Scale: 1:100
	Date: 13-12-2019
	Drawn: JB
	Sheet: 3 of 3
	Sheet Size: A3

Amendments:

Do not scale drawings, dimensions take preference over scale. Contractors to verify dimensions prior to commencement of any building work. These drawings are the exclusive property of Visual Lines Building Design. Any reproduction without written authority is prohibited.

Copyright ©





STORMWATER DRAINAGE CALCULATIONS

CLIENT: MR. VENDITTO

JOB NO: 2191105

SITE: 10 GRALLINA ST., LOCKLEYS


PROJECT DETAILS: STORMWATER DRAINAGE DESIGN

PAGE
1-2

INDEX
STORMWATER DESIGN COMPUTATIONS

Unit 7, 467 Fullarton Road, Highgate, South Australia, 5063

Telephone: (08) 8299 9908 **Facsimile:** (08) 8299 9907 **Email:** admin@zafirisengineers.com.au

 ZAFIRIS & ASSOCIATES PTY. LTD. CONSULTING CIVIL & STRUCTURAL ENGINEERS UNIT 7, 467 FULLARTON ROAD, HIGHGATE S.A. 5063 Ph:(08) 8299 9908 Fax:(08) 8299 9907 ACN 008 085 952 e-mail: admin@zafirisengineers.com.au	JOB NUMBER:	SHEET NUMBER:
	2191105	1
	DESIGN:	DATE:
	PZ	21/11/2019

ADDRESS:	10 GRALLINA ST., LOCKLEYS
----------	---------------------------

STORMWATER COMPUTATIONS:
 Post development runoff to be restricted to Q_5 flow for the critical flow up to 5 years ARI. Event

Total Site Area(T) = 383 m²

EXISTING SITE DISCHARGE:

Impervious = 0.25(T) = 95.75 m²

Pervious = 0.75(T) = 287.25 m²

$Q_{EXIST} = [\text{Impervious } 95.75 (0.9) + \text{Pervious } 287.25 (0.1)] \times (60/3600) = \boxed{1.9} \text{ L/s}$
 Ex. Flow $5l_{10}$

PROPOSED DEVELOPMENT RUNOFF:

Direct discharge to street, Q_{ground} :

$Q_{ground} = [\text{Paving } 93 (0.9) + \text{Landscape } 99 (0.1) + \text{Roof direct discharge } 32 (1.0)] \times (1/3600)$
 $= \boxed{0.03} \text{ L/s}$

Roof runoff, Q_{Roof} :

$Q_{Roof} = [\text{Roof Area } 191.00 - \text{Roof direct discharge } 32] \times 1.0 \times (1/3600) = \boxed{0.04} \text{ L/s}$

DESIGN FOR 5 YEARS ARI EVENTS:

Storm duration	Intensity I(mm/hr)	Q_{ground} (L/s)	Q_{Roof} (L/s)	Q_{all} (net)	Storage Paving (L)	Required Tank (L)
5min	79.5	2.39	3.18	1.49	447	1654
6min	73.8	2.21	2.95	1.31	472	1702
10min	59	1.77	2.36	0.87	522	1816
20min	41.4	1.24	1.66	0.34	408	1792
30min	32.8	0.98	1.31	0.08	144	1558
60min	21.3	0.64	0.85	-0.26	-936	-476


Allow 1.0 L/s discharge from each 20mm ϕ , outlet of RW tanks

1 L/s total = 1 tanks, 1 buildings

$Q_{orifice} \text{ (outlets)} \rightarrow Q_o = CA \sqrt{(2gH)}$
 $C = 0.65$ (outake coefficient) $g = 9.81 \text{ m/s}^2$
 $A = 0.00033 \text{ m}^2$ (20mm ϕ) $H = 1 \text{ m}$
 $Q_o = 0.65 \times 0.00033 \sqrt{(2 \times 9.81 \times 1)} = 0.0010 \text{ m}^3/\text{s} = \boxed{1.0} \text{ L/s}$

Unit 7, 467 Fullarton Road, Highgate, South Australia, 5063

Telephone: (08) 8299 9908 Facsimile: (08) 8299 9907 Email: admin@zafirisengineers.com.au

 ZAFIRIS & ASSOCIATES PTY. LTD. CONSULTING CIVIL & STRUCTURAL ENGINEERS UNIT 7, 467 FULLARTON ROAD, HIGHGATE S.A. 5063 Ph: (08) 8299 9908 Fax: (08) 8299 9907 ACN 008 085 952 e-mail: admin@zafirisengineers.com.au	JOB NUMBER:		SHEET NUMBER:	
	2191105		2	
	DESIGN:		DATE:	
	PZ		21/11/2019	

ADDRESS:	10 GRALLINA ST., LOCKLEYS
----------	---------------------------

GROUND STORAGE REQUIRED: CONSIDER, WORST CASE @ 10MIN STORM

Net flow to be detained on site, Q_{all} :

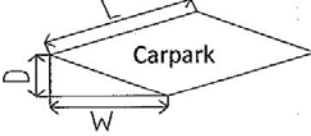
$$Q_{all} = (Q_{ground} - Q_{exist}) + RW \text{ tank o/f}$$

$$Q_{all} = (1.77 - 1.9) + 1 = 0.87 \text{ L/s}$$

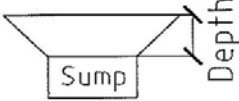
Storage Volume = $0.87 \times 10 \times 60 = 522$

Volume = $0.87 \times 10 \times 60/1000 = 0.52 \text{ m}^3$

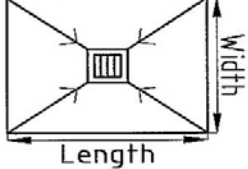
ALLOW PAVEMENT PONDING:						ALLOW PIPE STORAGE:		
Driveway Ponding		Sump Ponding		Carpark Ponding		Volume = $\pi r^2 L$		
L(m)	4	L(m)	3	L(m)	10	Pipes	150mmØ	90mmØ
W(m)	3	W(m)	5	W(m)	5.5	r (m)	0.075	0.045
D(m)	0.05	D(m)	0.05	D(m)	0.25	L (m)	0	48
Sumps	0	Sumps	2	Carpark	0	V (m³)	0	0.31
V (m³)	0.00	V (m³)	0.50	V (m³)	0.00			



Carpark



Sump



Length

Total Ponding = 0.50 + Total Pipe Storage = 0.31 = 0.81 m³ > 0.52 m³ OK

ROOF STORAGE TANK REQUIRED → WORST CASE @ 10MIN STORM

Roof Storage Required = $[(2.36 - 1.0)] \times 10 \times 60/1 \text{ res}$

= Detention + Retention

= 816 + 1000L = 1816 L

[Provide 1000L detention tanks & 1000L retention tanks for proposed residences]

Unit 7, 467 Fullarton Road, Highgate, South Australia, 5063

Telephone: (08) 8299 9908 Facsimile: (08) 8299 9907 Email: admin@zafirisengineers.com.au



Product Register Search (CT 5692/313)
Date/Time 21/11/2019 01:37PM
Customer Reference
Order ID 20191121006816



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



Certificate of Title - Volume 5692 Folio 313

Parent Title(s) CT 2126/44
Creating Dealing(s) CONVERTED TITLE
Title Issued 15/09/1999 Edition 1 Edition Issued 15/09/1999

Estate Type

FEE SIMPLE

Registered Proprietor

DONATO VENDITTO
GIUSEPPINA VENDITTO
OF 10 GRALLINA STREET LOCKLEYS SA 5032
AS JOINT TENANTS

Description of Land

ALLOTMENT 39 DEPOSITED PLAN 4495
IN THE AREA NAMED LOCKLEYS
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13180323	CAVEAT BY CARMELINA MIGNONE

Notations

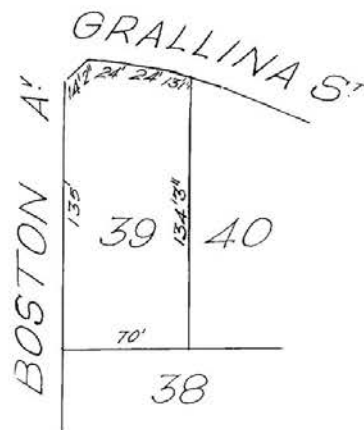
Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5692/313)
21/11/2019 01:37PM

20191121006816



80 40 0 80 FT

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

Preliminary Traffic, Flooding & Stormwater Assessment

Development Application No: 211/974/2019

Assessing Officer: Brendan Fewster
Site Address: 10 Grallina Street, LOCKLEYS SA 5032
Certificate of Title: CT-5692/313
Description of Development: Combined Application - Land division - Torrens Title; SCAP No. 211/D108/19; Creating one (1) additional allotment and construction of a carport to existing dwelling and construction of a two storey detached dwelling.

TO THE TECHNICAL OFFICER - CITY ASSETS

Please provide your comments in relation to:

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

.....
.....

PLANNING OFFICER - Brendan Fewster

DATE 19 December, 2019



Memo

To Brendan Fewster
From Richard Tan
Date 19-Dec-2019
Subject 211/974/2019, 10 Grallina Street, LOCKLEYS SA 5032

Brendan Fewster,

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

Note: As the new provided plan included assessment for land division and development, hence the previous provided assessment dated 06/12/2019 (Objective ID: A2403993) should be amended. This assessment should be read separate from the previous City Assets assessment.

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 In accordance with the provided 'Site & Drainage Plan' (ZA, Ref: 2191105, dated 21/11/2019), the FFLs of the proposed development (8.55 minimum) have been assessed as satisfying minimum requirements (8.03) in consideration of street and/or flood level information.

2.0 Verge Interaction

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

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



City of **West Torrens**

Between the City and the Sea

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

2.1.1 The proposed crossover for the existing dwelling is in direct conflict with existing street tree.

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

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

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

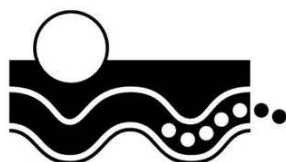
It is recommended that revised plans clearly and accurately indicating satisfaction of the above criteria be provided to Council.

2.3 It is noted that there is an existing crossover which has not been shown on the plan that will be made redundant. This redundant portion of crossover should be reinstated to vertical kerb prior to the completion of any building works at the applicant's expense. It should also be indicated on revised plans that any redundant crossovers will be reinstated.

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

3.0 Traffic Requirements

3.1 The proposed new dwelling is located in an unconsolidated area with frontage wider than 18m. As such it is believed that on street parking is not a major issue for this area at this stage or in near future. Hence City Assets will support a 5.4m wide crossover for Dwelling 1 with 0.3m flaring on both sides (5.4m at boundary and 6.0m at kerblines) for this development.



City of **West Torrens**

Between the City and the Sea

It should be noted that the crossover should be constructed 0.5m offset (measured at property boundary) from property southern boundary.

It is recommended that revised plans showing a crossover of 5.4m wide crossover with 0.3m flaring on both sides (5.4m at boundary and 6.0m at kerbline) for Dwelling 1 to be provided to Council.

- 3.2 In the event that existing street tree that is in conflict with proposed crossover for the existing dwelling has been supported to be removed, then a 3m wide crossover with 0.3m flaring on both sides (3m at boundary and 3.6m at kerbline) will be supportable.

It is recommended that revised plans showing a crossover of 3m wide crossover with 0.3m flaring on both sides (3m at boundary and 3.6m at kerbline) for existing dwelling to be provided to Council.

- 3.3 The garage dimension as measured in 'Site & Drainage Plan' (ZA, Ref: 2191105, dated 21/11/2019) has been assessed as satisfying minimum requirements.

- 3.4 The garage setback distance as measured in 'Site & Drainage Plan' (ZA, Ref: 2191105, dated 21/11/2019) has been assessed as satisfying minimum requirements.

4.0 Waste Management

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

5.0 Stormwater

- 5.1 Stormwater detention is not required for this development.

Regards
Richard Tan
Civil Engineer

Arboricultural Assessment of Street Trees

Development Application No: **211/974/2019**

REFERRAL DUE DATE: 18 Dec 2019

Assessing Officer: **Amelia De Ruvo**
Site Address: **10 Grallina Street, LOCKLEYS SA 5032**
Certificate of Title: **CT-5692/313**
Description of Development **Land division - Torrens Title; SCAP No. 211/D108/19; Create one (1) additional allotment and construction of a carport to existing dwelling and new two storey detached dwelling - Staged Development - Stage 1 creation of additional allotment, Stage 2 - construction of carport to existing residence, Stage 3 FINAL STAGE - construction of two storey detached dwelling**

TO THE TECHNICAL OFFICER – CITY ASSETS

Please provide your comments in relation to:

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

PLANNING OFFICER - Amelia De Ruvo

DATE 3 December 2019

FROM THE TECHNICAL OFFICER

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

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

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

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

A site investigation together with the information provided has revealed that there is a conflict with an existing Jacaranda mimosifolia street tree for the location of the proposed crossover on Grallina Street.

There is a stobie pole located 1.0m from the eastern property boundary and an existing Jacaranda mimosifolia street tree located 4.7m from this boundary. There is also an NBN pit located 5.2m from this same eastern boundary.

In this instance City Operations will support the removal of this existing Jacaranda mimosifolia street tree to accommodate a new crossover at this location.

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

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

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

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

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

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

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

**Telephone: 8416 6333
Fax: 8443 5709**

DATE: 20/12/2019













STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

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

29 January 2020

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

Dear Sir/Madam

State Commission
Assessment Panel

Level 5
50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

Re: Proposed Development Application No.211/D108/19 (ID 66284) – Amended Plan 23/01/20
for Land Division by John Vendetto

Further to my letter dated 11 October 2019 and to assist the Council in reaching a decision on this application, copies of consultation agency reports received by the State Commission Assessment Panel (SCAP) are available 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 SCAP.

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0090788)

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.

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

2. Payment of \$7616.00 into the Planning and Development Fund (1 allotment/s @ \$7616.00 /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 State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit 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 State Commission Assessment Panel for Land Division Certificate purposes.

Please upload the Decision Notification Form (via EDALA) following Council's Decision.

Yours faithfully,

Biljana Prokic
LAND DIVISION COORDINATOR – PLANNING SERVICES
as delegate of the
STATE COMMISSION ASSESSMENT PANEL
Q:\PLANNINGSERVICES\TEMPLATES\STATEMENTS\ELECTRONIC\TFF2R edala



28 January 2020

Our Ref: H0090788

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

Dear Sir/Madam

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

PROPOSED LAND DIVISION APPLICATION NO: 211/D108/19 AT LOCKLEYS

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

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

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

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

Yours faithfully

Diana Baric

for MANAGER LAND DEVELOPMENT & CONNECTIONS

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

8 SUMMARY OF COURT APPEALS

8.1 Summary of ERD Court matters, items determined by SCAP/Minister/Governor and deferred CAP items - March 2020

Brief

This report presents information in relation to:

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

Development Application appeals before the ERD Court

Nil

Matters pending determination by SCAP

Reason for referral	DA number	Address	Description of development
Schedule 10	211/M030/18	192 ANZAC Highway, GLANDORE	Eight-storey residential flat building (40 dwellings) & removal of regulated tree
Schedule 10	211/M015/19	1 Glenburnie Terrace, PLYMPTON	Six-storey residential flat building (32 dwellings) & associated car parking
Schedule 10	211/M018/19	6 Ebor Avenue, MILE END	Mixed use building comprising ground floor shop & residential apartments Note: A further application for a four-storey mixed use building has been lodged with Council.

Matters pending determination by the Minister of Planning

Reason for referral	DA number	Address	Description of development
Section 49	211/V028/20	33-39 Richmond Road, KESWICK TERMINAL	Integrated emergency services sector headquarters precinct comprising a multi-storey office building, multi-desk car park, hardstand area, a storage building with landscaping and other ancillary works

Section 49	211/G003/20	1 Africaine Road, WEST BEACH	Boundary realignment
Section 46	211/D129/19	9, 7, 292-304, 410 Elizabeth, Marion, Anzac Highway, PLYMPTON	Boundary re-alignment
Section 46	211/C130/19	7, 5, 3, 1 Elizabeth Street, PLYMPTON	Community division
Section 49	211/V007/12 V3	Lot 2 in FP 1000, West Beach Road WEST BEACH	Variation - removal of east-west internal road

Matters pending determination by the Governor of South Australia

Nil

Deferred CAP Items

Nil

Conclusion

This report is current as at 2 March 2020.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Attachments

Nil

9 OTHER BUSINESS**10 MEETING CLOSE**