



Council Assessment Panel Meeting Agenda

Tuesday 07 November 2017 at 6pm
Council Chambers, 401 Greenhill Road, Tasmore

Members:	Bill Chandler (Presiding Member) Ross Bateup, Graeme Brown, Patrick Trainor and Grant Piggott
-----------------	--------------------------------------------------------------------------------------------------

1 APOLOGIES

Di Wilkins

2 KAURNA ACKNOWLEDGEMENT

The Presiding Member will take the opportunity to acknowledge the Kurna people.

3 CONFIRMATION OF MINUTES

Recommendation: That the minutes of the meeting held on Tuesday 03 October 2017 be taken as read and confirmed.

4 APPLICATIONS WITHDRAWN FROM THE AGENDA

Nil

5 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – PERSONS WISH TO BE HEARD

(A) NON-COMPLYING DEVELOPMENT APPLICATIONS (HEARING)

Nil

(B) CATEGORY 3 DEVELOPMENT APPLICATIONS (HEARING)

Report Number:	5722.1
Page:	7
Application Number:	180\0762\17
Applicant:	Mr B Henschke
Location:	5 Warburton Court BEAUMONT SA 5066
Proposal:	Earthworks, retaining walls and 1.8m high Colorbond fence
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • <i>Angie Lewis – 3 Warburton Court, Beaumont (do not wish to be heard)</i> • <i>Eddie Sandrini – 4 Warburton Court, Beaumont (wish to be heard)</i>
Applicant:	<ul style="list-style-type: none"> • <i>305 Main Road HAWTHORNDENE SA 5051</i>

Report Number:	5722.2
Page:	17
Application Number:	180\0914\17
Applicant:	Leyton Property
Location:	15 Penfold Road & 29 Chapel Street MAGILL SA 5072
Proposal:	Demolition of existing dwellings and outbuildings including change of use and construction of a new 'Child Care Centre' (pre-school) with associated on-site car parking, landscaping, fencing, earthworks and retaining walls.
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • <i>Vipan Verma and Simmi Sadhana - 4C Penfold Road, Magill (do not wish to be heard)</i> • <i>Mark Dollman and Martin Dollman - 4B Penfold Road, Magill (do not wish to be heard)</i> • <i>Brian Oconnor - Unit 6/17 Penfold Road, Magill (do not wish to be heard)</i> • <i>Yan Li - 9 Penfold Road, Magill (do not wish to be heard)</i> • <i>David Gagliardi - 17 Jackson Street, Magill (do not wish to be heard)</i> • <i>Mark Burdett and Helen Hedding - 13 Penfold Road, Magill (withdrawn)</i> • <i>James Livingstone - 11 Penfold Road, Magill (do not wish to be heard)</i> • <i>Linda Johnson - 44 Chapel Street, Magill (do not wish to be heard)</i> • <i>Brian Oconnor - Unit 1/17 Penfold Road, Magill (wish to be heard)</i>
Applicant:	<ul style="list-style-type: none"> • <i>PO Box 7126, Hutt Street ADELAIDE SA 5000</i>

(C) CATEGORY 2 DEVELOPMENT APPLICATIONS (HEARING)

Recommendation: As the opportunity to make a verbal presentation for Category 2 applications is at the Panel's discretion, that the Panel provide an opportunity to be heard.

Report Number:	5722.3
Page:	35
Application Number:	180\0519\17
Applicant:	J M O'Dea
Location:	12 Verdun Street BEULAH PARK SA 5067
Proposal:	Construction of a pair of two storey semi-detached dwellings
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • <i>Carolina Divirgillo - 7 Verdun Street, Beulah Park (do not wish to be heard)</i> • <i>Daniel and Emma Searle - 19 Howard Street, Beulah Park (wish to be heard)</i>
Applicant:	<ul style="list-style-type: none"> • <i>12 Verdun Street BEULAH PARK SA 5067</i>

Report Number:	5722.4
Page:	49
Application Number:	180\0656\16
Applicant:	Shabnam Agah
Location:	13 McAllan Avenue BURNSIDE SA 5066
Proposal:	Two storey detached dwelling
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • <i>Paul J and Hollie S Kershaw - 11 McAllan Avenue, Burnside (wish to be heard)</i> • <i>Damien and Heidi Rohrig - 13A McAllan Avenue, Burnside</i> • <i>Mr C P and J L Cools - 27C Waterfall Gully Road, Burnside</i>
Applicant:	<ul style="list-style-type: none"> • <i>1/117 Gage Street FIRLE SA 5070</i>

Previously deferred item returning to the Panel for further consideration.

Report Number:	5722.5
Page:	65
Application Number:	180\0380\17
Applicant:	Domenic Mittiga Pty Ltd
Location:	527A-535 Portrush Road GLENUNGA SA 5064
Proposal:	Four (4) illuminated signs
Recommendation:	Development Plan Consent be granted
Representors:	<ul style="list-style-type: none"> • <i>Glen Walker - 2/490 Portrush Road, St Georges (wish to be heard)</i>
Applicant:	<ul style="list-style-type: none"> • <i>40 Franklin Street ADELAIDE SA 5000</i>

6 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD

(A) NON-COMPLYING DEVELOPMENT APPLICATIONS (NO HEARING)

Report Number:	5722.6
Page:	69
Application Number:	180\0282\17
Applicant:	Rejoice Homes
Location:	54 Knox Terrace SKYE SA 5072
Proposal:	Retaining wall, garage, shed, earthworks in excess of 9 cubic metres and associated landscaping
Recommendation:	Subject to concurrence from the Development Assessment Commission, that Development Plan Consent be granted

Report Number:	5722.7
Page:	81
Application Number:	180\0632\17
Applicant:	Glasshouse Projects
Location:	88 Coach Road SKYE SA 5072
Proposal:	(Non-complying) Demolition of existing dwelling and ancillary buildings and the construction of a new two-storey detached dwelling including swimming pool, retaining walls and earthworks greater than 9 cubic metres
Recommendation:	Subject to concurrence from the Development Assessment Commission, that Development Plan Consent be granted

(B) CATEGORY 3 DEVELOPMENT APPLICATIONS (NO HEARING)

Nil

(C) CATEGORY 2 DEVELOPMENT APPLICATIONS (NO HEARING)

Nil

7 CATEGORY 1 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD

Nil

8 OTHER BUSINESS

Nil

9 ORDER FOR EXCLUSION OF THE PUBLIC FROM THE MEETING TO DEBATE CONFIDENTIAL MATTERS

That, pursuant to Section 56A(12) of the Development Act, 1993, the public be excluded from this part of the meeting of the City of Burnside Council Assessment Panel dated Tuesday 07 November 2017 (with the exception of members of Council staff who are hereby permitted to remain), to enable the Panel to receive, discuss or consider legal advice, or advice from a person who is providing specialist professional advice.

10 CONFIDENTIAL MATTERS

Nil

NOTES FOR THE READER**Purpose**

The purpose of each report prepared for the Council Assessment Panel is to assist the applicant, those assessing the application and members of the public alike, to understand all of the relevant factors and considerations involved in the assessment of each particular development application.

Development Plan Assessment

Development in South Australia is regulated under the Development Act, 1993 and the Development Regulations, 2008.

This legislation requires Council, which is a relevant planning authority under this legislation, to assess most applications for development against the provisions of Council's "Development Plan".

The Development Plan is a policy document. The policy is formulated by the Council. It uses some "planning language" but is intended to form a useful and practical guide for the public and those responsible for the assessment of development. It is a practical policy document which the planning authority must apply to development assessment in a practical way.

When assessing development, the relevant provisions within the Development Plan are identified. The planning authority will then usually be required to consider whether those provisions speak for or against a proposed development. Quite often the assessment task will require the planning authority to weigh the "pros and cons" of a proposed development by reference to the relevant policies within the Development Plan.

The process involved in the assessment of each development application is contained within the above legislation. Depending on a variety of factors, including the nature of the development and the Zone within which it is proposed, applications may be classified as "complying", "non-complying" or "merit" development. The classification of the application will determine the procedure to be followed under the legislation. Classification will also determine the public notification protocol, that is, whether the planning authority is able to provide public notification and if so, the extent of the public notification.

Representations

Representors will usually be provided with an opportunity to address the planning authority at its relevant meeting if they wish to be heard. In this case the relevant planning authority will hear and consider the representations prior to making its decision. It is the role of the planning authority to act as a mediator or arbitrator between representor(s) and applicant.

The reports prepared by the Council's staff will not separately address the content of each representation, but rather will deal with relevant town planning issues raised in any representation, together with all other relevant considerations involved in the assessment of a proposed development.

this page is left intentionally blank

DEVELOPMENT APPLICATION

Application Number:	180\0762\17
Applicant:	Mr B Henschke
Location:	5 Warburton Court BEAUMONT SA 5066
Proposal:	Earthworks, retaining walls and 1.8m high Colorbond fence
Zone/Policy Area:	Residential Zone Residential Policy Area 27 Development Plan consolidated 30 May 2017
Kind of Assessment:	Merit
Public Notification:	Category 3 Two (2) representations received
Appeal Opportunity	Applicant and third party appeal rights
Referrals – Statutory:	N/A
Referrals – Non Statutory:	N/A
Delegations Policy:	Unresolved representations
Recommendation:	Development Plan Consent be granted
Recommending Officer:	Theresa James

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Plans and supporting documents
- Representations received
- Applicant's response to representations
- Photographs

1. DESCRIPTION OF PROPOSAL

The applicant seeks development plan consent for the following:

- Introduced fill to the front/side yard of the subject land;
- Retaining walls within front yard;
- Retaining walls up to 1.17m high adjacent southern side boundary; and
- 1.8m high Good Neighbour fence atop southern elevation retaining wall.

The application also includes landscaping within the front yard, including the 500mm vacant strip between the proposed southern retaining wall and the boundary. This landscaping will comprise evergreen species between 1-2 metres in height, which will soften the appearance of the proposed retaining wall and fencing as viewed from the south.

2. BACKGROUND

Development Application 180\0762\17 was submitted to Council on 27 July 2017 and determined to be merit development pursuant to Section 35(5) *the Development Act 1993*, as fencing, fill and/or retaining walls are listed as neither complying nor non-complying development.

Retaining walls and/or fill are not listed in either the Development Plan or *the Development Regulations 2008* as category 1 or category 2 for purposes of public notification, and as such, they are automatically considered category 3 pursuant to Section 38(2)(c) *the Development Act 1993*.

The application documents were made available for public viewing from 18 August 2017 to 02 September 2017, during which time Council received two (2) written submissions. One representor was in favour of the proposal and the other against. The applicant responded to the concerns raised by the representor who resides in the dwelling on the adjoining land at 4 Warburton Court and included an amendment to the location of the southern retaining wall and fencing so that it was set in from the boundary by 500mm. This set-back would ensure that the existing stone retaining wall on the boundary is maintained, and that sufficient space is provided for planting of screening shrubs.

A full assessment of the proposed development has now been undertaken, and the application is presented to the Council Assessment Panel for a decision.

3. SUBJECT LAND AND LOCALITY ATTRIBUTES

3.1. Subject Land

The subject land is a moderately sized allotment located at the end of a cul-de-sac. The land has an overall area of 865m² and a curved road frontage measuring approximately 18m. The topography is uneven, and the land rises towards the north and east. Existing on the site is a two-storey detached dwelling, orientated towards the south. The dwelling is positioned towards the top, north-western portion of the land such that the greatest area of open space is located in the front/side yard on the south-eastern side of the land.

3.2. Locality

The locality is characterised by its intimate location within a cul-de-sac setting. Dwellings are large, and typically two-storey, with open front gardens presenting to the street. Land within the locality is densely vegetated and graded yard areas, supported by retaining walls, are established features within the immediate locality.

4. KIND OF ASSESSMENT

Kind:	Merit
Reason:	Development Act 1993, Section 35(5)
Applicant Appeal Opportunity:	Yes

5. PUBLIC NOTIFICATION

Category:	Three (3)
Reason:	Section 38(2)(c) The Development Act 1993
Representations Received:	<ul style="list-style-type: none"> • Angie Lewis – 3 Warburton Court (do not wish to be heard) • Eddie Sandrini – 4 Warburton Court (wish to be heard)
Third Party Appeal Opportunity:	Yes

- Representations received are provided as an attachment to the Panel.
- Applicant's response(s) to representations are provided as an attachment to the Panel.

6. EXECUTIVE SUMMARY

6.1. Land Use

The subject land is a residential allotment within the Residential Zone of the Burnside (City) Development Plan. The proposal seeks to continue the residential use of the land in accordance with the primary objectives of the zone, and create a more usable open space area to be used in conjunction with the existing dwelling.

The development is not listed as non-complying development within the policy area objectives, and is therefore not considered to be seriously at variance with the policies contained within the Development Plan in this respect.

6.2. Character and Amenity

The proposed development is located within the front yard of the subject land, and will be visible within the streetscape due to its prominent location at the street end of the allotment. The introduced fill will create an appropriately graded surface for the outdoor enjoyment of occupants of the dwelling on the subject land. Whilst the development includes retaining walls to achieve the even surface, the front retaining walls facing the street are stepped 780mm apart, which allows planting of vegetation to soften the appearance of the proposed texture coated rendered walls and thus improves the streetscape presentation.

The front, west elevation of the proposed development does not include any fencing, however the southern side elevation includes 1.8m high Colorbond 'Good Neighbour' fencing atop the proposed retaining wall. The southern elevation retaining wall is set-back 500mm from the front boundary of the subject land and 12.2m from its driveway crossover. It lays adjacent the neighbours' driveway area, and alongside existing retaining walls. The deep set-back of the proposed development to the adjacent public road, together with the lack of fencing to the street elevation, ensures that the development generally maintains the open and unfenced nature of residential allotments within the locality.

The retaining wall and fencing set-back to the southern side boundary (as amended in response to concerns raised from adjoining resident) is considered to be an appropriate form of development that will enable the applicant to create a usable, semi-private open space area. The 500mm landscaping strip separating the proposed retaining wall and fencing structure from the adjoining land at 4 Warburton Court will enable the planting of shrubs to re-establish landscaping. Landscaping at this location will complement the high level of vegetation within the immediate locality, and soften the overall appearance of the development as viewed from the neighbours' front yard.

6.3. Public Notification

During the public notification period two representations from residents of adjacent land were received. One of the representors supports the application, in that the development will maximise the privacy of occupants belonging to both the subject land and the land at 3 Warburton Court. They also believe that the proposed development will rectify the appearance of the subject land, resulting in an improved presentation within the streetscape.

The adjoining neighbour at 4 Warburton Court raised the following concerns with the proposed development:

- Alteration to existing ground level;
- Drainage issues;
- Requests top of retaining wall height detail in relation to ground levels at neighbouring land;
- Considers a 6m long retaining wall large;
- Damage to existing stone retaining wall;
- Lack of landscaping;
- Overshadowing; and
- Sense of enclosure.

The owner of the land responded to the representations, making the following comments:

- The scale of the alteration to the existing ground level is no greater than what has occurred on the representors' land at 4 Warburton Court to construct their residence;
- Only 1/3 of the southern boundary will include retaining wall;
- The retaining wall will be 100mm higher than the finished ground level, thus preventing stormwater runoff;
- All new retaining walls have underground drainage;
- Retaining walls are stepped, to provide a gentle transition in height and provide a safe area for family to enjoy;
- A lower retaining wall height would create a severe slope, which would be unpractical and difficult to balance an attractive streetscape; and
- To appease the neighbour at 4 Warburton Court the proposed retaining wall will be amended so that it is set-back 500mm from the boundary, ensuring no interference with the existing stone retaining wall.

6.4. Conclusion

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

7. RECOMMENDATIONS

It is recommended that the Development Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan;
2. Development Application 180\0762\17, by Mr B Henschke is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted

2. The landscaping, as illustrated on the approved plans, comprising evergreen shrubs/trees of greater than one metre in height at the time of planting and with a mature height of 1.5-2 metres shall be planted on the subject land adjacent to the approved retaining wall adjacent the southern side boundary within three months of the substantial completion of the development and in any event prior to the occupation or use of the development.

Such plants shall be maintained in good health and condition to the reasonable satisfaction of the Council. Any dead or diseased plants or trees shall be replaced immediately to the reasonable satisfaction of the Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

RECOMMENDING OFFICER

Theresa James
Development Officer – Planning

AERIAL LOCALITY MAP



Legend



Subject Land



Representor's Land

APPENDIX 2

DETAILED PLANNING ASSESSMENT

Summary of Policy Area Objectives and Principles

Primary Residential Policy Area 27 Objectives:

Objective 1:

Enhancement of the low density, open residential and foothills character that is derived from:

- (a) the topographic and other natural features of the foothills location, and dwellings in a variety of architectural styles (typically, detached dwellings, medium-to-large in scale, with split-level or multi-storeyed construction);*
- (b) many dwellings on elevated land and orientated to take advantage of views across the Adelaide Plains;*
- (c) moderate to deep building set-backs from roads, well-vegetated and generally unfenced front gardens;*
- (d) proximity to the natural character of the adjoining Hills Face Zone;*
- (e) a pattern of development, including the division of land, that varies considerably with the topography (the Policy Area contains some of the steepest land in the Council area), commonly imposing significant constraints on efficient development, access and servicing (to the extent that on some steep sites, a carport may need to be located between a dwelling and the road, subject to siting and design to minimise visual impact); and*
- (f) a transition in character and dwelling density between steep land near the Hills Face Zone, where allotments are large and irregularly-shaped, and lower slopes, where there are more regular, compact patterns of land division and generally consistent building set-backs and orientation towards roads.*

Objective 2:

Development designed and sited so that the appearance of the foothills visible from the Adelaide Plains is not impaired.

Subject:	Assessment:
DP Ref	
Desired Land Use O 1	Satisfied. The proposed development does not alter the residential nature of the land.
Local Compatibility PDC 1	Satisfied. Retaining walls are a common feature within the locality. Many dwellings are positioned towards the rear of respective sites, with private open space orientated at the front of the land. Some of these allotments also include graded private open space areas at the front of allotments, which is supported by retaining walls. These sites are identified as 1, 2 and 3 Warburton Court.

Summary of Residential Zone Objectives and Principles

Primary Residential Zone Objectives:

Objective 1:

A zone primarily for residential use with a range of dwelling types in appropriate policy areas to accommodate varied socio-economic needs.

Objective 2:

Protection and enhancement of the amenity of residential areas, with particular reference to the objectives for the relevant policy area.

Objective 3:

Residential densities varied having regard to topography, the objectives for the relevant policy area, and proximity to centres and major transport routes.

Objective 5:

Enhancement of the attractive qualities of streetscapes and particularly areas of cohesive character or visual sensitivity, through good design.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 1 PDC 1	Satisfied.
Building Appearance O 2-3, 5 PDC 2-4	Satisfied. The types and finishes of retaining walls within the locality vary. Rendered, white retaining walls, as well as stone, natural retaining walls can be identified within the streetscape. More recently constructed dwellings, as well as the existing dwelling on the subject land, are finished in light coloured render. The appearance of the proposed retaining walls and fencing is therefore compatible with the fabric of existing development within the immediate locality.
Design for Topography PDC 5	Satisfied. The finished level of the open space area, created by this development, is sited and designed to provide a stable yard area for use by occupants, where currently a sloping site exists. Whilst the development results in retaining walls near the southern boundary of the land, the highest retaining wall measures only 1.17m above the existing level at that point on the boundary.

Summary of Council Wide Objectives and Principles

Primary Residential Development Objectives:

Objective 11:

Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

Objective 55:

Safe, pleasant, accessible and convenient residential areas.

Objective 56:

Residential development which moderates adverse climatic conditions, takes advantage of solar energy, does not unreasonably overshadow adjacent development, and protects the natural environment.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 52-60	Satisfied.
Design and Appearance O 11 PDC 14-18, 23-28	Satisfied. Whilst the highest portion of the proposed retaining wall and fence will measure approximately 3m in height at the highest point, the scale of development on adjoining land supports such built form. The adjoining dwelling comprises a large two-storey dwelling with high parapet walling, which is situated on elevated land. As such the proposed development is not expected to negatively impact on the existing built-form character that exists within this locality.
Amenity O11, 20-22 PDC 14-18, 51-68, 169-172	Satisfied. The mass and proportion of the proposed development is commensurate to development within the locality, which comprises large, two-storey dwellings. Whilst the development will partially enclose the front yard of the subject land, the slender nature of fencing, and its limited use on the land (i.e. only on a small section near the side boundary) will ensure the open-style character of the locality is generally maintained as the front of the land will remain open.
Privacy PDC 22, 173-175	Satisfied. The proposed development will improve privacy between residents of the subject land and adjoining land, including the residents occupying the dwelling at 3 Warburton Court, who can be overlooked due to the topography within the locality.
Access to Sunlight PDC 21, 182-185	Satisfied. Whilst overshadowing will be cast onto the adjoining land at 4 Warburton Court, the area that will be overshadowed relates to a garage and driveway, and not windows to habitable rooms or private open space.

<p>Fences and Retaining Walls PDC 189-190</p>	<p>Satisfied.</p> <p>The proposed retaining wall structure adjacent the southern boundary is, for the most part, not greater than 1m in height, and as such would not require development approval for the portion which retains a difference in ground level not exceeding 1m. The stepped nature of the development, together with vegetation plantings between the southern elevation of the development and the boundary, reduces the visual presence of the overall structure.</p>
<p>Safety and Security PDC 194-197</p>	<p>Satisfied.</p> <p>The proposed fencing now clearly differentiates the subject land from the adjoining property to the south, as no boundary fencing currently separates the two allotments.</p>

DEVELOPMENT APPLICATION

Application Number:	<i>180\0914\17</i>
Applicant:	<i>Leyton Property</i>
Location:	<i>15 Penfold Road & 29 Chapel Street MAGILL SA 5072</i>
Proposal:	<i>Demolition of existing dwellings and outbuildings including change of use and construction of a new 'Child Care Centre' (pre-school) with associated on-site car parking, landscaping, fencing, earthworks and retaining walls.</i>
Zone/Policy Area:	<i>Residential Zone Residential Policy Area 3 – Magill (Chapel) Development Plan consolidated 30 May 2017</i>
Kind of Assessment:	<i>Merit</i>
Public Notification:	<i>Category 3 Nine (9) representations received</i>
Appeal Opportunity	<i>Applicant and third party appeal rights</i>
Referrals – Statutory:	<i>Department of Planning, Transport and Infrastructure</i>
Referrals – Non Statutory:	<i>Technical Officer Engineering Technical Officer Arboriculture</i>
Delegations Policy:	<i>Unresolved representations</i>
Recommendation:	<i>Development Plan Consent be granted</i>
Recommending Officer:	<i>Jake Vaccarella</i>

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Plans and supporting documents
- External agency referral reports
- Internal agency referral reports
- Representations received
- Applicant's response to representations
- Photographs

1. DESCRIPTION OF PROPOSAL

The applicant seeks development plan consent for the demolition of two (2) existing dwellings and ancillary structures and the change of the use of the land from residential to child care services (pre-school) including the following:

- Construction of single storey child care centre building with a total floor area of 697m²
- Outdoor play areas (covered and uncovered)
- On-site car parking for 23 vehicles including
 - Disabled x 1
 - Dedicated staff spaces x 8
- Perimeter fencing and retaining walls
 - Chapel Street and northern and western boundaries - Retaining wall with corrugated Colorbond steel acoustic fence on top (2.5m high)
 - Penfold Road – Steel tubular fence (1m high) **not development*
 - Northern and eastern boundaries adjacent 13 Penfold Road - 'Vogue' Acoustic Wall (2.5m high)

Landscaping treatments are included within the car parking area and along all relevant boundaries of the subject land.

Bin enclosures are provided on-site adjacent the south-western corner of the carpark along the Chapel Street frontage.

2. BACKGROUND

Development Application 180\0914\17 was lodged on 07 September 2017 by Leyton Property Ltd on behalf of the registered owner of the property. The proposal was determined to be a category 3 development pursuant to Section 38(2)(c) of the *Development Act 1993*, to be assessed on merit in accordance with Residential Policy Area 3 – Magill (Chapel) of the Burnside (City) Development Plan.

The application was made available for public consultation from 15 September 2017 until 3 October 2017, during which time Council received written submissions from nine (9) external parties, of which two expressed a desire appear in person before the Council Assessment Panel in support of their submissions. Copies of the submissions were provided to the applicant, who has responded through a private planning consultant (Ekistics).

As part of the internal assessment process, the proposal was referred to Council's traffic engineer for an assessment of the impact of the development on local roads and infrastructure as well as car parking requirements. The application was also referred to Council's tree management officer for an assessment of the impact of the development on nearby street trees.

As part of Council's statutory obligations the application was referred under Schedule 8 of the *Development Regulations 2008* to the Department of Planning, Transport and Infrastructure (DPTI), to assess the appropriateness of the access arrangements. Council is to have regard to the comments from DPTI.

An assessment against the Development Plan has now been completed and, pursuant to Council's Delegation Policy, the application is presented to the Panel for consideration as a Category 3 development with unresolved representations.

3. SUBJECT LAND AND LOCALITY ATTRIBUTES

3.1. Subject Land

The subject land encompasses two regular shaped allotments at 15 Penfold Road and 29 Chapel Street which are to be amalgamated into one allotment to facilitate the proposed development. The subject land measures approximately 2055 square metres in area, with frontage to Penfold Road measuring 32.51 metres and Chapel Street measuring 53.54 metres. The land is located within the suburb of Magill and is wholly contained within Residential Policy Area 3 – Magill (Chapel) of the Burnside (City) Development Plan.

The subject land (two allotments) is currently occupied by two circa 1960's conventional style dwellings and associated ancillary outbuildings. Site access is achieved via an existing 6.5 metre wide crossover along Penfold Road, located in the centre of the eastern allotment boundary. There are three (3) existing crossovers along Chapel Street which are to be removed and reinstated to kerbing.

3.2. Locality

The locality is comprised of the subject land and surrounding properties with frontage to Penfold Road, Chapel Street, Ellis Road, Pepper Street, Adelaide Street (between Penfold Road and Lentara Court) and other nearby local streets to the south and east. The locality is situated within both Residential Policy Area 3 – Magill (Chapel) and Residential Policy Area 4 Magill (Romalo) of the Burnside (City) Development Plan.

The immediate locality consists of a range of dwelling types and styles including single storey detached dwellings, double storey detached dwellings and group dwellings. Ancillary domestic structures are common within the locality, generally located to the side and rear of dwellings, but are also forward of dwellings in some circumstances including the subject site.

The locality generally includes tree-lined streets and boundary fencing to the front, side and rear site boundaries. Mature vegetation and hedges also provide visual screens and delineation between allotment boundaries and the public realm.

Notable features within the locality include several Table Bur/2 listed Local Heritage Places, including the property adjacent the northern boundary of the subject land at 13 Penfold Road and Magill Primary School, located approximately 36 metres north east of the subject land.

4. KIND OF ASSESSMENT

Kind:	Merit
Reason:	Development Act 1993, Section 35(5)
Applicant Appeal Opportunity:	Yes

5. PUBLIC NOTIFICATION

Category:	Category 3
Reason:	Development Act 1993, Section 38(3)(c)
Representations Received:	<ul style="list-style-type: none"> • 4C Penfold Road, Magill (do not wish to be heard) • 4B Penfold Road, Magill (do not wish to be heard) • Unit 6/17 Penfold Road, Magill (do not wish to be heard) • 9 Penfold Road, Magill (do not wish to be heard) • 17 Jackson Street, Magill (do not wish to be heard) • 13 Penfold Road, Magill (withdrawn) • 11 Penfold Road, Magill (do not wish to be heard) • 44 Chapel Street, Magill (do not wish to be heard) • Unit 1/17 Penfold Road, Magill (wish to be heard)
Third Party Appeal Opportunity:	Yes

- Representations received are provided as an attachment to the Panel.
- Applicant's response(s) to representations are provided as an attachment to the Panel.

6. AGENCY REFERRALS

- External agency referrals are provided as an attachment to the Panel.
- Internal agency referrals are provided as an attachment to the Panel.

7. EXECUTIVE SUMMARY

7.1. Land Use

The subject land is contained within the Residential Zone which is described within the Burnside (City) Development Plan as having a high level of amenity with relatively few non-residential uses causing negative impacts. Non-residential land uses are contemplated by the zone and child care centres are considered appropriated in the zone; however they should be small in scale, benign in external impacts and serve the needs of the local community.

Observations of the subject land and locality which encompasses land within RPA 3 and RPA 4 find streetscapes which display an appropriate mix of low scale and medium density residential character, interspersed with a non-residential uses in the Magill Primary School north east of the site and throughout the nearby Neighbourhood Centre Zone (approximately 110 metres north of the site). The subject land is also sited along a public transport corridor in Penfold Road.

Within the Burnside Council area, a total of 9 existing child care facilities are currently operating at the following addresses:

Name	Address	Places	Zone	Est.
Conyngham Street Child Care Centre	34 Conyngham Street, Glenside	73	R	1995
Children's Education Care Centre (SA)	531-533 Glynburn Road, Hazelwood Park	69	LCE	2002
Burnside Child Care	362 Portrush Road, Tusmore	60	HCZ	1993
Adelaide Eastern	22 Watson Avenue, Rose Park	59	HCZ	1970

Community Childcare Centre				
Goodstart Early Learning Linden Park	418 Portrush Road, Linden Park	37	R	1994
The Early Years at Seymour	546 Portrush Road, Glen Osmond	120	CU	1922
Victoria Park Child Care	163 Fullarton Road, Rose Park	45	UCZ	-
Wendy's Early Learning Centre	3 Prescott Terrace, Rose Park	35	HCZ	-
St Peter's Collegiate Girls' School Early Learning Centre	32 Hallett Road, Stonyfell	120	CU	1957

Appendix 5 of the Planning Statement prepared by Ekistics provides further information including spatial mapping which details the location, scale and spread of approved child care centres across the Metropolitan Adelaide. The mapping indicates child care centres range in place numbers from 18 – 192, with a higher concentration of the larger scale centres located within Adelaide CBD and inner metropolitan area. Outside of the CBD and inner Metropolitan Adelaide areas, child care centres that accommodate higher place numbers are generally integrated within existing educational establishments.

The applicant has proposed a 90 place child care centre requiring 15 educators, a centre director, part time cook and part time admin staff member (total of 17 full time employees). In comparison to the spread of approved child care centres mentioned above and existing centres within the council area, the proposed child care centre is considered to be 'moderate scale' with respect to the number of places for children and particularly so for a standalone, independent centre. The subject land on account of its large site area, frontage to an arterial road, proximity to a primary school, public transport corridor and Neighbourhood Centre Zone, lends itself to a community facility, such as a child care centre. Having considered the context of the site and locality, the proposed land use is considered to be of an suitable scale with external impacts that are appropriately managed so as to not unreasonable impact the level of amenity currently enjoyed by land within the vicinity.

The proposed development is therefore not considered to be seriously at variance to the Burnside (City) Development Plan.

7.2. Character and Amenity

Built Form Character

The Residential Zone states that development should primarily be for residential land uses that enhance the attractive qualities of streetscapes through good design. Non-residential uses are contemplated by the zone but only where they are small in scale, benign in external impact and serve the needs of the local community.

With respect to the built form, the proposed building is single storey in height and entails a building footprint that occupies approximately a third of the total site area, well within the 40 percent ground floor site coverage Development Plan guideline for residential development. The proposed building takes visual cues from the established housing stock with reference to building heights, form and proportions, roof form, fenestration and use of materials and finishes.

The location of the carpark adjacent Penfold Road provides a generous building setback from the Penfold Road frontage and a 5.6 metre setback from the secondary road frontage along Chapel Street achieves a greater distance between the building and streetscape than the existing dwellings and existing housing stock along the southern side of Chapel Street. The proposed building maintains a level of spacing between adjoining buildings which exceed the quantitative Development Plan guidelines and as such, the building is considered largely inoffensive to the existing streetscape character.

Traffic Movements

The proposed access point for the development is via a 6 metre wide two-way crossover adjacent the site's Penfold Road frontage. The proposal is to accommodate left-in, left-out and right-in movements at the access. Signage and line-marking will be provided to reinforce the restriction of right-out movements. Penfold Road is an arterial road under the care and control of DPTI and as such a referral to the Commissioner of Highways (DPTI) was undertaken pursuant to Schedule 8 of the *Development Regulations 2008*.

Penfold Road contains two traffic lanes in each direction, separated by a line-marked centreline. On-street parking is restricted with 'No Stopping' restrictions between 7am and 7pm weekdays (and unrestricted at other times). A Pedestrian Actuated Crossing is provided on Penfold Road approximately 60 metres north of the site. Traffic data sourced from DPTI indicates that Penfold Road (adjacent the subject site) has an Annual Average Daily Traffic (AADT) volume in the order of 17,700 vehicles per day.

The referral response provided by DPTI considers that the proposal results in traffic volumes which are far greater than the existing (residential) land use and will result in a greater disruption to the flow of vehicular and pedestrian traffic along Penfold Road. As such, DPTI recommends the proposed development be redesigned to gain all vehicular access via Chapel Street.

Council is not directed to make a recommendation with regard to DPTI comments and as such, in consultation with the Traffic Impact Assessment provided by the applicant and Council's traffic engineer, it has determined that the proposed vehicular access and subsequent traffic movements will have a minimal and acceptable impact on the flow of traffic through Penfold Road and Chapel Street. Further justification for maintaining vehicular access along is considered below.

The Traffic Impact Assessment prepared by Ben Wilson of Cirqa Pty Ltd on behalf of the applicant observes that the proposed child care centre, based on the NSW Roads and Maritime Services "Guide to Traffic Generating Developments", would generate 72 trips in the am and 63 trips in the pm peak (2-hour periods). Assuming 60% of the generated trips occur in the peak hours (7-9am), there would be approximately 43 and 38 trips in the am and pm peak hours, respectively.

It is anticipated that the movements would be distributed primarily between left-in and left-out movements; with a lesser proportion of right-in movements (as discussed above, right out movements will be restricted). It is considered that the proposed development would generate in the order of 20 left-out movements, 15 left-in movements and 5 right-in movements. The number of movements distributed to Chapel Street would be very low (less than 10 movements in each peak hour).

Analysis software utilised throughout the Traffic Impact Assessment indicates that the access will operate within an acceptable degree of saturation. Movements on Penfold Road will have relatively low average delays and queues. Increases in delays to through-bound movements on Penfold Road will be less than one second, with average delays of 12.2 seconds for right turn movements into the site (during pm peak and less during the am peak).

On the basis of Traffic Impact Assessment, the distribution of traffic movements on to the surrounding arterial and local roads is low and within capacity of the network. It is anticipated that the proposal will have minimal impact on Penfold Road and the surrounding local road network.

As noted above, the restriction of right turn out movements from the site will reduce conflict risk associated with accommodation of the generated traffic, particularly when considered against the alternative of providing access via Chapel Street.

Car Parking

The provision of adequate on-site car parking is a critical component of this application as additional 'spill' of vehicles onto Penfold Road would likely have a detrimental impact to the amenity of adjoining residents due to increased activity within the street.

The number of on-site car parking spaces provided by the proposed development is 23 which include one disabled space and eight spaces dedicated for staff. Within the Burnside (City) Development Plan, Table Bur/5 sets the on-site parking rate for a pre-school (determined by Schedule 1 of the *Development Regulations 2008*) as follows:

"1 space per staff member, plus not less than four spaces and an additional 0.15 spaces for each child to be accommodated on the site in excess of 25 children, for visitors and service vehicles."

The development proposes a maximum capacity of 90 children including 17 staff (two part-time). Having applied the calculations required in Table Bur/5 the child care centre would need to provide 27 parking spaces on-site. The proposal therefore fails to provide on-site parking in accordance with the requirements of the Development Plan, falling short by 4 spaces. Whilst this shortfall is acknowledged, the Traffic Impact Assessment prepared by Cirqa considers an alternative car parking rate which is commonly applied to child care centre applications across South Australia.

This alternative rate provides 1 space per 4 children which accommodates both parent and staff parking. This rate has been identified as a suitable rate across various traffic reports including the Planning SA "Parking Provisions for Selected Land Uses" and the MFY study of Child Care Centre parking demands in 2016. Further observations which should be considered in the determination of the car parking demand include the subject land's proximity (150m) to public transport corridor along Penfold Road and to a high frequency public transport bus route on Magill Road (250m).

The shortfall in number for on-site parking based on the Development Plan requirements is not determined to be fatal to the overall merits of the application on account of the departure not likely to result in undesirable impacts to on-street traffic circulation.

Noise

The noise generated by children within the outdoor play spaces is considered the primary noise source associated with the proposal. The proposed 2.5 metre high perimeter boundary fencing to the outdoor play areas has been designed to assist to minimise noise transmission to adjoining properties. Further, noise from outdoor play spaces will only be

created during weekday working hours (6:30am to 6:30pm Monday to Friday) and limited in duration to play time periods. It should also be noted that children only spend allocated periods of time outside and the supervised outdoor play times of the different age groups are generally staggered throughout the day so that not all children in the Centre would be playing outside at the same time. Typically, not more than half of the children being cared for in the Centre would be outside at any one time.

With respect to noise generated from traffic, it is considered that the traffic generated by the child care centre is negligible and will have a minimal impact relative to traffic noise generated by existing vehicles utilising the adjoining arterial road. Council is satisfied that the acoustic properties of the building, outdoor structures and perimeter fencing are sufficient to address the *Environmental Protection (Noise) Policy 2007*, with respect to the control of noise emissions.

7.3. Site Functionality

The primary vehicular access and egress point for the proposed centre is located on Penfold Road, via an existing 6 metre wide crossover. The proposed car park layout allows for adequate vehicle manoeuvring on site and ensures that vehicles can enter and exit the site in a forward direction.

Children's play areas have access to northern sunlight with portions of the outdoor play area being providing with cover and shade. The area is appropriately secured from public roads ensuring child safety.

Bin enclosures have been accounted for on the site and are suitably located so as to reduce the impacts of smells and odours impacting adjoining properties and be shielded from view within the streetscape.

7.4. Public Notification

The application has been processed as a category 3 application with an advertisement being placed in The Advertiser inviting broad public comment in addition to direct mail being sent to 35 adjoining land owners and occupiers.

Upon the closure of the consultation period, nine (9) written submissions were submitted by adjoining land owners and occupiers of land within the vicinity of the subject land. Of the submissions, two (2) expressed their desire to be heard by the Panel in support of their written submission. The primary issues of concern can be summarised as follows:

- Zoning and appropriateness of land use within the Residential Zone;
- Scale of development and scale of building;
- Traffic generation and congestion;
- Adequacy of on-site car parking and layout (reference to 'Australian Standards');
- Noise and pollution impacts;
- Perimeter fencing impacts (overshadowing);
- Visual impact of car park in front of building; and
- Impact on property value (not a valid planning concern to be considered)

The applicant has responded to the representations through a private planning consultant (Ekistics). Their response can be summarised as follows:

- The proposed land use is contemplated by the zone provisions;

- The existing character of the locality comprises non-residential uses including a large scale primary school;
- The scale of the development is appropriate taking into consideration the local demand for a facility of this scale, the size of the site, its location directly opposite a complementary facility (primary school) and adjacent two public streets;
- Traffic generated by the proposed development will be low and within the capacity of the adjoining road network;
- Adequate off street car parking has been provided in support of the proposed development and designed to satisfy 'Australian Standards';
- Proposed 2.5m high perimeter fencing to outdoor play areas has been designed to minimise noise transmission into adjoining properties;

- The development has been designed to address traffic and interface impacts, whilst increasing vegetation on site and therefore is not expected to detrimentally affect the amenity of the locality.
- Landscaped play areas and landscaping along the perimeter of the proposed carpark will soften the visual impact of the development and enhance the amenity of the locality.

Additionally, following a meeting with the adjoining landowners at 13 Penfold Road, the applicant has resolved to make some minor amendments to the plans in response to the representation made. These amendments include:

- Revised retaining wall and fence measuring 2.5m in height (total) with the fence comprising a 75mm thick painted composite acoustic wall ('Vogue Wall') along the full extent of both boundaries shared with 13 Penfold Road, Magill; and the boundary with 11 Penfold Road, Magill;
- The eight (8) car parks near the northern boundary designated for staff car parking only;
- The external equipment store has been relocated to the southern end of the building (former store room); and
- The southern store room has been relocated to the northern end of the building (former equipment store) with internal access only as the external roller door has been removed.

On account of the aforementioned amendments, the one written submission was formally withdrawn by the representor on 19 October 2017.

Council is satisfied that the applicant's response appropriately responds to the concerns raised by the representors insofar as they are to be determined under the *Development Act 1993*.

7.5. Agency Referrals

The application was referred to DPTI (regard) pursuant to Schedule 8 of the *Development Regulations 2008*, for consideration of access to the proposed car park along Penfold Road. Whilst DPTI acknowledges that the proposed development maintains the existing access point from Penfold Road, they are concerned that the proposed traffic volumes associated with the child care centre are far greater than the previous use (residential) and will result in a greater disruption to the flow of vehicular and pedestrian traffic along Penfold Road. For that reason, DPTI has recommended that the proposed development provide access via Chapel Street.

As part of Council's internal assessment process, the application was referred to Council's traffic engineer to assess the impact of development on local roads and infrastructure. The engineer raised no objection with regard to maintaining the existing vehicular access off of Penfold Road or the layout of the proposed car park. The referral comments do however highlight the shortfall of on-site car parking with reference to Table Bur/5 of the Development Plan. The shortfall from the DP guideline concerning on-site car parking has been well documented in the character and amenity section of the report and is not considered fatal to the merits of the proposal on account of the proposed car park which is capable of accommodating the forecasted peak demand associated with the proposed child care centre.

7.6. Conclusion

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

8. RECOMMENDATIONS

It is recommended that the Development Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Development Application 180\0914\17, by Leyton Property is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

2. The hours of operation of the premises shall be limited to the following times:
 - 6:30am to 6:30pm Monday to Friday

Reason:

To ensure the development does not unduly diminish the enjoyment of other land in the vicinity.

3. The landscaping delineated on the stamped and approved plans shall be planted within 6 months of substantial completion of the childcare centre and maintained in good health and condition at all times to the reasonable satisfaction of Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

4. The childcare centre shall have places available for a maximum of 90 pre-school aged children per day

Reason:

To ensure the childcare centre is maintained to a reasonable condition.

5. The child care centre shall have not more than 17 staff on-site during the approved operating hours.

Reason:

To ensure the childcare centre is maintained to a reasonable scale and that on-site parking provisions remain of an adequate provision.

Advisory Notes

1. Footpath Maintenance

- Existing footpath levels, grades etc. shall not be altered as a result of the new works associated with the development.

Stormwater Detention

- Due to the significant increase of the impermeable area, detention shall be provided to limit post development flows. Calculations shall be provided to verify the ability of the proposed detention quantity to meet the Council's default detention and discharge requirements below:
 - The volume of any detention device shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 75% and pervious ($C_p = 0.1$) area of 25%, during a 1 in 20 year flood event for a 10 minute duration.
 - The maximum rate of discharge from the site shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 40% and pervious ($C_p = 0.1$) area of 60%, during a 1 in 5 year flood event for a 10 minute duration.
- For stormwater management purposes, it is desirable that:
 - An additional detention storage of 1,000Ltrs be provided in addition to the standard 1,000Ltrs retention tank provided; and
 - The development utilises permeable paving for the proposed external paving work within the development site.

Stormwater Discharge

- The stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.
- If the cover to the stormwater pipe across the Council verge is less than 65mm, steel pipe housing is to be used as per Council's standards.
- The developer is responsible for locating all existing services and to consult with the necessary service providers if there is a conflict when placing stormwater infrastructure.
- Construction of the stormwater infrastructure is in accordance with Council's Standard Specification and General Conditions and to the overall satisfaction of Council.
- Trenching and connections are to be undertaken as per Australian Plumbing Standards.
- Excess stormwater runoff from the roof catchment shall be discharged to the street water table through a sealed system to the satisfaction of the Council.

Open Spaces Advisory Notes

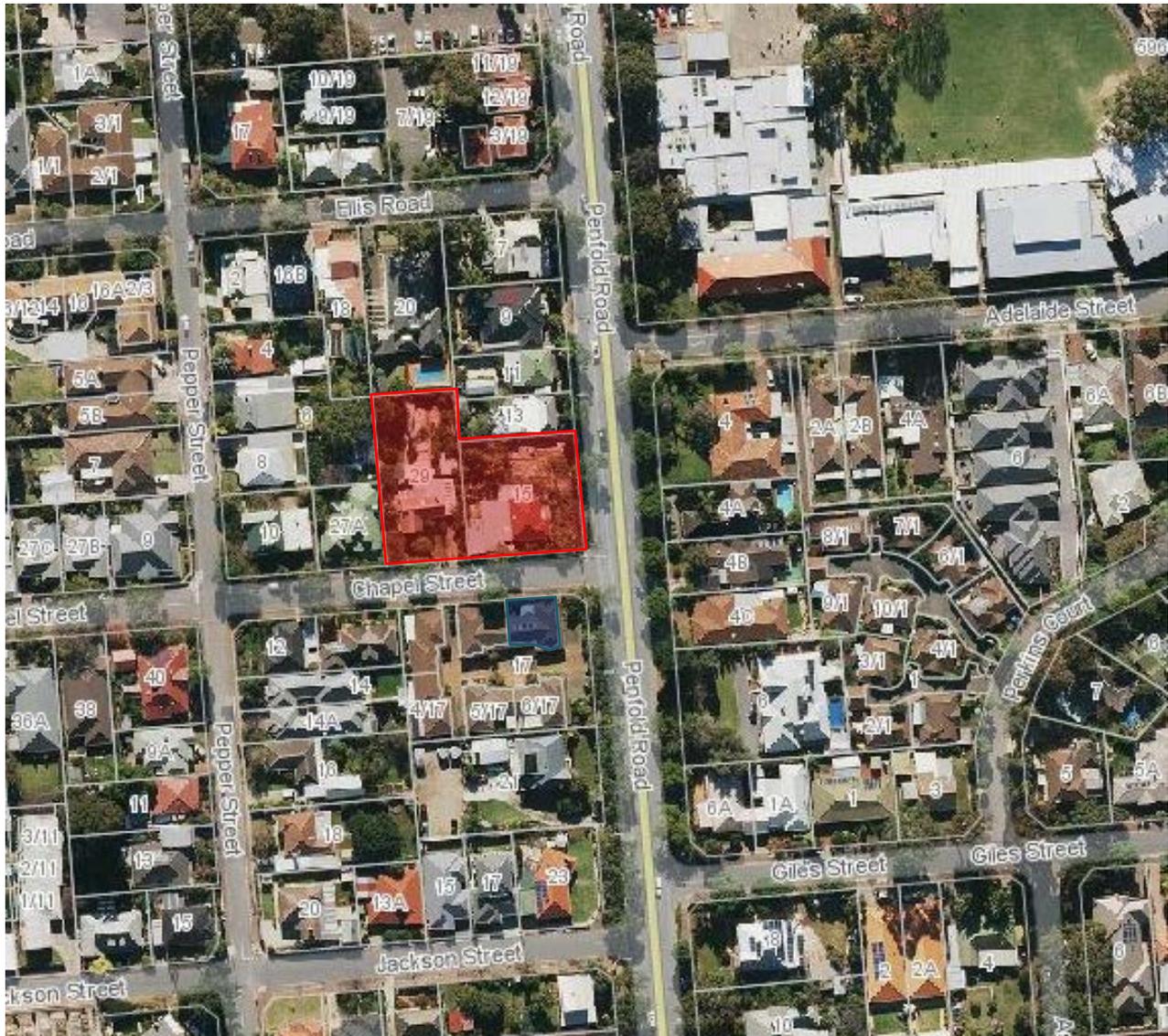
- The proposed crossover requires a Setback of 2m from the adjacent Jacaranda street trees.
- Street trees to be protected during development with bunting set 1.5m from trunk for duration of works.
- Crossover to be constructed using Permeable materials.
- No storing of materials on road verge during construction.
- No pruning of street trees.
- No vehicles on road verge at any time during development.
- The applicant will be liable for any damage caused to public trees during the development process, including damage by privately engaged contractors.

RECOMMENDING OFFICER

Jake Vaccarella
Development Officer – Planning

APPENDIX 1

AERIAL LOCALITY MAP



Legend



Subject Land



Representor's Land

APPENDIX 2

DETAILED PLANNING ASSESSMENT

Summary of Policy Area Objectives and Principles

Primary Residential Policy Area 3 Objectives:

Objective 1:

Maintenance and enhancement of the low scale, low-to-medium density residential character that is derived particularly from single-storeyed dwellings in a wide variety of types and styles, generally located close to frontages with narrow streets, and recognition of the “village” character of the early settlement of Magill.

Principle of Development Control 1:

Development should complement the scale, bulk, siting and positive elements of existing dwellings where a distinctive and attractive streetscape character exists.

Subject: DP Ref	Assessment:
Desired Land Use O 1	<p>Minor Variance.</p> <p>Although located within a residential zone, the proposed development for a child care centre is compatible with the prevailing character of low scale, low-to-medium density residential development.</p>
Local Compatibility PDC 1	<p>Satisfied.</p> <p>Despite its non-residential land use, the proposed child care centre building is consistent in scale, bulk, siting and positive elements of the established residential character of the locality. The proposed building presents to the public realm and adjoining properties as a typical single storey building with similar form and proportions, materials and finishes and roof form.</p>

Summary of Residential Zone Objectives and Principles

Primary Residential Zone Objectives:

Objective 1:

A zone primarily for residential use with a range of dwelling types in appropriate policy areas to accommodate varied socio-economic needs.

Objective 2:

Protection and enhancement of the amenity of residential areas, with particular reference to the objectives for the relevant policy area.

Objective 3:

Residential densities varied having regard to topography, the objectives for the relevant policy area, and proximity to centres and major transport routes.

Objective 4:

Provision of residential and community facilities and services for the aged community.

Objective 5:

Enhancement of the attractive qualities of streetscapes and particularly areas of cohesive character or visual sensitivity, through good design.

Objective 6:

A zone accommodating non-residential activities which are small in scale, benign in external impact, and serve the needs of the local community.

Objective 7:

Reduction of the impact of established non-residential uses on the amenity of residential areas.

Objective 8:

Use of design, management and other techniques to improve all aspects of the environmental performance of development.

Subject: DP Ref	Assessment:
Zoning and Land Use O 1–8 PDC 1	<p>Minor Variance.</p> <p>The Residential Zone contemplates the establishment of child care centre within the zone, provided they are located in suitable location, small in scale and benign in external impacts.</p> <p>Based on a comparison against Child Care Centres around Metropolitan Adelaide, the proposed development with reference to its capacity of 90 child places is considered of a moderate scale. In comparison to the nearby Magill Primary School, the proposed childcare centre is considered small in scale.</p> <p>The subject land on account of its large site area, frontage to an arterial road, proximity to a primary school, public transport corridor and Neighbourhood Centre Zone, lends itself to this type of development.</p> <p>External impacts are appropriately managed so as to not unreasonable impact the level of amenity currently enjoyed by land within the vicinity.</p>
Building Appearance PDC 2–4	<p>Satisfied.</p> <p>The child care building is considered to be compatible in form, scale and proportions with the surrounding dwelling styles.</p>

Summary of Council Wide Objectives and Principles

Primary Residential Development Objectives:

Objective 11:

Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

Objective 52:

A compact metropolitan area.

Objective 53:

A variety and choice of dwelling types to meet the needs and preferences of all sections of the community.

Objective 54:

Containment of housing costs through the encouragement of a full range of design and development techniques.

Objective 55:

Safe, pleasant, accessible and convenient residential areas.

Objective 56:

Residential development which moderates adverse climatic conditions, takes advantage of solar energy, does not unreasonably overshadow adjacent development, and protects the natural environment.

Objective 57:

Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.

Objective 58:

The revitalisation of residential areas to support the viability of community services and infrastructure.

Objective 59:

Affordable housing, student housing and housing for aged persons provided in appropriate locations.

Objective 60:

Increased affordable housing opportunities through land division and the conversion of buildings to a residential use.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 52–60	Minor Variance. Refer to Zone and Policy Area comments.
Design and Appearance O 11 PDC 14–18, 23-28	Satisfied.
Building Height PDC 164	Satisfied.
Amenity O11, 20–22 PDC 14–18, 52-69, 170-173	Satisfied. Refer to Zone and Policy Area comments

<p>Access and On-Site Car Parking PDC 177–182</p>	<p>Minor Variance.</p> <p>The proposed development fails to satisfy off-street vehicle car parking requirements as per Table Bur/5. The proposal falls short of the DP guideline by 4 spaces.</p> <p>The shortfall has been justified in the body of the report – refer to car parking section.</p>
<p>Fences and Retaining Walls PDC 190–194</p>	<p>Satisfied.</p> <p>The proposed 2.5 metre high perimeter boundary fencing to play areas will assist to minimise noise transmission to adjoining properties.</p> <p>The perimeter fencing is not too dissimilar to prevailing fencing pattern throughout locality and will not result in unreasonable levels of overshadowing or unreasonable amenity impacts.</p>

this page is left intentionally blank

DEVELOPMENT APPLICATION

Application Number:	180\0519\17
Applicant:	J M O'Dea
Location:	12 Verdun Street BEULAH PARK SA 5067
Proposal:	Construction of a pair of two storey semi-detached dwellings
Zone/Policy Area:	Residential Zone Residential Policy Area 1 Development Plan consolidated 08 December 2016
Kind of Assessment:	Merit
Public Notification:	Category 2 Two (2) representations received
Appeal Opportunity	Applicant only, no third party appeal rights
Referrals – Statutory:	N/A
Referrals – Non Statutory:	Technical Officer Engineering Technical Officer Arboriculture
Delegations Policy:	Unresolved representations
Recommendation:	Development Plan Consent be granted
Recommending Officer:	James Moss

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment
 - Appendix 3 – Development Data Table

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Plans and supporting documents
- Internal agency referral reports
- Representations received
- Applicant's response to representations
- Photographs

1. DESCRIPTION OF PROPOSAL

The applicant seeks development plan consent for the construction of a pair of two storey semi-detached dwellings on an existing allotment on the eastern side of Verdun Street in Beulah Park. Each dwelling has been designed with a single width garage, three bedrooms, two bathrooms, study, open plan living areas and rear alfresco.

2. BACKGROUND

Development Application 180\0519\17 was lodged on 22 May 2017 by the registered owner of the land. The proposal was determined to be a Category 2 development for the purposes of public notification due to its two storey form and number of dwellings proposed on the site, to be assessed on merit against the provisions of the Burnside (City) Development Plan.

Following an initial review, Council wrote to the applicant identifying concerns in relation to the two storey form, site coverage and access arrangements. The applicant responded through their building designer, D'Andrea and Associates Pty Ltd, with a series of amendments aimed at softening the impact of the two storey form, a reduction in total floor area and reconfiguration of access driveways.

During the notification period Council received two (2) written submissions from the owners of adjacent properties to the rear (19 Howard Street) and directly across the road (7 Verdun Street). Both submissions identified concerns in relation to building height and associated impacts to sunlight access, views and overlooking.

The applicant responded in writing through their building designer with a rationale of the design and its impacts, as well as additional information in the form of shadow diagrams demonstrating the maximum extent of shadow anticipated by the proposed development over adjoining properties and a line of sight diagram demonstrating the extent of visual impact for the neighbour to the rear.

As part of the internal assessment process, the proposal was also referred to Council's traffic engineers and street tree management officer for review. Although this initially produced concerns about driveway crossover locations and street tree impacts the plans have subsequently been amended to address the matters raised.

Pursuant to Council's Delegation Policy, the application is presented to the Panel for consideration as a Category 2 development with unresolved representations.

3. SUBJECT LAND AND LOCALITY ATTRIBUTES

3.1. Subject Land

The subject land is an existing residential allotment on the eastern side of Verdun Street in the suburb of Beulah Park. The subject land has an approximate area of 640 square metres and a single frontage to Verdun Street measuring 15.24 metres. The subject land is relatively flat across its 41.9 metre depth.

The subject land is currently occupied by a single storey detached dwelling constructed during the 1950s in the Conventional architectural style. A modest degree of vegetation can be observed throughout the site. No regulated trees have been identified and the land is not laden with any encumbrances, easements of land management agreements.

3.2. Locality

The locality comprises both sides of Verdun Street between Magill Road to the north and Thornbury Street to the south and is based on a direct visual relationship to the subject land. Dwellings along both side of Oban Street to the west are also considered to form part of the locality based on the spatial proximity of the site to the intersection of the two streets.

The locality is predominantly single storey and low scale in character. Dwellings comprise of 1950s Conventional residences, with examples of interwar villas and bungalows sporadically interspersed. Built form set-backs ranges between 5 metres and 7 metres, while a less cohesive arrangement of buildings and structures can be observed along Oban Street.

4. KIND OF ASSESSMENT

Kind:	Merit
Reason:	Development Act 1993, Section 35(5)
Applicant Appeal Opportunity:	Yes

5. PUBLIC NOTIFICATION

Category:	Category 2
Reason:	Residential Policy Area 1 Principle of Development Control 10 (a) & (d)
Representations Received:	<ul style="list-style-type: none"> • 7 Verdun Street, Beulah Park (do not wish to be heard) • 19 Howard Street, Beulah Park (wish to be heard)
Third Party Appeal Opportunity:	No

- Representations received are provided as an attachment to the Panel.
- Applicant's response(s) to representations are provided as an attachment to the Panel.

6. AGENCY REFERRALS

- Internal agency referrals are provided as an attachment to the Panel.

7. EXECUTIVE SUMMARY

7.1. Land Use

The subject land is currently utilised for residential purposes associated with the existing 1950s conventional dwelling. The proposal will maintain the residential use of the land, albeit while increasing the number of dwellings on the land from one to two. The proposal is consistent with the Development Plan from a land use perspective.

7.2. Character and Amenity

The Development Plan seeks to maintain and enhance the residential character of the policy area, being derived particularly from low scale, low-to-medium density dwellings, varied in style, including significant groups of relatively small nineteenth century villas and cottages on narrow streets which create attractive and intimate streetscapes.

The development is reasonably consistent with the character of the locality in terms of density and patterns of subdivision. The locality includes a mix of detached dwellings, semi-detached dwellings and one residential flat building. The proposed development is consistent with the minimum frontage widths prescribed by the policy area guidelines and reasonable in line with the minimum site area guidelines despite a shortfall of 30 square metres for each residence.

The policy area also envisages new dwellings of a single storey form or a second storey within the roof space where the overall building height and scale is compatible with existing single-storeyed development in the locality. This is consistent with the observable character of the locality, which is exclusively single storey and characterised by the absence of recent redevelopments.

The proposed dwelling, conversely, is two storey in form and not contained within the roof space. In spite of this, the proposal is considered to be an acceptable planning solution for the subject land and locality in view of the modest form, height and siting of the two storey element.

The upper level component will be set back well beyond the front façade at a distance of approximately 15 metres. The overall building height of 6.8 metres sits well within the Council Wide guideline of 9 metres and is compatible with the vertical scale of single storey dwellings within the locality. The vertical walls have also been partially submerged within the ground floor roof design, which minimises their visual prominence within the side and rear facades. The modest roof form also assists in reducing the vertical form to a more suitable scale.

In terms of local compatibility of design, the proposed dwelling is clearly a modern dwelling with architectural elements within the façade that are not observed elsewhere within the locality. That being said, the dwelling presents vertical external wall heights, fenestration detailing and roof form and pitch that complements that of existing housing stock, while providing a fresh presentation of a suitably high quality and incorporating articulation and visual interest.

7.3. Site Functionality/Referrals

The proposal is consistent with Council Wide site coverage guidelines for building footprint and driveways, but exceeds the 50% total floor area guideline marginally at 58% for each residence. The first floor component falls short of minimum side boundary set-backs, but this is perhaps more attributed to the generous front and rear boundary set-backs as opposed to the total floor area calculation. The development provides more than the required 4 metre x 6 metre private open space area. On balance, the proposal is not considered to amount to an overdevelopment of the site.

In terms of vehicle parking and access, both dwellings provide one undercover car parking respectively, with Dwelling 2 (southernmost dwelling) also having the capacity to accommodate one off-street car parking space within the driveway. Dwelling 1 (the northernmost dwelling) has a lesser front setback, removing the allowance for a second off-street car parking space. This shortfall to Dwelling 1 is not desirable but acceptable in view of the extent of on-street parking provisions available in the street. This is also not entirely inconsistent with the local character as evidenced by a series of maisonettes to the south of the subject land which have no off-street parking provisions. Council's traffic engineers have been consulted on the matter and have not raised any objections.

7.4. Public Notification

Council received two written submissions during the public consultation process; one raising concerns about streetscape impacts, the other raising concerns in relation to building height and associated impacts to sunlight access, views and overlooking.

The applicant has responded in writing as well as providing additional information intended to address the concerns of the rear neighbour. For the reasons stated above, concerns over streetscape impacts are adequately addressed through the amendments in the design. In response to the concerns raised by the rear neighbour, Council the following observations are made in relation to the additional supporting information:

- The proposed building height sits well under maximum building height guidelines and is reasonably compatible with adjacent housing stock;
- The visual impacts associated with the proposed building height are alleviated by the rear boundary set-backs provided, which exceeds the relevant guideline distance, in the case of the ground floor by more than twice the prescribed distance;
- Views of the proposed building from the rear property will be partially obstructed by an intervening outbuilding on the representor's land;
- Although the Development Plan includes guidelines on visual impacts associated with buildings it does not seek to preserve or protect views;
- Due to the relationship of the two allotments, no shadow will be cast over the representor's land as a result of the proposed development;
- Shadow falling to the southern neighbouring property will not exceed the relevant guidelines and mainly impacts a common driveway;
- The amended plans show fixed and obscured glazing across all rear facing upper level windows to a minimum height of 1.7 metres, which exceeds the relevant guideline.

Council is satisfied that the planning matters raised through the public notification process are sufficiently addressed through the overall design of the development and the changes detailed through the applicant's response, insofar as they are to be determined under the Development Act 1993.

7.5. Conclusion

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

8. RECOMMENDATIONS

It is recommended that the Development Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Development Application 180\0519\17, by J M O'Dea, is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

2. The approved works may not commence until such time as the applicant has secured written authorisation for the construction of the new driveway crossover from the Council pursuant to Section 221 of the *Local Government Act 1999*.

Reason:

To ensure the applicant has secured all relevant consents/authorisations required prior to the commencement of development.

3. The landscaping delineated on the stamped and approved plans shall be maintained in good health and condition at all times to the reasonable satisfaction of Council.

Reason:

To provide amenity for the occupants of buildings and those of adjacent buildings through the provision of landscaping as part of the development.

4. All side and rear upper level windows as depicted on the stamped and approved plans granted Development Plan Consent shall be fitted with fixed and obscured glazing to a minimum height of 1.7m above the finished floor level.

The fixed and obscured glazing shall be installed prior to the occupation or use of the building herein granted Development Plan Consent and thereafter shall be maintained to the reasonable satisfaction of Council at all times.

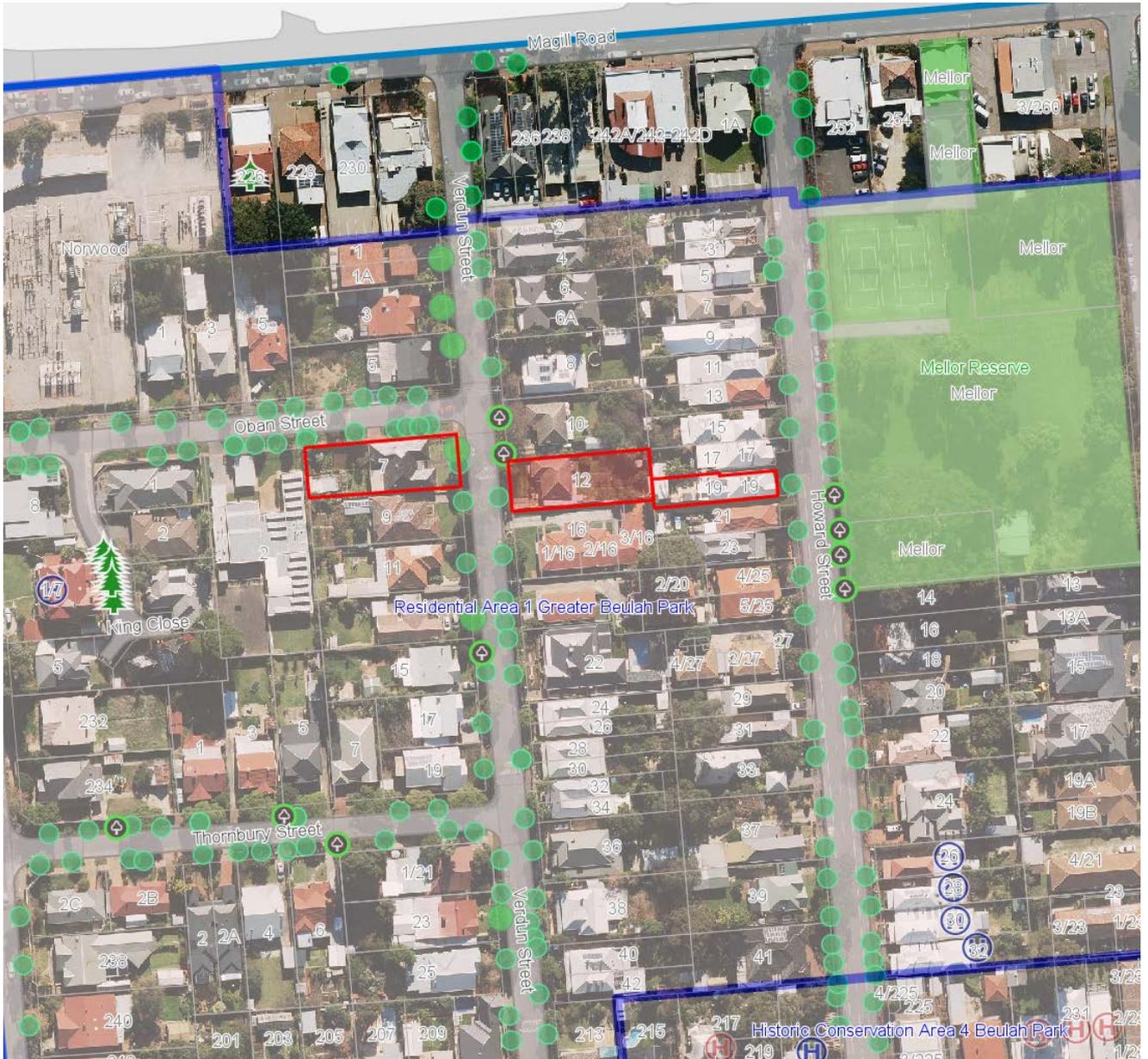
Reason:

To ensure the new development does not unreasonably diminish the privacy of residents in adjoining properties.

RECOMMENDING OFFICER

James Moss
Acting Team Leader – Planning

AERIAL LOCALITY MAP



Legend



Subject Land



Representor's Land

APPENDIX 2

DETAILED PLANNING ASSESSMENT

Summary of Policy Area Objectives and Principles

Primary Residential Policy Area 1 Objectives:

Objective 1:

Maintenance and enhancement of a residential character that is derived particularly from low scale, low-to-medium density dwellings, varied in style, including significant groups of relatively small nineteenth century villas and cottages on narrow streets which create attractive and intimate streetscapes.

Acknowledged variations from the predominant, desired character, forming, nevertheless, part of the character that is to be maintained and enhanced, are found:

- (a) within localities adjacent to the Historic (Conservation) Zone and other localities where nineteenth century cottages and villas, generally sited close to the street frontage with ornate facades and verandas, and shallow, open front gardens, are a significant feature of streetscapes;*
- (b) on land with frontage to the western part of Oban Street, including the grounds of the large, historic two-storeyed dwelling at 230 Portrush Road and the nearby electricity sub-station;*
- (c) on land with frontage to Magill Road and to Portrush Road; and*
- (d) in the interfaces with the Local Business Zone, the Local Centre Zone, the Community Zone and the Historic (Conservation) Zone.*

Subject:	Assessment:
DP Ref	
Desired Land Use O 1	Satisfied. <ul style="list-style-type: none"> • Continued residential use of a residential allotment.
Local Compatibility PDC 1	Satisfied. <ul style="list-style-type: none"> • Semi-detached dwellings are featured within the locality. • Centrally sited to provide visual balance to the site. • External wall heights and overall building height compatible with adjacent single storey buildings. • Design contributes to the variety of styles prescribed, while taking visual cues from existing housing stock.
Site Areas and Frontages PDC 2–5	Partially satisfied. <ul style="list-style-type: none"> • Exceeds frontage requirements, but each dwelling falls 30 square metres short of site area guidelines.
Building Height PDC 6	Partially satisfied. <ul style="list-style-type: none"> • The proposed building is not single storey in form and the upper level is not located wholly within the roof space. • The vertical scale of the building is relatively constrained so as to better integrate with existing single storey dwellings adjacent. • Although not within the roof space, the proposed upper level is considerably set back from the front boundary to off-set any additional visual bulk. • The visual impacts associated with the upper level are also mitigated by the nature of the design, which places the upper level partially within the roof space of the lower level.

Building Set-backs PDC 7	Satisfied. <ul style="list-style-type: none">• The proposed building is set back at a distance greater than the 3 metre guideline prescribed for the policy area.
Private Open Space PDC 8	Satisfied. <ul style="list-style-type: none">• Each dwelling is provided an area of private open space to the rear of the land that comfortably exceeds the policy area guidelines.

Summary of Residential Zone Objectives and Principles

Primary Residential Zone Objectives:

Objective 1:

A zone primarily for residential use with a range of dwelling types in appropriate policy areas to accommodate varied socio-economic needs.

Objective 2:

Protection and enhancement of the amenity of residential areas, with particular reference to the objectives for the relevant policy area.

Objective 3:

Residential densities varied having regard to topography, the objectives for the relevant policy area, and proximity to centres and major transport routes.

Objective 5:

Enhancement of the attractive qualities of streetscapes and particularly areas of cohesive character or visual sensitivity, through good design.

Objective 8:

Use of design, management and other techniques to improve all aspects of the environmental performance of development.

Subject: DP Ref	Assessment:
Zoning and Land Use O 1-8 PDC 1	Satisfied. <ul style="list-style-type: none"> • Residential land use within the Residential Zone. • Compatible with local density and range of dwelling forms. • Suitable quality of design anticipated to enhance residential amenity while replacing an aging building of minimal architectural value.
Building Appearance PDC 2-4	Satisfied. <ul style="list-style-type: none"> • The proposal permits the establishment of substantial landscaping in scale with the proposed building. • External materials are not considered to be highly reflective or out of character with the locality. • The building is reasonably compatible with the siting of neighbouring dwellings. • The dwelling exhibits a visual massing on par with a modest two storey dwelling, which is one development option within the policy area concerned. • The proposed ground floor siting is suitable from a streetscape perspective and does not require excessive earthworks or large scale retaining walls. • The building incorporates suitable fenestration and façade articulation. • The proposed seeks to draw on the dominant roof form within the locality. • Given the flat nature of the subject land no retaining walls are proposed at this time.

Summary of Council Wide Objectives and Principles

Primary Residential Development Objectives:

Objective 11:

Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

Objective 52:

A compact metropolitan area.

Objective 53:

A variety and choice of dwelling types to meet the needs and preferences of all sections of the community.

Objective 54:

Containment of housing costs through the encouragement of a full range of design and development techniques.

Objective 55:

Safe, pleasant, accessible and convenient residential areas.

Objective 56:

Residential development which moderates adverse climatic conditions, takes advantage of solar energy, does not unreasonably overshadow adjacent development, and protects the natural environment.

Objective 57:

Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 52–57	Satisfied.
Design and Appearance O 11 PDC 14–18, 23-28	Satisfied.
Building Set-backs PDC 161–163	<p><u>Side Set-backs</u> Departure.</p> <ul style="list-style-type: none"> • The ground floor has side set-backs of 1 metre to the external boundaries. • Shortfalls in the southern boundary set-back are off-set by the spatial separation provided by the common driveway of the neighbouring residential flat building. • Shortfalls to the north are similarly off-set by the siting of the northern neighbouring dwelling and driveway. • Upper level set-back departures are less than desirable, but are also not considered excessive or likely to adversely impact neighbouring land. • Despite a protrusion at 2.7 metres the main bulk of the first floor component will be sited 3.5 metres from each side boundary, which is suitably compatible with the relevant guideline. <p><u>Rear Set-backs</u> Satisfied.</p>
Building Height PDC 164	Satisfied.
Site Coverage PDC 165	Partially satisfied. <ul style="list-style-type: none"> • The development is consistent with ground floor building

	<p>footprint, as well as building footprint and driveway site coverage.</p> <ul style="list-style-type: none"> • The proposal exceeds the total floor area guideline by 8%. • The excess in total floor area is not considered excessive in this instance and sufficient separation is maintained between the proposed building and neighbouring buildings.
<p>Amenity O11, 20-22 PDC 14-18, 52-69, 170-173</p>	Satisfied.
<p>Privacy PDC 22, 174-176</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • All side and rear upper level windows include fixed and obscure glazing to a minimum height of 1.7 metres above finished floor level. • The 1.7 metre height exceeds the guideline by 100mm and is therefore considered to provide a greater degree of privacy than would otherwise be imposed through conditions.
<p>Access and On-Site Car Parking PDC 177-182</p>	<p>Partially satisfied.</p> <ul style="list-style-type: none"> • Dwelling 2 includes two off-street car parks, whereas Dwelling 1 only includes one off-street parking space. • The shortfall of one space is not desirable, but can also be absorbed by the generous on-street parking provisions available.
<p>Access to Sunlight PDC 21, 183-186</p>	Satisfied.
<p>Safety and Security PDC 195-198</p>	Satisfied.
<p>Water Conservation PDC 200-201</p>	Satisfied.
<p>Energy Conservation PDC 31-32</p>	Satisfied.

APPENDIX 3
DEVELOPMENT DATA TABLE

Site Characteristics	Dwelling 1 (n)	Dwelling 2 (s)	Guideline
<i>Site Area</i>	320m ²	320m ²	350m ²
<i>Street Frontage</i>	7.6m	7.6m	7.5m
Design Characteristics	Proposed	Proposed	Guideline
<i>Site Coverage</i>			
- Buildings only	41%	41%	40%
- Buildings and driveways	44.2%	45.4%	50%
- Total floor area	58.7%	58.7%	50%
<i>Building Height</i>			
- storeys	2 storeys	2 storeys	2 storeys
- metres	6.8m	6.8m	9m
<i>Set-backs</i>			
<i>Lower Level</i>			
- front boundary	4m	4m	3m
- side boundary	1m (n) N/A (s)	N/A (n) 1m (s)	1.5m - 2m
- rear boundary	10.6m	10.6m	4m
<i>Upper Level</i>			
- front boundary	15m	15m	3m
- side boundary	2.7m – 3.5m (n) N/A (s)	N/A (n) 2.7m – 3.5m (s)	4m
- rear boundary	9.7m	9.7m	8m
<i>Private Open Space</i>			
- dimensions	7.6m x 10.6m	7.6m x 10.6m	4m x 6m
<i>Car Parking and Access</i>			
- number of parks	1	2	2
- width of driveway	1.9m	3.7m	4.5m
- width of garage/carport door	28.9%	28.9%	33%

this page is left intentionally blank

DEVELOPMENT APPLICATION

Application Number:	180\0656\16
Applicant:	Shabnam Agah
Location:	13 McAllan Avenue BURNSIDE SA 5065
Proposal:	Two storey detached dwelling
Zone/Policy Area:	Watercourse Zone Development Plan consolidated 28 April 2016
Kind of Assessment:	Merit
Public Notification:	Category 2 Three (3) representations received
Appeal Opportunity	Applicant only, no third party appeal rights
Referrals – Statutory:	N/A
Referrals – Non Statutory:	Traffic Engineer
Delegations Policy:	Unresolved representations
Recommendation:	Development Plan Consent be granted
Recommending Officer:	Jake Vaccarella

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment
 - Appendix 3 – Development Data Table

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Plans and supporting documents
- Internal agency referral reports
- Representations received
- Applicant's response to representations
- Photographs

1. DESCRIPTION OF PROPOSAL

The Applicant seeks Development Plan Consent for the construction of a new two-storey detached dwelling comprising four bedrooms (one with walk in robe and ensuite), two bathrooms, lounge room, upper level balcony, open plan kitchen, living and dining areas and double garage. The proposed development also comprises concrete retaining walls with steps to the perimeter of the building.

2. BACKGROUND

Development Application 180\0656\16 was lodged on 26 July 2017 by Shabnam Agah, the registered owner of the land.

The proposal was determined to be a merit form of development pursuant to Section 35(5) of the Development Act 1993. For the purposes of public notification, the application was determined to be a Category 2 development in accordance with the Burnside (City) Development Plan, Watercourse Zone, Principle of Development Control 9 (a).

The application was made available for public inspection between 06 September and 20 September 2017, during which time Council received written submissions from three external parties, of whom one expressed a desired to appear in person before the Council Assessment Panel (the Panel) in support of their submission. Copies of the submissions were forwarded to the Applicant, who has provided a response which addresses some of the concerns raised throughout the notification process.

As part of Council's internal assessment process, the proposal was also referred to the Technical Officer - Engineering to assess the impact of development on local infrastructure and the adjacent 1 in 20 flood plain.

Pursuant to Council's Delegation Policy, the application is now presented to the Development Assessment Panel for consideration as a Category 2 development with one (1) unresolved representation; with a staff recommendation for approval, subject to conditions.

3. SUBJECT LAND AND LOCALITY ATTRIBUTES

3.1. Subject Land

The subject land is a newly created allotment on the eastern side of McAllan Avenue measuring approximately 829 square metres with a frontage to the public road of 27.9 metres. The land is situated wholly within the Watercourse Zone and is largely occupied by the 1 in 20 and 1 in 100 year flood plain, with First Creek running between McAllan Avenue and Waterfall Gully Road.

3.2. Locality

The locality comprises both sides of McAllan Avenue within 100 metres of the subject land to the north and south. The eastern side of the street forms part of the Watercourse zone, while the western side forms part of the Residential Zone, specifically Residential Policy Area 27 – Southern Foothills (RPA 27).

The locality exhibits no discernible cohesive character, other than a predominance of two-storey dwellings in proximity to the subject land. Building set-backs vary from as little as 2 metres to more than 11 metres from the road boundary. Local amenity is enhanced by the strong presence of mature trees and well landscaped private properties. Vistas within the locality are limited by the bend in the road.

4. KIND OF ASSESSMENT

Kind:	Merit
Reason:	Development Act 1993, Section 35(5)
Applicant Appeal Opportunity:	Yes

5. PUBLIC NOTIFICATION

Category:	Category 2
Reason:	Watercourse Zone Principle of Development Control 9 (a)
Cut / Fill:	The proposal includes minor and incidental earthworks which do not have substantial external impacts.
Representations Received:	<ul style="list-style-type: none"> • 11 McAllan Avenue, Burnside (wish to be heard) • 13A McAllan Avenue, Burnside • 27C Waterfall Gully Road, Burnside
Third Party Appeal Opportunity:	No

- Representations received are provided as an attachment to the Panel.
- Applicant's response(s) to representations are provided as an attachment to the Panel.

6. AGENCY REFERRALS

- Internal agency referrals are provided as an attachment to the Panel.

7. EXECUTIVE SUMMARY

7.1. Land Use

The subject land is located within the Watercourse Zone, which envisages residential development, together with various other land uses, where structures are located and designed in such a way as to minimise the potential for personal or property damage as a result of a flood. The proposal is residential in nature and has been carefully designed to ensure the footprint and all building work is located wholly outside of the 1 in 20 year flood plain. The proposal is therefore consistent with the desired land use and not *seriously at variance* with the relevant provisions of the Development Plan.

7.2. Character and Amenity

The Development Plan states that residential development within the Watercourse Zone should generally accord with the relevant principles of development control for the Residential Zone, including those for the adjacent Residential Policy Area, and more particularly RPA 27 if the site of the proposed development is in the suburb of Beaumont, or in the suburb of Burnside, adjacent to First Creek.

RPA 27 refers to the enhancement of the low density, open residential and foothills character that is derived from (amongst others) the topographic and other natural features of the foothills location, and dwellings in a variety of architectural styles (typically,

detached dwellings, medium-to-large in scale, with split-level or multi-storeyed construction). The policy area objectives also refer to moderate to deep building set-backs from roads, well-vegetated and generally unfenced front gardens.

The proposal is generally consistent with this character, with the notable exception of the front set-back to McAllan Avenue. The proposal comprises a single detached dwelling of two storey construction and exhibiting a contemporary design that contributes to the “variety of architectural styles”. The proposed building sits within the 9 metre building height guideline for residential development and is largely consistent with ground floor and first floor side boundary set-backs.

The proposed front set-back which ranges from 1.2m at the closest point to 2.2m and 3m as it steps back from east to west does not accord with the desired “moderate to deep building set-backs from roads” or the 8 metre front set-back guideline prescribed by RPA 27 Principle of Development Control 7.

The allowable building area for this site is, however, highly restricted due to the location of the 1 in 20 and 1 in 100 year flood plain and the existing Council easement running through the subject land, which dictates that any new dwelling on the land will have to be located close to the road boundary.

On review of the locality, the proposed siting is not considered inappropriate as many two storey dwellings in proximity to the subject land are also positioned at a distance from the street that falls substantially short of the guideline. The dwelling façade also incorporates a degree of articulation to break up some of the mass of the building, the most noticeable indication of this being the staggering of the double garage behind the main building line.

7.3. Site Functionality

Council is satisfied that the proposed development constitutes a workable planning solution for the subject land and surrounding locality. The applicant has responded to the unique constraints of the site to ensure no building work encroaches within the 1 in 20 or the 1 in 100 year flood plains.

The building footprint and total floor area remain well within the confines of site coverage guidelines, leaving large expanses of open space to the rear of the land. The proposal also provides sufficient off-street parking for a modern three bedroom dwelling and utilises the existing access crossover to ensure minimal disturbance to the Council verge.

7.4. Public Notification

The application was determined to be a Category 2 development pursuant to the Water Course Zone Principle of Development Control 9 (a) which states:

“The following kinds of development are assigned to Category 1:

Dwelling, except where

a) a dwelling or outbuilding is two or more storeys in height (where “two storeys” is defined as a total of one habitable floor level directly above another, not including an understorey garage), or more than 6.5 metres building height above natural ground level;

The proposal was made available for public inspection from 06 September 2016 until 20 September 2016, during which time Council received three (3) representations from occupiers of adjoining properties, one of whom expressed a desire to formally present their submission before the Panel. The primary issues of concern can be summarised as follows:

- Inconsistencies in relation to flood plain information associated with the application documentation;
- Potential erosion and flooding impacts arising from the development of an allotment occupied by First Creek;
- Stability of land may not be suitable for new construction as the soil has been compromised as a result of recent flood events;
- Change in the course of First Creek may threaten home and garden; and
- Access to sunlight

The applicant has responded to the representations by confirming the following:

- Proposed building has been designed and sited to ensure there will be no encroachment within the 1 in 20 year flood plain (embankment);
- Information provided in support of the application is accurate and has not been altered based on 2016 flood events;
- The proposal satisfies overshadowing guidelines for new dwellings; and
- An independent inspection of the subject land has not revealed any significant change to the creek or embankment

Council is satisfied that the planning matters raised through the public notification process are sufficiently addressed through the overall design of the development insofar as they are to be determined under the Development Act 1993.

7.5. Agency Referrals

As part of Council's internal assessment process, the proposal was referred to the Technical Officer - Engineering to assess the impact of development on local infrastructure and the 1 in 20 flood plain (embankment). After a series of revised proposals were put forward by the Applicant to ensure there would be no building work undertaken within the embankment, Council's Engineer is now satisfied with the proposal.

7.6. Conclusion

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

8. RECOMMENDATIONS

It is recommended that the Development Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and Development Application 180\0656\16, by S Agah is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

2. All side and rear upper level windows as depicted on the stamped and approved plans granted Development Plan Consent shall be fitted with fixed and obscured glazing to a minimum height of 1.6m above the finished floor level.

The fixed and obscured glazing shall be installed prior to the occupation or use of the building herein granted Development Plan Consent and thereafter shall be maintained to the reasonable satisfaction of Council at all times.

Reason:

To ensure the new development does not unreasonably diminish the privacy of residents in adjoining properties.

3. No building work, filling or excavation shall be undertaken within the embankment (1 in 20 floor plain).

Reason:

To ensure the integrity of the embankment (1 in 20 flood plain) is not compromised as a result of the proposed development.

Advisory Notes**1. Building Consent**

Development Approval will not be granted until a Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.

2. Expiration Time of Approval

Pursuant to the provisions of Regulation 48 under the Development Act 1993, this Consent/Approval will lapse at the expiration of 12 months from the operative date of the Consent/Approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the Approval will lapse within 3 years from the operative date of the Approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the Approval will not lapse.

3. Boundaries

It is recommended that as the Applicant is undertaking work on or near the boundary, the Applicant should ensure that the boundaries are clearly defined by a Licensed Surveyor, prior to the commencement of any building work.

4. Engineering Requirements:

Footpath Maintenance

- Existing footpath levels, grades etc. shall not be altered as a result of the new works associated with the development.

Stormwater Detention

- Due to the significant increase of the impermeable area, detention shall be provided to limit post development flows. Calculations shall be provided to verify the ability of the proposed detention quantity to meet the Council's default detention and discharge requirements below:
 - The volume of any detention device shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 75% and pervious ($C_p = 0.1$) area of 25%, during a 1 in 20 year flood event for a 10 minute duration.
 - The maximum rate of discharge from the site shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 40% and pervious ($C_p = 0.1$) area of 60%, during a 1 in 5 year flood event for a 10 minute duration.
- For stormwater management purposes, it is desirable that:
 - An additional detention storage of 1,000Ltrs be provided in addition to the standard 1,000Ltrs retention tank provided; and
 - The development utilises permeable paving for the proposed external paving work within the development site.

Stormwater Discharge

- The stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.
- If the cover to the stormwater pipe across the Council verge is less than 65mm, steel pipe housing is to be used as per Council's standards.
- The developer is responsible for locating all existing services and to consult with the necessary service providers if there is a conflict when placing stormwater infrastructure.
- Construction of the stormwater infrastructure is in accordance with Council's Standard Specification and General Conditions and to the overall satisfaction of Council.
- Trenching and connections are to be undertaken as per Australian Plumbing Standards.
- Excess stormwater runoff from surfaces within the subject land shall be controlled and managed within the subject land.
- Excess stormwater runoff from the roof catchment can be discharged to the street water table through a sealed system or to the creek at the back of property to the satisfaction of the Council.

5. Noise

The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.

6. Fences Act 1975

The Applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or visit www.lsc.sa.gov.au

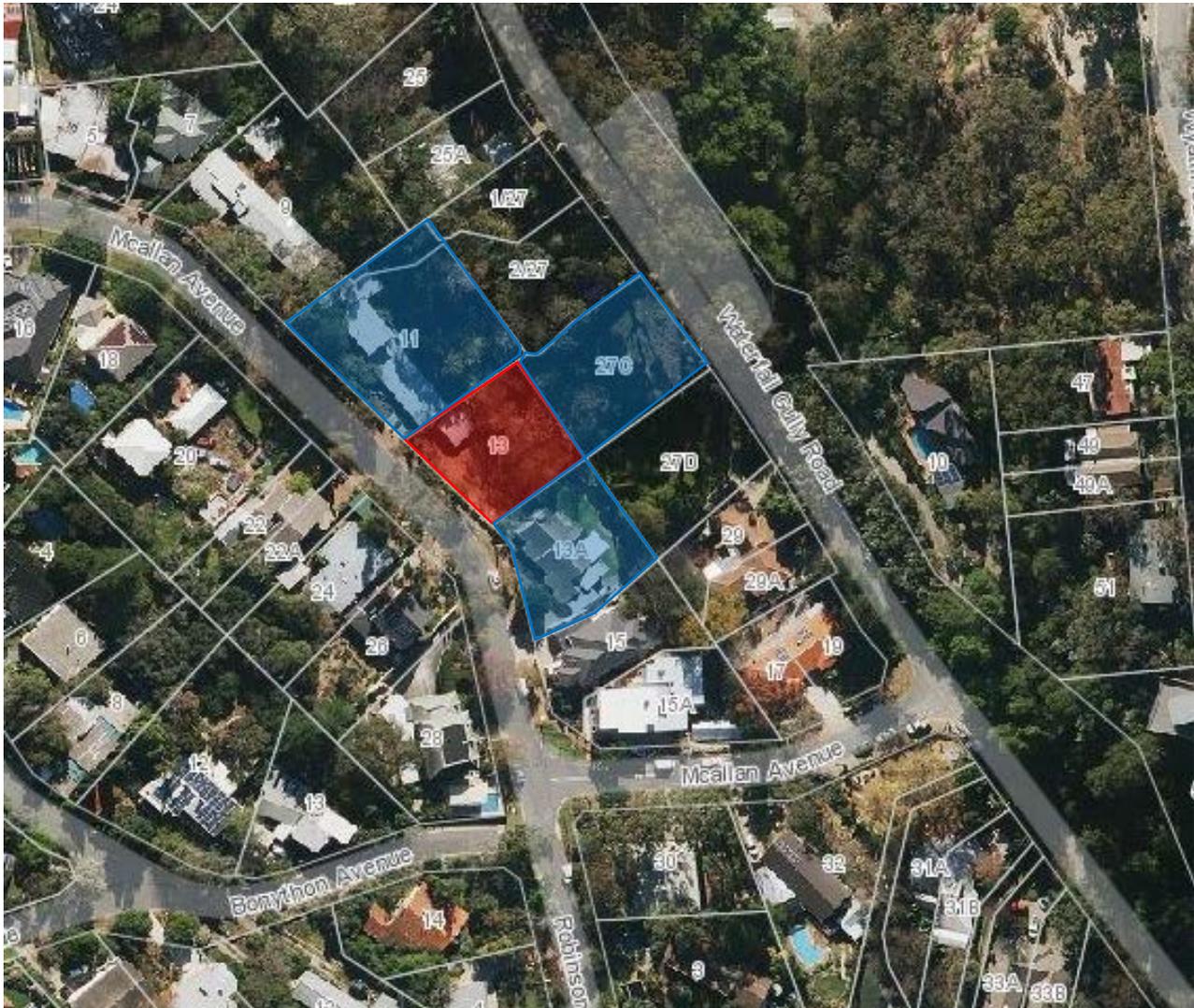
7. Consultation with adjoining owners

In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the applicant/owner consult with adjoining owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues requiring resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

RECOMMENDING OFFICER

Jake Vaccarella
Development Officer – Planning

AERIAL LOCALITY MAP



Legend



Subject Land



Representor's Land

APPENDIX 2

DETAILED PLANNING ASSESSMENT

Summary of Policy Area Objectives and Principles

Primary Residential Policy Area 27 Objectives:

Objective 1:

Enhancement of the low density, open residential and foothills character that is derived from:

- (a) the topographic and other natural features of the foothills location, and dwellings in a variety of architectural styles (typically, detached dwellings, medium-to-large in scale, with split-level or multi-storeyed construction);*
- (b) many dwellings on elevated land and orientated to take advantage of views across the Adelaide Plains;*
- (c) moderate to deep building set-backs from roads, well-vegetated and generally unfenced front gardens;*
- (d) proximity to the natural character of the adjoining Hills Face Zone;*
- (e) a pattern of development, including the division of land, that varies considerably with the topography (the Policy Area contains some of the steepest land in the Council area), commonly imposing significant constraints on efficient development, access and servicing (to the extent that on some steep sites, a carport may need to be located between a dwelling and the road, subject to siting and design to minimise visual impact); and*
- (f) a transition in character and dwelling density between steep land near the Hills Face Zone, where allotments are large and irregularly-shaped, and lower slopes, where there are more regular, compact patterns of land division and generally consistent building set-backs and orientation towards roads.*

Acknowledged, significant variations from the desired character, or the prevailing character or environmental conditions, forming, nevertheless, part of the character that is to be enhanced, are found:

- (a) on land which, due to its elevation, gradient and aspect, is visible from the Adelaide Plains or main public vantage points in the foothills;*
- (b) on land adjacent to the Hills Face Zone, or other open land where there may be significant risk of bushfire;*
- (c) on sites containing or affected by historic mining works;*
- (d) on filled land, such as the former Dashwood Road Dump at Beaumont;*
- (e) on land containing remnant indigenous vegetation;*
- (f) on steep land with limited development and access opportunities, in particular, land fronting the section of Sunnyside Road between Gill Terrace and Wheal Gawler Street, on the eastern side of Wheal Gawler Street; and*
- (g) in the "Burnside Park Estate" (centred on Ifould Drive and Burnalta Crescent), where specific encumbrance provisions apply.*

Objective 2:

Development designed and sited so that the appearance of the foothills visible from the Adelaide Plains is not impaired.

Subject: DP Ref	Assessment:
Desired Land Use O 1	Satisfied. <ul style="list-style-type: none"> • Residential land use. • No change in density given that the allotment already exists. The development will not impair the appearance of the foothills when viewed from the Adelaide Plains.
Local Compatibility PDC 1	Satisfied. <ul style="list-style-type: none"> • The proposal involves a detached dwelling of medium scale and of multi-storeyed construction as per Objective 1(a). Although not consistent with the desired "moderate to deep building set-backs from roads", the locality features several two-storey dwellings with a similar siting from the road and as such, an 8 metre set-back does not

	form part of the established character of the locality.
Site Areas and Frontages PDC 2-5	Satisfied.
Building Set-backs PDC 6	<p>Departure.</p> <ul style="list-style-type: none"> • PDC 7 states that buildings should be set back not less than 8 metres from the boundary of a road. <p>As stated above, the proposed development fails to provide an 8 metre set-back, however is generally compatible with the siting of similar dwellings within the locality.</p>

Summary of Residential Zone Objectives and Principles

Primary Watercourse Zone Objectives:

Objective 1:

A zone comprising residential, open space, brewery and local shopping areas encompassing the floodplain of a 1-in-100-year return period flood from First Creek or Second Creek.

Objective 2:

A zone where structures are located and designed in such a way as to minimise the potential for personal or property damage as a result of a flood.

Objective 3:

Maintenance and enhancement of a character that is derived particularly from:

- (a) low-density, well-vegetated residential areas, public open space, and open, meandering creek channels with earth and grassed embankments; and*
- (b) the well-vegetated, relatively undeveloped or natural, open condition of the creek channels, banks and immediate environs, historic gardens, and stands of significant indigenous and introduced vegetation.*

Acknowledged, significant variations from the Desired Character, or the prevailing character or environmental conditions, forming, nevertheless, part of the character that is to be maintained and enhanced, are found:

- (a) in Policy Areas 1 and 2, with their existing brewery and local shopping uses and buildings; and*
- (b) in Hazelwood Park, Tusmore Park, and other reserves, which collectively or individually provide for a range of active and passive recreation in natural or landscaped creek line settings.*

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 1-8 PDC 1	Satisfied. <ul style="list-style-type: none"> • The proposal is residential in nature and sited in a way so as to minimise flooding.
Flood Prone Areas PDC 2-6	Satisfied. <ul style="list-style-type: none"> • All proposed works occur outside of the 1 in 20 year flood plain.
Residential Development PDC 7	Satisfied. <ul style="list-style-type: none"> • See policy area section

Summary of Residential Zone Objectives and Principles

Primary Residential Zone Objectives:

Objective 1:

A zone primarily for residential use with a range of dwelling types in appropriate policy areas to accommodate varied socio-economic needs.

Objective 2:

Protection and enhancement of the amenity of residential areas, with particular reference to the objectives for the relevant policy area.

Objective 3:

Residential densities varied having regard to topography, the objectives for the relevant policy area, and proximity to centres and major transport routes.

Objective 5:

Enhancement of the attractive qualities of streetscapes and particularly areas of cohesive character or visual sensitivity, through good design.

Objective 8:

Use of design, management and other techniques to improve all aspects of the environmental performance of development.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 1 PDC 1	See policy area comments.
Building Appearance PDC 2–4	See policy area comments.

Summary of Council Wide Objectives and Principles

Primary Residential Development Objectives:

Objective 11:

Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

Objective 52:

A compact metropolitan area.

Objective 53:

A variety and choice of dwelling types to meet the needs and preferences of all sections of the community.

Objective 54:

Containment of housing costs through the encouragement of a full range of design and development techniques.

Objective 55:

Safe, pleasant, accessible and convenient residential areas.

Objective 56:

Residential development which moderates adverse climatic conditions, takes advantage of solar energy, does not unreasonably overshadow adjacent development, and protects the natural environment.

Objective 57:

Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.

Objective 58:

The revitalisation of residential areas to support the viability of community services and infrastructure.

Objective 59:

Affordable housing, student housing and housing for aged persons provided in appropriate locations.

Objective 60:

Increased affordable housing opportunities through land division and the conversion of buildings to a residential use.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 52-60	See policy area comments.
Design and Appearance O 11 PDC 14-18, 23-28	See policy area comments.
Building Set-backs PDC 161-163	<p><u>Side Set-backs</u> Minor Departure</p> <ul style="list-style-type: none"> • The dwelling accords with the upper level setback guideline however, departs from the ground floor guideline of 1.5m by 500mm on the eastern side. • The departure is minor and acceptable and external impacts are considered to be within reason as the adjacent dwelling at 13A McAllan Avenue is well setback from the common boundary. • The garage will be constructed on the northern boundary for a distance of 6.5 metres, which accords with the 8 metre guideline. • A portion of the external boundary wall for the garage protrudes above the 3m guideline by 600mm. Given the garage will abut a carport on the adjoining property at 11 McAllan Avenue, it's considered to have a minimal and acceptable impact on adjoining occupiers of land.

	<p><u>Rear Set-backs</u></p> <ul style="list-style-type: none"> • Satisfied.
<p>Building Height PDC 164</p>	Satisfied.
<p>Site Coverage PDC 165</p>	Satisfied.
<p>Private Open Space PDC 166, 169</p>	Satisfied.
<p>Amenity O11, 20–22 PDC 14–18, 52-69, 170-173</p>	Satisfied.
<p>Privacy PDC 22, 174–176</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • Overlooking from first floor windows can be overcome by including an appropriate condition requiring fixed and obscured glazing to all side and rear windows.
<p>Access and On-Site Car Parking PDC 177–182</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • The dwelling satisfies off-street parking requirements prescribed by Table Bur/5. <p>The development utilises the existing driveway crossover and therefore makes no alteration to the Council verge.</p>
<p>Access to Sunlight PDC 21, 183–186</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • The dwelling is two storeys in height and therefore could reasonably be expected to impose a degree of shadow over adjoining properties at certain times of the day. • The applicant has provided shadow diagrams to demonstrate the extent of shadow cast at different time on the winter solstice. <p>The shadow diagrams provided indicate the amount of sunlight afforded to each adjoining property will remain consistent with DP guidelines.</p>
<p>Fences and Retaining Walls PDC 190–194</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • The application includes concrete step retaining walls along the perimeter paths of the eastern side, rear (north) and behind the garage to a maximum height of 1.2m from natural ground level. • These are external steps which facilitate access from the dwelling to the rear of the site and will not prejudice the amenity of adjoining occupiers of land in terms of bulk and scale.
<p>Energy Conservation PDC 31-32</p>	Satisfied.
<p>Trees and Other Vegetation O 24-28 PDC 77-92</p>	Satisfied.

APPENDIX 3
DEVELOPMENT DATA TABLE

Site Characteristics	Proposed	Guideline
<i>Site Area</i>	829.6m ²	750m ²
<i>Street Frontage</i>	27.92m	20m
Design Characteristics	Proposed	Guideline
<i>Site Coverage</i>		
- Buildings only	20% 163.8m ²	33%
- Buildings and driveways	23% 191.5m ²	50%
- Total floor area	34% 277.95m ²	50%
<i>Building Height</i>		
- storeys	2 storeys	2 storeys
- metres	8.2m	9m
<i>Set-backs</i>		
<i>Lower Level</i>		
- front boundary	1.2 - 3m	8m
- side boundary	West: on boundary East: 1m	1.5 - 2m
- rear boundary	19.4m	4m
<i>Upper Level</i>		
- front boundary	1.2 - 3m	8m
- side boundary	West: 5.75m East: 4m	4m
- rear boundary	19.4m	8m
<i>Boundary Wall</i>		
- length	6.5m	8m
- height	2.4 – 3.6m	3m
<i>Private Open Space</i>		
- percentage	200%	50%
- dimensions	19.4m x 27.52m	5m x 8m
<i>Car Parking and Access</i>		
- number of parks	2	2
- width of driveway	3.8m	4.5m
- width of garage/carport door	18%	33%

DEVELOPMENT APPLICATION

Application Number:	<i>180\0380\17</i>
Applicant:	<i>Domenic Mittiga Pty Ltd</i>
Location:	<i>527A-535 Portrush Road GLENUNGA SA 5064</i>
Proposal:	<i>Four (4) illuminated signs</i>
Zone/Policy Area:	<i>Local Centre Zone Development Plan consolidated 08 December 2016</i>
Kind of Assessment:	<i>Merit</i>
Public Notification:	<i>Category 2 One (1) representations received</i>
Appeal Opportunity	<i>Applicant only, no third party appeal rights</i>
Referrals – Statutory:	<i>Department of Planning, Transport and Infrastructure</i>
Referrals – Non Statutory:	<i>Traffic Management Engineer</i>
Delegations Policy:	<i>Unresolved representations</i>
Recommendation:	<i>Development Plan Consent be granted</i>
Recommending Officer:	<i>Renae Grida</i>

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Amended plans and supporting documents
- Photographs
- 01 August DAP minutes, report and attachments

1. DESCRIPTION OF PROPOSAL

The applicant seeks development plan consent for the retrospective installation of four (4) illuminated signs at 527A – 535 Portrush Road in the suburb of Glenunga. The signage relates to the lawful land use of a Medical Centre. The proposal includes two signs attached to the parapet of the existing building measuring 0.9m x 2.4m and 2.4m x 1.2m, one sign attached to the fascia measuring approx. 7.8m x 0.35m, and one double-sided awning sign measuring 2.2m x 0.5m.

The signs have been installed for promotional and identification purposes associated with the lawful use of medical consulting rooms. The design of the signage includes solid charcoal background colour, with illuminated lettering only.

2. BACKGROUND

Development Application 180\0380\17 was presented to the Development Assessment Panel (the Panel) at the meeting 01 August 2017 with a staff recommendation to grant Development Plan Consent.

The Panel resolved:

“That the matter be deferred for the following reasons:

1. *To allow the applicant sufficient time to provide further information regarding:*
 - *Consistency of proposed illumination levels with DPTI requirements;*
 - *Clarification of the current land use and whether any hours of activity were attached to the medical centre land use as part of the development approval recently issued;*
 - *The applicant to consider the proposed hours for illumination of the signs.”*

The applicant has since provided additional information and amended plans, insofar as:

- The applicant provided a letter from Prestige Display regarding signage light output calculations for the proposed signage, with respect the DPTI guidelines. The calculations conclude that the total light being emitted from illuminated signs is 99.8 candela per square metre, which meets the requirements of DPTI being no more than 100 candela per square metre.
- The current land use was approved under Development Application 180\0706\16 for a “change of land use for tenancy 2 and 3 from retail shop to consulting rooms”, which was granted full development approval on 20 December 2016. Condition 2 of the approval relates to hours of operation, which states:

“The hours of operation of the premises for the use as a consulting room shall be limited to the following daily times:

- *7.00am to 10.00pm*

Reason:

To ensure the development does not unduly diminish the enjoyment of other land in the vicinity.”

The application for the change of land use was a category 1 form of development and assessed on merit.

- The applicant has indicated in writing via an email dated 13 October 2017 (included in the attachments), that the illuminated signs shall be turned off at 9:00pm daily, rather than 9:30pm as originally proposed. Condition 3 has been amended accordingly.

The representor and applicant have since agreed to rotate the signs located above the verandah 90 degrees to be perpendicular to the road, rather than parallel to the road, with illumination levels consistent with those as previously discussed. The amendments have been considered by the Department of Transport, Planning and Infrastructure and it was noted that the reorientated sign is not likely to interfere with traffic signals or cause distraction to motorists and is acceptable subject to DPTI conditions. As such, the representor's concerns have now been satisfied.

Council administration maintains support for the proposal, subject to the amended conditions.

3. RECOMMENDATIONS

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Development Application 180\0380\17, by Domenic Mittiga Pty Ltd, is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

2. DPTI Requirements

1. The signs shall be designed in strict accordance with the plans provided by Domenic Mittiga Pty Ltd on 27 April 2017.
2. The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only. No element of LED or LCD display shall be included in the design of signs.
3. The illuminated signs shall be limited to a low level of illumination so as to minimise distraction to motorists ($\leq 100\text{cd/m}^2$).
4. The signs shall not contain any element that flashes, scrolls, moves or changes.
5. All signage shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
6. The signs shall not display images, text or backgrounds that are predominantly red, yellow/amber or green in colour.

3. The illuminated signage shall be on an automatic timer and turn off at 9:00pm, 7 days per week.

Reason:

To ensure the development does not unduly diminish the amenity of other land in the vicinity.

RECOMMENDING OFFICER

Renae Grida
Development Officer – Planning

DEVELOPMENT APPLICATION

Application Number:	180\0282\17
Applicant:	Rejoice Homes
Location:	54 Knox Terrace SKYE SA 5072
Proposal:	Retaining wall, garage, shed, earthworks in excess of 9 cubic metres and associated landscaping
Zone/Policy Area:	Hills Face Zone Development Plan consolidated 08 December 2016
Kind of Assessment:	Non-complying
Public Notification:	Category 3 Nil (0) representations received
Appeal Opportunity	Third party only, no Applicant appeal rights
Delegations Policy:	Non-complying development
Recommendation:	Subject to concurrence from the Development Assessment Commission, that Development Plan Consent be granted
Recommending Officer:	Renae Grida

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment
 - Appendix 3 – Development Data Table

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Council Assessment Panel to facilitate decision making:

- Plans and supporting documents
- Photographs
- 04 May 2017 Delegate's Report to Proceed

1. DESCRIPTION OF PROPOSAL

The applicant seeks development plan consent for the following:

- Construction of a new concrete sleeper retaining wall to the western side of the dwelling (varying in height to a maximum of 2.0m) in the colour 'Charcoal';
- Alterations to the garage previously approved under DA 180\0824\12) including increase in floor area from 98.88m² to 118.31m² and change in roof form from flat to gable with a 12 degree pitch;
- Construction of a new shed to the rear of the garage covering 48.4m² of floor area with a gable roof form (12 degree pitch), finished in Colorbond cladding in the colour 'Woodland Grey';
- Fill of up to 1.0m in height to create a levelled area to accommodate the proposed shed; and
- Associated landscaping as proposed.

2. BACKGROUND

Development Application 180\0282\17 was lodged on 21 March 2017 by Rejoice Homes on behalf of the registered owners of the land.

The subject land has recently undergone substantial redevelopment, and the following applications are relative to the proposal:

- DA 180\0824\12 – Alterations and additions to existing dwelling including garage, balcony and deck (non-complying category 3);
- DA 180\0457\14 – Swimming pool, retaining walls, driveway extension, septic tank and rainwater tanks (merit category 1);
- DA 180\0943\16 – Amendment to DA 180\0824\12 – retrospective changes to external materials and finishes (merit category 1)

The application was determined to be a non-complying form of development pursuant to the *Burnside (City) Development Plan, Hills Face Zone, Principle of Development Control 27* which states that:

“The following kinds of development are non-complying in the Hills Face Zone:

Filling where the height of filling of land exceeds 1.0 metre above natural ground level except for underground homes, underground tanks and cellars”

The delegate determined to proceed with the application on 04 May 2017. The application was processed as a category 3 development pursuant to *Section 38 (2)(c) of the Development Act 1993*. The application was placed on category 3 public notification for a period of two weeks from 22 September 2017 until 10 October 2017, in which time no representations were submitted.

There were no external referrals required under Schedule 8 of the Development Regulations 2008, nor any internal referrals required as part of the assessment process.

The proposal is now presented to the Council Assessment Panel (the Panel) for determination as a non-complying development, with a staff recommendation for consent, subject to the concurrence of the Development Assessment Commission (DAC).

3. SUBJECT LAND AND LOCALITY ATTRIBUTES

3.1. Subject Land

The subject land is a large irregular shaped allotment with a site area of approximately 5498m². The land has a road frontage to both Knox Terrace of 30m, and McBeath Drive of 46m. The land is occupied by an existing two-storey detached dwelling, ancillary detached garage, deck, swimming pool and retaining walls.

3.2. Locality

The locality is characterised by the varied topographical features of the Hills Face Zone. The locality contains a mix of single storey and two-storey residential dwellings on large allotments taking advantage of views across the Adelaide Plains. The Council owned Wyfield Reserve is located immediately north-west of the subject land and contributes to the open and natural landscape character of the locality.

4. KIND OF ASSESSMENT

Kind:	Non-complying
Reason:	Burnside (City) Development Plan, Hills Face Zone Principle of Development Control 27
Applicant Appeal Opportunity:	No

5. PUBLIC NOTIFICATION

Category:	Category 3
Reason:	Development Act 1993, Section 38 (2)(c)
Cut / Fill:	The siting of the proposed shed requires fill in excess of 1.0m above natural ground level. Whilst the extent of fill is in excess of the non-complying threshold, the impact is to be minimised by batter slope and landscaping.
Representations Received:	Nil
Third Party Appeal Opportunity:	Yes

6. EXECUTIVE SUMMARY

6.1. Land Use

In relation to the current proposal, the following comments are made:

- The proposed development is consistent with the established residential use of the land;
- The proposal is not considered to have an adverse impact on the natural character of the Hills Face Zone given the substantial development existing on the site; and
- If it can be demonstrated that the proposed development has minimal or no unreasonable external impacts, then consent could reasonably be expected.

The proposed development is therefore not considered to be seriously at variance to the Burnside (City) Development Plan.

6.2. Character and Amenity

The locality, comprising land within the Hills Face Zone, is characterised by the shared relationship between the natural landscape character and detached dwellings of varying styles and scale. The location of the subject land is below the ridgeline however views of the land can be obtained from the Adelaide Plains in various locales to the north-east of the subject land. The subject land is barely visible from Knox Terrace itself.

Within this portion of the Hills Face Zone, residential use of land is common, with ancillary buildings and structures featuring in suitable locations. The existing dwelling on the site is a substantial two-storey dwelling, of which has undergone recent alterations and additions of a significant scale.

The previous development application (DA 180\0824\12) granted approval for the detached garage at a floor area of 98.88m². The current proposal seeks to increase the size of the garage to 118.31m². The garage itself is not visible from Knox Terrace, and the proposed additional floor area maintains its concealed location behind the dwelling, largely obscuring it from view from the Adelaide Plains. The low profile, single-storey built form of the garage is maintained, as well as the use of the existing stone wall being incorporated into the design. As such, the garage extension is considered appropriate.

The second component of the application seeks to construct a new shed structure, attached to the western elevation of the garage. The shed will cover an area of 48.4m² and extend approximately 12.1m west of the side elevation of both the dwelling and garage. As the land falls away to the west, the siting of the garage relies on up to 1.0m of fill to match the finished floor level of the garage. The Hills Face Zone seeks to preserve and enhance the natural character of the zone, whereby the excavation and/or filling of land should be kept to a minimum. The maximum height of 1.0m fill is not considered excessive, when considered in the context of the site and locality. The proposed shed is of a low profile and scale, and the change in site levels will not make it any more prominent than that of the associated dwelling on the site.

The proposed shed is to be constructed of Colorbond sheeting in the colour 'Woodland Grey', which is of a tone and material typical within the Hills Face Zone, and seen to be appropriate in blending in with the natural landscape and being of a low light-reflective nature. The low roof pitch also assists in maintaining the low scale and low profile built form outcome. As such, the scale and design of the shed is considered appropriate, having regard to the Hills Face Zone, Principles of Development Control 8 and 9.

Landscaping, of appropriate species, is proposed to soften the visual impacts of the proposed fill and resultant batter slope, as well as the proposed shed itself, which is contemplated as appropriate within the Hills Face Zone, via Principle of Development Control 25.

The proposed retaining wall will be located to the south of the dwelling, and is to formalise and stabilise a portion of excavation previously undertaken and approved under Development Application 180\0824\17. The wall extends to the south for a length of 5m at a height of 2m, and then returns to the west for a further 6m, lowering in height at increments of 0.2m to a minimum overall height of 0.8m. The wall will be constructed of concrete sleepers in a 'charcoal' colour. The impacts of the wall are considered minimal as it sits adjacent the dwelling, whereby its visual presence is somewhat drowned out by the scale of dwelling.

To summarise, the proposed development works are ancillary to the established residential use of the land and will not be visible from Knox Terrace. Whilst the site and existing buildings is visible from the Adelaide Plains, the southern projection of the shed is not considered to impart unreasonable or visually obtrusive impacts on the Adelaide Plains, through the low scale and low profile building design. The extent of fill proposed is not of a degree that is significantly altering the natural topography and natural character of the land. All proposed works are well set back from the boundaries of the site, and substantial distance from the nearest buildings on adjoining land.

As a result, on balance, the development is not considered uncharacteristic of the locality, and its impacts are not considered detrimental to the preservation and enhancement of the natural character of the Hills Face Zone.

6.3. Public Notification

The application was placed on Category 3 public notification for a period of two weeks; and no representations were received by Council.

6.4. Conclusion

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

7. RECOMMENDATIONS

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Subject to concurrence from the Development Assessment Commission, that Development Application 180\0282\17, by Rejoice Homes is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

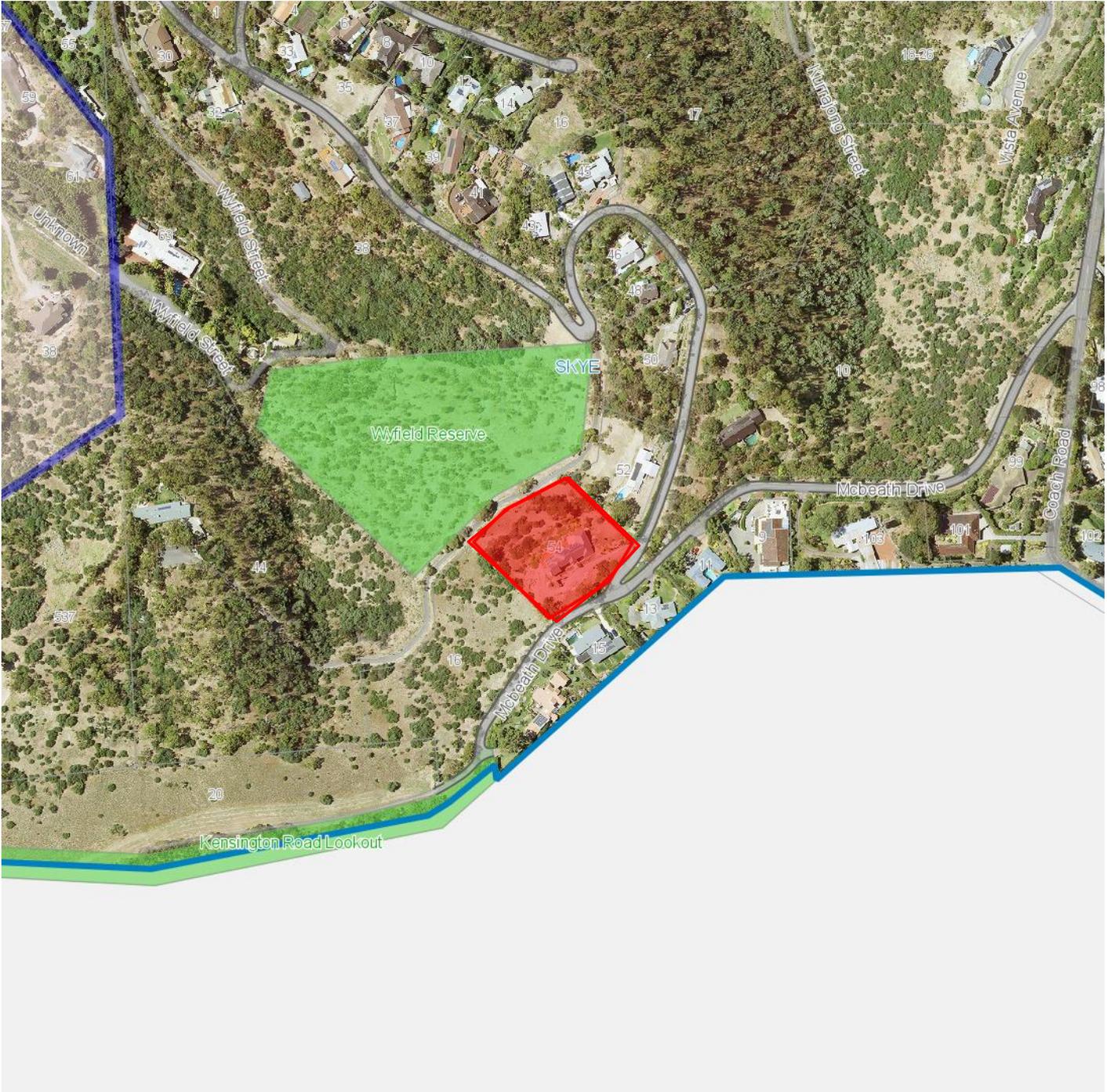
Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

RECOMMENDING OFFICER

Renae Grida
Development Officer – Planning

APPENDIX 1



AERIAL LOCALITY MAP

Legend



Subject Land

DETAILED PLANNING ASSESSMENT

Summary of Policy Area Objectives and Principles

Primary Hills Face Zone Objectives:

Objective 1:

A zone in which the natural character is preserved and enhanced or in which a natural character is re-established in order to:

- (a) Provide a natural backdrop to the Adelaide Plains and a contrast to the urban area;*
- (b) Preserve and develop native vegetation and fauna habitats close to metropolitan Adelaide;*
- (c) Provide for passive recreation in an area of natural character close to the metropolitan area;*
- (d) Provide a part of the buffer between metropolitan districts and prevent the urban area extending into the western slopes of the ranges; and*
- (e) Ensure that the community is not required to bear the cost of providing services to land within the zone.*

Objective 2:

A zone accommodating low-intensity agricultural activities and public/private open space and one where structures are located and designed in such a way as to:

- (a) Preserve and enhance the natural character or assist in the re-establishment of a natural character in the zone;*
- (b) Limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plains;*
- (c) Not create, either in themselves, or in association with other developments, a potential demand for the provision of services at a cost to the community; and*
- (d) Prevent the loss of life and property resulting from bushfires.*

Hills Face Zone, Principle of Development Control 1:

Development should not be undertaken unless:

- (a) It is associated with a low-intensity, agricultural activity, a public open space area or a private use of an open character, or is a detached single-storey dwelling, including outbuildings and structures normally associated with such dwellings, on a single allotment; and*
- (b) Together with associated native landscaping, it preserves and enhances the natural character of the zone or assists in the re-establishment of a natural character.*

Hills Face Zone, Principle of Development Control 2:

The excavation and/or filling of land should:

- (a) Be kept to a minimum so as to preserve the natural form of the land and the native vegetation;*
- (b) Only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment; and*
- (c) Result in stable scree slopes which are covered with top soil and landscaped so as to preserve and enhance the natural character or assist in the re-establishment of the natural character in the zone.*

Hills Face Zone, Principle of Development Control 7:

Buildings, including structures, should be located in unobtrusive locations and, in particular, should:

- (a) Be located well below the ridge line;*
- (b) Be located within valleys or behind spurs;*
- (c) Be located in such a way as to not be visible against the skyline when viewed from the roads within the zone or from the metropolitan area particularly the Adelaide Plains;*
- (d) Be set well back from public roads, particularly when the allotment is on the high side of the road;*
- (e) Have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road;*
- (f) Be sited on an excavated rather than filled site in order to reduce the vertical profile of the building;*
- (g) Be located in such a way as to be screened by existing native vegetation when viewed from the roads within the zone or from the metropolitan area particularly the Adelaide Plains;*
- (h) Not be located in areas subject to inundation by a 100-year flood return period flood event nor be sited*

on land fill which would interfere with the flow of such flood waters;

- (i) Not have a septic tank drainage field located in such a way as to pollute watercourses; and
- (j) Be located in such a way as to maximise the retention of existing native vegetation and retain watercourses in their natural state.

Hills Face Zone, Principle of Development Control 8:

Buildings, including structures, should be designed in such a way and be of such a scale as to be unobtrusive and not detract from the desired natural character of the zone and, in particular;

- (a) Buildings should be of a single storey, unless a multi-level building form and design will have less impact on the natural character and features of the zone;
- (b) The profile of buildings should be low scale and the roof lines should complement the natural form of the land;
- (c) The mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land;
- (d) Large eaves, verandahs and pergolas should be incorporated into designs so as to create shaded areas which reduce the bulky appearance of buildings; and
- (e) The mass of buildings should be minimised by having separate vehicle storage areas.

Hills Face Zone, Principle of Development Control 9:

The external materials of buildings should:

- (a) Have surfaces which are of a low light-reflective nature; and
- (b) Be of dark natural colours such as brown and green so as to be unobtrusive, blend with a natural rural landscape and minimise visual intrusion.

Hills Face Zone, Principle of Development Control 12:

Additions to buildings should:

- (a) Maintain the single-storey profile of the building;
- (b) Be located on the side of the dwelling which minimises obtrusiveness of the complete building; and
- (c) Comply with the previously mentioned principles relating to the location and design of buildings.

Hills Face Zone, Principle of Development Control 13:

The number of outbuildings should be limited, and where appropriate they should be grouped together, located in unobtrusive locations and comply with the previously mentioned principles relating to the location and design of buildings.

Hills Face Zone, Principle of Development Control 14:

Retaining walls should be designed in such a way that they are a stepped series of low walls constructed of dark, natural coloured materials and screened by landscaping.

Subject: DP Ref	Assessment:
Desired Land Use O 1	Satisfied. <ul style="list-style-type: none"> • The proposed development is ancillary to an established residential land use and a substantial two-storey dwelling; and • The proposed development is 'grouped' together so as to be unobtrusive in their presentation to the Adelaide Plains and not detract from the natural character of the Hills Face Zone.
Local Compatibility PDC 1 – 26	Satisfied. <ul style="list-style-type: none"> • The proposal seeks consent for outbuildings and structures normally associated with dwellings, as envisaged by HFZ, PDC 1(a); • The earthworks proposed in this application, whilst are to prop the shed up to meet the finished level of the garage, is not considered to have an adverse visual impact given the scale of the associated dwelling; • The development is not one that is likely to give rise to

	<p>stormwater pollution and erosion;</p> <ul style="list-style-type: none">• The siting of the proposed works is considered appropriate with reference to HFZ, PDC 7, whereby it is commensurate of the existing functionality of the site;• The proposed garage extension and shed maintains a single-storey building profile and low pitched roofing as sought by HFZ, PDC 8;• The proposed shed is to be attached to the garage, sited to the rear and side of the existing dwelling, and appropriately 'grouped together' as sought by the HFZ; and• External colours, materials and finishes complement the natural tones found throughout the locality, as sought by HFZ, PDC 9.
--	---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Summary of Council Wide Objectives and Principles

Primary Residential Development Objectives:

Objective 11:

Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.

Objective 52:

A compact metropolitan area.

Objective 53:

A variety and choice of dwelling types to meet the needs and preferences of all sections of the community.

Objective 54:

Containment of housing costs through the encouragement of a full range of design and development techniques.

Objective 55:

Safe, pleasant, accessible and convenient residential areas.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 52–60	Satisfied.
Design and Appearance O 11 PDC 14–18, 23-28	Satisfied.
Building Set-backs PDC 161–163	Satisfied.
Building Height PDC 164	Satisfied.
Site Coverage PDC 165	Satisfied.
Private Open Space PDC 166, 169	Satisfied.
Amenity O11, 20–22 PDC 14–18, 52-69, 170-173	Satisfied. <ul style="list-style-type: none"> The view of the Hills Face from the Adelaide Plains is not considered to be impaired by the proposed development, due to the low profile set amongst much more substantial buildings on the site.
Access and On-Site Car Parking PDC 177–182	Satisfied.
Domestic Outbuildings PDC 187–189	Satisfied. <ul style="list-style-type: none"> The proposed development is not considered to be visually obtrusive, having an external wall height of 2.7m, sited on 1m of fill; and The proposed location, in proximity to the established substantial dwelling, is not considered to be visually dominant within the Hills Face landscape.

<p>Fences and Retaining Walls PDC 190-194</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • Whilst the proposed retaining walls measure up to 2m in height, when viewed next to the associated dwelling, is not considered to be dominant or large in scale.
<p>Trees and Other Vegetation O 24-28 PDC 77-92</p>	<p>Satisfied.</p>

this page is left intentionally blank

DEVELOPMENT APPLICATION

Application Number:	180\0632\17
Applicant:	Glasshouse Projects
Location:	88 Coach Road SKYE SA 5072
Proposal:	<i>(Non-complying) Demolition of existing dwelling and ancillary buildings and the construction of a new two-storey detached dwelling including swimming pool, retaining walls and earthworks greater than 9 cubic metres</i>
Zone/Policy Area:	<i>Hills Face Zone Development Plan consolidated 30 May 2017</i>
Kind of Assessment:	<i>Non-complying</i>
Public Notification:	<i>Category 3 One (1) representation received</i>
Appeal Opportunity	<i>Third party only, no Applicant appeal rights</i>
Referrals – Statutory:	<i>Country Fire Service (CFS)</i>
Referrals – Non Statutory:	<i>Technical Officer - Engineering</i>
Delegations Policy:	<i>Non-complying development</i>
Recommendation:	<i>Subject to concurrence from the Development Assessment Commission, that Development Plan Consent be granted</i>
Recommending Officer:	<i>Renae Grida</i>

REPORT CONTENTS

- Assessment report:
 - Appendix 1 – Aerial Locality Map
 - Appendix 2 – Detailed Planning Assessment
 - Appendix 3 – Development Data Table

Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Plans and supporting documents
- External agency referral reports
- Internal agency referral reports
- Representations received
- Applicant's response to representations
- Photographs
- Delegate's report to proceed

1. DESCRIPTION OF PROPOSAL

The applicant seeks development plan consent for the demolition of the existing dwelling and ancillary building on the site and construction of a new two-storey detached dwelling including swimming pool, retaining walls and associated earthworks in excess of 9 cubic metres.

The ground level will comprise two bedrooms, an open plan kitchen, dining and living room, family media room, bathroom, laundry, alfresco area and double garage. The upper floor will comprise the dwelling entrance, bedroom, home office, retreat and store. The building is to be serviced by an internal staircase and lift.

Whilst much of the site has already been benched, the proposal also involves a substantial amount of earthworks in excess of 9 cubic metres, some of which involves excavation and/or filling of the land in excess of 1.5 metres, requiring the construction of associated retaining walls.

2. BACKGROUND

Development application 180\0632\17 was lodged on 17 July 2017 by Glasshouse Projects on behalf of the registered owners of the land.

The application was determined to be a non-complying form of development pursuant to the *Burnside (City) Development Plan, Hills Face Zone, Principle of Development Control 27* which states that:

“The following kinds of development are non-complying in the Hills Face Zone:

Detached Dwelling or additions to, or conversion of, an existing detached dwelling where:

(a) the dwelling is to be constructed on an allotment where:

(i) a dwelling already exists; or

(b) the scale and design is such that:

(i) the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall exceeds three metres, other than gable ends of the dwelling where the distance exceeds five metres; or

(ii) there is a floor level directly above another floor level, except where the upper floor level is located wholly at or below finished ground level ; or

(c) the depth of excavation and/or height of filling of land exceeds 1.5 metres

Despite the non-complying classification, the proposal was deemed to have sufficient merit to warrant a full assessment and the delegate made the determination to proceed pursuant to Regulation 17(3) of the *Development Regulations 2008*. On 17 July 2017, staff wrote to the applicant to request a Statement of Effect under Section 39(2)(d) of the *Development Act 1993*. A Statement in Support was submitted with lodgement.

The application was placed on category 3 public notification for a period of two weeks, from 11 August 2017 until 26 August 2017, during which time one (1) representation was received.

The application required a statutory referral to the Country Fire Service (CFS) pursuant to Schedule 8 of the *Development Regulations 2008*, and was referred internally to Council's Technical Officer Engineering.

The topographical survey plan identifies two trees on the site, being a Norfolk Island Pine, and a White Cedar, both of which can be removed pursuant to Schedule 3, 17 of the *Development Regulations 2008*, being within 20 metres of an existing dwelling in a High Risk Bushfire

Protection Area, and will be removed from the site prior to the demolition of the existing dwelling.

The proposal is now presented to the Council Assessment Panel (the Panel) for determination as a non-complying development, with a staff recommendation for consent, subject to the concurrence of the Development Assessment Commission (DAC).

3. SUBJECT LAND AND LOCALITY ATTRIBUTES

3.1. Subject Land

The subject land is an existing, regular shaped allotment with a site area of approximately 2044 square metres, with a single frontage to Coach Road of approximately 30.48 metres and a depth of 67.06 metres.

The land is currently used for residential purposes, and is occupied by a split level detached dwelling positioned to the front southern end of the allotment, 2.995m from the front property boundary, and adjoining the southern side boundary. The subject land is bound by a public reserve (Lavers Reserve) to the north and adjoining private land to the east and the south.

3.2. Locality

The locality is characterised by the varied topographical features of the Hills Face Zone. The locality contains a mix of single storey and two-storey residential dwellings on large allotments taking advantage of views across the Adelaide Plains.

The locality presents a consistent pattern of residential development along the eastern side of Coach Road, with regular shaped allotments and dwellings of a low profile sited close to the front property boundary. Land on the western side of Coach Road comprises dwellings sited on land well below street level.

4. KIND OF ASSESSMENT

Kind:	Non-complying
Reason:	Burnside (City) Development Plan, Hills Face Zone, Principle of Development Control 27
Applicant Appeal Opportunity:	No

5. PUBLIC NOTIFICATION

Category:	Category 3
Reason:	Development Act 1993, Section 38(2)(c)
Cut / Fill:	Over 9m ³ of excavation and fill is to be undertaken on the subject land as has been clearly depicted on the submitted documentation.
Representations Received:	<ul style="list-style-type: none"> 90 Coach Road, Skye (do not wish to be heard)
Third Party Appeal Opportunity:	Yes

- Representations received are provided as an attachment to the Panel.
- Applicant's response(s) to representations are provided as an attachment to the Panel.

6. AGENCY REFERRALS

- External agency referrals are provided as an attachment to the Panel.
- Internal agency referrals are provided as an attachment to the Panel.

7. EXECUTIVE SUMMARY

7.1. Land Use

In relation to the current proposal, the following comments are made:

- The Hills Face Zone serves as a natural backdrop to the Adelaide Plains, providing a buffer area between metropolitan districts and preventing the urban area from extending into the western slopes of the ranges. The Development Plan envisages a zone accommodating low-intensity agricultural activities and public/private open space where the natural character is preserved and visual intrusion of development limited;
- The development will have minimal impact on the natural character of the zone;
- The proposed dwelling will create a modest, modern, architecturally designed dwelling which is consistent with the existing character of the locality;
- The development will not affect existing native vegetation and fauna habitats; and
- The design of the proposed additions will only slightly alter the appearance of the land when viewed from the Adelaide Plains.

The proposed development is therefore not considered to be seriously at variance to the Burnside (City) Development Plan.

7.2. Character and Amenity

The locality, comprising land within the Hills Face Zone, is characterised by the shared relationship between the natural landscape character and detached dwellings of varying styles and scale. The locality enjoys a high degree of amenity, enhanced by the open and natural landscape of the hills.

Coach Road, and land on the eastern side of Coach Road, sits along the ridgeline, amongst an almost uniform pattern of residential development. Dwellings are consistently sited close to front property boundaries so as to utilise the flattest portion of land and maintain views out to the Adelaide Plains. Dwellings are generally split level and/or two-storey; however maintain a low profile from Coach Road, as they tend to present as only single storey buildings.

Dwellings in the locality are largely of an earlier housing stock, constructed during the 1970's – 1980's. There are a number of sites that have been redeveloped in recent times; however there is no predominant architectural style or character. The proposed dwelling, is of a contemporary design, and features a flat roof form and balanced mix of materials and textures.

The external palette includes bluestone, rendered masonry, steel and aluminium materials, in neutral colour tones varying from white, grey, black and natural bluestone. The Hills Face refers to the external materials of buildings having low light reflective surfaces and be of dark natural colours so as to remain unobtrusive to the natural character of the zone.

The site is not considered prominently visible from the Adelaide Plains, noting properties along Knox Terrace and McBeath Avenue sitting below the ridgeline and cut into the hills face, are more visually prominent than the subject land, where the proposed building envelope will not be protruding above the ridgeline to any significant degree that would result it in becoming a strikingly obvious development within the Hills Face. The low building profile and mix of cladding and render amongst bluestone is not considered to have an adverse visual impact on views from the Adelaide Plains, nor detrimental to the character and amenity of the locality.

The proposed dwelling extends north to south across the site, appearing as more of a split level dwelling from the street, and two-storey from the rear. As such, the bulk of the building mass is facing east inward towards the gully, with no impact on the Adelaide Plains. The dwelling is set back just 3.0m from the front property boundary. The short setback is not an anomaly within the locality, where majority of dwellings on the eastern side of Coach Road and Bishop Street positioned with reduced front setbacks, balanced by the wide Council road reserve. It is noted that the proposed building footprint maintains the same front set back as the existing dwelling on the site.

Side setbacks to the ground level are between 1m – 1.6m. The established pattern of development within the locality sees short side setbacks, again to take advantage of the levelled land closer to the western ends of respective allotments. Upper level side setbacks are appropriately set back in excess of 4m, concentrating the upper level central to the site. The proposed building envelope seeks to reuse the footprint of the existing dwelling and reduce negative impacts of excessive earthworks.

Council is satisfied that the development has been designed to be consistent with and contribute to, achievement of the primary objective for the Hills Face Zone, having due regard to siting, mass and proportion, materials, floor levels, roof form and pitch, façade articulation and built form features.

The proposed additions to the dwelling are of comparable bulk and scale to existing housing stock within the locality, as well as siting and visual impacts to the Adelaide Plains.

7.3. Site Functionality

The topographical survey suggests that much of the proposed building envelope will encompass the flattest and previously benched portion of the land. Despite this, there is still a considerable amount of earthworks proposed, albeit the cut and fill proposed being finely balanced.

The proposed development has been designed to work with as far as practicable, the existing contours of the subject land so as to maintain a relatively low profile, and as such earthworks as proposed are generally below road level, and associated retaining walls are sufficiently concealed so as to minimise visual impact.

The functionality of the development is such that it seeks to maintain the existing crossover to the northern end of the site, and there are no issues or conflicts from the perspective of Council's Arborist in this respect. The application was referred to both the CFS and Council's Technical Officer Engineering, whereby access arrangements have been deemed appropriate from both agencies.

The development will accommodate two off-street car parking spaces within the proposed garage. Whilst there is no space for parking within the driveway, the development is considered to satisfy car parking requirements prescribed by Table Bur/5.

7.4. Public Notification

The Category 3 public consultation period commenced on 11 August 2017 and concluded on 26 August 2017. One (1) representation was received from the adjoining property to the south, at 90 Coach Road Skye.

The representation raised concern that the upper level window associated with the 'home office' was not noted as a frosted window, whilst the other window on this elevation was noted as frosted, and this would result in an unreasonable effect on residential privacy.

The applicant responded to Council on 12 September 2017 providing an amended plan noting the frosted glazing to both south facing upper level windows. Council is satisfied that the concerns raised in the representation have been sufficiently addressed.

7.5. Agency Referrals

Council's Technical Officer is supportive of the application with respect to stormwater management and access via Coach Road, and has imposed general notes with respect to engineering requirements.

Following statutory referral to the CFS, there were no issues raised with respect to vehicle access, given the proposed development is sited less than 30 metres from the public road, or regarding the location of the dedicated water supply. The CFS has imposed general conditions regarding water supply requirements and vegetation.

7.6. Conclusion

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

8. RECOMMENDATIONS

It is recommended that the Development Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and
2. Subject to concurrence from the Development Assessment Commission, that Development Application 180\0632\17, by Glasshouse Projects is **granted** Development Plan Consent subject to the following conditions:

Conditions

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

Reason:

To ensure the development is undertaken in accordance with the plans and details submitted.

2. All south facing upper level windows as depicted on the stamped and approved plans granted Development Plan Consent shall be fitted with fixed and obscured glazing to a minimum height of 1.6m above the finished floor level.

The fixed and obscured glazing shall be installed prior to the occupation or use of the building herein granted Development Plan Consent and thereafter shall be maintained to the reasonable satisfaction of Council at all times.

Reason:

To ensure the new development does not unreasonably diminish the privacy of residents in adjoining properties.

3. A supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes.
 - A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
 - The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
 - The water storage facility (and any support structure) shall be constructed of non-combustible material.
 - The dedicated fire-fighting water supply shall be pressurised by a pump that has -
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
 - The dedicated fire-fighting water supply pump shall be located at or adjacent to the dwelling to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
 - The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
 - All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
 - All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
 - A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the dwelling).
 - All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
 - All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
 - All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
 - All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
 - All fire-fighting hoses shall be readily available at all times.

Reason:

To ensure requirements of the CFS are upheld.

4. The Code Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.
- Water supply outlet shall be easily accessible and clearly identifiable from the access way. Stand alone tanks shall be identified with the signage 'WATER FOR FIRE FIGHTING' and the tank capacity written in 100mm lettering on the side of each tank and repeated so that the sign is visible from all approaches to the tank. The sign shall be in fade-resistant letting in a colour contrasting with that of the background (ie blue sign with white lettering.)
 - Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
 - Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
 - SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
 - The water supply outlet may be remotely located from the tank to provide adequate access.
 - All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
 - All water supply pipes for drafting purposes shall be capable of withstanding the required pressure for drafting.
 - The dedicated water supply outlet must not exceed the 5 metre maximum vertical lift for drafting purposes (calculated on the height of the hardstand surface to the lowest point of the storage).
The suction outlet pipework from the tank shall be fitted with an inline non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.

Reason:

To ensure requirements of the CFS are upheld.

5. The Code Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.
- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the dwelling (or to the property boundaries - whichever comes first) as follows:
 - i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 - ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.

- v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
- vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- vii. No understorey vegetation shall be established within 1 metre of the dwelling (understorey is defined as plants and bushes up to 2 metres in height).
- viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

Reason:

To ensure requirements of the CFS are upheld.

Advisory Notes**1. Engineering Requirements:****Driveway Conditions:**

- Unless approved otherwise, construction of the driveway crossover shall be in accordance with Council's Standard Specification and General Conditions and completed to the reasonable satisfaction of Council.
- A driveway width of 4.5 metres is permitted across the verge and a crossover width of 5.5 metres (maximum) is permitted at the kerb and gutter.
- If you elect to carry out the works yourself (or via a contractor) evidence of Public Liability Insurance must be provided to Council before any works can commence on the public verge/road.

Footpath Maintenance

- Existing footpath levels, grades etc. shall not be altered as a result of the new works associated with the development.

Stormwater Detention

- Due to the significant increase of the impermeable area, detention shall be provided to limit post development flows. Calculations shall be provided to verify the ability of the proposed detention quantity to meet the Council's default detention and discharge requirements below:
 - The volume of any detention device shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 75% and pervious ($C_p = 0.1$) area of 25%, during a 1 in 20 year flood event for a 10 minute duration.
 - The maximum rate of discharge from the site shall be equal to the volume of water generated on the site with an impervious ($C_p = 0.9$) site coverage of 40% and pervious ($C_p = 0.1$) area of 60%, during a 1 in 5 year flood event for a 10 minute duration.
- For stormwater management purposes, it is desirable that:
 - An additional detention storage of 1,000Ltrs be provided in addition to the standard 1,000Ltrs retention tank provided; and
 - The development utilises permeable paving for the proposed external paving work within the development site.

Stormwater Discharge

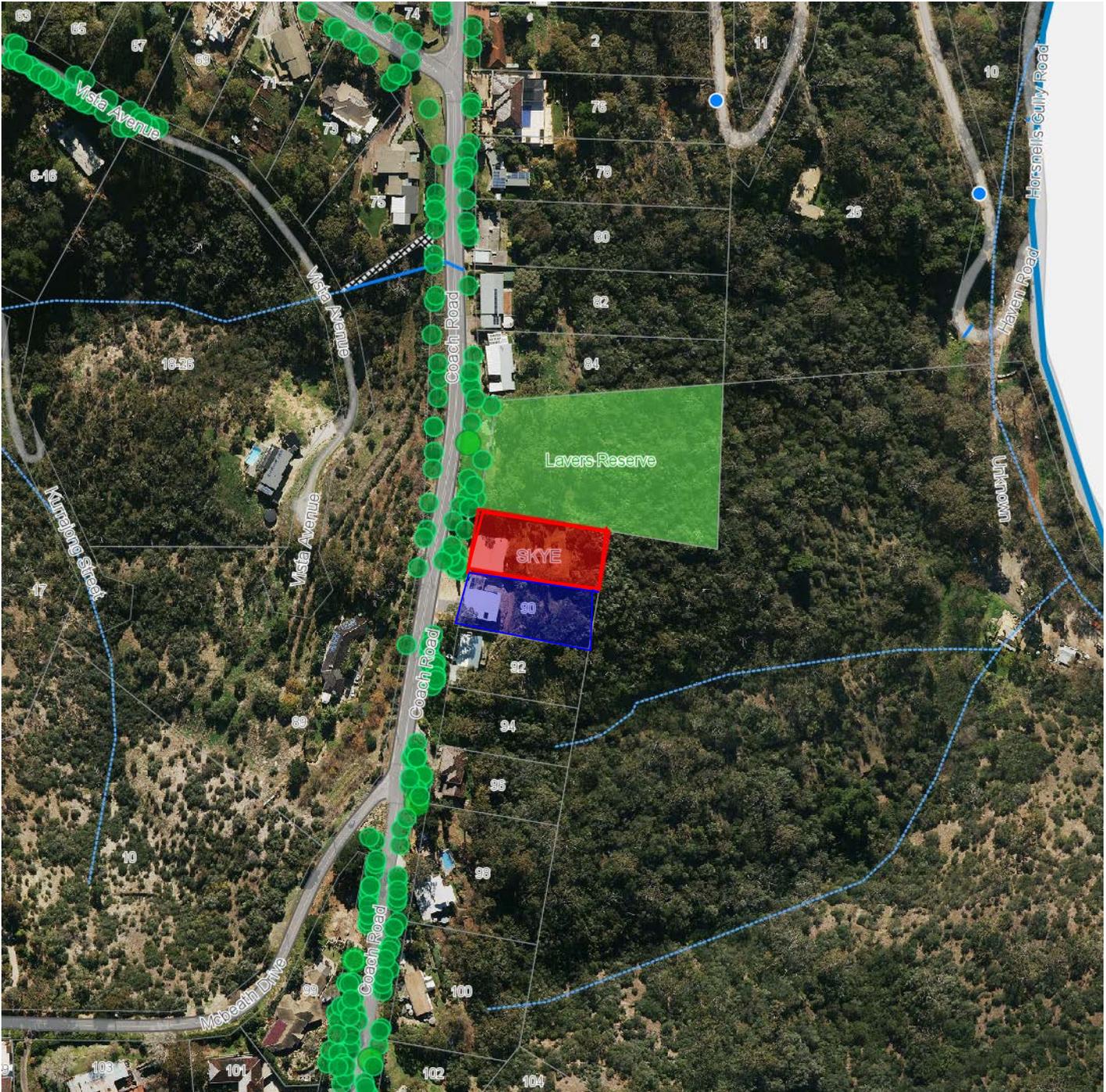
- The stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.

- If the cover to the stormwater pipe across the Council verge is less than 65mm, steel pipe housing is to be used as per Council's standards.
- The developer is responsible for locating all existing services and to consult with the necessary service providers if there is a conflict when placing stormwater infrastructure.
- Construction of the stormwater infrastructure is in accordance with Council's Standard Specification and General Conditions and to the overall satisfaction of Council.
- Trenching and connections are to be undertaken as per Australian Plumbing Standards.
- Excess stormwater runoff from surfaces within the subject land shall be controlled and managed within the subject land.
- Excess stormwater runoff from the roof catchment shall be discharged to the street water table through a sealed system to the satisfaction of the Council.

RECOMMENDING OFFICER

Renae Grida
Development Officer – Planning

AERIAL LOCALITY MAP



Legend

-  Subject Land
-  Representor's Land

APPENDIX 2

DETAILED PLANNING ASSESSMENT

Summary of Zone Objectives and Principles

Primary Hills Face Zone Objectives:

Objective 1:

A zone in which the natural character is preserved and enhanced or in which a natural character is re-established in order to:

- (a) Provide a natural backdrop to the Adelaide Plains and a contrast to the urban area;
- (b) Preserve and develop native vegetation and fauna habitats close to metropolitan Adelaide;
- (c) Provide for passive recreation in an area of natural character close to the metropolitan area;
- (d) Provide a part of the buffer between metropolitan districts and prevent the urban area extending into the western slopes of the ranges; and
- (e) Ensure that the community is not required to bear the cost of providing services to land within the zone.

Objective 2:

A zone accommodating low-intensity agricultural activities and public/private open space and one where structures are located and designed in such a way as to:

- (a) Preserve and enhance the natural character or assist in the re-establishment of a natural character in the zone;
- (b) Limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plains;
- (c) Not create, either in themselves, or in association with other developments, a potential demand for the provision of services at a cost to the community; and
- (d) Prevent the loss of life and property resulting from bushfires.

Subject: DP Ref	Assessment:
Desired Land Use O 1	Satisfied. <ul style="list-style-type: none"> • The subject land is currently occupied by a dwelling and is used for residential purposes; • The land is surrounded by residential development to the north, south and west; and • The design of the proposed dwelling ensures that the development results in minimal visual intrusion as viewed from the Adelaide Plains.
Design for Topography PDC 2	Satisfied. <ul style="list-style-type: none"> • The building has been designed with a ground level that sits below the adjacent road level, such that its visual presentation is reduced as viewed from the road; • However, the ground floor level is only 800mm below the adjacent top of kerb level, ensuring an appropriate grade is achieved for vehicle access; • Whilst a high level of excavation will occur towards the front of the site, to cater for the proposed yard area, the visual impact of the resultant retaining walls will be internal to the site and will not impact on the existing character as viewed from outside of the subject land; and • As the excavation is undertaken to reduce the visual impact of the development, it satisfies the relevant Zone provisions.
Operation and Management PDC 3	Satisfied.

Building Design and Location PDC 7-15	<p>Satisfied.</p> <ul style="list-style-type: none">• Whilst the proposed dwelling is not wholly located below the ridge line of the road, such a built form character is well established as all dwellings on the eastern side of Coach Road are visible above the ridge line;• Due to the central location, highly articulated and narrow upper level at the street elevation, the proposed dwelling is not expected to be highly visible against the skyline when viewed from the Adelaide Plains;• No fill is introduced to the site, rather the dwelling is sited on excavated land to reduce its vertical profile;• The land is not subject to inundation by a 100-year return period flood event;• From a streetscape perspective the dwelling appears as a single-storey dwelling with semi-undercroft garaging, rather than a typical two-storey dwelling;• The flat roof profile is complementary to the natural character sought after by the Zone provisions; and• The dwelling façade includes a high level of articulation and materials comprising rendered walls, bluestone, stack stone, aluminium, and black tile cladding.
-------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

Summary of Council Wide Objectives and Principles

Primary Residential Development Objectives:

Objective 50:

A compact metropolitan area.

Objective 51:

A variety and choice of dwelling types to meet the needs and preferences of all sections of the community.

Objective 52:

Containment of housing costs through the encouragement of a full range of design and development techniques.

Objective 53:

Safe, pleasant, accessible and convenient residential areas.

Objective 54:

Residential development which moderates adverse climatic conditions, takes advantage of solar energy, does not unreasonably overshadow adjacent development, and protects the natural environment.

Subject:	Assessment:
DP Ref	
Zoning and Land Use O 8–9, 50–54 PDC 1, 3	Satisfied. <ul style="list-style-type: none"> The land is currently used for residential purposes and as such the proposed development is consistent with the existing land use, and the existing land-use character within the immediate locality.
Building Set-backs PDC 161–163	<p><u>Front Set-backs</u></p> <ul style="list-style-type: none"> The proposed ground level of the development is set-back 3.0m from the front boundary, which is consistent with the dwelling set-back illustrated by the existing dwelling on the land. <p><u>Side Set-backs</u></p> <ul style="list-style-type: none"> Whilst the external wall associated with the proposed garage falls short of the 2m set-back guideline by 1m, it will have minimal impact on users of the adjoining land as it spans for a relatively short distance, it includes a high level horizontally aligned window to reduce its mass, and it lays adjacent non-residential land used as a reserve. <p><u>Rear Set-backs</u> Satisfied.</p>
Building Height PDC 164	Satisfied.
Site Coverage PDC 165	Satisfied.
Private Open Space PDC 166, 169	Satisfied.
Amenity O11, 20–22 PDC 14–18, 52-69, 170-173	Satisfied.
Privacy O15 PDC 23, 134–136	Satisfied. <ul style="list-style-type: none"> The south elevation upper level windows will be fitted with fixed and obscure glazing to 1.6m above the floor level, which is reinforced via condition of development plan consent.

<p>Access and On-Site Car Parking PDC 177–182</p>	<p>Satisfied.</p>
<p>Access to Sunlight PDC 21, 183–186</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • Due to the topography of the site, and the locality, the proposed upper floor level is commensurate with the existing ground level at the southern portion of the land. The maximum building height, when measured from the southern side boundary, is approximately 4.2m. As such, the proposed building will present as a single storey building when viewed from the northern side of the adjoining land at 90 Coach Road. Furthermore, that dwelling includes no north facing windows.
<p>Hazards O 39-42 PDC 126–138</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> • The application was referred to the Country Fire Services who do not object to the proposed development.

APPENDIX 3
DEVELOPMENT DATA TABLE

Site Characteristics	Proposed	Guideline
<i>Site Area</i>	2044m ²	N/A
<i>Street Frontage</i>	30.48m	N/A
Design Characteristics	Proposed	Guideline
<i>Site Coverage</i>		
- Buildings only	276m ² 13.5%	40%
- Buildings and driveways	294.5m ² 14.4%	50%
- Total floor area	276m ² + 133m ² 20%	50%
<i>Building Height</i>		
- storeys	2 storeys	1 storeys
- metres	8.4m	9m
<i>Set-backs</i>		
<i>Lower Level</i>		
- front boundary	3m	6m
- side boundary	1m (n) 1.6m (s)	2m
- rear boundary	54.5m	4m
<i>Upper Level</i>		
- front boundary	3m	8m
- side boundary	9m (n) 5m (s)	4m
- rear boundary	53.1m	8m
<i>Boundary Wall</i>		
- length	N/A	8m
- height	N/A	3m
<i>Private Open Space</i>		
- percentage	54m ² (of levelled areas) 13% of TFA	50%
- dimensions	5.9m x 13m	5m x 8m
<i>Car Parking and Access</i>		
- number of parks	2	2
- width of driveway	6.2m	4.5m
- width of garage/carport door	17.4%	33%