

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, 13 DECEMBER 2022
at 4.00pm

Public access to the meeting will also be available via livestream at:

www.westtorrens.sa.gov.au/livestream

CAP member, applicant and representor attendance via livestream only available by prior arrangement with the Assessment Manager.

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.

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- 1 MEETING OPENED**
- 1.1 Acknowledgement of Country**
- 1.2 Evacuation Procedures**
- 1.3 Electronic Platform Meeting**

2 PRESENT

3 APOLOGIES

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 11 October 2022 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 TRANSITIONAL APPLICATIONS

Nil

6.2 PDI ACT APPLICATIONS

6.2.1 5 Louise Avenue, FULHAM

Application No 22022380

Appearing before the Panel will be:

Representors: **Daniel Attanasio** of 6 Tatura Crescent, Fulham Gardens wishes to appear in support of the representation.

Kota Zoubari of 4 Tatura Crescent, Fulham Gardens wishes to appear in support of the representation.

Robyn and Geoff Higgins 3 Louise Avenue, Fulham wishes to appear in support of the representation.

Applicant: **Travis Dunning** of DESIGNTECH STUDIO wishes to appear in response to the representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	22022380
APPLICANT	DESIGNTECH STUDIO
ADDRESS	5 Louise Avenue, Fulham
NATURE OF DEVELOPMENT	Demolish existing dwelling, two storey detached dwelling with detached rumpus room, alfresco, swimming pool and spa.
ZONING INFORMATION	<p>Zones</p> <ul style="list-style-type: none"> General Neighbourhood <p>Overlays</p> <ul style="list-style-type: none"> Airport Building Heights (Regulated) Affordable Housing Building Near Airfields Hazards (Flooding - Evidence Required) Prescribed Wells Area Regulated and Significant Tree Stormwater Management Traffic Generating Development Urban Tree Canopy <p>Technical Numeric Variations (TNVs)</p> <ul style="list-style-type: none"> Nil
LODGEMENT DATE	11 August 2022
RELEVANT AUTHORITY	Council Assessment Panel
PLANNING & DESIGN CODE VERSION	2022.14
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes
REFERRALS - STATUTORY	Nil
REFERRALS - NON-STATUTORY	Nil
DELEGATION	Representors (3) have lodged a valid representation and wish to be heard.
RECOMMENDING OFFICER	Steve Tilbrook - Consultant Planner
RECOMMENDATION	Grant consent with conditions

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 40 Deposited Plan 7593 in the area named Fulham, Hundred of Adelaide, Volume 5592 Folio 987, more commonly known as 5 Louise Avenue, Fulham. The subject site is rectangular in shape with an 18.29 metre (m) wide frontage to Louise Avenue and a site area of 691.77 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, verandah and outbuilding. The site is relatively flat. There are no Regulated Trees on the subject site or on adjoining land that would be affected by the development. The site adjoins the Charles Sturt Council area to the north.

The immediate locality is residential in nature and is largely comprised of single storey consistently designed style dwellings with generous street setbacks. The wider locality sees some examples of infill residential development single and two storey in height. A small local activity centre (280m) and Employment Zone (330m) pocket are located to the south-east fronting onto both Henley Beach Road and Tapleys Hill Road.

The amenity within the immediate locality is considered to be moderate to high due to the consistency of the allotment pattern and built form as well as the well maintained front yards and road verge area. The wider locality consists of a similar amenity for the same reasons.

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





Figure 1 - Subject Site, viewed towards the north (from Louise Avenue)



Figure 2 - Eastern view of Louise Avenue taken from junction with Riverside Drive, subject site in the centre of image.

PROPOSAL

For the purposes of an assessment the proposal is broken down into elements. Each element will have an assessment pathway as set out in the Planning and Design Code.

Elements	Application Category
Two storey detached dwelling and garage <ul style="list-style-type: none"> The dwelling is located centrally on the site The dwelling is setback 6m from Louise Avenue, 4.4m to the porch Triple garage (double width) with wall on boundary for 11.5m and 3.4m high which is the performance assessed trigger The lower level is to be constructed of brickwork with acrylic render coating light grey in colour The upper level is to be constructed of lightweight external 100mm foam cladding light grey in colour. 	Performance Assessed
Rumpus room <ul style="list-style-type: none"> The rumpus room is now setback 600mm from both boundaries 3.75m W x 5.45m L x 3.4m wall height (performance assessed trigger) Contains pool equipment and bathroom. 	Performance Assessed
Alfresco <ul style="list-style-type: none"> 4m W x 7.1m L x 3.1m height (performance assessed trigger) including post and parapet wall above. 	Performance Assessed
Swimming pool, spa and fence <ul style="list-style-type: none"> 4m W x 7m L Setback 1.26m to closest boundary Pool equipment housed in proposed rumpus room Not 'Accepted Development' as not in association with approved dwelling, defaults to performance assessed. 	Performance Assessed

The relevant plans and documents are contained in **Attachment 1**.

PUBLIC NOTIFICATION

The application required public notification because it was performance assessed and not exempt from notification by *Table 5 - Procedural Matters* of the General Neighbourhood Zone in the Planning and Design Code (The Code).

Properties notified	36 properties were notified during the public notification process.
Representations	11 representations were received.
Persons wishing to be heard	Three (3) representors who wish to be heard. <ul style="list-style-type: none"> Daniel Attanasio Kota Zoubari Geoff Higgins

<p>Summary of representations</p>	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • Building height; • Bulk and scale; • Lack of soft landscaping under 25%; • Carparking; • Number of bedrooms; • Environmental impact; • Boarding House; • Noise pollution; • Overshadowing; • Lack of tree canopy; • Overlooking; • Devalue properties; • Height of rumpus room boundary wall; • Percentage of structures on the northern boundary wall over 45%; and • Boundary fence concerns.
<p>Applicant's response to representations</p>	<p>Summary of applicant's response:</p> <ul style="list-style-type: none"> • Building height - The design meets PO & DTS/DPF 4.1 building height. • Bulk and scale - The design and elevations meet PO & DTS/DPF 5.1 primary building setback, 8.1 side boundary setbacks, 9.1 primary dwelling setbacks, 11.1 and 11.2 ancillary building requirements. • Soft Landscaping under 25% - The amount of soft landscaping has been increased to 26.2%, above the required 25%. • Carparking - Five off street carpark spaces are proposed which far exceeds what is required. • Number of bedrooms - Is not a relevant assessment consideration. • Environmental impact - The development will include the required on-site water retention and detention and the proposed dwelling will also meet the required 6 star energy rating. • Noise pollution - Residential use proposed, pool equipment within rumpus room, air conditioner located behind boundary fence. • Overshadowing - As per the shadow diagrams provided the proposal meets the requirements of PO & DTS/DPF 7.1 and 15.1, residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June. • Lack of tree canopy - By amending the Landscaping Plan have added additional trees and now meet the soft landscaping requirement. • Overlooking - The upper rear window to include obscured glazing to a height of 1.5 metres above the floor level as required in PO & DTS/DPF 10.1 and 10.2. • Height of rumpus room boundary wall - The size of the Rumpus has been reduced and moved in 600mm off both the side and rear boundaries as per DTS/DPF 11.1. • Percentage of structures on the northern boundary wall over 45% - The amended drawings reduce the size of the Rumpus & move it 600mm off the side and rear boundaries resulting in less than 45% of boundary wall structures for the development. • Boundary fence concerns - Existing fencing to be retained.

A copy of the representations is contained in **Attachment 2**. A copy of the applicant's response is contained in **Attachment 3**.

STATUTORY (EXTERNAL) REFERRALS

Nil

NON-STATUTORY (INTERNAL) REFERRALS

Nil

RELEVANT PLANNING & DESIGN CODE PROVISIONS

The subject land is located within the General Neighbourhood Zone as described in the Code. The subject land is also affected by a series of Overlays.

ASSESSMENT

The proposal is assessed for consistency with the quantitative requirements of the Planning and Design Code as outlined in the table below:

CODE PROVISIONS	STANDARD	ASSESSMENT
GENERAL NEIGHBOURHOOD ZONE		
Site Coverage General Neighbourhood Zone PO / DPF 3.1	Max Site Coverage: 60%	58.62% Satisfies
Building Height General Neighbourhood Zone PO / DPF 4.1	Max Building Height (Levels): 2 Levels and 9m	2 building levels and 7.2m height Satisfies
Primary Setback General Neighbourhood Zone PO / DPF 7.1 & 8.1	No more than 1m in front of the average setback to the building line of existing buildings on adjoining sites	The front setback of the existing dwelling to the east is approximately 6.5m. The proposed front setback is 6m Satisfies
Boundary Walls General Neighbourhood Zone PO / DPF 7.1 & 8.1	Side boundary walls not to exceed 3m in height, exceed 11.5m in length, exceed 45% of the length of the boundary or encroach within 3m of any other existing walls on the subject land	The proposed garage wall extends for 11.5m length on the boundary, accounts for 29.8% of boundary length and not within 3m of another boundary wall Satisfies 3.4m garage wall height Does not Satisfy

Side Setback General Neighbourhood Zone PO / DPF 8.1	Min. Side Setback: 900mm for first building level, 900m plus 1/3 of wall height above 3m for any second building level other than a southern side boundary or 1900mm plus 1/3 of wall height above 3m for a south facing wall	1.26m - ground floor at closest point 2.5m - upper level at closest point Satisfies
Rear Setback General Neighbourhood Zone PO / DPF 9.1	4m for first building level; 6m for any second building level	12.2m - ground floor 12.3m - upper level Satisfies
GENERAL PROVISIONS		
Overlooking Design in Urban Areas PO / DPF 10.1	Either: Windows are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm have sill heights greater than OR equal to 1.5m above finished floor level incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.	Fixed Obscured glass to a height of 1.5m above upper level FFL Satisfies
Private Open Space Design in Urban Areas PO / DPF 21.1	Site Area >301m ² : Min. 60m ² located behind the building line Min: 16m ² directly access from a living room with min. dimension of 3m	160.97m ² (total) 12.2m (dimension) 160.97m ² (accessed from habitable room) Satisfies
Landscaping Design in Urban Areas PO / DPF 10.1	Site Area >450m ² : Min. 25% of site	26.2% Satisfies

In assessing the merits or otherwise of the application, only those quantitative requirements that do not meet the Code requirements will be discussed along with the respective qualitative provisions. The proposed development is therefore discussed under the following sub headings:

Land Use

The subject land is an existing residential property. The proposal seeks to demolish the existing single storey detached dwelling and construct a two storey detached dwelling, rumpus room, alfresco, swimming pool and spa which are all envisaged forms of development within the General Neighbourhood Zone and are therefore considered appropriate. The development provides low-rise, low-density housing as sought by the Zone and is considered to remain compatible with the development pattern of the locality.

Built Form

The proposed 11.5m long garage wall located on the boundary is 3.4m in height which exceeds the anticipated 3m boundary wall height identified in the Code. The additional 400mm is considered to be acceptable as it is located adjacent to a side path of the neighbouring dwelling which is not an area of primary private open space. The boundary wall is also located on the eastern property boundary of the neighbours property which will limit morning sunlight access before 10am but not after, ensuring adequate sunlight access to the neighbouring property is maintained to the Code standards discussed further in the Overshadowing section of this report. Overall, the 3.4m boundary garage wall is not considered to be a significant shortfall that outweighs other Code compliances that the development presents. Performance Outcome 7.1 contemplates boundary walls, provided they are limited in height and length to manage visual and overshadowing impacts. On balance, the development is considered to result in appropriate outcomes upon the adjoining land and the departure from the respective Deemed Performance Feature is not considered to be of a magnitude which would warrant refusal of the application.

Several of the representations raised concerns with the two storey height and bulky nature of the proposed dwelling design. Even though Louise Avenue is dominated by single storey dwellings the Code contemplates two storey dwellings up to 9m in height. As the proposed dwelling is 7.2m in height it satisfies the height criteria of the Code. The Zone also contemplates low-rise housing, which is defined by the Planning and Design Code as buildings up to two levels. The development is considered to result in a reasonable and expected form of housing expected for this locality and to this end, the proposal satisfies the respective performance outcome.

The development site is not subject to any specific design related Overlays and therefore the General Development Policies, Design in Urban Areas section is the key Code policy relating to design and bulk and scale assessment.

The proposed dwelling design incorporates generous sized street facing windows from rooms with internal dimensions exceeding 2.4m (Designated Performance Feature (DPF) 17.1).

The built form design incorporates an upper level that is setback 300mm from the ground level building line, which provides some visual breaking up of the façade. The porch is located forward of the building line more than 1m which again provides a central column focal point, breaking up the mass of the building. Two small balconies with roof above are proposed in front of two upper level bedrooms which creates shadowing that reduces the visual prominence of the bulk and scale of the building. As the proposed front façade elements satisfy three design features identified in Performance Outcome (PO) 20.2 and DPF 20.2, which also reduces the visual mass of the building when viewed from Louise Avenue, the application satisfies the external appearance Code policy.

Amenity

Several representors have expressed concerns with the proposed development and the potential for overlooking into their properties. The applicant has amended the north facing upper floor window to incorporate a fixed obscure window to a minimum height of 1.5m above the upper level Finish Floor Level (FFL) in accordance with DPF 10.1 of the General Development Provisions - Design in Urban Areas. With the amendment to the upper level window (with all other upper level windows screened or having a seal height at a minimum of 1.5m), the potential for direct overlooking to adjoining residential properties has been sufficiently mitigated, satisfying PO 10.1 of General Development Provisions - Design in Urban Areas.

Overshadowing

Due to the north-south orientation of the subject land, overshadowing to the south impacts predominantly on Louise Avenue rather than on an adjoining residential property. The submitted shadow diagrams reveal that the eastern and western adjoining properties will maintain a minimum of 3 hours of direct sunlight to living room windows sought by PO and DPF 3.1 of General Development Provisions - Interface between Land Uses.

The proposal also satisfies PO and DPF 3.2 of General Development Provisions - Interface between Land Uses as it provides the private open space areas of adjoining properties with more than two hours of direct winter sunlight.

Landscaping

The proposed soft landscaping has been increased following concerns raised by representors. The soft landscaping amount was previously 17.9%, well short of the 25% sought. The proposed soft landscaping is now 26.2% which exceeds 25%, satisfying the Code. The development contains a variety of landscaping species and growth heights to complement the overall built form. This includes the planting of five medium trees with growth heights up to 5 metres. The siting and location of these trees shall contribute to an outcome where the overall bulk and scale of the dwelling is minimised, while their growth height of 5 metres shall complement the two-storey nature of the building.

On balance, the development shall provide soft landscaping in accordance with Performance Outcome 22.1 to minimise heat absorption and reflection, contribute shade and shelter, provide for stormwater infiltration and biodiversity and enhance the appearance of land and streetscapes.

Parking and Access

The application proposes to extend the existing invert and crossover with no existing verge area structures potentially preventing this.

The site will provide vehicle parking for up to five cars, three undercover and two in the driveway. Provision of five on site vehicle spaces exceeds the requirement in Table 1 - General Off-Street Car Parking Requirements.

Waste Management

The side yard and private open space area provide ample opportunity for waste storage consistent with PO and DPF 24.1 of General Development Provisions - Design in Urban Areas.

Stormwater Management

The finished floor level (FFL) of the dwelling (100.70) has been designed more than 300mm above the top of kerb level which is 99.96 and therefore satisfies PO 1.1 and DPF 1.1(a) of the Hazards (Flooding - Evidence Required) Overlay.

Stormwater will be directed to a 5,000 litre rainwater tank, including 1,000 litres for detention, capturing 60% of the roof area and plumbed to one toilet and either cold laundry outlet or hot water service consistent with PO and DPF 1.1 of the Stormwater Management Overlay.

SUMMARY

Having considered all the relevant provisions of the Planning and Design Code, the proposal is considered to be not seriously at variance with the Planning and Design Code Version 2022.14 dated 4 August 2022.

The proposed two storey dwelling is different to the established streetscape pattern however the relevant Code policy anticipates two storey development. The design elements of the proposed dwelling are also different to the existing dwellings in Louise Avenue however the applicable Code policy does not speak against the proposed design. The dwelling provides adequate separation from boundaries and will not result in unreasonable overshadowing. Ample carparking, private open space and soft landscaping is proposed.

The main shortcoming of the application is the proposed 3.4m garage boundary wall which is above 3m. However, the impact of this on the western neighbour is not considered to be detrimental from an overshadowing or bulk and scale perspective and is not considered to outweigh the compliance with the majority of other Code policies that the development achieves.

On balance, the proposal reasonably satisfies the relevant provisions of the Planning and Design Code Version 2022.14 and therefore the application warrants the granting of Planning Consent, subject to specified conditions.

RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. Pursuant to Section 107 (2)(c) of the *Planning Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2022.14.
2. Application No. 22022380 by DESIGNTECH STUDIO to carry out Demolition of existing dwelling, two storey detached dwelling with detached rumpus room, alfresco, swimming pool and spa (CT-5592/987) is GRANTED Planning Consent subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development shall be undertaken and completed in accordance with the plans and information detailed in this application specifically plans as listed below except where varied by any condition(s).
 - Site plan, sheet 3 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - Ground Floor Plan, sheet 4 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - First Floor Plan, sheet 5 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - Roof Plan, sheet 6 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - Ground Floor Plan, sheet 4 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - South/north Elevation, sheet 7 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - West/east Elevation, sheet 8 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - Rumpus Elevations, sheet 9 of 17, prepared by DESIGNTECH STUDIO, dated 16/11/2022;
 - Landscaping Plan, sheet 10 of 17, prepared by DESIGNTECH STUDIO, dated 21/11/2022;
 - Civil Plan, Drawing 220629-C01, Revision B, prepared by Gama Consulting, dated 17/11/2022.

2. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.
 3. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and, for this purpose, stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; or
 - e) Flow across footpaths or public ways.
 4. All planting and landscaping shall be completed within three (3) months of occupation or the next available planting season of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
 5. The rainwater tank must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling.
 6. The stormwater connection through the road verge area is 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.
-

Attachments

- 1. Proposed plans**
- 2. Representations**
- 3. Applicant's response to representations**

NOTES :

SITE WORKS, LEVELS &
STORM WATER DRAINAGE AS
PER ENGINEERS DESIGN &
DETAIL

LEGEND :

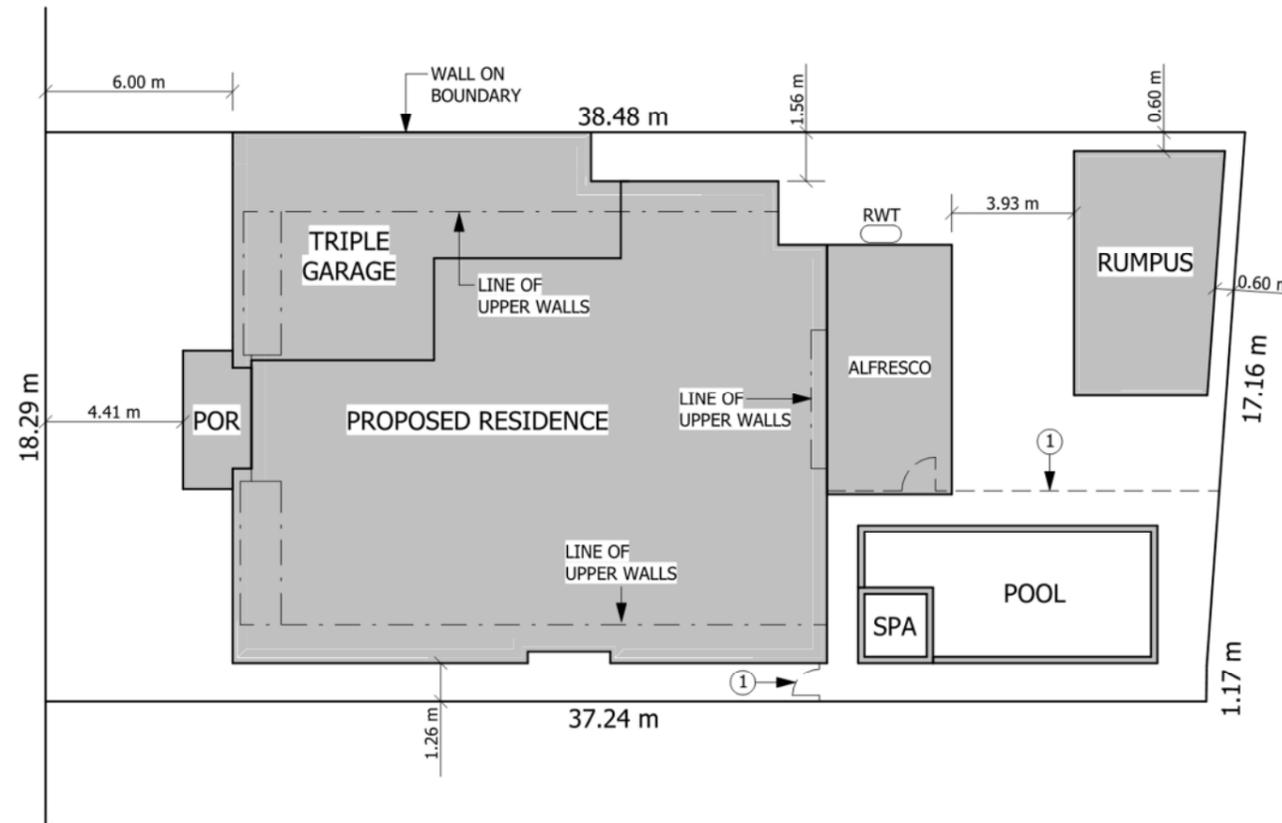
- ① POOL GATE & FENCE TO COMPLY WITH A.S. 1926.1
 - GATE TO BE SELF CLOSING AND SELF LATCHING
 - 1.5H LATCH RELEASE
 - 1.2H FENCING MINIMUM WITH MAX 100mm GAPS

(PLANNING)

(PLANNING DRAWINGS ONLY)
(NOT FOR CONSTRUCTION)



LOUISE AVE ;



CLIENT APPROVED

NAME:
SIGNED:
DATE:/..../.....

AREA:	SQM:	%:
BLOCK SIZE:	691.77m ²	
SITE COVERAGE:	405.54m ²	58.62%
P.O.S:	160.97m ²	23.27%

SITE PLAN

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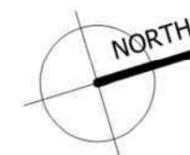
NOTES:

AMEND:
30/06/22 (R.M)
25/07/22 (R.M)
03/11/22 (L.C)
16/11/22 (R.M)



2/378 GOODWOOD RD, CUMBERLAND PARK S.A 5041
P: 0402 117 445 E: info@designtechstudio.com.au
www.designtechstudio.com.au

DATE: 06/06/22
SHEET: 3 OF 17 ON A3
SCALE: 1 : 200
DRAWN: R.M



CLIENT: **F. & E. VUNIC**
PROPOSAL: **RESIDENCE**
SITE: **LOT 40 No 5
LOUISE AVE
FULHAM**

LEGEND :

- ① 700mm DEEP INTEGRATED FRIDGE
- ② ANEETA SASH WINDOW
- ③ CUPBOARDS UNDERNEATH WITH SHELVES OVER
- ④ LINE OF ROOF WINDOW ABOVE
- ⑤ LINE OF RECESSED CURTAIN PELMET
- ⑥ GLASS DOOR AS SPECIFIED
- ⑦ JOINERY DOORS AS SPECIFIED

- ⑧ DUCTED VACUUM SYSTEM
- ⑨ CURVED STAIRS TBC WITH STAIR MANUFACTURER
- ⑩ SHOWER HEAD
- ⑪ POOL GATE & FENCE TO COMPLY WITH A.S. 1926.1
- GATE TO BE SELF CLOSING AND SELF LATCHING
- 1.5H LATCH RELEASE
- 1.2H FENCING MINIMUM WITH MAX 100mm GAPS

- ⑫ CEILING FAN BY OWNER
- ⑬ INTEGRATED DP WITHIN BRICK PIER
- ⑭ 2.4m HIGH SOLID DOOR AS SPECIFIED

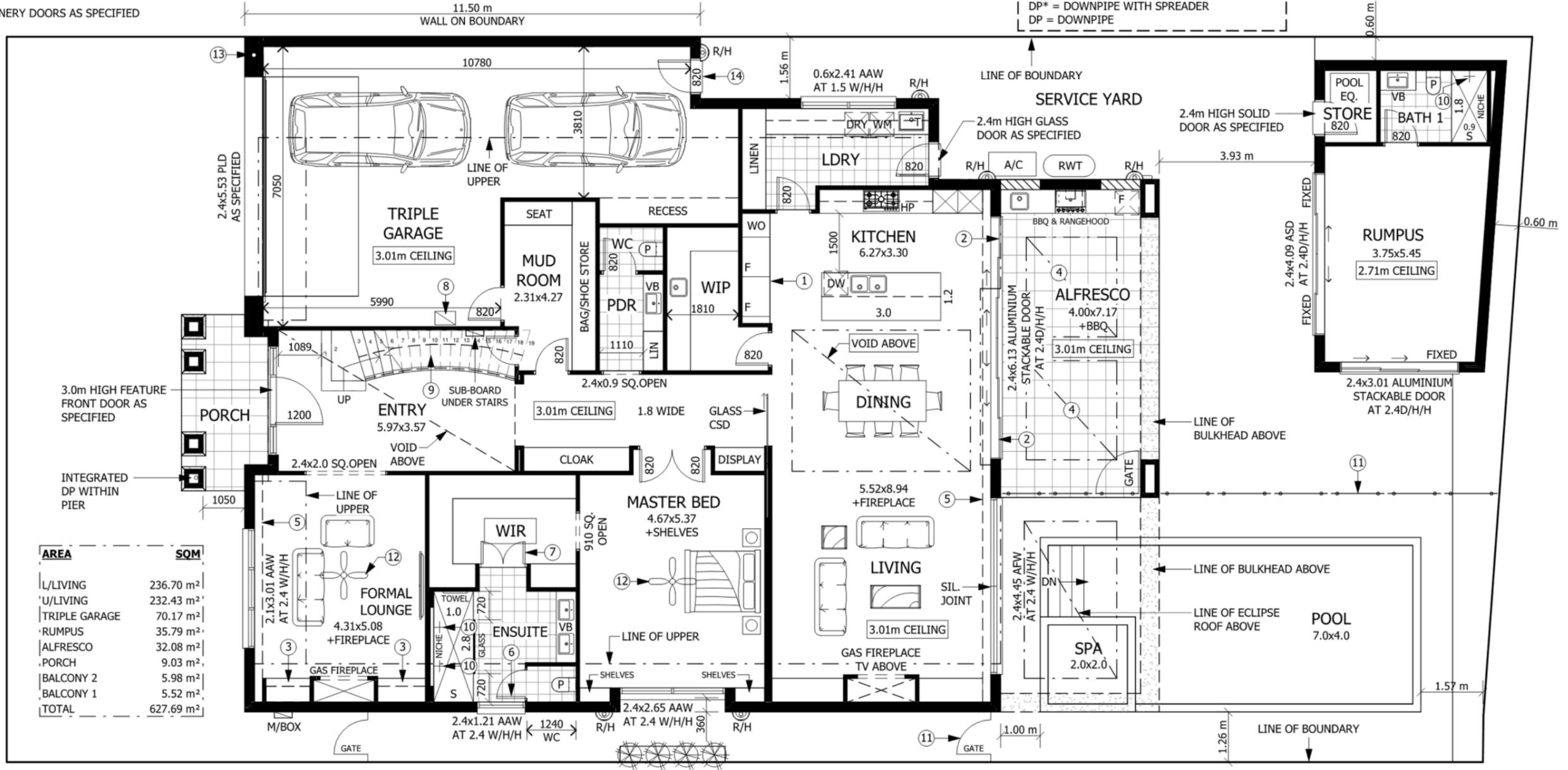
(PLANNING)

(PLANNING DRAWINGS ONLY)
(NOT FOR CONSTRUCTION)

CLIENT APPROVED
NAME:
SIGNED:
DATE:/...../.....



DP LEGEND
R/H = RAINHEAD WITH DOWNPIPE & OVERFLOW
DP* = DOWNPIPE WITH SPREADER
DP = DOWNPIPE



AREA	SQM
L/LIVING	236.70 m ²
U/LIVING	232.43 m ²
TRIPLE GARAGE	70.17 m ²
RUMPUS	35.79 m ²
ALFRESCO	32.08 m ²
PORCH	9.03 m ²
BALCONY 2	5.98 m ²
BALCONY 1	5.52 m ²
TOTAL	627.69 m²

GROUND FLOOR PLAN

GROUND FLOOR EXTERNAL WALLS
250mm BRICK VENEER CONSTRUCTION
STANDARD BRICKWORK

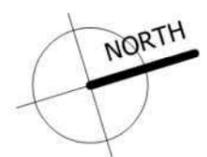
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ANY DISCREPANCY TO BE REPORTED TO DESIGNTECH STUDIO IMMEDIATELY

NOTES:
IN WALL CISTERNS - FLOOR BASED (THROUGHOUT)

AMEND:
30/06/22 (R.M)
25/07/22 (R.M)
03/11/22 (L.C)
16/11/22 (R.M)

DESIGNTECH
STUDIO
2/378 GOODWOOD RD, CUMBERLAND PARK S.A 5041
P: 0402 117 445 E: info@designtechstudio.com.au
www.designtechstudio.com.au

DATE: 06/06/22
SHEET: 4 OF 17 ON A3
SCALE: 1 : 100
DRAWN: R.M



CLIENT: **F. & E. VUNIC**
PROPOSAL: **RESIDENCE**
SITE: **LOT 40 No 5 LOUISE AVE FULHAM**

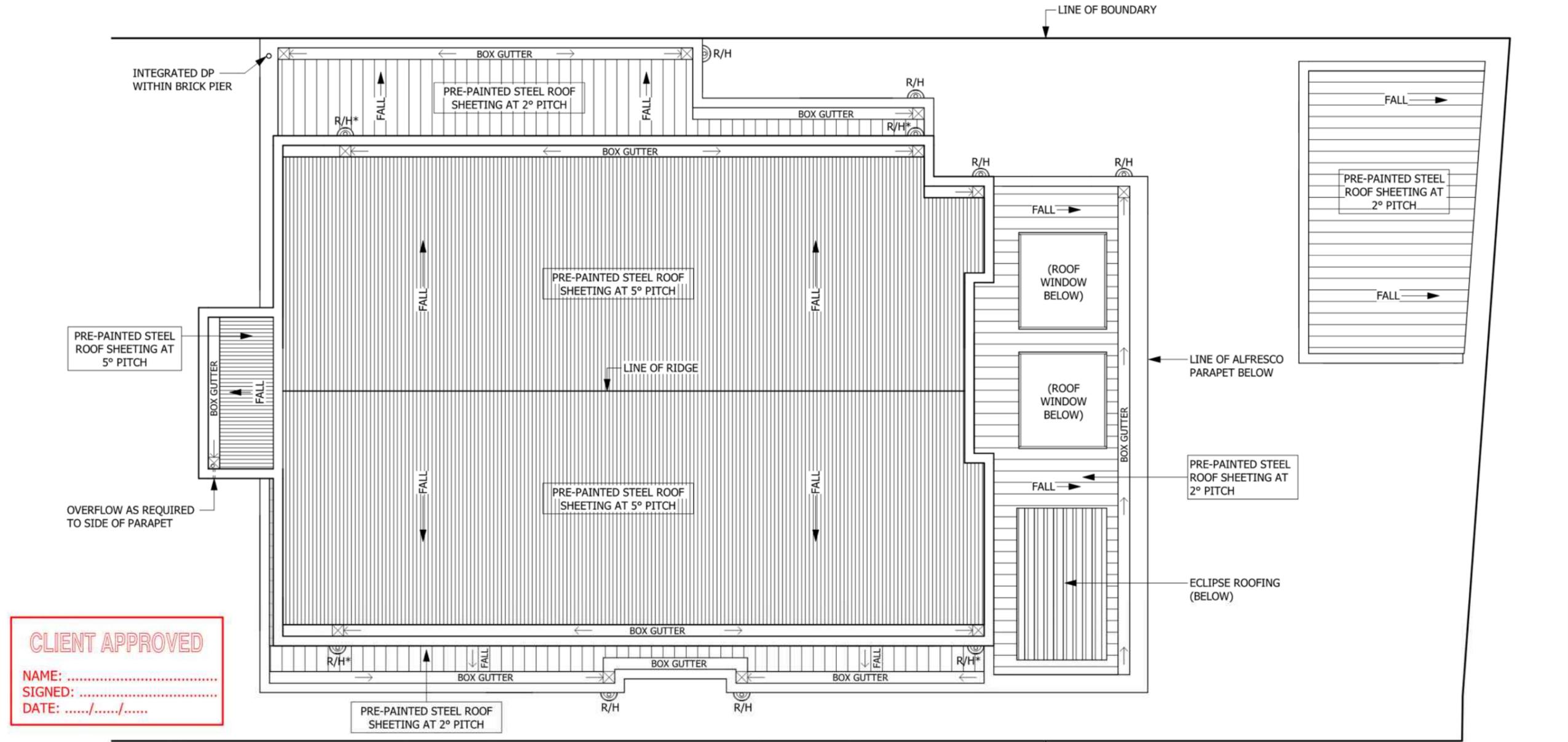
GROUND FLOOR ROOF:
PRE-PAINTED STEEL ROOF SHEETING
AT 2° PITCH BEYOND PARAPET
NIL EAVES

RUMPUS ROOF:
PRE-PAINTED STEEL ROOF SHEETING
AT 2° PITCH BEYOND PARAPET
NIL EAVES

FIRST FLOOR ROOF:
PRE-PAINTED STEEL ROOF SHEETING
AT 5° PITCH BEYOND PARAPET
NIL EAVES

(PLANNING)

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ROOF PLAN

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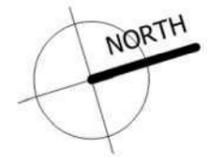
NOTES:

AMEND:
 30/06/22 (R.M)
 25/07/22 (R.M)
 03/11/22 (L.C)
 16/11/22 (R.M)



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DATE: 06/06/22
 SHEET: 6 OF 17 ON A3
 SCALE: 1 : 100
 DRAWN: R.M



CLIENT: **F. & E. VUNIC**
 PROPOSAL: **RESIDENCE**
 SITE: **LOT 40 No 5
 LOUISE AVE
 FULHAM**

LEFT (WEST) ELEVATION

RIGHT (EAST) ELEVATION

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GROUND FLOOR ROOF:
 PRE-PAINTED STEEL ROOF SHEETING AT 2° PITCH BEYOND PARAPET
 NIL EAVES

FIRST FLOOR ROOF:
 PRE-PAINTED STEEL ROOF SHEETING AT 5° PITCH BEYOND PARAPET
 NIL EAVES

COLOUR SCHEDULE:
 ROOF: -LIGHT GREY
 DOWNPIPES: -LIGHT GREY
 WINDOW & DOOR FRAMES: -BLACK
 RENDER: -LIGHT GREY
 FRONT DOOR: -TIMBER
 MOULDINGS: -LIGHT GREY
 PLD: -LIGHT GREY

WINDOWS & DOORS
 ALUMINIUM FRAMED WINDOWS & DOORS AS SPECIFIED

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 PROPOSAL: **RESIDENCE**
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RUMPUS ROOF:
 PRE-PAINTED STEEL ROOF SHEETING
 AT 2° PITCH BEYOND PARAPET
 NIL EAVES

(PLANNING)

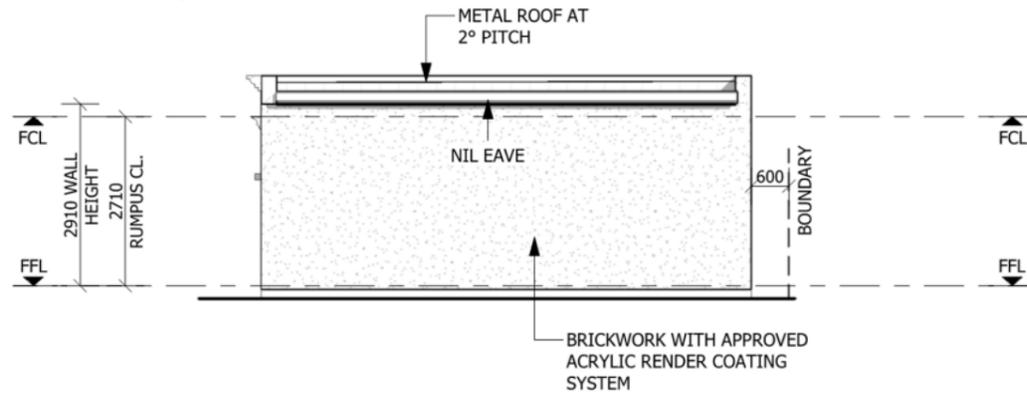
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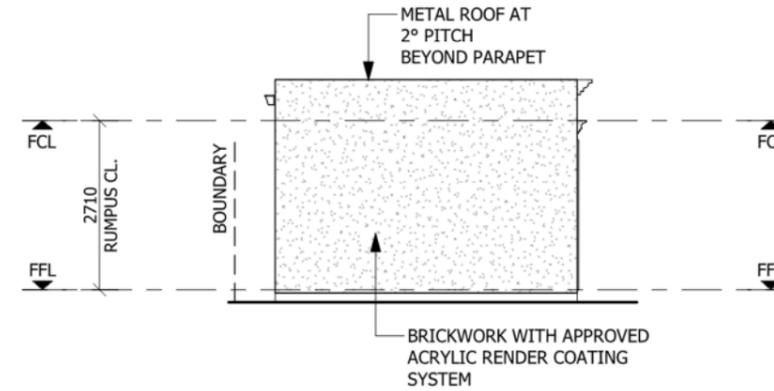
COLOUR SCHEDULE:

ROOF:	-LIGHT GREY
DOWNPIPES:	-LIGHT GREY
WINDOW & DOOR FRAMES:	-BLACK
RENDER:	-LIGHT GREY
FRONT DOOR:	-TIMBER
MOULDINGS:	-LIGHT GREY
PLD:	-LIGHT GREY



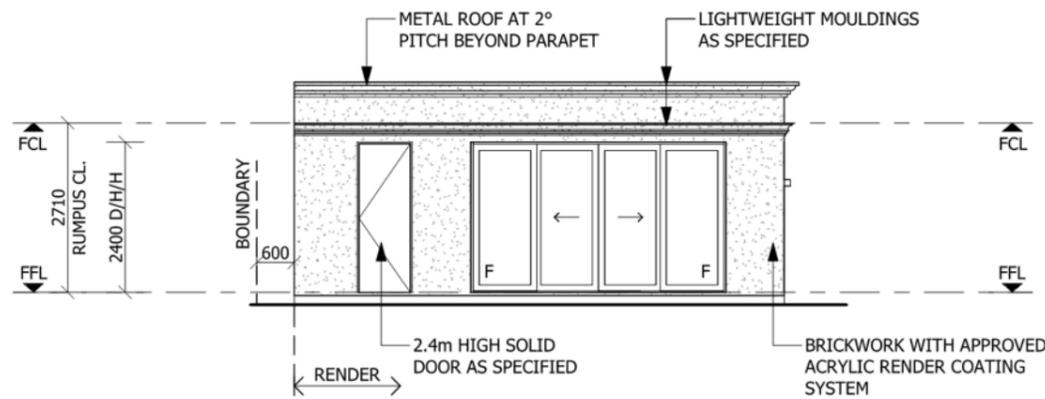
RUMPUS - NORTH

SCALE : 1 : 100



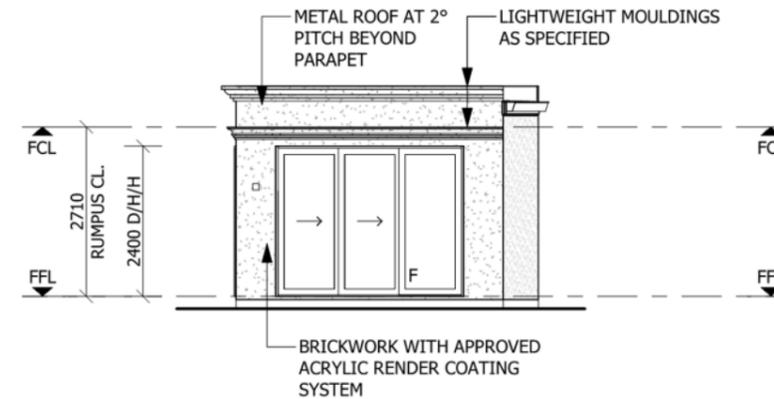
RUMPUS - WEST

SCALE : 1 : 100



RUMPUS - SOUTH

SCALE : 1 : 100



RUMPUS - EAST

SCALE : 1 : 100

WINDOWS & DOORS
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 & DOORS AS SPECIFIED

RUMPUS ELEVATIONS

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 PROPOSAL: **RESIDENCE**
 SITE: **LOT 40 No 5
 LOUISE AVE
 FULHAM**

NOTES :

SITE WORKS, LEVELS &
STORM WATER DRAINAGE AS
PER ENGINEERS DESIGN &
DETAIL

SOFT LANDSCAPING = 181.27m²
SOFT LANDSCAPING % = 26.20%

LEGEND :

- ① POOL GATE & FENCE TO COMPLY WITH A.S. 1926.1
- GATE TO BE SELF CLOSING AND SELF LATCHING
- 1.5H LATCH RELEASE
- 1.2H FENCING MINIMUM WITH MAX 100mm GAPS
- ② POOL EQUIPMENT TO BE ENCLOSED
& TO MEET EPA REQUIREMENTS
- ③ EXISTING FENCING TO BE RETAINED

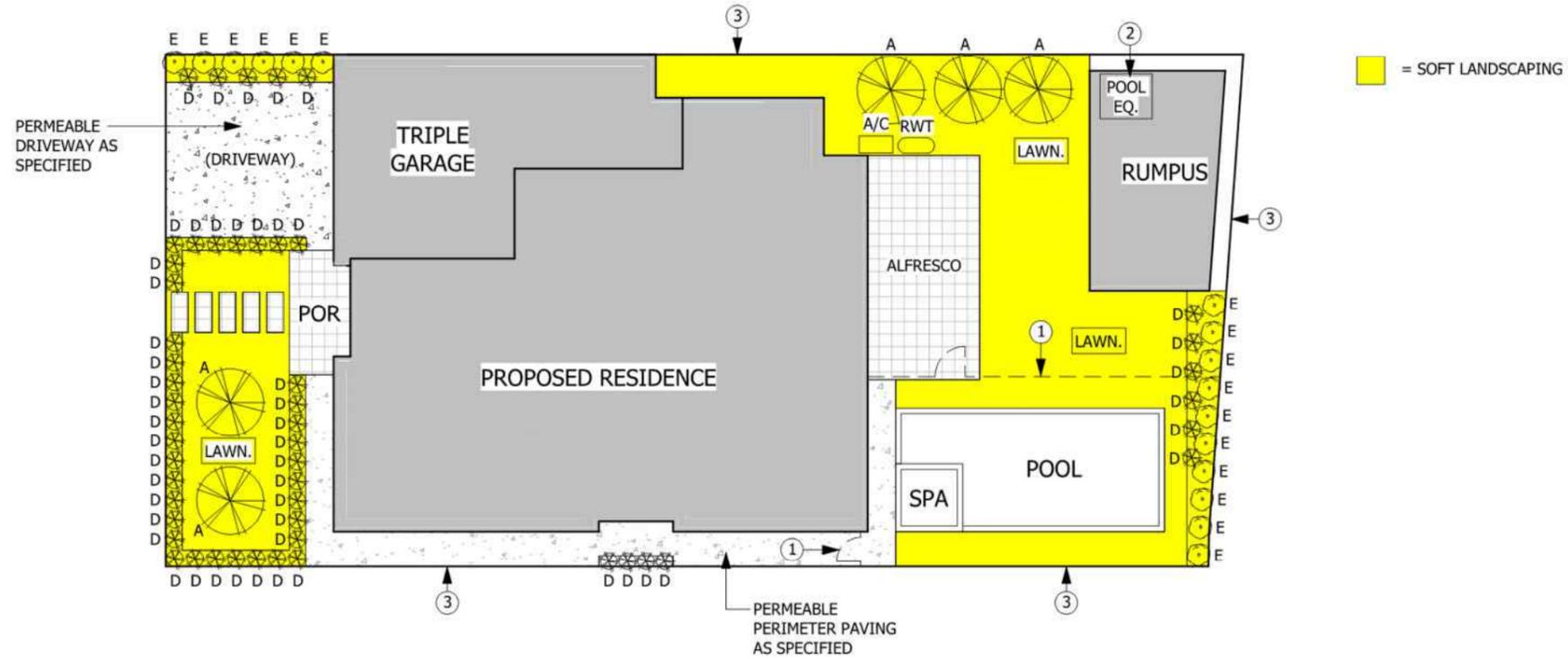
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LANDSCAPING SCHEDULE

- | | |
|---|---|
| <p>A. MEDIUM TREES (TO 5m) (2m AT PLANTING)
MAGNOLIA
WATERHOUSEA FLORIBUNDA</p> <p>B. TALL SHRUBS (TO 6m) (1.8m AT PLANTING)
CALLISTEOMON CITRINUS (RED BOTTLEBRUSH)
ACACIA ITEAPHYLLA (FLINDERS RANGE WATTLE)
CORDYLINE AUSTRALIS</p> <p>C. MEDIUM SHRUBS (TO 3m) (0.9m AT PLANTING)
ABELIA GRANDIFLORA
VIBURNUM BURKWOODI
EUONYMUS JAPONICA
EREMOPHILA MACULATA
ESCALLONIA "FRETHEY"</p> | <p>D. SMALL SHRUBS (TO 1.5m) (0.4m AT PLANTING)
BRACHYSEMA LANCEOLATUM (SWAN RIVER PEA)
CALOCEPHALUS BROWNI (CUSHION BRUSH)
CASSIA ARTEMISIOIDES
CASSIA STURTII
CORREA ALBA
CORREA PULCHELLA (NATIVE FUSHIA)
ROSMARINUS OFFICINALIS (ROSEMARY)</p> <p>E. DWARF SHRUBS (TO 1m) (0.3m AT PLANTING)
BERBERIS THUNBERGII (LITTLE FAVOURITE)
CUPHEA IGNEA</p> <p>F. GROUND COVER
MYORPORUM PARVIFOLIUM
RHAGODIA DELTA PHYLLA
COPROSMA KIRKII (GREEN & VARIOUS FORMS)
VINCA MAJOR (VARIOUS)</p> <p>G. DECIDUOUS TREES</p> |
|---|---|



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LANDSCAPING PLAN

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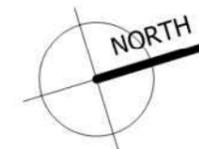
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DRAWN: R.M



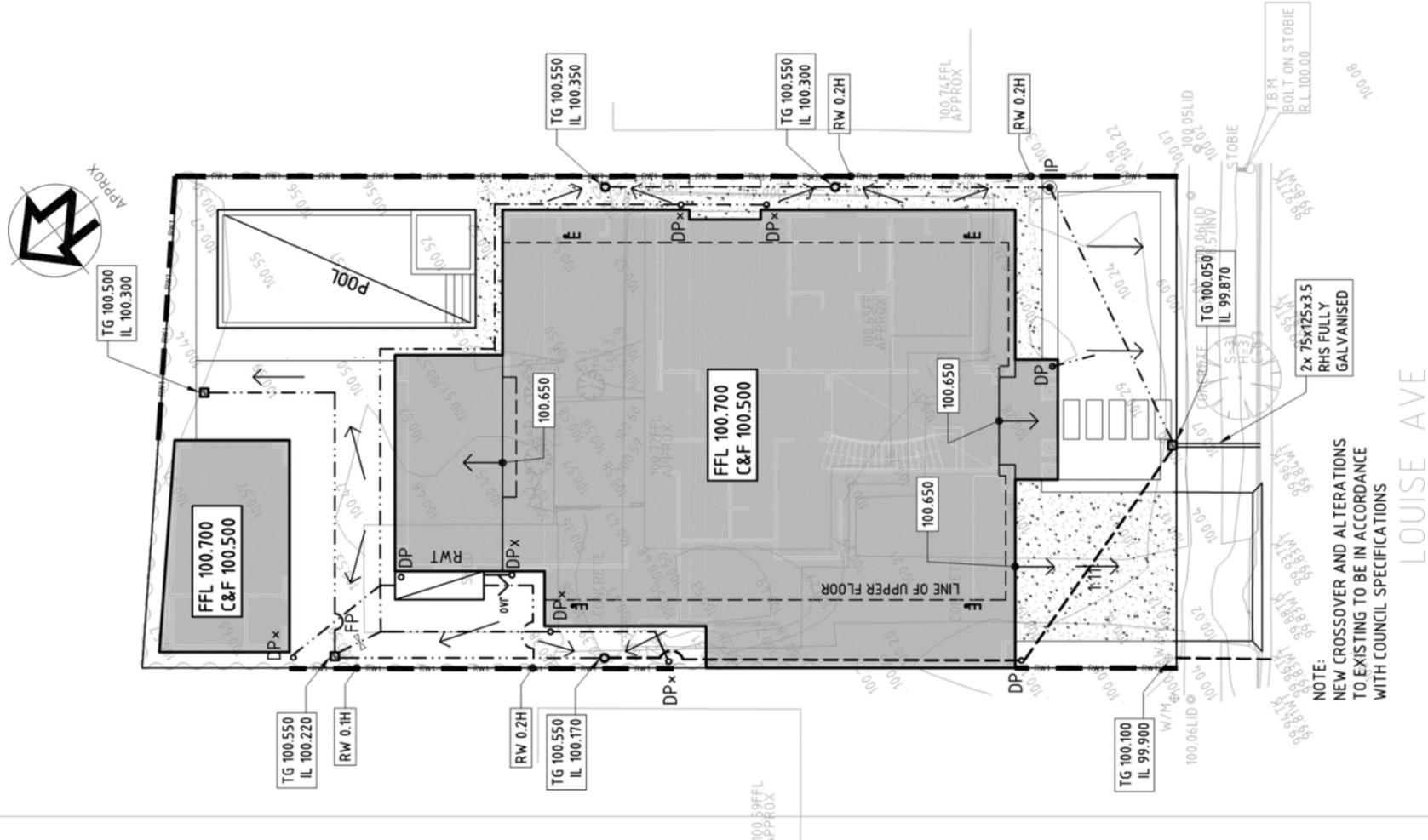
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PROPOSAL: **RESIDENCE**
SITE: **LOT 40 No 5
LOUISE AVE
FULHAM**

GENERAL NOTES

1. THIS IS AN ENGINEERING SURVEY PLAN, AND SHOULD NOT BE TAKEN AS A CADASTRAL OR IDENTIFICATION SURVEY. BOUNDARY DATA SHOWN IS TO BE TAKEN AS A GUIDE ONLY.
2. SURVEYED BY RAPID SURVEYS PTY LTD.
3. ALL SITE LEVELS AND DETAILS MUST BE CHECKED AND APPROVED BY THE OWNER/BUILDER PRIOR TO COMMENCEMENT OF ANY WORK.
4. INSTALLATION OF STORMWATER SYSTEMS TO COMPLY WITH AS3500.5 'NATIONAL PLUMBING AND DRAINAGE CODE'.
5. REFER TO ARCHITECTURAL SITE PLAN FOR SET OUT DIMENSIONS.
6. THE FINISHED GROUND LEVEL ADJACENT TO EXTERNAL FOOTING SHALL BE SET DOWN TO SUIT REQUIRED PAVING LEVELS AND FALLS. REFER TO ENGINEERING REPORT FOR PAVING DETAILS.
7. COVER TO PIPES SHALL COMPLY WITH AS 3500.5. PIPES LESS THAN 200mm BELOW THE FINISHED SURFACE UNDER THE DRIVEWAYS SHALL BE ENCASED IN 100mm OF CONCRETE.
8. PROVIDE SUITABLE PROPRIETARY FIRST FLUSH SYSTEM TO RAINWATER TANK INLETS, INCLUDING LEAF SCREENS ETC.
9. THE STORMWATER DRAINAGE SYSTEM SHALL BE INSTALLED AS SHOWN. ALTERATIONS TO THE SYSTEM MUST BE APPROVED BY THIS OFFICE TO ENSURE THAT THE INTEGRITY OF THE DESIGN IS MAINTAINED.
10. SITE CLASSIFICATION TO AS2870-2011 : TO BE CONFIRMED
11. TREE REMOVAL TO BE CONFIRMED WITH OWNER PRIOR TO COMMENCEMENT OF ANY WORK ON SITE ANY CHANGES TO THE EXTENT SHOWN ON THIS DRAWING MUST BE CONFIRMED WITH THIS OFFICE
12. THE RETAINING WALL/PLINTH INFORMATION SHOWN IS SPECIFIC TO THE EXTEND OF CUT AND FILL CARRIED OUT ON THIS SITE ONLY. THE DESIGN OF ALL BOUNDARY RETAINING/PLINTH SHALL BE CARRIED OUT TO REFLECT THE INFLUENCE OF ALL EXISTING EARTHWORKS, RETAINING WALL AND STRUCTURES.

LEGEND

- ∅90 ——— DN90 STORMWATER PIPE
- ∅100 ——— DN100 STORMWATER PIPE
- DP DOWNPIPES
- DPx DOWNPIPE WITH SPREADER
- DPx DOWNPIPES DRAINING INTO THE RAINWATER TANKS (SHOWN DP-x) SHALL BE SEALED TO THE UNDERGROUND STORMWATER SYSTEM GRADE ALL SEALED SYSTEM STORMWATER TO FLUSH POINT
- FP — FLUSH POINT IN SUMP
- SUMP PROVIDE REMOVABLE SCREW CAP TO END OF PIPE IN SUMP TO ALLOW FOR PERIODIC CLEANING OF SEALED SYSTEM
- IP 90 PVC RISER + GRATE
- IP SUMP (CLASS A GRATED COVER, U.N.O)
- IP INSPECTION POINT
- ▭ RWT RAINWATER RETENTION/DETENTION TANKS (5000 LITRE MIN. CAPACITY) 1000 LITRES DETENTION WITH 25∅ RESTRICTED ORIFICE TO OUTLET PIPE & 4000 LITRES RETENTION CONNECTED TO ONE TOILET AND EITHER THE LDRY COLD WATER OUTLETS OR HOT WATER SERVICE. ROOF AREA TO TANK > 60% CONNECTED TO TANK BY DN100 PIPE
- ← OVT → OVERFLOW PIPE CONNECTED TO TANK OUTLET PIPE
- 100.000 FINISHED DESIGN LEVELS
- SURFACE FALL
- RW 0.4H — RETAINING WALL / CONCRETE PLINTH (0.2m MAX. HEIGHT) BY OWNER
- RW 0.4H — RETAINING WALL HEIGHTS
- TG 99.875 IL 99.675 DESIGN LEVEL: TG-TOP OF GRATE IL- INVERT LEVEL



NOTE:
NEW CROSSOVER AND ALTERATIONS TO EXISTING TO BE IN ACCORDANCE WITH COUNCIL SPECIFICATIONS

SITE PLAN
1:200

STORMWATER DETENTION EVALUATION
SITE AREA = 691m²
PERVIOUS AREA = 123m² < 35%
1000 L DETENTION REQUIRED

REV	DESCRIPTION	DATE	CHECKED
B	RE-ISSUED FOR PLANNING APPROVAL	17/11/2022	TF
A	ISSUED FOR PLANNING APPROVAL	22/07/2022	TF

STATUS	PRELIMINARY	DRAWN	DESIGN
COUNCIL	CITY OF WEST TORRENS	DRAFT CHECK	DESIGN CHECK
DESCRIPTION	SITE PLAN	DRAWING NO.	220629-C01
		SHEET SIZE	A3 REVISION B

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engineers and project management

or: Suite 3, No.83 Fullarton Rd,
Kent Town, SA 5067
t: 08 7123 4050
admin@gamaconsulting.com.au
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PROJECT
YUNIC RESIDENCE
LOT 40 (5) LOUISE AVENUE
FULHAM, SA

CLIENT
FIK & EDINA YUNIC

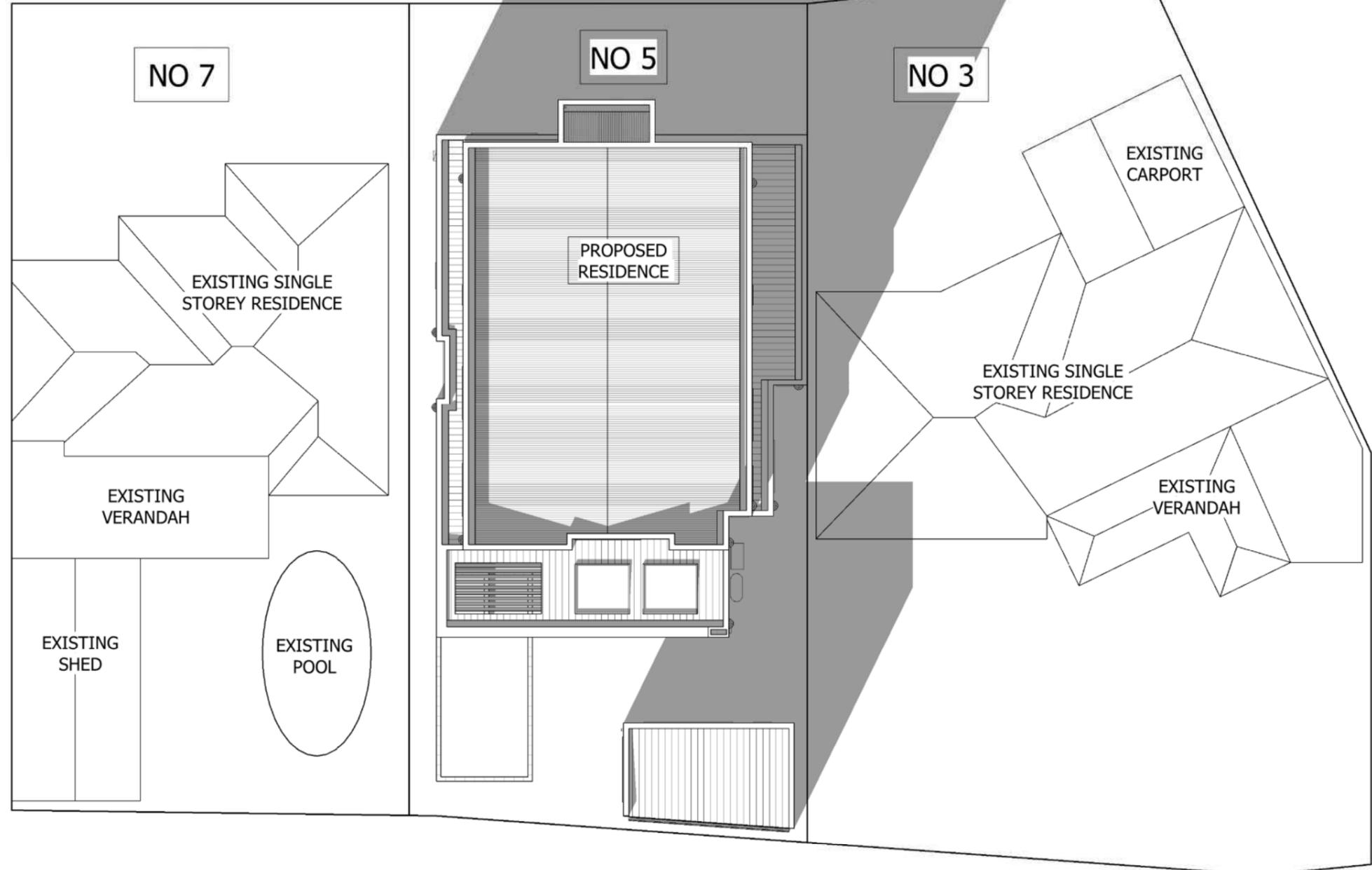
1:2022/2206 - JUNE220629\CAD\CURRENT\220629-C01-REV.B.DWG

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NOTES :
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LOUISE AVE ;



SHADOW
DIAGRAM -
JUNE
21ST 9AM

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DRAWN: L.C



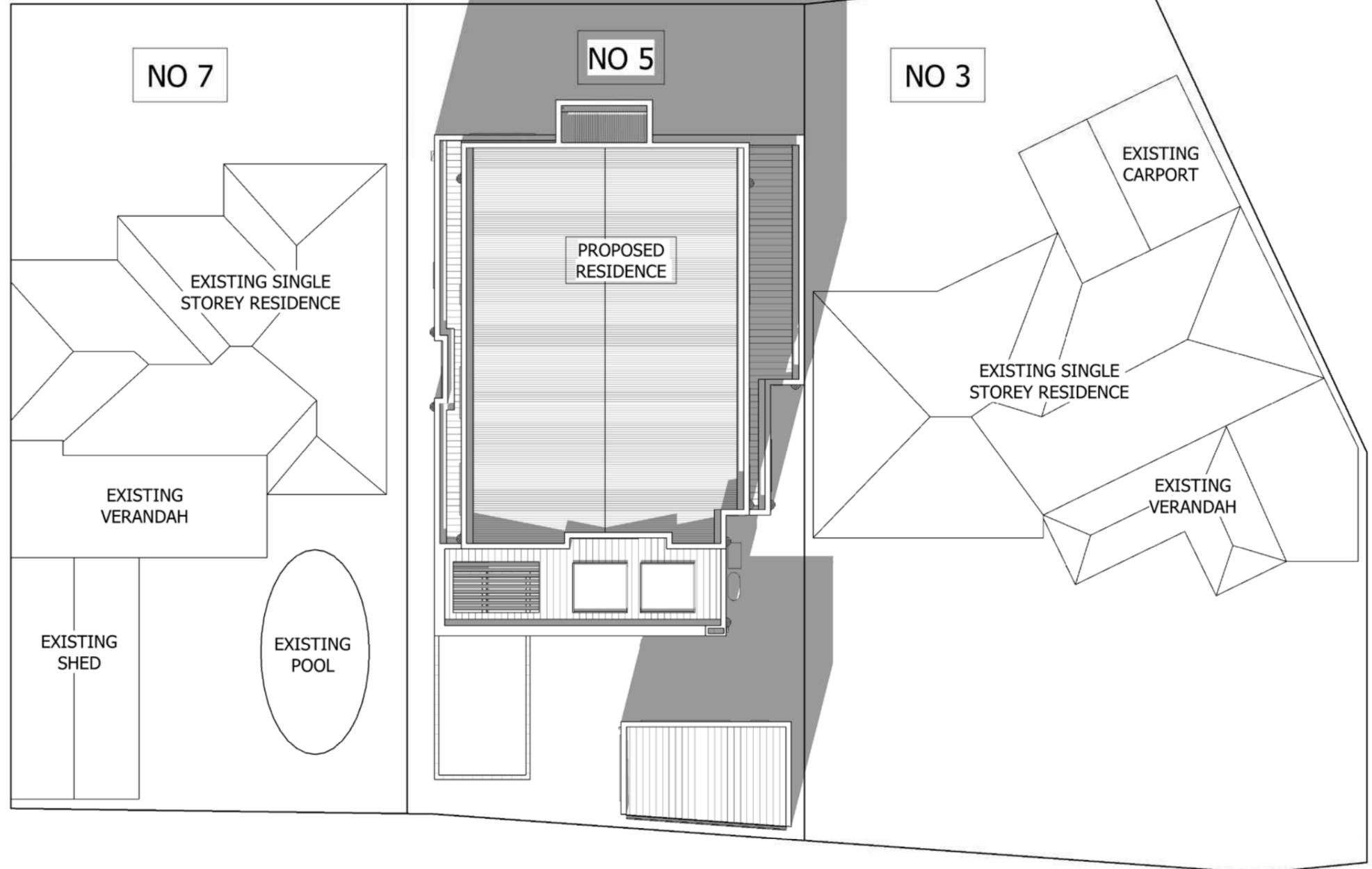
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LOUISE AVE
FULHAM**

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21ST 10AM

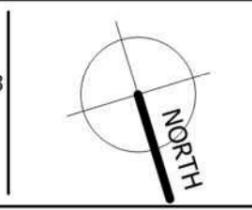
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FULHAM**

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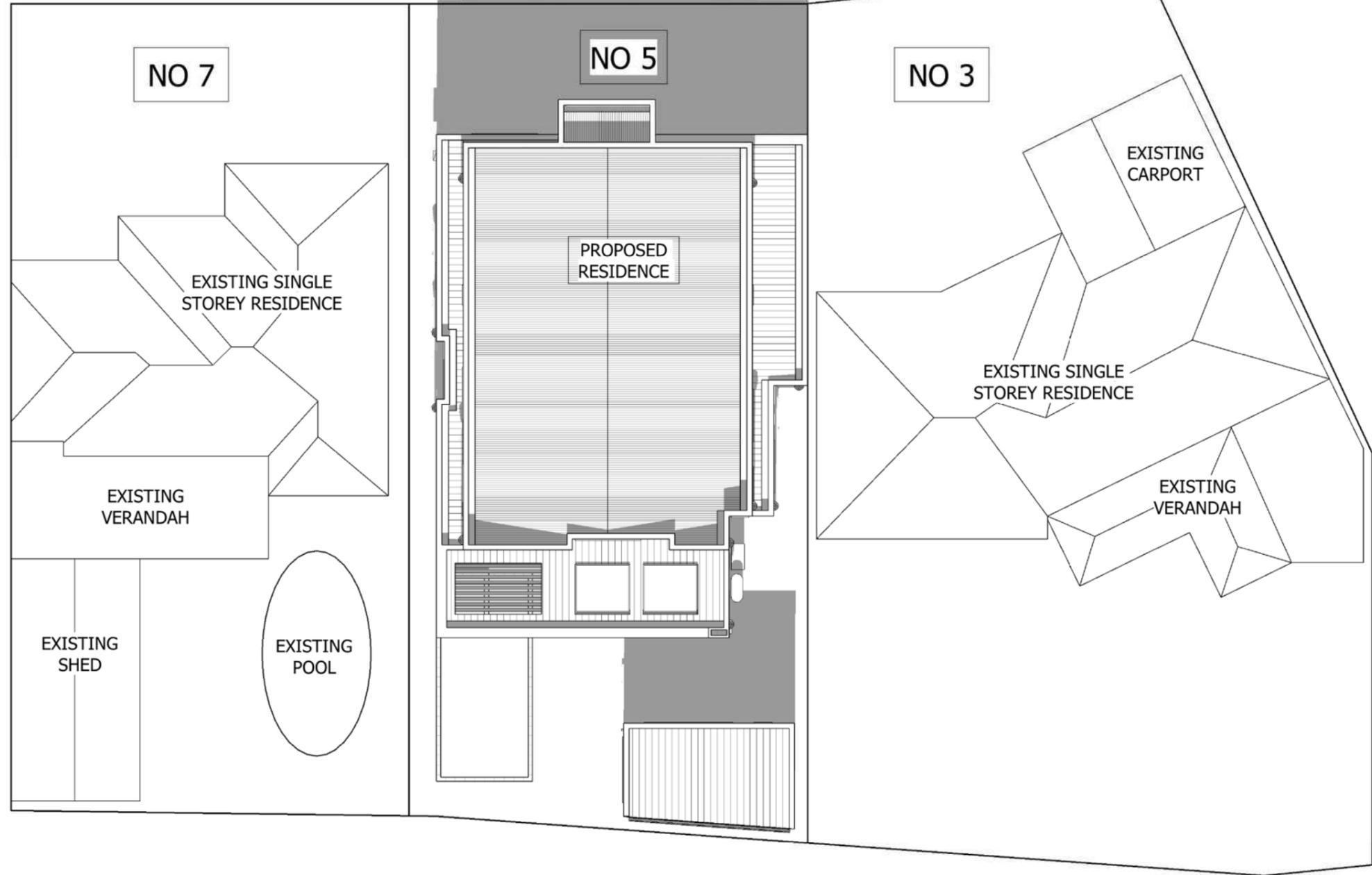
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SHADOW
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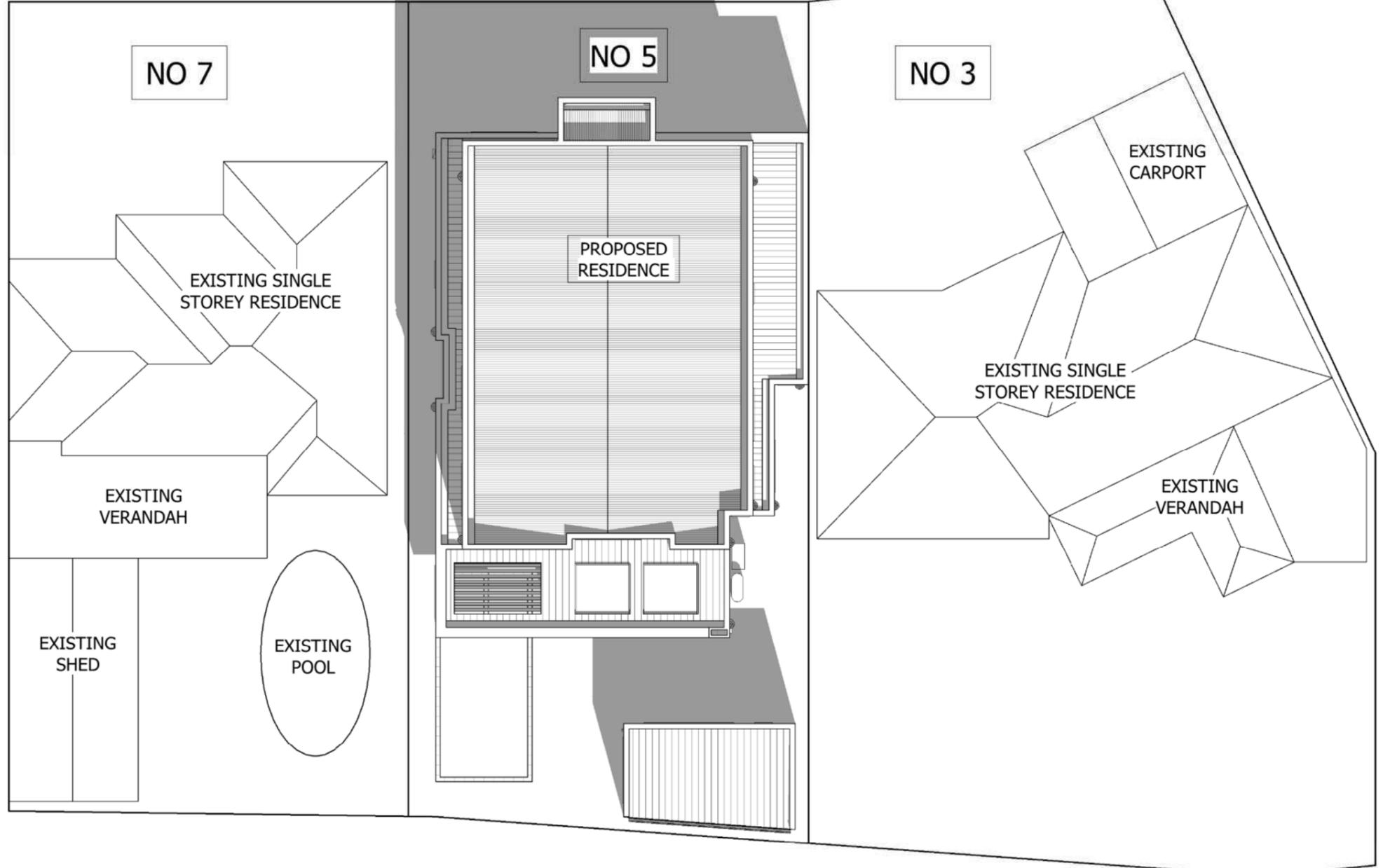
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SHADOW
DIAGRAM -
JUNE
21ST 12PM

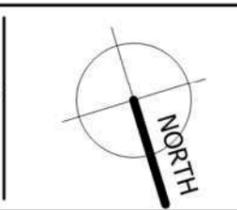
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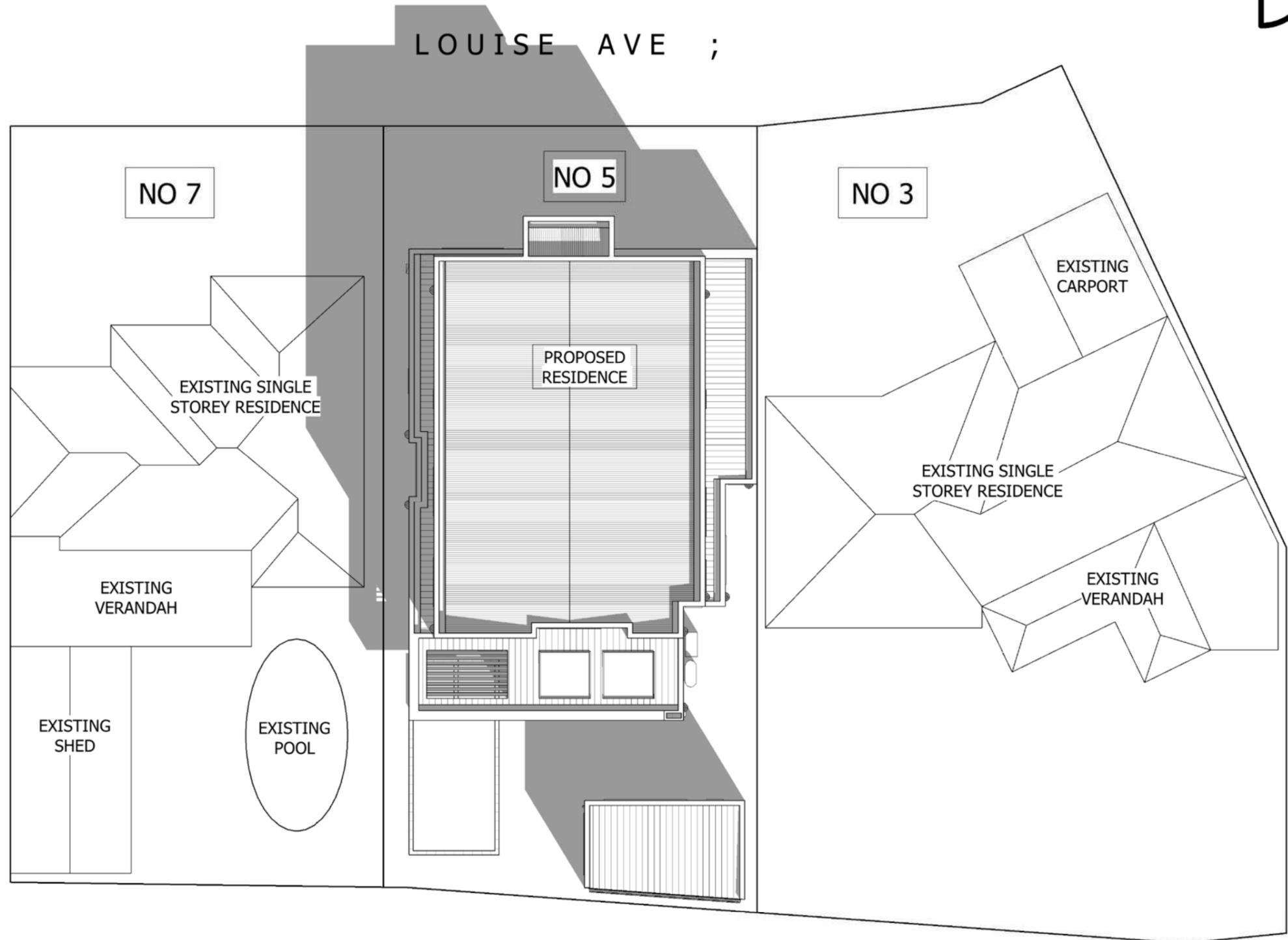
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SHADOW
DIAGRAM -
JUNE
21ST 1PM

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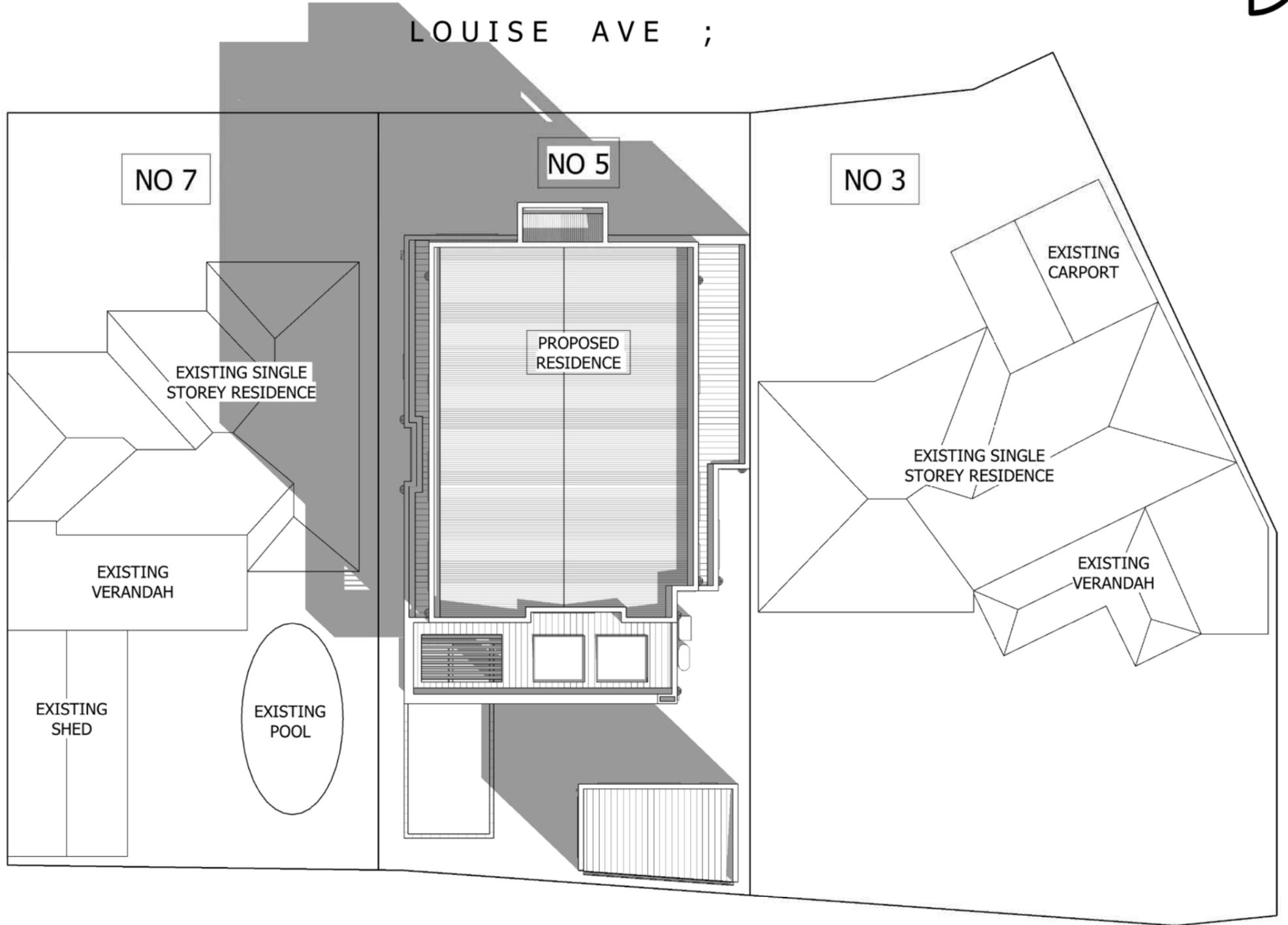
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SHADOW
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JUNE
21ST 2PM

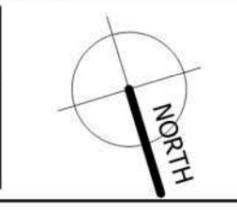
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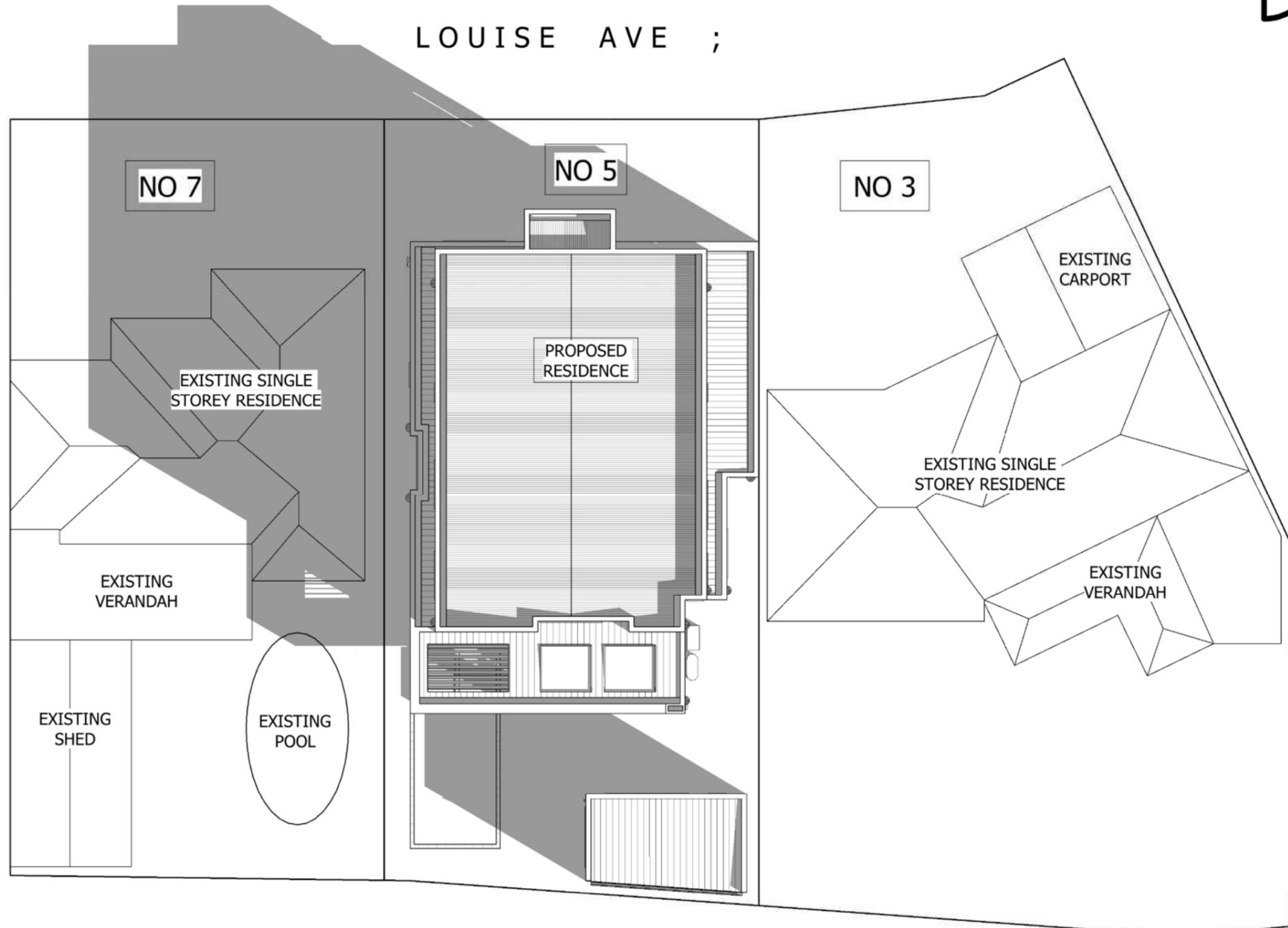
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SHADOW
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DRAWN: L.C



CLIENT: **F. & E. VUNIC**
PROPOSAL: **RESIDENCE**
SITE: **LOT 40 No 5
LOUISE AVE
FULHAM**

Details of Representations

Application Summary

Application ID	22022380
Proposal	Demolish existing, proposed 2 Storey Dwelling with detached rumpus and proposed Pool.
Location	5 LOUISE AV FULHAM SA 5024

Representations

Representor 1 - Michael Ribarich

Name	Michael Ribarich
Address	10 Tatura Crescent FULHAM GARDENS SA, 5024 Australia
Submission Date	10/10/2022 12:53 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

Proposed construction, design and elevation appears not in keeping, with any nearby dwellings. Construction footprint appears to totally dominate and overpower existing streetscape. Plan appears, simply too large, for this size land. There appears no area remaining for landscaping, vegetation, lawn or garden. Sufficient vehicle parking spaces may not have been considered, necessitating on street parking, creating further local traffic issues.

Attached Documents

Representations

Representor 2 - Manolin Ruehling

Name	Manolin Ruehling
Address	10 Tatura Crescent FULHAM GARDENS SA, 5024 Australia
Submission Date	10/10/2022 08:23 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<p>Reasons</p> <p>As a nearby resident (within 130 meters) I consider this plan identifies construction of a building so radically different from surrounding properties. As such it draws attention to the downfall of traditional established homes. Size on plan, appears to dwarf any other residence. As such, proposed construction has become a local topic of discussion with many considering 'scale' ill-advised for land size. I have been approached by others in the vicinity, and as such voice my concern. Note, I'm already personally affected by recent nearby construction, built with insufficient car parking, where residents now park outside my house. Development can go too far...and too silly.</p>	

Attached Documents

Representations

Representor 3 - Marson Lesley

Name	Marson Lesley
Address	1 Tatura cres FULHAM GARDENS SA, 5024 Australia
Submission Date	11/10/2022 03:39 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

We do not wish to see a large dwelling interrupting our view . 6 bedrooms and 6 bathrooms?? What about the impact on the environment, not to mention the water usage for 6 bathrooms. Are you sure that it won't turn into a boarding house with noise pollution added to the problem. I feel to go ahead with this dwelling would be a mistake which you can't undo once it is built.

Attached Documents

Representations

Representor 4 - Merlindie Fardone

Name	Merlindie Fardone
Address	2 Tatura Cres FULHAM GARDENS SA, 5024 Australia
Submission Date	12/10/2022 03:49 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

Reasons

Detrimental Impact on Neighbouring Amenity Overbearing effects - the scale of the pool room / rumpus room on the boundary will result in significant overshadowing and loss light to number 4 Tatura Cres, which is located directly behind the proposed dwelling. Overbearing impacts can be caused by: 1. the physical 'presence' of a building - its scale and mass; 2. an oppressive feeling as a result of the development; 3. an intrusive feeling as a result of the development. All these impacts will be felt due to this proposed dwelling. Other reasons Include; They are breaching the soft landscaping requiring a 25% (Their soft landscaping shows' 17.9% on page 10 of 10 of the engineering drawings) They are breaching the tree canopy requiring 1 medium or 2 small trees. They are providing NON.

Attached Documents

Representations

Representor 5 - Daniel Attanasio

Name	Daniel Attanasio
Address	6 Tatura Crescent FULHAM GARDENS SA, 5024 Australia
Submission Date	13/10/2022 03:09 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
<p>Reasons</p> <p>Myself and my fiance are the home owners of 6 Tatura Crescent, Fulham Gardens. We do not support this future development. Our backyard, like my neighbour's at 4 Tatura Crescent will be compromised and our privacy too. Not only will this structure hinder our skyline views from our eating areas, lounging area and entire backyard but the residents will also be able to see everything we do which we do not want. Those issues can't be rectified with this proposed structure. Not only that but communally it doesn't suit the demographic of Fulham Gardens. I'm sure you're also aware that the soft landscaping percentage of (17.9%) on the proposed structure doesn't meet the regulations being greater than 450sqm requiring a minimum of 25%. Same as the Urban Tree Canopy not meeting regulations too. This house is what some would call 'out of place' and like many others we do not want to be looking at, or have people invading our privacy for the rest of our lives. We live in an area where single story, character homes are dominate and homes like this devalue that unique, old style feeling to this area. The name Fulham Gardens means something to the residents of this area, something of which this proposed structure doesn't meet.</p>	

Attached Documents

Representations

Representor 6 - Maria Albanese

Name	Maria Albanese
Address	9 Louise Ave FULHAM SA, 5024 Australia
Submission Date	14/10/2022 03:07 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<p>Reasons</p> <p>Dear Sir/ Madam, My house number 9 is set back from the front. All the other houses are set back in an exact way and line up on both sides. They are also all single story. The proposed development will not be in harmony with the other houses in Louise Ave. It is a massive intimidating house. Oversized and sticks out from the rest of the houses. My concerns are: 1. Loss of sunlight and overshadowing on my house 2. Oversized & overbearing building 3. No trees 4. Very small green area. Concerning the application development: • It does not comply with policies applicable to this site in terms 25% soft landscaping. (Providing only 17.9% green area) • It does not comply with Urban Tree Canopy Overlay that requires : 1 medium tree or 2 small trees Please do not approve the development. Kind regards</p>	

Attached Documents

Representations

Representor 7 - Kota Zoubari

Name	Kota Zoubari
Address	4 Tatura Crescent FULHAM GRADENS SA, 5024 Australia
Submission Date	14/10/2022 03:58 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons Please refer to attached correspondence.	

Attached Documents

53115LET01-1125613.pdf



14 October 2022

City of West Torrens
Council Assessment Panel

Via email: development@wtcc.sa.gov.au

Attention: Presiding Member, Ms Shanti Ditter

Dear Ms Ditter

Re: Statement of Representation
Application ID: 22022380
5 Louise Avenue, Fulham SA 5024

MasterPlan has been engaged by Mr Kota Zoubari, the owner of land at 4 Tatura Crescent, Fulham Gardens.

Our client's land is located adjacent to the northern boundary of the development site. Our client's land is occupied by a single-story detached dwelling with attached ancillary accommodation and garage connected to the main dwelling by an undercover outdoor living area with an outlook to the south.

We note the proposed development comprises the construction of the following development elements:

- Detached Dwelling – 2 Storey (Performance Assessed);
- Swimming Pool (Deemed to Satisfy); and
- Ancillary Accommodation - Rumpus Room (Performance Assessed).

Our client has two (2) principal concerns associated with the proposed development which result from a number of deficiencies arising from the assessment of the proposed development against the relevant Performance Outcome (PO) and Designated Performance Feature (DPF) policies under the Planning and Design Code.

The two (2) primary concerns relate to:

1. the construction of the proposed wall on the common boundary; and
2. the potential for overlooking from the north-facing upper-level window and the unreasonable impact on the adjoining owner's expectation of privacy.



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Adelaide SA 5000
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Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au

53115LET01



On review of the application documents, we note the following information is lacking:

- The proposed Rumpus Elevations illustrated on Sheet 9 of 10 do not provide an overall height of the wall on the boundary, which I scale at between 3.6 and 3.7 metres in height above the finished floor level.
- The Ground Floor Plan, as illustrated on Sheet 4 of 10 does not provide a dimension for the length of the wall on the boundary, which I scale at approximately 8.6 metres in length representing 46.9 per cent of the boundary.
- There are no details provided with respect to whether boundary fencing is being retained or replaced albeit the Civil Site Plans prepared by Gamma Consulting, show that the site levels are to change by between 100 and 200 millimetres as reflected by the proposed retaining wall heights.
- There are no specific details associated with the position and type of air-conditioning to be used for the Rumpus Room, unless confirmation can be provided that the air conditioning unit servicing the main house will also serve the Rumpus Room.
- The proposed Landscaping Plan provides for no trees to be planted in accordance with the Urban Tree Canopy Overlay applicable to the site.

In our assessment of the proposed development against the relevant policies of the Planning and Design Code, we note that:

- the height of the Rumpus Room (Ancillary Building) wall on the rear boundary **exceeds** the guideline for ancillary building wall height by approximately 600 millimetres to 700 millimetres as expressed in the General Neighbourhood Zone DPF 11.1(h) which specifies 3.0 metres as an acceptable height on the boundary;
- the length of the wall on the boundary, while not exceeding the identified acceptable length of 11.5 metres (DPF 11.1(e)), does **exceed** the acceptable total percentage length on the boundary by approximately 2.0 per cent expressed as 45 per cent (DPF 11.1(f));
- as annotated on the Landscaping Plan, Sheet 10 of 10, only 17.9 per cent soft landscaping is provided, a shortfall from the 25 per cent sought to be provided on sites greater than 450 square metres (Zone DPF 11.1(i) and Design in Urban Areas DPF 22.1). This results in a deficiency in required on-site landscaping of approximately 49 square metres, which is greater than the equivalent size of the Rumpus Room which has a floor area of 43.41 square metres; and
- the upper-level north-facing window is located approximately 13.5 metres from the rear boundary and despite being located adjacent to a void, does have adjacent floor levels that will afford the opportunity for direct views into our client's private open space and the habitable room windows of the existing ancillary accommodation contrary to Design in Urban Areas PO 10.1 and DPF 10.1.



Our assessment does not address further deficiencies of the proposed development that are evident with the design and siting of the detached dwelling as they do not directly affect our client's concerns. However, we note that these deficiencies, when considered as a whole, combine to provide a cumulative impact that suggests the proposed development is an overdevelopment of the subject land.

In summary, we are of the opinion that:

- The upper-level north-facing window results in an unacceptable impact on our client's reasonable expectation of visual privacy contrary to Design in Urban Areas PO and DPF 10.1.
- The extent and height of the ancillary residential building's wall on the boundary results in an unacceptable visual impact on our client's residential amenity and is contrary to the General Neighbourhood Zone PO and DPF 11.1, which is reinforced by the Design in Urban Areas PO and DPF 19.1.
- The proposed development fails to provide sufficient soft landscaping in accordance with General Neighbourhood Zone PO and DPF 11.1(k), which is reinforced by the Design in Urban Areas PO and DPF 19.1(k). This detracts from the envisaged amenity of the General Neighbourhood Zone.
- The deficiency in the expected amount of soft landscaping on the site (noted to be the extent of the floor area of the proposed Rumpus Room) is exacerbated by the failure to incorporate landscaping that accommodates the requirements of the Urban Tree Canopy Overlay.

We are of the opinion that the proposed development in its current form represents an overdevelopment of the site that has direct impacts which detract from our client's residential amenity as a result of the failure to satisfy key policies of the Planning and Design Code.

Accordingly, the proposed development in its current form **does not** warrant approval.

Our client wishes to make verbal submissions in support of their objection to this development.

Can you please advise our client of the date and time that this application will be reported to the Council Assessment Panel, so they or their representative can be in attendance to make the aforementioned verbal submission?

If you have any questions regarding the above submission, please contact me on 0413 832 603.

Yours sincerely

Greg Vincent
MasterPlan SA Pty Ltd

Representations

Representor 8 - Samir Beshara

Name	Samir Beshara
Address	1 Louise Ave FULHAM SA, 5024 Australia
Submission Date	15/10/2022 08:10 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
<p>Reasons</p> <p>Dear Sir/ Madam, All the other houses in Louise Ave are single story with landscaped gardens on the front and the back. They are all set back from the front in symmetrical manner. This makes our suburb unique and sought after in real estate. This new development will stand out at odds against the other houses in our street. It is a huge house; making a bizarre contrast and deprives our street of symmetry My concerns are: 1. The building is oversized & oppressive in nature 2. The lack of trees 3. The tiny green area provided. 4. Does not comply with policies applicable to this site in terms 25% soft landscaping. 5. Does not comply with Urban Tree Canopy Overlay Kindly do not approve the development until they comply with the policies. Thank you in advance</p>	

Attached Documents

Representations

Representor 9 - James Clifford

Name	James Clifford
Address	22 Riverside Dr FULHAM SA, 5024 Australia
Submission Date	17/10/2022 03:16 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
<p>Reasons I believe the planning consent should be granted , and are very happy to be involved in the process. Thanks James</p>	

Attached Documents

Representations

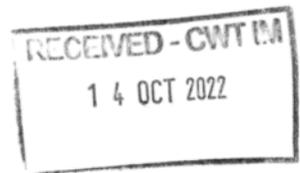
Representor 10 - Geoff Higgins

Name	Geoff Higgins
Address	3 LOUISE AVENUE FULHAM SA, 5024 Australia
Submission Date	18/10/2022 09:10 AM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

GeoffAndRobynHiggins-RepresentationOnApplication-22022380-5LouiseAvenueFulhama2918618-4063202.pdf

+++REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT



Planning, Development and Infrastructure Act 2016

Applicant: Robyn and Geoff Higgins *[applicant name]*

Development Number: Application ID: 22022380 *[development application number]*

Nature of Development: Demolish existing, proposed 2 Storey Dwelling with detached rumpus and proposed Pool *[development description of performance assessed elements]*

Zone/Sub-zone/Overlay: Detached dwelling *[zone/sub-zone/overlay of subject land]*

Subject Land: 5 LOUISE AVE, FULHAM SA 5024 *[street number, street name, suburb, postcode]*
LOT 40. D7593AL40, CT5592?987
[lot number, plan number, certificate of title number, volume & folio]

Contact Officer: Assessment Panel at City of West Torrens *[relevant authority name]*

Phone Number: 0884166333 *[authority phone]*

Close Date: 18th October, 2022 *[closing date for submissions]*

My name*: Geoff and Robyn Higgins

My phone number: 083568497

My postal address*: 3 Louise Ave, Fulham SA 5024

My email: higginsgl@hotmail.com

* Indicates mandatory information

My position is: I support the development
 I support the development with some concerns (detail below)
 [We] oppose the development



Government of South Australia
Department for Trade
and Investment

The specific reasons I[we] believe that planning consent should be **refused** are:

The proposed building significantly impacts on the existing ambience of the street with its front section set well forward of the neighbouring houses on the northern side of our street. Louise Avenue is unusual in that the road "elbows" in front of number three, so that we currently enjoy a substantial view of the streetscape which will be significantly compromised by more than 50% if the new build goes ahead as proposed. We note from the drawings provided on the website that there is a fence protruding from the wall of the garage. This fence will further adversely affect our view to the east of the front of our house.

Currently, our perimeter fence is in very good condition and we are not keen to see 2 separate sections of brick wall on our eastern boundary. The owner has indicated that he is considering creating a walkway around the inside of his boundary. This would be our preferred option.

The heating/cooling air conditioner is currently situated at the rear of the building, which will require significant cooling (in spring/summer) and heating (in autumn/spring/winter). The immediate surrounds are concrete surfaces, with no obvious green vegetation to impact sound absorption, and the proximity of the unit to 2 of our bedrooms will impact on our health and well-being. Greater air circulation could be achieved by building the house approximately 1m inside the boundary, thereby allowing the southerly breezes to penetrate the back area of the building.

We also question the height of the proposed rumpus room, as it appears that the outside walls will be 3.7 metres high, notably higher than our current pool safety fence, and this will reduce our access to sunlight/warmth. These elements will impact on maintaining our eco-friendly, green environment and our personal health and well-being.

We understand that the proposed building is greater than 450m² and this requires a minimum of 25% area of soft landscaping. It appears that the rule about trees being planted to contribute to an urban tree canopy is not included in the proposed plans. As we know, soft landscaping has the capacity to counter act the carbon footprint that will be made on the environment.

We trust that you will give our concerns your most earnest consideration.

Thanking you

Geoff and Robyn Higgins

[attach additional pages as needed]

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) *[list any accepted or deemed-to-satisfy elements of the development]*

I: wish to be heard in support of [our] submission*
 do not wish to be heard in support of my submission

By: appearing personally
 being represented by the following person: Click here to enter text.

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:   Date: 14/10/2022
GEOFFREY L. HIGGINS ROBYN A. HIGGINS.

Return Address: 3 Louise Ave, Fulham SA 5024 [relevant authority postal address] or

Email: higginsgl@hotmail.com [relevant authority email address] or

Complete online submission: planninganddesigncode.plan.sa.gov.au/haveyoursay/

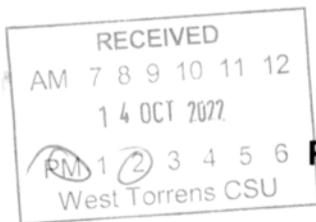
Representations

Representor 11 - Michael Roe

Name	Michael Roe
Address	7 LOUISE AVENUE FULHAM SA, 5024 Australia
Submission Date	18/10/2022 09:11 AM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	

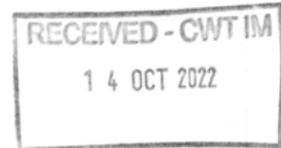
Attached Documents

MichaelRoe-RepresentationOnApplication-22022380-5LouiseAvenueFulhama2918704-4063220.pdf



REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016



Applicant: Designtech Studio
Development Number: 22022380
Nature of Development: Proposed Dwelling
Zone/Sub-zone/Overlay: General Neighbourhood
Subject Land: No 5 Louise Ave, Fulham SA 5024
Contact Officer: Brett Mickan
Phone Number: (08) 8416 6333
Close Date: 18 Oct 2022 at 11:59pm

My name*: * **MICHAEL ROE** My phone number:
 My postal address*: * **7 LOUISE AVE FULHAM** My email: *

* Indicates mandatory information

- My position is:
- I support the development
 - I support the development with some concerns (detail below)
 - I oppose the development

The specific reasons I believe that planning consent should be granted/~~refused~~ are:

**THE PROPOSAL MEETS PERFORMANCE OUTCOMES
 1.1, 2.1, 3.1, 4.1 5.1, 8.1
 IT WILL ADD VALUE TO THE STREET & IMPROVE
 THE STREET SCAPE.**

[attach additional pages as needed]



Government of South Australia
 Department for Trade
 and Investment

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text. \[list any accepted or deemed-to-satisfy elements of the development\].](#)

I: wish to be heard in support of my submission*
 do not wish to be heard in support of my submission

By: appearing personally
 being represented by the following person: [Click here to enter text.](#)

**You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature: 

Date: 14-10-22

Return Address: **165 Sir Donald Bradman Drive, Hilton SA 5033**

or

Email: development@wtcc.sa.gov.au



2/378 Goodwood Road, Cumberland Park SA 5041
ABN 54 289 363 825

16/11/2022

RESPONSE TO REPRESENTATION/S

Application ID: **22022380**
5 Louise Ave, Fulham SA 5024

To Steven Tilbrook,

In response to the representations for the above mentioned application please see my response/s below.

In addition, please note we have also made the following amendments:

- Reduced the size of Rumpus and moved it 600mm off both boundaries.
- Reduced the length of Garage on boundary (11.5m maximum length).
- Amended soft landscaping and is now 28.1% (25% required).
- Obscured the upper storey glazing at rear to a height of 1.5m above floor level
- Provided shadow diagrams which illustrate meets requirements.
- Existing boundary fences to be retained.

Representor 1; Michael Ribarich

The proposal meets the Performance Outcomes (PO), Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) in the General Neighborhood zone. The design and elevations meet PO & DTS/DPF 3.1 building footprint and site coverage not exceeding 60%. It also meets PO & DTS/DPF 4.1 building height, 5.1 primary building set back, 8.1 side boundary set backs, 9.1 primary dwelling set backs, 11.1 ancillary building requirements and 11.2. We have also provided five (5) off street carparking spaces which far exceeds what is required.

Representator 2; Manolin Ruehling

The proposal meets the Performance Outcomes (PO), Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) in the General Neighborhood zone. The design meets PO & DTS/DPF 3.1, 4.1, 5.1, 8.1, 9.1, 11.1 and 11.2.

Unfortunately we are not responsible for the 'personal affects' by recent nearby construction.

The fact that the representor is 130 metres away we would expect the impact on them to be minimal.



2/378 Goodwood Road, Cumberland Park SA 5041
ABN 54 289 363 825

Representator 3; Marson Lesley

The proposal meets the Performance Outcomes (PO), Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) in the General Neighborhood zone. The design meets PO & DTS/DPF 3.1, 4.1, 5.1, 8.1, 9.1, 11.1 and 11.2.

I do not believe the number of bedrooms and bathrooms is an assessed requirement.

In regards to the environment we will include the required on-site water retention and detention and the proposed dwelling will also meet a required 6 star energy rating.

Representator 4; Merlindie Fardone

The proposed Rumpus meets the requirements of DTS/DPF 11.1 a, b (does not exceed 60m²). We have amended the drawings to reduce the size of the Rumpus and moved it 600mm of both side and rear boundaries. as per DTS/DPF 11.1

The design meets PO & DTS/DPF 3.1 building footprint and site coverage not exceeding 60%.

We have also amended the Landscaping Plan to include additional trees & to comply with the soft landscaping requirements.

As per 'Shadow Diagrams' provided we also meet the requirements of PO & DTS/DPF 7.1 and 15.1 residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June.

Representator 5; Daniel Attansio

It is our intent that all neighbours privacy will be maintained. All of the proposed upper storey windows sill heights are at 1.5m above the floor level as required in PO & DTS/DPF 10.1 & 10.2.

We have also amended the upper rear window to include obscured glazing to a height of 1.5 metres above the floor level as required in PO & DTS/DPF 10.1 & 10.2.

I am not sure what is meant by not meeting the "demographic of Fulham Gardens" I would prefer to leave that alone and not get into a racial or religious argument and am shocked and surprised it was even mentioned.

We have added additional trees to the Landscaping plan and now meet the soft landscaping requirements and we also meet PO & DTS/DPF 3.1 building footprint and site coverage not exceeding 60%.

With regards to "single story, character homes are dominate" the current guidelines allow for two storey up to 9m in height as per PO & DTS/DPF 4.1.



2/378 Goodwood Road, Cumberland Park SA 5041

ABN 54 289 363 825

Representator 6; Maria Albanese

The proposal meets PO & DTS/DPF 5.1 primary building set back, 8.1 side boundary set backs, 9.1 primary dwelling set backs,

As per 'Shadow Diagrams' provided we also meet the requirements of PO & DTS/DPF 7.1 and 15.1 residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June.

By amending the Landscaping Plan have added additional trees and now meet the soft landscaping requirement and we meet PO & DTS/DPF 3.1 building footprint and site coverage not exceeding 60%. With regards to 'single story existing dwellings' the current guidelines allow for two storey up to 9m in height as per PO & DTS/DPF 4.1.

Representator 7; Kota Zoubari

The proposed Rumpus meets the requirements of DTS/DPF 11.1 a, b (does not exceed 60m²). We have amended the drawings to reduce the size of the Rumpus & move it 600mm off the side and rear boundaries.

All of the proposed upper storey windows sill heights are at 1.5m above the floor level as required in PO & DTS/DPF 10.1 & 10.2.

We have also amended the upper rear window to include obscured glazing to a height of 1.5 metres above the floor level as required in PO & DTS/DPF 10.1 & 10.2.

Boundary fencing has been amended on the Landscaping Plan and existing fencing to be retained.

On the amended Landscaping Plan we have added additional trees & we also meet soft landscaping requirements, we also meet PO & DTS/DPF 3.1 building footprint and site coverage not exceeding 60%.

It also meets PO & DTS/DPF 4.1 building height, 5.1 primary building set back, 8.1 side boundary set backs, 9.1 primary dwelling set backs.



2/378 Goodwood Road, Cumberland Park SA 5041

ABN 54 289 363 825

Representator 8; Samir Beshara

The proposal meets the Performance Outcomes (PO), Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) in the General Neighborhood zone. The design meets PO & DTS/DPF 5.1 primary building set back, 8.1 side boundary set backs, 9.1 primary dwelling set backs.

We have amended the Landscaping Plan to include additional trees meet the soft landscaping requirement.

With regards to "single story, character homes are dominate" the current guidelines allow for two storey up to 9m in height as per PO & DTS/DPF 4.1.

Representator 9, James Clifford

Thank you Mr Clifford and for your support.

Representator 10, Geoff Higgins

We have amended the landscaping plan and proposed fencing in order to reduce the impact on the representors "ambience" and "view of the streetscape". Existing fencing to be retained. The proposal meets the Performance Outcomes (PO), Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) in the General Neighborhood zone. The design meets PO & DTS/DPF 4.1 building height, 5.1 primary building set back, 8.1 side boundary set backs, 9.1 primary dwelling set backs. Any proposed air conditioners will comply with EPA noise requirements.

The proposed Rumpus meets the requirements of DTS/DPF 11.1 a, b (does not exceed 60m²). We have amended the drawings to reduce size of the Rumpus and moved it 600mm off side and read boundaries. The amended Landscaping Plan includes additional trees and we meet the soft landscaping requirement.

Representator 11, Michael Roe

Thank you Mr Roe and for your support. As you have mentioned the proposal does meet Performance Outcomes 1.1, 2.1, 3.1, 4.1, 5.1, 8.1 as well as others.



2/378 Goodwood Road, Cumberland Park SA 5041
ABN 54 289 363 825

After addressing the concerns raised by the representors and the fact that the proposed meets the guidelines for the General Neighborhood zone we would ask that Council grant approval for this application at 5 Louise Ave, Fulham

If you have any questions please let me know.

Kind Regards,

A handwritten signature in black ink, appearing to read "Travis Dunning", with a stylized flourish at the end.

Travis Dunning B.Arch

Director

P: (08) 7080 0476

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT**9.1 Activities Summary - December 2022****Brief**

This report presents information in relation to:

1. Any development appeals before the Environment, Resources and Development (ERD) Court where the Council Assessment Panel (CAP) is the relevant authority;
2. Other appeal matters before the ERD Court of which SCAP and the City of West Torrens Assessment Manger are the relevant authority;
3. Any deferred items previously considered by the CAP;
4. Summary of applications that have been determined under delegated authority where CAP is the relevant authority; and
5. Any matters being determined by the State Commission Assessment Panel (SCAP).

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Development Application appeals before the ERD Court in the City of West Torrens**CAP is the relevant authority**

DA number	Address	Description of development	Status
21028599	239 & 241-243 Richmond Road, RICHMOND	Demolition of existing dwellings and associated structures, and construction of three (3) warehouses with associated office and storage space, two retail tenancies with associated offices along with associated carparking landscaping and freestanding pylon signage	This application was refused. Appeal lodged on 6 July 2022 to ERDC. Preliminary conference scheduled for 16 December 2022.

Assessment Manager is the relevant authority

DA number	Address	Description of development	Status
22010657	3 Lowry Street, FULHAM	Construction of two (2) single storey detached dwellings	This application was refused. Appeal lodged on 6 July 2022 to ERDC. Hearing scheduled for 1 & 2 December 2022.
21028943	47 Lurline Street, MILE END	Torrens title land division - one allotment into two; demolition of existing outbuildings and ancillary structures and construction of new carport to side of existing dwelling	This application was refused. Appeal lodged on 31 August 2022 to ERDC. Appeal discontinued by appellant on 15 November 2022.

SCAP is the relevant authority

Nil

Deferred CAP Items

Nil

Development Applications determined under delegation (CAP is the relevant authority)

Awaiting Plan SA Portal functionality to report on relevant applications accurately.

Development Applications pending determination by SCAP

DA Number	Reason for referral	Address	Description of development
211/M135/21 Lodged 16 March 2021	Schedule 10	1 Selby Street, KURRALTA PARK	Construction of a 10-storey residential flat building with associated car parking and site works. Under Assessment.

Conclusion

This report is current as at 29 November 2022.

Attachments

Nil

10 OTHER BUSINESS

10.1 Planning Policy Considerations

10.2 Annual Report

10.3 Appointment of Members

11 MEETING CLOSE