

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, 11 APRIL 2023
at 5.00pm**

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 14 March 2023 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

6.2.1 148 Anzac Highway, GLANDORE

Application No 22032260

Appearing before the Panel will be:

Representor/s: **Jayne Stinson** of 407 Marion Road, Plympton wishes to appear in support of the representation.

Raymond Drummond of PO Box 228, Marlestone wishes to appear in support of the representation.

Fran Lynch of 1A Waymouth Avenue, Glandore wishes to appear in support of the representation. **Margaret Ribarich or Jayne Stinson** will appear on behalf of Fran Lynch.

Aijun Pan of 1 Ruthven Avenue, Glandore wishes to appear in support of the representation.

Applicant: **Greg Vincent** of Masterplan wishes to appear in response to the representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	22032260
APPLICANT	Andrew MacDonald
ADDRESS	148 Anzac Highway, Glandore
NATURE OF DEVELOPMENT	Construction of two (2) three storey residential flat buildings comprising 14 dwellings
ZONING INFORMATION	<p>Zones</p> <ul style="list-style-type: none"> Urban Corridor (Boulevard) <p>Overlays</p> <ul style="list-style-type: none"> Airport Building Heights (Regulated) Affordable Housing Building Near Airfields Design Heritage Adjacency Hazards (Flooding - Evidence Required) Major Urban Transport Routes Noise and Air Emissions Prescribed Wells Area Regulated and Significant Tree Traffic Generating Development <p>Technical Numeric Variations (TNVs)</p> <ul style="list-style-type: none"> Maximum Building Height (Metres) (Maximum building height is 12.5m) Maximum Building Height (Levels) (Maximum building height is 3 levels) Minimum Primary Street Setback (Minimum primary street setback is 3m) Interface Height (Development should be constructed within a building envelope provided by a 30 degree plane, measured 3m above natural ground at the boundary of an allotment)

LODGEMENT DATE	25 October 2022
RELEVANT AUTHORITY	Council Assessment Panel (change to Assessment Manager if it is the rare circumstance this is the case)
PLANNING & DESIGN CODE VERSION	2022.19
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes
REFERRALS STATUTORY	<ul style="list-style-type: none"> • Department of Infrastructure and Transport (DIT)
REFERRALS NON-STATUTORY	<ul style="list-style-type: none"> • City Assets • Arboriculture Advisor • Heritage Advisor • Waste Management
DELEGATION	<ul style="list-style-type: none"> • A representor has lodged a valid representation and wishes to be heard. • The application involves residential development of three or more storeys above finished ground level
RECOMMENDING OFFICER	Karen Mitrovic
RECOMMENDATION	Grant consent with conditions

SUBJECT LAND AND LOCALITY

The subject land is formally described as Allotment 34 Filed Plan 7194 in the area named Glandore Hundred of Adelaide, Volume 5608 Folio 175, more commonly known as 148 Anzac Highway, Glandore. The subject site is rectangular in shape with a 30.48 metre (m) wide frontage to Anzac Highway and a site area of 1300.58 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 detached dwelling and associated outbuildings. The site is relatively flat. There are no Regulated Trees on the subject site, however a street tree located in the verge in front of the site is Regulated.

The locality consists of a mixture of commercial and residential development. The Established Neighbourhood Zone is located to the south of the subject land, containing a mixture of low density detached dwellings and increased density as a result of infill development.

The Urban Corridor (Boulevard) Zone extends to the north, east and west of the site, following the corridor of Anzac Highway. Along Anzac Highway a pattern of residential and commercial type activities has been established, with small scale commercial businesses and a residential care facility located in close proximity to the subject land. Extensive commercial development in the form of a shopping centre is located to the west on the opposite side of Anzac Highway.

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



Figure 1: Subject Land and Locality (source: WestMaps)

PROPOSAL

Should the proposed development receive Development Approval, the Applicant intends to demolish the existing structures on site and construct two residential flat buildings, each of which will contain seven, three storey dwellings.

The proposal consists of a two elements, a residential flat building and a verandah. A residential flat building is identified in the Urban Corridor (Boulevard) Zone as being a Performance Assessed form of development. A verandah has no assessment pathway within the zone and is therefore a Performance Assessed form of development.

Each dwelling includes two bedrooms, a living area, a multipurpose room, a second floor balcony and one undercover car park.

In addition to individual landscaping of each dwelling, communal landscaping is proposed to the front of the built form to provide screening. A total of 155.41 square metres, or 12%, of the site will be landscaped.

The Applicant has calculated that on a weekly basis the prospective residents are likely to generate, up to 840 litres of putrescibles, 350 litres of recyclables and 210 litres of organics. A communal waste enclosure is to be provided at the south western (rear) end of the site and has been designed to accommodate:

- 4 x 240L General Waste bins; and
- 6 x 240L Recycling bins; and
- 4 x 240L Organics bins

General waste will be collected weekly by Council's roadside collection service, with recyclables and organics collected fortnightly on alternating weeks.

The common driveway will be accessible via a new crossover to Anzac Highway. The new 7m wide, exposed concrete crossover to Anzac Highway has been designed to accommodate simultaneous two-way movements. The existing crossovers to Anzac Highway will be closed.

There will be 17 parking spaces available within the site, including 14 'resident' spaces (one space per dwelling in the form of a single garage) and three 'visitor' spaces (located at the rear of the site along the south eastern boundary).

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 Urban Corridor (Boulevard) Zone in the Planning and Design Code (The Code).

Properties notified	73 properties were notified during the public notification process.
Representations	5 representations were received.
Persons wishing to be heard	<p>4 representors who wish to be heard.</p> <ul style="list-style-type: none"> • Jayne Stinson of 407 Marion Road, Plympton • Raymond Drummond of PO Box 228, Marleston • Fran Lynch of 1A Waymouth Avenue, Glandore - Represented by Margaret Ribarich or Jayne Stinson • Aijun Pan of 1 Ruthven Avenue, Glandore
Summary of representations	<ul style="list-style-type: none"> • Impact on privacy/overlooking • Removal of vegetation • Traffic/parking concerns • Lack of appropriate landscaping • Concerned development will obstruct supply of direct sunlight to their private rear yard. • Visual impact/design concerns • Increased noise from occupants • Impact on property values

Applicant's response to representations	<p>Concerns were raised regarding the following matters:</p> <ul style="list-style-type: none"> • Overlooking has been mitigated through the use of obscured glass etc. • The proposed development is consistent with the Zone guidelines regarding the presentation of the development within the immediate ANZAC Highway locality • Overshadowing may occur, however is in accordance with the requirements of the Planning and Design Code • Landscaping has been provided in accordance with the requirements of the Planning and Design Code • Car parking is provided in accordance with the requirements of the Planning and Design Code • Impact on property values cannot be considered in the Planning assessment
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A copy of the representations and the applicant's response is contained in **Attachment 2**.

INTERNAL REFERRALS

Department	Comments
City Assets	<ul style="list-style-type: none"> • Stormwater has been satisfactorily dealt with in accordance with Council requirements • On site parking is provided in accordance with the Planning and Design Code • Anzac Highway is under the care and control of DIT, access should be in accordance with DIT requirements
Arboriculture Advisor	<ul style="list-style-type: none"> • The regulated street tree located in front of the site should be protected during the construction period. Appropriate conditions should be applied to ensure this.
Heritage Advisor	<ul style="list-style-type: none"> • The proposed development will not be detrimental to the character of the Local Heritage listed Avenue of Claret Ash Trees located directly in front of the subject land
Waste Management	<ul style="list-style-type: none"> • The proposed development for 14 - two bedroom dwellings is able to be serviced by Council's kerbside waste collection in accordance with the report supplied by Colby Phillips

A copy of the relevant referral responses is contained in **Attachment 3**.

EXTERNAL REFERRALS

Department	Comments
Commissioner of Highways (DIT)	<ul style="list-style-type: none"> • No objection, with comments • Conditions included for consent

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

ASSESSMENT

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

PLANNING AND DESIGN CODE PROVISIONS	STANDARD	ASSESSMENT
Primary Street Setback Urban Corridor (Boulevard) Zone DTS/DPF 2.4	The building line of buildings setback from the primary street boundary: (a) not less than: 2m	3m at closest point Satisfies
Setback from Rear Urban Corridor (Boulevard) Zone DTS/DPF 2.7	Building walls setback from rear boundaries a minimum of 3m	5.355m at closest point Satisfies
Side Setback Urban Corridor (Boulevard) Zone DTS/DPF 2.6	Building walls with no window/s or balcony/ies fronting the boundary, setback from side boundaries as follows: (a) no minimum on the boundary, within the first 18m from the front property boundary for any building level (b) no minimum for remaining length for ground level only (c) 2m for 1st level and above for building parts more than 18 metres from the front property boundary	Ground Floor: 2.539m 1 st Floor: 1.039 m 2 nd Floor: 2.839 m Satisfies
Interface Height Urban Corridor (Boulevard) Zone DTS/DPF 4.1		<u>Southern Boundary (Rear)</u> 5.355 m Does not satisfy

	<p style="text-align: center;">Interface Height</p> <p>Buildings constructed within a building envelope provided by a 30 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone as shown in the following diagram:</p> <p>LEGEND BUILDING ENVELOPE</p> <p>NATURAL GROUND LEVEL 2 STOREY DWELLING ZONE BOUNDARY 30° PLANE MEASURED FROM THE BOUNDARY 3.0m MAXIMUM BUILDING HEIGHT PRIMARY ROAD FRONTAGE</p>	
Building Height Urban Corridor (Boulevard) Zone DTS/DPF 3.1	<p>Except where a Concept Plan specifies otherwise, development does not exceed the following building height(s):</p> <p>Maximum building height is 8 levels</p> <p>Maximum building height is 12.5m</p>	<p>3 levels</p> <p>10.2 m</p> <p>Satisfies</p>
Car parking Transport, Access and Parking Module Table 2 - Off-Street Car Parking Requirements in Designated Areas	<p>2 bedroom dwelling - 1 space per dwelling</p> <p>Plus</p> <p>0.25 spaces per dwelling for visitor parking.</p>	<p>17 spaces provided on site</p> <p>1 per dwelling</p> <p>3 visitor parks</p> <p>Satisfies</p>
Private Open Space Design in Urban Areas Module Table 1 - Private Open Space	<p>Total private open space area:</p> <p>a) Site area <301m²: 24m² located behind the building line.</p> <p>b) Site area ≥ 301m²: 60m² located behind the building line.</p> <p>Minimum directly accessible from a living room: 16m² / with a minimum dimension 3m.</p>	<p>Dwellings 1 and 8</p> <p>Satisfies</p> <p>Dwellings 2 - 7 and 9 - 14</p> <p>Does not satisfy</p>
Overshadowing Interface between Land Uses Module DTS/DPF 3.1	<p>North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.</p>	<p>Satisfies</p>

Overshadowing Interface between Land Uses Module DTS/DPF 3.2	Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following: a. for ground level private open space, the smaller of the following: i. half the existing ground level open space or ii. 35m2 of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m) b. for ground level communal open space, at least half of the existing ground level open space.	Satisfies								
Landscaping Design in Urban Areas Module DTS/DPF 13.1	Buildings provide a 4m by 4m deep soil space in front of the building that accommodates a medium to large tree, except where no building setback from front property boundaries is desired.	1.9 m x 10 m (in front of each building) Does Not Satisfy								
Deep Soil Zone plantings Design in Urban Areas Module DTS/DPF 13.2	Multi-storey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired. <table><tr><th>Site area</th><th>Minimum deep soil area</th><th>Minimum dimension</th><th>Tree / deep soil zones</th></tr><tr><td><300 m²</td><td>10 m²</td><td>1.5m</td><td>1 small tree / 10 m²</td></tr></table>	Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones	<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²	Satisfies
Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones							
<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²							
Residential amenity in multi-level building Design in Urban Areas Module DTS/DPF 28.4	Dwellings (not including student accommodation or serviced apartments) are provided with storage at the following rates with at least 50% or more of the storage volume to be provided within the dwelling: (b) 2 bedroom dwelling / apartment: not less than 10m ³	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

Performance Outcome 1.1 of the Urban Corridor (Boulevard) Zone encourages a vibrant mix of land uses, with a Residential Flat Building specifically listed as an envisaged form of development in DPF 1.1. The development contributes to the Zone's desire for a vibrant mix of land uses in order to add to the vitality of the area. The development introduces a form of residential accommodation to the locality and provides opportunities for smaller households to enter the neighbourhood.

The current use of the subject land is residential in nature. As a result, the intended land use, although an intensification, does not require a preliminary site contamination investigation in accordance with Practice Direction 14 and Desired Outcome 1 of the Site Contamination Section of the Code, and the site is considered to be suitable for residential use.

In accordance with Desired Outcome 1 of the Urban Corridor (Boulevard) Zone, the proposed development will increase the mix of residential accommodation in the area by replacing a detached dwelling with two residential flat buildings.

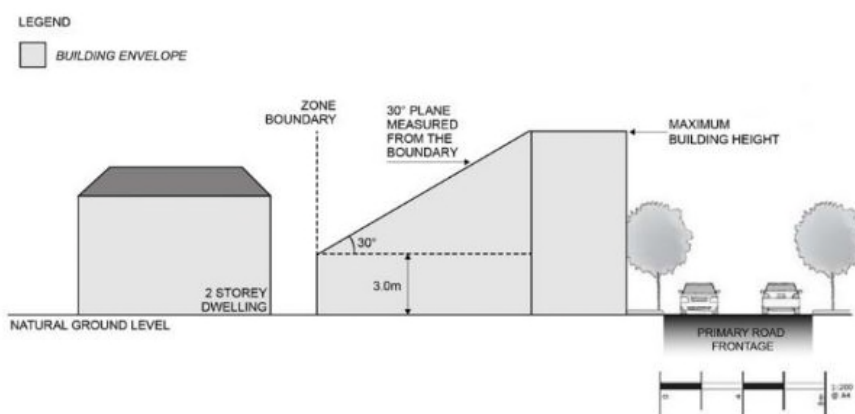
Desired Character & Pattern of Development

The zone seeks to encourage buildings that achieve a consistent, tall, uniform facade to frame the primary road corridor that are consistently well set back with areas of significant open space in front and a mix of residential type land uses. It is considered that, by proposing a development which is consistent with the desired height for the area, set back in accordance with the desired minimum and architecturally designed to complement the streetscape, the proposed development is consistent with the Desired Outcome of the Urban Corridor (Boulevard) Zone.

DPF 2.6 of the zone provides a side setback of 2m as guidance for first floor and above building walls without window/s or balconies fronting the boundary. The proposed development incorporates both windows and balconies to the side façade, so the quantitative amount is not specifically relevant, however PO 2.6 of the zone is relevant. The PO indicates that buildings should set back from side boundaries to provide separation between buildings in a way that complements the established character of the locality and enables access to natural sunlight and ventilation for neighbouring buildings. The side setback of the proposed development being 1.039m to the side boundary at its closest point is still considered able to meet PO 2.6 by allowing natural light and ventilation and by incorporating side façades that are stepped to help reduce their mass.

The desired outcome for the zone encourages redevelopment of sites with minimal or reduced setbacks in comparison with the current established pattern of development. Much of the established character remains as the original housing stock which is yet to be redeveloped and generous setbacks to the front, side and rear boundaries in most instances. Although the proposed development is not in keeping with the established character of the area, it is in keeping with the desired outcome for the zone which encourages reduced setbacks and increased density in order to provide a mix of residential and commercial type development.

DPF 4.1 of the zone provides a suggested height restriction within a 30 degree plane measured from a height of 3m above natural ground level at the boundary of an allotment used for residential purposes within a neighbourhood-type zone, as shown in the following diagram:



This policy is relevant in relation to the rear boundary of the proposed development and its interaction with the neighbouring residences within the Established Neighbourhood Zone. In order to reduce the impact of the rear dwelling façades on the adjoining properties, the built form has been designed with multiple textures, materials and colours being used to add interest to the structure. In addition, landscaping will be planted in order to obscure the built form from adjoining residential properties. Despite the built form failing to accord with the relevant interface provisions, the design techniques employed are considered to assist in minimising the mass of the building when viewed from adjoining land.

The intention of this DPF is to provide an appropriate interface height and assist in achieving PO 4.1 by mitigating the impact of building massing on residential development within a neighbourhood-type zone.

Whilst the proposed development doesn't achieve the DPF, it is considered that the development is able to satisfy PO 4.1 which identifies that buildings should mitigate impacts of building massing on residential development within a neighbourhood-type zone.

Built Form

As discussed above, the built proposed built form does not satisfy all of the quantitative requirements of the zone. However, it is considered that the built form will result in an envisaged form of development which has taken into consideration the character of the locality and attempted to mitigate the impact of any shortfall on neighbouring residential zones.

The maximum building height for the site is 3 levels and a 12.5m, with the proposed development satisfying this criteria. The context of the locality is mixed, being located on an arterial road. The existing built form in the area ranges from single storey detached dwellings, to multi storey residential development. It is considered that the proposed development adequately meets the design criteria set out by the Planning and Design Code and will complement the existing and changing character of Anzac Highway, whilst also attempting to minimise the impact of high level built form on adjoining residential land uses.

Amenity

Although the proposed development is three stories and 10.2m in height, the built form will not result in the overshadowing of neighbouring residences in excess of what the Planning and Design Code allows.

DPF 3.1 of the Interface between Land Uses section of the Code provides guidelines in relation to the impact of overshadowing on north facing windows of neighbouring residential land uses:

North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.

The Applicant has provided overshadowing diagrams to indicate that the proposed development will satisfy the requirements of this policy. The dwelling at 1A Waymouth Avenue is likely to be most impacted by overshadowing, however given the location of an existing verandah at the rear of this dwelling, the introduction of the proposed development will not cause overshadowing to habitable rooms of the dwelling. The proposal is therefore able to satisfy the criteria of this DPF within the Code.

DPF 3.2 of the Interface between Land Uses section of the Code provides guidelines in relation to the impact of overshadowing on private open space of neighbouring residential land uses:

Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following:

a. for ground level private open space, the smaller of the following:

i. half the existing ground level open space

or

ii. 35m² of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m)

b. for ground level communal open space, at least half of the existing ground level open space.

The overshadowing diagrams indicate that the dwellings at 1A and 1B Waymouth Avenue are likely to be most impacted by the proposed development. However, again the proposal is able to achieve the minimum criteria as identified in DPF 3.2 of the Code.

Although the proposal will clearly have some impact upon adjoining land located in a residential type zone, the minimum requirements set out within the Planning and Design Code are able to be achieved.

The proposed dwellings each incorporate a balcony and upper storey windows to the design. PO 10.1 and 10.2 of the Design in Urban Areas section of the Code encourage that development mitigates direct overlooking from upper level windows and balconies to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones. In order to meet the requirements, upper storey windows which could potentially overlook neighbouring private open space have been designed to incorporate either high sill levels, or obscured to 1.8m above the finished floor level. The windows which face towards the common driveway remain unobscured as they are not considered to result in direct overlooking to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones. Windows overlook the common driveway and any views to the south are indirect or on an angle where the outcome is tolerable. The balustrades belonging to the balconies will also be fitted with frosted glass to a height of 1.7 metres above the finished floor level to mitigate direct overlooking.

The subject land is located within the Noise and Air Emissions Overlay on a Designated Road: Type B. Whilst an acoustic report has not been supplied in support of the proposed development at the planning stage, the Applicant has advised that the services of an acoustic engineer will be engaged to inform the building designers of the necessary treatments required for the facades of the buildings. The Applicant also notes the design elements of the dwellings to reduce the potential impacts of traffic related emissions:

- *Placing rooms more sensitive to air quality and noise impacts (such as living rooms and bedrooms) on the building's upper floors so they are elevated above the ground level emission source of ANZAC Highway.*
- *Providing varying building widths, articulation and separation to and between the buildings, the ANZAC Highway frontage, the side property boundaries and the rear site boundary. These features will facilitate favourable ventilation conditions and the opportunity for planting of vegetation which will assist with the dispersion of air pollutants.*
- *Using design elements such as deep balconies enclosed with balustrades.*
- *Generally siting private open spaces behind fencing and balustrades, away from the ground level emission source, and primarily adjacent to the private open spaces behind the dwellings on the abutting residential properties.*

As a result it is considered that the desired outcome and performance outcomes 1.1, 1.2 and 1.3 of the Noise and Air Emissions Overlay are satisfied.

Private Open Space

Design in Urban Areas Table 1 identifies that 24 square metres of private open space should be provided to each dwelling. The private open spaces belonging to Dwellings 2 to 7 and 9 to 14 fall short of the recommended area (24 square metres) by 4.74 square metres, however this is not considered to be fatal to the application.

These dwellings will each have two areas of private open space in the form of a balcony and private courtyard, the private courtyards will have a minimum dimension of 3.0 metres, as sought by Table 1 of the Design in Urban Areas section of the Code; and the private courtyards will also be accessible, and visible, from a habitable room, as sought by PO 21.2 of the Design in Urban Areas Section of the Code.

Landscaping

The Planning and Design Code encourages landscaping of development sites to a high standard in order to assist in reducing thermal mass and provide positive contribution to the amenity of the site. PO 3.1 of the Design in Urban Areas section of the Code encourages that soft landscaping and tree planting are incorporated to:

- a) minimise heat absorption and reflection
- b) maximise shade and shelter
- c) maximise stormwater infiltration
- d) enhance the appearance of land and streetscapes.

The proposed development includes the following 155.41 square metres, or 12 percent of the area of the site, identified as being landscaped, with the planting of several mature trees to assist in screening the development as soon as possible from adjoining residential sites.

The extent of deep soil areas at the front of the site fail to achieve a 4 x 4 metre dimension as desired by the Code. This notwithstanding, the additional length in area provided (9.95m x 1.9m and 1.9 x 8.7m) is considered appropriate to provide a well landscaped garden bed, complementary to the building design.

The deep soil areas are to be planted with Manchurian Pears, which achieve a growth height up to 5 metres at maturity with a large canopy. The trees shall be bordered with other low-medium growing species to provide an attractive streetscape outcome and soften the appearance of the development when viewed from Anzac Highway. The deep soil areas and dimensions are sufficient to accommodate the recommended tree plantings and to this end, the development is considered to satisfy Design in Urban Areas, Performance Outcomes 7.4, 7.5, 7.6, 13.1 and 13.4.

In addition, a regulated street tree is located in the road reserve in front of the subject land. Council's arborists have provided comment in relation to the proposal and requested the inclusion of specific conditions to provide protection to the street tree should the application be approved.

It is considered that, on balance, the landscaping proposed is able to meet the requirements of the Code.

Parking and Access

The subject land is located on Anzac Highway, which is under the care and control of the Department for Infrastructure and Transport (DIT). As a result the application was forwarded to DIT for comment. They have advised that they support the proposal subject to a number of conditions which have been included in the recommendation.

Car parking will be provided on site, with 14 spaces dedicated to individual dwellings in the form of a single garage per residence, and 3 visitor spaces – located at the rear of the site. Table 2 - Off-Street Car Parking Requirements in Designated Areas identifies that, for a development of this type, parking is required at a rate of one per dwelling, and 0.25 spaces per dwelling for visitor parking, totalling 17.5 parks. As a result the proposed development falls short by 1 visitor car park.

Masterplan has provided comment on behalf of the Applicant in relation to the parking on site. They have identified that the proposal is considered to meet the requirements of the Code, and will increase on street car parking availability by consolidating crossovers in front of the site.

Council's City Assets section have reviewed the proposed development and provided advice that the proposed car parks are considered to be appropriate and sufficient in number to meet the Code requirements. City Assets have also justified their comments by identifying that the reduction in crossovers will also increase the number of on street car parks available in the area.

City Assets have raised the matter of a stobie pole being located in the proposed crossover as a potential issue. The Applicant is aware of the stobie pole and the requirement for them to relocate the infrastructure at their cost. Should the proposed development be approved, a note will be included in the consent to reiterate the need for the stobie pole to be relocated at the Applicant's cost.

The carpark dimensions and overall layout meet the relevant Australian Standards, which has been reviewed by Council's City Assets section, who has formed the opinion that from a traffic safety point of view, the proposal is satisfactory. The development as a whole has also been reviewed by the Commissioner of Highways who has deemed the proposal to be appropriate from a traffic, parking and access perspective.

Although the proposed development falls short of meeting the quantitative requirements for parking on site, it is considered that the proposed development has been designed to achieve the minimum requirements of the Design in Urban Areas section of the Planning and Design Code in relation to access and manoeuvrability, while falling slightly short in relation to parking.

To this end, the availability of on-site parking is appropriate to meet the likely demand generated from the facility and shall not result in unsafe traffic movements or compromise the flow of traffic upon the adjacent arterial and local roads.

Waste Management

Council's waste management team have reviewed the proposed development and provided advice that the scale of the development is such that Council is able to provide kerbside collection for the development, with a restriction on the number of bins provided to the site.

The Applicant has sought advice from a qualified person in relation to the waste capacity required on site and provided a report from Colby Phillips in support of the application. The report identifies that on a weekly basis the prospective residents are likely to generate up to;

- 840 litres of putrescibles,
- 350 litres of recyclables, and
- 210 litres of organics.

As a result, the following has been identified as being appropriate to service the site;

- 4 x 240L General Waste bins; and
- 6 x 240L Recycling bins; and
- 4 x 240L Organics bins

General waste will be collected weekly by Council's roadside collection service, with recyclables and organics collected fortnightly on alternating weeks.

Council's waste management team initially had some concerns with the scale of the proposed development and Council's ability to provide kerbside service to the site. However, following a review of the Colby Phillips report and further discussion with the Applicant, Council's waste management team are confident that the proposed development can be serviced by Council.

A communal waste enclosure is to be provided at the south western (rear) end of the site and has been designed to accommodate the number of bins required to service the site.

The communal waste enclosure has been designed to accommodate the requisite type and number of bins in accordance with PO 11.1 of the Design in Urban Areas Section of the Code. It has also been positioned at the rear of the site to reduce its visibility from Anzac Highway and as per PO 11.2 of the Design in Urban Areas Section of the Code.

Stormwater Management

The proposed development is supported by a site and drainage plan developed by DKVC Structural and Civil Engineers. In accordance with the plan, the following is to occur on site;

- each dwelling will come equipped with a 3,000 litre water tank;
- runoff from the roof atop each building will be directed to the tanks;
- overflow from the tanks will be diverted, and subsequently discharged, to Anzac Highway;
- surface water from the common driveway will be captured by a series of grated sumps; and
- surface water captured by the grated sumps will also be diverted, and subsequently discharged, to Anzac Highway

Council's City Assets section have reviewed the information supplied by the applicant and advised that the proposed stormwater management for the site is in accordance with Council's requirements.

The proposal is considered to satisfy the PO 36.1 and 36.2 relating to water sensitive urban design in the Design in Urban Areas section of the Code.

SUMMARY

The proposed development has been architecturally designed to provide an appropriate built form which is consistent with the changing character of the locality and does not negatively impact on the character or amenity of the area.

The siting of the built form and design allows the proposal to, on balance, satisfy the requirements of the Code and contribute to the provision of a mixture of residential uses in the area.

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 2022.19 dated 13 October 2022.

On balance, the proposal reasonably satisfies the relevant provisions of the Planning and Design Code Version 2022.19 and therefore the application warrants the granting of Planning Consent, subject to specified conditions.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107 (2)(c) of the *Planning Development and Infrastructure Act 2016*, and having undertaken an assessment of the applicant against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code Version 2022.19.
2. Application No. 22032260 by Andrew MacDonald of two (2) three storey residential flat buildings comprising 14 dwellings (CT-5608/175) 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:
 - Project No. 1638.21, Revision Date 17.03.23, Site Plan
 - Project No. 1638.21, Revision Date 13.10.22, Elevations
 - Project No. 1638.21, Revision Date 13.10.22, Ground Floor Plan
 - Project No. 1638.21, Revision Date 13.10.22, Level 2 Floor Plan
 - Project No. 1638.21, Revision Date 13.10.22, Level 3 Floor Plan
 - Job Number DDS-130 - DKVC Structural and Civil Engineers - Revision D - Civil Plan
 - Waste Management Report prepared by Colby Phillips - Dated 17 March 2023
 - Planning Report prepared by Masterplan - Dated 6 February 2022
2. Prior to the use and/or occupation of the structure(s), all stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details.
3. All planting and landscaping, with the exception of tree planting, shall be completed within six (6) months of occupation or the next available planting season and be maintained in a reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
4. All devices/treatments proposed and nominated on the approved plans, and forming part of the Development Application, to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises and maintained for the life of the building.
5. All car parking areas, driveways and vehicle manoeuvring areas must be constructed and properly drained in accordance with the approved plans prior to the occupation of the premises or the use of the development, and maintained in a good condition at all times.
6. No aboveground structure(s) such as letterboxes, service meters or similar are to be installed within the common driveway entrance and passing area.
7. Any works carried out within the TPZ shall be undertaken subject to the following during construction;
 - Air spade excavation only (no machine excavation, including trenching).
 - No changes in soil levels beyond the proposed or depositing of fill.
 - That a suitably qualified arborist oversees all works to be undertaken within the Tree Protection Zone
8. All waste collection is to be undertaken in accordance with the Waste Management Plan prepared by Colby Phillips Advisory in the report dated 17 March 2023, to the reasonable satisfaction of Council. This includes:
 - All Waste storage receptacles being stored in a common area including: 4 x 240 litre bins for General Waste, 6 x 240-litre bins for Recyclables and 4 x 240-litre bins for Organics;
9. All waste and other rubbish shall be stored in a manner so that it does not, in the reasonable opinion of the Council, create:
 - insanitary conditions on or off the site;
 - an unreasonable nuisance off the site; or
 - pollution to the environment (including by pollution caused by substances, materials or things entering the stormwater system either by wind or water).
10. All waste and other rubbish shall be stored in the designated areas and screened from public view in accordance with the approved plans.

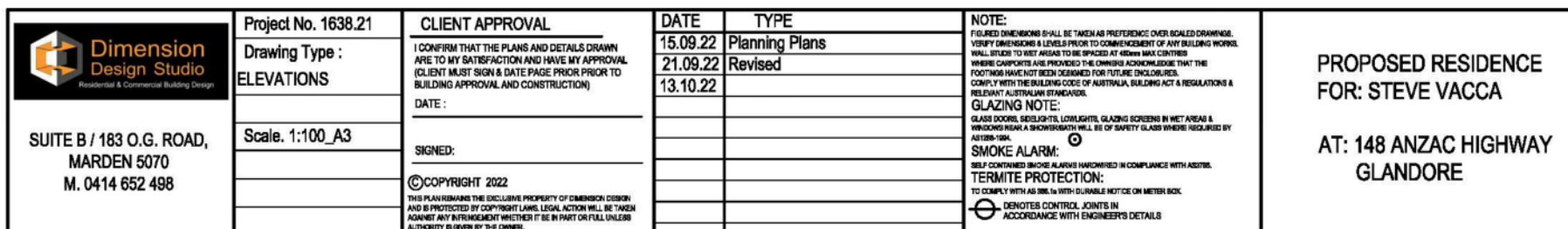
Commissioner of Highways Conditions

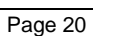
1. All access to/from the development shall be gained in accordance with the Site Plan produced by Dimension Design Studio, Project No. 1638.21 with the revision dated 18.02.23. The access to Anzac Highway shall be a minimum of 7 metres in width (measured at the property boundary) to accommodate simultaneous two-way movements. The design shall include a raised separator to prohibit right turns into and out of the site.
2. All vehicles (including any service/waste vehicles accessing the site) shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.
3. The entry and exit points shall be suitably signed and line-marked to reinforce the desired traffic flow.
4. The redundant crossovers on Anzac Highway shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to habitation of the dwellings.
5. Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
6. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in *AS/NZS 2890.1:2004*, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
7. Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

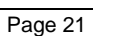
Attachments

1. **Attachment 1 - Plans and Supporting Documentation**
2. **Attachment 2 - Representations and Response**
3. **Attachment 3 - Internal Referrals**
4. **Attachment 4 - DIT Referral Response**

<div> <div>  </div> <div> <p> SUITE B / 183 O.G. ROAD, MARDEN 5070 M. 0414 652 498 </p> </div> </div>	<div> <div>Project No. 1638.21</div> <div>Drawing Type : SITE PLAN</div> <div>Scale: 1:200_A3</div> </div>	<div> <div>CLIENT APPROVAL</div> <div> <p> CONSENT THAT THE PLANS AND DETAILS SHOWN HEREIN ARE THE PROPERTY OF THE CLIENT AND MUST BE KEPT IN CONFIDENCE AND NOT REPRODUCED OR USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN AUTHORITY OF THE CLIENT. </p> </div> <div> <div>DATE: _____</div> <div>SIGNED: _____</div> </div> </div>	<div> <div>DATE</div> <div>TYPE</div> </div> <table border="1"> <tr> <td>15.09.22</td> <td>Planning Plans</td> </tr> <tr> <td>21.09.22</td> <td>Revised</td> </tr> <tr> <td>13.10.22</td> <td>Revised</td> </tr> <tr> <td>07.02.23</td> <td>Revised</td> </tr> <tr> <td>18.02.23</td> <td>Revised</td> </tr> <tr> <td>17.03.23</td> <td>Revised</td> </tr> </table>	15.09.22	Planning Plans	21.09.22	Revised	13.10.22	Revised	07.02.23	Revised	18.02.23	Revised	17.03.23	Revised	<div> <div>NOTE:</div> <p> THESE PLANS SHALL BE FOR INFORMATION ONLY. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE RELEVANT AUTHORITIES. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE RELEVANT AUTHORITIES. THESE PLANS SHALL BE FOR INFORMATION ONLY. THE DESIGNER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY APPROVALS FROM THE RELEVANT AUTHORITIES. </p> </div>	<div> <div>PROPOSED RESIDENCE FOR: STEVE VACCA</div> <div>AT: 148 ANZAC HIGHWAY GLANDORE</div> </div>
	15.09.22	Planning Plans															
	21.09.22	Revised															
	13.10.22	Revised															
	07.02.23	Revised															
18.02.23	Revised																
17.03.23	Revised																

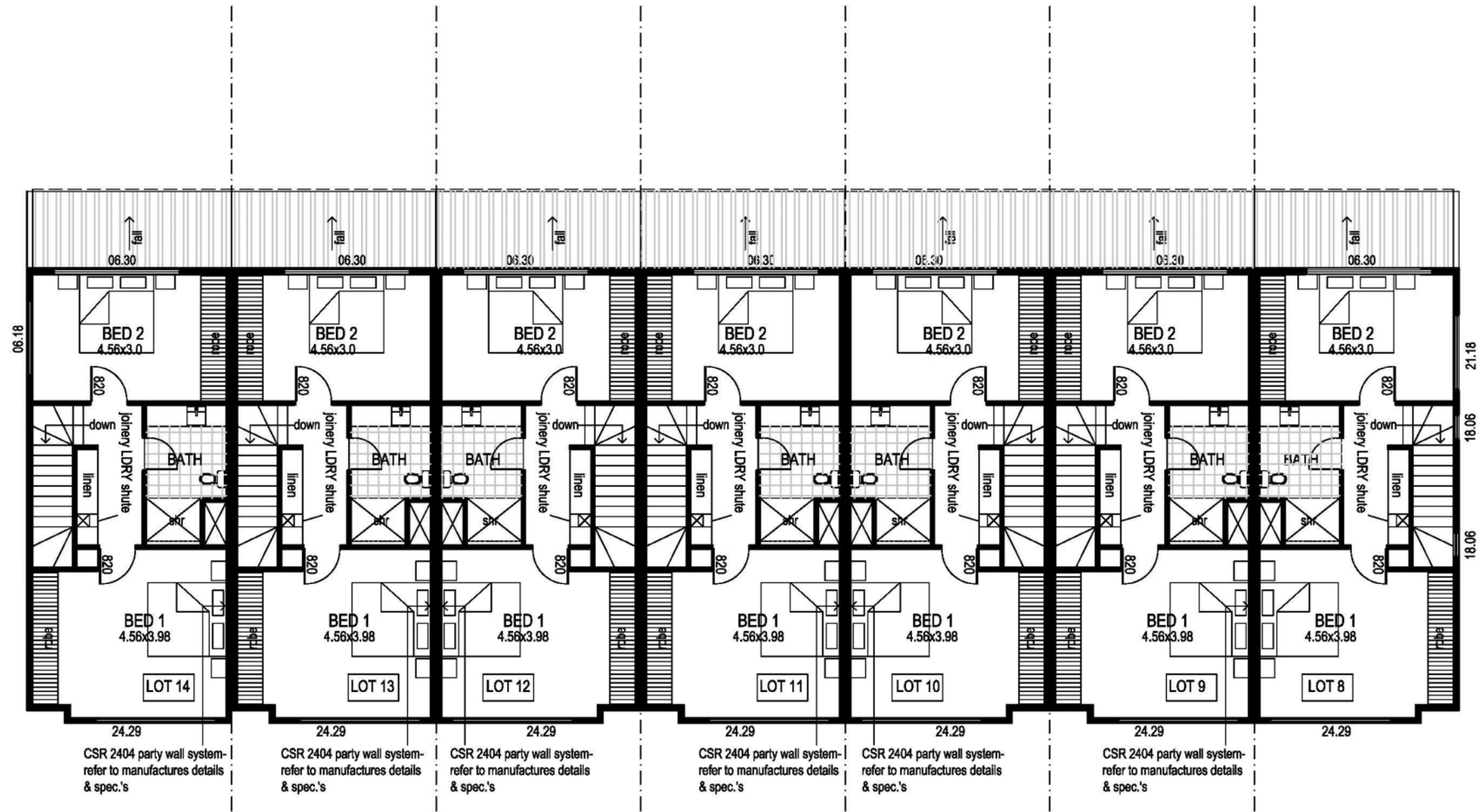






LOTS 8 - 14

FOR PLANNING APPROVAL ONLY

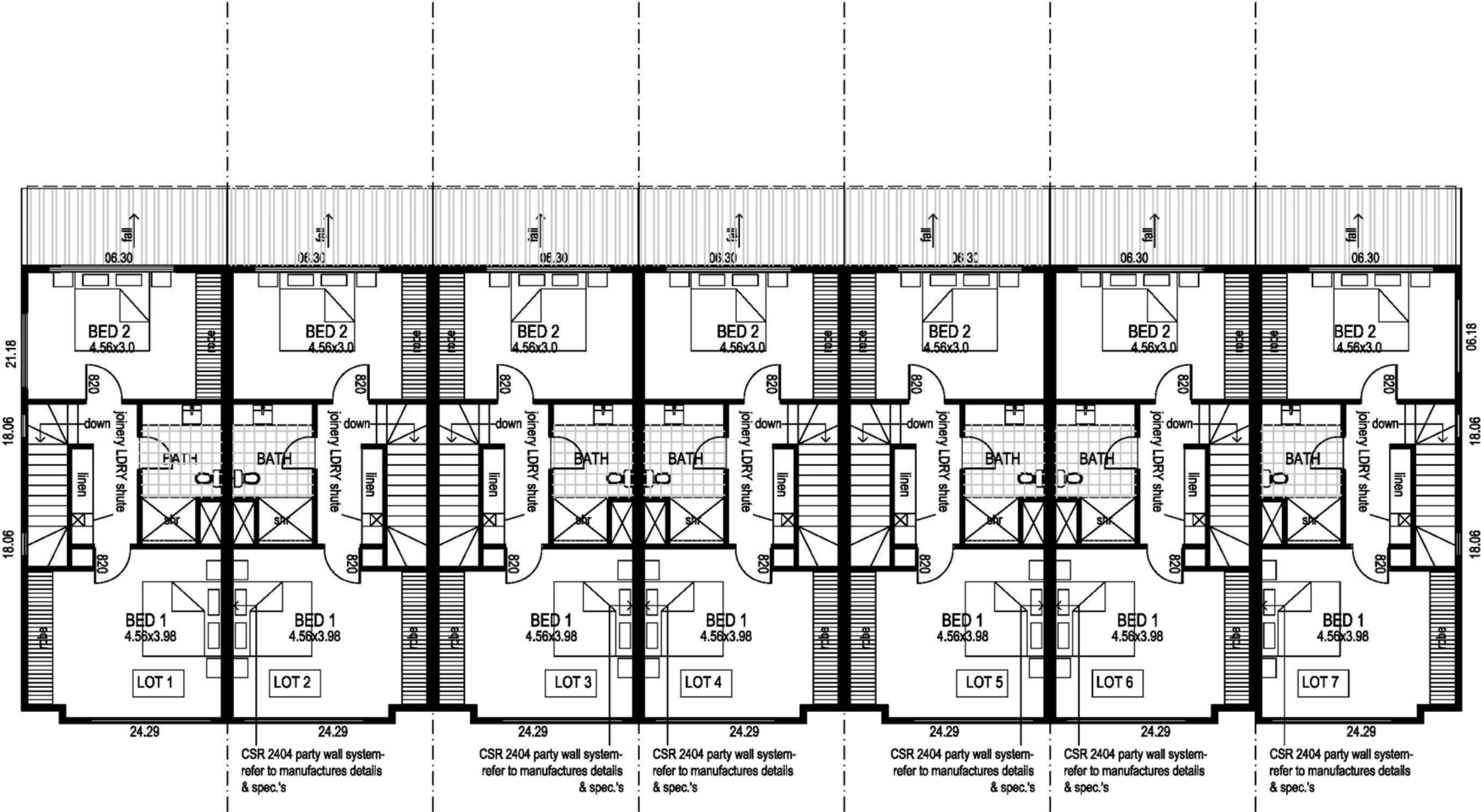


LEVEL 2 FLOOR PLAN

<div><div><div><div></div><div>Dimension</div><div>Design Studio</div></div><div>Residential & Commercial Building Design</div></div><div>SUITE B / 183 O.G. ROAD, MARDEN 5070 M. 0414 652 498</div></div>	Project No. 1638.21	CLIENT APPROVAL I CONFIRM THAT THE PLANS AND DETAILS DRAWN ARE TO MY SATISFACTION AND HAVE MY APPROVAL (CLIENT MUST SIGN & DATE PAGE PRIOR TO BUILDING APPROVAL AND CONSTRUCTION) DATE : SIGNED : ©COPYRIGHT 2022 THIS PLAN REMAINS THE EXCLUSIVE PROPERTY OF DIMENSION DESIGN AND IS PROTECTED BY COPYRIGHT LAWS. LEGAL ACTION WILL BE TAKEN AGAINST ANY UNAUTHORIZED REPRODUCTION OR USE OF THIS PLAN OR ANY PART THEREOF.	DATE	TYPE	<div>NOTE: FOLLOWED DIMENSIONS SHALL BE TAKEN AS PREFERRED OVER SCALED DRAWINGS. VERIFY DIMENSIONS & LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WALL STUDS TO BE SPACED AT 400MM MAX CENTRES WHERE CAPTOPS ARE PROVIDED. THE DIMENSIONS ARE FOR THE FOOTINGS HAVE NOT BEEN DESIGNED FOR FUTURE ENCLOSURES. COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT & REGULATIONS & RELEVANT AUSTRALIAN STANDARDS. GLAZING NOTE: GLASS DOORS, SIDELIGHTS, LOWLIGHTS, GLAZING SCREENS IN WET AREAS & WINDOWS NEAR A SHOWER/BATH WILL BE OF SAFETY GLASS WHERE REQUIRED BY AUSTRALIA. SMOKE ALARM: SELF CONTAINED SMOKE ALARMS HANDWRITTEN IN COMPLIANCE WITH AS/NZS 3638:2015. TERMITE PROTECTION: TO COMPLY WITH AS 360.16 WITH DURABLE NOTICE ON METER BOX. ⊖ DENOTES CONTROL JOINTS IN ACCORDANCE WITH ENGINEER'S DETAILS</div>
	Drawing Type :		15.09.22	Planning Plans	
	LEVEL 3 FLOOR PLAN		13.10.22		
	Scale: 1:100_A3				
	PROPOSED RESIDENCE FOR: STEVE VACCA AT: 148 ANZAC HIGHWAY GLANDORE				

LOTS 1 - 7

FOR PLANNING APPROVAL ONLY



LEVEL 2 FLOOR PLAN

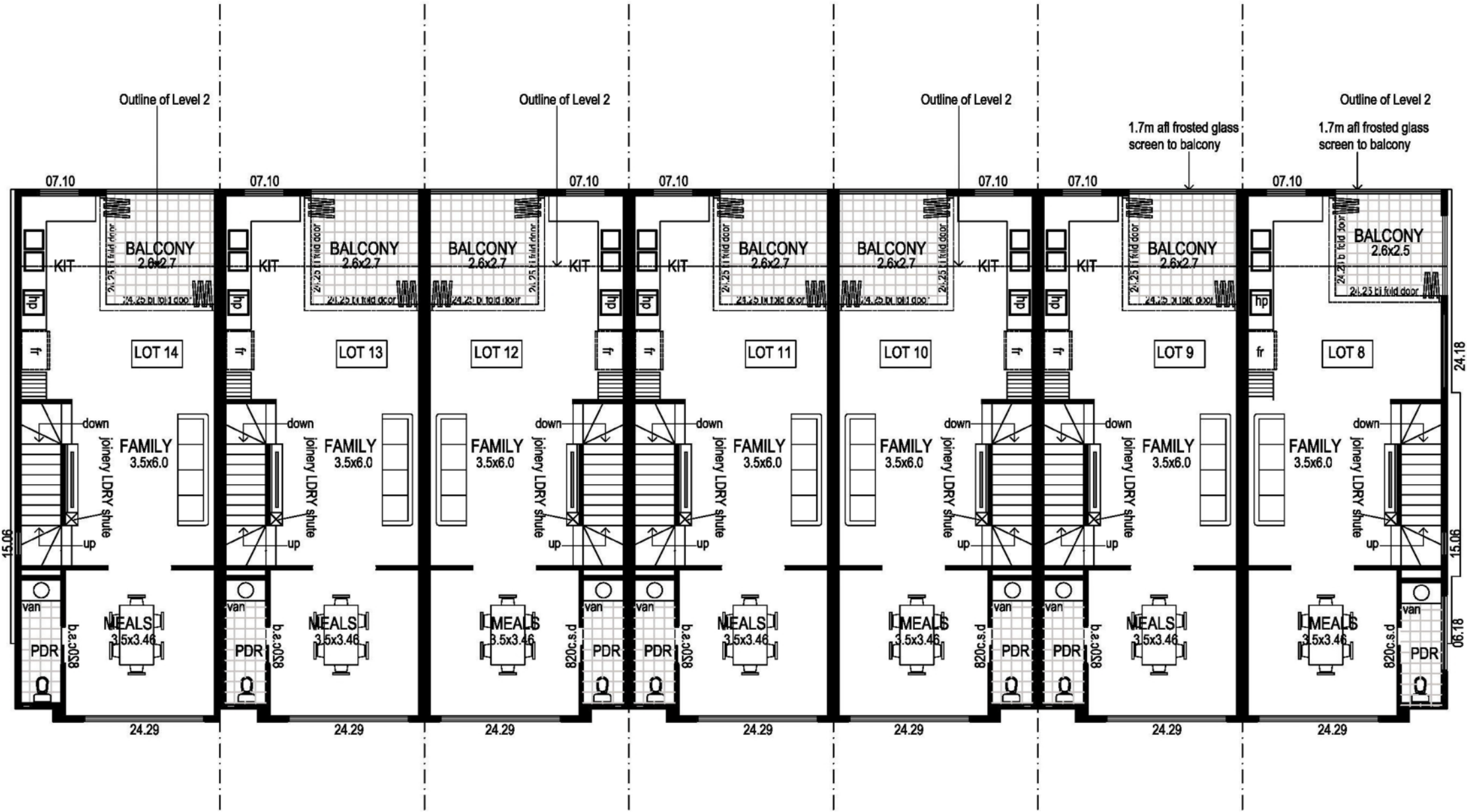
<div><div><div><div></div><div>Dimension</div><div>Design Studio</div></div><div>Residential & Commercial Building Design</div></div><div>SUITE B / 183 O.G. ROAD, MARDEN 5070 M. 0414 652 498</div></div>	Project No. 1638.21	<div>CLIENT APPROVAL</div> <div>I CONFIRM THAT THE PLANS AND DETAILS DRAWN ARE TO MY SATISFACTION AND HAVE MY APPROVAL (CLIENT MUST SIGN & DATE PAGE PRIOR TO BUILDING APPROVAL AND CONSTRUCTION)</div> <div>DATE :</div> <div>SIGNED:</div> <div>©COPYRIGHT 2022</div> <div>THIS PLAN REMAINS THE EXCLUSIVE PROPERTY OF DIMENSION DESIGN AND IS PROTECTED BY COPYRIGHT LAWS. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT WHETHER IT BE IN PART OR FULL UNLESS AUTHORITY IS GIVEN BY THE OWNER.</div>	DATE	TYPE	<div>NOTE:</div> <div>FILLED DIMENSIONS SHALL BE TAKEN AS PREFERRED OVER DIMENSIONED DIMENSIONS. VERIFY DIMENSIONS & LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WALL STUDS TO BE SPACED AT 400mm MAX CENTRES WHERE CARPORTS ARE PROVIDED THE OWNER ACKNOWLEDGES THAT THE FOOTINGS HAVE NOT BEEN DESIGNED FOR TYPICAL ENCLOSURES. COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT & REGULATIONS & RELEVANT AUSTRALIAN STANDARDS.</div> <div>GLAZING NOTE:</div> <div>GLASS DOORS, SIDELIGHTS, LOWLIGHTS, GLAZING SCREENS IN WET AREAS & WINDOWS NEAR A SHOWER/BATH WILL BE OF SAFETY GLASS WHERE REQUIRED BY AS/NZS 1288.</div> <div>SMOKE ALARM:</div> <div>SELF CONTAINED SMOKE ALARMS HANDICAPPED IN COMPLIANCE WITH AS/NZS 1288.</div> <div>TERMITE PROTECTION:</div> <div>TO COMPLY WITH AS 360.1 WITH DURABLE NOTICE ON METER BOX.</div> <div>⊖ DENOTES CONTROL JOINTS IN ACCORDANCE WITH ENGINEER'S DETAILS</div>
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	LEVEL 3 FLOOR PLAN		13.10.22		
	Scale: 1:100_A3				

PROPOSED RESIDENCE
FOR: STEVE VACCA

AT: 148 ANZAC HIGHWAY
GLANDORE

LOTS 8 - 14

FOR PLANNING APPROVAL ONLY

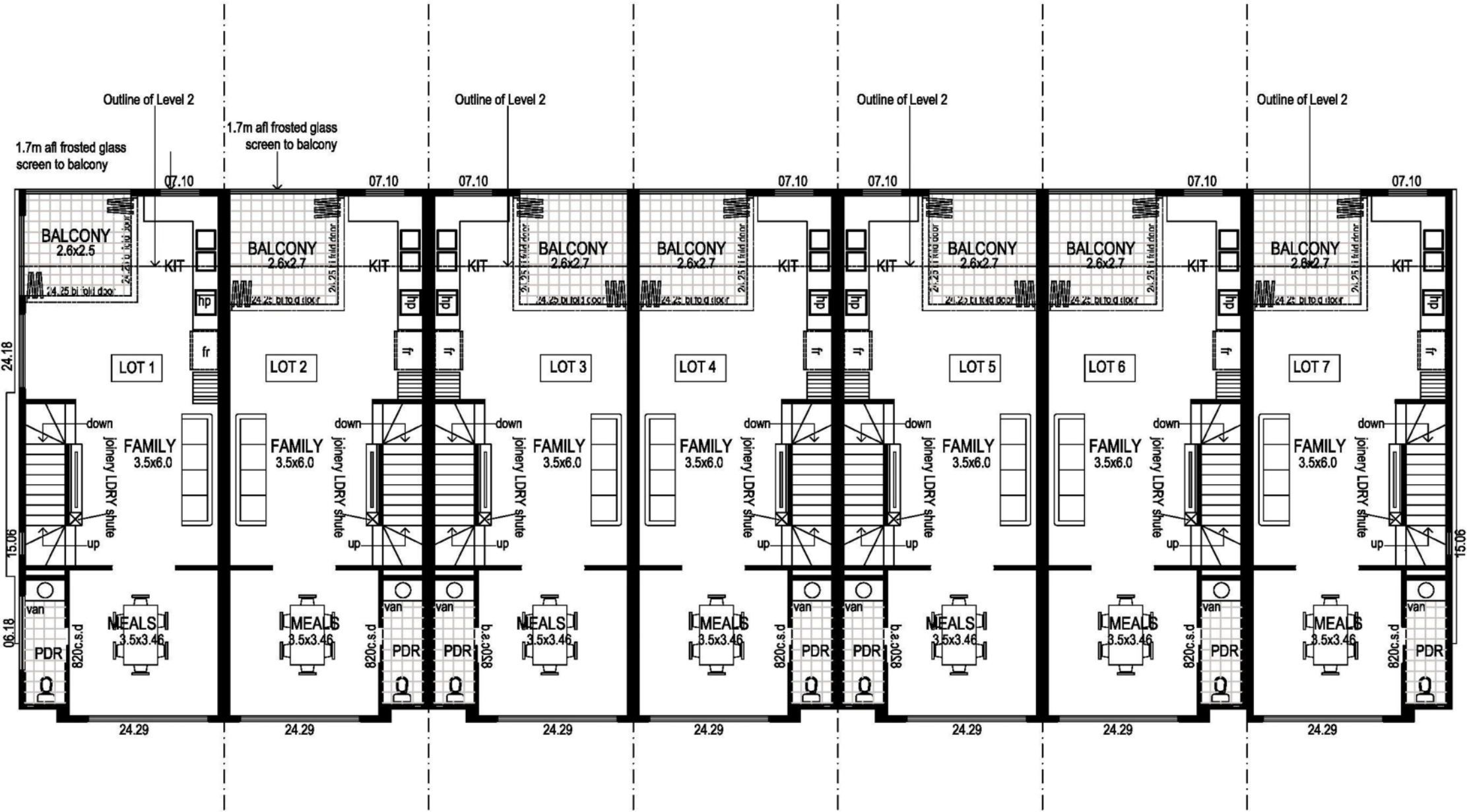


LEVEL 1 FLOOR PLAN


<div><div><div></div><div>Dimension Design Studio</div><div>Residential & Commercial Building Design</div></div><div>SUITE B / 183 O.G. ROAD, MARDEN 5070 M. 0414 652 498</div></div>	Project No. 1638.21	<div>CLIENT APPROVAL</div> <div>I CONFIRM THAT THE PLANS AND DETAILS DRAWN ARE TO MY SATISFACTION AND HAVE MY APPROVAL (CLIENT MUST SIGN & DATE PAGE PRIOR TO BUILDING APPROVAL AND CONSTRUCTION)</div> <div>DATE :</div> <div>SIGNED:</div> <div>©COPYRIGHT 2022</div> <div>THIS PLAN REMAINS THE EXCLUSIVE PROPERTY OF DIMENSION DESIGN AND IS PROTECTED BY COPYRIGHT LAWS. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT WHETHER IT BE IN PART OR FULL UNLESS AUTHORITY IS GIVEN BY THE OWNER.</div>	DATE	TYPE	<div>NOTE:</div> <div>FIGURED DIMENSIONS SHALL BE TAKEN AS PREFERENCE OVER UNCALLED DIMENSIONS. VERIFY DIMENSIONS & LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WALL STUDIES TO VIEW AREAS TO BE SPACED AT 450mm MAX CENTRES WHERE CHAMFERES ARE PROVIDED. THE OWNERS ACKNOWLEDGE THAT THE FOOTINGS HAVE NOT BEEN DESIGNED FOR FUTURE ENVELOPES. COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT & REGULATIONS & RELEVANT AUSTRALIAN STANDARDS.</div> <div>GLAZING NOTE:</div> <div>GLASS DOORS, SLIDING GLASS DOORS, GLAZING SCREENS IN WET AREAS & WINDOWS NEAR A SHOWERBATH SHALL BE OF SAFETY GLASS WHERE REQUIRED BY AS1288-1996.</div> <div>SMOKE ALARM:</div> <div>SELF CONTAINED SMOKE ALARMS HANDICAPPED IN COMPLIANCE WITH AS3786.</div> <div>TERMITE PROTECTION:</div> <div>TO COMPLY WITH AS 932.16 WITH DURABLE NOTICE ON METER BOX.</div> <div>⊖ DENOTES CONTROL JOINTS IN ACCORDANCE WITH ENGINEER'S DETAILS</div>	<div>PROPOSED RESIDENCE FOR: STEVE VACCA</div> <div>AT: 148 ANZAC HIGHWAY GLANDORE</div>
	Drawing Type :		15.09.22	Planning Plans		
	LEVEL 2 FLOOR PLAN		13.10.22			
	Scale: 1:100_A3					

LOTS 1 - 7

FOR PLANNING APPROVAL ONLY

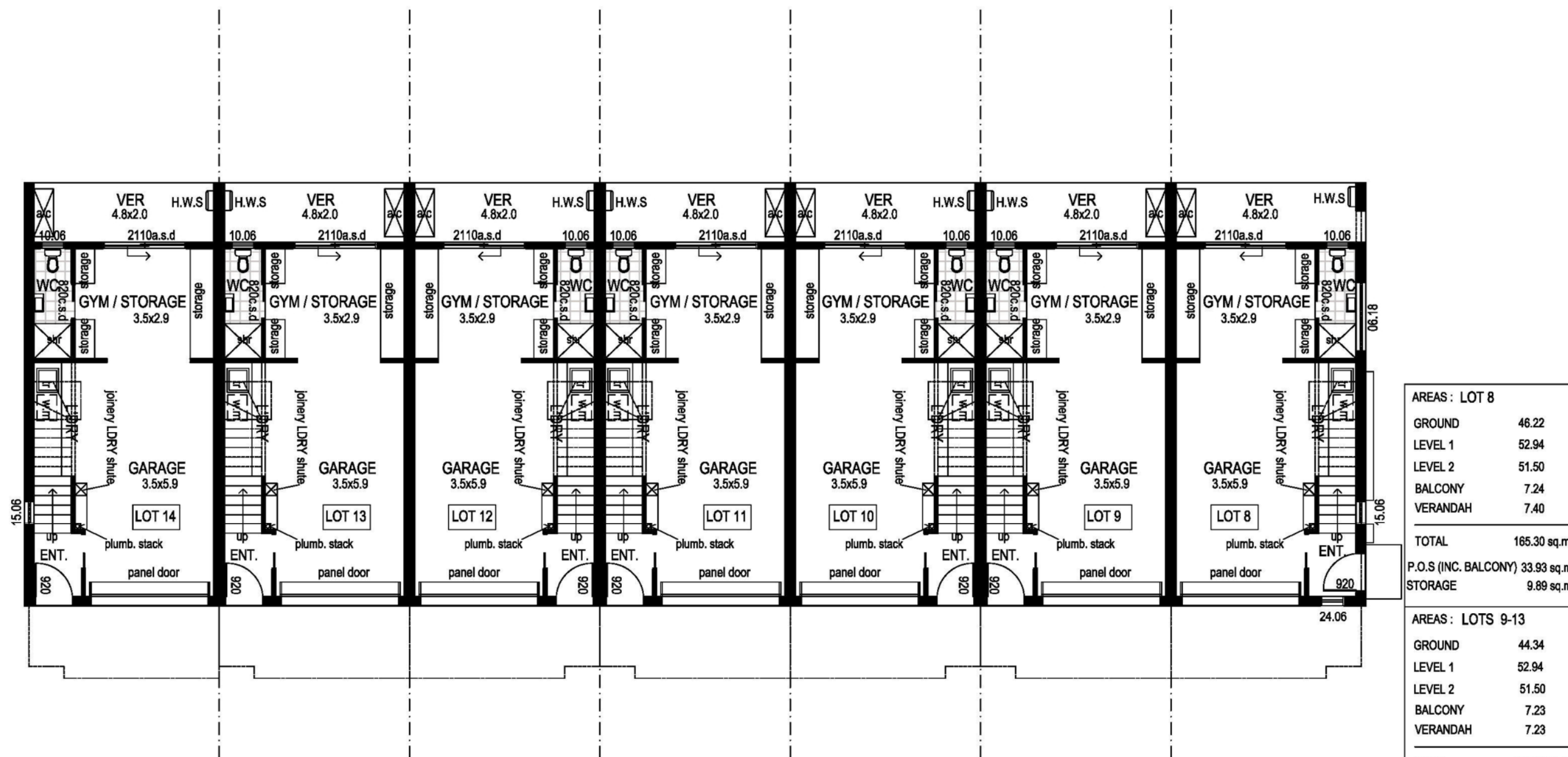


LEVEL 1 FLOOR PLAN

<div><div>Dimension Design Studio</div><div>Residential & Commercial Building Design</div></div> <div>SUITE B / 183 O.G. ROAD, MARDEN 5070 M. 0414 652 498</div>	Project No. 1638.21	CLIENT APPROVAL I CONFIRM THAT THE PLANS AND DETAILS DRAWN ARE TO MY SATISFACTION AND HAVE MY APPROVAL (CLIENT MUST SIGN & DATE PAGE PRIOR TO BUILDING APPROVAL AND CONSTRUCTION) DATE : SIGNED: ©COPYRIGHT 2022 THIS PLAN REMAINS THE EXCLUSIVE PROPERTY OF DIMENSION DESIGN AND IS PROTECTED BY COPYRIGHT LAWS. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT WHETHER IT BE IN PART OR FULL UNLESS AUTHORITY IS GIVEN BY THE OWNER.	DATE	TYPE	NOTE: FIGURED DIMENSIONS SHALL BE TAKEN AS PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS & LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WALL STUDS TO MEET AREAS TO BE SPACED AT 400mm MAX CENTRES WHERE CARPORTS ARE PROVIDED THE OWNERS ACKNOWLEDGE THAT THE FOOTINGS HAVE NOT BEEN DESIGNED FOR FUTURE ENVELOPES. COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT & REGULATIONS & RELEVANT AUSTRALIAN STANDARDS. GLAZING NOTE: GLASS DOORS, SLIDING GLASS DOORS, GLAZING SCREENS IN MEET AREAS & WINDOWS NEAR A SHOWBATH WILL BE OF SAFETY GLASS WHERE REQUIRED BY AUSTRALIAN STANDARDS. ⊗ SMOKE ALARM: SELF CONTAINED SMOKE ALARMS INSTALLED IN COMPLIANCE WITH AS/NZS 3638:2015. TERMITE PROTECTION: TO COMPLY WITH AS 3602.1 WITH DURABLE NOTICE ON METER BOX. ⊗ DENOTES CONTROL JOINTS IN ACCORDANCE WITH ENGINEER'S DETAILS	PROPOSED RESIDENCE FOR: STEVE VACCA AT: 148 ANZAC HIGHWAY GLANDORE
	Drawing Type :		15.09.22	Planning Plans		
	LEVEL 2 FLOOR PLAN		13.10.22			
	Scale: 1:100_A3					

LOTS 8 - 14

FOR PLANNING APPROVAL ONLY



AREAS : LOT 8	
GROUND	46.22
LEVEL 1	52.94
LEVEL 2	51.50
BALCONY	7.24
VERANDAH	7.40
TOTAL	165.30 sq.m
P.O.S (INC. BALCONY)	33.93 sq.m
STORAGE	9.89 sq.m

AREAS : LOTS 9-13	
GROUND	44.34
LEVEL 1	52.94
LEVEL 2	51.50
BALCONY	7.23
VERANDAH	7.23
TOTAL	163.24 sq.m
P.O.S (INC. BALCONY)	19.47 sq.m
STORAGE	9.89 sq.m

AREAS : LOT 14	
GROUND	45.36
LEVEL 1	52.94
LEVEL 2	51.50
BALCONY	7.23
VERANDAH	7.40
TOTAL	164.43 sq.m
P.O.S (INC. BALCONY)	19.75 sq.m
STORAGE	9.89 sq.m

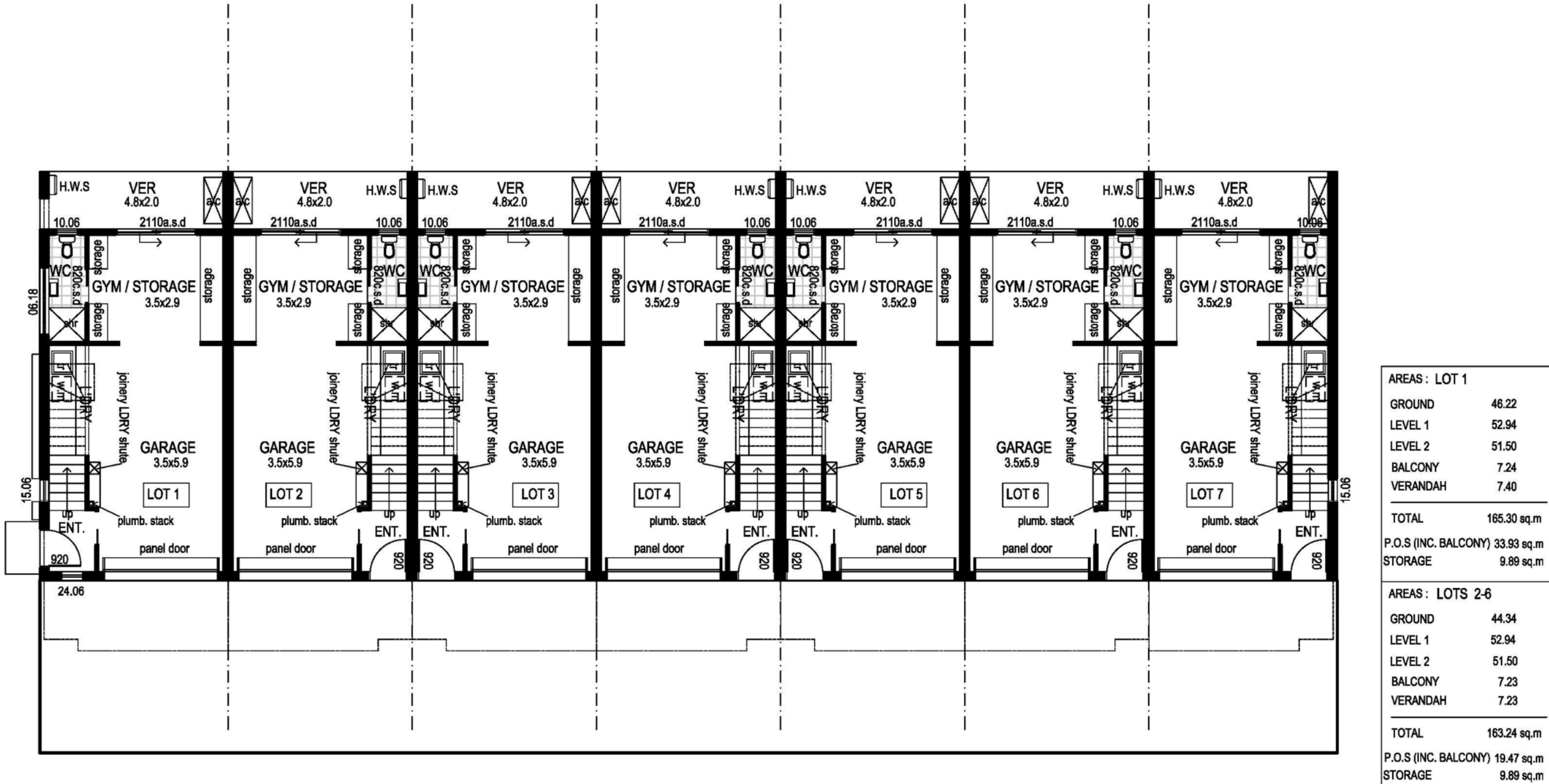
GROUND FLOOR PLAN

<p>Dimension Design Studio Residential & Commercial Building Design</p> <p>SUITE B / 183 O.G. ROAD, MARDEN 5070 M. 0414 652 498</p>	Project No. 1638.21	CLIENT APPROVAL	DATE	TYPE	<p>NOTE: FIGURED DIMENSIONS SHALL BE TAKEN AS PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS & LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WALL STUDIES TO BE SPACED AT 400mm MAX CENTRES ROOFING CARPORTS ARE PROVIDED THE OWNERS ACKNOWLEDGE THAT THE FOOTINGS HAVE NOT BEEN DESIGNED FOR FUTURE ENCLOSURES. COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT & REGULATIONS & RELEVANT AUSTRALIAN STANDARDS.</p> <p>GLAZING NOTE: GLASS DOORS, GLASS PARTS, LOWEGLASS, GLAZING SCREENS IN WET AREAS & WINDSHIELD NEAR A SHOWERS/BATH WILL BE OF SAFETY GLASS WHERE REQUIRED BY AS1905-1994.</p> <p>SMOKE ALARM: SELF CONTAINED SMOKE ALARMS HARDCWIRED IN COMPLIANCE WITH AS3785.</p> <p>TERMITE PROTECTION: TO COMPLY WITH AS 3600.14 WITH DURAFILE NOTICE ON METER BOX.</p> <p>⊖ DENOTES CONTROL JOINTS IN ACCORDANCE WITH ENGINEERS DETAILS</p>
	Drawing Type :	I CONFIRM THAT THE PLANS AND DETAILS DRAWN ARE TO MY SATISFACTION AND HAVE MY APPROVAL (CLIENT MUST SIGN & DATE PAGE PRIOR TO BUILDING APPROVAL AND CONSTRUCTION)	15.09.22	Planning Plans	
	Scale: 1:100_A3	DATE :	13.10.22		
		SIGNED:			
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PROPOSED RESIDENCE
FOR: STEVE VACCAAT: 148 ANZAC HIGHWAY
GLANDORE

LOTS 1 - 7

FOR PLANNING APPROVAL ONLY



GROUND FLOOR PLAN



SUITE B / 183 O.G. ROAD,
MARDEN 5070
M. 0414 652 498

Project No. 1638.21

Drawing Type :
GROUND FLOOR PLAN

Scale: 1:100_A3

CLIENT APPROVAL

I CONFIRM THAT THE PLANS AND DETAILS DRAWN ARE TO MY SATISFACTION AND HAVE MY APPROVAL (CLIENT MUST SIGN & DATE PAGE PRIOR TO BUILDING APPROVAL AND CONSTRUCTION)

DATE :

SIGNED:

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DATE

15.09.22

13.10.22

TYPE

Planning Plans

NOTE:

FIGURED DIMENSIONS SHALL BE TAKEN AS PREFERRED OVER SCALED DRAWINGS. VERIFY DIMENSIONS & LEVELS PRIOR TO COMMENCEMENT OF ANY BUILDING WORKS. WALL STUDS TO BE SPACED AT 400mm MAX CENTRES. ROOFING CARPORTS ARE PROVIDED THE OWNERS ACKNOWLEDGE THAT THE FOOTINGS HAVE NOT BEEN DESIGNED FOR FUTURE ENCLAVES. COMPLY WITH THE BUILDING CODE OF AUSTRALIA, BUILDING ACT & REGULATIONS & RELEVANT AUSTRALIAN STANDARDS.

GLAZING NOTE:

GLASS DOORS, GLAZED PATIOS, LOWEGLASS, GLAZING SCREENS IN WET AREAS & WINDOWS NEAR A SHOWERS/BATH SHALL BE OF SAFETY GLASS WHERE REQUIRED BY AS1924-1994.

SMOKE ALARM:

SELF CONTAINED SMOKE ALARMS HANDWRITTEN IN COMPLIANCE WITH AS3786.

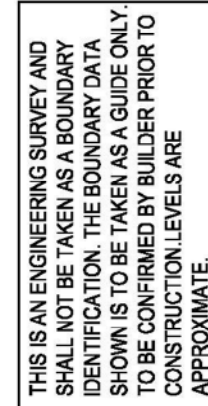
TERMITE PROTECTION:

TO COMPLY WITH AS 3601.4 WITH DURA-SEAL NOTICE ON METER BOX.


⊖ DENOTES CONTROL JOINTS IN ACCORDANCE WITH ENGINEERS DETAILS

PROPOSED RESIDENCE
FOR: STEVE VACCA

AT: 148 ANZAC HIGHWAY
GLANDORE





 <div style="display: inline-block; text-align: left;"> Dimension Design Studio <small>Residential & Commercial Building Design</small> </div>		SUITE B, 143 O.S. ROAD MARION 4809 M 0414 882 404 ©COPYRIGHT 2022	
Drawing Type : SHADOW		Scale: NTS: A3	
DATE	TYPE	Drawn: DP	
15.09.22	Planning Plans		
21.09.22	Revised		
13.10.22			
©COPYRIGHT 2013		THIS PLAN REMAINS THE EXCLUSIVE PROPERTY OF DIMENSION DESIGN STUDIO. IT IS NOT TO BE REPRODUCED, COPIED, EITHER WHOLLY OR AGAINST ANY INSTRUMENTATION IN THE IT BE REPRODUCED OR RE-USED WITHOUT THE WRITTEN PERMISSION OF DIMENSION DESIGN STUDIO.	
PROPOSED RESIDENCE FOR: STEVE VACCA		AT: 148 ANZAC HIGHWAY GLANDORE	




SHADOW CAST ON
21st JUNE @ 12:00pm



SHADOW CAST ON
21st JUNE @ 3:00pm





**Dimension
Design Studio**
Residential & Commercial Building Design

SUITE B, 188 O.G. ROAD MARDEN 5070
M. 0414 882 486 ©COPYRIGHT 2022

Drawing Type : SHADOW	
Scale: NTS_A3	
DATE	Drawn: DP
15.09.22	Planning Plans
21.09.22	Revised
03.10.22	
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PROPOSED RESIDENCE FOR: STEVE VACCA	
AT: 148 ANZAC HIGHWAY GLANDORE	

NOTE:
SHADOW PLANS ARE INDICATIVE AND
BASED OFF THE
CALCULATIONS DERIVED FROM THE
NATIONAL DEPARTMENT OF GEOSCIENCES

LANDSCAPING SCHEDULE



AREAS : LOT 1		AREAS : LOT 8	
GROUND	46.22	GROUND	46.22
LEVEL 1	52.94	LEVEL 1	52.94
LEVEL 2	51.50	LEVEL 2	51.50
BALCONY	7.24	BALCONY	7.24
VERANDAH	7.40	VERANDAH	7.40
TOTAL	185.30 sq.m	TOTAL	185.30 sq.m
P.O.S (INC. BALCONY) STORAGE	33.93 sq.m 9.89 sq.m	P.O.S (INC. BALCONY) STORAGE	33.93 sq.m 9.89 sq.m
AREAS : LOTS 2-6		AREAS : LOTS 9-13	
GROUND	44.34	GROUND	44.34
LEVEL 1	52.94	LEVEL 1	52.94
LEVEL 2	51.50	LEVEL 2	51.50
BALCONY	7.23	BALCONY	7.23
VERANDAH	7.23	VERANDAH	7.23
TOTAL	163.24 sq.m	TOTAL	163.24 sq.m
P.O.S (INC. BALCONY) STORAGE	19.47 sq.m 9.89 sq.m	P.O.S (INC. BALCONY) STORAGE	19.47 sq.m 9.89 sq.m
AREAS : LOT 7		AREAS : LOT 14	
GROUND	46.36	GROUND	46.36
LEVEL 1	52.94	LEVEL 1	52.94
LEVEL 2	51.50	LEVEL 2	51.50
BALCONY	7.23	BALCONY	7.23
VERANDAH	7.40	VERANDAH	7.40
TOTAL	164.43 sq.m	TOTAL	164.43 sq.m
P.O.S (INC. BALCONY) STORAGE	19.75 sq.m 9.89 sq.m	P.O.S (INC. BALCONY) STORAGE	19.75 sq.m 9.89 sq.m

STORMWATER NOTE:
REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVEL,
RETAINING WALLS & STORMWATER DRAINAGE DESIGN.
NOTE: STORMWATER SLEEVES AS REQUIRED- REFER TO
ENGINEERS REPORT & DETAILS

ALL SITE BOUNDARIES ARE TO BE CONFIRMED BY A
LICENCED SURVEYOR PRIOR TO COMMENCEMENT OF ANY
CONSTRUCTION. PLANS MAY BE SUBJECT TO CHANGE AT
CLIENTS COST.

REFER TO ENGINEER/SURVEYOR DRAWINGS FOR SITE LEVELS, BENCH MARKS, SERVICE LOCATIONS, CONTOURS & EARTHWORK DESIGNS

THIS SITE / PLAN IS SUBJECT TO WRITTEN CONFIRMATION FROM COUNCIL AND ANY INFRASTRUCTURE LOCATED ON OR NEAR THE PROPOSED SITE.

LANDSCAPING SHALL BE PLANTED IN ACCORDANCE WITH
APPROVED PLANING DRAWINGS-REFER TO STAMPED
PLANS

RAINWATER TANK NOTE:		
SITE SIZE (m2)	MIN. RETENTION VOLUME (litres)	MIN. DETENTION VOLUME (Litres):
<200	1000	1000
200 - 400		silt perviousness <30% : 1000 silt perviousness ≥30% : n/a
>401	4000	silt perviousness <35% : 1000 silt perviousness ≥35% : n/a

- RWT STORAGE CONNECTED TO
- 50% OF ROOF AREA
- CONNECTED TO ONE TOILET AND EITHER LAUNDRY COLD WATER
- OUTLETS OR HOT WATER SERVICE
- WHERE DETENTION IS REQUIRED, INCLUDES A 20-25MM DIAMETER
- SLOW RELEASE CRICKE AT THE BOTTOM OF THE DETENTION
- COMPONENT OF THE TANK

Turn path: Entry into Lot 1

[illegible]

FOR PLANNING APPROVAL ONLY

LANDSCAPING SCHEDULE

TREES

Manduriana Pear - (3-5m)

SHRUBS

Liriope 'Muscarif' - 0.4W x 0.4H

Lomandra Longifolia - 0.6W x 0.6H

Muraya Hedge (1.5m)

GROUND COVER

Eremophila glabra - Kalbarri carpet

SITE AREA: 1300.50 sq.m

LSCAPING 155.41 sq.m (12% of site)



AREAS: LOT 1				AREAS: LOT 8			
GROUND	46.22	GROUND	46.22	GROUND	46.22	GROUND	46.22
LEVEL 1	52.94	LEVEL 1	52.94	LEVEL 1	52.94	LEVEL 1	52.94
LEVEL 2	51.50	LEVEL 2	51.50	LEVEL 2	51.50	LEVEL 2	51.50
BALCONY	7.24	BALCONY	7.24	BALCONY	7.24	BALCONY	7.24
VERANDAH	7.40	VERANDAH	7.40	VERANDAH	7.40	VERANDAH	7.40
TOTAL	165.30 sq.m	TOTAL	165.30 sq.m	TOTAL	165.30 sq.m	TOTAL	165.30 sq.m
P.O.S (INC. BALCONY)	33.93 sq.m	P.O.S (INC. BALCONY)	33.93 sq.m	P.O.S (INC. BALCONY)	33.93 sq.m	P.O.S (INC. BALCONY)	33.93 sq.m
STORAGE	9.89 sq.m	STORAGE	9.89 sq.m	STORAGE	9.89 sq.m	STORAGE	9.89 sq.m
AREAS: LOTS 2-6				AREAS: LOTS 9-13			
GROUND	44.34	GROUND	44.34	GROUND	44.34	GROUND	44.34
LEVEL 1	52.94	LEVEL 1	52.94	LEVEL 1	52.94	LEVEL 1	52.94
LEVEL 2	51.50	LEVEL 2	51.50	LEVEL 2	51.50	LEVEL 2	51.50
BALCONY	7.23	BALCONY	7.23	BALCONY	7.23	BALCONY	7.23
VERANDAH	7.23	VERANDAH	7.23	VERANDAH	7.23	VERANDAH	7.23
TOTAL	163.24 sq.m	TOTAL	163.24 sq.m	TOTAL	163.24 sq.m	TOTAL	163.24 sq.m
P.O.S (INC. BALCONY)	19.47 sq.m	P.O.S (INC. BALCONY)	19.47 sq.m	P.O.S (INC. BALCONY)	19.47 sq.m	P.O.S (INC. BALCONY)	19.47 sq.m
STORAGE	9.89 sq.m	STORAGE	9.89 sq.m	STORAGE	9.89 sq.m	STORAGE	9.89 sq.m
AREAS: LOT 7				AREAS: LOT 14			
GROUND	45.36	GROUND	45.36	GROUND	45.36	GROUND	45.36
LEVEL 1	52.94	LEVEL 1	52.94	LEVEL 1	52.94	LEVEL 1	52.94
LEVEL 2	51.50	LEVEL 2	51.50	LEVEL 2	51.50	LEVEL 2	51.50
BALCONY	7.23	BALCONY	7.23	BALCONY	7.23	BALCONY	7.23
VERANDAH	7.40	VERANDAH	7.40	VERANDAH	7.40	VERANDAH	7.40
TOTAL	164.43 sq.m	TOTAL	164.43 sq.m	TOTAL	164.43 sq.m	TOTAL	164.43 sq.m
P.O.S (INC. BALCONY)	19.75 sq.m	P.O.S (INC. BALCONY)	19.75 sq.m	P.O.S (INC. BALCONY)	19.75 sq.m	P.O.S (INC. BALCONY)	19.75 sq.m
STORAGE	9.89 sq.m	STORAGE	9.89 sq.m	STORAGE	9.89 sq.m	STORAGE	9.89 sq.m

STORMWATER NOTE:

REFER TO ENGINEER'S DRAINAGE PLAN FOR ALL LEVEL, RETAINING WALLS & STORMWATER DRAINAGE DESIGN.
NOTE: STORMWATER SLEEVES AS REQUIRED- REFER TO ENGINEER'S REPORT & DETAILS

BOUNDARY/SURVEY NOTE:

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REFER TO ENGINEER/SURVEYOR DRAWINGS FOR SITE LEVELS, BENCH MARKS, SERVICE LOCATIONS, CONTOURS & EARTHWORK DESIGNS
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LANDSCAPING NOTE:

LANDSCAPING SHALL BE PLANTED IN ACCORDANCE WITH APPROVED PLANNING DRAWINGS-REFER TO STAMPED PLANS

RAINWATER TANK NOTE:

SITE SIZE (m2): MIN. RETENTION VOLUME (Litres):
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6 February 2022

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

Attention: Karen Mitrovic

Dear Karen

**Re: Request for additional information for Development Application 22032260
Construction of two (2) three-storey residential flat buildings comprising 14 dwellings
at 148 ANZAC Highway, GLANDORE**

MasterPlan (SA) Pty Ltd ("MasterPlan/We") act on behalf of Andrew McDonald (the "Applicant"). We have been instructed to provide the Council with additional and amended plans and to provide a response to the matters outlined in your request for additional information dated 30 November 2022.

Built Form and Design

To improve the visual amenity to ANZAC Highway and neighbouring properties, both the front and rear elevations have been amended.

The elevations now incorporate greater visual permeability with additional windows to the front elevation. Balconies and front doors have been relocated to create a greater visual connection and activity with the public realm. The front dwelling units of both buildings will have an active interface with the ANZAC Highway frontage and a high degree of passive surveillance.

The front facades of the buildings also incorporate subtle variations in their building lines with the upper floors being recessed from the ground floor. The front porch, feature stone wall and balconies also provide additional features to the front elevations.

The subtle setback variations of the buildings, the façade treatments and the allocation of landscaping across the front spaces of the buildings will provide visual relief. Further, the collective siting, design and scale of the buildings are suitably comparable with the relevant zone provisions and other residential buildings proximate to the subject land to complement the prevailing framing characteristics desired for the immediate ANZAC Highway corridor.

We believe the proposed development complies with the intentions of PO 2.1 and 2.3.



33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
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Offices in SA | NT | QLD
ISO 9001:2015 Certified
ABN 30 007 755 277
plan@masterplan.com.au

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In respect to building interface with residential properties to the rear of the subject land, we believe the articulation and siting of the rear walls will have minimal impact on the adjacent residential properties. Additional windows have been incorporated into the rear elevations, and a light-weight wall in a monument-coloured render has been added.

Like the front elevation, the planting of medium size trees between the buildings and the rear boundary have been added to help soften the visual presence of the buildings.

These amendments will help break up the massing of the building and improve visual amenity for the adjoining properties.

The upper levels (first and second floors) of the building will continue to be setback approximately 5.4 to 5.75 metres from the rear boundary which exceeds the rear boundary setback guideline of the Zone. The 3.32-metre separation will be maintained between the upper storeys of the buildings. The staggered form of the upper floors will also help mitigate the buildings' massing.

Although the building envelopes might not comply with the diagram provided by DTS/DPF 4.1, we contend the rear setback, building heights and built form will result in similar impacts to a building with a compliant envelope.

The sympathetic setbacks, scale and form of the proposed buildings will ensure the neighbouring properties continue to have reasonable access to natural sunlight and ventilation and that the proposed building massing satisfies the intentions of Zone PO 4.1

Shadow Diagrams

Shadow diagrams accompany this correspondence.

Although none of the adjacent dwellings have habitable room windows facing true north, the diagrams nevertheless confirm the north-west and north-east facing habitable room windows will retain access to no less than three (3) hours of direct sunlight between 9.00 am and 3.00 pm on 21 June.

The private open spaces of all but one adjoining property will also continue to receive at least two (2) hours of direct sunlight between 9.00 am and 3.00 pm on 21 June.

We note the private open space of the unit at the rear of an adjacent flat building in Weymouth Avenue will be affected by overshadowing but it will still receive direct sunlight for approximately one (1) hour between 9.00 am and 10.00 am and again from approximately 3.00 pm.

We acknowledge the development will have an impact, however, the open space is relatively small and already subjected to shadowing from the existing boundary fence, existing vegetation and an outbuilding on the subject land. Furthermore, the open space is partially covered by a verandah and awning. Accordingly, any form of reasonable development on the subject land is likely to create overshadowing over the private space due to its orientation and limited dimensions.



Given the form of development contemplated within the Urban Corridor (Boulevard) Zone, the location and orientation of the properties, and restricted nature of the adjoining unit's private open space, the impact of the overshadowing from the development is considered negligible in this circumstance.

Furthermore, we note overshadowing was not listed as a concern by the dwelling owner in their representation.

The development will not unduly reduce the generating capacity of adjacent rooftop solar energy facilities.

Regulated and Significant Trees

We confirm there are several trees currently on the subject land however none are regulated or significant trees as per the definition provided by the *Planning, Development and Infrastructure (General) Regulations*. Council staff are welcome to inspect the land to confirm this declaration if necessary.

Further, your advice regarding the street tree to the north-west of the site frontage being a regulated tree is appreciated however we believe the proposed development will not result in "tree damaging activity" for the following reasons:

- The building closest to the subject tree will be approximately 6.5 metres from the trunk of the tree.
- Works to occur within the Tree Protection Zone will be relatively non-intrusive and include:
 - the establishment of landscaping;
 - erection of a light-weight fence;
 - laying of permeable paving;
 - installation of stormwater infrastructure; and
 - removal of the existing driveway and crossover and the area returned to natural ground.
- The tree is located directly under powerlines and from visual inspections over a period of 15 years it is evident its growth potential is greatly compromised by the infrastructure.
- The tree is located in a road verge whereby the existing road carriageway, upright concrete gutter, stormwater infrastructure and paved footpath already impact on the Tree Protection Zone greater than the proposed works on the subject property.

Accordingly, we believe the proposed works will not encroach upon the tree's structural roots zone or the tree protection zone by more than 10 per cent. We also believe the removal of an adjacent driveway and crossover will be beneficial to the tree's health and offset any impacts that may result from the proposed construction works.



In addition, to ensure the health of the tree is maintained, our client proposes to undertake the following activities within the Tree Protection Zone during construction:

- Air spade excavation only (no machine excavation, including trenching).
- No changes in soil levels beyond the proposed or depositing of fill.
- That a suitably qualified arborist oversees the works to be undertaken within the Tree Protection Zone.

Accordingly, we request the assessment continue without the provision of an arborist report and that Council's arborist, if necessary, consider Planning Consent conditions be applied if there remains any doubt regarding the health of the tree being retained.

Landscaping

The landscaping at the front of the development has been revised to provide a greater area for deep soil and the planting of four (4) small-sized trees. Permeable paving can also be utilised as a pathway treatment between the proposed trees and the front walls of the buildings.

The landscaping at the rear of the buildings has also been modified to support the planting of two (2) medium-size trees.

These revised features will provide greater landscaped areas with deep soil space to accommodate trees that can provide shade, contribute to tree canopy targets, and soften the appearance of the proposed buildings.

Waste Management

In your RFI document you advised the proposed development is beyond Council's waste management capacity and the development will need to be serviced by a waste contractor. We request Council reconsider this position.

The proposed development has adopted recommendations outlined in the State Government produced *South Australian Better Practice Guide Waste Management for Residential and Mixed-Use Developments*. Accordingly, the management of waste will be shared between the occupants of the development. As such the proposal will have:

- Six (6) x General waste bins.
- Six (6) x Recycling (comingled) bins.
- Four (4) x Organics bins.



We appreciate the Council applies limitations upon its kerbside waste collection service however the subject land, at over 1,300 square metres in size and with a frontage width of 30 plus metres, is a relatively large residential property.

Given the residential density expectations within the Urban Corridor (Boulevard) Zone, we contend two (2) smaller allotments of equal or similar size to the subject land could be developed separately with as many as six (6) additional dwellings (perhaps more). The developments on each allotment would have access to Council's kerbside collection service however they would generate a greater number of bins to be collected than that of the proposed development.

The consolidation of crossovers into one (1) single crossover will also provide ample road verge for bin presentation.

In summary, we believe the waste-sharing management approach to be employed by the development, and the scale of the subject land, provides the Council with reasonable justification to support the development through the provision of a kerbside collection service to the eventual occupants of the land.

Stormwater Management

A civil plan has been prepared and accompanies this correspondence for Council's review.

Crossover

The design of the crossover has been amended with the driveway and crossover being 6.0 metres wide and provided with flaring on both sides.

Parking/Visitor Parking

The floor plans of the proposed dwellings have been amended to reinforce the application's intent to develop fourteen (14) two-bedroom dwellings. We do not share Council's views that the proposed dwellings will comprise three (3) bedrooms.

Furthermore, and with reference to *Table 2 - Off-Street Car Parking Requirements in Designated Areas* of the Code, a two-bedroom dwelling within a residential flat building should be provided with no less than one (1) parking space per dwelling and an additional on-site visitor space at a rate of 0.25 spaces per dwelling.

By our calculation, a minimum of 17.5 on-site spaces is prescribed by the Code for the development. The provision of 17 on-site spaces is consistent with the guideline.

Further, it should be noted the development will significantly reduce the extent of existing crossovers to ANZAC Highway and increase the supply of on-street parking by at least one (1), likely two (2), additional on-street parking spaces to ANZAC Highway. This will make a positive contribution to the net parking supply within the locality.



Given the circumstance, we contend the car parking capacity of the proposed development will cater for the anticipated demands and satisfies the minimum requirements of the Code.

Closure

Please contact us if you have any further questions on any of the matters outlined in this correspondence. We will be happy to provide any assistance we can to facilitate a planning consent being issued to the proposed development.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'G. Vincent'.

Greg Vincent
MasterPlan SA Pty Ltd



17 March 2023

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

Attention: Karen Mitrovic

Dear Karen

**Re: Information pertaining to the mitigation of noise and air emission impacts
Development Application 22032260
Construction of two (2) three-storey residential flat buildings comprising 14 dwellings at
148 ANZAC Highway, GLANDORE**

This correspondence has been provided in response to your email dated Tuesday 14 March 2023 in which you requested information on how the design of the built form, including any intended mitigation measures, will provide protection for the proposed residential units from adverse impacts of noise and air emissions.

We can advise that, prior to the preparation of construction drawings and commencement of the Building Rules Assessment, the services of an Acoustic Engineer will be engaged to inform the building designers of the necessary treatments required for the façades of the buildings. The advice will then be incorporated into the construction drawings to ensure the buildings comply with the provisions of Ministerial Building Standard MBS 010 – *Construction requirements for the control of external sound (March 2021)*.

We also note the building design enables the dwellings to be shielded from traffic related emissions by incorporating measures such as:

- Placing rooms more sensitive to air quality and noise impacts (such as living rooms and bedrooms) on the building's upper floors so they are elevated above the ground level emission source of ANZAC Highway.
- Providing varying building widths, articulation and separation to and between the buildings, the ANZAC Highway frontage, the side property boundaries and the rear site boundary. These features will facilitate favourable ventilation conditions and the opportunity for planting of vegetation which will assist with the dispersion of air pollutants.



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53233LET03



- Using design elements such as deep balconies enclosed with balustrades.
- Generally siting private open spaces behind fencing and balustrades, away from the ground level emission source, and primarily adjacent to the private open spaces behind the dwellings on the abutting residential properties.

In providing our response we have considered the Noise and Air Emissions Overlay provisions applicable to Residential Flat Building developments and believe the development is consistent with the performance outcomes prescribed by the Overlay.

Please feel free to contact the undersigned if you have any questions with respect to this matter.

Yours sincerely

Greg Vincent
MasterPlan SA Pty Ltd



formerly Colby Industries

Level 1
60 Hindmarsh Square
Adelaide SA 5000
info@colbyphillips.com.au

Friday, 17 March 2023

Steven Vacca
Director
Urban Land & Property Developments
278 Flinders Street Adelaide SA 5000
Email: steven@urbanlpd.com.au

CC: Donny Pirone, dp@dimensionds.com.au
Bronwyn Colby, bronwyn.colby@colbyphillips.com.au

Dear Steven,

Re: Waste Management Advice (& Plan) for Planning Approval - March 2023 Update¹
Proposed Residential Accommodation - 148 Anzac Highway, Glandore

Thank you for seeking our advice on waste management for planning approval of this proposed development (Development). Below are our recommendations to meet planning requirements and City of West Torrens (Council) kerbside service expectations, **which has been (only slightly) updated since original advice in September 2022 to address (minor) plan changes and Council's post-lodgement queries about waste management**. Per original advice, these recommendations can be considered a planning-approval stage Waste Management Plan (WMP), which can be further detailed (only if needed) for implementation before the Development becomes operational.

1 Proposed Development & Relevant Context

The Development is an existing allotment at 148 Anzac Highway, Glandore.

- The allotment is approximately 43m deep × 31m wide - see Figure 1 overleaf.
- As per plans provided², **it would comprise fourteen (14) three-storey dwellings (Townhouses), each with 2 bedrooms** (or 28 bedrooms in total across the Development).
- **It is in the City of West Torrens (Council).**

2 Recommended Waste & Recycling Services & Bin Storage

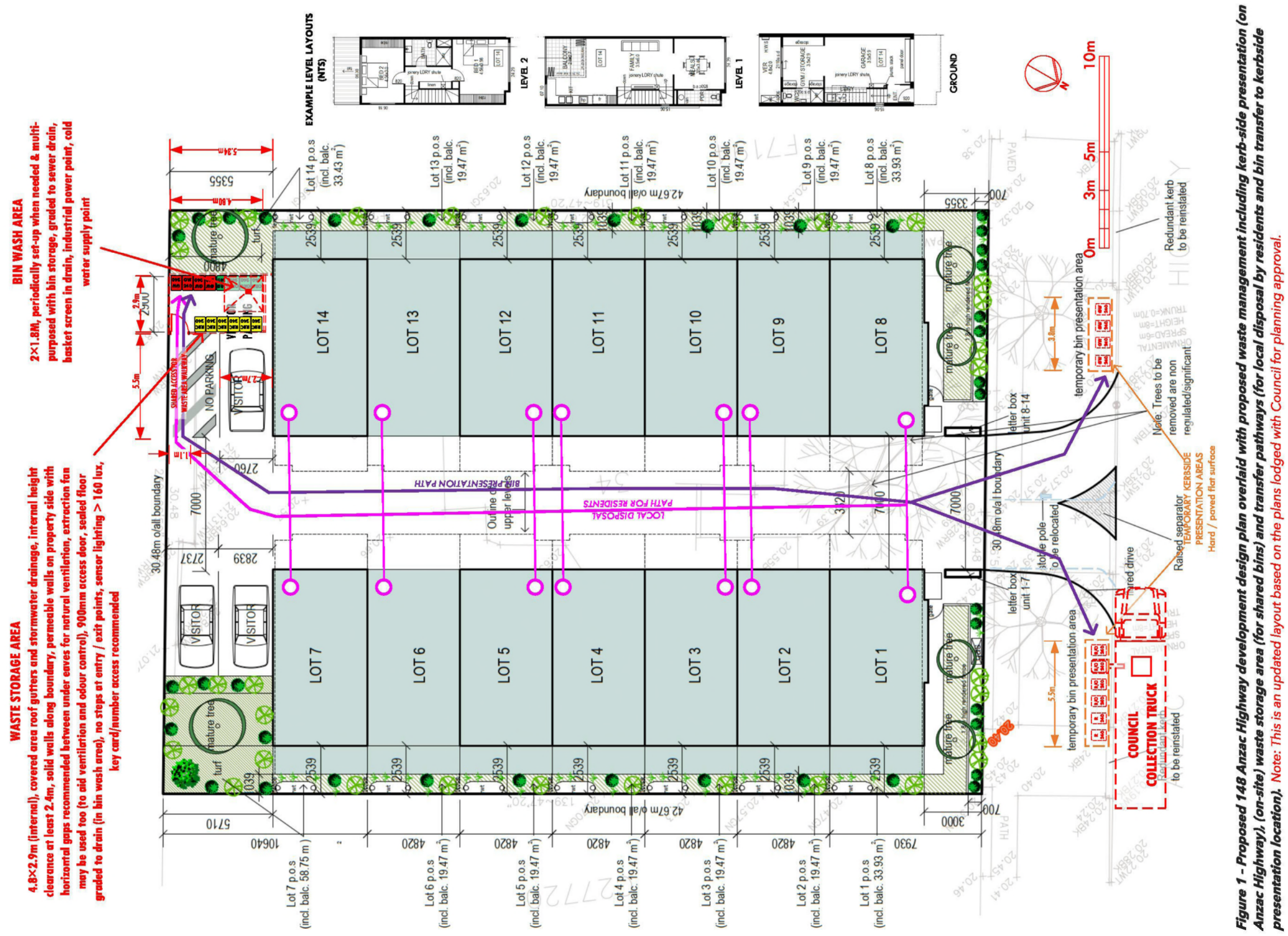
2.1 Engagement with Council

Council was contacted to identify their preferred waste management approach for the Development (City of West Torrens, 2022). **This engagement resulted in the recommended waste service below**, which allowed access to Council kerbside collection using shared bins and larger 240L MGB for weekly collection of general (household) waste (see Attachment 1 for relevant email confirmation). **This originally proposed approach was again confirmed by (Dr Chris Colby from Colby Phillips Advisory), by phone, on 16 March 2023 with Nick Teoh**, Council's Team Leader Waste Management.

{Cont. two pages over}

¹ Original advice was issued in September 2022 prior to lodgement. This updated advice has been prepared to respond to Council post-lodgement queries about proposed waste management.

² Design plan for proposed development at 148 Anzac Highway Glandore. Provided 11 August 2022 by Steven Vacca, Urban Land & Property Developments, design plan prepared by Dimension Design Studio



2.2 Routine Collection Service

The recommended service for Routine Collection of waste and recycling is as follows.

- **Council kerbside collection with shared (kerbside) bins** for residents:
 - **General Waste** (household waste) – 4×240L (red lid) MGBs, collected weekly
 - **Comingled Dry Recycling** – 6×240L (yellow lid) MGBs, collected fortnightly
 - **Organics / Food Waste** – 4×240L (green lid) MGBs collected fortnightly (on alternate week to recycling).
- **The (shared) General Waste bins above are a larger (240L) MGBs available from Solo and approved by Council** for services to multi-unit dwellings (City of West Torrens, 2022).
- **The shared (waste and recycling) bins would be stored on-site in a separate enclosed area and presented kerbside Anzac Highway (road verge) for Council collection** on (designated collection) days – see Figure 1.
- **The number of shared bins required** (and shown in Figure 1) is based on:
 - Waste and recycling volumes estimated using recommended (High Density Residential Dwelling) Waste Resource Generation Rates (WRGRs) in **the Better Practice Guide Waste Management for Residential and Mixed-Use Developments** (Zero Waste SA, 2014) (or State Guideline) – as summarised in Table 1 below.
- **Up to 10 bins** (10 on one week and 8 on the alternating week) **would be presented kerbside on a weekly basis.**
 - **In our opinion, (split) kerbside presentation of up to 10 bins is suitable for this property** given the width and wider frontage of this property (up to 31m with up to 9m on either side of the central driveway).
 - **Engagement with Council indicated that 10 bins presented kerbside for this Development would be considered** by its Waste Management Team (City of West Torrens, 2022). **This position by Council was again confirmed by phone on 16 March 2023 with Nick Teoh**, Council's Team Leader Waste Management.

Table 1 - Summary of Waste Resource Volumes and Shared Bin requirements after pre-compaction

Service	Development Metric	WRGR*	Volume	Collection(s)	Bin Storage			
	No. beds	L/Bed/week	L/week	No. / week	No.	Size	Type	
General Waste	28	30	840	Weekly	4	×	240L	MGB
Recycling Waste		25	700	Fortnightly	6	×	240L	MGB
Organic Waste		15 [^]	420	Fortnightly (alternating)	4	×	240L	MGB
TOTAL			1,960					

* Recommended WRGR for High Density Residential Dwelling in the State Guideline (Zero Waste SA, 2014)

[^] Extra 5L/bed/week allowed for some residential garden waste, e.g., pot plants, small rear garden areas. Excludes Garden maintenance waste – see Section 0 below.

2.3 Other Resident Waste & Recycling Disposal

- **Council can provide a pre-booked Hard Waste collection to residents from Council.**
 - This service provides up to 2 x collections per household each financial year.
 - Bookings can be made via Council's Web site: www.westtorrens.sa.gov.au/Waste-and-recycling/Hard-waste, which includes guidelines on what can be collected, when and how.
 - Up to 2m³ of hard waste per booking can be placed on the road verge for collection.
- **For disposal of other waste and recyclables, residents can refer to information and guidance provided by Council** on their Web site – see: www.westtorrens.sa.gov.au/Waste-and-recycling.

2.4 Garden Maintenance Waste Disposal from Common Landscaped Areas

There would be garden waste from common landscaped areas at the Development site.

- **It would be managed as part of a maintenance service** organised by the Community Corporation, where an external contractor would periodically remove and **separately dispose of it off-site**. (On-site storage provision is therefore not needed).

3 Waste System Design & Operation

The following outlines the proposed design and operation of the Waste System for the Development.

- **It should be reviewed and may be updated during detailed design.**

3.1 User Disposal Systems

Disposal systems would be installed in the kitchen of each townhouse to enable residents to dispose of their waste and recycling. **The following is required and should be reviewed and confirmed when designing the apartments.**

- **General (household) waste & dry recycling** – Built in drawers with (30L) bins with carry handles that can be lined (with a bag, which would be needed for the general waste bin but not used for the recycling bin).
- **Food waste** – Kitchen organics caddy with carry handle as provided by Council (refer to their Web site: www.westtorrens.sa.gov.au/Waste-and-recycling/Food-waste-recycling) – see photo example in Figure 2(b).



(a)



(b)

Figure 2 – Examples of User Disposal bins that should be installed in townhouse kitchens: (a) General (household) waste and dry recycling pull out bins (b) Bench-top vented kitchen organics caddy with handle (per Council requirement, see: www.westtorrens.sa.gov.au/Waste-and-recycling/Food-waste-recycling).

3.2 Local Disposal by Residents (Transfer Pathway)

Residents would carry their general waste or recycling (in bags) or food waste (in bins) to the property Waste Storage Area (see Figure 1 and Section 0 below) for disposal, via the main driveway and/or paths provided.

- **This transfer pathway should be a minimum of 900mm wide with hard and level surfaces and no steps along its entire route.**
- **Note:** We recommend that the Waste Storage Area access walkway leading up to the Waste Storage area (as marked on Figure 1) is at least a minimum of 1.1m wide and clearly marked as a walkway to be kept free for resident use.

3.3 Waste Storage area

The Waste Storage area (Waste Area) would in the Southwest corner of the property - see Figure 1. **The following outlines the (waste) relevant design and operational details for this Area.**

- **Dimensions -**
 - It would be an enclosed area with 4.8×2.9m wide internal dimensions and an internal height clearance of least 2.4m.
- **Structure -**
 - Roof-top canopy (for weather protection) and permeable walls (e.g., slats) on the property side for natural ventilation.
 - A gap from top of walls to roof eaves can also be used to support natural ventilation.
 - A naturally induced extraction fan on roof can be installed too.
 - Solid walls along the property boundary (southern and western).
 - Roof gutters and stormwater drainage provided.
- **Waterproofing and sewer connection -**
 - The internal floor would be sealed (either paved or concrete and waterproofed) and graded (with no steps at exit and entry points) to a dedicated sewer drain (within a Bin Wash area - see further below) to enable efficient washdown and cleaning.
- **Access & Security -**
 - There would be a (at least) 0.9m wide gate/door (opening into the Waste Area) for resident access (to and from) and to facilitate bin transfer (to and from) for collection.
 - For security, resident access should be by key card and/or combination lock.
 - CCTV for the Waste Area is recommended.
- **Ventilation -**
 - Northern and eastern (property side) walls should be permeable (e.g., slats) to allow for some natural ventilation.
 - A gap from top of walls to roof eaves can also be used to support natural ventilation.
 - We recommend a naturally inducted roof-top extraction fan / system to help disperse any odours and minimise potential for any build-up of such.
- **Bin Wash area -**
 - Would be incorporated into the Waste area (and multipurposed with bin storage area).
 - It should be at least 2m x 1.8m (in size), graded to sewer drain (with no steps), basket screen in drain (to catch solids), with an adjacent industrial power point and cold-water supply.
 - The Community Corporation for the Development would be responsible for organising a person or Property Manager to clean bins when needed (e.g., quarterly).
- **Lighting -**
 - Lighting provided to achieve minimum lighting level of 160 lux and gaps between slats and/or windows can provide natural light (during day) too.
 - We recommend automatic lighting is sensor activated upon room entry.
- **Bin lining practice -**
 - Liners are recommended for General waste (plastic liner) and Organics / Food waste (compostable liner) MGBs to minimise odour potential and their cleaning frequency.
- **Signage -**
 - There should be signage on and above bins to assist residents in correct disposal (and recycling) practices.
 - The State Guideline (Zero Waste SA, 2014) provides information and guidance on what this signage and Council should be consulted in event they have specific signage too.

3.4 Kerbside Bin Presentation & Collection

On Council collection days, bins for presentation on that day would be transferred from the Waste Area to the presentation area along Anzac Highway for kerbside collection, as illustrated in Figure 1.

- **We recommend that kerbside bin presentation is split into two separate areas on either side of the central driveway.**
 - **These areas must be a hard, flat, and secure surface**, at least 1.2m deep, with widths as indicated in Figure 1.
- **The Community Corporation would be responsible for organising a person or Property Manager to present bins** on (the night before or morning of) the designated Council collection days and retrieve (emptied) bins and return them to Waste Area later the same day.
- **Up to 10 bins (10 one week, 8 on the alternating week) and would be presented each week:** 4×240L General Waste MGBs (weekly)+ 6×240L Comingled Dry Recycling MGBs (fortnightly) OR 4×240L Organics / Food Waste MGBs (on the alternate fortnight).

3.5 Bin washing

The bin wash area would be in the Waste Area (as described above).

- **It can be temporarily set-up as needed** (e.g., monthly) for bin cleaning.
- Bins would be washed when empty after a collection event.
- **The Community Corporation would be responsible for organising and scheduling bin washing** as needed at the site.

3.6 Hard Waste Collection

As per Council requirements (www.westtorrens.sa.gov.au/Waste-and-recycling/Hard-waste), residents can book and present their hard waste kerbside on the Anzac Highway road verge for collection.

3.7 Disposal of Other Waste & Recycling

Residents would refer to Council advice and information (www.westtorrens.sa.gov.au/Waste-and-recycling) for disposal of other waste and recycling (e.g., hazardous, soft plastics, batteries).

3.8 Garden Waste from common landscaped areas

The Community Corporation will ensure the maintenance contractor does not dispose of this material into the Council kerbside bins and **removes it from the site for separate disposal.**

3.9 User Obligations

The Community Plan must include obligations for property owners and/or residents to properly use the Waste System, including any directions from Council on waste and recycling disposal practices necessary to support their kerbside collection services. **Any rental lease agreements should include obligations for tenants that mirror these Community Plan requirements.** Instructions for properly using the Waste System at the site must be included in the Resident / Property Owner Manual.

Please let me know if there are any queries or further advice needed, including any clarification or additional input required at the detailed design. I trust that the above supports planning approval for the Development.

Yours Sincerely,



Bronwyn Colby, Senior Analyst

On behalf of Dr Chris Colby, Managing Director & Principal Consultant

Colby Phillips Advisory

References

City of West Torrens. (2022, September). Email & personal communications re: waste management for 148 Anzac Highway development: Nick Teoh, Team Leader Waste Managmeent, City of West Torrens.

Zero Waste SA. (2014). *Better Practice Guide Waste Management for Residential and Mixed Use Developments*.

Details of Representations

Application Summary

Application ID	22032260
Proposal	Construction of two (2) three storey residential flat buildings comprising 14 dwellings
Location	148 ANZAC HWY GLANDORE SA 5037

Representations

Representor 1 - Aijun Pan

Name	Aijun Pan
Address	1 Ruthven Avenue GLANDORE SA, 5037 Australia
Submission Date	09/11/2022 09:55 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 I think the plan should be refused. There are several reasons. Firstly, it will definitely affect my privacy, people from level two or three could easily overlook my backyard. Secondly, it will block the sunlight at the end of my backyard as well. Last but not least, the three storey building definitely affect the presentation of that area of Anzac Highway. Therefore, I strongly believe that planning consent should not be granted.	

Attached Documents

Representations

Representor 2 - Brian Forrester

Name	Brian Forrester
Address	1A Waymouth Avenue GLANDORE SA, 5037 Australia
Submission Date	24/11/2022 11:09 AM
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 (Brian Forrester & Frances Lynch) are directly involved as our small property will back directly onto this proposed that has been put forward to local & state government planning, of which the plans were originally done without any representation by the government, & agreed by the council. It is totally against anything remotely keeping in with a 'character zone', but money can buy approvals with no objection from the council as like the government will collect various revenues and fees. We have a 5G NBN system, if this proposed development in anyway disrupts the signal, it WILL be up to them to rectify at THEIR expense, not ours. At the rear of the proposed development there are some eucalyptus trees that have frequent native birds in them eg rosellas, parrots, a kookaburra now & then, but I guess they'll just be ripped out & replaced with nothing There can be NO windows or any kind of view into our property at 1A Waymouth Avenue at all from this proposed development. It is not my concern that if approved, that any construction that takes place during warmer weather, I will ensure that appropriate conditions of noise control act & other environmental acts WILL be adhered to. I do not care that the persons involved in the construction have no where to park. Our street Waymouth Ave is a residential street, not a parking lot or a main road, & again I will be making sure the council will be enforcing all parking regulations for the safety of residents and normal traffic flow.

Attached Documents

Representations

Representor 3 - Fran Lynch

Name	Fran Lynch
Address	1A Waymouth Ave GLANDORE SA, 5037 Australia
Submission Date	24/11/2022 03:06 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

This is not in keeping with the neighbourhood aesthetic. Most houses in our direct area are either single or two storey and this three storey apartment will block our sun, ruin our privacy and security we feel in our backyard. It will overshadow our houses and ruin the street view and appeal of our residence. There is substantial noise from Anzac hwy we only had small numbers of people residing behind us in the past and we mostly did not hear them. This addition of 14 more dwellings will increase the noise level with possibly 28 plus people residing in these apartments. This also will have detrimental value to sale and resale value of our property as who would want to live with neighbours looking into their backyard and apartments built with no substance to them that you can hear every conversation and movement.

Attached Documents

Representations

Representor 4 - Raymond Drummond

Name	Raymond Drummond
Address	PO Box 228 MARLESTON SA, 5033 Australia
Submission Date	26/11/2022 12:39 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 support the development with some concerns

Reasons

Whilst there is no issue with the development going ahead, there are some concerns about some design elements which may impact on my asset & general outlook from my property. Comments on design documents provided: Cannot see if there is any planned external lighting, security or otherwise for the rear of the property. If there is to be any external lighting at the rear of the property it should be positioned and designed to not cause light spill into residential property at rear of development. Cannot see any indication of positioning of airconditioning units, solar panels and the like. Assuming they will be included, they should not add additional height to roofline, are screened from view and operating noise dampened. Concerns that there is no screening or breaking up of, essentially what will be, a large blank square of building. Currently enjoy a view of trees and associated bird life. The development also has very little in the way of plants of any height at the rear of the property to assist in 'green' cooling and encouraging biodiversity, as well as preventing overlooking of residential property by rear units of the development, (potentially units 6 and 7). Any plantings should have a non-invasive root system. Of major concern is the construction of waste storage area at rear fenceline and impacts of development on existing fence/s. The provided documents suggest that this ancillary building for waste storage will be located at the rear fence of interfacing with 4/3 Waymouth Ave Glandore (zoned as Established Character Residential). Of particular concern is around odours coming from the area due to the prevailing winds and proximity of the front door and backyard area. What guarantee that this area will be maintained in a clean state to reduce odours and vermin? There appears to be no set back from existing fenceline and current design extends above existing fenceline. In addition, the design does not provide any detail of construction materials to be used and what type of exhaust fan is proposed. As the current design information appears to be based on Council recommendation rather than policy, can this ancillary building and/or its use be integrated into main building/s design? From the design documents it is not clear what will be happening with existing rear fence. Will there be plantings to screen rear properties? If retaining walls are to be constructed what height will they be? If no natural screening and/or retaining wall what will be in place to protect fence from damage from motor vehicles and the like?

Attached Documents

Representations

Representor 5 - Jayne Stinson

Name	Jayne Stinson
Address	407 Marion Road PLYMPTON SA, 5038 Australia
Submission Date	28/11/2022 06:13 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 I am writing on behalf of Mr Forrester and Ms Lynch who have raised their concerns with me over the proposed development on 148 Anzac Highway. Mr Forrester and Ms Lynch have lived at 1A Waymouth Avenue Glandore for over 20 years. They hold fears that the development will completely overshadow both their own and surrounding properties. Mr Forrester informs me that the eucalyptus trees lining the rear of 148 Anzac Highway are home to rosellas, parrots, magpies, and kookaburras. Mr Forrester and Ms Lynch have emphasised the importance of mitigating tree loss, especially if they are regulated trees. Making sure there will be sufficient parking spaces provided for the future residents of 148 Anzac Highway would address Mr Forrester's concerns of parking congestion on Waymouth Avenue. I share the desire for ensuring the development serves the local community. If you have any questions, feel free to contact me on 83715600 or at badcoe@parliament.sa.gov.au.	

Attached Documents



6 February 2023

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

Attention: Karen Mitrovic

Dear Karen

**Re: Response to Representations to Development Application 22032260
Construction of two (2) three-storey residential flat buildings comprising 14 dwellings
at 148 ANZAC Highway, GLANDORE**

MasterPlan (SA) Pty Ltd ("MasterPlan/We") act on behalf of Andrew McDonald (the "Applicant") to provide a response to the Letters of Representations (the "Representations") received by Council following the notification of the abovementioned Development Application (the "Application").

Five (5) valid representations were submitted to Council, four (4) in opposition to the proposed development and one (1) in support of the development, but with concerns. Two (2) representations were provided by occupants of the same property (1A Waymouth Avenue, Glandore).

Except for the representations provided by the occupants of the same property, this response summarises each representation individually and provides a response to the concerns outlined in the representations respectively.

Representation from Aijun Pan (1 Ruthven Avenue, Glandore)

Summary of Concerns

- Impact on privacy with occupants of the development's upper storeys having views into the private spaces of their property.
- Concerned development will obstruct supply of direct sunlight to their private rear yard.
- The three-storey building will affect the presentation of the ANZAC Highway locality.

Response

Loss of privacy and obstruction of direct sunlight

The proposed development incorporates design measures to prevent overlooking of adjoining properties.



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53233LET01



The external windows of the upper-level floors (Level 1 and Level 2) which will enjoy outlooks towards the coast and the city will have either windowsill heights 1.8 metres above their respective finished floor levels, obscure glazing or will be recessed behind the 1.7-metre-high frosted glass screening of the balconies.

The windows of the living areas on Levels 1 and 2 will have an outlook primarily over the internal common driveway and the proposed building opposite. The Applicant is accepting of an appropriate condition being attached to a consent if further privacy measures are required for these windows.

In any event, there will be no opportunity for the occupants of the development to overlook the private spaces of the residence at 1 Ruthven Avenue, Glandore.

In respect to the development's impact on access to natural sunlight at 1 Ruthven Avenue, the building's maximum height will be 10.5 metres and three (3) levels. The upper level of the building will be setback 2.539 metres from the closest boundary and 5.355 metres at its closest point to the site's rear boundary.

With the subject land being approximately 20 metres to the north-east of the property at 1 Ruthven Avenue, and with several existing trees and buildings situated on the properties between, the development will have no detrimental impact on the supply of natural sunlight to the property at 1 Ruthven Avenue.

Affect of development on ANZAC Highway locality

The Urban Corridor (Boulevard) Zone guidelines facilitate development up to three (3) levels and 12.5 metres. Neither of the proposed buildings exceeds the maximum levels or height (metres) prescribed within the Zone.

Furthermore, the Zone envisages development that frames the streetscape edge of ANZAC Highway with prominent, strongly defined, and continuous built form and with buildings either partially constructed on side boundaries or with setbacks of 2.0 metres. The proposed development is largely consistent with the relevant Designated Performance Features relating to boundary setbacks. As such, space will be provided around the buildings to accommodate landscaping, vehicle movements and waste management.

In addition, the proposed buildings will provide an interesting façade to the ANZAC Highway frontage and the side and rear boundaries will incorporate windows and balconies, variation in building lines and incorporation of different materials and finishes to the building elevations.

The proposed development is consistent with the Zone guidelines regarding the presentation of the development within the immediate ANZAC Highway locality.

Representation from Raymond Drummond (Postal address provided)

The representation supported the proposed development however expressed the following concerns.



Summary of Concerns

- Requested external lighting at the rear of the property be positioned so as not to cause light spill into properties at the rear of the development.
- Requested air conditioning units and solar panels not further height to the roofline, be screened from view, and noise associated with their operation be dampened.
- Noted the development will appear as a large blank square due to a lack of screening and breaking up of the building.
- Noted there is little information on plantings at the rear of the property to assist with cooling, encouraging biodiversity and preventing overlooking of land to the rear of the development. Requested new plantings have non-invasive roots.
- Feared the waste storage area adjacent the rear fence will result in odour and vermin nuisance. Requested more details in respect to the construction of the waste storage building and a guarantee the area will be maintained in a clean state.
- Requested clarification on what is proposed for rear boundary fencing, especially in respect to protection of the fence from being damaged by motor vehicles and the height of retaining walls.

Response

Infrastructure associated with the development

The request for external lighting being positioned so as not to cause light spill into adjoining properties is noted. The Applicant will ensure lighting placed within common property is designed and managed to prevent light spill causing nuisance to adjoining property owners.

The concern that air conditioning units may create additional height to the roofline will not be realised as the planning drawings have been amended to show all units being placed under the verandahs of the respective ground floor private open spaces. The units will be screened from view and measures will be taken to ensure operational noise is dampened to prevent the units being a nuisance to adjoining property owners.

Solar panels are not proposed as part of the proposed development and will be the subject of a separate application should they require a development authorisation. Nevertheless, the placement of solar panels on the buildings in the future can be arranged so they are not particularly evident from ground level.

Design

It is understood the reference to the lack of screening or breaking up of "*a large blank square*" is in reference to the rear elevations of the buildings.



These concerns have been noted and the rear elevations have been re-designed to break up their massing with the inclusion of additional windows and the use of different materials and finishes. The rear elevations no longer present as a "*large blank square*" with the changes greatly breaking up the massing of the buildings.

In respect to the provision of landscaping, new plantings will be introduced to replace existing vegetation that is to be removed. The proposal will include small to medium size trees being planted at the front and rear of the buildings to comply with the relevant Performance Outcomes of the Planning and Design Code. Landscaping at both the front and rear of the property has been increased to support medium size trees that will assist with cooling and the retention of biodiversity. Plants with non-invasive roots can be chosen so the integrity of the proposed development and adjoining buildings are not compromised.

New fencing to a height of 1.8 metres will be erected on the property boundaries and on top of the retaining walls depicted on the civil plans submitted with the application. The area of landscaping at the rear of the land has been increased and a 'no parking' reversing bay has been added to the development. The changes introduced to the space adjacent the rear boundary should mitigate damage by motor vehicles to the rear fence.

As stated in the response to the representation from Aijun Pan, the proposed development incorporates design measures to prevent overlooking of adjoining properties. If any additional privacy treatments are necessary, then the Applicant is agreeable to this being done using appropriate conditions attached to a planning consent.

Waste Management

The location and configuration of the waste bin storage area has been amended. Still located to the rear of the development site, less of the area will be against the rear boundary. The amendment also facilitates the provision of additional landscaping and tree planting in the south-west corner of the site.

Waste bins will be stored within a fenced, open-air, hardstand area, not within a building. As such, there will be no exhaust fans, and no part of the area will extend over the fence line shared between the subject land and adjoining properties.

The waste bin storage area will be connected to the sewer to facilitate the washing of bins on a regular basis. The hardstand and wastewater features, along with the location of the waste bin area, will mitigate nuisance caused by odour and vermin to adjacent property owners.

Representation from Brian Forrester & Frances Lynch (both of 1a Waymouth Avenue, Glandore)

Individual representations were submitted by Brian Forrester and Frances Lynch however, both reside at the same property and their concerns were similar in nature. The following is the response to their representations.



Summary of Concerns

- Development is not in keeping with a character zone as the neighbourhood aesthetic of most houses in the area consists of either single or two-storey buildings.
- Will seek any disruption to 5G and NBN service to his property to be rectified by Applicant.
- Do not support the removal of eucalyptus trees at the rear of the subject land.
- Will ensure parking regulations are observed.
- Development will obstruct supply to direct sunlight and does not support windows providing views of their property that will affect privacy and security enjoyed within the private rear yard of their dwelling.
- The development will increase noise level due to increased density and environmental noise policy requirements during construction will need to be observed.
- The development will have a detrimental value to sale and resale value of their property.

Response

Character Impact

The subject land is not within a Character Area Overlay nor does it front a road where a character area within a neighbourhood-type zone is on the opposite side of the road. Building heights are not restricted to single, or two-storeys, nor is an orderly transition of built form required to complement a neighbourhood streetscape character.

As noted in the earlier response to Aijun Pan, the subject land is in the Urban Corridor (Boulevard) Zone and the relevant guidelines facilitate medium to high-density accommodation in buildings up to three (3) levels and 12.5 metres. Development is expected to contribute a prominent, strongly defined, and continuous built form edge to ANZAC Highway and with buildings either partially constructed on side boundaries or with setbacks of 2.0 metres. The development is consistent with these expectations and furthermore exceeds the Zone's rear boundary setback guideline of 5.0 metres.

The proposed development is consistent with the Zone guidelines regarding the presentation of the development within the immediate ANZAC Highway locality.

Disruption to amenity and services

As mentioned earlier, the proposed development incorporates design measures to prevent overlooking of adjoining properties. The new upper-storey windows to the rear elevations of the buildings will comprise obscured glazing or have windowsill heights of no less than 1.8 metres above the upper floor level. The Applicant is accepting of an appropriate condition being attached to a consent to mitigate any living area windows resulting in an unreasonable impact upon the privacy of surrounding properties.



New fencing to a height of 1.8 metres will also be erected on the property boundaries to provide further privacy and security of adjoining properties.

In respect to the access to natural sunlight, the buildings have been designed and sited to mitigate their impact upon adjoining properties. Although incorporating three (3) internal levels, the overall building heights will be well below the maximum prescribed height limit (12.5 metres) and the setback of the buildings to the rear property boundary exceed the 5.0-metre minimum setback guideline of the Zone. The spacing between the two (2) buildings and the orientation of the subject land also greatly assists in reducing the impact of the development.

Shadow diagrams have been prepared which confirm the private open space of 1A Waymouth Avenue will continue to enjoy reasonable access to direct sunlight following the completion of the development, especially throughout the morning periods during winter.

The north(west) and north(east) facing windows of habitable rooms of the adjacent dwelling at 1A Waymouth Avenue will receive at least three (3) hours of direct sunlight between 9.00 am and midday on 21 June. This satisfies Performance Outcome 3.1 of the General Development Policies relating to *Interface between Land Uses*.

In addition, the private open space of 1A Waymouth Avenue will receive at least two (2) hours of direct sunlight between 9.00 am and midday on 21 June to half of its ground-level open spaces. This satisfies Performance Outcome 3.2 of the General Development Policies relating to *Interface between Land Uses*.

While it is acknowledged there will be some loss of direct sunlight supply to 1A Waymouth Avenue the effects will be limited to only a few months of the year and the development will have minimal impact on direct sunlight supply for the rest of the year.

It is also acknowledged some additional noise resulting from increased density might be experienced occasionally. This should be expected within a Zone that supports medium and high-density development. That said, there is no evidence the proposed development will create greater noise than a development with less density.

Further, it is reasonable to expect noise that is a nuisance to adjoining properties will also be a nuisance to the occupants of the development. It will be in the interest of the development's residents to address this matter.

ANZAC Highway is also a recognised high-traffic generator and a constant source of traffic noise. The proposed development will provide a better barrier against the transmission of traffic noise than currently provided by the single-storey dwelling on the subject land. This benefit should off-set any occasional noise created by the increase of residential density.

All contractors engaged during the construction of the development will be familiar with their responsibilities with respect to noise. They will be required to observe the restrictions imposed upon construction sites so environmental noise and impacts do not breach relevant statutory requirements.



In respect to existing vegetation, none of the trees on the subject land are regulated trees. Accordingly, the trees can be removed at any time without the need for a development authorisation. Nevertheless, new plantings will be introduced to replace the vegetation that is removed. This matter is outlined earlier in this representation.

The proposed development should have no impact to 5G or NBN services provided to surrounding properties. Any disruptions to services for adjoining property owners will need to be directed to the service providers as these matters are beyond the control of the Applicant.

Parking congestion

The proposed development consists of fourteen (14) residential units each comprising two (2) bedrooms and exclusive access to a single-vehicle garage. An additional three (3) visitor car parks will also be provided on-site.

The subject land is within a '*Designated Area*' which recognises the need to reduce dependence on private motor vehicles by encouraging critical mass to support the use of public transport and alternate forms of transport.

Accordingly, *Table 2 - Off-Street Car Parking Requirements in Designated Areas* of the Planning and Design Code prescribes that two (2) bedroom dwellings within residential flat buildings be provided with one (1) exclusive parking space and a provision of visitor parking at a rate of 0.25 spaces per dwelling.

The proposed development will include seventeen (17) on-site parking spaces. This is consistent with the prescribed on-site parking requirements for a development of this type and scale.

It should also be noted the proposed development will reduce the number of crossovers to ANZAC Highway. This will increase the supply of on-street parking by one (1), possibly two (2), on-street parking spaces within the ANZAC Highway corridor. It is acknowledged the occupants will not have exclusive use of these spaces, nevertheless, the development will make a positive contribution to net parking supply within the locality.

The car parking capacity of the development is expected to reasonably cater for the anticipated demands of the proposed development, and it is unlikely parking congestion will be caused within local streets, and especially not within Waymouth Avenue.

Impact on property value

Matters of property value are not a planning consideration as many factors affect property values, most being outside the scope of a planning assessment.

For this reason, it is well understood the practice of development assessment must not give consideration to property values.

**Representation from Jayne Stimson (Member for Badcoe)****Summary of Concerns**

This representation was submitted on behalf of Mr Forrester and Ms Lynch, which is in addition to their own submissions. The representation reinforced the concerns expressed in their submissions, including:

- Concern regarding overshadow their property and others.
- Seeking the mitigation of tree loss for biodiversity reasons.
- Seeking adequate on-site and on-street parking to prevent parking demands associated with the development spilling into Waymouth Avenue.
- Desires development that serves the local community.

Response

The concerns raised in the representation from Jayne Stimson were addressed earlier in this response however we wish to add the proposal will address housing supply needs and upon a site that has been identified by the State Government as facilitating medium and high-density development.

In this respect, the development will provide greater housing choices to the local community and provide further support to services in the area. It is anticipated the responses provided previously in this document reinforce the appropriateness of the development.

Closure

We thank the Council for the opportunity to provide a response to the representations and trust this correspondence suitably addresses the concerns raised in the submissions.

The Applicant also requests the opportunity to make a verbal representation to the Council's Assessment Panel, either in person or by a representative, if necessary.

Please contact me should you have any questions in respect to this correspondence.

Yours sincerely

Greg Vincent
MasterPlan SA Pty Ltd

Heritage Referral
Address: 148 Anzac Highway Glandore
Application No: 22033360

Heritage Adjacency Overlay	
Assessment Provisions (AP) Desired Outcome	
DO 1 Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.	
Comments: The Avenue of Claret Ash Trees is of local heritage significance as a natural War memorial planted along the verges of Anzac Highway. The proposed development adjacent the local heritage place will not alter the heritage place or its ability to display its heritage significance as a lengthy avenue of memorial trees stretching the length of Anzac Highway.	
Assessment Provisions (AP) Performance Outcome	
Built Form	
PO 1.1 Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.	DTS/DPF 1.1 None are applicable.
Land Division	
PO 2.1 Land division adjacent to a State or Local Heritage Place creates allotments that are of a size and dimension that enables the siting and setbacks of new buildings from allotment boundaries so that they	DTS/DPF 2.1 None are applicable.

do not dominate, encroach or unduly impact on the setting of the Place.	
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Comments:

The proposed land division and three storey residential flat buildings will alter the setting of a small section of the Avenue of Claret Ash Trees, however, when considering the larger setting of the local heritage place, which extends along Anzac Highway, the proposed development will not unduly impact on or dominate the Local Heritage Place which already has a varied and changing setting.

Overall Comments and Recommendations:

To summarise, I have completed a desktop review of the proposed development for 14 dwellings within two three storey residential flat buildings.

As there are no Claret Trees proposed for removal as part of the proposed development and the setting of the Local Heritage Place consists of various built forms along the length of Anzac Highway the proposed development will not unduly impact or dominate the setting of the Avenue of Claret Ash Trees.

Please note that this is a heritage comment only and excludes any arboreal advice.

Please advise if you require additional comments or clarification of any of the above.

7 November 2022

Hello Karen,

apologies for the delay, I have read through the request for additional information for 148 Anzac Hwy Glandore and with regards to the section on **Regulated and Significant Trees**, any works carried out within the TPZ has the potential to cause damage, it is stated within the document that the client proposes to undertake the following activities within the tree protect zone during construction;

- Air spade excavation only (no machine excavation, including trenching).
- No changes in soil levels beyond the proposed or depositing of fill.
- That a suitably qualified arborist oversees the works to be undertaken within the Tree Protection Zone.

- Works to occur within the Tree Protection Zone will be relatively non-intrusive and include:
 - the establishment of landscaping;
 - erection of a light-weight fence;
 - laying of permeable paving;
 - installation of stormwater infrastructure; and
 - removal of the existing driveway and crossover and the area returned to natural ground.

Providing these methods are followed City Operations will support the proposal without an Arborist report.

Kind regards

Rick Holmes
Technical Support Officer Arboriculture
City of West Torrens

Memo

From Richard Tan
Date 22/03/2023
Subject 22032260, 148 Anzac Hwy Glandore SA 5037

Karen,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 Previously accepted on 18/10/22** - In accordance with the provided 'Proposed Civil Plan' (Ref: DDS-130-A, dated 07/2014) the FFLs of the proposed development (20.80 minimum) have been assessed as satisfying minimum requirements (20.54 minimum) in consideration of street and/or flood level information.

2.0 Verge Interaction

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

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

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

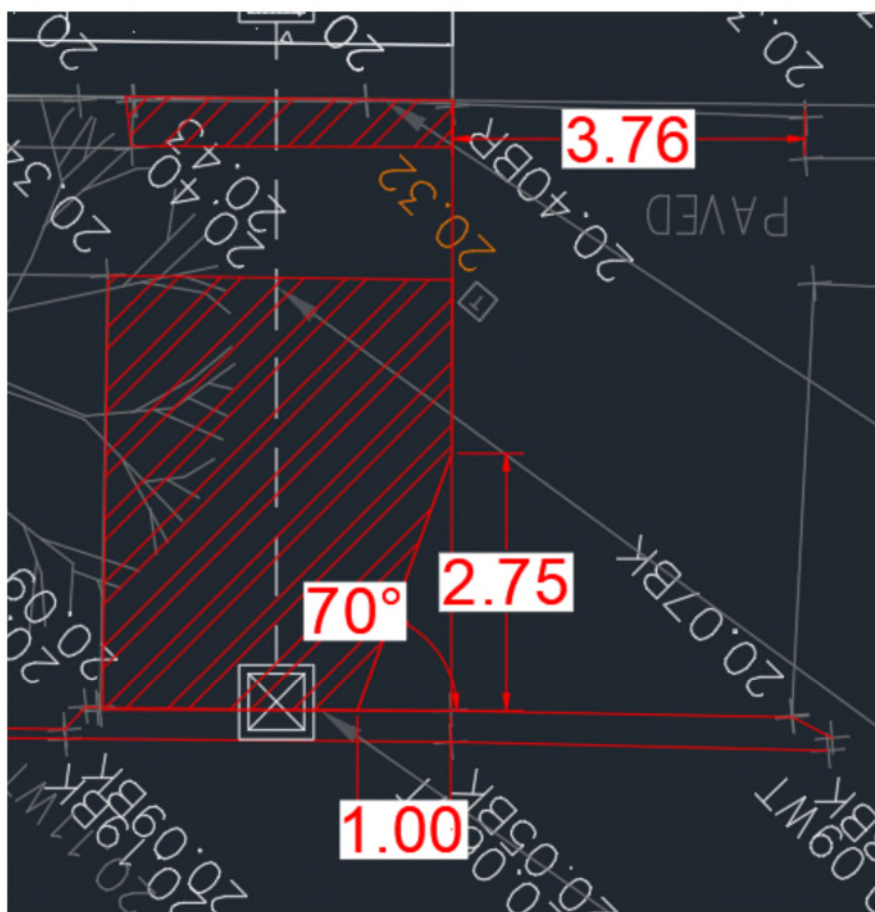
- 2.1.1 No further assessment provided. Item still considered outstanding.** - A stobie pole is indicated to be removed in order to accommodate the crossover. Evidence must be provided to Council indicating that the appropriate authority (SAPN) has agreed to the

removal of the pole and that any relevant expenses are borne by the developer. Until such evidence is provided to Council, a 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.

- 2.2 While the stormwater connection is now discharging directly to the street water table, the location of the stormwater connection should be relocated away from the property south-western boundary, and move towards the tree, as the current location is likely to be in conflict with the neighbouring crossover (after reinstatement). I have attached a sketch in the following, which also can assist the applicant in reinstating the kerb and verge features.

Note: hatch area indicates existing crossover part to be reinstated to landscaping/kerb. When reinstating the existing crossover to the site, it should be ensure that safe and convenient access to the neighbouring unit is still achievable.



The shape and material of stormwater connection through the road verge area has been assessed as satisfying minimum requirements. It should be conditioned/noted that the stormwater connection should be constructed as per requirements which can be download at <https://www.westtorrens.sa.gov.au/files/sharedassets/public/objective-digitalpublications/external-website/guidelines/guidelines-for-stormwater-connections-on-council-land.pdf>

2.3 The redundant kerb has been indicated to be reinstated on provided plan.

3.0 Traffic Requirements

3.1 I leave this to planner's consideration on whether this is acceptable.

Previous comments attached:

The subject site is located within the Urban Corridor (Boulevard) Zone in the new Planning and Design Code.

The proposal plans identify the land uses as follows:

- *2 Bedrooms, 1 meal room with sliding door and ensuite, gym/storage with ensuite - Lot 1 to Lot 14*

The gym/storage area is one open area with no separation wall or door to the garage. Hence, although there is an ensuite area, it is not considered as a bedroom. On the other hand, the meal area is a room with ensuite and has a separation wall/sliding door which separates from the family area, which can be easily converted to a bedroom. I leave this to the planner's consideration on whether this should be considered as a bedroom.

Based on Table 2 - Off-Street Car Parking Requirements in Designated Areas, the parking requirement has been calculated as following.

<i>Lot 1 to 14 - 2 Bedroom</i>	<i>14 spaces</i>
<i>Lot 1 to 14 - 3 Bedroom</i>	<i>18 spaces</i>
<i>Visitor parking</i>	<i>4 spaces</i>

If this is assessed as a 2 Bedroom, then the parking requirement has been assessed as satisfying minimum requirements.

*If this is assessed as a 3 Bedroom, given that the site is close to a bus stop, a 10% discount can be applied. **In this case, the parking spaces required can be reduced to 19 spaces (16 + 3 visitor parking spaces), which the proposed development is shortfall by 2 parking spaces.***

3.2 Previously accepted on 18/10/22 - The proposed garage (3.5m by 5.9m) has been assessed as satisfying minimum requirements of a single garage.

- 3.3 Issue resolved** - The visitor parking spaces next to Lot 7 should be adjusted to minimum 2.7m wide per parking space. If there is fencing next to the access walkway, then the visitor space next to it should be 3.0m wide, else 2.8m is acceptable.
- 3.4 Previously accepted on 18/10/22** - Site vehicle manoeuvre is supportable with a 7m aisleway and 2.9m wide roller door.
- 3.5 Previously accepted on 18/10/22** - As the access driveway will service more than one property at the rear and is next to a major arterial road, the driveway to the site will required widening to a minimum of 6.0m wide (+ 300mm offset from fences/walls) for the first 6.0m (typically requested by DPTI). The proposed development has been assessed as satisfying minimum requirements.
- 3.6 Issue resolved. Although not all service meters have been indicated on provided plan, however, the driveway common area is wider than requirement, and as such, all service meters will be located outside the driveway common area.** - 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.

The letterboxes is located outside the driveway common area.

The location of service meters should be indicated on plan.

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."

- 3.7** The proposed crossover is supported. It should be noted that while the crossover is approximately 2.2m offset from existing street tree, however, as the tree is relatively large, it is unclear if 2.2m offset will be sufficient. I leave this to the planner's consideration on further advise from Council's Arboriculture team is required.

It should be conditioned/noted that the crossover should be constructed as per requirements which can be downloaded at
<https://www.westtorrens.sa.gov.au/files/sharedassets/public/objective-digitalpublications/external-website/building-and-development/guidelines-for-driveway-crossing-places.pdf>

4.0 Waste Management

- 4.1** The applicant has indicated that the site will be serviced by Council's waste service. However, no further documentation from Council's Waste Service team has been provided to support this claims. The latest provided waste report has reference an attachment (email confirmation from Council's Waste Service

Team), however I am unable to locate that in the portal. I leave this to the planner's consideration on how to resolve this issue.

Due to the nature of this application being a commercial development, it is recommended that further assessment from Council's Waste Management Team is required. **If private waste service is required, then further demonstration that site is able to access by a MRV truck (forward entry and forward exit) is required.**

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

5.0 Stormwater Management

5.1 Stormwater Harvest and Re-use

City Assets typically strongly encourages the inclusion of stormwater collection and active re-use, particularly with function with possible high demand of water reuse and hence a high volume of reduction of stormwater runoff from the site can be simply achieved.

Collection and active re-use of stormwater in developments of this nature can go a long way towards the achieving the other stormwater management measures if water quality and detention, as well as the sustainability benefits which area achieve through water conservation considerations.

It is strongly encourage that the applicant explore the stormwater collection and re-use option as above.

5.2 Stormwater Detention

Provided information, 'Civil Plan', (DDS-130-D), would indicated that the applicant has chosen to adopt the 'Alternate' approach for desired stormwater management for this site.

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

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

- **All stormwater management measures for a dwelling, including harvest tanks and supply mechanisms, must be installed and operation prior to occupancy of that dwelling.**

5.3 Stormwater Quality

As the applicant has adopted the 'alternate' stormwater detention approach, hence Council City Assets department will support the proposal to installed

Enviropod 200 filter and basket to all pit within the site for stormwater quality purposes.

Regards
Richard Tan
Civil Engineer



Waste Management Assessment

Development Application No: 22032260

Assessing Officer: Karen Mitrovic

Site Address: 148 Anzac Hwy Glandore SA 5037

Certificate of Title: **Title Ref:** CT 5608/175 **Plan Parcel:** F7194 AL34

Description of Development Construction of two (2) three storey residential flat buildings comprising 14 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 Karen Mitrovic
From Nick Teoh
Date 27/03/2023
Subject 148 Anzac Hwy Glandore SA 5037

Dear Karen,

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

Waste Management

The proposal outlined in the waste letter provided by Colby Philips Advisory is considered acceptable.

The following shared service will be provided to the development:

- 4 x 240L general waste bins
- 6 x 240L recycle bins
- Organics bins will be provided upon request (limited to 6 x 240L)

Kind regards,

A handwritten signature in black ink, appearing to read 'Nick Teoh', is positioned below the 'Kind regards,' text.

Nick Teoh
Team Leader Waste and Resource Recovery

Referral Snapshot

Development Application number:
22032260

Consent:
Planning Consent

Relevant authority:
City of West Torrens

Consent type for distribution:

Referral body:
Commissioner of Highways

Response type:
Schedule 9 (3)(7) Development Affecting Transport Routes and Corridors

Referral type:
Direction

Response date:
23 Mar 2023

Advice:
With comments, conditions and/or notes

Condition 1

All access to/from the development shall be gained in accordance with the Site Plan produced by Dimension Design Studio, Project No. 1638.21 with the revision dated 18.02.23. The access to Anzac Highway shall be a minimum of 7 metres in width (measured at the property boundary) to accommodate simultaneous two-way movements. The design shall include a raised separator to prohibit right turns into and out of the site.

Condition 2

All vehicles (including any service/waste vehicles accessing the site) shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

Condition 3

The entry and exit points shall be suitably signed and line-marked to reinforce the desired traffic flow.

Condition 4

The redundant crossovers on Anzac Highway shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to habitation of the dwellings.

Condition 5

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 6

Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in *AS/NZS 2890.1:2004*, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

Condition 7

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

6.2.2 452 Henley Beach Road, LOCKLEYS

Application No 22038599

Appearing before the Panel will be:

Representors: **Jennett Laintoll** of 17a Cairns Ave, Lockleys wishes to appear in support of the representation.

Bethany Nottage of 448 Henley Beach Road, Lockleys wishes to appear in support of the representation.

Brooke Nottage of 448 Henley Beach Road, Lockleys wishes to appear in support of the representation.

Applicant: **Jason Cattonar** of Future Urban wishes to appear in response to the representations.

DEVELOPMENT APPLICATION DETAILS

DEVELOPMENT NUMBER	22038599
APPLICANT	Karidis Corporation Pty Ltd C/- Future Urban
ADDRESS	452 HENLEY BEACH RD LOCKLEYS SA 5032
NATURE OF DEVELOPMENT	Change in use of existing community centre to a dwelling, together with the construction of a three-storey residential flat building containing 8 dwellings for the purposes of retirement living and a community centre and a carport
ZONING INFORMATION	Zones <ul style="list-style-type: none"> • General Neighbourhood Overlays <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Advertising Near Signalised Intersections • Affordable Housing • Building Near Airfields • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Transport Routes • Urban Tree Canopy
LODGEMENT DATE	9 Dec 2022
RELEVANT AUTHORITY	Council Assessment Panel
PLANNING & DESIGN CODE VERSION	2022.23
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes
REFERRALS STATUTORY	Commissioner of Highways
REFERRALS NON-STATUTORY	<ul style="list-style-type: none"> • City Assets • Waste Management
DELEGATION	<ul style="list-style-type: none"> • A representor has lodged a valid representation and wishes to be heard.

RECOMMENDING OFFICER	Kieron Barnes
RECOMMENDATION	Grant Planning Consent with reserved matters and conditions

SUBJECT LAND AND LOCALITY

The subject land is formally described in Certificate of Title Volume 5213, Folio 662 as Allotment 47 Filed Plan 120266 in the area named Lockleys, Hundred of Adelaide. The subject land, which is more commonly known as 452 Henley Beach Road, Lockleys, is rectangular in shape with a 39.83 metre (m) wide frontage to Henley Beach Road, a depth of 96.16 metres, and a total area of 3,851 square metres (m²).

There are no easements, Rights of Way or Land Management Agreements noted on the Certificate of Title. However, the Certificate of Title notes that, pursuant to the Retirement Villages Act, 1987, the land is to be used as a Retirement Village.

The subject land currently contains nine single storey dwellings as well as a separate single storey building which is used as a community centre for residents of the Retirement Village. The south-western corner of the subject land fronting Henley Beach Road is currently vacant.

Vehicular access to the dwellings and community centre is provided via a shared, two-way driveway from Henley Beach Road. Access to the Retirement Village is restricted by security gates across the driveway as well as a masonry wall (approximately 1.8 metres high) which is located along the front boundary.

It is noted that the subject land does not contain any potential constraints to development relating to Heritage Places, flooding or Aircraft Noise Exposure overlays. However, Henley Beach Road is a State Maintained Road meaning that a referral to the Commissioner of Highways was required.

The locality is mixed in terms of land uses and built form. For example, a place of worship (Christ the King Catholic Church) and an educational establishment (St Francis School) adjoin the subject land to the west. The locality also includes residential development in the form of low-density dwellings (generally in the form of one and two-storey detached dwellings), mixed with housing for the aged. A number of substantial detached dwellings of one and two storeys in height sited on relatively large allotments are located to the south of the subject land, on the opposite side of Henley Beach Road. Residential development on the northern side of Henley Beach Road is often located on comparatively smaller allotments and features a mix of dwellings of one and two storeys in height.

A signalised pedestrian crossing of Henley Beach Road is located to the west of the subject land. Bus stops are located on both sides of Henley Beach Road within walking distance of the subject land. Bike lanes are also provided on both side of Henley Beach Road.

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



Figure 1: Subject land and Locality (Source: SA Property and Planning Atlas)



Figure 2: Subject land as viewed from Henley Beach Road (looking north)



Figure 3: Entrance to the subject land from Henley Beach Road (looking west)



Figure 4: Subject land as viewed from Henley Beach Road (looking east)



Figure 5: Entrance to the subject land (looking north)



Figure 6: Adjoining Church (looking north)

PROPOSAL

The proposed development seeks the construction of a three-storey mixed-use building which will contain eight dwellings on the first and second levels as well as a community centre on the third level. The dwellings and the community centre will be used in association with the existing retirement village on the subject land.

The proposed development also seeks to change the use of the existing community centre to residential.

In terms of the three-storey building, the proposed development includes the following key features:

- Four, two-bedroom apartments at ground level ranging in floor area from 81m² to 90m²;
- Four, two-bedroom apartments at the first level ranging in floor area from 94m² to 97m²;
- A community centre with a floor area of 137m² and an associated terrace of 40m² at the third level;
- A central corridor running in a north-south direction through the building which provides access to the ground floor apartments as well as to the lift and stairs for the upper levels;
- Private open space for each apartment located at both ground level and at first level (in the form of balconies); and
- Undercover parking (in the form of two separate carports) for nine cars located at the rear (north) and west of the development site.

Vehicular access to the proposed car parks will continue to be provided via the internal driveway off Henley Beach Road, while pedestrian access will be provided via a new gate in the front boundary wall.

As noted, the building will be three levels high resulting in a maximum height of 10.55 metres. The third level will be setback approximately 12 metres from the front of the building and 15.5 metres from the front boundary. It will also be setback 3.94 metres from the western boundary and approximately 3.8 metres from the rear of the building.

In terms of building materials, the walls of the building will feature a mix of grey bricks at ground level followed by Cemental cladding (e.g., fibre cement) at the second level and Colorbond (Woodland Gray) cladding at the third level.

Landscaping will include the private open spaces at ground level as well as the planting of a number of additional small trees within some of the front yards of the existing dwellings within the retirement village.

While the stormwater management arrangements are yet to be finalised, the applicant has indicated that they will generally reflect the existing arrangements which were approved and constructed as part of the previous retirement village development on the land.

In terms of the management of waste, the applicant has indicated that the Council's kerbside collection will be utilised as per the existing arrangements relating to the retirement village. The applicant has further advised that, potentially, a private contractor may also be used to collect waste in the event that the number of bins exceeds the Council's policy of a maximum of 10 bins per site.

For the purposes of an assessment, the proposed development has been broken down into elements. As per the table below, each element follows the Performance Assessed pathway as set out in the Planning and Design Code. Therefore, the development must be assessed on its merits against the relevant provisions of the Planning and Design Code.

Elements	Application Category
Carport	Performance Assessed
Dwelling	Performance Assessed
Residential flat building	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). Accordingly, public notification occurred between 16 January and 6 February 2023.

Properties notified	55 properties were notified during the public notification process.
Representations	Nine representations were received.
Persons wishing to be heard	<p>The following three representors wish to be heard:</p> <ul style="list-style-type: none"> • Jennett Laintoll of 17a Cairns Ave, LOCKLEYS • Bethany Nottage of 448 Henley Beach Road, LOCKLEYS • Brooke Nottage of 448 Henley Beach Road, LOCKLEYS.
Summary of representations	<p>Concerns were raised in relation to the following matters:</p> <ul style="list-style-type: none"> • The proposed three storey height of the building. • Impact on the character of the locality in terms of height, scale and visual appearance. • Impact on privacy, particularly in relation to overlooking from the community centre on the third level. • Impact from residents using the adjoining car park associated with the Christ the King Church. • Lack of compliance with policies relating to height, site area, setbacks and private open space. • Inadequate front and side setbacks. • Impact on privacy – particularly for buildings located to the east. • Insufficient car parking for residents, staff and visitors. • No provision for the manoeuvring of vehicles. • Overdevelopment of the site which will destroy the streetscape. • Out of character with existing buildings on the subject land and in the locality. • Overshadowing of adjoining properties, especially the church • Parking spaces are not large enough • No provision for the storage of boats, trailers, caravans and specialised equipment such as mobility scooters. • No external storage spaces for domestic equipment. • No provision of a footpath within the site. • Insufficient private open space. • Vehicular access is inadequate for cars coming in a westerly direction (will require a U Turn). • Mass of the building will create a blind spot for vehicles exiting the school and church. • Does not conform to the Council's policy for Supported Accommodation, Housing for Persons and People with Disabilities. • Would only support three additional single storey dwellings. • Object to the applicant's statement that visitors could park in the grounds of the Christ the King Church. • Lack of appropriate drainage systems. • The visual comparisons provided by the applicant are inaccurate. • The existing retirement village does not contain a community centre.

Applicant's response to representations	<p>The Applicant's Planning Consultant provided the following response (in summary) to the concerns raised by the representors):</p> <ul style="list-style-type: none"> • The development will contribute to a low-rise suburban character as sought by the General Neighbourhood Zone. • The locality includes a number of buildings which exceed the 9 metre/2 building levels maximum building height desired in the Zone. • The building has been designed to be perceived from the streetscape as a two-level building. • The proposal will achieve a net residential density of 47 dwelling units per hectare (based on 18 dwellings across the entire site) which is considered medium density housing as sought by Desired Outcome 1 of the Zone. • They subject land is suitable for higher density development given the proximity of public transport, open space and activity centres. • The design of the proposed development is appropriate within the context of the locality. • The proposal will maintain more than 3 hours of direct sunlight access to the living rooms and 2 hours direct sunlight access to the private open space of the Representor's properties. • Overlooking is not considered to be an issue. However, the applicant will accept a Condition of Consent which requires privacy screening on the windows on the northern elevation. • TMK Consulting Engineers has advised that stormwater can be managed appropriately based on the existing arrangements. However, the applicant will accept a Reserved Matter in relation to stormwater. • Access and parking has been assessed by CIRQA Traffic Consultants and the Council's Development Engineer as being acceptable. <i>(Assessing Officer's Note: The Council has not been provided with the CIRQA assessment)</i>
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A copy of the representations and the applicant's response is contained in **Attachment 2**.

INTERNAL Referrals

The proposed development was internally referred to the City Assets Department as well as the Team Leader Waste Management. The comments from the internal referral process are provided in the table below.

Department	Comments
City Assets	<p><i>Stormwater</i></p> <ul style="list-style-type: none"> It is recommended that appropriate site and adjacent road verge survey information be provided to correctly assess the required minimum FFL for this proposal. Stormwater calculations and plan should be provided to Council, showing that the existing stormwater infrastructure on the subject site can accommodate the new in-flows should be provided to Council. It is recommended that an indication of how the storage is to be provided and calculations supporting the nominated volume be submitted to Council. An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development. <p><i>Traffic and Parking</i></p> <ul style="list-style-type: none"> The parking requirement for the proposed residential flat building would be 9.6 spaces. Given that 9 parking spaces are proposed, the parking shortfall arising would be 0.6 spaces. Such a shortfall is minor in nature and not fatal to the application. The general driveway width inside the development is 5.5m or more. While there is no on-street parking opportunity available on Henley Beach Road on the site frontage, there is some further opportunity for visitor parking to occur on-site within the 5.5m carriageway, clear of the garage access points, in the event of a higher than anticipated visitor parking demand from time to time. Parking on one side of the internal 5.5m driveway would not obstruct traffic flow. On balance, the proposed parking provision is satisfactory. The proposed space dimensions and aisle way dimension indicated on the proposal plans would exceed or comply with AS/NZS 2890.1:2004. Based on the above trip rates, the additional 9 dwellings proposed would generate 18.9 vehicles per day and 3.6 vehicles per hour during the evening peak. These are considered to be very low traffic volumes and the existing driveway/entrance layout would, suitably accommodate these additional traffic flows.
Waste Management	<ul style="list-style-type: none"> Council's policy limits the maximum number of bins provided to a single development, the proposed additional properties at 452 Henley Beach Road, Lockleys exceeds Council's capacity to service with a standard individual or shared waste service. A commercial waste service is required to service the proposed development.

Applicant Response to Internal Referral comments

The comments from the internal referral process were provided to the applicant. In response, the applicant advised that TMK Consulting Engineers has undertaken a preliminary review of the proposed development and provided the following comments:

- *TMK were involved with Stage 1 and calculations for the stormwater drainage at that time were based on the entire site area of some 3,820m²;*
 - *the total design discharge flows to Council infrastructure already include the Stage 2 portion of the site.*
- *Specific detention requirements may be required for Stage 2 (to detain part of its contribution to overall site flows) and this will be reviewed during preparation of the stormwater management plan prior to submitting for building consent.*
- *The building FFL will be set at 400mm above top of kerb which would be approximately equivalent to the FFL for the Stage 1 residences:*
 - *this satisfies PO 1.1 and DPF 1.1 of the Hazards (Flooding – Evidence Required) Overlay.*

TMK's comments were re-referred to the City Assets Department which advised that:

- The proposed finished floor level (FFL) of 400mm above the top of kerb is supportable;
- **Stormwater Harvest and Re-use** – City Assets typically strongly encourages the inclusion of stormwater collection and active re-use, particularly with function with possible high demand of water reuse (ie toilet flushing) and hence a high volume of reduction of stormwater runoff from the site can be simply achieved. Collection and active re-use of stormwater in developments of this nature can go a long way towards the achieving the other stormwater management measures if water quality and detention, as well as the sustainability benefits which area achieve through water conservation considerations.
- **Stormwater Detention** – Stormwater detention measures will be required to be undertaken to limit the peak discharge rate for the site critical 20 year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient.
- **Stormwater Quality** – Given the scale of the development, it is recommended that basic stormwater quality devices should be installed to reduce stormwater pollutants from the stormwater flow exiting the site

In terms of the management of waste, the applicant has advised:

The Applicant acknowledges that the Council has a policy that not more than 10 bins will be collected from an individual site.

Based on my calculations and those of Council's waste management officer, the predicted waste generation (which includes both the existing and proposed dwellings) may result in 13 bins being placed for kerbside for collection on weeks when recyclables are collected i.e., once per fortnight.

Whilst the Applicant intends to further liaise with Council's waste management officer, the Applicant confirms that no more than 10 bins will be placed on the kerb for Council collection, and subject to further arrangements being made with Council, intends for the remaining 3 bins (if indeed they require collection) to be collected by the existing private contractor using a standard sized vehicle and trailer system

Based on the Applicant's response, it is recommended that, should the CAP be of a mind to grant Planning Consent, Reserved Matters be included to address the outstanding matters relating to the management of stormwater and waste.

In addition to the management of stormwater and waste, the Applicant was also asked to provide further information in relation to the following matters:

Site Areas

PO 2.1 of the Zone seeks sites which "... remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood ..." with DTS/DPF 2.1 indicating that this can be achieved via site areas of 300m² (average) for dwellings within a residential flat building. It would appear that the dwellings within the RFB will be well under the desired 300m² site areas (possibly less than half this guideline). Therefore, some commentary in relation to the departure from the desired site areas specified in the General Neighbourhood Zone would be useful.

Tree Canopy Overlay

The Urban Tree Canopy Overlay seeks one small tree per dwelling (for sites less than 450m²). This would equate to eight trees for the RFB (six more than is currently proposed). Therefore, additional justification for this departure would be useful.

Overlooking

It is noted that no screening devices or window treatments are proposed for the upper levels of the RFB (and the Community Centre) to restrict the potential for overlooking. Further, it would appear that potential exists for overlooking of the private open space of the proposed dwelling to the rear (north) of the RFB from the balconies on the first level and from the north facing windows within the Community Centre on the third level. Accordingly, you may wish to consider options to reduce the potential for overlooking from the upper-level windows and balconies to the proposed dwelling to the north and the existing dwellings to the east.

Community Centre

While it is noted that the Community Centre will be for the exclusive use of the residents of the retirement village, it would be useful if you could clarify the types of activities that will occur within the Community Centre as well as the hours of operation.

Southern Elevation

The Southern Elevation does not appropriately illustrate the proposed built-form and is inconsistent with the other elevations. Specifically, it merely provides an outline of the third level and this level is shown as the same colour as the background (see screenshot below). An updated southern elevation should be provided to assist the CAP with its assessment of the development.

In response to the matters raised above, an amended Southern Elevation, which provides a more accurate visualisation of the proposed development, was submitted. In addition, a Landscape Plan was provided which identifies that eight medium size trees will be planted around the subject land. Additional commentary in relation to minimum site areas was also provided as part of the Response to Representations. However, the Applicant has chosen not to amend the design of the building to address the potential for overlooking and has not provided any further clarification in relation to the use of the Community Centre.

Based on the Applicant's response, it is recommended that, should the CAP be of a mind to grant Planning Consent, Reserved Matters and Conditions be included to address the outstanding matters relating to the potential for overlooking and the use of the Community Centre.

EXTERNAL REFERRALS

The proposed development was referred to the Commissioner of Highways (via the Department of Infrastructure and Transport). The following comments were received.

Department	Comments
DIT	<ul style="list-style-type: none"> • A convex mirror has been installed on the western side of the driveway for motorists exiting the site to observe pedestrians travelling westbound along the footpath as the access point has no corner cut-off to enable drivers and pedestrians to navigate potential conflicts • The redundant crossovers along the frontage of 'Acacia on Henley' that were to be reinstated to standard gutter and kerb as one of the conditions of approval for the Stage 1 development (DA 211/476/15) have not been re-instated. • The construction of the apartments is likely to double the traffic generated by the overall site and hence it is important to improve pedestrian sightlines at the access point. Consequently, a corner cut-off needs to be provided on the eastern side of the access point in accordance with AS2890.1:2004. This will require minor modifications to the fence at this location. The • redundant crossovers also need to be closed and reinstated with kerb and gutter. • DIT supports the proposed development and directs the planning authority to attach the following conditions to any approval: <ol style="list-style-type: none"> 1. <i>All access shall be via the existing access point as depicted in the ADS Architects Site Plan, Drawing No 22/JN1480/SK01, Dated 05/11/2022.</i> 2. <i>Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.</i> 3. <i>The redundant crossover on Henley Beach Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to occupation of the dwellings.</i> 4. <i>Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.</i>

A copy of the relevant referral responses is contained in **Attachment 3**.

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 a series of Overlays.

ASSESSMENT

Quantitative Assessment

The Planning and Design Code contains Designated Performance Features (DPF) which provide quantifiable standards that, if met, generally demonstrate that the associated Performance Outcome has been satisfied. However, the Rules of Interpretation in the Planning and Design Code note that DPFs do not necessarily need to be satisfied to meet the Performance Outcome. Rather, the proposed development must be assessed on its merits against all relevant policies.

With the above in mind, the table below provides an assessment of the proposed development against the relevant Deemed to Satisfy/Designated Performance Features of the Planning and Design Code.

PLANNING AND DESIGN CODE PROVISIONS	STANDARD	ASSESSMENT
Site Dimensions General Neighbourhood Zone DTS/DPF 2.1	Minimum site/allotment area per dwelling - dwelling within a residential flat building: 300m ² (average, including common areas) Minimum site/allotment frontage - dwelling within a residential flat building: 15m (total)	Does not satisfy – minimum site areas – based on a site area of approximately, 1,200m ² the minimum average site area for the proposed 8 dwellings is 150m ² . Satisfies – 39.3m
Site Coverage General Neighbourhood Zone DTS/DPF 3.1	The development does not result in site coverage exceeding 60%.	Satisfies – site coverage is in the order of 33%
Building Height General Neighbourhood Zone DTS/DPF 4.1	Building height (excluding garages, carports and outbuildings) no greater than: (a) 2 building levels and 9m and (b) wall height that is no greater than 7m except in the case of a gable end.	Does not satisfy – building is three building levels and has a total height (and wall height) of 10.55 metres.

<p>Primary Street Setback</p> <p>General Neighbourhood Zone DTS/DPF 5.1</p>	<p>The building line of a building set back from the primary street boundary:</p> <p>(a) no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)</p> <p>(b) where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), no more than 1m in front of the setback to the building line of that building</p> <p>or</p> <p>(c) not less than 5m where no building exists on an adjoining site with the same primary street frontage.</p>	<p>Does not satisfy</p> <p>– the adjoining church to the west is setback approximately 18 metres and the existing dwelling on the subject land is setback 5 metres from the primary street boundary (i.e., average of 11.5 metres).</p>
<p>Side boundary setbacks</p> <p>General Neighbourhood Zone DTS/DPF 8.1</p>	<p>Other than walls located on a side boundary, building walls are set back from side boundaries:</p> <p>(a) at least 900mm where the wall height is up to 3m</p> <p>(b) other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m</p> <p>and</p> <p>(c) at least 1900mm plus 1/3 of the wall height above 3m for walls facing a southern side boundary.</p>	<p>Satisfies</p> <p>– first level will be setback 2.4m, second level will be setback 1.95m and third level will be setback 3.9m from the western side boundary.</p>
<p>Rear boundary setbacks</p> <p>General Neighbourhood Zone DTS/DPF 9.1</p>	<p>Dwelling walls are set back from the rear boundary at least:</p> <p>(a) if the size of the site is less than 301m²—</p> <p>(i) 3m in relation to the ground floor of the dwelling</p> <p>(ii) 5m in relation to any other building level of the dwelling</p> <p>(b) if the size of the site is 301m² or more—</p> <p>(i) 4m in relation to the ground floor of the dwelling</p> <p>(ii) 6m in relation to any other building level of the dwelling.</p>	<p>Satisfies</p> <p>– building will be setback approximately 14m from the rear boundary.</p>

Tree Planting Urban Tree Canopy Overlay DTS/DPF 1.1	Tree size and number required per dwelling < 450m ² site area 1 small tree	Satisfies – eight trees will be planted around the site.										
Landscaping Design in Urban Areas DTS/DPF 13.2	Multistorey development provides deep soil zones and incorporates trees at not less than the following rates, except in a location or zone where full site coverage is desired. <table><tr><th>Site area</th><th>Minimum deep soil area</th><th>Minimum dimension</th><th>Tree / deep soil zones</th></tr><tr><td><300 m²</td><td>10 m²</td><td>1.5m</td><td>1 small tree / 10 m²</td></tr></table>	Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones	<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²	Satisfies		
Site area	Minimum deep soil area	Minimum dimension	Tree / deep soil zones									
<300 m ²	10 m ²	1.5m	1 small tree / 10 m ²									
Private Open Space Design in Urban Areas DTS/DPF 21.1	Dwelling in a residential flat building or mixed use building which incorporate above ground level dwellings Dwellings at ground level: 15m ² / minimum dimension 3m Two bedroom dwelling: 11m ² / minimum dimension 2.4m	Partially satisfies – ground level open space has been satisfied, but the private open space on the second level (in the form of balconies) is slightly less than the desired 11m ² .										
Landscaping Design in Urban Areas DTS/DPF 22.1	Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b): (a) a total area as determined by the following table: <table><tr><th>Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m²)</th><th>Minimum percentage of site</th></tr><tr><td><150</td><td>10%</td></tr><tr><td>150-200</td><td>15%</td></tr><tr><td>>200-450</td><td>20%</td></tr><tr><td>>450</td><td>25%</td></tr></table> (b) at least 30% of any land between the primary street boundary and the primary building line.	Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site	<150	10%	150-200	15%	>200-450	20%	>450	25%	Satisfies – approximately 12% of the site incorporates soft landscaping and the majority of land between the building and street boundary will be landscaped.
Dwelling site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site											
<150	10%											
150-200	15%											
>200-450	20%											
>450	25%											

Residential amenity in multi-level buildings Design in Urban Areas DTS/DPF 28.3	Balconies open directly from a habitable room and incorporate a minimum dimension of 2m.	Satisfies
Residential amenity in multi-level buildings Design in Urban Areas DTS/DPF 28.4	Dwellings (not including student accommodation or serviced apartments) are provided with storage at the following rates with at least 50% or more of the storage volume to be provided within the dwelling: (a) studio: not less than 6m ³ (b) 1 bedroom dwelling / apartment: not less than 8m ³ (c) 2 bedroom dwelling / apartment: not less than 10m ³ (d) 3+ bedroom dwelling / apartment: not less than 12m ³ .	Satisfies – storage opportunities are available within laundries.
Amenity Design in Urban Areas DTS/DPF 31.1	Dwellings have a minimum internal floor area in accordance with the following table: 2 bedrooms – 65m ²	Satisfies – all dwellings will have an internal floor area greater than 65m ²
Vehicle Parking Rates Transport, Access and Parking DTS/DPF 5.1	Retirement Village Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. 0.2 spaces per dwelling for visitor parking.	Does not satisfy – nine parking spaces have been provided (require 9.6 spaces)

Qualitative Assessment

This section of the report provides an assessment of the proposed development against the relevant provisions of the Planning and Design Code. This assessment has been grouped under a series of sub headings.

Land Use

Desired Outcome (DO) 1 of the General Neighbourhood Zone seeks:

Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

Further, Performance Outcome (PO) 1.1 seeks:

Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.

DTS/DPF 1.1 also indicates that a 'Retirement facility' is a desired form of development in the Zone.

With the above in mind, the proposed dwellings and community centre within a mixed-use building that is associated with a retirement facility are appropriate land uses in the General Neighbourhood Zone. The development involves a land use sought by PO 1.1 and the associated DPF, and is consistent with the Desired Outcome of the Zone. The expansion to the existing facility is in a location which supports a range of needs and lifestyles located within easy reach of services and facilities, particularly as a result of its location along an arterial road.

Desired Character, Pattern of Development and Built Form

DO 1 of the Zone seeks "... low and medium density housing ...". Further, PO 2.1 indicates that, while sites should be compatible with the pattern of development in a predominantly low-density neighbourhood, higher densities may be appropriate "... closer to public open space, public transport stations and activity centres". It is noted that the subject land is within walking distance (less than 400 metres) of the Torrens Linear Park to the west and a small Local Activity Centre to the east on the corner of Henley Beach Road and Torrens Avenue. The subject land is also located on Henley Beach Road which provides regular public transport in the form of buses between the City and Henley Beach. Therefore, the subject land is considered suitable for the higher densities contemplated by PO 2.1.

DTS/DPF 2.1 indicates that one way to satisfy PO 2.1 is for dwellings within a residential flat building to achieve an average minimum site area of 300m² and a minimum frontage of 15 metres. Given that the proposed building will form part of a larger, existing retirement village, it is necessary to determine the extent of the 'site' in order to assess the proposal against DTS/DPF 2.1. To this end, it is noted that the Applicant's Planning Consultant has indicated that an assessment of site areas should be based on the entire subject land not just the site of the building. Using this approach, the Applicant's Planning Consultant notes that there will be a total 18 dwellings on the subject land (nine additional dwellings plus nine existing dwellings). Based on a total area of 3,823m², this would equate to an average site area of 212.38m² per dwelling or 47 dwelling units per hectare (which is considered medium density).

While the approach of the Applicant's Planning Consultant has merit, it is also noted that 'site' is defined in Part 8 of the Planning and Design Code as meaning:

Means the area of land (whether or not comprising a separate or entire allotment) on which a building is built, or proposed to be built, including the curtilage of the building, or in the case of a building comprising more than 1 separate occupancy, the area of land (whether or not comprising a separate or entire allotment) on which each occupancy is built, or proposed to be built, together with its curtilage.

Based on this definition, the actual site of the proposed development is anticipated to include the footprint of the building as well as the associated private open space, car parks and a portion of the shared driveway (see Figure 7 below). Therefore, the site of the proposed development is considered to be in the order of 1,200m² which would equate to an average minimum site area per dwelling of 150m².

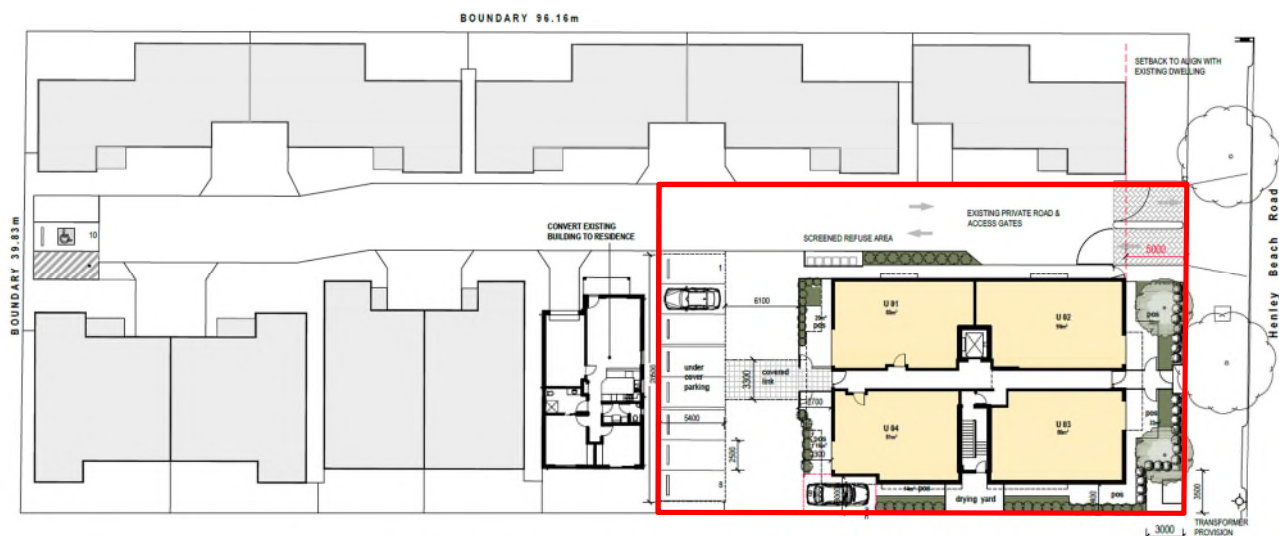


Figure 7: Site Area (highlighted in red)

Irrespective of the method used to determine the average minimum site areas for the dwellings, it is clear that the proposal represents a substantial departure from the quantitative standards expressed within DTS/DPF 2.1. On this basis, it is necessary to revisit PO 2.1 which advises:

PO 2.1 Allotments/sites created for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood, with higher densities closer to public open space, public transport stations and activity centres.

There are two elements or 'tests' within PO 2.1. Firstly, sites must be of a suitable size and dimension to accommodate the anticipated dwelling. Secondly, the built form outcome must remain compatible with the low-rise, low-density pattern of development in the neighbourhood – except where the land is close to public open space, public transport and activity centres.

In relation to the first 'test', the site of the proposed mixed-use building will be of a suitable size and dimension to accommodate the anticipated dwellings (apartments associated with a retirement village). More specifically, suitable vehicular access will be provided, sufficient car parking will be provided, appropriate areas of private open space will be provided and appropriate separation will be achieved to surrounding development. The internal arrangement of the building will also provide an appropriate level of amenity for the proposed apartments.

In relation to the second 'test', it is clear that the built form and density of the proposed development will not reflect the existing low-rise, low-density pattern of development in the locality. However, as noted earlier, the subject land is suitably close to public open space, public transport and an activity centre to allow consideration of the higher densities envisaged by PO 2.1. To this end, it is noteworthy that the proposed mixed-use building will form an integral part of the overall retirement village. More specifically, it will share access arrangements and will accommodate a Community Centre which will provide an important facility for the residents of the retirement village. For these reasons, a higher density built form outcome is considered appropriate in this circumstance.

Turning to the built-form, the proposed three storey building will be higher than the majority of dwellings in the locality and substantially higher than the existing single-storey dwellings on the subject land. It is also noted that the three-storey height of the building is at odds with PO 4.1 of the General Neighbourhood Zone which seeks buildings that "... contribute to a low-rise suburban character". Noting the presence of other taller building in the locality, the Planning and Design Code contains a number of provisions which allow regard to local context. Desired Outcome 1 and Performance Outcome 12.1, Design in Urban Areas, state:

Desired Outcome 1

Development is:

(a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality

Performance Outcome 12.1

Buildings positively contribute to the character of the local area by responding to local context.

However, the locality also features a substantial church (which the Applicant's Planning Consultant has advised is 11.4 metres high) as well as a number of substantial dwellings. This includes a number of two-storey dwellings as well a dwelling which has with three buildings levels (noting that the third level is contained within the roof space). Figure 8 below provides examples of existing dwellings in the locality.



Figure 8: Examples of residential built form incorporating taller buildings

It is also noted that the third level will be setback approximately 12 metres from the front of the proposed building. In this way, the bulk of the building will be reduced when viewed from Henley Beach Road (and further south) thereby giving the impression of a two-storey building. This is illustrated in the 'Line of Sight' diagram prepared by the Applicant's Architects (see Figure 9). In addition, the height of the building will be comparable to the church on the adjoining site to the west.

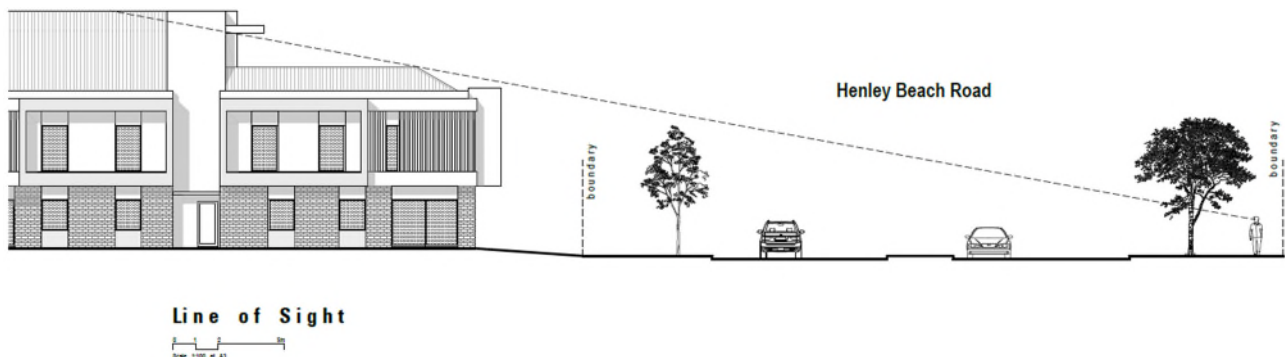


Figure 9: Line of Sight (Source: ADS Architects)

It is noted that the three-storey element of the building will be sited approximately 17 metres from the residential properties to the east fronting Kenton Street. This separation distance will assist to reduce the visual impact of the proposed development from these properties (noting that the church is currently visible from these properties). However, the proposed development will create a visual impact on the first two existing single-storey dwellings located on the eastern portion of the subject land. More specifically, the eastern elevation of the proposed building will be quite imposing when viewed from the front yards and front rooms of the dwellings located along the eastern side of the subject land.

While the eastern elevation of the proposed building is likely to create a visual impact on the first two existing dwellings on the subject land, it is also noted that the three-storey element will not extend along the full length of the building. Also, the proposed building forms part of the overall retirement village in which a significant building was always intended to be constructed on this portion of this site. Further, the proposed building will provide a Community Centre for the use and benefit of all residents. For these reasons, the visual impact is considered acceptable in this circumstance.

In terms of setbacks, while the building will be sited closer to Henley Beach Road than the average setback of the two adjoining buildings, it will generally be consistent with the predominant front setback of buildings in the locality – particularly on the northern side of Henley Beach Road. In addition, the side and rear setbacks satisfy the relevant quantitative standards in the Planning and Design Code.

From a design perspective, visual interest will be created through the articulated facades which include balconies on the south and north elevations as well as protruding box elements around the upper-level windows on the west and east elevations. These design features, together with the increased setback of the third level will break-up the mass of the building – particularly when viewed from Henley Beach Road.

The building will also feature a range of building materials and colours which clearly define each level and create additional visual interest. Also, the building will incorporate windows, balconies and doors which face the primary frontage thereby encouraging passive surveillance while also making a positive contribution to the streetscape.

For the above reasons, while the proposed building will be larger and taller than most buildings in the locality, it represents a high-quality design which will provide an attractive addition to the streetscape of Henley Beach Road. The proposed development is considered to appropriately respond to the following provisions found in the Design in Urban Areas General Development Policies section of the Code:

- PO 12.1 Buildings positively contribute to the character of the local area by responding to local context.*
- PO 12.2 Architectural detail at street level and a mixture of materials at lower building levels near the public interface are provided to reinforce a human scale.*
- PO 12.3 Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.*
- PO 12.4 Boundary walls visible from public land include visually interesting treatments to break up large blank elevations.*
- PO 12.5 External materials and finishes are durable and age well to minimise ongoing maintenance requirements.*
- PO 12.6 Street-facing building elevations are designed to provide attractive, high quality and pedestrian-friendly street frontages.*
- PO 12.7 Entrances to multi-storey buildings are safe, attractive, welcoming, functional and contribute to streetscape character.*
- PO 12.8 Building services, plant and mechanical equipment are screened from the public realm.*
- PO 17.1 Dwellings incorporate windows facing primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.*
- PO 17.2 Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors.*

Amenity

The key considerations from an amenity perspective relate to the potential for overlooking and overshadowing as well as the potential noise generated by activities in the Community Centre. Turning first to overlooking, potential exists for the upper-level windows and balconies on the northern and eastern elevations to overlook the living areas of the adjoining single-storey dwellings. While the upper-level windows on western elevation will overlook the adjoining church, this is considered acceptable given the non-residential nature of the use.

The Applicant's Planning Consultant has provided the following commentary in relation to the potential for overlooking:

- *East elevation – POs 10.1, 10.2 and 16.1 seek to mitigate direct overlooking into living rooms and areas of private open space ('POS'), with PO 16.1 including a number of means by which a development may mitigate direct overlooking, other than privacy screens, including building setbacks (i.e., spatial relief) and the off-setting of windows so that views are oblique.*
 - *with the exception of a single bedroom in both Unit 5 & 6, no other windows on the eastern façade are for a 'habitable room' as defined in Part 8 of the Code.*

- *the existing dwellings to the east (within Acacia on Henley) are oriented with their primary façade facing the internal driveway, with POS areas located behind each dwelling (i.e., on their eastern side).*
- *views from upper-level bedroom windows will be oblique due to the considered placement of windows openings in the eastern facade.*
- *views from upper-level bedroom windows will be across the internal driveway (i.e. spatial relief) which can be likened somewhat to views across a public road.*
- *the main habitable room (i.e., the living room) in Units 5 & 6 are designed to have primary outlook to the north and south.*
- *South elevation – Lines of sight from the upper-level windows and balconies for Units 5 & 8, and the north facing windows of the Level 2 community centre will be obstructed by the proposed carport, and in any event, will be over a distance of at least 15 metres, and we note that:*
 - *the 15 metres setback achieves the recommended spatial separation as advocated in the Good Residential Design SA document produced by Planning SA.*
 - *the Miscellaneous Technical Code Enhancement Code Amendment ('MTECA') proposes to include a new definition in Part 8 of the Code, which defines 'direct overlooking' as being limited to an area that falls within a horizontal distance of 15 metres.*
- *North elevation – north facing windows and balconies will increase passive surveillance of Henley Beach Road in accordance with the outcome sought in POs 17.1 and 28.2. Views of dwellings on the southern side of Henley Beach Road will be constrained to front gardens and are sufficiently long range so as to not be 'direct'.*

Assessing Officer's Note: It is assumed that the references to 'South elevation' and 'North elevation' should be swapped as they appear to be incorrect.

While the western and southern elevations of the building are considered acceptable in terms of the potential for overlooking, concerns remain in terms of the potential for overlooking from the upper-level windows and balconies on the northern and eastern elevations. However, it is anticipated that this can be addressed through the use of a mixture of screening devices and obscure glazing. Accordingly, a Reserved Matter is recommended (should the CAP be of a mind to grant Planning Consent), which requires the Applicant to demonstrate how overlooking will be addressed to achieve compliance with the following provision of the Planning and Design Code:

- PO 16.1 Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:*
- (a) appropriate site layout and building orientation*
 - (b) off-setting the location of balconies and windows of habitable rooms or areas 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 that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.*

In terms of the potential for overshadowing, the three-storey building has the potential to cast shadow on some of the adjoining single-storey dwellings on the eastern side of the subject land during the afternoon.

Given that the Applicant has not provided shadow diagrams, it is not possible to determine the extent of the potential overshadowing. However, it is noted that the Planning and Design Code places emphasis on minimising overshadowing of the private open space of adjoining dwellings (see PO 15.1 below).

This notwithstanding, I am reasonably satisfied the development remains in-line with overshadowing provisions of the Planning and Design Code. Given that south forms the street boundary, a majority of winter shadow will be cast within the front yard of the development site. However, some shadow will be cast into the eastern adjoining property in afternoon hours.

Shadow cast into the eastern adjoining property only begins in afternoon hours, such that all areas of private open space and habitable windows will be free from shadow, during the morning. Consequently, the extent of shadow cast onto habitable windows and private open spaces of adjacent properties complies with PDC 9 and 10.

On this basis, and given that any overshadowing is likely to affect the frontage of the adjoining dwellings (rather than their private open space), the proposed development does not appear to be at odds with the Planning and Design Code.

PO 15.1 Development minimises overshadowing of the private open spaces of adjoining land by ensuring that ground level open space associated with residential buildings receive direct sunlight for a minimum of 2 hours between 9am and 3pm on 21 June.

In relation to the use of the Community Centre, the Applicant has confirmed that it will be for the exclusive use of the residents of the retirement village. Accordingly, it is unlikely that any activities occurring within the Community Centre will create an impact on nearby residential development in terms of noise. However, it is recommended that the CAP consider including a Condition of Consent which ensures that activities within the Community Centre do not exceed the relevant Environment Protection (Noise) Policy criteria (as per PO 4.1 and DTS/DPF 4.1 in the Interface between Land Use General Development Policies).

PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.

In terms of the amenity of the future occupants of the building, it is noted that the building has been designed to promote convenient access with a central corridor at ground level linking the car parking area at the rear as well as the new entrance proposed in the boundary wall at the front of the site. Also, the Community Centre on the third level will provide an attractive, convenient and comfortable indoor communal area for the use and enjoyment of the residents. In this way, the proposed development will satisfy the following provisions in the Design in Urban Areas General Development Policies which specifically relate to retirement facilities:

PO 28.1 Development is designed to support safe and convenient access and movement for residents by providing:

- (a) ground-level access or lifted access to all units level entry porches, ramps, paths, driveways, passenger loading areas and areas adjacent to footpaths that allow for the passing of wheelchairs and resting places*
- (b) car parks with gradients no steeper than 1-in-40 and of sufficient area to provide for wheelchair manoeuvrability*
- (c) kerb ramps at pedestrian crossing points.*

PO 29.1 Development is designed to provide attractive, convenient and comfortable indoor and outdoor communal areas to be used by residents and visitors.

Private Open Space

In terms of private open space, it is noted that the balconies associated with the upper-level dwellings will have an area of 10m² which fall slightly short of the desired 11m² expressed in Table 1 – Private Open Space. However, this shortfall is considered minor and is more than offset by the inclusion of the 137m² Community Centre and associated 40m² outdoor terrace on the third level of the building. The Community Centre will provide a valuable communal area for the residents of the retirement village and will compensate for the loss of the existing communal open space.

Landscaping

The proposed development incorporates soft landscaping within the ground level areas of private open space. Additional plantings will also be incorporated in the front yards of some of the existing dwellings within the retirement village. The provision of landscaping across the subject land appropriately responds to the following provisions in the Design in Urban Areas General Development Policies of the Planning and Design Code:

PO 3.1 Soft landscaping and tree planting is incorporated to:

- (a) minimise heat absorption and reflection*
- (b) maximise shade and shelter*
- (c) maximise stormwater infiltration*
- (d) enhance the appearance of land and streetscapes*
- (e) contribute to biodiversity.*

PO 4.3 Buildings incorporate climate-responsive techniques and features such as building and window orientation, use of eaves, verandahs and shading structures, water harvesting, at ground landscaping, green walls, green roofs and photovoltaic cells.

PO 25.1 Soft landscaping is provided between dwellings and common driveways to improve the outlook for occupants and appearance of common areas.

PO 25.2 Soft landscaping is provided that improves the appearance of common driveways.

Landscaping throughout the land is provided in vantage points to maintain appropriate vehicle manoeuvring areas, while ensuring the streetscape presentation is enhanced. The use of medium to high growing species is considered to assist in softening the appearance of the car park area and development when viewed from the public realm. The landscaping schedule includes tree plantings which should assist in achieving an attractively landscaped environment and contribute to an overall urban tree canopy.

The proposed landscaping accords with relevant Code provisions as it will minimise heat absorption and reflection, enhance the appearance of land and streetscapes and contribute to biodiversity. Landscaping has been provided along the roads boundaries to enhance the visual appearance of the development and softens the impact of the buildings when viewed from public spaces.

Parking and Access

In relation to the Transport, Parking Access provisions of the Planning and Design Code, it is noted that the proposed development will utilise the existing access arrangements which includes a shared driveway on to Henley Beach Road. These access arrangements have been assessed as being acceptable by the Council's City Assets Department as well as the Commissioner of Highways (via the Department of Infrastructure and Transport).

While the access to Henley Beach Road is acceptable for passenger vehicles, it is unclear whether private waste collection vehicles will need to access the site. More specifically, the Applicant has indicated that waste will be collected by the Council's kerbside collection service. However, the Council's Team Leader Waste Management has advised that a commercial waste service will be required to service the new building. Based on the Applicant's response, it is recommended that, should the CAP be of a mind to grant Planning Consent, a Reserved Matter be included to address the outstanding matters relating to the management and collection of waste.

In terms of the provision of on-site parking, it is noted that there will be a shortfall of one car parking space. More specifically, while one car parking space will be provided for each apartment (as required by Table 1 – General Off-Street Car Parking Requirements), only one space will be provided for visitor parking. However, this shortfall is considered minor given that the subject land is located on a major public transport route. On this basis, the proposed development satisfies Transport, Access and Parking PO 5.1:

PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- (a) availability of on-street car parking*
- (b) shared use of other parking areas*
- (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- (d) the adaptive reuse of a State or Local Heritage Place.*

The carpark dimensions and overall layout meet the relevant Australian Standards, which has been reviewed by Council's Development Engineer, who has formed the opinion that from a traffic safety point of view, the proposal is satisfactory. The development as a whole has also been reviewed by the Commissioner of Highways who has deemed the proposal to be appropriate from a traffic, parking and access perspective.

Site Facilities, Storage and Waste Management

As outlined previously, the management and collection of waste generated by the proposed development is yet to be fully resolved. More specifically, it would appear that the proposed development, together with the existing dwellings associated with the retirement village, may result in 13 bins being presented on Henley Beach Road. This exceeds the number anticipated by PO 30.6 as well as the Council's Waste Management Policy:

PO 30.6 Provision is made for on-site waste collection where 10 or more bins are to be collected at any one time.

The Applicant's Planning Consultant has indicated that, if it appears likely that the '10 bin limit' will be exceeded, a private contractor using a passenger vehicle and trailer will be used to collect the excess bins.

With the above in mind, it is recommended that, should the CAP be of a mind to grant Planning Consent, a Reserved Matter be included to address the outstanding matters relating to the management and collection of waste. This should include further consideration in relation to the following provisions of the Planning and Design Code:

PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.

PO 26.3 Provision is made for suitable household waste and recyclable material storage facilities which are:

- (a) located away, or screened, from public view, and*
- (b) conveniently located in proximity to dwellings and the waste collection point.*

PO 26.4 Waste and recyclable material storage areas are located away from dwellings.

PO 26.5 Where waste bins cannot be conveniently collected from the street, provision is made for on-site waste collection, designed to accommodate the safe and convenient access, egress and movement of waste collection vehicles.

In terms of the likely storage requirements of the future residents, it is noted that each apartment will be provided with its own undercover car park and each apartment will have a relatively generous floor plan which provides opportunities for the storage of domestic goods and equipment. For example, each apartment has a designated laundry and study while the ground level apartments also have areas of private open space in which a small garden shed could be erected.

Further, the proposed development includes a 'drying yard' as well as suitable mailbox facilities at the entrance to the subject land. In this way, the following provisions of the Planning and Design Code have been satisfied:

PO 26.1 Provision is made for suitable mailbox facilities close to the major pedestrian entry to the site or conveniently located considering the nature of accommodation and mobility of occupants.

PO 26.2 Provision is made for suitable external clothes drying facilities.

PO 30.1 Development is designed to provide storage areas for personal items and specialised equipment such as small electric powered vehicles, including facilities for the recharging of small electric powered vehicles.

Stormwater Management

As outlined previously, the Applicant has indicated that TMK Consulting Engineers will be preparing a detailed Stormwater Management Plan for the proposed development. Based on an initial review of the proposed development, TMK anticipate that the existing stormwater infrastructure has been appropriately designed to accommodate the new building while meeting the Council's detention and discharge requirements.

With the above in mind, it is recommended that, should the CAP be of a mind to grant Planning Consent, a Reserved Matter be included to address the outstanding matters relating to the management of stormwater.

SUMMARY

The proposed development seeks to construct a three-storey mixed-use building in association with an existing retirement village. Levels one and two of the building will accommodate eight residential apartments while the third level will accommodate a community centre for the exclusive use of the residents within the retirement village. The vehicular access arrangements will remain as per the existing shared driveway to Henley Beach Road, while nine additional car parking spaces will be provided for the residents living in the new apartments.

The height of the proposed building will exceed the desired maximum height of two-building levels in the General Neighbourhood Zone. Also, the density will be greater than the established pattern of development in the locality. However, for the reasons outlined in this report, a departure from the height and density guidelines is considered warranted in this circumstance.

While the proposed land use is considered appropriate and the built-form is considered acceptable, a number of the elements of the proposed development require further consideration. These include the management of stormwater, the management and collection of waste and the potential for overlooking from the upper-level windows and balconies towards adjoining dwellings. However, given the likelihood that these elements can be satisfactorily addressed through the provision of additional information, it is considered appropriate that they be the subject of a number of Reserved Matters.

Having considered all the relevant provisions of the Planning and Design Code, the proposal is not considered to be seriously at variance with the Planning and Design Code Version 2022.23.

On balance, the proposed development reasonably satisfies the relevant provisions of the Planning and Design Code Version 2022.23. Therefore, the application warrants the granting of Planning Consent, subject to specified reserved matters and conditions.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107 (2)(c) of the *Planning Development and Infrastructure Act 2016*, and having undertaken an assessment of the applicant against the Planning and Design Code, the application is not seriously at variance with the provisions of the Planning and Design Code Version 2022.23.
2. Application No. 22038599 by Karidis Corporation Pty Ltd C/- Future Urban for a change in use of existing community centre to a dwelling, together with the construction of a three-storey residential flat building containing 8 dwellings for the purposes of retirement living and a community centre and a carport is GRANTED Planning Consent subject to the following Reserved Matters and Conditions of Consent:

Reserved Matters:

The following information shall be submitted for further assessment and approval by the Relevant Authority as Reserved Matters under Section 102(3) of the PDI Act 2016:

1. A Waste Management Plan shall be submitted for the entire Retirement Village (including the proposed three-storey mixed use building) which details how waste will be managed and collected across the subject land in accordance with the relevant provisions of the Planning and Design Code, to the reasonable satisfaction of the Assessment Manager.
2. A fully engineered Site Works and Stormwater Management Plan shall be submitted which details the top of kerb level, existing ground levels throughout the subject site and on adjacent land, proposed bench levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls. The Stormwater Management Plan and associated calculations shall also:
 - Demonstrate that the existing stormwater infrastructure on the subject site can accommodate the new in-flows;
 - Identify how storage is to be provided with calculations supporting the nominated volume); and
 - Indicate how water quality requirements are to be met, to the reasonable satisfaction of the Assessment Manager.

3. Amended plans and details shall be submitted which demonstrate that the potential overlooking of adjoining residential properties from upper-level windows and balconies will be minimised in accordance with the relevant provisions of the Planning and Design Code, to the reasonable satisfaction of the Assessment Manager.

Pursuant to Section 102(3) of the PDI Act 2016, the Relevant Authority reserves its decision on the form and substance of any further conditions of Planning Consent that it considers appropriate to impose in respect of the Reserved Matter outlined above.

Planning Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this Application specifically plans as listed below:
 - Plans, Elevations and Landscape Schedules prepared by ADS Architects dated 05/11/2022
2. The Community Centre shall be for the exclusive use of the residents of the associated retirement village and shall not be used for external events, parties or conferences.
3. All carparking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standards Association Code AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
4. Noise measured at the nearest residential property boundary shall comply with the *Environment Protection (Noise) Policy 2007* at all times.
5. Landscaping shall be planted and maintained in accordance with the plans and details forming part of the development authorisation.
5. Landscaping shall provide clear sightlines at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath, in accordance with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004.
6. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon (incorporating ramps or crossovers to facilitate the movement of persons with a disability).
7. Wheel stopping devices shall be placed and maintained within each parking bay so as to prevent damage to adjoining fences, buildings or landscaping in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009).
8. Designated accessible (disabled) car parking spaces shall be designed, constructed and maintained in accordance with Australian Standards (AS/NZS 2890.6.2009).
9. All car parking areas, driveways and vehicle manoeuvring areas must be constructed in accordance with the approved plans and recognised engineering practices prior to the occupation of the premises or the use of the development herein approved and maintained in a good condition at all times.
10. All waste and other rubbish shall be stored in the designated areas and screened from public view in accordance with the approved plans.
11. All external lighting must be designed and constructed in accordance with Australian Standard (AS 4282-1997).

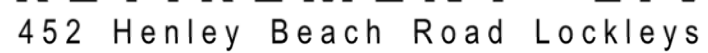
12. All devices/treatments proposed and nominated on the approved plans, and forming part of the Development Application, to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises and maintained for the life of the building.

Commissioner of Highways Conditions

1. All access shall be via the existing access point as depicted in the ADS Architects Site Plan, Drawing No 22/JN1480/SK01, Dated 05/11/2022.
 2. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
 3. The redundant crossover on Henley Beach Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to occupation of the dwellings.
 4. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.
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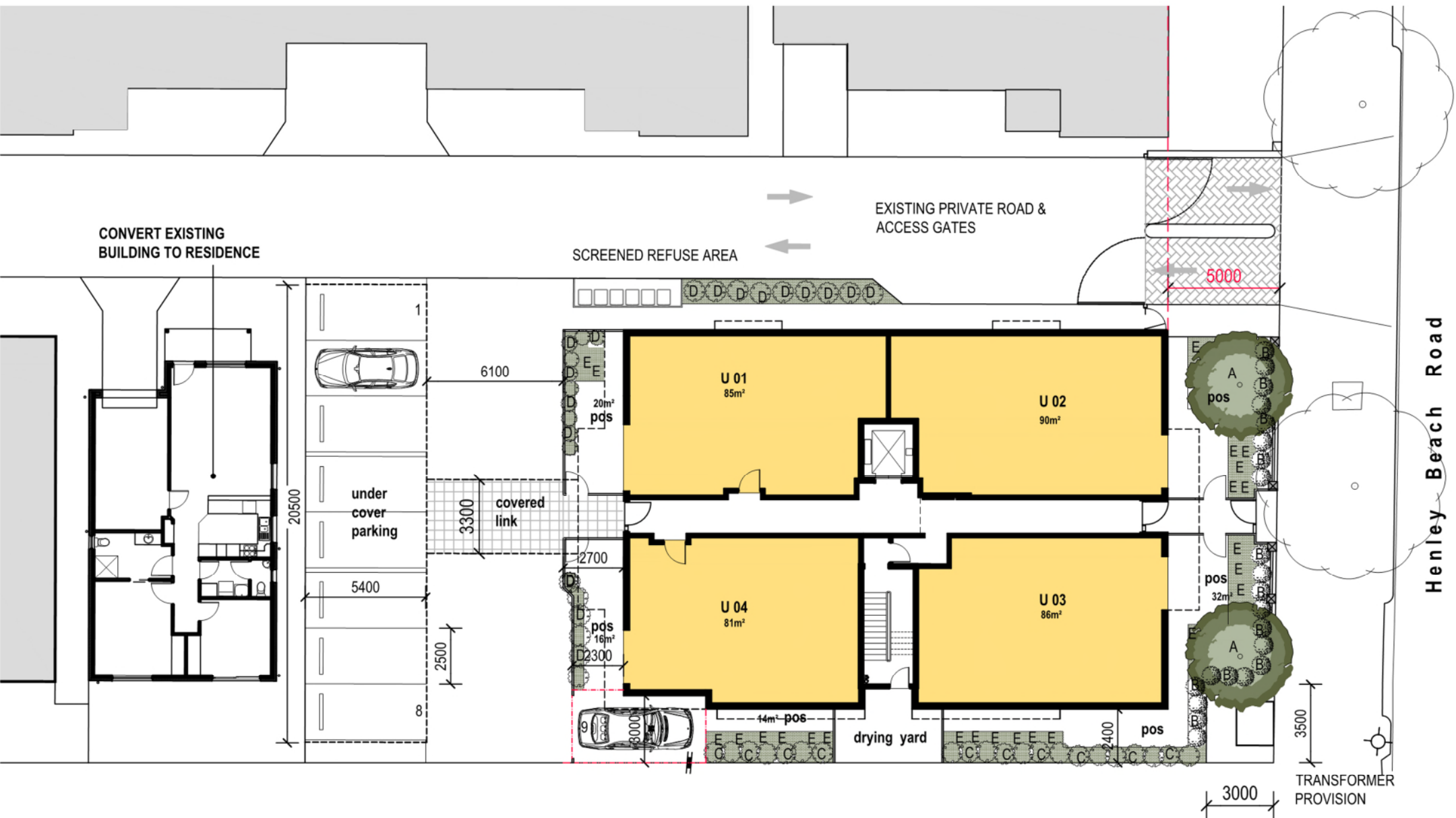
Attachments

1. **Proposal Plans and Documents**
2. **Representations and Applicant Response**
3. **Referral Responses**



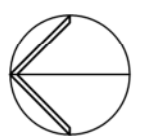
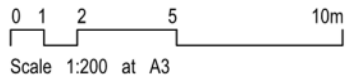
PLANNING APPLICATION

ADS Architects
93 Gilles Street Adelaide 5000 T:82232244



- LANDSCAPE SCHEDULE**
- A *Pyrus faurei* westwood
 - B *Viburnum tinus*
 - C *Pittosporum Silver Sheen*
 - D *Magnolia dwarf teddy bear*
 - E ground cover - *viola hederacea*
viola oderata
- Irrigation system automated on timer

PART SITE PLAN



RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

05.11.22

22/JN1480/SK02

PLANNING APPLICATION

ADS Architects

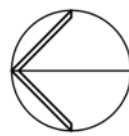
93 Gilles Street Adelaide 5000 T:82232244



GROUND FLOOR PLAN

0 1 2 5m
Scale 1:100 at A3

RETIREMENT LIVING APARTMENTS
452 Henley Beach Road Lockleys



05.11.22
22/JN1480/SK03

PLANNING APPLICATION

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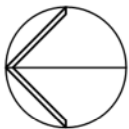


FIRST FLOOR PLAN

0 1 2 5m
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RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

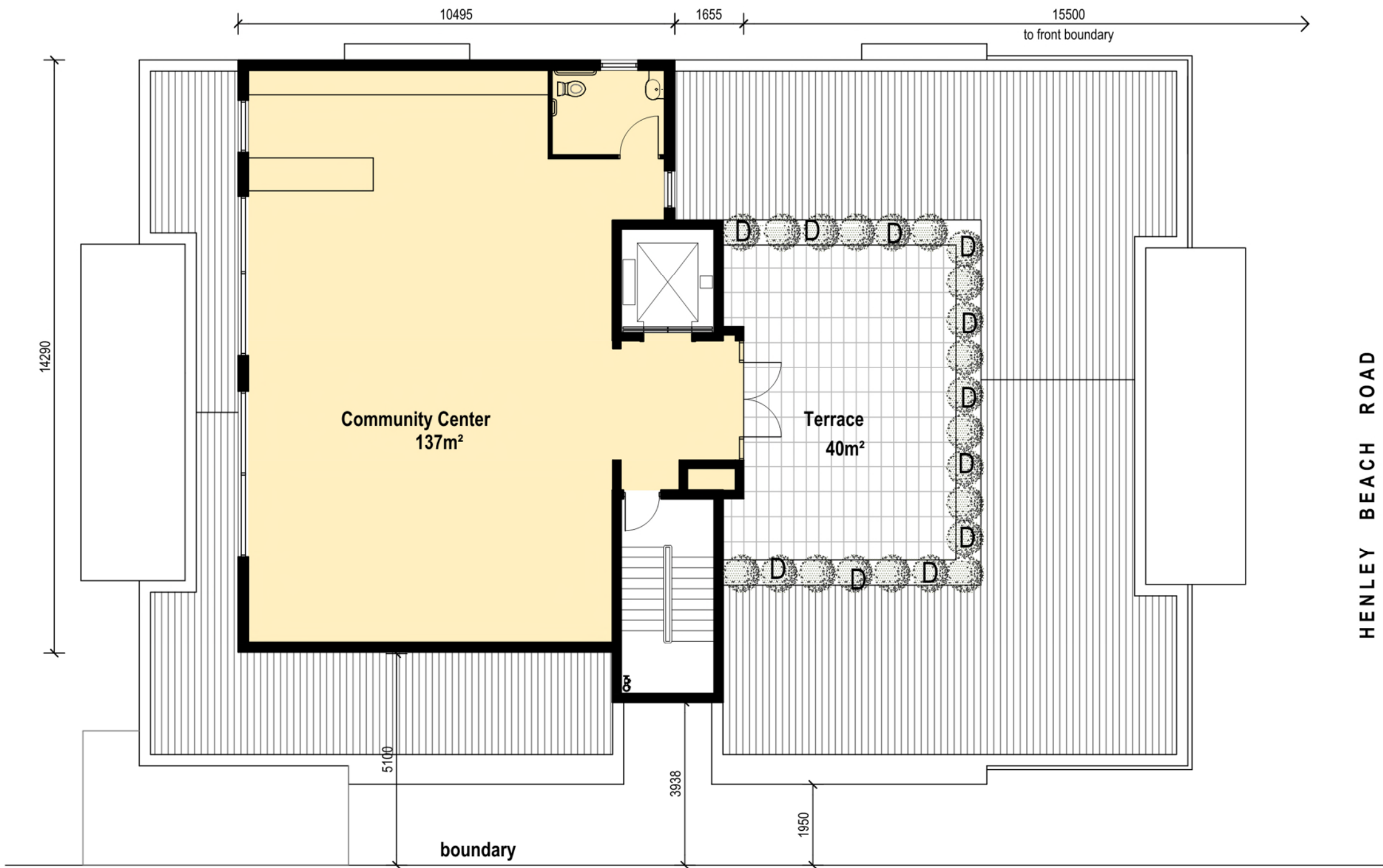


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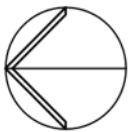
PLANNING APPLICATION

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93 Gilles Street Adelaide 5000 T:82232244



ROOF TERRACE PLAN

0 1 2 5m
Scale 1:100 at A3

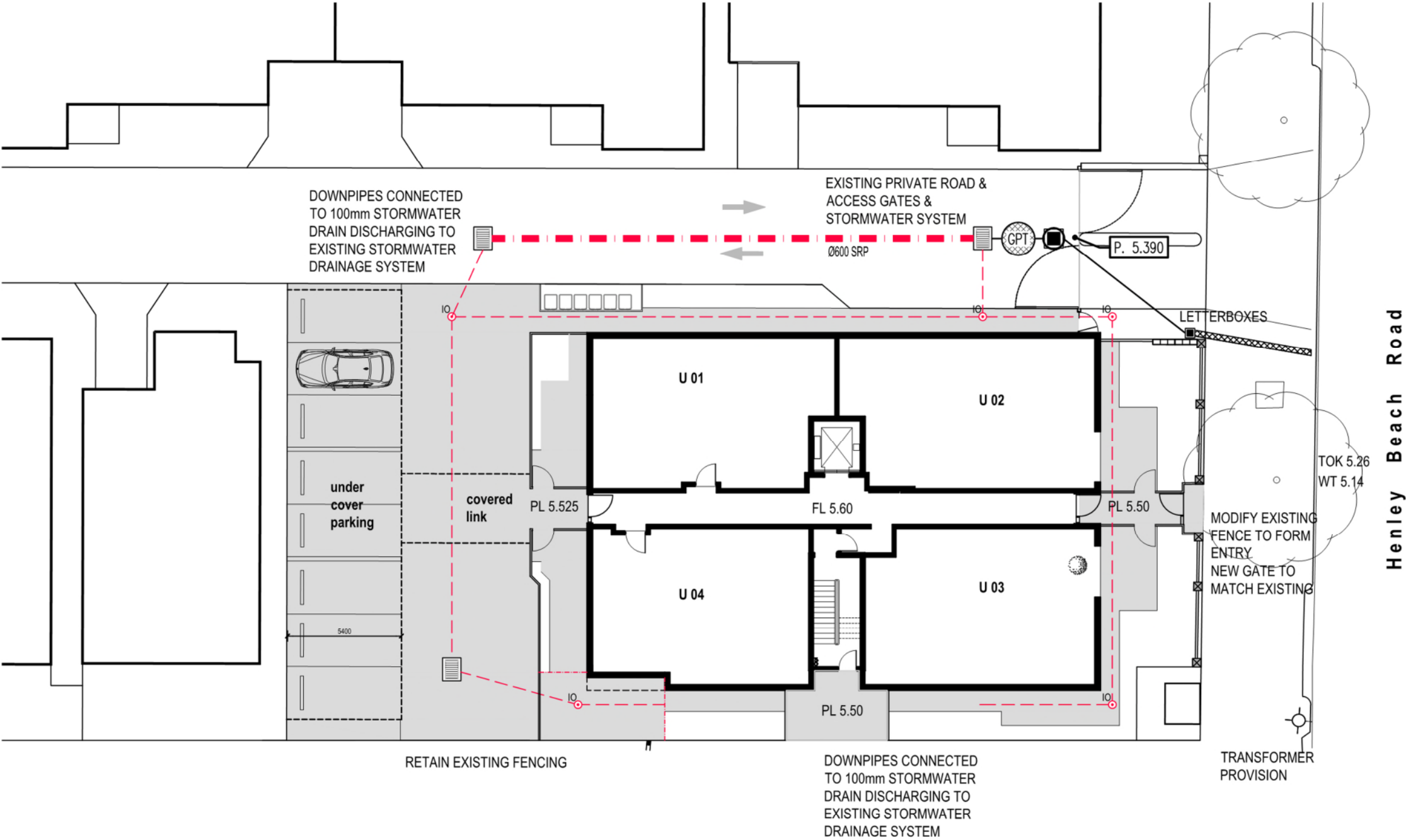


RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

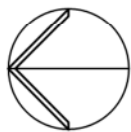
PLANNING APPLICATION

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93 Gilles Street Adelaide 5000 T:82232244



STORMWATER PLAN

0 1 2 5 10m
Scale 1:200 at A3



RETIREMENT LIVING APARTMENTS

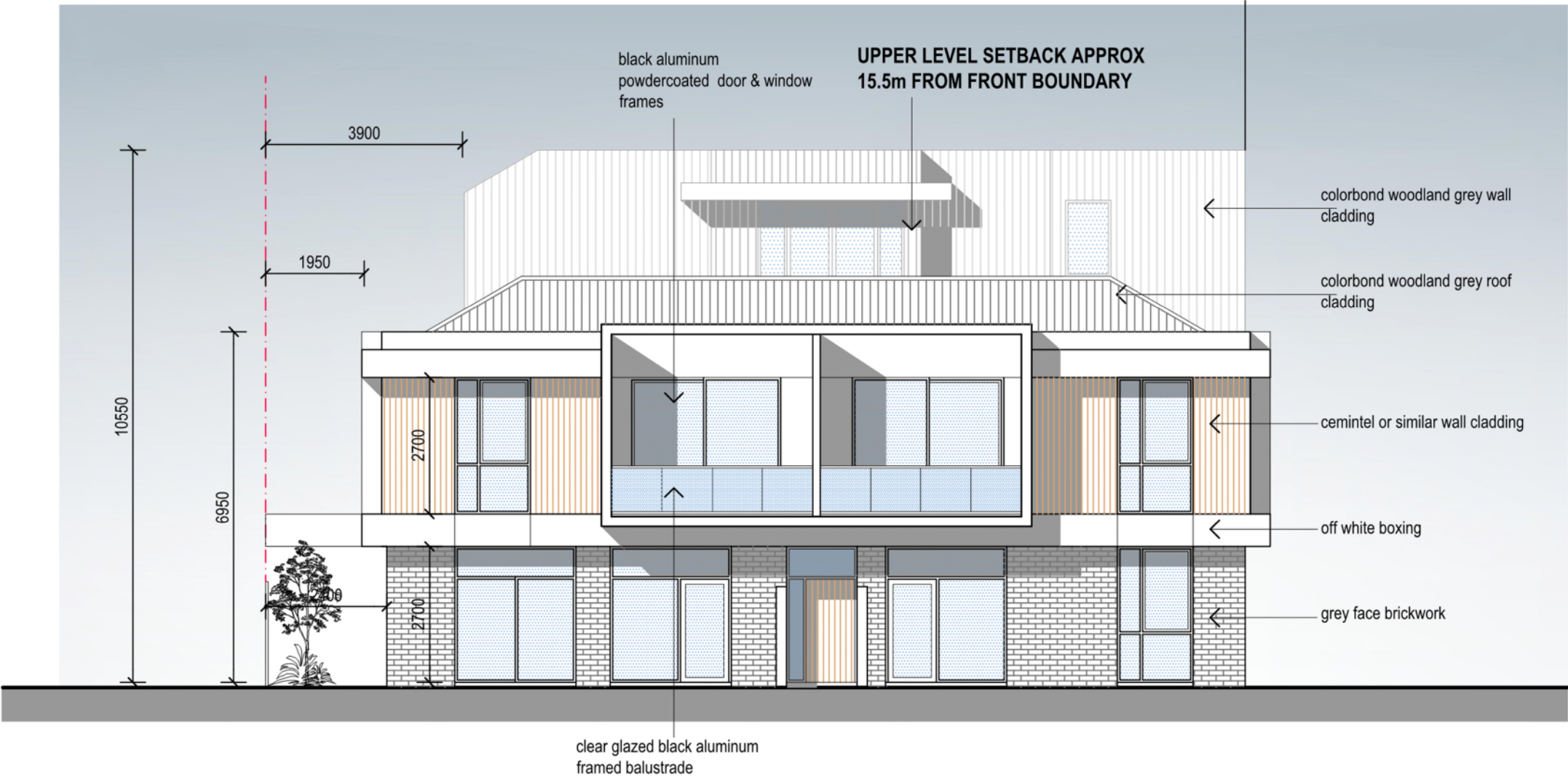
452 Henley Beach Road Lockleys

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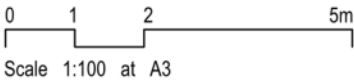
22/JN1480/SK06

PLANNING APPLICATION

ADS Architects
93 Gilles Street Adelaide 5000 T:82232244



SOUTH ELEVATION



RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

05.11.22

22/JN1480/SK07/A

PLANNING APPLICATION

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RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

05.11.22
22/JN1480/SK08

PLANNING APPLICATION

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WEST ELEVATION

0 1 2 5m
Scale 1:100 at A3

RETIREMENT LIVING APARTMENTS
452 Henley Beach Road Lockleys

05.11.22
22/JN1480/SK09

PLANNING APPLICATION

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NORTH ELEVATION

RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

05.11.22
22/JN1480/SK10/A

PLANNING APPLICATION

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RETIREMENT LIVING APARTMENTS

452 Henley Beach Road Lockleys

05.11.22
22/JN1480/SK11

PLANNING APPLICATION

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93 Gilles Street Adelaide 5000 T:82232244



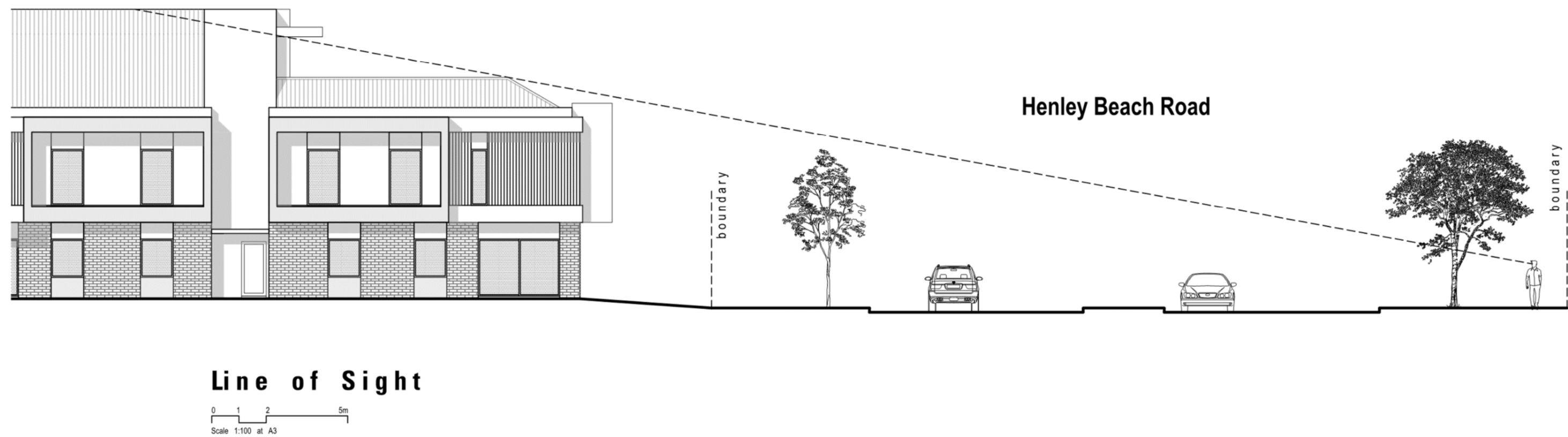
VIEW LOOKING NORTH WEST

RETIREMENT LIVING APARTMENTS
452 Henley Beach Road Lockleys

03.11.22
22/JN1480/SK12

PLANNING APPLICATION

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RETIREMENT LIVING APARTMENTS
452 Henley Beach Road Lockleys

11.02.22
22/JN1480/SK14

PLANNING APPLICATION

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ACROSS THE ROAD



HENLEY BEACH ROAD
TRAVELLING WEST



DIAGONALLY OPPOSITE THE
CHURCH LOOKING SW



Christ the King Church

HENLEY BEACH ROAD
TRAVELLING EAST



CONTEXT IMAGES

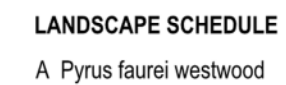
RETIREMENT LIVING APARTMENTS
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03.11.22
22/JN1480/SK13

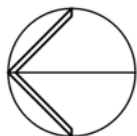
PLANNING APPLICATION

ADS Architects
93 Gilles Street Adelaide 5000 T:82232244

Irrigation system automated on timer



0 1 2 5 10m
Scale 1:200 at A2



452 Henley Beach Road Lockleys

PLANNING APPLICATION

ADS Architects
93 Gilles Street Adelaide 5000 T:82232244



PLANNING REPORT ACACIA ON HENLEY

452 HENLEY BEACH ROAD, LOCKLEYS

Prepared for:
Karidis Corporation Ltd

Date:
14.11.2022



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Revision	Description	Author	Date
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V2	Review	JC	
V3	Final	JC	10.11.2022





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APPENDICES

- APPENDIX 1. CERTIFICATE OF TITLE
 APPENDIX 2. ARCHITECTURAL PLANS





1. INTRODUCTION

This planning report relates to a proposal by, Karidis Corporation Ltd ('proponent'), to construct a three-storey, residential flat building and to change the use of the existing community centre to a dwelling, at 452 Henley Beach Road, Lockleys ('site').

In preparing this report, we have:

- inspected the site and its immediate surroundings;
- identified and subsequently reviewed what we consider to be the most pertinent policies of the Planning and Design Code ('Code');
- had regard to the *Planning, Development and Infrastructure Act 2016* ('Act') and to the *Planning, Development and Infrastructure (General) Regulations 2017* ('Regulations');
- reviewed the Certificate of Title in **Appendix 1**; and
- examined the architectural drawings prepared by Nic Salvati Architects in **Appendix 2**.



2. PROPOSED DEVELOPMENT

The proponent intends to change the use of the existing community centre to a two-bedroom dwelling and construct a 3-level residential flat building, including:

- 8 retirement living apartments (four on Ground Floor and four on Level 1), each of which comprises:
 - » Ground Level apartments
 - 2 bedrooms (Bed 1 with ensuite);
 - a bathroom;
 - an open plan kitchen, dining and living space;
 - a laundry; and
 - a private garden
 - » Level 1 apartments
 - 2 bedrooms (Bed 1 with ensuite)
 - a study
 - a bathroom
 - an open plan kitchen, dining and living space
 - a laundry; and
 - a balcony measuring 10 square metres;
- Level 2 comprising a resident community centre including open roof terrace
- 10 at-grade car parking spaces, located at the rear of the building (9 to be covered by a free-standing carport and 1 covered space adjacent Unit 4).
- Landscaping to the extremities of the site.

The proposal is depicted across the compendium of drawings in Appendix 2.

With reference to the definitions in the Planning and Design Code ('Code'), we note that the proposed development is properly described as a 'residential flat building', as the proposal is a single building in which there are two or more dwellings.

Furthermore, it is noted that:

- at Ground Level, the proposed building will be set back 5.0 metres from the southern (primary road) boundary, 1.15 metres to 2.26 metres from the eastern (internal side) boundary and 2.4 metres from the western (side) boundary, with the open car park to the rear;
- Level 1 will be set back 5 metres from the southern (primary road) boundary with a balcony protuberance of 1 metre, 1.1 metres to 2.2 metres from the eastern (internal side) boundary and 1.95 metres from the western (side) boundary;
- The external wall heights of the building measure 6.9 metres;
- overall height of the building is 10.55 metres; and
- the architectural composition of the building is contemporary in nature with a hipped roof form and several contemporary yet robust materials, including masonry bricks, rendered Hebel and vertical panel cladding



3. PROCEDURAL MATTERS

At the time of preparing this report, the relevant version of the Planning and Design Code ('Code') was gazetted and subsequently consolidated on 27 October 2022 (Version 2022.20).

Due to amendments, the version of the Code used to prepare this report may not be the relevant version at the time of lodgement of the application. To the extent of any inconsistency, the version of the Code at the time of lodgement will be relevant for the processing and assessment of the application to which the proposal relates.

The site is within the General Neighbourhood Zone ('Zone').

3.1 Verification

For the purposes of Regulation 31(1)(a), (b) and (c) of the *Regulations*, the following applies:

Table 3.1 *Verification snapshot*

Verification matter	Comment
Nature of Development	"Change in use of the existing community centre to a dwelling, and construct a three-storey residential flat building comprising eight dwellings and a community centre, and 2 x carports"
Elements	<ul style="list-style-type: none"> • Dwelling • Residential flat building • Carport x 2
Category of Development	Code Assessed – Performance Assessed
Relevant Authority	Council Assessment Panel

3.2 Referrals

The site is captured by the following overlays that may require a referral, pursuant to Section 122(1) of the *Act*, in accordance with Regulation 41(1) to a body prescribed in Schedule 9 of the *Regulations*.

We submit the following comments in relation to the relevant referral triggers of each overlay:

Table 3.2 *Referral triggers*

Overlay	Referral (Y/N)	Comment
Affordable Housing	No	The proposal does not purport to include affordable housing.
Airport Building Heights (Regulated)	No	The proposed building is not greater than 45 metres in height



Traffic Generating Development	No	The development is not a class of development identified in the Procedural Matters Table of the Overlay.
Urban Transport Routes	No	<p>Overlay Procedural Matters Table reasons:</p> <p>(c) change to the <u>nature and volume</u> of movements through existing access points.</p> <p>The relevant 'test' in the referral trigger requires a change <u>to the nature and volume</u>.</p> <p>We submit that there will be no change to the nature of vehicular movements as vehicles accessing the site will continue to be resident and visitor vehicles only (waste collection is via Council's kerbside collection).</p> <p>As such, any change to the volume is irrelevant given that the first 'test' in the referral trigger is not activated by the proposal.</p>

3.3 Public Notification / Relevant Authority

Pursuant to Section 107(6) of the *Act*, the Code may exclude specified classes of development from the requirement to undergo public consultation. Accordingly, Table 5 of the Zone provides the following:

Table 3.3 Table 5 – Procedural Matters (excerpt)

Class of Development (Column A)	Exceptions (Column B)
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <p>(d) carport</p> <p>(f) dwelling</p> <p>(l) residential flat building</p>	<p>Except development that:</p> <p>1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1</p>

Zone DTS/DPF, states:

Building height (excluding garages, carports and outbuildings) no greater than:

a) 2 building levels and 9m

and

b) wall height that is no greater than 7m except in the case of a gable end.

Given that the proposed residential flat building exceeds both 2 building levels and 9 metres, the application is not exempt from the public notification requirements prescribed in Section 107(3) of the *Act*.



As a result of the above, pursuant to Section 93(1)(a) of the Act, the Council Assessment Panel is the relevant authority for the assessment and determination of the application.

4. SPATIAL ATTRIBUTES

4.1.1 Subject Land / Site

The subject site is located on the northern side of Henley Beach Road, and has a total site area measuring 3,851 square metres with a primary road frontage to Henley Beach Road measuring 39.6 metres and a depth of 96.1 metres.

The land is legally described as Allotment 47 in Certificate of Title Volume 5213, Folio 662 or otherwise known as 452 Henley Beach Road, Lockleys.

The land contains the 'Acacia on Henley' retirement village which includes nine single-storey dwellings and a community centre which is used solely by the residents of 'Acacia on Henley'. The CT includes a Description under the Schedule of Dealings that confirms that the whole of the land is to be used as a retirement village.

Vehicular access is obtained via Henley Beach Road with the driveway measuring 6.6 metres wide at the property boundary, continuing at that width for a length of 16.8 metres, then tapering to a width of 5.5 metres. The front masonry fence with electronic security gate is recessed into the driveway providing 6 metres of on-site queuing space for vehicles.

Each existing dwelling is provided with 2 parking spaces for their exclusive use (single garage and driveway space), with an additional two visitor spaces being provided at the northern end of the land.

The site of the proposed development is within the southwestern portion of the land with is currently improved by a grassed area with gazebo, and a 'fenced-off' vacant area.

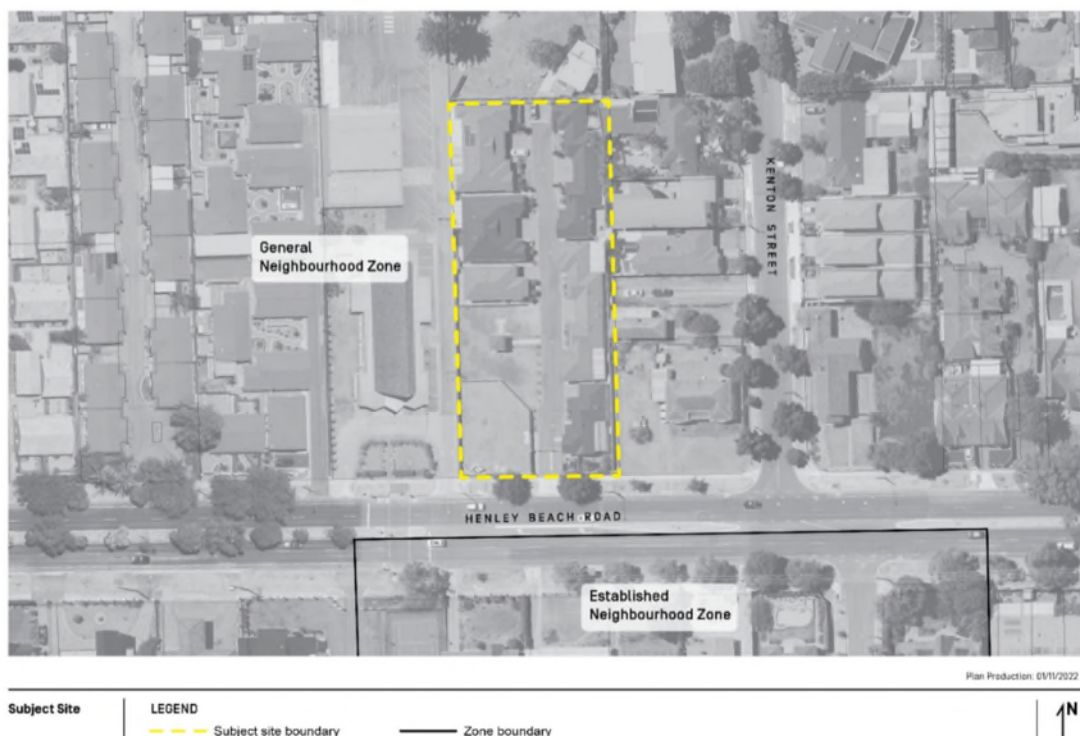
The site has no discernible topographical features.

4.1.2 Zoning

The site is situated within the General Neighbourhood Zone, as shown in Figure 4.1 below.



Figure 4.1 *Subject Site*



The site is also within the following Overlays:

- Affordable Housing
- Airport Building Heights (Regulated) (All structures over 15 metres);
- Building Near Airfields
- Hazards (Flooding – Evidence Required);
- Stormwater Management
- Traffic Generating Development;
- Urban Transport Routes;
- Urban Tree Canopy

The site is not subjected to any Technical and Numeric Variations ('TNV').

4.1.3 Locality

The locality extends along Henley Beach Road, from just beyond the Torrens Avenue junction with Henley Beach Road, at its deviation, to the east (where a line of sight to the subject land can be gained) and some 250m west to Strathmore Avenue. The locality comprises a mix of the following land uses:

- Residential dwellings in a range of types including:



- » detached one, two and three storey dwellings;
- » two storey row dwellings; and
- » single storey group dwellings and dwellings within single storey residential flat buildings;
- Christ the King Parish Church abutting the western boundary of the subject
- St Francis School, Lockleys which share [sic] common vehicle access with the Christ the King Parish Church from Henley Beach Road; and
- Housing for the aged provided by ECH Incorporated in three separate villages at 460, 462 and 464 Henley Beach Road.

The site, in relation to its immediate surroundings, is captured in Figure 4.2 below.

Figure 4.2 *Locality plan*



5. ASSESSMENT AGAINST PLANNING AND DESIGN CODE

Part 1 – Rules of Interpretation, Policies – Desired Outcomes and Performance Outcomes of the Code establishes that Desired Outcomes (DOs) and Performance Outcomes (POs) are the applicable policies for performance assessed development.

It is also worth noting that some POs have a standard outcome that is considered to satisfy the corresponding PO, referred to as Designated Performance Features (DPFs). The Rules of Interpretation within Part 1 of the Code state the following in relation to DPFs:

“A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the



performance outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies."

(Emphasis added)

As a result of the above, the assessment below focusses on the applicable DOs and POs concerning the most pertinent assessment aspects of the proposal, and may only refer to the DPF in instances where it assists in the exercise of discretion.

5.1 Land Use

In regard to the proposed use of land, the following Zone policies are considered relevant:

DO 1 *low-rise, low and medium-density housing that supports a range of lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.*

PO 1.1 *Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.*

The existing use of the site is residential nature, more specifically, a retirement village for persons over the age of 55 years, namely 'Acacia on Henley' which includes a community centre for the exclusive use by residents.

The proposal involves the conversion of existing community centre into a two-bedroom dwelling, together with the construction of a 3-level residential flat building containing eight retirement living apartments and a community centre situated on Level 2. The proposed new community centre replaces the role and function of the existing community centre and will be available to all residents of 'Acacia on Henley'.

We submit that the proposal will make a valuable contribution to the diversification of housing choice within Acacia on Henley, and the locality more broadly, given that there is a distinct lack of downsizing 'apartment' style options in the local area.

Accordingly, the proposal satisfies both DO 1 and PO 1.1 for the Zone.

5.2 Building Height

According to the South Australian Property and Planning Atlas (SAPPA), the site is not affected by a maximum building height TNV. Notwithstanding, the following policies are relevant to the consideration of building height.

General Neighbourhood Zone

DO 1 *low-rise, low and medium-density housing that supports a range of lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.*

PO 3.1 *Building footprints allow sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.*

PO 4.1 *Buildings contribute to a low-rise suburban character.*

General Development Policies – Design In Urban Areas ('DIUA')

PO 12.1 *Buildings positively contribute to the character of the local area by responding to local context.*



PO 12.3 *Buildings are designed to reduce visual mass by breaking up building elevations into distinct elements.*

Part 8 – Administrative Terms and Definitions

Medium-rise: *In relation to development, means 3 to 6 building levels.*

Low-rise: *In relation to development, means up to and including 2 building levels.*

When considering the above policies, we opine that their general thrust and intent establishes the following:

- Zone DO 1 and PO 4.1 envisage buildings that contribute to a low-rise suburban character. Put in other terms, the Zone does not mandate that all buildings must be of low-rise construction.
 - » it is not unreasonable to suggest that a 'medium-rise' building can make a positive contribution to a 'low-rise suburban character' within a certain context.
- DIUA PO 12.1 calls for new developments to consider their local context, and respond accordingly.
- Zone PO 3.1, although relating to the siting of buildings, guides the immediate site context in relation to its siting from property boundaries and neighbouring buildings. These are important factors when determining the external impacts of building height and mass.

Having established the above, we consider the proposed development to be of a height that is appropriate when considered against the relevant Code policies having noted the following:

- Zone DPF 4.1 provides 'standard outcome' for building height as follows:
 - » 2 building levels and 9 metres; and
 - » Wall height that is no greater than 7 metres except in the case of a gable end.
- Although the proposed building is technically defined as 'medium-rise' (because it contains 3 levels), we suggest that the development is of a height and scale that is most appropriately perceived as being 'low-rise' on account of the following:
 - » the tallest part of the building measures only 10.55 metres, which in our opinion, constitutes a relatively a minor protuberance above the 9 metres 'standard outcome' as provided by Zone DPF 4.1.
 - although the building is technically 3-levels, the height and scale is evidently commensurate with that of a 2-level building.
- The external wall heights measure 6.9 metres which is less than the 7 metres 'standard outcome' for 'low-rise' development as provided by Zone DPF 4.1.
- The tallest part of the building is setback 16 metres from the primary road frontage and 5.3 metres from the western (side) boundary, thereby providing substantial visual relief from adjacent properties and the streetscape of Henley Beach Road.

Further to the above considerations, which are ostensibly a quantitative assessment of the proposal, we have further considered the proposal in a qualitative manner against the existing built form features that contribute to the established 'low-rise' character of the locality. On this we say as follows:

- The adjacent Christ the King Lockley's church building makes a notable contribution to the character of the locality and has a building height surveyed at 16.96 metres AHD or 11.4 meters above ground level.



- Nearby dwellings on the southern side of Henley Beach Road make a notable contribution to the character of the locality, and we note that the dwellings from 1C Strathmore Avenue to 455 Henley Beach Road are of considerable scale, are predominantly two-storeys and include a three-storey detached dwelling.
- The proposed development will present to Henley Beach Road as a two-storey building, noting that:
 - » the external wall heights, measuring 6.9 metres, are commensurate with the height and scale of a two-storey dwelling.
 - » the tallest part of the building, measuring 10.55 metres above ground level, is setback 16 metres from the primary road boundary and 21 metres from the Henley Beach Road carriageway, thereby diminishing its presence within the streetscape to one that is recessive and largely illegible from the streetscape.

Having considered the intent of the relevant code provisions and the local context, including DPF 'standard outcomes' where appropriate, we conclude that the proposed development is of a height that is both respectful of the existing built form context of the locality and the envisaged outcomes for the Zone, and as such, it an appropriate development outcome for the site.

5.3 Setbacks

5.3.1 Primary road boundary

PO 5.1 *Buildings are setback from primary street boundaries to contribute to the existing/emerging pattern of street setbacks in the streetscape.*

DPF 5.1 *The building line of a building set back from the primary street boundary:*

- a) *no more than 1m in front of the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)*
- b) *where there is only one existing building on adjoining sites which face the same primary street (including those that would adjoin if not separated by a public road or a vacant allotment), no more than 1m in front of the setback to the building line of that building*
- c) *not less than 5m where no building exists on an adjoining site with the same primary street frontage.*

When considering the standard outcomes provided in DPF 5.1, we note the following:

- The adjacent single-storey detached dwelling within the grounds of Acacia on Henley is oriented with its main façade facing the internal common driveway.
- The Christ the King Lockleys church building is setback 16 metres from the primary road boundary meaning that if (b) were applied to the site, a minimum setback of 16 metres would be required.

Having considered the 'standard outcomes' provided in DPF 5.1, we are of the opinion that the most appropriate standard outcome to apply to this proposal is provided in (c) which is 5 metres.

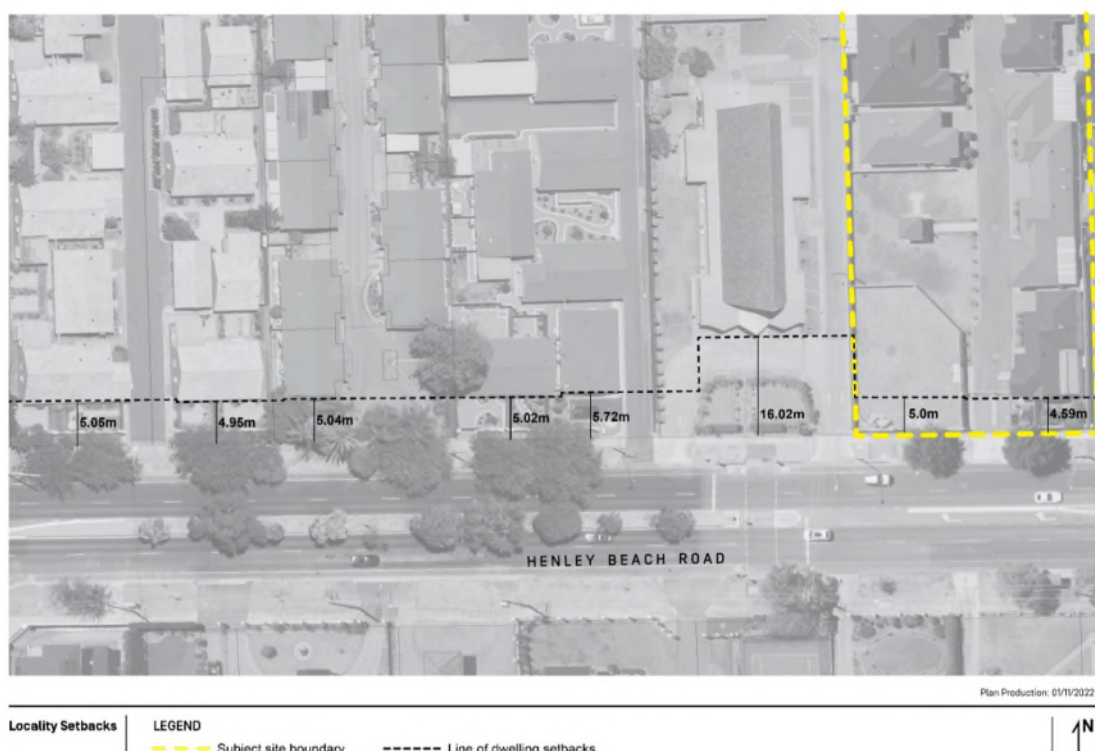
Contextually, we also consider that a front setback of 5 metres is appropriate in this instance given the following:

- The adjoining single-storey dwelling sited in the grounds of Acacia on Henley retirement village is setback approximately 5 metres from Henley Beach Road.



- Christ the King Lockley's church building forms a notable element within the streetscape, however its primary road setback of 16 metres is an aberration in the streetscape, established because of the specific needs and functions of the church.
- The general pattern of primary setbacks along the northern side of Henley Beach Road are in the order of 5 metres, and shown in Figure 5.1 below:

Figure 5.1 Primary Road Setbacks



- As outlined earlier, the proposed development will have a height, scale and mass, when viewed from Henley Beach Road, that is commensurate with that of a large, two-storey dwelling.
 - » We further note that the relevant primary road setback policies do not anticipate or demand two-storey dwellings to be setback further from the primary road boundary than a single-storey counterpart.
- Henley Beach Road has a total road reserve width measuring approximately 30 metres. We contend that the primary function of Henley Beach Road is to serve as a primary road corridor (as evidence by the fact it is a State maintained road), and as such, the very nature of the road, coupled with its substantial road reserve width, assist in further moderating the perceived bulk and scale of the proposed building (noting it is essentially two-storeys in scale) to residents on the southern side of Henley Beach Road, and motorists alike.

5.3.2 Side setbacks

PO 8.1 *Building walls are set back from side boundaries to provide:*

- separation between dwellings in a way that contributes to a suburban character; and*



- b) *access to natural light and ventilation for neighbours.*

The 'standard outcome' provided in Zone DPF 8.1 provides as follows:

DPF 8.1 *Other than walls located on a side boundary, building walls are set back from side boundaries:*

- a) *at least 900mm where the wall height is up to 3m*
- b) *other than for a wall facing a southern side boundary, at least 900mm plus 1/3 of the wall height above 3m*

Table 5.1 below, illustrates the proposed building setbacks from the western side boundary when juxtaposed against the 'standard outcome' in Zone DPF 8.1.

Table 5.1 *Building Setbacks*

Building Level	Proposed	Standard Outcome	Variance (+/-)
Ground Floor	2.4m	900mm	+1.5m
Level 1	1.95m	2.2m	-0.25m
Level 2	3.9m	3.47m	+0.43m

When assessing the proposal against the outcomes sought by PO 8.1, it is important to note the immediate context of the site, of which we observe the following:

- the adjacent place of worship is setback approximately 9.6 metres from the boundary shared with the subject site (11.55 metres to the proposed building) with this area including the primary vehicular access for the adjacent St Francis School.
- the adjacent single-storey retirement living dwelling (within Acacia on Henley) is orientated to have its primary façade facing the internal driveway. The proposed residential flat building will be setback 7.25 metres from the internal 'front boundary' of this adjacent dwelling.

Having considered the above context, we opine that the proposal will, evidently, contribute to a pleasant suburban character by maintaining generous patterns of space between adjacent buildings, whilst also preserving reasonable access to natural light and ventilation as sought in Zone PO 8.1.

5.3.3 Rear setback

PO 9.1 *Dwelling walls are set back from rear boundaries to provide:*

- a) *separation between dwellings in a way that contributes to a suburban character*
- b) *access to natural light and ventilation for neighbours*
- c) *private open space*
- d) *space for landscaping and vegetation.*

The proposed development is setback 14.2 metres from the northern (rear) boundary which exceeds the standard outcome provided in Zone DPF 9.1 (b) by 10 metres at Ground Level and 8 metres for the subsequent upper levels.



5.4 Access and Parking

5.4.1 Access

In addition to the relevant policies within the Transport, Access and Parking module in Part 4 of the Code, the site is also subject to the following overlays which seek to manage traffic related matters:

- Traffic Generating Development Overlay ('TGD Overlay'); and
- Urban Transport Routes Overlay ('UTR Overlay')

In light of the above, we consider the following policies as being relevant in relation to access.

TGD Overlay

- PO 1.1** *Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.*
- PO 1.2** *Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.*
- PO 1.3** *Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.*

UTR Overlay

- PO 1.1** *Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.*
- PO 2.1** *Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.*
- PO 3.1** *Existing access points are designed to accommodate the type and volume of traffic likely to be generated by the development.*

Part 4 – Transport, Access and Parking

- PO 3.1** *Safe and convenient access minimises impact or interruption on the operation of public roads.*
- PO 3.6** *Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).*

The site benefits from an existing vehicle access on Henley Beach Road which has been purposefully designed to accommodate two-way vehicular movements.

Queuing space for one vehicle is provided within the site (6 metres) and when coupled with the depth of the adjacent verge area, two vehicles can be accommodated within an area measuring 11 metres in depth.

Given that the proposed development includes 'dwellings' in the form of a residential flat building, we contend that the 'nature' of movements through the existing access remains unchanged.

Further to this, the addition of eight, two-bedroom dwellings and conversion of the existing community centre to a two-bedroom dwelling is considered to generate a minor increase to overall number of vehicle movements to and from the site, such that no modifications to the existing access arrangement are required to accommodate the proposal, nor will the proposal cause disturbance to traffic along



Henley Beach Road given the ample queuing space provided, and the ability for vehicles to exit the site in a forward gear.

5.4.2 Vehicle Parking

Preferred on-site car parking rates are specified in Part 4 – *Transport Access and Parking, Table 1*, however before we consider the most appropriate parking rate for the proposal, the following matters must be resolved.

Number of bedrooms

- Although four apartments (Unit 5 – Unit 8) include two dedicated bedrooms plus a study, we suggest that the study rooms should not be considered as 'being capable of being used as a bedroom' for the following reasons:
 - » the Acacia on Henley is a purpose-built retirement village, controlled under the *Retirement Villages Act 2016*, and is specifically targeted to persons older than 55 years in age.
 - » 'household' numbers in retirement villages typically include 2 persons (a couple with no dependants), with some households having a single occupant.
 - » while residents may accommodate guests from time to time, the 'preferred' parking rate for a three-bedroom home as provided in Table 1, is predicated on the third bedroom (or study) as accommodating a person that is a permanent resident of the dwelling.

Based on the above considerations, we are of the opinion that all eight apartments are two-bedroom apartments.

Such being the case, when coupled with the converted community centre to a two-bedroom dwelling, the 'preferred' onsite parking rate when applying the rate in Table 1 is 11.97 spaces.

The proposal provides 11 parking spaces on-site in the following arrangement:

- 7 resident spaces and 1 visitor space beneath the proposed carport at the rear of the residential flat building.
- 1 covered resident space for the exclusive use by the resident of Unit 4.
- 1 resident space within the garage and 1 visitor space in the driveway of the proposed dwelling (i.e. the converted community centre)

Accordingly, the proposal represents a theoretical shortfall of 0.97 spaces.

When considering the adequacy of on-site parking, the following is also relevant

Part 4 – Transport, Access and Parking

PO 5.1 *Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:*

- a) availability of on-street car parking
- b) shared use of other parking areas

It is important to note that each of the dwellings will be provided with one dedicated parking space, plus two additional spaces being provided for visitors. We should also point out at this juncture that the community space on Level-3 is for the exclusive use by residents of Acacia on Henley, and as such,



we content that there is no need to calculate an on-site parking demand for this particular component of the building as it will not generate any additional vehicle movements or demand for parking on-site.

Although the proposal represents a shortfall of 1.6 spaces from the 'preferred' rate provided in Table 1, when considered together with PO 5.1, we suggest that the shortfall is reasonable, given that:

- With the exception of parking controls between the hours of 7:30am and 9:00pm (bicycle lane), and 'no parking' controls across the width of the site (presumably to account for school related traffic) there is ample on-street parking available along Henley Beach Road; and
- The site is within 60 metres of a high frequency public transport service (Bus Stop 16 on Henley Beach Road); and
- Although it is private land, there is opportunity for visitors to use the ample, and freely accessible, parking spaces within the grounds of the adjacent Christ the King Lockleys parish.

5.5 Overlooking and Privacy

In relation to overlooking and privacy, the following policies are considered relevant:

Part 4 –Design in Urban Areas

PO 10.1 *Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.*

PO 10.2 *Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood-type zones.*

PO 16.1 *Development mitigates direct overlooking of habitable rooms and private open spaces of adjacent residential uses in neighbourhood-type zones through measures such as:*

- a) *appropriate site layout and building orientation*
- b) *off-setting the location of balconies and windows of habitable rooms or areas 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 that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.*

PO 17.1 *Dwellings incorporate windows facing primary street frontages to encourage passive surveillance and make a positive contribution to the streetscape.*

PO 28.2 *Balconies are designed, positioned and integrated into the overall architectural form and detail of the development to:*

- a) *respond to daylight, wind, and acoustic conditions to maximise comfort and provide visual privacy*
- b) *allow views and casual surveillance of the street while providing for safety and visual privacy of nearby living spaces and private outdoor areas.*

It is worth noting that POs 10.1 and 10.2 apply to 'low-rise' development, and as such, PO 16.1 is the applicable policy to this proposal given that it is technically 'medium-rise'. Notwithstanding, we consider it appropriate to measure the proposal against the 'low-rise' policies given that the building is comprised of two habitable levels which is akin to a 'low-rise' building.



Although the proposal does not include privacy treatments to upper-level windows and balconies, we consider the proposal to nonetheless achieve the above performance outcomes for the following reasons:

- West elevation – POs 10.1, 10.2 and 16.1 are focussed on mitigating direct overlooking into adjoining residential uses in a neighbourhood-type zone.
 - » the adjoining Christ the King church is not a residential use.
 - » the upper-level windows and balconies on the western and southern building façade will increase passive surveillance of the open car parking area and contribute to improved safety.
- East elevation – POs 10.1, 10.2 and 16.1 seek to mitigate direct overlooking into living rooms and areas of private open space ('POS'), with PO 16.1 including a number of means by which a development may mitigate direct overlooking, other than privacy screens, including building setbacks (i.e., spatial relief) and the off-setting of windows so that views are oblique.
 - » with the exception of a single bedroom in both Unit 5 & 6, no other windows on the eastern façade are for a 'habitable room' as defined in Part 8 of the Code.
 - » the existing dwellings to the east (within Acacia on Henley) are oriented with their primary façade facing the internal driveway, with POS areas located behind each dwelling (i.e., on their eastern side).
 - » views from upper-level bedroom windows will be oblique due to the considered placement of windows openings in the eastern facade.
 - » views from upper-level bedroom windows will be across the internal driveway (i.e. spatial relief) which can be likened somewhat to views across a public road.
 - » the main habitable room (i.e., the living room) in Units 5 & 6 are designed to have primary outlook to the north and south.
- South elevation – Lines of sight from the upper-level windows and balconies for Units 5 & 8, and the north facing windows of the Level 2 community centre will be obstructed by the proposed carport, and in any event, will be over a distance of at least 15 metres, and we note that:
 - » the 15 metres setback achieves the recommended spatial separation as advocated in the *Good Residential Design SA* document produced by Planning SA.
 - » the Miscellaneous Technical Code Enhancement Code Amendment ('MTECA') proposes to include a new definition in Part 8 of the Code, which defines 'direct overlooking' as being limited to an area that falls within a horizontal distance of 15 metres.
- North elevation – north facing windows and balconies will increase passive surveillance of Henley Beach Road in accordance with the outcome sought in POs 17.1 and 28.2. Views of dwellings on the southern side of Henley Beach Road will be constrained to front gardens and are sufficiently long range so as to not be 'direct'.

5.6 Private Open Space

In relation to private open space, the following policies are considered relevant.

PO 21.1 *Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.*

PO 21.2 *Private open space is positioned to provide convenient access from internal living areas.*



PO 27.1 *Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.*

PO 28.3 *Balconies are of sufficient size and depth to accommodate outdoor seating and promote indoor / outdoor living.*

Table 1 – Private Open Space

Dwelling Type	Dwelling / Site Configuration	Minimum Rate
Dwelling (other than a residential flat building)		Total private open space area: (a) Site area <301m ² : 24m ² located behind the building line. Minimum directly accessible from a living room: 16m ² / with a minimum dimension 3m.
Dwelling in a residential flat building which incorporate above ground level dwellings	Dwellings at ground level:	15m ² / minimum dimension 3m
	Dwellings above ground level: <ul style="list-style-type: none">Two-bedroom dwelling	11m ² / minimum dimension 2.4m

We submit that the future occupants of the proposed dwelling, and residential flat building will be provided with an area of POS that will meet their daily needs for the following reasons:

- The proposed dwelling will be provided with 35m² of POS, with a minimum dimension exceeding 3 metres, which will be directly accessible from living areas.
- Ground Level dwellings within the residential flat building are provided with 19m² up to 35m² of POS, each with a minimum dimension exceeding 3 metres and directly accessible from living areas.
- Level 1 dwellings within the residential flat building are provided with 10m² of POS, with a minimum dimension of 2.4 metres, and directly accessible from living areas.
 - » the 1m² departure from the preferred minimum rate is considered negligible, and otherwise acceptable, given the nature/lifestyle of the future occupants of the building.

5.7 Waste Management

In relation to on-site waste management, the following policies are considered relevant:

Part 4 – Design in Urban Areas

PO 11.1 *Development provides a dedicated area for on-site collection and sorting of recyclable materials and refuse, green organic waste and wash bay facilities for the ongoing maintenance of bins that is adequate in size considering the number and nature of the activities they will serve and the frequency of collection.*

PO 11.3 *Communal waste storage and collection areas are designed to be well ventilated and located away from habitable rooms.*



PO 11.2 *Communal waste storage and collection areas are located, enclosed and designed to be screened from view from the public domain, open space and dwellings.*

Waste storage requirements have been calculated using the expected demand for 'Medium Density Residential – with garden' and 'Medium Density Residential – with no garden' as detailed in the *SA Better Practice Guide Waste Management for Residential and Mixed Use Developments*.

Accordingly, to account for the waste generation for all 8 apartments, the following bin system will be implemented in a shared arrangement:

- General Waste – 240L x 3
- Recycling – 240L x 2
- Organics – 240L x 1

The shared bins for the residential flat building will be stored in a suitably screened area adjacent the driveway, allowing easy access for residents, and their subsequent transfer to Henley Beach Road for Council's standard kerbside collection (as per the existing waste collection arrangement).

The waste generated by the occupants of the proposed dwelling can be accommodated within the existing shared bin system which includes the following 12 bins:

- General Waste – 240L x 4
- Recycling – 240L x 4
- Organics – 240L x 4

Although the proposal will theoretically require an additional 6 bins (total of 18 bins), the residential flat building is proposed to occupy the existing, notably large, lawned area. Given that the majority of organic waste is currently attributed to lawn clippings, based on our calculations, the future organic waste volumes generated onsite can be stored in 2 x 240L bins. Based on our calculations, the following bins are required:

- General Waste – 240L x 7
- Recycling – 240L x 6
- Organics – 240L x 2

We confirm that the 15 bins (3 more than existing) can be suitably accommodated within the grounds of Acacia on Henley, and will be screened from public view.

5.8 Landscaping

In relation to landscaping, the below policies are considered relevant.

PO 13.1 *Development facing a street provides a well landscaped area that contains a deep soil space to accommodate a tree of a species and size adequate to provide shade, contribute to tree canopy targets and soften the appearance of buildings.*

PO 13.2 *Deep soil zones are provided to retain existing vegetation or provide areas that can accommodate new deep root vegetation, including tall trees with large canopies to provide shade and soften the appearance of multi-storey buildings.*

PO 13.3 *Deep soil zones with access to natural light are provided to assist in maintaining vegetation health.*



The proposal includes a detailed landscaping plan showing substantial planted areas forward of the building line and around the building's curtilage. The proposed landscaping plan includes 2 x Ornamental pears (*Pyrus fauriei*) which are a compact, but densely bushy tree with bright glossy leaves. Specimens typically grow to a mature height of 4 metres, with a canopy width of 5 metres.

All landscaping areas are to be irrigated with a fully automated system, with additional maintenance being provided by Acacia on Henley management.

6. CONCLUSION

Having due regard to the nature of the site and its factual context, and the relevant policies of the Code, it is concluded that the proposal is not seriously at variance with the Code and is for a reasonable form of development that:

- is orderly and economic;
- is well designed and sited in respect to its setting;
- will enhance the streetscape and local character;
- will enhance the visual amenity of the site and locality;
- establishes uses of land that are sought by the Zone; and
- is in general accord with the overall intent and purposes of the General Neighbourhood Zone and the Code as a whole.

For these reasons, it is considered that the proposal has sufficient merit to warrant planning consent.



APPENDIX 1. CERTIFICATE OF TITLE



Product Register Search Plus
(CT 5213/662)
Date/Time 14/11/2022 03:14PM
Customer Reference 452 Henley Beach Rd
Order ID 20221114006842

REAL PROPERTY ACT, 1986



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 5213 Folio 662

Parent Title(s) CT 3021/118
Creating Dealing(s) CONVERTED TITLE
Title Issued 09/09/1994 **Edition** 4 **Edition Issued** 25/08/2015

Estate Type

FEE SIMPLE

Registered Proprietor

ACACIA ON HENLEY PTY. LTD. (ACN: 167 217 692)
OF 49 ANGAS STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 47 FILED PLAN 120266
IN THE AREA NAMED LOCKLEYS
HUNDRED OF ADELAIDE

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12372535	APPLICATION PURSUANT TO RETIREMENT VILLAGES ACT, 1987 THE LAND IS TO BE USED AS A RETIREMENT VILLAGE
12372536	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

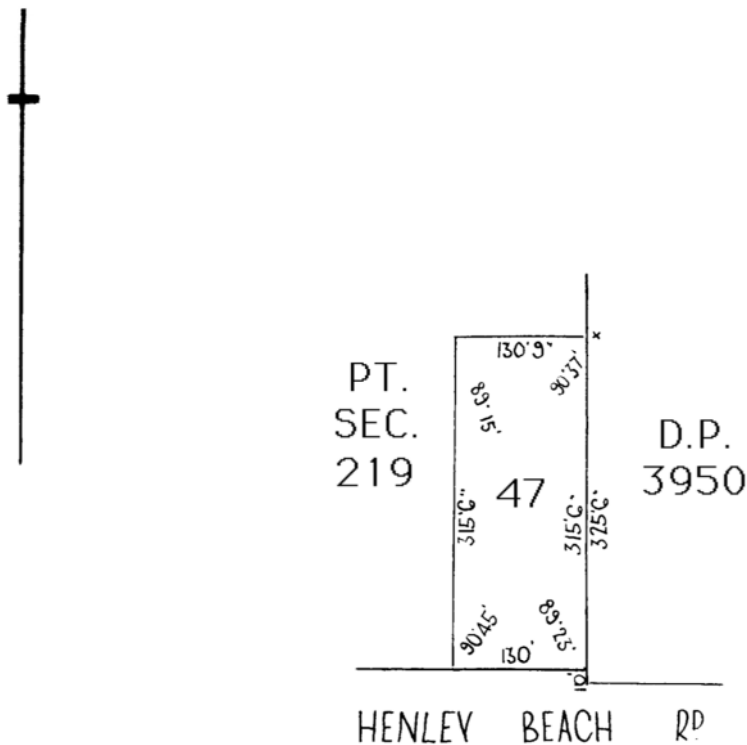
Notations

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



Product Register Search Plus
 (CT 5213/662)
Date/Time 14/11/2022 03:14PM
Customer Reference 452 Henley Beach Rd
Order ID 20221114006842

This plan is scanned from Certificate of Title 3021/118



200 100 0 200 Feet

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

Note : Subject to all lawfully existing plans of division.



APPENDIX 2. ARCHITECTURAL PLANS

Details of Representations

Application Summary

Application ID	22038599
Proposal	Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport
Location	452 HENLEY BEACH RD LOCKLEYS SA 5032

Representations

Representor 1 - Craig Bell

Name	Craig Bell
Address	3 Kenton Street LOCKLEYS SA, 5032 Australia
Submission Date	23/01/2023 09:54 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	

Attached Documents

Plan-Submission-1175161.pdf

The rear of our property adjoins Lot 47 as identified in this submission. As a 3 storey building, the proposed plan already exceeds the general neighbourhood zone height limits. Approval of such a development would create a precedent for similar sized blocks on Henley Beach Road, having 3 storey buildings along Henley Beach Road would no longer conform to the residential nature of the area as intended to be maintained through the existing zoning laws. Also, allowing a 3 storey building on this lot creates precedent for similar buildings also on Lot 47. A 3 storey building on the same lot with single storey dwellings is grossly disproportional and out of scale with the existing dwellings, both on the same lot and compared to neighbouring residential properties. This submission fails DO1 as it does not meet the definition of low-rise housing.

The submission has not addressed the height, scale and mass of the building when viewed from neighbouring residential lots on Kenton Street that back onto Lot 47, nor the adjacent residential property on Henley Beach Road. This oversized development exceeds planning laws for this very reason, being visible from this residential street and backyards. There are no such other 3 storey residential buildings of this scale and height in the area.

On page 8 of the submission, it argues that by building just 4 dwellings it will add to the 'diversity' of housing choices in the locality. This fails to acknowledge the already existing plethora of similar units (in excess of 50) operated by ECH only two blocks further west on Henley Beach Road. It therefore fails PO1.1 (there is already existing permission for the community centre therefore this plan does not add value by including it).

On page 9, the submission puts forward that the medium rise building could add character. The submission contradicts the argument, by acknowledging it is a medium rise (and therefore not compliant with zoning requirements) but then tries to use low-rise planning requirements for a 3 storey building. This submission does not add character to the area, in fact it would severely detract from the character of the area and create precedence for such oversized structures, and therefore fails DO1. To compare a 3 storey residential building to the adjacent church to justify its height and adding similar character is ludicrous.

Page 9 also downplays that the actual height is 1.55 metres over the 9m limit, or 17% higher than the zone allows. A 10.55m structure looking into neighbouring residential properties simply does not meet the requirements of the general neighbourhood zone. Also on this same page, there is no reference to the setback from the eastern boundary, purposely not addressing the height, size and scale issues this building would create for adjoining residential properties.

This submission also places a community centre on the third level, well above existing residential homes in the area and with views straight into the backyards (including our own) of properties on Kenton Street from the north facing windows of the community centre. Being 3 stories high, appropriate consideration needs to be given to privacy. There are no design features to obstruct the vision, nor are there privacy treatments, therefore failing POs 10.1, 10.2 and 16.1. Reference to the 15 metre setback rule has not been used correctly in terms of this unusually high 3 storey building in a general neighbourhood zone, and therefore does not permit the developer to escape the requirement to address privacy infringements created by the design for level 3.

In conclusion, I object to a 3 storey building being placed in a general neighbourhood zone that materially detracts from the residential nature of the area due to its height, size and scale and is also not compliant with the zone's regulations. It is not well sited on the lot compared to the other single residential dwellings. It detracts from the streetscape and visual amenity for neighbouring residents. It does not add uses to the land as a community centre is already approved. And it clearly is not in general accord with the intent and purposes of the General Neighbourhood Zone.

Representations

Representor 2 - Jennett Laintoll

Name	Jennett Laintoll
Address	17a Cairns Av LOCKLEYS SA, 5032 Australia
Submission Date	28/01/2023 01:18 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 support the development with some concerns

Reasons

As a member of Christ the King parish I know that the road to the car park is in need of repairs and we do not have the monies to fix it as yet and so any increased car usage other than the school and church goers will create a major problem. How would the car parking from the building be monitored as there are funerals, weddings and daily church where our own members need a car park? Surely as it is private land open to users only the car parking advertised is surely illegal!

Attached Documents

Representations

Representor 3 - Briony Nottage

Name	Briony Nottage
Address	448 Henley Beach Rd LOCKLEYS SA, 5032 Australia
Submission Date	01/02/2023 07:50 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

To the Chief Executive Officer West Torrens Council 165 Sir Donald Bradman Drive, Hilton, 5033. Re: Development No. 22038599 Applicant Karidis Corporation Pty Ltd Location 452 Henley Beach Road, Lockleys (CT 5213/662) Proposal Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport at 452 Henley Beach Rd, Lockleys SA 5032 Dear Sir, I wish to lodge my strong objections to the Stage Two (2) development application for the property located at 452 Henley Beach Rd, Lockleys 5032 Development No: 22038599 Reasons for my Objections are: • The site is in Zone 21 which restricts development to low density housing and not more than 2 storeys high, which states that development should not be undertaken unless it is consistent with the desired character for the policy area. The developer admitted in their Stage 1 application that their plan does not conform and the development is Medium Density in a Low Density Area. The developer also stated that development did not conform on the following points: • Does not comply with the average site area for housing seniors. • Does not comply with building height. • Does not comply with setbacks. • Does not comply with private open space. Also: • It is directly opposite a Historic Character Area which enforces buildings to keep the character of the existing surrounds and houses. • The approved dwellings (9 + community centre) take up approx three quarters (3/4) of the site which would mean that they are trying to add an additional 9 dwellings plus community centre to a quarter (1/4) of the site resulting in a complete over development of the remaining land. • Does not conform to the existing streetscape of the immediate area. • The setbacks are totally inadequate and the front setback should be at least in line with the majority of setbacks in the street. The side and rear setbacks are totally inadequate considering the height of the building and walls. • There is serious privacy concerns as the eastern side of the building would totally overlook the whole of our properties on the eastern boundary not to mention other properties in Kenton St. • The western side of the units would also invade the whole of the privacy of the units that are already approved not to mention the school, church and the Nuns property to the north. • There is insufficient number of parking space allowing only 1 per unit and not enough spaces for management, staff and visitors including not enough disabled parking spaces. • The development does not conform to many aspects of Councils policy for Supported Accommodation, Housing for Persons and People with Disabilities. • There is no provision for manoeuvring cars, community buses and ambulances and no provision for a suitable turning circle. • Overall a 3 story block of 8 units plus community centre at the front is not only overdevelopment of the site but is totally unacceptable and would destroy the streetscape of the neighbourhood that we currently enjoy. The proposed development is totally out of character with the existing development and streetscape and does not conform within the existing guidelines and is a TOTAL overdevelopment of the site. This is the second time the applicant has tried to submit plans with the previous one being refused. (Development No: 211/476/2015/2 refused) INCONCLUSION The development of Stage 2 should be consistent with Stage 1 of the development and kept to single story attached dwellings. I would strongly urge the council's development assessment panel to totally reject this current Stage 2 development application in its current form. Yours Sincerely, Briony Nottage

Representations

Representor 4 - Ian Chapman

Name	Ian Chapman
Address	7 Heaton Avenue CLONTARF NSW, 2093 Australia
Submission Date	02/02/2023 02:39 PM
Submission Source	Email
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	

Attached Documents

22038599-452HenleyBeachRoadLockleys-ResponseToPubicNotification-4793040.pdf

Pat Mosca

From: Robert Towns
Sent: Thursday, 2 February 2023 2:26 PM
To: Development - City of West Torrens
Cc: Ian Chapman; Briony Nottage
Subject: Re: Development No. 22038599 Applicant Karidis Corporation Pty Ltd Location 452 Henley Beach Road, Lockleys (CT 5213/662) Proposal Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building co

30th January 2023

From,
Ian Chapman
7 Heaton Ave,
Clontarf NSW 2093.

To the Chief Executive Officer
West Torrens Council
165 Sir Donald Bradman Drive,
Hilton, 5033.
Re: Development No: 22038599
452 Henley Beach Rd,
Lockleys SA 5032

Dear Sir,

I wish to lodge my strong objections to the Stage Two (2) development application for the property located at 452 Henley Beach Rd, Lockleys 5032 Development No: 22038599.
Applicant Karidis Corporation Pty Ltd
Location 452 Henley Beach Road, Lockleys (CT 5213/662)
Proposal Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport at 452 Henley Beach Rd, Lockleys SA 5032

Background

Our Family have owned 3 properties adjoining the eastern boundary of the proposed development along with 2 properties immediately opposite the site for over 5 generations along with other properties in the immediate surrounding area together with our principal place of residence situated opposite the development site at 451 Henley Beach Rd, Lockleys which is in a council Historic Conservation Area.

We have built some 6 of the original houses in the immediate vicinity since the area was first established and always understood that the area had strict building guidelines, the main one being that the immediate area was restricted to low density housing of not more than 2 stories high and that units and apartments were strictly forbidden.

We understand the current need for increased accommodation for housing for the aged within reason which is why we did not object to the original development (stage 1), however we are amazed to see that the developer is now trying to seek approval for an additional 9 units plus community centre on what seems to be a quarter of the site (3/4 of the site already being approved for 9 dwellings and community centre) being some 3 storey's in height under the guise of calling it a retirement village.

We strongly feel that this is a total overdevelopment of the site and totally out of character of the immediate area and that council should strongly enforce its guidelines of keeping the area low density and restricted to 2 storeys in height thereby retaining the existing character of the area.

If council approves this stage 2 development application it will only set a precedent and council will be flooded with similar development applications which will totally destroy the character of the area.

If approved we alone could build 34 units on our immediately adjoining properties with the precedence set by approval of this stage 2 DA.

OUR OBJECTIONS BASED ON THE FOLLOWING REASONS

This is the second attempt to get approval to expand the development as the first one being refused by the council (Re: Development Application No: 211/476/2015/2 and council should refer to the reasons for refusal.)

- The site is in Zone 21 which restricts development to low density housing and not more than 2 storeys high, which states that development should not be undertaken unless it is consistent with the desired character for the policy area. The proposed development is totally out of character with the existing villas on the site and the existing retirement villas in the immediate surrounding area along Henley Beach Rd.
 - It is directly opposite a Historic Conservation Area which enforces buildings to keep the character of the existing surrounds and houses.
 - The approved dwellings (9 + community centre) take up approx three quarters (3/4) of the site which would mean that they are trying to add an additional 9 dwellings to a quarter (1/4) of the site resulting in a complete over development of the remaining land. (By my calculations they are trying to build 9 apartments on a site area of approx 950 sq m which means there would be a total of 18 units plus community centre on a total site land size of 3830sq m which is a total overdevelopment for the site.
 - Does not conform to the existing streetscape of the immediate area with exception to the Catholic Church. The visual comparisons used are totally inaccurate as Number 455 is not 2 stories but split level and has a light well at the front for the staircase, No 459-461 is not 3 stories only 2 and has an in roof attic storage space that appears as 3 stories, the group of units shown in the example are nowhere near the development site but some 40 houses away. All of the retirement and villa developments nearby are all single stories which is what this development should be. (refer to number 430, 432, 444, 460, 462, 464, and 466 Henley Beach Rd, Lockleys.)
 - The setbacks are totally inadequate and the front setback should be 12 sq m or at least in line with the majority of setbacks in the street. The side and rear setbacks are totally inadequate considering the height of the building and walls.
 - The wall heights and length do not conform.
 - The private open space does not conform to the guidelines and the balconies are too small and do not conform.
 - There is serious privacy concerns as the eastern side of the building would totally overlook the whole of our properties on the eastern boundary not to mention other properties in Kenton St, and our family home directly opposite at 451 Henley Beach Rd. The western side of the units would also invade the whole of the privacy of the units that are already built not to mention the school and the Churches property together with (Nuns retreat) adjoining the property to the north. All the windows on the eastern side should have fixed privacy screens to accommodate the immediate neighbour privacy.
- The 3rd story community centre with its large deck would totally invade our privacy both in living areas and outside space. The Community centre should be located on the ground floor for ease of access especially for disabled access.
- There is a serious problem with overshadowing on all sides of the building especially the church on the western side which would get no sun at all especially in winter and block there side windows and cause mould and dampness not to mention making it very cold and no shadow diagrams were submitted with this DA.
 - There is insufficient number of parking space allowing only 1 per unit, considering some of the units have 2 bedrooms and a study (that could easily be converted to a 3rd bedroom) which allows only 1 car per unit.
 - There are only 3 parking spaces for staff and insufficient parking for visitors, disabled and medical and support vehicles, not to mention sufficient space for an ambulance to park or manoeuvre within the site without blocking access to other residents. The law states that there should be .25 per dwelling for visitor parking. The current application and existing development does not allow for this.
 - The size of the parking spaces is not large enough to fully open car doors as required by law for housing for the aged and disabled. The parking spaces are too close to the building making it difficult to exit from them without doing a 4 point turn.
 - There is no provision for manoeuvring cars, community buses and emergency vehicles and no provision for a suitable turning circle.
 - There is no provision as required for storage areas for items such as boats, trailers, caravans and specialised equipment such as mobility scooters (electric powered vehicles).
 - There is no external storage spaces for things like tools, golf clubs, boxes sports equipment, wine storage, bicycles and the like and no provision for storage cages or garden sheds.

- There does not seem to be provisions for a footpath within the whole site to make it safe for residents, visitors and the like to enter and exit the whole site in a safe manner.
- There is insufficient public and private open space and no usable recreation areas for residents, visitors, visiting children with the exception of a small community centre and small garden.
- The vehicular access to the whole development is insufficient and any cars coming in a westerly direction on Henley Beach Rd would have to drive down and into to Clyde Ave to turn around to drive in an easterly direction to access the entrance. (It is illegal to do a U turn at the church and entrance to the school). Also cars exiting the property and wishing to travel to the west along Henley Beach Rd would have to either drive east and enter Torrens Ave to turn around to travel in a westerly direction or alternatively drive into Willingale Ave to turn around safely as again it is illegal to do a U turn at this junction.
The total mass of the building would create a blind spot for exiting the site along with making it difficult for exiting the church and school for vehicles and pedestrians.

- The development does not conform to many aspects of Council's policy for Supported Accommodation, Housing for Persons and People with Disabilities, especially as it is not within walking distance of convenient shops/health/community services/ doctors and chemists/hairdressers. The only shops within walking distance are a butcher and a few variety shops. All other shopping such as supermarket/greengrocer/bank/food outlets/chemist /doctors/bottle shop etc would require travelling by bus or car to Fulham Gardens.
As Henley Beach Rd is only 2 lanes with a bike lane (7am To 9am) there is no standing or parking for vehicles at all other times, the builders and trades vehicles would have to all park on site along with all deliveries of building materials.

IN CONCLUSION

We consider this whole Development Application 22038599 (stage 2) to be a total overdevelopment of the site and not in character or consistent with character of the policy area and detrimental to the surrounding neighbours including the adjoining properties and to the houses opposite. The site area is too small and is not suitable for 9 units and dwellings plus community centre on such a site even if it is a Retirement Village.

As I mentioned earlier if approved it would set a precedent and we could end up with a flood of multi-storey developments under the guise of retirement villages which in turn would be detrimental to the streetscape, character and environment of this section of Lockleys and Henley Beach rd.

The only conditions of approval that we would consider is the approval of 3 extra single story dwellings that would make a total of 12 dwellings and a community centre for the complete whole site.

I would strongly urge the council's development assessment panel to totally reject this current Stage 2 development application in its current form.

Yours Sincerely,
Ian Chapman.

Sent from [Mail](#) for Windows

Representations

Representor 5 - Ian Chapman

Name	Ian Chapman
Address	7, Heaton Ave CLONTARF NSW, 2093 Australia
Submission Date	02/02/2023 05:08 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

OUR OBJECTIONS BASED ON THE FOLLOWING REASONS This is the second attempt to get approval to expand the development as the first one being refused by the council (Re: Development Application No: 211/476/2015/2 and council should refer to the reasons for refusal.) • The site is in Zone 21 which restricts development to low density housing and not more than 2 storeys high, which states that development should not be undertaken unless it is consistent with the desired character for the policy area. The proposed development is totally out of character with the existing villas on the site and the existing retirement villas in the immediate surrounding area along Henley Beach Rd. • It is directly opposite a Historic Conservation Area which enforces buildings to keep the character of the existing surrounds and houses. • The approved dwellings (9 + community centre) take up approx three quarters (3/4) of the site which would mean that they are trying to add an additional 9 dwellings to a quarter (1/4) of the site resulting in a complete over development of the remaining land. (By my calculations they are trying to build 9 apartments on a site area of approx 950 sq m which means there would be a total of 18 units plus community centre on a total site land size of 3830sq m which is a total overdevelopment for the site. • Does not conform to the existing streetscape of the immediate area with exception to the catholic church • The setbacks are totally inadequate and the front setback should be 12 sq m or at least in line with the majority of setbacks in the street. The side and rear setbacks are totally inadequate considering the height of the building and walls. • The wall heights and length do not conform. • The private open space does not conform to the guidelines and the balconies are too small and do not conform. • There is serious privacy concerns as the eastern side of the building would totally overlook the whole of our properties on the eastern boundary not to mention other properties in Kenton St, and our family home directly opposite at 451 Henley Beach Rd. The western side of the units would also invade the whole of the privacy of the units that are already built not to mention the school and the Churches property together with (Nuns retreat) adjoining the property to the north. All the windows on the eastern side should have fixed privacy screens to accommodate the immediate neighbour privacy. The 3rd story community centre with its large deck would totally invade our privacy both in living areas and outside space. The Community centre should be located on the ground floor for ease of access especially for disabled access. There is insufficient number of parking space allowing only 1 per unit, considering some of the units have 2 bedrooms and a study (that could easily be converted to a 3rd bedroom) which allows only 1 car per unit.

Attached Documents

objection-ians-current-1180818.pdf

30th January 2023

From,

Ian Chapman

7 Heaton Ave,

Clontarf NSW 2093.

To the Chief Executive Officer

West Torrens Council

165 Sir Donald Bradman Drive,

Hilton, 5033.

Re: Development No: 22038599

452 Henley Beach Rd,

Lockleys SA 5032

Dear Sir,

I wish to lodge my strong objections to the Stage Two (2) development application for the property located at 452 Henley Beach Rd, Lockleys 5032 Development No: 22038599.

Applicant Karidis Corporation Pty Ltd

Location 452 Henley Beach Road, Lockleys (CT 5213/662)

Proposal Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport at 452 Henley Beach Rd, Lockleys SA 5032

OUR OBJECTIONS BASED ON THE FOLLOWING REASONS

This is the second attempt to get approval to expand the development as the first one being refused by the council (Re: Development Application No: 211/476/2015/2 and council should refer to the reasons for refusal.)

- The site is in Zone 21 which restricts development to low density housing and not more than 2 storeys high, which states that development should not be undertaken unless it is consistent with the desired character for the policy area. The proposed development is totally out of character with the existing villas on the site and the existing retirement villas in the immediate surrounding area along Henley Beach Rd.
- It is directly opposite a Historic Conservation Area which enforces buildings to keep the character of the existing surrounds and houses.

- The approved dwellings (9 + community centre) take up approx three quarters (3/4) of the site which would mean that they are trying to add an additional 9 dwellings to a quarter (1/4) of the site resulting in a complete over development of the remaining land. (By my calculations they are trying to build 9 apartments on a site area of approx 950 sq m which means there would be a total of 18 units plus community centre on a total site land size of 3830sq m which is a total overdevelopment for the site.
- The setbacks are totally inadequate and the front setback should be 12 sq m or at least in line with the majority of setbacks in the street. The side and rear setbacks are totally inadequate considering the height of the building and walls.
- The wall heights and length do not conform.
- The private open space does not conform to the guidelines and the balconies are too small and do not conform.
- There is serious privacy concerns as the eastern side of the building would totally overlook the whole of our properties on the eastern boundary not to mention other properties in Kenton St, and our family home directly opposite at 451 Henley Beach Rd. The western side of the units would also invade the whole of the privacy of the units that are already built not to mention the school and the Churches property together with (Nuns retreat) adjoining the property to the north. All the windows on the eastern side should have fixed privacy screens to accommodate the immediate neighbour privacy.

The 3rd story community centre with its large deck would totally invade our privacy both in living areas and outside space. The Community centre should be located on the ground floor for ease of access especially for disabled access.

- There is insufficient number of parking space allowing only 1 per unit, considering some of the units have 2 bedrooms and a study (that could easily be converted to a 3rd bedroom) which allows only 1 car per unit.

IN CONCLUSION

We consider this whole Development Application 22038599 (stage 2) to be a total overdevelopment of the site and not in character or consistent with character of the policy area and detrimental to the surrounding neighbours including the adjoining properties and to the houses opposite. The site area is too small and is not suitable for 9 units and dwellings plus community centre on such a site even if it is a Retirement Village.

As I mentioned earlier if approved it would set a precedent and we could end up with a flood of multi-storey developments under the guise of retirement villages which in turn would be detrimental to the streetscape, character and environment of this section of Lockleys and Henley Beach rd.

The only conditions of approval that we would consider is the approval of 3 extra single story dwellings that would make a total of 12 dwellings and a community centre for the complete whole site.

I would strongly urge the council's development assessment panel to totally reject this current Stage 2 development application in its current form.

Yours Sincerely, Ian Chapman.

Representations

Representor 6 - Vicki Stokes

Name	Vicki Stokes
Address	456 HENLEY BEACH ROAD LOCKLEYS SA, 5032 Australia
Submission Date	03/02/2023 01:40 PM
Submission Source	Email
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	

Attached Documents

ResponseToCityOfWestTorrensResponseToDev3-2-23-4801796.pdf
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REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Karidis Corporation Pty Ltd c/- Future Urban
Development Number:	22038599
Nature of Development:	Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport
Zone/Sub-zone/Overlay:	General Neighbourhood
Subject Land:	452 Henley Beach Road, Lockleys SA 5032 – Title ref: CT 5213/662 – Plan Parcel: F120266 AL47
Contact Officer:	City of West Torrens Phil Smith
Phone Number:	8841 66336
Close Date:	11:59pm 6/02/2023

My name*: Vicki Stokes	My phone number:
My postal address*: 456 Henley Beach Road Lockleys SA 5032 (Representing the Parish Church)	My email:

* Indicates mandatory information

My position is: <input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
The specific reasons I believe that planning consent should be granted/refused are: On behalf of the Parish Community of the Catholic Church Christ the King Lockleys SA 5032 our objection to the proposed development consists of the following reasons: With reference to Part 4 – Transport, Access, and Parking Page 15 dot point 3. <i>Although it is private land, there is opportunity for visitors to use the ample, and freely accessible parking spaces within the grounds of the adjacent Christ the King Lockleys parish.</i> We object to the above statement. The Church land is Private Property and under no circumstances will we allow visitors from another complex to use our parking areas. The Church parking land is utilised every day at all different hours of the day and night to allow for all types of celebrations, funerals, marriages, special church events and school children and parents on a daily basis. The roadway alongside the development on the Western side of the proposed development is used by both Church, Convent and School and the entry in and out of the roadway is blocked by



Government of South Australia
Department for Trade
and Investment

the current development fence and our community must pull out onto the footpath to have a clear vision of vehicular access coming along Henley Beach Road from the East as well as the West.

The roadway also requires maintenance, and this is covered by both church and school and not by private uses.

We also have an objection to the 3rd storey of the building overlooking into the Church/School parking area as we have many children and aged people using this area daily and it is a major concern for our community that people can be seen/watched by those in an adjoining property eg 2nd and 3rd storey.

With the new development we are also concerned about the drainage along our internal driveway, as we have experienced issues with the Retirement Village in the past with water access. The site has been cut into and no appropriate drainage systems were put into place.

Safety and Insurances:

We have many young and older people traversing within our grounds and therefore do not wish to have other external users using our parking areas.

We also have very strong concerns regarding the access onto Henley Beach Road from our driveway, please also consider this safety aspect in your review.

[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 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: *V Stokes*

Date: [Click here to enter text.](#)

Return Address: [Click here to enter text.](#) *[relevant authority postal address]* or
 456 Henley Beach Road, Lockleys SA 5032

Email: [Click here to enter text.](#) *[relevant authority email address]* or

Representations

Representor 7 - Rosalind Chapman

Name	Rosalind Chapman
Address	451 Henley Beach Rd LOCKLEYS SA, 5032 Australia
Submission Date	06/02/2023 02:16 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 oppose the development

Reasons

I strongly Object to the current development proposal for the stage 2 development at 452 Henley Beach Rd, Lockleys. 5032 for the following reasons: It would constitute a TOTAL OVERDEVELOPMENT of the site which currently has 9 existing residences on 3/4 of the site and they now propose to add a further 9 units on just 1/4 of the site along with a Community center. The proposed units are totally out of character with the existing single story Villas on the site. It also does not reflect the streetscape of the existing surrounding properties, especially the surrounding single story retirement villa's and over 55's living at, Number 430, 432, 444, 460, 462, 464, and 466 Henley Beach Rd along with all the private residences in the surrounding the area. The visual comparisons given are totally inaccurate and do not apply to this development application. It does not comply with the front and side setbacks and wall heights required in the application. As the owner of the immediately adjoining properties situated at 448-450 Henley Beach Rd, and No 1 Kenton St, Lockleys together with my principle place of residence at 451 Henley Beach Rd, immediately opposite the development the application as it stands completely invades my Privacy to not only my living and bedroom areas but also all of my outdoor living/gardens areas of all of my properties especially from the 3rd floor community center along with the large proposed open deck and the second story units windows on the eastern side overlook my properties. There are no comparison shadow diagrams shown. Currently there is insufficient storm water drainage from the site causing the main road to flood during heavy rain causing traffic along with creating pedestrian hazards and needs to be rectified as a matter of urgency. As the major main road adjoining the site is only 2 lanes wide along with a bike lane, there is no parking at all times on the street which would mean all trades and building vehicles and deliveries would have to be retained on site during construction. It would severely block sight access for pedestrians and vehicles entering and exiting the driveway and entrance to the adjoining church and school. The 3rd story community center and deck should be relocated to the ground floor to provide ease of access for the residents especially for those needing disable access and provided with outdoor landscape space for the enjoyment of all residents and guests. This would alleviate some of the bulk of the building making it only 2 stories however I still consider it to be a severe overdevelopment of the total site and detrimental to the existing streetscape. I would also add that this is the second time the developer has proposed an over development of Stage 2 of the site with the previous application being refused by the council. In its current form it totally ignores the current development guidelines for the area and should be restricted to 3 additional single story villas and a community center together with landscaped open space for the residents use to conform to the Councils development guidelines and the land size for the site and surrounding area. I TOTALLY OBJECT to this development application in its current form and it should be refused.

Attached Documents

current-development-1181884.jpg



Representations

Representor 8 - Bethany Nottage

Name	Bethany Nottage
Address	448 Henley Beach Road LOCKLEYS SA, 5032 Australia
Submission Date	06/02/2023 09:55 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 refuse this application ID: 22038599 I am appalled and disgusted at the idea of the proposed 3 storey retirement residential building by Karidis Corporation, a retirement residence adjacent my home in which I live. The Development Proposal at 452 Henley Beach Road, Lockleys SA will make the entire section of Henley Beach Road in Lockleys look grossly overdeveloped. There are no other three storey buildings of this proposed height and the comparison to the adjacent church roof is laughable as it is further away from the front boundary. I have been living at 448-450 Henley Beach Road for the past 18 YEARS and I can not believe that such a large residence could be placed so close to the front boundary, in between my home and the Christ The King Parish Church. I OBJECT to the three-storey building as it is out of the character of the rest of Henley Beach Road and it does not fit in with the surrounding homes which are all one and two storey homes. There are not ANY that are 3 storey. We have looked further up and down Henley Beach Road and can only a maximum of two storey homes. This proposal is a potential risk to hundreds of school children who enter and exit the driveway adjacent, to get into St Francis School. There is already insufficient car parking for the parents and grandparents in this school and particularly the driveway area. Already, parents cars block this driveway, and if the proposal goes ahead, it will block any view that oncoming cars have and will only exacerbate the problem. Another problem is that the new residents will have to do a U-Turn if coming from the city, bringing congestion to an already busy road and potentially dangerous manoeuvres for the elderly. I have two young children who play in our yard and if the development goes ahead, I feel very uncomfortable that there are so many strangers so close by, blocking the sunset, skyline, overshadowing my washing line, yard and ultimately, my home. Please STOP this development from going ahead and please look after the people who pay the taxes. The Karidis Corporation are trying to squeeze elderly people into small shoe-box size bedrooms all for their own greed. How do they propose these 8 people live in such small areas? This proposal is truly incomprehensible and is causing a lot of stress to my family at the very thought of it. Generations of our family have lived in these surrounding homes at Henley Beach Road and would be horrified if a three storey residential building were to appear so close to the main road.

Attached Documents

Representations

Representor 9 - Brooke Nottage

Name	Brooke Nottage
Address	448 Henley Beach Road LOCKLEYS SA, 5032 Australia
Submission Date	06/02/2023 10:06 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 I object to Application ID: 22038599 The proposed development says a 'change in use of existing community centre to a dwelling...' and this is INCORRECT. There is no existing community centre, only small retirement units. I do not wish to have a three storey building built right next to my home.	

Attached Documents



Level 1, 74 Pirie Street
Adelaide SA 5000
PH: 08 8221 5511
W: www.futureurban.com.au
E: info@futureurban.com.au
ABN: 76 651 171 630

March 17, 2023

Kieron Barnes
City of West Torrens
Via: PlanSA Portal / email: kbarnes@wtcc.sa.gov.au

Dear Kieron,

APPLICATION 22038599

I have been instructed by Karidis Corporation Pty Ltd ('Applicant') to respond to the representations that have been submitted in relation to Application ID 22038599, together with matters raised by the assessing planning officer.

My consolidated response to the matters raised by third parties and the planning officer are set out below.

Representations

During the notification period, 9 representations were received, including 1 in support with some concerns, and 8 being opposed to the proposal. I further note that 3 representors have expressed a desire to be heard.

The key planning matters raised by the representors can be summarised under the headings below:

- Building Height
- Density
- Setbacks
- Streetscape Character
- Privacy
- Overshadowing
- Private Open Space
- Access and parking
- Stormwater

Amendments to the Proposal

No amendments have been made to the proposal in response to the third-party submissions, however accompanying this response are the following documents which have been prepared by ADS Architects:

- Updated north and south elevations which more clearly depict Level 2;
- Line of sight drawings prepared; and
- Landscaping plan showing the planting location of 8 trees.

Building Height

Representors 1, 3, 4/5, 7 and 8





A number of representors expressed concern about the height of the proposal, with the main thrust of their consternation being directed at the number of building levels.

Building height is comprehensively addressed in Section 5.2 of my initial supporting statement. My assessment conclusions remain unchanged by the representors.

Notwithstanding, I reaffirm that:

- Zone PO 4.1 envisages buildings that “*contribute to a low-rise suburban character*” which, in my considered opinion, is not intended to enforce a blanket ‘height limit’ as asserted by some of the representors.
- The relevant test in Zone PO 4.1 is whether a proposed building will contribute to a “*low-rise suburban character*”. To this end, we are cognisant that:
 - » the corresponding DPF identifies that a *standard outcome* to achieve a low-rise character is a building of 2 levels and 9m, and wall heights no greater than 7m; however
 - » The Code, in Part 1 – Rules of Interpretation confirms that:
 - DPFs are a guide;
 - DPF's do not need to be satisfied to meet the performance outcome; and
 - a departure from a DPF does not derogate from the need to exercise discretion to determine that the outcome is met in another way; or
 - from the need to assess development on its merits against all relevant policies.
- The locality includes a number of *low-rise* buildings that exceed the 9m / 2 building levels maximum building height TNV, namely the Christ the King Lockley's building which measures 11.4m in height, and a number large scale, two and three-storey dwellings on the southern side of Henley Beach Road, all of which contribute to the existing low-rise suburban character.
- The proposal is of a height and scale that will contribute to a low-rise suburban character on account of the following design features:
 - » the tallest part of the building measures 10.55m and is setback considerably behind the ground and first level as follows:
 - 16m from the front property boundary and 21.2m from the Henley Beach Road carriageway; and
 - 20.5m from properties with a frontage to Kenton Street.
 - » External walls predominantly measure 6.9 metres in height (except a short section of walling on the eastern elevation) which is less than the 7 metres ‘standard outcome’ for ‘low-rise’ development as provided by Zone DPF 4.1.
 - » Although the building is technically 3-levels, the proposal has been designed to be perceived from the streetscape as a 2-level building.
 - Line of sight diagrams provided in Appendix # demonstrate the degree to which Level-2 may be visible from the opposite side of Henley Beach Road.

Density

Representor 3, 4/5, 7 and 8

Representors wrongly assert that the General Neighbourhood Zone exclusively envisages ‘low density’ residential uses.



In response to these claims, I first note the following policies:

Zone DO 1

"...low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities...."

Zone PO 2.1

"Allotments/sites created for residential purposes are of suitable size and dimension to accommodate the anticipated dwelling form and remain compatible with the pattern of development in a low-rise and predominantly low-density neighbourhood, with higher densities closer to public open space, public transport stations and activity centres."

My interpretation of the above policies is such that while the Zone has, arguably, a degree of preference for low-density, medium-density residential development is clearly envisaged particularly (but not exclusively) where the following is observed in the locality:

- Accessible public open space, public transport and activity centres; and
- The existing pattern of development suggests medium density residential development may be appropriate.

I further note that the Code, in *Part 8 – Administrative Terms and Definitions* provides the following:

- *Low net residential density:* Means less than 35 dwelling units per hectare.
- *Medium net residential density:* Means 35 to 70 dwelling units per hectare.

The proposal intends to establish 9 new dwellings (total of 18) within the Acacia on Henley retirement village which has a total site area measuring 3,823m². Accordingly, the proposal will achieve a net residential density of 47du/h which is medium density.

The inclusion of the entire Acacia on Henley grounds to determine the dwelling density is considered appropriate given that the proposal will:

- Be on the same allotment as the existing dwellings on Acacia on Henley which is registered as a retirement village pursuant to the *Retirement Villages Act 2016*;
- Form part of the existing integrated Acacia on Henley retirement village community;
- Include a community centre which is intended for the shared and exclusive used of all residents within the Acacia on Henley retirement village; and
- Share common services and facilities such as grounds maintenance, administrative support, stormwater infrastructure, site access and on-site parking for visitors.

Upon my review of the locality, I note the following:

- The existing pattern of subdivision on the northern side of Henley Beach Road supports, and is predominantly characterised by, medium density housing noting that:
 - » 460 Henley Beach Road is developed with 20 dwellings at 50 du/ha;
 - » 462 Henley Beach Road is developed with 21 dwellings at 42 hu/ha; and
 - » 464 Henley Beach Road is development with 34 dwellings at 49 du/ha.
- High frequency bus routes run along Henley Beach Road
 - » bus stops are within 50m of the site



- West of the site:
 - » 380m – Torrens Linear Park open space network
 - » 630m – Local Activity Centre Zone (Foodland), Employment Zone (Lockleys Hotel, Hungry Jacks, OTR and other services)
- East of the site:
 - » 170m – Local Activity Centre (range of small shops and other services)
 - » 660m – Employment Zone (a range of shops and other services)

Based on the features observed within the locality, the site is clearly situated in a locale where 'higher densities', including medium density, are envisaged by the Zone thereby rendering the proposal as being an appropriate outcome for the site and locality.

Setbacks

Representor 3, 4/5, 7 and 8

In relation to building setbacks, four representors noted concerns with the building setbacks.

Building setbacks are comprehensively addressed in Section 5.3 of my initial supporting statement. My assessment conclusions remain unchanged by the representors.

Streetscape Character

Representor 1, 3, 4/5, 7 and 8

Five representors assert that the proposal will adversely impact the heritage streetscape character.

Accordingly, I highlight the following:

- The site is within the General Neighbourhood Zone which is not a 'heritage zone'.
- The Established Neighbourhood Zone ('EN Zone') is located on the southern side of Henley Beach Road and encompasses 5 dwellings:
 - » this area of the EN Zone is not contained within an Historic Area Overlay.
- Henley Beach Road has a road reserve measuring approximately 30m wide.
- The northern and southern sides of Henley Beach Road have a noticeably disparate built form character largely owing to their different zoning, age of existing buildings and uses of land.

It is important to note that the General Neighbourhood Zone provides a generic/neutral policy setting for residential development with no specific policies that guide the architectural styling and expression of new development.

Such being the case, the relevant policies concerning architectural expression sit within the Design and Design in Urban Areas ('DUA') module in Part 4 – General Development Policies of the Code which generally encourage the use of different materials and other design techniques to modulate building mass and scale, whilst adding visual interest.

To that end, I note that the building façades contain architectural features that add depth, shadow and visual interest, and include a variety of high-quality materials as detailed below:

- » Grey face brickwork
- » Off white and grey metal cladding



- » Cemintel 'timber' wall cladding
- » Clear glass with black powder coated aluminium balustrade (primary façade balconies)
- » Black powder coated aluminium window frames
- » Colorbond 'Woodland Grey' roof and wall cladding

Having considered the above, I conclude that the contemporary architecture of the proposal is appropriate within the context of the locality and is consistent with the envisaged built form outcomes of the General Neighbourhood Zone and the policies within the DUA module of the Code.

Overshadowing

Representor 4/5, 7 and 8

In relation to overshadowing the following Code policies are relevant:

General Development Policies – Interface Between Land Uses

PO 3.1 – *Overshadowing of habitable room windows of adjacent residential land uses in:*

- (a) a neighbourhood-type zone is minimised to maintain access to direct winter sunlight*

PO 3.2 – *Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:*

- (a) a neighbourhood type zone is minimised to maintain access to direct winter sunlight*

PO 3.3 – *Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:*

- (a) the form of development contemplated in the zone*
- (b) the orientation of the solar energy facilities*
- (c) the extent to which the solar energy facilities are already overshadowed.*

I note that Representors who raise concerns about overshadowing reside (or own property) 20m east and 30m south of the site.

Given that the sun's path of travel occurs predominantly in the northern aspects of the sky, coupled with the north/south axis alignment of the site, shadow cast by the proposal will predominantly fall on the internal driveway of Acacia on Henley, the Henley Beach Road carriageway, and the car parking area associated with the church throughout various periods of the day.

Accordingly, the proposal will undoubtedly maintain more than 3 hours of direct sunlight access to the living rooms and 2 hours direct sunlight access to the private open space areas of the Representor's properties.

Overlooking

Representors 1, 3, 4/5, 7 and 8

Impacts concerning overlooking are comprehensively addressed in Section 5.5 of my initial supporting statement. My assessment conclusions remain unchanged by the representors.

I further note that the outdoor courts associated with the school are approximately 100m from the site.



Notwithstanding, should the relevant authority be of a mind to include a condition of consent that requires privacy screening to be applied to windows on the northern elevation of the proposal, we would be agreeable to such a condition.

Private Open Space

Representor 3 and 4/5

The provision of private open space is comprehensively addressed in Section 5.6 of my initial supporting statement. My assessment conclusions remain unchanged by the representors.

Stormwater

Representor 6 and 7

Assertions have been made by two Representors, without supporting evidence, that current stormwater infrastructure is inadequate.

The stormwater infrastructure that was installed as part of Stage 1 was designed by TMK Consulting Engineers ('TMK') and subsequently reviewed and approved by the Council.

This proposal intends to connect to the existing on-site stormwater infrastructure and upgrade, as required, the overall capacity of on-site stormwater detention and retention to account for the additional catchment.

To that end, the Applicant has again engaged TMK to assist with the design of the stormwater infrastructure required by the proposal so as to ensure compliance with the National Building Code and the Council's engineering requirements.

Subsequently, I confirm that TMK has undertaken a preliminary review of the proposal and provided the following comments:

- TMK were involved with Stage 1 and calculations for the stormwater drainage at that time were based on the entire site area of some 3,820m²;
 - » the total design discharge flows to Council infrastructure already include the Stage 2 portion of the site.
- Specific detention requirements may be required for Stage 2 (to detain part of its contribution to overall site flows) and this will be reviewed during preparation of the stormwater management plan prior to submitting for building consent.
- The building FFL will be set at 400mm above top of kerb which would be approximately equivalent to the FFL for the Stage 1 residences:
 - » this satisfies PO 1.1 and DPF 1.1 of the Hazards (Flooding – Evidence Required) Overlay.

Email correspondence from TMK is provided as an appendix to this letter.

I note that pursuant to Section 102(4) of the *Planning, Development and Infrastructure Act 2016* ('Act') that a relevant authority may, on its own initiative or on application (by the applicant), reserve its decision on any matter that is not fundamental to the nature of the development.

Whilst there are policies contained within Code that relate to the management of stormwater, I suggest that, whilst of importance, they are not fundamental to the nature of the development. As such, it is not uncommon for the provision of a stormwater management plan to be reserved by a relevant authority.



Such being the case, I suggest that it would be appropriate in this instance to reserve the provision of a stormwater management plan and suggest the below wording:

"Prior to the granting of Development Approval, the applicant shall provide a stormwater management plan that:

- *Has been certified as being in compliance with the National Construction Code.*
- *Limits 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.*
- *Includes stormwater quality measures to address the removal of stormwater pollutants from the stormwater flow exiting the site as outlined in the State Government's Water Sensitive Urban Design Policy - 2013. The targets being;*

Parameter	Target
Reduction Litter/Gross Pollutant	90%*
Reduction in Average Annual Total Suspended Solids (TSS)	80%*
Reduction in Average Annual Total Phosphorous (TP)	60%*
Reduction in Average Annual Total Nitrogen (TN)	45%*

** Reduction as compared to an equivalent catchment with no water quality management controls."*

Access and Parking

Representor 2, 3, 4/5, 6, 7 and 8

Site access and the provision of on-site car parking are comprehensively addressed in Section 5.4 of my initial supporting statement. My assessment conclusions remain unchanged by the representors.

Notwithstanding, I highlight the following:

- Council's traffic engineer concurs with the expert opinions offered by Cirqa, and the assessment comments in my planning statement, in that the proposal has a satisfactory provision of on-site parking.
 - » there is no reliance on the church car park.
- Henley Beach Road is a State Maintained road. The Commissioner of Highways does not object to the proposal from a road safety perspective.

Whilst I note the concerns of representors in relation to sightlines when exiting the church/school grounds, the masonry fence situated on the boundaries of the site is an existing fence, and therefore not subject to this proposal.

Further, the proposal does not intend to alter the dimensions of the internal driveway or manoeuvring areas which are currently used by emergency service vehicles.

Non Planning Matters

Council Policy for Supported Accommodation

Section 102(1) of the PDI Act states the following:



“Subject to this Act, a development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):

(a) —

(i) the relevant provisions of the Planning Rules; and

(ii) to the extent provided by Part 7 Division 2—the impacts of the development,

(planning consent)”

Section 3 of the PDI Act defines the Planning Rules as follows:

“Planning Rules means—

(a) the Planning and Design Code; and

(b) the design standards that apply under Part 5 Division 2 Subdivision 4; and

(c) any other instrument prescribed by the regulations for the purposes of this definition;

The Code, in Part 1 – Rules of Interpretation, states:

“The policies specified in Table 3 constitute the policies applicable to the particular class of development within the zone to the exclusion of all other policies within the Code, and no other policies are applicable.”

I confirm that the proposal contains elements deemed by the relevant authority as requiring assessment against the policies specified in Table 3 of the General Neighbourhood Zone. Such being the case, I note that:

- none of the prescribed policies in Table 3 relate to internal council policies about supported accommodation or the like; and
- there are no design standards under Part 5, Division 2, Subdivision 4, or other matters prescribed by the Regulations that require consideration of such policies.

Construction Noise and Traffic

In mirror to the comments in relation to council policies concerning supported accommodation, the relevant authority should not, and cannot, consider the impacts of construction upon the amenity of nearby residents.

Notwithstanding, I point to the other legislative instruments that are available to the Council to assist with the management of construction associated disturbances and impacts, as follows:

- *Local Government Act 1999*; and
- *Local Nuisance and Litter Control Act 2016*.

Council Request for Information

Waste Collection

Waste collection for Acacia on Henley is currently undertaken by the Council as part of the standard kerbside collection service.



The Applicant acknowledges that the Council has a policy that not more than 10 bins will be collected from an individual site.

Based on my calculations and those of Council's waste management officer, the predicted waste generation (which includes both the existing and proposed dwellings) may result in 13 bins being placed for kerbside for collection on weeks when recyclables are collected i.e. once per fortnight.

Whilst the Applicant intends to further liaise with Council's waste management officer, the Applicant confirms that no more than 10 bins will be placed on the kerb for Council collection, and subject to further arrangements being made with Council, intends for the remaining 3 bins (if indeed they require collection) to be collected by the existing private contractor using a standard sized vehicle and trailer system as per the example below:



Stormwater

Refer to earlier comments contained within the response to representations section of this report under the heading "Stormwater".

Urban Tree Canopy

The landscaping plan provided shows the planting location of medium sized trees, specifically 8 x *Pyrus fauriei* (Westwood) which is a species of ornamental pear that offers a compact, dense canopy with bright autumn colour.

Conclusion

Having given due regard to the nature of the site and its factual context, the proposed development is a reasonable form of development that:

- is orderly and sustainable;
- is well-designed and responds in an appropriate manner to its setting and locality;
- will not detract from the character or setting of surrounding development;



- utilises high quality materials and finishes that will contribute to the streetscape character and complement surrounding development.
- has due regard to its neighbours in relation to privacy and overshadowing;
- will enhance the visual amenity of the locality; and
- provides housing choice / diversity for retirees.

I trust this adequately responds to the concerns raised by third parties, and hereby express the view that the proposal is deserving of planning consent.

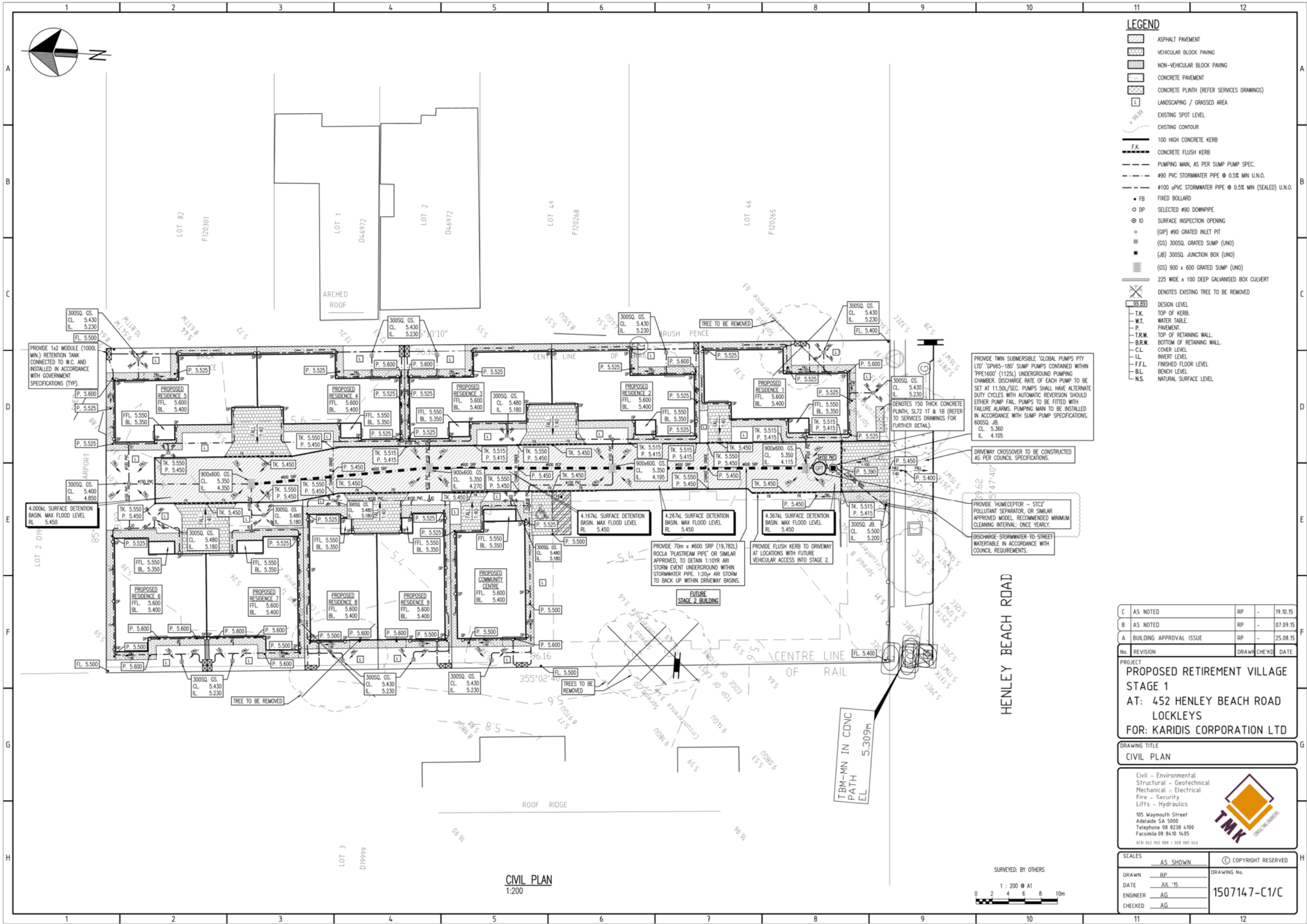
I wish to confirm my attendance at the Council Assessment Panel Meeting on March 14, 2023 to respond to any verbal third-party submissions.

If, in the interim, you have any queries or concerns whilst finalising your assessment of the Application, please do not hesitate to contact me.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Jason Cattonar', followed by a horizontal line and a stylized flourish.

Jason Cattonar
Associate Director



Jason Cattonar

From: Andrew Martin <amartin@tmkeng.com.au>
Sent: Friday, 17 February 2023 3:18 PM
To: Nic Salvati
Cc: Jason Cattonar
Subject: RE: (JN1480) 452 Henley Beach Road - stage 2

Hi Nic,

As requested TMK have had an initial look at the stormwater for the proposed development.

TMK were involved with the previous stage of this development and calculations for the stormwater drainage at that time were based on the entire site area of some 3820 sq meters.

As such the total design discharge flows to council infrastructure have already had this portion of the site accounted for.

Specific detention requirements may be required for the new building site (to detain part of its contribution to overall site flows) and this will be looked at during preparation of the stormwater management plan.

The building FFL floor level is considered likely to be set at approx 400 above top of kerb which would be approximately equivalent to the FFL for the stage 1 residences. Again this will need to be confirmed and determined during preparation of the stormwater management plan for the site.

Cheers

Andrew Martin

BEng (Hons) (Civil)
Structural Manager / Associate Director

D (08) 8238 4129 | **M** 0419 863 850
E amartin@tmkeng.com.au
Level 6, 100 Pirie St, Adelaide, SA 5000
www.tmkeng.com.au

**TMK Consulting Engineers**

Civil – Geotechnical – Environmental – Structural – Mechanical – Electrical – Fire – Hydraulics – Forensic – Construction Assist

Parking for Visitors to TMK Head Office

TMK Consulting Engineers have made car parking available for visitors to its Level 6, 100 Pirie Street office. To access this you should park in the UPark on Wyatt Street, located at 18 - 34 Wyatt Street, between Grenfell & Pirie Streets. Enter from either Wyatt St or Hyde St and obtain the normal parking ticket on entry. Prior to leaving our office, please ask one of our Reception staff for a UPark on Wyatt Street voucher to use when exiting the car park.

WARNING

The information contained in this message and any attached files is confidential and is intended for the sole use of the individual or entity to whom it is addressed and others authorised to receive it. If you are not the intended recipient you are hereby notified that any disclosure, copying, distribution or taking any action in reliance of the contents of this information is strictly prohibited and may be unlawful. TMK Consulting Engineers is not responsible for any claim whatsoever arising from a third party utilising or relying on confidential information. TMK Consulting

OFFICIAL

In reply please quote 22038599, Process ID: 1047
 Enquiries to Ms Yee-May Chang
 Telephone (08) 7133 2856
 E-mail dit.landusecoordination@sa.gov.au



Government of South Australia

Department for Infrastructure
and Transport

TRANSPORT STRATEGY AND
PLANNING DIVISION

Transport Assessment

GPO Box 1533
ADELAIDE SA 5001

ABN 92 366 288 135

24 January 2023

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

Dear Mr Smith

SCHEDULE 9 - REFERRAL RESPONSE

Development No.	22038599
Applicant	Karidis Corporation Pty Ltd
Location	452 Henley Beach Road, Lockleys (CT 5213/662)
Proposal	Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport

The above application has been referred to the Commissioner of Highways (CoH) in accordance with Section 122 of the *Planning, Development and Infrastructure Act 2016*, as the prescribed body listed in Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

CONSIDERATION

The subject development abuts Henley Beach Road, an arterial road under the care, control and responsibility of the CoH. Henley Beach Road is identified as a Major Cycling Route and Public Transport Corridor under DIT's 'A Functional Hierarchy for South Australia's Land Transport Network', carries approximately 20,400 vehicles per day (3% commercial vehicles) and has a posted speed limit of 60km/h.

The proposal is to build eight 2-bedroom retirement living apartments on the land within Stage 1 development of 'Acacia on Henley' retirement village. Vehicle access to the apartments will be via the shared driveway on Henley Beach Road which was built in 2015.

It is noted that:

- a convex mirror has been installed on the western side of the driveway for motorists exiting the site to observe pedestrians travelling westbound along the footpath as the access point has no corner cut-off to enable drivers and pedestrians to navigate potential conflicts
- the redundant crossovers along the frontage of 'Acacia on Henley' that were to be re-instated to standard gutter and kerb as one of the conditions of approval for the Stage 1 development (DA 211/476/15) have not been re-instated.

The construction of the apartments is likely to double the traffic generated by the overall site and hence it is important to improve pedestrian sightlines at the access point. Consequently,

##18755049

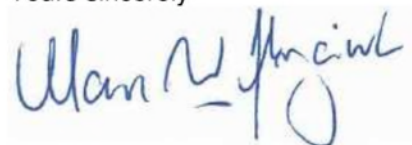
a corner cut-off needs to be provided on the eastern side of the access point in accordance with AS2890.1:2004. This will require minor modifications to the fence at this location. The redundant crossovers also need to be closed and reinstated with kerb and gutter.

ADVICE

DIT supports the proposed development and directs the planning authority to attach the following conditions to any approval:

1. All access shall be via the existing access point as depicted in the ADS Architects Site Plan, Drawing No 22/JN1480/SK01, Dated 05/11/2022.
2. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
3. The redundant crossover on Henley Beach Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to occupation of the dwellings.
4. Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Yours sincerely



A/MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

#18755049

Memo

From Ming Siow
Date 17/1/2023
Subject 22043149, 452 Henley Beach Road Lockleys SA 5032

Phil,

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

1.0 FFL Consideration – Finished Floor Level (FFL) Requirement

- 1.1 Council seeks to ensure that the FFL of all new development is protected from inundation when considering a 350mm stormwater flow depth in the adjacent street water table.

This is typically achieved through establishing the FFL of new development a minimum of 350mm above the highest adjacent street water table.

In association with the above proposed development, no site or road verge level information has been provided and as such it is impossible to determine if the proposal will satisfy the above consideration.

Simply conditioning that a development satisfy this consideration can have its complications with regards to the ultimately required level of the development in relation to neighbouring properties and the related planning considerations this brings about. It may also bring about the necessity for alterations to the design of the development which are outside of the expectations of the applicant (for example; requiring step(s) up from existing buildings to additions).

It is recommended that appropriate site and adjacent road verge survey information be provided to correctly assess the required minimum FFL for this proposal.

2.0 Verge Interaction

I understand that the existing verge related infrastructure from the previous development would be re-used, with no modifications required. Consequently, no comments are necessary.

3.0 Stormwater Requirements

- 3.1 I note from the provided plans that the stormwater generated by the proposal is indicated to connect into the overall subject site's existing stormwater infrastructure. While this is acceptable in principle, no details/calculations have been provided to show that the existing stormwater infrastructure is able

to accommodate the runoff generated by the proposed buildings and hard surfaces.

Stormwater calculations and plan should be provided to Council, showing that the existing stormwater infrastructure on the subject site can accommodate the new in-flows should be provided to Council.

- 3.2 I note that the parcel of land (approximately 850m²) where the proposed development is located is currently a grassed/vegetated area. Consequently, stormwater detention and water quality measures are required.

Stormwater Detention

Stormwater detention measures will be required to be undertaken to limit the peak discharge rate for the site critical 20 year ARI storm event to equivalent to a predevelopment arrangement with a 0.25 runoff coefficient.

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

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

Stormwater Quality

Council typically requests the implementation of stormwater quality measures for development of this nature to address the removal of stormwater pollutants from the stormwater flow exiting the site.

The following table outlines current recommended practice for the targeted improvement of stormwater quality from new developments of scale, as outlined in the State Government's Water Sensitive Urban Design Policy - 2013. The targets being;

Parameter	Target
Reduction Litter/Gross Pollutant	90%*
Reduction in Average Annual Total Suspended Solids (TSS)	80%*
Reduction in Average Annual Total Phosphorous (TP)	60%*
Reduction in Average Annual Total Nitrogen (TN)	45%*

* Reduction as compared to an equivalent catchment with no water quality management controls.

Although these measures are often addressed through the installation of proprietary devices, Council encourages the use of Water Sensitive Urban Design measures to improve the quality of site discharge flows which may also provide other added benefits to the development, such as permeable pavers or raingardens.

An indication of how the water quality requirements are to be met should be provided on revised site plans prior to the finalisation of the planning assessment for this development.

3.0 Traffic Requirements (Comments provided by Council's Traffic Consultant)

- 3.1 I refer to the above development on the existing retirement village, which includes a change of use of an existing community centre to a two-bedroom dwelling and the construction of a 3-level residential flat building comprising of 8 two-bedroom dwellings (Ground and Level 1), a resident community centre (Level 2) and a ground level car park with 9 spaces.

I note that the development on the subject site is a purpose-built retirement village that is regulated by the Retirement Villages Act and targeted at persons who are older than 55 years in age. The above development would occupy land located at the south-western portion of the existing retirement village site.

The subject site is located within the General Neighbourhood Zone of the Planning and Design Code.

1.0 Parking assessment

The (separate) dwelling that is proposed to be converted from the community centre use would have 2 parking spaces (one garage space and one parking space in front). This parking provision is considered to be satisfactory.

For the residential flat building, I note that 4 of the 8 two-bedroom dwellings on Level 1 include a small study.

Table 1 – General Off-Street Car Parking Requirements of the Planning and Design Code would be relevant to the assessment. Based on a 'retirement village' land use, the relevant parking rates are:

- *Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) – 1 space per dwelling*
- *Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) – 2 spaces per dwelling*
- *0.2 spaces per dwelling for visitor parking*

The proposed community centre on Level 2 is a facility for residents of the retirement village and typically not assessed as a separate parking requirement.

For the residential flat building, if assessed as 4 two-bedroom dwellings on Ground Level and 4 equivalent three-bedroom dwellings on Level 1, the resident parking requirement would be 12 spaces. The visitor parking requirement would be 1.6 spaces, ie a total requirement of 13.6 spaces overall.

If all of the 8 dwellings were to be considered as two-bedroom dwellings, the resident parking requirement would be 8 spaces, the visitor parking requirement would be 1.6 spaces and the overall parking requirement would be 9.6 spaces.

In their planning report, Future Urban have argued that the study room should not be considered as being capable of being used as a bedroom for a number of reasons, including that the development is a retirement village, typically retirees are single or couples and while there may be a guest from time to time, it is unlikely that the 'third bedroom/study' would be used for a 'permanent' resident. I note that the occupation within the retirement village is controlled under the Retirement Villages Act and it would seem to me that if a couple were to reside in one of the dwellings on Level 1, it would be unusual if a 'permanent' guest would be able to occupy the study as a third bedroom. Having regard to the above, I would tend to agree with the proposition put forward by Future Urban that the 8 dwellings should be assessed as 'two-bedroom' dwellings. To assess the Level 1 dwellings as 'three-bedroom' dwellings would, in my opinion, be overly conservative.

Based on my above comments, I am of the opinion that the parking requirement for the proposed residential flat building would be 9.6 spaces. Given that 9 parking spaces are proposed, the parking shortfall arising would be 0.6 spaces. I consider such a shortfall to be very minor in nature and not fatal to the application.

Abutting the subject frontage of the site on Henley Beach Road, there is an existing bicycle lane which operates from 7.30am to 9am Monday to Friday. Outside of the bicycle lane period, parking is prohibited due to the NO STOPPING parking controls. There is therefore no on-street parking opportunity for the subject development on its Henley Beach Road frontage.

I note that the general driveway width inside the development is 5.5m or more. While there is no on-street parking opportunity available on Henley Beach Road on the site frontage, I note that there is some further opportunity for visitor parking to occur on-site within the 5.5m carriageway, clear of the garage access points, in the event of a higher than anticipated visitor parking demand from time to time. Parking on one side of the internal 5.5m driveway would not obstruct traffic flow.

Having regard to the above assessment, on balance, I consider the proposed parking provision to be satisfactory.

2.0 Parking layout and traffic impact

The proposed space dimensions and aisleway dimension indicated on the proposal plans would exceed or comply with AS/NZS 2890.1:2004.

The proposal would utilise the existing driveway arrangement to Henley Beach Road.

The NSW Roads and Maritime Services' *Guide to Traffic Generating Developments 2013 Update*, is a commonly-referenced set of guidelines by traffic engineers. Under the category of 'Housing for Seniors', the recommended trip generation rates are:

- *Weekday daily vehicle trips = 2.1 per dwelling*
- *Weekday evening peak hour = 0.4 per dwelling*

Based on the above trip rates, the additional 9 dwellings proposed would generate 18.9 vehicles per day and 3.6 vehicles per hour during the evening peak. These are considered to be very low traffic volumes and the existing driveway/entrance layout would, in my opinion, suitably accommodate these additional traffic flows.

I note that waste collection is to utilise the Council's collection service with bins placed on the street verge (I understand that this is the existing arrangement), which would not require a private waste collection vehicle to enter the site. I leave the waste collection aspect for others to comment.

4.0 Waste Management

- 4.1** Due to the nature of this application, it is recommended that further assessment from Council's Waste Management Team be conducted.

It is recommended that the proposal be forwarded to Councils' Waste Management Team for assessment.

Regards
Ming Siow



Waste Management Assessment

Development Application No: 22038599

Assessing Officer: Phil Smith

Site Address: 452 HENLEY BEACH RD LOCKLEYS SA 5032

Certificate of Title: **Title Ref:** CT 5213/662 **Plan Parcel:** F120266 AL47

Description of Development Change in use of existing community centre to a dwelling, and construction of a three-storey residential flat building containing 8 dwellings and a community centre, and a carport

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 Phil Smith
From Nick Teoh
Date 16 January 2023
Subject 452 HENLEY BEACH RD LOCKLEYS SA 5032

Dear Phil,

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

Waste Management

Council's policy limits the maximum number of bins provided to a single development, the proposed additional properties at 452 Henley Beach Road, Lockleys exceeds Council's capacity to service with a standard individual or shared waste service. A commercial waste service is required to service the proposed development.

Kind regards,

Nick Teoh
Team Leader Waste Management

7 REVIEW OF ASSESSMENT MANAGER DECISION

Nil

8 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

Nil

9 RELEVANT AUTHORITY ACTIVITIES REPORT**9.1 Activities Summary - April 2023****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) or the State Planning Commission (SPC).

RECOMMENDATION

The Council Assessment Panel receive and note the information.

Development Application appeals before the ERD Court in the City of West Torrens

Relevant authority: Council Assessment Panel			
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	<p>This application was refused.</p> <p>Appeal lodged on 6 July 2022 to ERDC.</p> <p>A conciliation conference is scheduled for 30 March 2023.</p> <p>A proposed compromise proposal was presented for the CAP's consideration on 14 March 2023.</p> <p>The matter now lies with the ERD Court for further processing.</p>

22037262	11 & 13 Lydia Street, PLYMPTON	Construction of two (2) three storey residential flat buildings comprising 16 dwellings	This application was refused. Appeal lodged on 23 March 2023. A conference is yet to be scheduled.
22033457	31 Capper Street, CAMDEN PARK	Construction of a habitable outbuilding including a rumpus room, garage and verandah	This application was refused. Appeal lodged on 28 March 2023. A conference is yet to be scheduled.

Relevant authority: Assessment Manager

DA number	Address	Description of development	Status
Nil			

Relevant authority: State Commission Assessment Panel

DA number	Address	Description of development	Status
Nil			

Deferred CAP Items

DA number	Address	Description of development	Status
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/SPC

DA Number	Referral Reason	Address	Description of development
211/M135/21 Lodged 16 March 2021	Schedule 10, Development Regulations	1 Selby Street, Kurralta Park	Construction of a 10-storey residential flat building with associated car parking and site works.
23000380	Restricted - Section 94(1)(b)	254-262 Richmond Rd, Marleston	Change of use of an existing building to a shop (bulky goods outlet) incorporating alterations and additions, installation of associated advertising signage and car parking and tree damaging activity

22040437	Designated by Regs - Section 94(1)(a)(ii)	Lot 2 Neill Rd, Cowandilla	Two single-storey detached dwellings undertaken by the SA Housing Trust
22036672	Designated by Regs - Section 94(1)(a)(ii);	86 George St, Thebarton	To retain an existing shop and demolish an existing detached dwelling to accommodate a new residential flat building comprising 10 dwellings of five levels with associated carparking and landscaping
23004225	TBA - Awaiting verification	Lot 13 Richmond Rd, Keswick Terminal	Storage shed for railway carts at the Adelaide Parklands Terminal. 60m long, 6m wide and 5.4m high.

Conclusion

This report is current as at 30 March 2023.

Attachments

Nil

10 OTHER BUSINESS

10.1 Planning Policy Considerations

10.2 Verbal Update - Letter to Minister

11 MEETING CLOSE