

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 11 December 2018 at 7:00pm in the Unley Council Chambers, 181 Unley Road Unley.

Paul Weymouth
ASSESSMENT MANAGER

Dated 3/12/2018

ACKNOWLEDGEMENT

We would like to acknowledge this land that we meet on today is the traditional lands for the Kaurna people and that we respect their spiritual relationship with their country. We also acknowledge the Kaurna people as the custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kaurna people today.

MEMBERS:

Mr Brenton Burman (Presiding Member)
Ms Nicole Dent
Mr Roger Freeman
Mrs Ann Nelson
Mrs Jennie Boisvert

APOLOGIES:

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED:

SECONDED:

That the Minutes of the City of Unley Council Assessment Panel meeting held on Tuesday, 20 November 2018 as printed and circulated, be taken as read and signed as a correct record.

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

11 December 2018

A G E N D A

Apologies
Conflict of Interest
Confirmation

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2.	<u>123 Fisher Street Fullarton</u>	34-46
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Any Other Business
Matters for Council's consideration

ITEM 1**DEVELOPMENT APPLICATION – 090/403/2018/C2 – 420 FULLARTON ROAD, MYRTLE BANK 5064 (FULLARTON)**

DEVELOPMENT APPLICATION NUMBER:	090/403/2018/C2
ADDRESS:	420 Fullarton Road, Myrtle Bank 5064
DATE OF MEETING:	11 December, 2018
AUTHOR:	Amy Barratt
DEVELOPMENT PROPOSAL:	Construct a three storey residential flat building containing 11 dwellings
HERITAGE VALUE:	Nil
DEVELOPMENT PLAN:	19 December 2017
ZONE:	Residential Regeneration Zone Major Roads Policy Area 14
APPLICANT:	Huida Land and Development Australia Pty Ltd
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – (five oppose and one support)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representations
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Desired Character Density/Building bulk /Mass Off-street car parking

1. PLANNING BACKGROUND

No relevant Planning Background.

2. DESCRIPTION OF PROPOSAL

The applicant proposes to construct a three storey residential flat building containing eleven (11) dwellings as detailed below.

Ground level;

- The entrance to the residential flat building presents to Fullarton Road and includes pedestrian access to the Lobby and common areas;

- A one bedroom dwelling (dwelling 1) is located at the ground level. A proposed fence provides privacy to the dwelling's private open space which is located within the Fullarton Road frontage;
- On site vehicle parking and bike storage are located at ground level (behind the lobby and dwelling 1) and vehicle access is located adjacent the southern boundary;
- A feature canopy, automatic roller shutter and boundary wall are proposed at the car park entrance.

Second storey;

- The second storey is centrally located on the allotment and provides for six (6) dwellings (identified as dwellings 2 – 7);
- Each dwelling includes two (2) bedrooms and a private balcony (11m²)

Third storey;

- The third storey is located to the west of the site and provides for four (4) dwellings (identified as dwellings 8 – 11);
- Each dwelling includes two (2) bedrooms and a private balcony (11m²)

3. SITE DESCRIPTION

The subject site is located within the Residential Regeneration Zone, Major Roads Policy Area 14.

The site is located on the eastern side of Fullarton Road, between Culross Avenue and Raldon Grove. The site is regular in shape, having a frontage to Fullarton Road of 20.88m, a depth of 44.20m and an overall site area of 922.9m².

The site is currently occupied by a single storey detached dwelling (Bungalow) and ancillary outbuildings. The applicant has identified that the demolition of the existing structures will be lodged as a separate application.

The site has existing vehicle access adjacent the southern boundary. The access is proposed to be altered as part of the proposed development.

The subject land has a gentle slope, with the highest point being the south-eastern corner of the land, and lowest point at the north-western corner of the allotment.

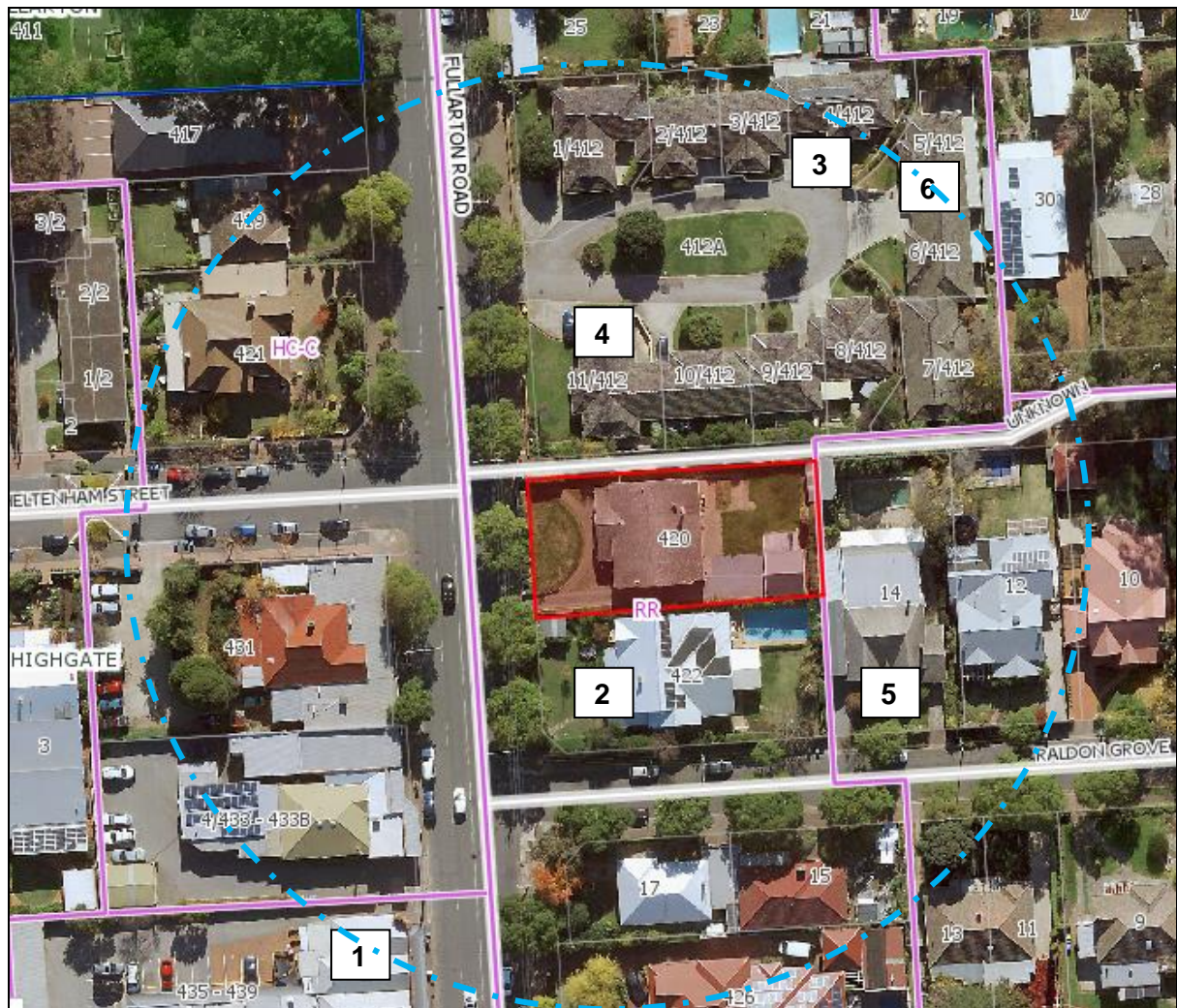
A laneway is located adjacent the northern boundary of the site and is identified as a Right of Way on the Certificate of Title Volume 5669 Folio 787 (Lot 201). In accordance with the Certificate of Title, the subject land is not a party to the Right of Way.



A mature street tree is located centrally to the subject land and is proposed to be retained. No Regulated Trees have been identified on the subject land, or within close proximity of the proposed development.

A stobie pole is located adjacent the existing vehicle access point and the applicant has applied to SA Power Networks for its relocation.

4. LOCALITY PLAN



Subject Site



Locality



Representations

5. LOCALITY DESCRIPTION

Land Use

The eastern side of Fullarton Road is located within the Residential Regeneration Zone and includes predominantly residential land uses.

The western side of Fullarton Road is located within the Historic Conservation Centre Zone and the Neighbourhood Centre Zone. The land uses fronting this section of Fullarton Road are a mixture of commercial (predominantly shop and consulting rooms) and residential.

The eastern (rear) boundary of the subject land abuts the Residential Streetscape (Landscape) Zone, which has a primary purpose of accommodating low scale residential activity.

Land Division and Dwelling Type

The eastern side of Fullarton Road does not demonstrate a consistent settlement pattern;

- the property to the north (412 Fullarton Road) has been divided to accommodate 11 single storey dwellings sharing a common driveway;
- the property to the south of the subject site has similar dimensions to the subject land. The site is occupied by a single storey detached dwelling with access via Raldon Grove (secondary street frontage);
- the allotment located on the southern corner of Fullarton Road and Raldon Grove has been divided to create an allotment at the rear (access via Raldon Grove). Each allotment is occupied by single storey detached dwellings.

The Residential Streetscape (Landscape) Zone (east of the subject land) demonstrates a consistent settlement pattern including rectangular shaped allotments of similar dimensions, housing predominantly single storey detached dwellings (of various eras).

The commercial properties along the western side of Fullarton Road are single storey and generally in a row configuration. Single storey detached dwellings (residential and converted commercial) are also found.

6. STATUTORY REFERRALS

The subject application was referred to the Department of Planning, Transport and Infrastructure (Schedule 8 Referral).

The Department does not object in-principle to the proposed development subject to conditions (applied below). Refer to Attachment E for full response.

7. NON-STATUTORY (INTERNAL) REFERRALS

The application was referred to Council's Arboricultural Department, and Assets Department for comment since the proposal includes alteration to a crossover adjacent an existing street tree. The Departments do not object to the proposal subject to conditions (applied below).

The application was referred to Council's Strategic Assets Manager who advised that there may be a calculation error in the post-development flow rates for the site. Prior to the issue of full development approval, the applicant will provide a reviewed civil plan (conditioned below).

The application was referred to Council's Traffic Department (Refer Attachment E) who advised that the following are matters of concern should the development proceed:

- *//The car parking provision of 16 parking spaces does not meet the requirements of Table Un/5 in the Development Plan, which indicates that the development should provide 17-22 parking spaces depending on interpretation. Although there is generally on-street parking available in surrounding streets, it will most likely occur in Raldon Grove. Raldon Grove is already moderately occupied and an increase in on-street parking could result in some difficulty for those located within the first 50m of the street from Fullarton Road.*
- *If the column sizes change during the structural design phase, it could reduce the parking space width and potentially the number of car parking spaces provided.*

A traffic and parking assessment prepared by Frank Siow & Associates (Traffic and Parking Consultants) accompanied the application (refer Attachment A).

In response to Council's Traffic Departments advice, Frank Siow & Associates provided further advice (dated 24 August 2018), a summary of which is provided below;

- *As detailed in our traffic report of 29 May 2018, we estimate the parking shortfall to be only 1 space and having regard to public transport availability nearby and some on-street parking availability, we remain of the opinion that the parking provision for the development would be satisfactory.*

8. **PUBLIC NOTIFICATION**

Category 2 notification was undertaken in accordance with Table Un/8 of the Unley Development Plan. During the ten (10) business day notification period six (6) representation were received as detailed below.

435-439 Fullarton Road (support)	
ISSUES RAISED	APPLICANT'S RESPONSE
Support	
422 Fullarton Road (oppose)	
ISSUES RAISED	APPLICANT'S RESPONSE
Strongly oppose the proposed development. The proposal does not meet a number of Zone and Residential Objectives and Principles of Development Control (siting, external appearance, site coverage, privacy, building height, shadowing and landscaping). The proposal is not of a form and character consistent with the surrounding area.	<u>Building Height</u> <ul style="list-style-type: none"> • The building is consistent with the Policy Area (10.5m) except where the external walls surrounding the stairwell and lift overrun will extend to 11.0m. This element will add to the architectural expression without being evident from the adjoining residential properties. • Only two-thirds of the building will be three storeys tall. <u>Character</u>
The proposal significantly impacts and has no regard for the adjacent built form, particularly on the southern boundary.	

We object to any windows or balconies overlooking our private open space, regardless of the measures taken to obscure the view.	<ul style="list-style-type: none"> The Policy Area calls for development that contributes to the desired character (not existing); The development will contribute to the desired character as the building will be of a scale that is commensurate with its exposure to Fullarton Road, is sited to reinforce the desired sense of enclosure by creating small but notable gaps between buildings; the distance between the proposed building and adjoining Residential Zone will increase as the height increases; external walls will be assembled from solid and durable materials; the curtilage will be neatly landscaped
The proposal demonstrates excessive, unreasonable and unacceptable overshadowing of our property.	
Concern regarding access and car parking. In particular, noise due to lack of landscaping, car park placement including the garage roller door located in close proximity to habitable rooms, and insufficient parking numbers.	
4/412 Fullarton Road (oppose)	
ISSUES RAISED	
Concerns relating to vehicle and pedestrian safety (increase in traffic entering and exiting the property).	
The proposal is out of character.	
Concern that our home will be overlooked and our privacy destroyed.	
Overloading of services* and access to dwellings for Emergency Services*	
Waste collection and the number of bins on Fullarton Road	
1/412 Fullarton Road (oppose)	<p><u>Density</u></p> <ul style="list-style-type: none"> The net density of this development (119.2 dwellings per hectare) complies with the Policy Area; In our opinion this is more important than strictly adhering to those number prescribed under Principle 5; The site is within 50 metres of an existing neighbourhood centre, within 20 metres of two bus stops, and within 65 metres of the Fullarton Park Community Centre; The site presently accommodates a residential form of development which is no longer contemplated in this part of the Zone <p><u>Domestic Storage</u></p> <ul style="list-style-type: none"> The Development Plan does not differentiate between dwelling sizes. A dwelling with an internal floor area of 75 square metres is expected to come equipped with the same amount of storage space as dwelling with an internal floor area of 200 square metres; Adequate storage is provided for brooms, mops, vacuums etc No general gardening equipment is required;
ISSUES RAISED	
The proposal is a high contrast to the areas neighbourhood character.	
The loss of privacy, increase in noise, and visual intrusion will impact all southern units of 412 Fullarton Road	
The proposal represents extreme overdevelopment, lack of open space and limited landscaping. It will impact directly on us in the forms of traffic, light pollution, noise pollution and a degradation of the natural environment.	
14 Raldon Grove (oppose)	
ISSUES RAISED	

<p>The proposal is an overdevelopment of the site, is not contextual and doesn't have any regard to adjacent built form and character of the locality.</p>	<ul style="list-style-type: none"> • People who require a lot of domestic storage space are unlikely to purchase one of the proposed dwellings
<p>The setbacks from our boundary are insufficient. The size and type of the building and lack of landscaping is likely to contribute a large amount of heat impacting upon surrounding housing.</p>	<p><u>Dwelling Mix</u></p>
<p>The privacy treatments are inadequate.</p>	<ul style="list-style-type: none"> • The Plan seeks a variety of dwelling sizes and a range in the number of bedrooms per dwelling, not just a range in the number of bedrooms;
<p>Insufficient car parking has been provided and will create a major impact for residents.</p>	<ul style="list-style-type: none"> • There will be eight different floor plans; • The dwellings will range in size from 42.6m² to 86.2m²;
<p>5/412 Fullarton Road (oppose)</p>	
<p>ISSUES RAISED</p>	
<p>The proposal is deficient in many respects (density, setbacks, site coverage, open space) and should it proceed would adversely affect the amenity currently enjoyed by my neighbours and me.</p>	<ul style="list-style-type: none"> • The occupants of two bedroom dwellings will have the ability to use both rooms as bedrooms, or one as a bedroom and the other as a secondary living
<p>Insufficient car parking</p>	<p><u>Emergency Services</u></p>
	<ul style="list-style-type: none"> • Paramedics will be able to access each dwelling via the lobby, lift or stairwell and there is plenty of space between the roller shutter and western boundary for emergency vehicles
	<p><u>Appearance</u></p>
	<ul style="list-style-type: none"> • The facades are well-modulated and designed to contribute positively to what is a highly varied streetscape of little to no heritage significance; • The recessed balconies on the northern, southern and western sides temper its apparent bulk;
	<p><u>Light Spill</u></p>
	<ul style="list-style-type: none"> • Outdoor lighting will be angled downward and must comply with Australian Standard 4282-1997
	<p><u>Overlooking</u></p>
	<ul style="list-style-type: none"> • The windows along the eastern side of the first and second levels will be fitted with obscure glass to a height of 1.7 metres above finished floor level

	<ul style="list-style-type: none"> • All balustrades on the northern and southern sides of the first and second floor levels (except those belonging to dwellings 2, 5, 8 and 10) will be fitted with obscure glass to a height of 1.7 m above floor level • Dwellings 2, 5, 8 and 10 are not proposed to be treated as they will overlook Fullarton Road and allow for passive surveillance <p><u>Parking</u></p> <ul style="list-style-type: none"> • The development generates a theoretical demand for 17 spaces, including 11.5 spaces for the prospective residents and 5.5 spaces for their visitors; • The proposal will provide a total of 16 spaces (therefore a shortfall of one space); • A parking discount of 10 percent can reasonably be applied to this development because of the sites proximity to a high frequency public transport route; • Most visitors are likely to occur in the evenings and on weekends when the adjacent 'clearway' is not in operation <p><u>Private Open Space</u></p> <ul style="list-style-type: none"> • The balconies fall short of the recommended area, however, we do not consider this numerical departure to be insurmountable for several reasons; • It is not economically feasible to provide apartments of this size with 35 square metre balconies; • The prospective residents expectations as to the quantum of private open space that is to be provided as part of a high density development such as this is more than likely to be quite low; • Comparatively, the proposal complies with the City of Adelaide requirements
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	<p><u>Setbacks</u></p> <ul style="list-style-type: none"> Refer page 8 of Attachment C <p><u>Site Coverage</u></p> <ul style="list-style-type: none"> Refer page 8 of Attachment C <p><u>Traffic</u></p> <ul style="list-style-type: none"> Refer page 9 of Attachment C The volume of traffic is likely to have a negligible effect on the surrounding road network based on the findings of Mr Siow <p><u>Waste Storage and Collection</u></p> <ul style="list-style-type: none"> The maximum number of bins which will be presented on collection days is 10, not 22 All three forms of waste (putrescibles, recyclables and organics) will be temporarily stored within the confines of the shared bin enclosure on the ground floor level
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(* denotes non-valid planning considerations)

9. NEGOTIATIONS

Prior to presenting the subject application to the Council Assessment Panel, Administration requested the applicant to review the storage provided for each dwelling and reduce the amount of impervious surfaces within the site.

The applicant has resolved to improve the proposed development by;

- Installing one storage cage per dwelling at-grade (the non-habitable rooms and storage cages will combined to provide the prospective occupants of each dwelling with not less than 8.0 cubic metres of domestic storage space); and*
- decrease the extent of impervious surfaces within the confines of the site by laying permeable pavers along the sealed areas on the western side of the proposed building (this should bring the impervious calculation very close to, or perhaps even under, the 70 percent guideline.*

10. DEVELOPMENT DATA

Site Characteristics	Development	Development Plan Provision
Total Site Area	922.8 m ²	
Frontage	20.88m	
Depth	44.20m	

Dwelling Parameters – Major Roads Policy Area 14			
Dwelling type ‘residential flat building’			
Frontage	20.88m		20m
Number of dwellings	11		
Site area per dwelling	83.9m ²		100 minimum (average) 230 maximum (average)
Average net density	119 dwellings per hectare		Between 40 to 120 dwellings per hectare
Maximum site coverage	63.6% (587 m ²)		60% of site area
Maximum wall height (from ground level)	10m - 10.2m		10.5 metres (three storeys)
Minimum setback from primary street boundary	5.9m (ground floor) 4.34m (upper level overhang)		6 metres
Building Characteristics			
Private Open Space			
Dwelling 1	39 m ² 5.8m by 6.4m		Minimum dimensions ground level 4m
Dwelling 2 – 11	11 m ² Various dimension but all are >2m minimum		Minimum dimensions balcony 2m
Site Coverage Other			
Total Impervious Areas	654 m ² 70%		70%
Ground Floor Area			
Dwelling 1	42.6 m ²	1 bedroom	
Car parks, fire stair, turning bay and rainwater tank	16 (car parks)		
Lobby, services, fire stair	62 m ²		
Bin store (12)	14.5 m ²		
Bike store (10)	12.4 m ²		
First Floor Area			
Dwelling 2	74.8 m ²	2 bedroom	
Dwelling 3	67.5 m ²	2 bedroom	
Dwelling 4	66.9 m ²	2 bedroom	
Dwelling 5	62.3 m ²	2 bedroom	
Dwelling 6	64.2 m ²	2 bedroom	
Dwelling 7	64.3 m ²	2 bedroom	
Common Area	83.4 m ²		
Second Floor Area			
Dwelling 8	72.5 m ²	2 bedroom	
Dwelling 9	70.2 m ²	2 bedroom	
Dwelling 10	61.4 m ²	2 bedroom	
Dwelling 11	84.9 m ²	2 bedroom	
Common Area	44 m ²		
Deep Soil Zone			

Southern boundary	65 m ² (7%) 3m	7% minimum dimension of 3m
Height (from natural ground)		
Ground level	2.8m - 4m	
First Floor	6m – 7m	
Second Floor	10m - 10.2m	
Setbacks		
Ground Floor		
Front boundary (west)	5.9m	6m
Side boundary (north)	1.4m	1m
Side boundary (south)	Garage on boundary 3m to car park/roof overhang	1m
Rear boundary (east)	3.15m (fire stair) 4.46m	5m
First Floor		
Front boundary (west)	4.34m – 5.9m	6m
Side boundary (north)	1.4m	3m
Side boundary (south)	3m	3m
Rear boundary (east)	3.15m (fire stair) 4.46m	8m
Second Floor		
Front boundary (west)	4.34m – 5.9m	6m
Side boundary (north)	1.4m	>4m
Side boundary (south)	3m	>4m
Rear boundary (east)	15.2m	>8m
Wall on Boundary		
Location	Southern	
Length	7.3m + 3 feature columns	≤8m
Height	3m (wall) 3.3m from natural ground (column)	≤3m
Car parking and Access		
On-site Car Parking	16	<u>Total 17</u> (based on total floor area) <u>Total 21.5</u> (based on number bedrooms)
Materials and Other		
Walls	Painted Power Panel 'White Duck Quarter' or similar and 'Wayward Grey' or similar	
Front Façade	Painted Power Panel 'White Duck Quarter' or similar and 'Wayward Grey' or similar Scyon Matrix Cladding painted 'Bath Stone' or similar Echo Ridge Southern LedgeStone	

Garage door	Panel lift with acrylic inserts (Colorbond Jasper)
Fencing	Colorbond Stratco Goodneighbour fence with paint finish 'stepney w' or similar Revolution roofing stockade screen slat fence with timber look (dwelling 1)

(items in **BOLD** do not satisfy the relevant Principle of Development Control)

11. ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Regeneration Zone
<p>Objective 2: Provision of medium to high dwelling densities of up to 3 to 5 storeys within designated policy areas achieved through the re-development of under utilised or aggregated land and land in close proximity to centres, public transport stops and public open spaces.</p> <p>Objective 3: Increased mix in the range of dwellings, including a minimum of 15 per cent affordable housing, available to cater for changing demographics, particularly smaller household sizes and supported accommodation</p> <p>Objective 4: Increased dwelling densities and population</p> <p>Objective 5: Sustainable development outcomes through the provision of water sensitive design, energy efficiency, waste minimisation and urban landscaping and biodiversity.</p> <p>Objective 6: High quality urban design where buildings are sited, composed and scaled to mitigate visual and amenity impacts on residential neighbours in adjoining residential zones.</p> <p>Objective 7: Development that contributes to the desired character of the zone.</p>
Desired Character
<p>Existing traditional suburban allotments offer potential for substantial intensification of dwelling development within the zone. Opportunities are available to increase dwelling numbers on existing and amalgamated sites. To promote the delivery of housing growth and diversity, incentives are prescribed in relation to site area, frontage and building height. Minimum and maximum site areas are also designated within the policy areas to target specific densities for growth.</p> <p>Policy Areas are envisaged to support predominantly apartment style living at higher densities with building heights from 3 to 5 storeys. The design and siting of multi-storey development is to be underpinned by good design principles and contextual considerations. Car parking is to be provided to the rear of the site or underneath buildings in the form of underground parking.</p>

Major Roads Policy Area 14

Objective 1: Medium to high density residential development is to be achieved through the development of multiple level buildings of distinctive and high urban design quality with an emphasis on vertical proportions whilst maintaining a strong and enclosed streetscape.

Desired Character

The policy area is envisaged to contain residential development of a scale that is commensurate with its exposure to major transport corridors. Medium density residential living of up to three storeys along Fullarton Road is envisaged. Modest front and side setbacks are proposed to reinforce this sense of enclosure. Transition and integration of development towards adjacent lower density residential zones is to occur with progressive setbacks as height increases and substantial open areas located behind the built form for open space, car parking and landscaping.

Residential development on main transport corridors will need to be designed to provide protection to living areas from traffic noise. The desired configuration of buildings is to provide an almost continuous building form with small but notable gaps between buildings that provides a sense of enclosure to the major road, locates sensitive areas away from major noise sources and incorporates solid building materials and window treatments to minimise the impacts of traffic noise.

Sustainable forms of development that support energy and water conservation are encouraged. Roof top gardens, living walls, balconies, courtyards and rear yards will provide 'soft' landscape areas for water harvesting and urban landscaping and biodiversity in addition to public open spaces.

Large scale development located close to the street boundary will also need to make a positive contribution to the streetscape in terms of amenity and how it interfaces with the public space.

Car parking is to be internalised and accommodated underground or sensitively designed behind the buildings to avoid unreasonable impacts to the street or to adjacent lower density housing. Access will be shared for multiple dwellings and restricted in number onto main roads and designed to allow for forward access and egress from the sites.

Assessment

Nature of Development

The proposed development demonstrates high-density apartment-style living, in a building 3 storeys in height. The development provides for an increase in dwelling density and population (catering for changing demographics), and includes a dwelling type (residential flat building) that is not currently prevalent in the locality.

Density

The proposed development satisfies the relevant Principles of Development Control within the Major Roads Policy Area 14 in that it includes a residential flat building achieving an average net density of between 40 to 120 dwellings per hectare and is no greater than three storeys in height.

It is acknowledged that the average site area per dwelling equates to less than the recommended parameters, however the proposed density of 119 dwellings per hectare is considered to satisfy the density desired, and expected, within the Major Roads Policy Area 14.

The proposal will replace an existing detached dwelling which is a dwelling type no longer envisaged for the Policy area. As such, the proposal substantially intensifies the dwelling development as sought within the Residential Regeneration Zone Desired Character.

The intensification of the subject land is further supported by the Zone Objectives, as the land is located within close proximity of shops, public open spaces and public transport.

Environmental

Sustainable forms of development that support energy and water conservation are encouraged within the Policy Area. While the proposed development does not provide green roofs, passive or water sensitive design the following positive environmental considerations are proposed;

- A roof design that enables the provision of future photovoltaic cells;
- The planting of trees, shrubs and grasses which do not require an inordinate amount of supplementary irrigation;
- Appropriately sized deep soil zone

Appearance

Objective 1 of the Policy Area seeks multi-levelled medium to high density development of distinctive and high urban design quality. Emphasis is placed on the vertical proportions, whilst maintaining a strong and enclosed streetscape. The continuous building form, modest front and side setbacks of the proposed development reinforce the sense of enclosure desired. All facades of the proposed building are well articulated with the inclusion of feature 'banding' between levels, recessed balconies, a well balanced glazing to wall ratio, and the inclusion of feature panels (painted and material variety). Further, the windows and balconies provide variation of light and shadow and contribute to a sense of depth in the building façade.

Location of car parking and access

The car parking for the proposed development is provided to the rear of the site. The northern boundary of the site abuts an existing pedestrian laneway, whereas the eastern and southern boundaries are shared with residential land. The area adjacent the eastern boundary is identified as a turning bay, rainwater store and 'small car' (visitor) parking. Landscaped areas are generally provided around the perimeter of the

car park area including a deep soil zone along the southern boundary. The location of the landscaping will mitigate impacts to the adjacent lower density housing.

Vehicle access to the site is shared and is designed to allow for forward entry and exist from the site, as desired in the Policy Area.

Overall, the proposal is consistent with the envisaged Desired Character of the Residential Regeneration Zone, Major Roads Policy Area 14.

Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Design and Appearance	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
Energy Efficiency	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4
Form of Development	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
Landscaping	<i>Objectives</i>	1
	<i>PDCs</i>	1, 2
Medium and High Rise Development (3 or More Storeys)	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29
Natural Resources	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Residential Development	<i>Objectives</i>	1, 2, 3, 4, 5
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62
Transportation (Movement of People and Goods)	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
Waste	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16

The following table includes the Council-wide provisions that warrant further discussion in regards to the proposed development:

Relevant Council Wide Provisions	Assessment
Medium and High Rise Development	
PDC 25, 26 and 27 Site facilities and storage	<p><u>Dwelling Storage</u> The proposed development provides for no less than eight cubic metres of covered storage per dwelling as sought by the relevant Principle of Development Control (through dwelling storage and cage storage).</p> <p><u>Waste</u> PDC 26 states that where the number of bins to be collected kerbside is 10 or more at any one time, provision should be made for on-site collection. The proposed development does not provide on-site collection.</p> <p>The proposal includes a Waste Management Plan (WMP) prepared by Dr Chris Colby (dated 29 May 2019). The plan identifies the following;</p> <ul style="list-style-type: none"> • The number of bins recommend are as follows – <ul style="list-style-type: none"> ○ 5 general waste/rubbish to be collected weekly; ○ 5 dry recycling bins to be collected fortnightly ○ 2 food organic bins to be collected fortnightly • Residents transfer their waste via the corridors and or lift to dispose of their waste and recycling to (shared) bins located in the ground level on-site bin storage area; • On Council kerbside collection days, the Strata/Community Corporation would organise (via a Property Manager or the like) for collection to occur, retrieve and return the bins <p>Ideally, on-site collection is encouraged however, the proposed location of waste facilities and waste management plan is appropriate.</p>
Residential Development	
Front setback Zone PDC 7 Side and rear setbacks PDC 13 Building Form, Scale, Mass and Height PDC 23-28	<p>The subject Policy Area suggests a minimum setback from the primary street frontage of 6m. The proposed building is designed such that the ground floor and central building feature (stair well and corridors) are located 5.9m from the primary street frontage (western boundary). The kitchen area and balconies of the first and second floor dwellings are located closer to the primary street, such that they will overhang the ground level, and are located 4.34m from the western boundary.</p>

**Overshadowing
and Natural
Light PDC 41 &
42**

The proposed variance with the recommended 6m front setback, and the presentation of the building to the primary street, are considered acceptable in this instance for the following reasons;

- The proposed building façade is considered to be well articulated;
- The stepped setbacks create contrasts between solid elements and voids;
- The façade provides a clearly identifiable entrance and pedestrian friendly street frontage;
- The proposed front setback is not dissimilar to existing development and recently approved development (25 Culross) within the locality

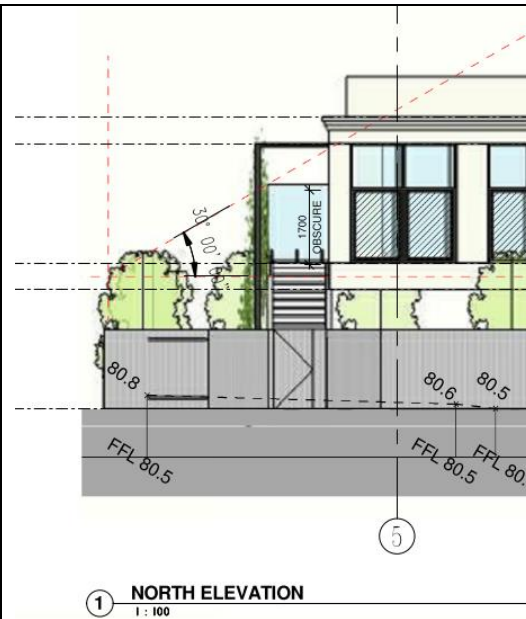
Council Wide Residential PDCs states that side and rear boundary setbacks should be progressively increased as the height of the building increases to minimise massing and overshadowing impacts to adjoining properties. The proposed development is at variance with the recommended setbacks as outlined in the data table above.

A 3m wide public walkway is located adjacent to the northern boundary. With the inclusion of the proposed side setbacks and the 3m wide public walkway, the distance between residential boundaries would achieve the recommended setbacks allowing for adequate space between buildings (and no shadowing impacts given the site orientation).

The setbacks from the rear (eastern) boundary are stepped such that the ground floor and first floor are located 4.46m (3.15m to the fire stair) from the boundary, and the second floor is located 15.2m from the boundary. As such, the ground and first floor setbacks do not meet the recommended setbacks of 5m and 8m.

While the proposed development does not meet the setback guidelines applied to general residential development, it is appropriate to assess the proposal against PDC 25 'Figure 1' of the Development Plan. 'Figure 1' is applied to buildings of 3 or more storeys as an example of a way to minimise the developments impacts at the interface with lower scale sensitive development (i.e the eastern adjoining property).

'Figure 1' is appropriate in this instance and the proposed development demonstrates that building (with the exception of a small component for the fire stair and roof form – refer below) would be constructed within a building envelope provided by a 30-degree plane, measured from a height of 3 metres above ground level at the Zone boundary.



It is noted that the adjoining southern and eastern allotments have a slightly higher ground level than the subject site. In the south-eastern corner of the allotment, the proposed development provides a finished floor level less than the existing natural ground, which aids in reducing the perceived bulk and mass of the building when viewed from the adjoining properties.

The ground floor and first floor of the development (including the fire stair) will be highly visible to the adjoining southern and eastern residential properties (viewed from existing private open space).

The second floor will be visible from adjoining land, however, the visual impact is reduced by the setback (>15m from the rear boundary), the siting (in line with the southern adjoining dwellings roofline) and obscured (by the angle of view from adjoining private open space and the proposed ground and first floor development).



PDC 41 advises that *development should allow direct winter sunlight access to adjacent residential properties and minimise the overshadowing of:*

- a) Living room windows, wherever practicable;*
- b) The majority of private open space areas, communal open space and upper level balconies that provide the primary open space provision;*
- c) Roof areas, preferably north facing and suitable for the siting of at least 4 solar panels on any dwelling;*

or where such affected areas are already shaded, the additional impact should not significantly worsen the available sunlight access.

The southern and eastern adjoining properties are occupied by detached dwellings, each having private open space and swimming pools adjacent the subject land. The adjoining southern dwelling includes a number of existing Solar panels.

A Sun Study has been provided which demonstrates the anticipated shadowing from the proposed development upon adjoining properties for the 21st June (9:00am – 3:00pm).

The sun study diagram demonstrates that minimal shadowing of the eastern adjoining property is anticipated whereas the southern adjoining property will experience an increase in the amount of shadowing because of the proposed development.

	<p>The shadowing will shift from the front yard in the morning hours (where it covers approximately 50% of the space) to the rear yard in the afternoon. The existing swimming pool will be predominantly in shadow after noon, and the remaining private open space will be intermittently shadowed (by the proposed development and existing development). The north facing windows (side wall) of the adjoining dwelling will be in shadow for the full extent of the day, and the rear facing windows and private open space will receive direct winter sunlight between 9am and 1pm. Shadowing will occur in the late afternoon (some of which will be caused by the existing verandah element). The Shadow plan demonstrates minimal impact on the existing solar panels and more than 4 solar panels will remain unaffected by the proposed development.</p> <p><u>Summary</u> (PDC 7, 13, 23, 28, 41 & 42) On balance, the proposed development satisfies the relevant Principles of Development Control in relation to siting and mass (including shadowing and visual impact).</p>
<p>Site Coverage PDC 16 – 18 & Policy Area PDC 7</p>	<p>While the Council Wide recommended site coverage is 50%, the subject Policy Area recommends maximum site coverage of 60%. Notwithstanding this increased parameter, the proposed development exceeds this recommendation by <4%. The Council Wide Policy goes on to recommend that the roofed buildings should, together with impervious areas, cover no more than 70% of the site. The total impervious area of the proposed development equates to approximately 70% of the site. The applicant has achieved this through the implementation of permeable surfaces where possible.</p> <p>The variance to the site coverage recommendation does not preclude the development from satisfying the intent of the Principle, in that the siting of the building is considered appropriate and adequate space has been provided for pedestrian and vehicular access and parking.</p>
<p>Private Open Space PDC 19 and 20</p>	<p>The general provisions relating to private open space recommend a minimum of 35 square metres for dwelling sites <300 square metres. No provision is provided specifically for residential flat buildings of medium to high density.</p> <p>The proposed balconies equate to 11m² each, having a minimum width >2m.</p> <p>While the balcony areas provided as part of the proposed development do not meet the general residential provisions pertaining to private open space, the balconies are nonetheless; private in nature; of sufficient area to be functional; are directly</p>

	<p>accessible from living spaces; provide outdoor living areas for each dwelling and do allow reasonable entry of natural light.</p> <p>The proposed private open space is considered to be reasonably proportioned with the associated dwelling sizes.</p>
Overlooking PDC 38 and 39	<p>The proposed development includes the following privacy treatments;</p> <ul style="list-style-type: none"> • All first and second floor windows on the eastern elevation are fixed obscured up to 1700mm above floor level; • Dwelling 2, 5, 8 and 10 are not privacy treated since the views are oriented towards Fullarton Road and do not oversee habitable room windows or private open spaces of residential land within a 15m/30m radius respectively; • The remaining dwellings are treated with fixed obscured balcony balustrading and windows up to 1700mm above floor level on the northern and southern elevations <p>The proposed privacy treatment adequately minimises direct overlooking from habitable room windows and balconies to habitable room windows and usable private open space of neighbouring dwellings.</p>
Transportation 20	<p>The proposed off-street car parking area is appropriately located at the rear, and setback from common boundaries.</p> <p>The car parking arrangement provides for safe and convenient pedestrian access, traffic circulation and adequate provision for manoeuvring into and out of parking bays. Vehicle access points are minimised and allow concurrent entry and exit movements to occur in a forward direction. Secure on-site bicycle parking is provided for ten (10) bicycles.</p> <p>Sufficient area is provided between the automated roller shutter and the property boundary to allow an entering vehicle to stop without encroaching into the adjacent traffic lane.</p> <p>PDC 20 states that off-street vehicle parking should be in accordance with Table Un/5 Off Street Vehicle Parking Requirements. Table Un/5 provides average spaces required per dwelling based on the number of bedrooms provided per dwelling, or the size of the dwelling floor area.</p> <p>A total of sixteen (16) car park spaces are provided as part of the proposal and are all located at the rear of the site, at ground level.</p> <p>The application is accompanied with a Traffic and Parking Assessment prepared by Frank Siow and Associates. In summary, the report;</p>

	<ul style="list-style-type: none"> • Provides an assessment which applies the 'dwelling floor area' when calculating the required off street car parking requirement, resulting in a total of 17 spaces required (i.e. a shortfall of one space); and • Concludes that, having regard to the location of the subject site in close proximity to bus services, and the availability of on-street parking, the parking provision for the development would be satisfactory. <p>The application was referred to Council's Traffic Department who notes that there are two potential parking scenarios using the Table Un/5 formula, depending on interpretation:</p> <ul style="list-style-type: none"> • Based on floor area: If considering the floor area only, the development consists of ten small dwellings and one medium dwelling. This corresponds to a requirement of 11.5 parking spaces for use by residents and an additional 5.5 for visitor use. This suggests a total parking requirement of 17 spaces. As 16 parking spaces are provided this would be a shortfall of 1 spaces • Based on the number of bedrooms: If considering the number of bedrooms, the development consists of one small dwelling and ten medium dwellings. This corresponds to a requirement of 16 parking spaces for use by residents and an additional 5.5 for visitor use. This suggests a total parking requirement of 22 (21.5) spaces. As 16 parking spaces are provided this would be a shortfall of 6 spaces. <p>Therefore, depending on the interpretation of Table Un/5, there is a shortfall of 1 – 6 parking spaces.</p> <p>Further, Council's Traffic Officer advises: <i>"although there is generally on-street parking available in surrounding streets, it will most likely occur in Raldon Grove. Raldon Grove is already moderately occupied and an increase in on-street parking could result in some difficulty for those located within the first 50m of Fullarton Road"</i>.</p> <p>It is noted within the assessment that it would be preferable that on-street parking is occupied by visitors rather than resident parking. To achieve this, Council's Traffic Department suggests having one space per dwelling, then any additional parking for either resident or visitor use on a 'first in first served' basis supporting maximum utilisation of the car park. The applicant has advised in the planning documentation that each dwelling will be assigned one parking space, and the remaining spaces are available for visitors to share. This is reflected on the amended car parking and landscape plan.</p>
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	<p>Given the proposed dwelling sizes (being predominantly less than 75m²), Administration are comfortable, in this instance, that a car-parking rate based on the dwelling floor area is considered appropriate.</p> <p><u>Summary</u></p> <p>It is apparent that each dwelling has been provided with one off-street car parking space, and five spaces will be available to visitors. Assuming a shortfall of approximately one (1) off-street car park, the proposed development is generally supported by the locality with regards to the availability of on-street parking and public transport.</p>
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12. DISCUSSION

Administration is satisfied that the proposed development is a form that aligns with the intent of the Residential Regeneration Zone in that it proposes high-density apartment-style living, in a building 3 storeys in height. The development provides for an increase in dwelling density and population (catering for changing demographics), and includes a dwelling type (residential flat building) that is not currently prevalent in the locality.

The overall built form, scale and design align with the Desired Character of the Policy Area in that the building is well articulated and reinforces a sense of enclosure. Although not satisfying the recommended residential setback requirements, the proposal provides progressive setbacks to the rear, providing transition and integration of development towards the adjacent lower density residential Zone.

The proposed development does not meet all quantitative recommendations set out in the Development Plan (including number of off-street car parks, side and rear setbacks and private open space) however, when assessed on merit the proposed development generally achieves the intent of the related Principles of Development Control.

13. CONCLUSION

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The nature of the proposed development supports the intent of the Desired Character for the Residential Regeneration Zone and Major Roads Policy Area 14;
- The overall built form, scale and design aligns with the Desired Character of the Residential Regeneration Zone and Major Roads Policy Area 14;
- The proposal includes transition and integration of development towards the adjacent lower density residential Zone;
- The proposal generally satisfies dwelling design parameters with respect to site coverage, private open space, dwelling storage, waste management, pedestrian access and vehicle access;
- The proposal minimises direct overlooking of the habitable rooms and private open spaces of adjoining dwellings;

- The design and location of the development does not overshadow the adjacent dwellings and private open space to an unreasonable degree;
- The proposal demonstrates a minor shortfall in car parking which should not detrimentally affect the amenity of the locality or cause unreasonable interference through traffic impacts.

The application is therefore recommended for Development Plan CONSENT.

14. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/403/2018/C2 at 420 Fullarton Road, Myrtle Bank 5064 to 'Construct a three storey residential flat building containing 11 dwellings' is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.
3. The approved landscaping shall be established prior to the occupation of the development and shall be irrigated, maintained and nurtured at all times with any diseased or dying plants being replaced to the reasonable satisfaction of the Council.
4. All vehicles shall enter and exit the site in a forward direction.
5. The site shall be served by a single shared access point to/from Fullarton Road in general accordance with Yogo Design & Consulting's Ground Floor Plan/Site Plan, Project No. Y170309, Drawing No. A003, Revision H, dated 24/04/2018. The stobie pole relocation shall be to the satisfaction of the relevant authority, with all costs being borne by the applicant.
6. The shared access and on-site manoeuvring areas shall remain clear of any impediments (such as utility meters, fencing, letterboxes, vegetation or parked vehicles).
7. The off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004. In particular, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety', shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

8. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Fullarton Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.
9. The vehicle crossover shall be constructed no closer than 3.0 metres from the existing *Jacaranda mimosifolia* (Brazilian Rosewood) street tree.
10. The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to council web site for the City of Unley Driveway Crossover specifications <https://www.unley.sa.gov.au/forms-and-applications#>
11. Landscaping on the southern side of the driveway must be maintained to less than 1m in height for the first 2.5m (measured from the western property boundary) so as not to obstruct visibility to/from pedestrians.
12. The automated gate system should be set to open the door at 7:00am and remain open during the day until 7:00pm at night when it would then close and be activated by remote control thereafter as required.
13. Each dwelling shall be assigned a car parking space and all car parking spaces are to be line marked and labelled.
14. Further Civil engineering documents pertaining to the management of stormwater shall be provided to the satisfaction of Council prior to the issue of Development Approval.
15. That the landscaping plan be altered to incorporate small trees (up to 6m in height) along the southern boundary and the western courtyard. Further details to be provided to the satisfaction of Council prior to the issue of Development Approval.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- 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.
- The applicant is advised that the subject site is located within a Designated Area, as identified by the Unley Development Plan Noise and Air Emissions Overlay Map Un/1 (Overlay 3C). Accordingly, the development must be constructed in accordance with the Minister's Specification SA 78B for the Construction Requirements for the Control of External Sound.
- 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 or the erection of a new 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 refer to their web site at www.lsc.sa.gov.au.

- That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the **applicant**.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representations	Administration
C	Response to Representations	Applicant
D	DPTI Referral Response	Administration
E	Councils Traffic Department Referral Response	Administration

ITEM 2**DEVELOPMENT APPLICATION – 090/602/2018/C3 – 123 FISHER STREET, FULLARTON SA 5063 (FULLARTON)**

DEVELOPMENT APPLICATION NUMBER:	090/602/2018/C3
ADDRESS:	123 Fisher Street, Fullarton SA 5063
DATE OF MEETING:	11 December, 2018
AUTHOR:	Andrew Raeburn
DEVELOPMENT PROPOSAL:	Variation to 090/366/2010/C1/4/C - Public access to existing on-site wellness and health services.
HERITAGE VALUE:	None.
DEVELOPMENT PLAN:	19 December, 2017
ZONE:	Residential Regeneration Zone Fisher Street Policy Area 13
APPLICANT:	J Sack
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 3
REPRESENTATIONS RECEIVED:	YES – eight representations: 2 against and 7 in support.
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representations
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Car parking

15. PLANNING BACKGROUND

Development application 090/366/2010/C3 for *'Demolition of existing building, removal of trees (including five (5) significant trees) and construction of a retirement village (maximum height of 6 storeys) comprising 189 apartments, communal facilities and ancillary car-parking (basement and at grade), storage, fencing and landscaping'* was granted Development Approval on 4 February, 2011.

Development application 090/637/2014/NC to vary application 090/2010/C3 to allow public access to the on site café restaurant on a limited basis, was granted development approval on 19 February, 2015.

16. DESCRIPTION OF PROPOSAL

As part of development application 090/366/2010/C3, development approval was granted for ancillary health and wellness facilities to be utilised by the residents of the retirement village.

The applicant now seeks development approval to allow non-residents access to the health and wellness facilities located on the ground floor. These facilities occupy a small area of the ground floor and include medical rooms, gym, swimming pool, wellness centre and a hair salon. There are currently eight health professionals operating from these rooms.

The application documents and the applicant's response to representations indicate that between one and three non-residents would access the health and wellness facilities at any one time and during daylight hours.

17. SITE DESCRIPTION

The subject site is located on the southern side of Fisher St and is occupied by a retirement village with integrated café, restaurant and health and fitness facilities.

18. LOCALITY PLAN



Subject Site



Locality

1

Representations (against)

19. LOCALITY DESCRIPTION

Land Use

The predominant land use within the locality is residential, however to the south is Concordia College (education establishment).

20. STATUTORY REFERRALS

No statutory referrals required.

21. NON-STATUTORY (INTERNAL) REFERRALS

No non-statutory (internal) referrals were undertaken.

22. PUBLIC NOTIFICATION

Category 2 notification was undertaken in accordance with Table Un/8 of the Unley Development Plan. During the ten (10) business day notification period eight representations were received; two against and seven in support of the proposal. The representations received against the application are detailed below.

126 Fisher Street – Against	
ISSUES RAISED	APPLICANTS RESPONSE
Traffic generation and insufficient car parking	<p>‘Living Choice has conducted surveys of the basement parking area and the at-grade parking at the front of the site over four days between Tuesday 13 November and Friday 16 November... there was a minimum of 6 parking spaces available during the week and 11 spaces on average.’</p> <p>‘Given the low expected attendance by members of the public (i.e. anticipated up to 3 persons at any one time), and that there are more available car parking spaces than anticipated users, I contend that the proposed development has sufficient on-site car parking.’</p>
1A Marlborough Street - Against	
ISSUES RAISED	APPLICANT’S RESPONSE
The proposal is not consistent with the approved retirement village land use.	The activity proposed is an ancillary service provided which serves a local community. While primarily serving residents of the village, the wellness facilities may be utilised by up to three people at any one time. Living Choice has observed that the use of the site’s wellness facilities by non-residents is actually less than this figure. Living Choice does not propose to widely promote the public use of the wellness facility, it is designed principally to serve residents and, secondly, those within the local community. This is evidenced by two of the representors in support of the facility as one lives within 50 metres of the site and the

	<p>other has mobility issues and is picked up and dropped off.</p> <p>Living Choice has not applied for a commercial gym that can operate on a 24 hour basis. That kind of activity would require further approval by Council and would also need to be publicly notified. An application of that nature would also require assessment against Principle 5 as quoted above and would arguably struggle to satisfy that provision.</p>
Traffic generation.	<p>‘Living Choice has conducted surveys of the basement parking area and the at-grade parking at the front of the site over four days between Tuesday 13 November and Friday 16 November... there was a minimum of 6 parking spaces available during the week and 11 spaces on average.’</p> <p>‘Given the low expected attendance by members of the public (i.e. anticipated up to 3 persons at any one time), and that there are more available car parking spaces than anticipated users, I contend that the proposed development has sufficient on-site car parking.’</p>

(* denotes non-valid planning considerations)

23. ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Regeneration Zone
<p>Objective 1: <i>A predominantly medium density residential zone that comprises a range of dwelling types of 2 storeys together with associated local community services and facilities.</i></p> <p>Objective 2: <i>Provision of medium to high dwelling densities of up to 3 to 5 storeys within designated policy areas achieved through the re-development of under utilised or aggregated land and land in close proximity to centres, public transport stops and public open spaces.</i></p> <p>Objective 3: <i>Increased mix in the range of dwellings, including a minimum of 15 per cent affordable housing, available to cater for changing demographics, particularly smaller household sizes and supported accommodation</i></p>

Objective 4: Increased dwelling densities and population

Objective 5: Sustainable development outcomes through the provision of water sensitive design, energy efficiency, waste minimisation and urban landscaping and biodiversity.

Objective 6: High quality urban design where buildings are sited, composed and scaled to mitigate visual and amenity impacts on residential neighbours in adjoining residential zones.

Objective 7: Development that contributes to the desired character of the zone.

Desired Character

This zone provides opportunities for strategic urban growth, housing diversity and innovative environmental sustainable outcomes.

Existing traditional suburban allotments offer potential for substantial intensification of dwelling development within the zone. Opportunities are available to increase dwelling numbers on existing and amalgamated sites. To promote the delivery of housing growth and diversity, incentives are prescribed in relation to site area, frontage and building height. Minimum and maximum site areas are also designated within the policy areas to target specific densities for growth.

This zone is envisaged to comprise predominantly medium density residential housing with higher density strategic areas represented in designated policy areas. Within the zone, the built form will support a range of housing types to 2 storeys in height. Policy Areas are envisaged to support predominantly apartment style living at higher densities with building heights from 3 to 5 storeys. The design and siting of multi-storey development is to be underpinned by good design principles and contextual considerations. Car parking is to be provided to the rear of the site or underneath buildings in the form of underground parking.

Residential neighbourhoods are to be interconnected with the retention and reinforcement of the traditional grid street pattern to promote social interaction and access to centres, community facilities and public open space via a street network of pedestrian and bicycle linkages.

New development is to achieve positive environmental outcomes through passive energy design, water sensitive design, urban landscaping and biodiversity. Hard and soft urban form coverage will be provided in different proportions and patterns to suit the desired character within each of the policy areas. In addition to front yards and private open space, communal open space, living walls and roof top gardens will be expected within higher density residential buildings as a design response to limited ground level opportunities for green space and to minimise the 'urban heat island effect'.

Land uses will be predominantly residential and supported by compatible small scale non-residential development that serves the local community. More extensive non-residential development may be envisaged in selected locations as allocated in

specific Policy Areas where it will provide community, health and administration services to support the related community.

Assessment

The proposed public access to the existing health and wellness services located within the ground floor of the retirement living complex would have no impact on the character or appearance of the area.

The proposal does not involve any expansion of the existing health and wellness services in terms of the number of health professionals or total floor area; therefore the health facilities would remain a modest and ancillary component to the retirement living complex.

It is recommended that the proposed public access be restricted to a maximum of five non-residents at any one time between the hours of 7:30am and 5pm. Subject to these conditions, it is considered that there would be little to no impact on the amenity of neighbouring residents or car parking conditions within the area.

Furthermore, providing limited public access to the small scale, non-residential uses within the retirement village would be consistent with the desired character of the zone.

Relevant Zone Principles of Development Control	Assessment
<p>PDC 5 Re-development of existing, and minor ancillary, non-residential development should be of a nature and scale that:</p> <ul style="list-style-type: none"> (a) primarily serves the associated site and to a lesser degree the local community; (b) is consistent with the character of the locality; (c) does not detrimentally impact on the amenity of nearby residents; (d) does not compromise coordinated centre development. 	<p>The proposed public access to the existing health and wellness services on site, subject to the recommended conditions, would be of a very modest scale, would serve the local community, would have little impact on car parking conditions within the area and would not compromise the amenity of neighbouring residents. As such, the proposal is considered to satisfy this policy.</p>

Policy Area Desired Character

Fisher Street policy Area 13
Desired Character
<p><i>The Fisher Street Policy Area has a strong sense of place characterised by clustered, vertical built form within a generous landscape setting. The desired high density residential living environment will emphasise vertically-proportioned buildings that are well separated from property boundaries, each other, and display low site coverage. To achieve a high density, dwelling types other than detached and semi-detached housing are envisaged in this policy area.</i></p> <p><i>The policy area has a strong landscape character with its prominent tree lined street and property edges. Generous street and property boundary setbacks are</i></p>

appropriate for all buildings, with the tallest buildings located centrally on-site and more moderate-scaled buildings framing its edges.

Development will be of high quality in terms of external materials used, detailing and articulation of facades to streets and other public areas. Front fencing will incorporate well designed streetscape features and be substantially open in appearance to ensure a visually interesting public realm. On-site parking will be designed, where possible, to utilise shared driveway access and rear parking areas so as to preserve on-street visitor parking and minimise the visual impact of paving and garaging of vehicles to the streetscape.

Environmental sustainability benefits are to accord with zone requirements. In addition, generous space surrounding buildings allows for generous provision of urban landscaping, biodiversity and opportunities for on-site water harvesting.

Assessment

The proposed development would not alter the appearance or character of the area, or significantly change the existing land use arrangements. Therefore the proposal would not conflict with the desired character set out by the policy area.

Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Community Facilities	<i>Objectives</i>	1
	<i>PDCs</i>	1, 2
Interface Between Land Uses	<i>Objectives</i>	1, 2, 3
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Transportation (Movement of People and Goods)	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33

The following table includes the Council-wide provisions that warrant further discussion in regards to the proposed development:

Relevant Council Wide Provisions	Assessment
Transportation (Movement of People and Goods)	
PDC 19 Development should provide sufficient off-street parking to accommodate resident, visitor, customer, employee, and service vehicles.	<ul style="list-style-type: none"> • There are a total of 26 visitor spaces located within the site: within the basement level there 9 spaces allocated to resident's visitors and 12 spaces are unallocated; there are also 5 spaces at-grade to the front of the building. • The applicant has provided details of a parking survey undertaken over four days between Tuesday 13 November and Friday 16 November (at 10am and

	<p>3pm) that indicates that there are between 6 and 18 car parking spaces available at the times of count.</p> <ul style="list-style-type: none"> • It is considered that the limited public access proposed would have little impact on the car parking demand for the site and that any demand could easily be accommodated within the existing visitor car parking spaces at-grade or basement levels. • The proposed condition restricting public access to the wellness and health facilities to between 7:30am and 5:00pm would assisting in avoiding the evening hours, when demand for on-site and street parking is at its peak. • For these reasons it is considered that the proposal would satisfactorily comply with this policy.
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24. CONCLUSION

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The proposal would be of a modest scale, be compatible with the use of the site and surrounding residential uses, and would serve the local community; thereby complying with the desired character for the Residential Regeneration Zone; and
- The car parking demand associated with the proposed public access to the existing health facilities would be modest and could be accommodated within the site without detrimentally impacting on car parking conditions within the surrounding streets.

The application is therefore recommended for Development Plan CONSENT.

25. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/602/2018/C3 at 123 Fisher Street, Fullarton SA 5063 for 'Variation to 090/366/2010/C1/4/C - Public access to existing on-site wellness and health services is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.

2. Public access to the health and wellness facilities on the site shall be restricted to between the hours of 7:30am to 5pm (any day) and to a maximum of five (5) non-residents at any one time.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representations	Administration
C	Response to Representations	Applicant

ITEM 3
DEVELOPMENT APPLICATION – 090/566/2018/C2 – CHARLES STREET,
FORESTVILLE (STREET TREE)

DEVELOPMENT APPLICATION NUMBER:	090/566/2018/C2
ADDRESS:	Charles Street, Forestville
DATE OF MEETING:	11 December 2018
AUTHOR:	Reb Rowe
DEVELOPMENT PROPOSAL:	Remove regulated street tree Eucalyptus sideroxylon (Red Ironbark) (Outside of 57 Charles Street, Forestville)
DEVELOPMENT PLAN:	19 December 2017
ZONE:	Residential Streetscape (Built Form) Zone, Policy Area 8.1
APPLICANT:	J Ashforth
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – (1 in opposition)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Representation received

1. PLANNING BACKGROUND

No relevant Planning Background.

2. DESCRIPTION OF PROPOSAL


The proposed removal of a regulated street tree Eucalyptus sideroxylon (Red Ironbark).

3. SITE DESCRIPTION

The subject tree is located on the eastern side of Charles Street, close to the garage of the property at 57 Charles Street. There are street trees of similar size and maturity in the street.

4. LOCALITY PLAN



 Regulated Tree

 Representation

5. PUBLIC NOTIFICATION

Public notification was undertaken in accordance with Schedule 9(13) of the *Development Regulations 2008* as the application involves the removal of a Regulated street tree. Two representations were received in opposition however, following further clarification with Council Administration, one of the representations was withdrawn. One representation is outstanding, as detailed below.

55 Charles Street (oppose)	
ISSUES RAISED	APPLICANT'S RESPONSE
<p>As the tree is established and paving/kerbing has been modified to suit the existing tree, it should be left as a replacement tree will lift the pavers as it matures.</p> <p>Birds use the tree as a food source.</p>	<p>The removal of the subject tree is recommended as it poses an unacceptable risk that cannot be managed through practical solutions.</p>

(* denotes non-valid planning considerations)

6. VISUAL TREE ASSESSMENT

A visual tree assessment was conducted regarding the subject street tree by Council's Landscape Architect. The statement of this assessment is detailed below:

The subject street tree opposite 57 Charles Street, Forestville Avenue, provides a minor contribution to the local character and environmental benefit in the context of the wider suburb. The proposed replacement with 2x Jacaranda mimosifolia is supported in keeping consistency with the Charles Street street trees.

7. ARBORICULTURAL ASSESSMENT

Species: *Eucalyptus sideroxylon* (Red Ironbark)

Circumference: 2.88m

Age: *Mature*

Structure: *very poor*

Life expectancy: *5 - 20 years*

Health: *Fair*

Shape and form: *Very poor*

Risk unacceptable: *Unacceptable*

Recommendation: *Remove and replace*

Council Arborist notes:

The tree is a large mature specimen that has suffered numerous branch failure events. The loss of large branches combined with past pruning events have resulted in the trees crown being contained within the upper quadrant of the tree's height. Due to the location of the tree and its relatively open aspect the probability for the tree to shed branches is considered to be high, and has the potential to cause significant damage to parked vehicles and property.

Recommendation is to remove the tree and grind the stump.

8. DEVELOPMENT PLAN ASSESSMENT

REGULATED TREE ASSESSMENT

Council Wide Objective 1 - Regulated Trees
<i>The conservation of regulated trees that provide important aesthetic and/ or environmental benefit.</i>
REGULATED TREES
Provisions within the City of Unley Development Plan relating to the assessment of regulated trees include Council Wide Objective 2 and Principle of Development Control 1, 2 and 3. The planning assessment against the relevant principles is detailed in the table below:

Council Wide Objective 2		Administration Comments
2	<i>Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:</i>	
(a)	<i>Significantly contributes to the character or visual amenity of the locality;</i>	No
(b)	<i>Indigenous to the locality;</i>	No
(c)	<i>A rare or endangered species; or</i>	No
(d)	<i>An important habitat for native fauna.</i>	No

The tree is not considered to satisfy PDC 2 as a tree worthy of retention as it is considered to have a poor structure and form in addition to it presenting an unacceptable risk. In addition, the subject tree is not considered to make an important contribution to the character and amenity of the locality.

9. **DISCUSSION**

As the subject tree is identified as one which does not contribute to the amenity value of the area, and because it has risk associated with its poor form and structure, it is considered that it is warranted for removal.

10. **CONCLUSION**

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The subject street tree does not meet Council Wide Objective 2 and PDC 2 and does not warrant retention

The application is therefore recommended for Development Plan CONSENT.

11. **RECOMMENDATION**

MOVED:

SECONDED:

That Development Application 090/566/2018/C2 at Charles Street, Forestville to 'Remove regulated street tree *Eucalyptus sideroxylon* (Red Ironbark) (Outside of 57 Charles Street, Forestville)', is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. That the removal of the subject regulated tree *Eucalyptus sideroxylon* (Red Ironbark) shall take place in accordance with the documents and details accompanying the application to the satisfaction of Council except where varied by conditions below (if any).
2. That 2 replacement trees must be planted to replace the Regulated tree within twelve (12) months of the date of the development approval. The replacement trees shall be selected from the attached list. The applicant shall advise Council in

writing when the replacement trees are planted. The replacement trees shall not be planted within 10 metres of a dwelling or in-ground swimming pool. The owner of the land the subject of this authorisation shall maintain the replacement trees in good health and condition at all times and shall replace any such tree if it dies forthwith.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- That any necessary alterations to existing public infrastructure (stobie poles, lighting, traffic signs and the like) shall be carried out in accordance with any requirements and to the satisfaction of the relevant service providers.
- That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the **applicant**.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representation	Representor
C	Response to Representations	Applicant
D	Council Landscape Architect Referral Comments	Administration

ITEM 4**DEVELOPMENT APPLICATION – 090/496/2018/C2 – 21 NORTHGATE STREET, UNLEY PARK SA 5061 (UNLEY PARK)**

DEVELOPMENT APPLICATION NUMBER:	090/496/2018/C2
ADDRESS:	21 Northgate Street, Unley Park SA 5061
DATE OF MEETING:	11 December 2018
AUTHOR:	Amy Barratt
DEVELOPMENT PROPOSAL:	Demolish existing dwelling and construct two storey dwelling including undercroft garage, verandahs, in-ground swimming pool and front fence
HERITAGE VALUE:	Nil
DEVELOPMENT PLAN:	19 December 2017
ZONE:	Residential Streetscape Built Form Zone Policy Area 9.8
APPLICANT:	T D'Ettorre
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – (Two oppose)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representations
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Desired Character

1. PLANNING BACKGROUND

No relevant Planning Background.

2. DESCRIPTION OF PROPOSAL

The applicant proposes to demolish the existing dwelling and associated structures at 21 Northgate Street Unley Park, and construct the following development;

- A two storey dwelling with undercroft vehicle parking;
- Front fence; and
- Swimming pool

3. SITE DESCRIPTION

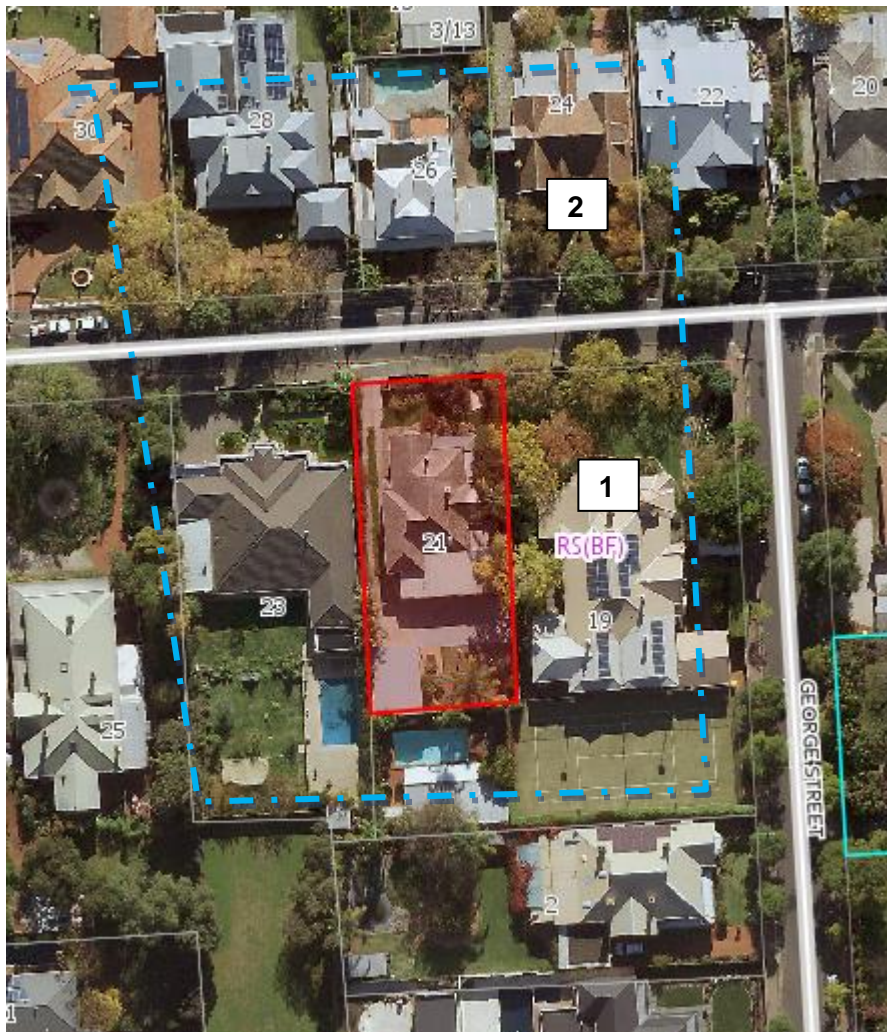
The subject site is located within the Residential Streetscape Built Form Zone, Policy Area 9.8.



The site is located on the southern side of Northgate Street, between Omar Place and George Street. The site is regular in shape having a frontage to Northgate Street of 19.81m, a depth of 45.11m and a total site area of 893.6m².

The site is currently occupied by a single storey detached dwelling (late Victorian style villa), and freestanding outbuilding located within the south-western corner of the allotment. The existing front fence is brush material, and vehicle access is gained via the Northgate Street crossover which is located adjacent the western boundary.

A Significant Ginkgo Biloba Tree is located on the adjoining eastern residential land (19 Northgate Street).

4. LOCALITY PLAN



 Subject Site  Locality  Representations

5. LOCALITY DESCRIPTION

Land Use

The predominant land use within the locality is residential.

Land Division/Settlement Pattern

The southern side of Northgate Street has a varied settlement pattern with inconsistent site frontages, depths and configurations (previous land division has occurred altering the allotment configuration).

The subject site presents a noticeably narrower frontage, and is shorter in depth, than the adjacent dwellings.

The northern side of Northgate Street demonstrates a more intact settlement pattern including allotments of similar widths and depths.

Dwelling Type / Style and Number of Storeys

The immediate streetscape character is mixed. Dwelling styles from a variety of eras including Late Victorian villas, 1920s Bungalows, Tudors and Old English styles, which are intermixed with dwellings from the 1970s and 2000s.

There is not a high degree of consistency in the built form character in the immediate locality.

Fencing Styles

Fencing styles along the southern side of Northgate Street are typically high, solid and brush material.

Brush, pier, and plinth are common along the northern side of Northgate Street.

6. STATUTORY REFERRALS

No statutory referrals required.

7. NON-STATUTORY (INTERNAL) REFERRALS

The application was referred to Council's Consultant Architect who provides the following comments in relation to the proposed development:

- *While there is a variety of architectural styles and building eras represented in the area, there are consistent building traits including:*
 - *Steeply-pitched roof forms.*
 - *Hipped and gabled roof forms.*
 - *Deep verandahs giving depth to the design composition and light and shade that reduces apparent bulk.*

- *High degree of modulation with projecting and recessive building elements.*
 - *Traditional materials such as stone, brick, some rendered embellishments, tile, corrugated steel and timber for joinery.*
- *Such features are evident on the Queen Anne villa adjacent to the east of the subject site and the Inter-War bungalows and tudors and late Victorian cottages opposite and nearby.*
- *The proposed development is a refined, well-proportioned, modern design but, despite the diminished integrity of the existing late Victorian style villa on the subject site, I am unable to say that the proposed dwelling makes a comparable or more positive contribution to the desired character particularly when desired character specifically mentions “verandahs and pitched roofs, the detailing of facades and the use of traditional materials” and “forms and detailing of the predominant architectural styles (variously Victorian and Turn-of-the-Century double-fronted cottages and villas, and Inter-War era housing, primarily bungalow but also tudor and art deco and complementary styles).” In addition, the proposed development lacks the degree of modulation and depth of facades and verandahs that is evident in traditional building forms nearby.*
- *Despite the reasonably substantial side setbacks and the substantial front setback of the upper storey of the proposed dwelling, I am concerned about the relative prominence of the proposed development in the streetscape given the degree of divergence from desired character*
- *The front setback of the proposed dwelling only achieves the quantitative figure in the Policy Area provisions if the eaves overhang and wing walls are excluded and is less than that of existing adjacent dwellings, one of which is a Queen Anne villa that makes a substantial contribution to streetscape character. Unfortunately, this increases the streetscape prominence of the proposed dwelling.*
- *The relatively light coloured render and contrasting colour scheme of the proposed dwelling is inconsistent with prevailing character where relatively dark building and landscape colours predominate with highly contrasting tones being the exception. Furthermore, proposed materials do not relate closely to the “traditional materials” in dwellings nearby.*
- *I am not sure that the building heights and fence heights of adjacent dwellings have been accurately shown in relation to the proposed dwelling in the streetscape elevation, nor is the slope of the land taken into account. As a consequence, there is concern that the scale relationship between the proposed development and existing dwellings may not be as close as is suggested in the drawings.*
- *I recommend requesting detail of the profile, size and configuration of steel infill for the proposed fence.*

8. PUBLIC NOTIFICATION

Category 2 notification was undertaken in accordance with Table Un/8 of the Unley Development Plan. During the ten (10) business day notification period two representations were received as detailed below.

19 Northgate Street (oppose)	
ISSUES RAISED	APPLICANTS RESPONSE
<p>Tree safety Concern regarding the proximity of the proposed pool and spa to the existing Significant tree. An arborist report is requested to satisfy that no potential damage will occur to the root system.</p>	<p>An Arborist report is provided which concludes that the proposed development will have minimal adverse effect on the Ginkgo Tree as consideration has been given during the designing phase of this project.</p> <p>Tree Protection methodologies are recommended (refer page 9 of The Adelaide Tree Surgery report, Attachment A).</p>
<p>Noise Concern regarding the proximity of the pool and spa equipment to existing habitable rooms. Acoustic engineering advice is requested (in relation to sound attenuation).</p>	<p>Pool pumps, filters and associated equipment are located within a sound attenuated enclosure minimising acoustic impact to adjacent dwellings and are located >5m from habitable room windows.</p>
24 Northgate Street (oppose)	
ISSUES RAISED	APPLICANTS RESPONSE
<p>The proposed building does not reflect the existing architectural styles and does not meet the Desired Character for the Policy Area.</p> <p>The building should suitably reference the contextual conditions of the locality and contribute positively to the desired character.</p>	<p>Although of a modernist style and not replication in nature, the proposal maintains classical proportioning and is of a scale that does not detract from that of surrounding structures with design elements, which respect and complement the existing buildings and streetscape.</p> <p>The proposal:</p> <ul style="list-style-type: none"> • Has generous front and side setbacks, maintaining the rhythm of building setbacks and siting. • Sited and designed to minimise negative impacts on the existing and potential land use. • Contributes to the existing streetscape character and reduces the appearance of building bulk with increasing setbacks as height increases. • The rectilinear forms create an elegant, light structure with simple detailing reducing the overall mass of the building.

	<ul style="list-style-type: none"> • Of similar height, the strong horizontal lines reflect the horizontal corbelling and parapet lines of the adjacent residences. • The flat roof aids to reduce the overall bulk of the structure. • Render finishes, timber infill, and stone cladding pick up on and match existing wall cladding finishes in the near vicinity whilst provided articulation and visual amenity. • No garaging is visible from the street, and the use of the existing single driveway is maintained. • The new open front fencing maintains an attractive streetscape and maintains the presence of the dwelling front in its garden setting.
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(* denotes non-valid planning considerations)

9. DEVELOPMENT DATA

Site Characteristics	Dwelling	Development Plan Provision
Total Site Area	893.6m ²	1000m ²
Frontage	19.81m	21m
Depth	45.11m	-
Building Characteristics		
Floor Area		
Lower Ground Floor	208.6m ²	-
Ground Floor	302m ²	-
Upper Floor	144m ² 69% of ground floor	≤50% of ground floor
Site Coverage		
Roofed Buildings	45.2% (404.5m ²)	≤50% of site area
Total Impervious Areas	75% impervious (222.2m ² pervious) %	≤70% of site
Total Building Height		
Ground Floor	4.6m (front façade) 3.5m – 4.4m	-
Upper Floor	7m	-
Setbacks		
Ground Floor		
Front boundary (north)	7.1m – 8.06m	8m
Side boundary (east)	3m	1.5m - 3m
Side boundary (west)	2m	1.5m – 3m
Rear boundary (south)	5.5m	8m
Upper Floor		

Front boundary (north)	24m	Set well behind main dwelling facade
Side boundary (east)	4m	4m
Side boundary (west)	3.65m	4m
Rear boundary (south)	7.4m	8m
Swimming Pool		
Length	12m	-
Width	3m	-
Setback from side boundary (east)	1.5m Pool equip adjacent boundary and sound attenuated	1.5m
Setback from rear boundary (south)	8m approx.	-
Private Open Space		
Min Dimension	>4m	≥4m minimum
Total Area	34%	≥20%
Car parking and Access		
On-site Car Parking	6	3 per dwelling where 4 bedrooms or more or floor area 250m ² or more
Covered on-site parking	6	≥2 car-parking spaces
Driveway Width	3.2m Existing	3m
Undercroft	Access to and from is adequate Gradient and transitions are acceptable	
Colours and Materials		
Fencing	1.8m high Render finish masonry piers (dulux grey pebble or similar) and steel infill (paint finish matt black or similar)	1.8m masonry pier and plinth acceptable
Colours and materials	Render finishes, timber infill and stone cladding 'light' colour scheme applied with highlighted infill colours	

(items in **BOLD** do not satisfy the relevant Principle of Development Control)

10. ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Streetscape Built Form Zone
<p>Objective 1: <i>Enhancement of the desired character of areas of distinctive and primarily coherent streetscapes by retaining and complementing the siting, form and key elements as expressed in the respective policy areas and precincts.</i></p>

Objective 2:

A residential zone for primarily street-fronting dwellings, together with the use of existing non-residential buildings and sites for small-scale local businesses and community facilities.

Objective 3:

Retention and refurbishment of buildings including the sensitive adaptation of large and non-residential buildings as appropriate for supported care or small households.

Objective 4:

Replacement of buildings and sites at variance with the desired character to contribute positively to the streetscape.

Desired Character**Streetscape Value**

The Residential Streetscape (Built Form) Zone encompasses much of the living area in inner and western Unley, (excluding the business and commercial corridors and those areas of heritage value).

The zone is distinguished by those collective features (termed “streetscape attributes”) making up the variable, but coherent streetscape patterns characterising its various policy areas and precincts. These attributes include the:

- (a) rhythm of building sitings and setbacks (front and side) and gaps between buildings; and*
- (b) allotment and road patterns; and*
- (c) landscape features within the public road verge and also within dwelling sites forward of the building façade; and*
- (d) scale, proportions and form of buildings and key elements.*

Streetscape Attributes

It is important to create high quality, well designed buildings of individuality and design integrity that nonetheless respect their streetscape context and contribute positively to the desired character in terms of their:

- (a) siting; and*
- (b) form; and*
- (c) key elements*

Policy Area 9 – Spacious, Precinct 9.8 Unley Park (East) Desired Character

The streetscape attributes include the:

- (a) low scale building development;*
- (b) spacious road verges and front and side building setbacks from the street;*
- (c) forms and detailing of the predominant architectural styles (variously Victorian and Turn-of-the-Century double-fronted cottages and villas, and Inter-War era housing, primarily bungalow but also tudor and art deco and complementary styles); and*

(d) varied but coherent rhythm of buildings and spaces along its streets.

Development will:

(a) be of a street-front dwelling format, primarily detached dwellings; and

(b) maintain or enhance the streetscape attributes comprising:

- i. siting - the regular predominant subdivision and allotment pattern, including the distinctive narrow-fronted sites associated with the various cottage forms (found only in the Unley (North) and Wayville Precincts). This produces a streetscape pattern of buildings and gardens spaces set behind generally open fenced front boundaries. Street setbacks are generally 6 to 8 metres and side setbacks consistently no less than 1 metre and most often greater, other than for narrow fronted cottages. Such patterns produce a regular spacing between neighbouring dwellings of generally between 5 metres and 7 metres (refer table below); and*
- ii. form - the consistent and recognisable pattern of traditional building proportions, including the wall heights and widths of facades and roof heights, volumes and shapes associated with the architectural styles identified in the table below; and*
- iii. key elements - the iconic and defining design features including, in particular the detailed composition and use of materials on facades and roofing of the predominant architectural styles identified in the table below*

Relevant Zone Principles of Development Control

PDC 1

Development should support and enhance the desired character (as expressed for each of the three policy areas, and the respective precincts).

PDC 6

Demolition of the whole of a building should only be undertaken – where the replacement building(s) makes a comparable or more positive contribution to the desired character than the building to be demolished, or alternatively where the building to be demolished:

- (a) is structurally unsafe or so unsound as to be unreasonably economically rehabilitated; or*
- (b) is so compromised or altered that there is no reasonable prospect of its original character being revealed; or*
- (c) adds little value to the desired character due to its discordant form and poor streetscape contribution; or*
- (d) is incongruous with, and makes a poor contribution to the particular character of its streetscape.*

PDC 9

Development should present a single storey built scale to the streetscape. Any second storey building elements should be integrated sympathetically into the dwelling design, and be either:

- (a) incorporated primarily into the roof or comprise an extension of the primary single storey roof element without imposing excessive roof volume or bulk, or massing intruding on neighbouring spacious conditions, nor increasing the evident wall heights as viewed from the street; or*
- (b) set well behind the primary street façade of the dwelling so as to be inconspicuous in the streetscape, without being of a bulk or mass that intrudes on neighbouring properties.*

PDC 10

Buildings should be of a high quality contemporary design and not replicate historic styles. Buildings should nonetheless suitably reference the contextual conditions of the locality and contribute positively to the desired character, particularly in terms of:

- (a) scale and form of buildings relative to their setbacks as well as the overall size of the site; and*
- (b) characteristic patterns of buildings and spaces (front and side setbacks), and gaps between buildings; and*
- (c) primarily open front fencing and garden character and the strong presence of buildings fronting the street.*

PDC 14

A carport or garage should form a relatively minor streetscape element and should:

- (a) be located to the rear of the dwelling as a freestanding outbuilding; or*
- (b) where attached to the dwelling be sited alongside the dwelling and behind its primary street façade, and adopt a recessive building presence. In this respect, the carport or garage should:*
 - (i) incorporate lightweight design and materials, or otherwise use materials which complement the associated dwelling; and*
 - (ii) be in the form of a discrete and articulated building element not integrated under the main roof, nor incorporated as part of the front verandah or any other key element of the dwelling design; and*
 - (iii) have a width which is a proportionally minor relative to the dwelling façade and its primary street frontage; and*
 - (iv) not be sited on a side boundary, except for minor scale carports, and only where the desired building setback from the other side boundary is achieved.*

PDC 12

In localities where the built character and streetscape qualities are incoherent or generally in discord with the desired character, development should redevelop a site by replacing the discordant elements, key features or materials and better support the desired character.

Assessment

The subject locality broadly reflects the predominant architectural styles identified within the Precinct 9.8 area. The allotment sizes vary where land has been divided, however generally meet predominant frontage widths and area. The subject land does

not demonstrate a typical allotment size and is noticeably narrower in width, and shorter in depth, than the adjoining land.

The land is currently occupied by a late Victorian style villa which is located closer to Northgate Street than any dwellings on the southern side. The existing dwelling type is one that is consistent with the desired character for the area; however, its integrity has been affected by alterations and additions over time. The application is not accompanied with documentation advising that the existing dwelling to be demolished is;

- a) structurally unsafe or unsound; or
- b) So compromised or altered that there is no reasonable prospect of its original character being revealed; or
- c) Adds little value to the desired character; or
- d) Is incongruous with, and makes a poor contribution to the particular character of its streetscape.

As such, the demolition of the existing dwelling should only be undertaken where the replacement dwelling makes a comparable or more positive contribution to the desired character than the building to be demolished. As discussed further below, the proposed development goes some way to providing a replacement dwelling of comparable contribution in that it is a low scale building of appropriate setting, however, is lacking a number of key elements with regards to the detailing of the façade.

While the locality includes examples of architectural styles identified within the Precinct, the streetscape variation does not result in a high degree of character/built form consistency. As such, the proposed development should 'redevelop the site by replacing the discordant elements, key features or materials and better support the desired character'.

With respect to the Desired 'streetscape attributes', the proposed development demonstrates a low scale building development, with appropriate front and side building setbacks. Further, the proposed siting of the development maintains the spacing between neighbouring dwellings consistent with the locality.

As a contemporary style dwelling with rectilinear forms and a flat roof, the proposed development does not reflect the detailing (steeply pitched hipped or gabled roof forms, deep verandahs, high degrees of modulation etc.) of predominant architectural styles. As the front setback is proposed to be marginally forward of the two adjoining, the dwelling will form a prominent feature in the streetscape. The applicant states in their context report that the 'scale and massing of the proposal is consistent with existing buildings in the immediate area' and the 'strong horizontal line of the proposal roof parapet at ground level reflects the horizontal corbelling and parapet lines of the adjacent residences'.

Turning to other relevant Principles of Development Control (PDC) for the RS (BF) Zone, the proposed development presents appropriate development. In particular, the development presents a single storey built scale to the streetscape by setting the second storey well behind the primary street façade of the dwelling. The second storey

is appropriately sited, is of minimal height and provides visual articulation such that it is not of a bulk or mass that intrudes on neighbouring properties.

The development is considered to be of a high quality contemporary design that does not replicate historic styles. It suitably references the contextual conditions of the locality with respect to the pattern of buildings and spaces (setbacks) and dwelling scale. The proposed open front fencing will replace an existing solid high fence, enhancing the strong presence of dwellings fronting the street.

No boundary walls are proposed and the associated garaging will not be visible from the streetscape (undercroft).

On balance, the proposed development is considered to support the Desired Character in that it is a low scale building of high quality contemporary design (siting and form) however, does not enhance the streetscape attributes with reference to key architectural elements and defining design features of predominant architectural styles.


Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Design and Appearance	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23
Energy Efficiency	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 2, 3, 4
Regulated and Significant Trees	<i>Objectives</i>	1, 2, 3
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Residential Development	<i>Objectives</i>	1, 2, 3, 4, 5
	<i>PDCs</i>	1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62

The following table includes the Council-wide provisions that warrant further discussion in regards to the proposed development:

Relevant Council Wide Provisions	Assessment
Significant Tree PDC 5, 6 & 7	<ul style="list-style-type: none"> The subject application is accompanied by an Arborist report, prepared by a suitably qualified person, detailing the recommended tree protection measures appropriate to the development; The Report identifies an encroachment into the Tree Protection Zone of approximately 13%, which is

Relevant Council Wide Provisions	Assessment
	<p>deemed to not have an adverse affect on the trees health and condition as long as the correct methogolidiges are used when working within the TPZ (condition of consent).</p>
<p>Side and rear boundaries PDC 13</p>	<ul style="list-style-type: none"> Side and rear setbacks should be progressively increased as the height of the building increases to minimised massing and overshadowing impacts of adjoining properties. While not in strict accordance with the quantitative recommendations, the proposed upper level (and ground level) setbacks are considered appropriate with consideration of the site configuration and adjoining property configuration (private open space location and dwelling siting surrounding the rear of the allotment). 
<p>Overlooking PDC 38 & 39</p>	<ul style="list-style-type: none"> Direct overlooking from upper level habitable room windows to habitable room windows and useable private open space of other dwellings is minimised through the inclusion of; <ul style="list-style-type: none"> a) obscured glazing up to 1700mm above floor level along the eastern and western elevations (side); and b) fixed horizontal screening up to 1700mm above floor level along the southern and northern elevations (rear and front)
<p>Swimming pool PDC 20</p>	<ul style="list-style-type: none"> The proposed swimming pool is setback 1.5m from the common boundary and the ancillary pool equipment is located within a sound attenuated enclosure (>5m from a habitable room); The proposed swimming pool and ancillary pool equipment are appropriately located to protect the privacy, visual and acoustic amenity of the eastern adjoining property

11. CONCLUSION

It is acknowledged that the proposed development does not 'enhance' the streetscape attributes by the inclusion of defining design features complementary of predominant architectural styles (such as verandahs and pitched roofs). However, when considered on balance with the positive aspects of the proposals contribution to the locality and amenability with Zone and Council Wide Principles of Development Control, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The development includes a building of high quality contemporary design that makes reference to the contextual conditions of the locality;
- The proposed development contributes positively to the desired character in terms of;
 - Scale and form of buildings relative to their setbacks as well as the overall size of the site;
 - Characteristic patterns of buildings and spaces (front and side setbacks), and gaps between buildings; and
 - Primarily open front fencing and garden character and the strong presence of buildings fronting the street;
- The upper level is integrated sympathetically into the dwelling design and will not result in a bulk or mass that intrudes on neighbouring properties;
- The garaging for the proposed dwelling is located under-ground and will have no streetscape impact;
- Direct overlooking from upper level habitable room windows to habitable room windows and private open space of other dwellings is minimised; and
- The Development will can be undertaken with the minimum adverse effect on the health of a significant tree;
- Replacement fencing opens up the front garden/landscaping which enhances the street presentation.

The application is therefore recommended for Development Plan CONSENT.

12. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/496/2018/C2 at 21 Northgate Street, Unley Park SA 5061 to 'Demolish the existing dwelling; and construct two storey dwelling including undercroft garage, verandahs, in-ground swimming pool and front fence' is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.

2. That the eastern and western habitable upper floor windows be treated to avoid overlooking prior to occupation by being fitted with permanently fixed non-openable translucent glazed panels to a minimum height of 1700mm above floor level with such translucent glazing to be kept in place at all times.
3. That privacy screening be erected to the upper level habitable room windows on the northern and southern elevations prior to occupation. The screening shall be permanently fixed to a minimum height of 1700mm above floor level with further details to be provided to Council's satisfaction prior to the issue of Development Approval.
4. That waste water from the swimming pool shall be discharged to the sewer, and not be allowed to flow onto adjoining properties or the street water table under any circumstances.
5. That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment.
6. All stormwater from the building and site shall be disposed of so as to not adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.
7. That the total stormwater volume requirement (detention and retention) for the development herein approved shall be determined in accordance with the volume requirements and discharge rates specified in Table 3.1 and 4.1 in the City of Unley Development and Stormwater Management Fact Sheet dated 15 January 2017. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
8. The Significant Ginkgo Bibola Tree located on the adjoining land shall be protected throughout the demolition and construction of the development in accordance with the tree protection measures and recommendations as detailed in the Adelaide Tree Surgery Report, prepared by Mark Elliott.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- 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 or the erection of a new 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 refer to their web site at www.lsc.sa.gov.au.
- Your attention is drawn to the requirements of **Development Regulation 76C- Fire Safety Requirements - Brush Fences**.

It is a requirement for the purpose of building rules assessment that brush fences (existing, proposed or altered) must be clearly identified on all documentation to be lodged for building rules consent. Brush fences within 3 metres of any dwelling will require development approval.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representations	Administration
C	Response to Representations	Applicant
D	Transport and Traffic Advice	Administration

ITEM 5**DEVELOPMENT APPLICATION – 090/343/2018/C2 – 74 MAUD STREET, UNLEY SA 5061 (UNLEY)**

DEVELOPMENT APPLICATION NUMBER:	090/343/2018/C2
ADDRESS:	74 Maud Street, Unley SA 5061
DATE OF MEETING:	11 December 2018
AUTHOR:	Brendan Fewster
DEVELOPMENT PROPOSAL:	Carry out alterations and construct a single storey addition on common boundary and verandah
HERITAGE VALUE:	Contributory Item
DEVELOPMENT PLAN:	19 December 2017
ZONE:	Residential Historic (Conservation) Policy Area 6 – Spacious Unley and Malvern Trimmer Estate
APPLICANT:	D J Morrell
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – (One against)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representation
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Wall on boundary Amenity impact Heritage impact

1. PLANNING BACKGROUND

No relevant Planning Background.

2. DESCRIPTION OF PROPOSAL

The proposal is for the construction of a single storey addition to the rear of an existing dwelling, including some internal alterations to the dwelling. The addition comprises new living areas, a kitchen and bathroom and a covered alfresco area under the main roof. The addition will be located on the eastern side boundary for a length of 11 metres.

The addition is designed with a 5-degree roof pitch that is located behind parapet walls. The external walls will have a maximum height of 3.95 metres above the top of the footing.

External materials and finishes include brick veneer cladding and aluminium frame windows and doors.

3. SITE DESCRIPTION

The subject land is a residential allotment located at 74 Maud Street, Unley. The allotment is a rectangular shape with a frontage width of 11.38 metres and a total area of 520m².

The land is naturally flat and does not contain any regulated trees.

Currently occupying the land is a single storey detached dwelling that is identified as a Contributory Item in Council's Development Plan. There is also a freestanding garage located on the rear boundary with rear laneway access.

4. LOCALITY PLAN



Subject Site



Locality



Representations

5. LOCALITY DESCRIPTION

Land Use

The locality is entirely residential in land use. The land adjoining and adjacent to the subject site comprises detached dwellings at low densities.

Land Division/Settlement Pattern

The original allotment layout and development pattern is largely intact. Allotments are rectangular in shape with consistent building forms and street setbacks.

Dwelling Type / Style and Number of Storeys

Dwellings on the northern side of Maud Street comprise double fronted cottages that reflect the original pattern of settlement. There are more recent dwelling styles on the southern side of Maud Street.

6. STATUTORY REFERRALS

No statutory referrals required.

7. NON-STATUTORY (INTERNAL) REFERRALS

No non-statutory (internal) referrals were undertaken.

8. PUBLIC NOTIFICATION

Category 2 notification was undertaken in accordance with Table Un/8 of the Unley Development Plan. During the ten (10) business day notification period one (1) representation was received as detailed below.

72 Maud Street, Unley (concerns)	
ISSUES RAISED	APPLICANTS RESPONSE
The proposal will contribute to the neighbourhood character	No response provided
The 12m long boundary wall does not satisfy the wall length and height requirements of the Development Plan	No response provided
The boundary wall will overshadow our verandah window which allows generous sunlight into the living space	No response provided

(Non-planning related issues have not been reported.)

9. DEVELOPMENT DATA

Site Characteristics	Description of Development	Development Plan Provision
Total Site Area	520m ²	Existing
Frontage	11.38m	Existing
Depth	45.90m	Existing
Building Characteristics		
Floor Area		
Ground Floor	122m ²	
Site Coverage		
Roofed Buildings	62%	≤50% of site area
Total Impervious Areas	84%	≤70% of site
Total Building Height		
From ground level	3.95m	
From ground level of the adjoining affected land	4m approx.	
Setbacks		
Front boundary (south)	Rear of dwelling	N/A
Side boundary (east)	On boundary	1m
Side boundary (west)	1.25m	1m
Rear boundary (north)	17m	5m
Wall on Boundary		
Location	Eastern boundary	
Length	11m	≤9m or ≤50% of the boundary length, whichever is the lesser
Height	3.55m	≤3m
Private Open Space		
Min Dimension	6m+	≥4m minimum
Total Area	135m ²	≥20%
Car parking and Access		
On-site Car Parking	3 existing spaces	2 per dwelling where less than 4 bedrooms or 250m ² floor area
Colours and Materials		
Roof	Metal sheeting	
Walls	Brick	
Fencing	N/A	

(items in **BOLD** do not satisfy the relevant Principle of Development Control)

10. ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Historic (Conservation) Zone
<p>Objective 1: <i>Conservation and enhancement of the heritage values and desired character described in the respective policy areas, exhibited in the pattern of settlement and streetscapes of largely intact original built fabric.</i></p> <p>Objective 2: <i>A residential zone for dwellings primarily in street-fronting format, together with the use of existing buildings and sites used for non-residential purposes for small-scale local businesses and community facilities supporting an appealing, pleasant and convenient living environment.</i></p> <p>Objective 3: <i>Retention, conservation and enhancement of contributory items, and the complementary replacement or redevelopment of non-contributory buildings.</i></p> <p>Objective 4: <i>Sensitive adaptation of contributory items for alternate, small household, living where offering tangible benefit in the retention and refurbishment of such items.</i></p>
Desired Character
<p>Heritage Value</p> <p><i>The Residential Historic (Conservation) Zone and its 7 policy areas have particular significance to the history of Unley's settlement. These areas tell a story about life in the late 19th and early 20th Century, and of the features and circumstances of the original European communities in Unley. It is for this reason, as well as the appealing and coherent streetscapes of largely intact original building stock, that these areas merit particular attention and protection.</i></p> <p><i>The important defining heritage values and statements of desired character are expressed for each of the zones seven distinctive policy areas. These values stem from the original road layout and settlement patterns. There is a strong consistency and an identifiable pattern in the way buildings, of varying proportions, are sited and massed relative to the site sizes and widths of street frontages. There is also an identifiable rhythm of spaces between buildings and their street setbacks. Dwellings are of a traditional street-fronting format and adopt a strong street "address" with open front gardens and fencing, and with outbuildings and garaging being a recessive or minor streetscape element. There is also a consistency in the built fabric itself with characteristic use of building forms, detailing, materials and colours.</i></p> <p>Contributory Items</p> <p><i>A building making a positive contribution to the heritage value and desired character of the respective policy areas is termed a "contributory item". All contributory items are highly valued and ought not be demolished as this would significantly erode the integrity of the zone. Sensitively designed alterations and additions to a contributory item are appropriate, as are changes removing or making more positive contribution of discordant building features detracting from its contributory value. The adaptation of a contributory item for alternative residential accommodation where this provides for the retention, and ongoing refurbishment, of such items is also appropriate.</i></p>

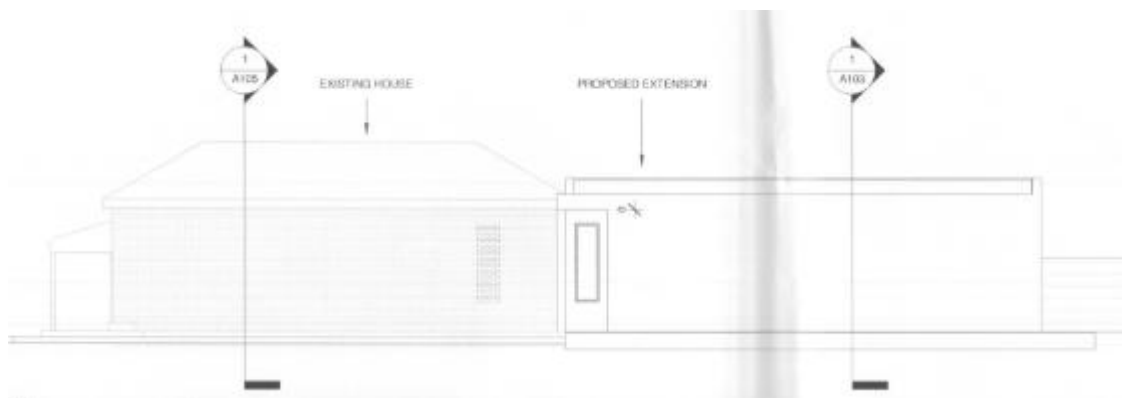
Non-contributory Buildings

A building which detracts from the heritage value and desired character of the zone is termed a “non-contributory building”. The demolition and replacement of a non-contributory building with carefully designed infill is supported subject to meeting stringent design parameters to ensure compatible building forms and complementary, rather than inferior reproduction, buildings or building elements.

Assessment

The objectives of the Residential Historic (Conservation) Zone seek to conserve and enhance areas of historic significance, with particular importance given to the built form and spatial characteristics of the original settlement. Objective 3 and the desired character for the zone identify the need for the retention, conservation and enhancement of contributory items as these buildings make a positive contribution to the heritage value of the area.

The proposal comprises a single storey addition to the rear of an existing contributory item. The addition will replace a ‘non-original’ lean-to structure with a modern building that would not be readily visible from the road frontage. Although the building design would not match the historic form and appearance of the existing dwelling, the roof of the addition would have a low profile so as to sit well below the existing ridgeline, with the eastern boundary wall setback at least 12 metres from the main front wall of the dwelling. The proposal would therefore replace a discordant building feature with a sensitively designed addition that would protect the original form and features of the dwelling.



East elevation showing the roof of the proposed addition well below the ridge of the dwelling

Relevant Zone Principles of Development Control	Assessment
<p>PDC 1 <i>Development should conserve and enhance the desired character as expressed for each of the seven policy areas.</i></p>	<p>The subject land is situated within Policy Area 6 – Spacious Unley and Malvern Trimmer Estate. The desired character within this policy area requires new development to “conserve contributory items, in particular symmetrical and asymmetrical villas of Victorian and Turn-of-the-Century era and double-fronted cottages”. As considered above, the modest building height and the siting of the addition to the rear of the dwelling would ensure that the historic features of the contributory item are maintained.</p>
<p>PDC 2 <i>Development should comprise:</i> <i>(a) alterations and/or additions to an existing dwelling; and</i> <i>(b) ancillary domestic-scaled structures and outbuildings; and</i> <i>(c) the adaptation of, and extension to, a contributory item to accommodate and care for aged and disabled persons, or for a multiple dwelling or residential flat building; and</i> <i>(d) selected infill of vacant and/or under-utilised land for street-fronting dwelling type(s) appropriate to the policy area; and</i> <i>(e) replacement of a non-contributory building or site detracting from the desired character with respectful and carefully designed building(s).</i></p>	<p>The proposed additions and alterations are ancillary and subordinate to the existing dwelling and therefore would not change the existing residential use of the land.</p> <p>PDC 2 of the Residential Historic (Conservation) Zone envisages dwelling alterations, outbuildings and other domestic structures. The proposal is therefore an orderly and desirable form of development within the zone.</p>
<p>PDC 3 <i>Development should retain and enhance a contributory item by:</i> <i>(a) refurbishing, restoring and improving the original fabric and maintaining its streetscape contribution; and</i> <i>(b) avoiding works detrimentally impacting on the built form and its characteristic elements, detailing and materials of the front and visible sides as viewed from the street or any public place (ie the exposed external walls; roofing</i></p>	<p>The proposed addition would not affect the street appearance of the contributory item. Although a small section of the addition would extend beyond the wall of the dwelling on the eastern side, this part of the addition would not be readily visible from the street as it would be located at least 12 metres behind the front façade.</p> <p>The proposal would also remove a rear lean-to that is considered to be a discordant building feature that does not contribute positively to the contributory item.</p>

<p>and chimneys; verandahs, balconies and associated elements; door and window detailing; and original finishes and materials) together with any associated original fencing forward of the main building façade; and</p> <p>(c) removing discordant building elements, detailing, materials and finishes, outbuildings and site works; and</p> <p>(d) altering or adding to the item and carrying out works to its site only in a manner which maintains or enhances its contribution to the desired character, and responds positively to the characteristic elements and streetscape context of its locality, in terms of the:</p> <p>(i) rhythm of buildings and open spaces (front and side setbacks) of building sites and gaps between neighbouring building sites; and</p> <p>(ii) building scale and forms (wall heights and proportions, and roof height, volumes and forms); and</p> <p>(iii) open fencing and garden character; and</p> <p>(iv) recessive or low key nature of vehicle garaging and the associated driveway.</p>	
<p>PDC 4</p> <p><i>Alterations and additions to a contributory item should be located primarily to the rear of the building and not be visible from the street or any public road unless involving the dismantling and replacement of discordant building elements so as to reinstate or better complement the building's original fabric, form and key features.</i></p>	<p>The proposed addition is located to the rear of the dwelling and the low profile roof design would ensure that the new building is not visible from the street. PDC 4 of the zone is therefore satisfied.</p>
<p>PDC 9</p> <p><i>Development should present a single storey built scale to the streetscape. Any second storey building elements should be integrated sympathetically into the dwelling design, and be either:</i></p> <p><i>(a) incorporated primarily into the roof or comprise an extension of the</i></p>	<p>The proposed addition is single storey with a maximum wall and roof height of 3.95 metres. The roof of the addition would sit well below the existing ridgeline of the dwelling.</p>

<p><i>primary single storey roof element without imposing excessive roof volume or bulk, or massing intruding on neighbouring spacious conditions nor increasing the evident wall heights as viewed from the street; or</i></p> <p><i>(b) set well behind the primary street façade of the dwelling so as to be inconspicuous in the streetscape, without being of a bulk or mass that intrudes on neighbouring properties.</i></p>	
<p>PDC 10 <i>Buildings should be of a high quality contemporary design and not replicate historic styles. Buildings should nonetheless suitably reference the contextual conditions of the locality and contribute positively to the desired character, particularly in terms of:</i></p> <p><i>(a) scale and form of buildings relative to their setbacks as well as the overall size of the site; and</i></p> <p><i>(b) streetscape setting or the characteristic pattern of buildings and spaces (front and side setbacks), and gaps between buildings; and</i></p> <p><i>(c) primarily open front fencing and garden character and the strong presence of dwellings fronting the street.</i></p>	<p>The addition is designed with a 5-degree roof pitch that is located behind parapet walls. The design is simple and is not intended to replicate the historic style of the contributory item, as the built form would not be readily visible from the street. The size, scale and siting of the proposed addition is considered to be consistent with the existing development pattern in the locality, which comprises rear additions and outbuildings located on or in close proximity to side and rear boundaries.</p>
<p>12 <i>Building walls on side boundaries should be avoided other than:</i></p> <p><i>(a) a party wall of semi-detached dwellings or row dwellings; or</i></p> <p><i>(b) a single storey building, or outbuilding, which is not under the main dwelling roof and is setback from, and designed such that it is a minor, low and subservient element and not part of, the primary street façade, where:</i></p> <p><i>(i) there is only one side boundary wall; and</i></p> <p><i>(ii) the minimum side setback prescribed under the desired</i></p>	<p>The proposal comprises a wall on the eastern side boundary measuring 11 metres in length and 3.55 metres in height. The adjoining property owners at 72 Maud Street have raised some concerns with the boundary wall, particularly with respect to the potential for overshadowing of a verandah window on this side.</p> <p>Although the proposed boundary wall would cast some afternoon shadow over the west-facing verandah window of the adjoining property, the proposal is considered to satisfy the intent of PDC 12 of the zone as the addition has a relatively low profile, would not affect the primary street façade</p>

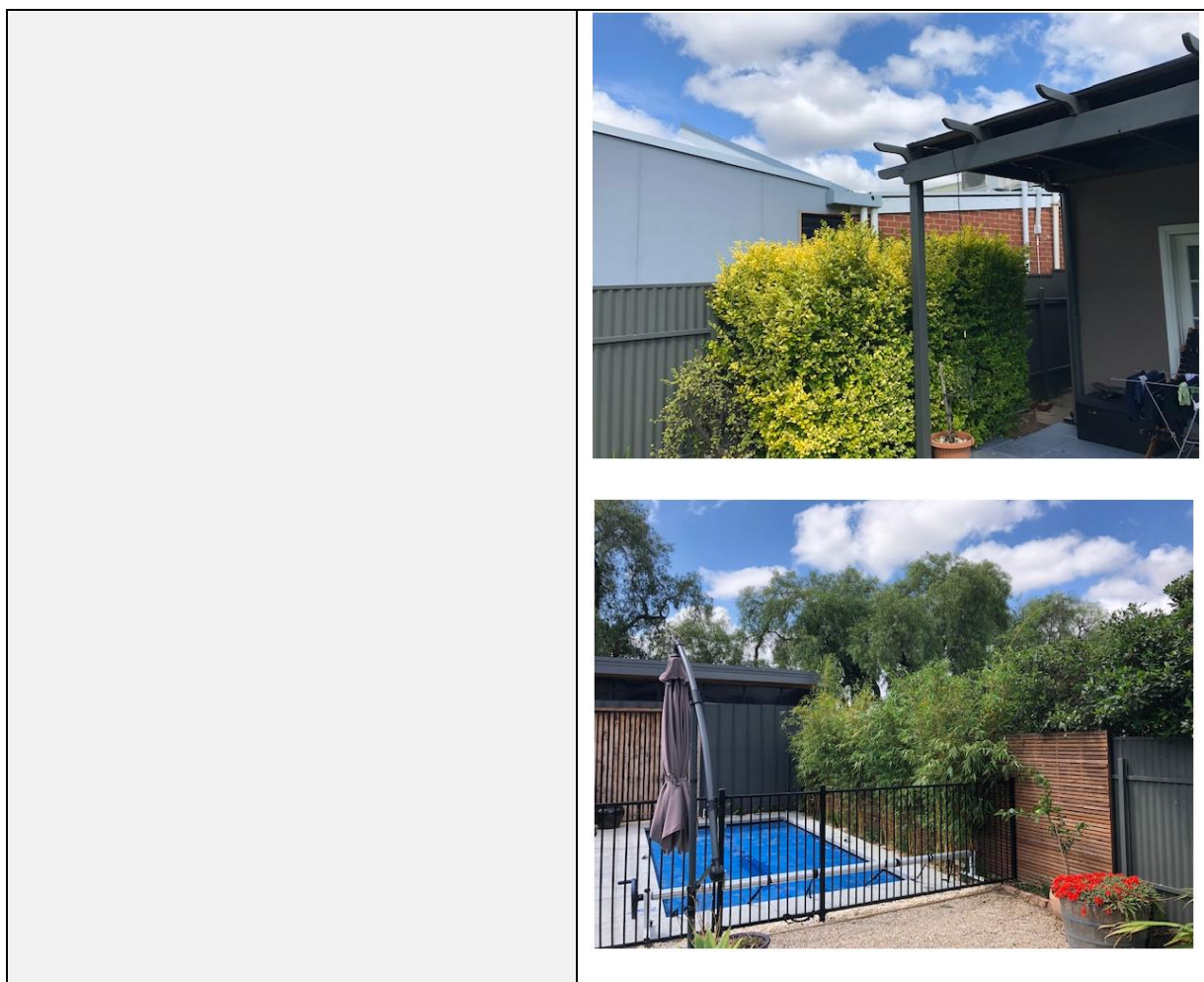
character is met on the other side boundary; and
(iii) *the desired gap between buildings, as set-out in the desired character, is maintained in the streetscape presentation.*

and would be sufficiently setback from the opposite side boundary. The boundary wall would also be located immediately adjacent to the side wall of an enclosed verandah on the neighbouring property, as observed in the photos below.

From an amenity perspective, the impacts upon the eastern neighbour would not be significant for the following reasons:

- The wall would be located immediately adjacent to the side wall of an adjacent enclosed verandah;
- The west-facing verandah window on the adjacent property would currently receive minimal natural light;
- The existing hedge on the boundary would screen the small portion of the wall that would extend beyond the neighbours wall; and
- The subject land and the adjoining property have a north to south orientation resulting in only minimal overshadowing.





Policy Area Desired Character

Policy Area 6 – Spacious Unley and Malvern Trimmer Estate

Desired Character

Heritage Value

An important appreciation of the heritage value is formed by the comprehensive subdivision by Trimmer (and Grainger) during 1881-1884 of the area originally known as 'New Parkside', 'Malvern' and 'Malvern Extension'. This subdivision demonstrates the extensive growth of Unley as a suburban area in the late 19th Century.

Desired Character

The spacious streetscape character is founded on wide, tree-lined streets, grid street layout (with axial views focussed on the central oval feature in 'New Parkside') and generous front gardens. Intrinsic to the area is an extensive, intact collection of contributory items including distinctive Victorian and Turn-of-the-Century villas (asymmetrical and symmetrical), double-fronted cottages and limited complementary, Inter-war era, styles. More affluent, original owners developed some larger, amalgamated allotments in the southern areas establishing grander residences and gardens.

Development will:

Policy Area 6 – Spacious Unley and Malvern Trimmer Estate	
Desired Character	
<p>(a) conserve contributory items, in particular symmetrical and asymmetrical villas of Victorian and Turn-of-the-Century era and double-fronted cottages; and</p> <p>(b) be of a street-fronting dwelling format, primarily detached dwellings; and</p> <p>(c) maintain or enhance the predominant streetscapes and regular road and allotment patterns with:</p> <p>(i) dwelling sites typically of 15 metres in street frontages and with site areas of 750 square metres; and</p> <p>(ii) front set backs of some 7 metres; and</p> <p>(iii) side setbacks of between 1 metre and 3 metres so as to maintain a total spacing between neighbouring dwelling walls, of some 4 metres; and</p> <p>(d) maintain and respect important features of architectural styles of contributory items having typically:</p> <p>(i) building wall heights in the order of 3.6 metres; and</p> <p>(ii) total roof heights in the order of 5.6 metres or 6.5 metres; and</p> <p>(iii) roof pitches in the order of 27 degrees and 35 degrees.</p>	
Assessment	
<p>The desired character for the policy area requires new development to “conserve contributory items, in particular symmetrical and asymmetrical villas of Victorian and Turn-of-the-Century era and double-fronted cottages”. As already considered, the modest building height and the siting of the addition to the rear of the dwelling would ensure that the historic features of the contributory item are sufficiently maintained.</p>	

Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Design and Appearance	Objectives	1, 2
	PDCs	1, 2, 3, 9, 10, 12, 13, 14, 19, 20, 21
Energy Efficiency	Objectives	1, 2
	PDCs	1, 2, 3, 4
Form of Development	Objectives	1, 3, 4, 7
	PDCs	1, 2, 3
Heritage	Objectives	1, 5
	PDCs	3, 4, 5, 6, 7, 8, 9, 10, 11, 12
Interface Between Land Uses	Objectives	1, 2, 3
	PDCs	1, 2, 3
Landscaping	Objectives	1
	PDCs	1, 2
Public Notification	PDCs	1
Residential Development	Objectives	1, 2, 4
	PDCs	1, 5, 6, 7, 13, 14, 15, 16, 17, 19, 20, 23, 24, 32, 33, 34, 35, 36, 37, 40, 41, 42

The following table includes the Council-wide provisions that warrant further discussion in regards to the proposed development:

Relevant Council Wide Provisions	Assessment
Residential Development	
PDC 13 & 14 – Side Boundary Setbacks	<p>Council Wide PDC 13 recommends a minimum setback of one metre from side boundaries for walls that are four metres or less in height. Whilst the eastern side of the proposed addition does not achieve this setback, Council Wide PDC 14 makes some allowance for walls on side boundaries provided any associated visual and overshadowing impacts are minimised. From a quantitative perspective, it is noted that PDC 14(c) requires boundary walls to have a maximum height of three metres and a maximum length of eight metres. The proposed wall exceeds this requirement by only 550mm and three metres respectively.</p> <p>It is considered that the visual impacts associated with the wall would not be significant given that it would be positioned immediately adjacent to a wall and hedge on the neighbouring property.</p> <p>Similarly, the loss of natural light to the west-facing verandah window of the adjoining verandah would not significantly impact upon the amenity of the occupants of this dwelling as the window does not serve any internal living areas. The living areas and private open space of this property will continue to receive adequate natural light.</p> <p>On balance, the siting and design of the proposed development in relation to the eastern side boundary would not significantly detract from the amenity of neighbouring properties and therefore is considered acceptable.</p>
PDC 16 & 17 – Site Coverage	<p>Council Wide PDC 17 prescribes a total roofed area of 50 percent of the area of the site. The proposed development will result in roofs covering approximately 62 percent of the site, which is at variance to this principle. Notwithstanding this departure, there is considered to be sufficient area on-site for stormwater detention and retention tanks and adequate private open space would be maintained. Although exceeding the recommended standard, the proposed roof and impervious surface coverage would not have any perceivable planning impacts.</p>

Relevant Council Wide Provisions	Assessment
	Accordingly, the proposal is not considered to result in an over-development of the site.
PDC 19 & 20 – Private Open Space	Approximately 135m ² of private open space will be retained with the dwelling, which equates to 26% of the site area. The layout, orientation and amount of private open space satisfies Council Wide PDC 20 and is considered suitable for clothes drying, entertaining and other domestic activities.

11. CONCLUSION

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The proposed additions and alterations are ancillary and subordinate to the existing dwelling and therefore would not change the existing residential use of the land;
- The proposal is an orderly and desirable form of development within the Residential Historic (Conservation) Zone, which envisages alterations and additions to dwellings including contributory items;
- The proposal would replace a discordant building feature with a sensitively designed addition that would protect the original form and features of the contributory item;
- The design and siting of the proposed development would not adversely impact upon the amenity of neighbouring properties, in terms of visual impact and access to natural light; and
- The size, scale and siting of the proposed addition is consistent with the existing development pattern in the locality.

The application is therefore recommended for Development Plan CONSENT.

12. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/343/2018/C2 at 74 Maud Street, Unley SA 5061 to carry out alterations and construct a single storey addition on common boundary and verandah is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.
2. That the total stormwater volume requirement (detention and retention) for the development herein approved shall be determined in accordance with the volume requirements and discharge rates specified in Table 3.1 and 4.1 in the City of Unley Development and Stormwater Management Fact Sheet dated 15 January 2017. Further details shall be provided to the satisfaction of Council prior to issue of Development Approval.
3. All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- 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 or the erection of a new 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 refer to their web site at www.lsc.sa.gov.au.
- It may be necessary to undertake a dilapidation report from a qualified structural engineer to ensure that buildings located on adjacent properties are protected during any demolition and construction works.
- 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.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representations	Administration

ITEM 6**DEVELOPMENT APPLICATION – 090/576/2018/C2 – 1A RAVENSTHORPE AVENUE, MILLSWOOD SA 5034 (CLARENCE PARK)**

DEVELOPMENT APPLICATION NUMBER:	090/576/2018/C2
ADDRESS:	1A Ravensthorpe Avenue, Millswood SA 5034
DATE OF MEETING:	11 December 2018
AUTHOR:	Chelsea Spangler
DEVELOPMENT PROPOSAL:	Erect 2.2m high boundary fencing (along part of northern common boundary only)
HERITAGE VALUE:	Non-Contributory
DEVELOPMENT PLAN:	4 July 2017
ZONE:	Residential Historic (Conservation) Zone Policy Area 4 – Spacious Millswood Page Estate
APPLICANT:	J A Hogg
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – (One (1) oppose)
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representation
RECOMMENDATION:	Approval
KEY PLANNING ISSUES:	Height of fence

1. PLANNING BACKGROUND

No relevant Planning Background.

2. DESCRIPTION OF PROPOSAL

The applicant seeks to erect a 2100 mm high good neighbour fence upon a 100mm concrete plinth, along part of the northern side boundary.

3. SITE DESCRIPTION




The subject site is located on the eastern side of Ravensthorpe Avenue and to the northern side of an unnamed laneway. The allotment is of an irregular shape and was created in the 1960's from the rear yards of the three allotments to the north.

The site contains a single storey detached dwelling with an associated freestanding garage and boundary fencing. The dwelling is not identified as a Contributory Item.

There are no easements or regulated trees affecting the property.

4. LOCALITY PLAN



 Subject Site  Locality  Representations

5. LOCALITY DESCRIPTION

Land Use

The predominant land use within the locality is residential, with open space and recreational facilities also located within the area.

Dwelling Type / Style and Number of Storeys

Single storey, detached dwellings are the predominant dwelling type within the locality.

Fencing Styles

Front fences within the locality are generally of a low and open style however this is rather varied. Side and rear fences are predominantly solid, good neighbour fences.

6. STATUTORY REFERRALS

No statutory referrals required.

7. NON-STATUTORY (INTERNAL) REFERRALS

No non-statutory (internal) referrals were undertaken.

8. PUBLIC NOTIFICATION

Category 2 notification was undertaken in accordance with Table Un/8 of the Unley Development Plan. During the ten (10) business day notification period one (1) representation was received as detailed below.

29 Millswood Crescent, Millswood (oppose)	
ISSUES RAISED	APPLICANTS RESPONSE
Object to the colour 'monument'	The colour 'monument' was agreed to by this neighbour in the past. An alternative Zinalume corrugated iron fence however can be installed to enable the neighbours to paint the fence to whatever colour suits and to choose a paint that will also meet UV requirements, so all may benefit.
Object to 2200mm height of the fence	The fence height is not just for privacy but also to protect solar inverters from the direct sun (as per The Energy Council of Australia instructions) which were previously afforded by fence and vegetation, before being trimmed back by the neighbour.

29 Millswood Crescent, Millswood (oppose)	
ISSUES RAISED	APPLICANTS RESPONSE
	<p>The height of the fence will also assist to protect from environmental factors</p> <p>The existing fence is 1.3m iron height with 0.7m of steel barrier rails. There is also mesh attached to 2.1m high steel posts on the neighbours side.</p>
Object to 100mm concrete plinth	<p>The concrete plinth is needed to enable the stable, flush and level installation of the new fence.</p> <p>It is also hoped that the plinth will avoid soil or garden rubbish heaping up against the iron fence, as has done to the neighbours fence and resulted in corrosion and disintegration of the iron fence.</p>
*Object to contributing to half of the costs of the fence	<p>The existing fence needs to be replaced as this neighbour has dismantled the existing fence without any permission or agreement from the neighbours.</p> <p>Administration also notes that any disputes over sharing the costs of fencing, is a civil matter and not a matter for local government authorities to consider in the assessment of a development application.</p>
Object to lack of engineering detail	<p>No comment provided however it is noted by Administration that this information is required at the Building Rules Consent stage, not the Planning stage. The applicant however has supplied the Stratco good neighbour fence design guide as part of the application documents.</p>
Object to the fence being built as a continuous and single structure.	No comment provided.

(* denotes non-valid planning considerations)

9. DEVELOPMENT DATA

Proposal	Side Boundary Fence	Development Plan Provision
Location	Side (Northern) Boundary	
Length	17m	
Height	2.1m plus 0.1m concrete plinth	Max. 2.1m when measured from the lower of the two adjoining finished ground levels
Colour & Materials	Trimdek sheets, colour monument	Light weight and visually impermeable

(items in **BOLD** do not satisfy the relevant Principle of Development Control)

10. ZONE & POLICY ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Historic (Conservation) Zone
Objective 1: <i>Conservation and enhancement of the heritage values and desired character described in the respective policy areas, exhibited in the pattern of settlement and streetscapes of largely intact original built fabric.</i>
Policy Area 4 – Spacious Millswood Page Estate
Desired Character
<i>The spacious streetscape character is created by the large front gardens and wide tree-lined streets. This estate exhibits a basic grid street layout around the central recreation feature of Goodwood Oval, but with long curvilinear and some truncated streets around the bisecting train lines laid in the 1870's. The extensive, intact, collection of contributory items, of primarily distinctive Inter-War bungalow, art deco, tudor and complementary latter styles contribute to the desired character.</i>
<i>Development will:</i>
<ul style="list-style-type: none"> (a) <i>conserve contributory items, in particular, bungalows, art deco and tudor architectural styles; and</i> (b) <i>be of low density street-fronting dwelling format, primarily detached dwellings; and</i> (c) <i>maintain or enhance the regular, predominant streetscapes and allotment patterns associated with:</i> <ul style="list-style-type: none"> i. <i>dwelling sites typically of 23 metres street frontages and occupying site areas of</i> ii. <i>900 square metres; and</i> iii. <i>street setbacks of some 8 metres; and</i> iv. <i>side setbacks of between 1.5 metres and 4.5 metres so as to maintain a total spacing between neighbouring dwelling walls, of some 6 metres; and</i> (d) <i>maintain and respect important features associated with architectural styles of contributory items having typically:</i>

- (i) building wall heights in the order of 3.6 metres; and
- (ii) total roof heights in the order of 5.6 metres; and
- (iii) roof pitches in the order of 27 degrees and 35 degrees.

Assessment

The proposed development is for the replacement of a side boundary fence. The fence will not be visible from any roads or public spaces. As such, the fence will have no impact upon the existing streetscape, nor the character of the adjacent Contributory Items. The fence is to be of a style that is not only common within the locality but within the wider Adelaide region.

Relevant Council Wide Objectives and Principles of Development Control

An assessment has been undertaken against the following Council Wide Provisions:

City-wide Objectives and Principles of Development Control		
Crime Prevention	<i>Objectives</i>	1
	<i>PDCs</i>	2
Design and Appearance	<i>Objectives</i>	1
	<i>PDCs</i>	10
Residential Development	<i>Objectives</i>	1, 2
	<i>PDCs</i>	20, 23, 35

The following table includes the Council-wide provisions that warrant further discussion in regards to the proposed development:

Relevant Council Wide Provisions	Assessment
Residential Development	
PDC 35 – Fencing, Walls and Landscaping	<ul style="list-style-type: none"> The proposed fence is a side boundary fence that will not be visible from any public streets or places; The fence defines the common boundary between 1A Ravensthorpe Avenue and 29 Millswood Avenue. The existing boundary fence has been damaged and it is therefore proposed to be replaced with the proposed fence; The fence will create a greater level of visual privacy between the two properties than that which is existing as the proposed fence will be solid to a height of 2.1m; The overall height of the fence exceeds 2.1m from the finished ground level as the fence is to sit on a 100mm high concrete plinth; The additional 100mm of height due to the concrete plinth is considered to be negligible and will have minimal impacts on the visual outlook of both of the affected properties; The fence is to be located closest to the applicant's dwelling;

Relevant Council Wide Provisions	Assessment
	<ul style="list-style-type: none"> A 'good neighbour' style fence is the most common style of side and rear boundary fences within the Adelaide region and therefore the proposed fence is not out of character with the traditional residential nature of the locality.

11. CONCLUSION

In summary, the application is not considered to be seriously at variance with the Development Plan and is considered to satisfy the provisions of the Development Plan for the following reasons:

- The proposed fence will not be visible to any roads or public places and therefore will not impact upon the desired character of the Residential Historic (Conservation) Zone;
- The proposed fence will be constructed of a visually impermeable material that will create a higher level of visual privacy between two adjacent neighbours;
- The height of the proposed fence only marginally exceeds the maximum side boundary fence heights recommended by the Unley Development Plan;
- The proposed height of the fence is not considered to result in any detrimental impacts to the visual outlook of the two affected properties.

The application is therefore recommended for Development Plan CONSENT.

12. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/576/2018/C2 at 1A Ravensthorpe Avenue, Millswood SA 5034 to 'Erect 2.2m high boundary fencing (along part of northern common boundary only)' is not seriously at variance with the provisions of the City of Unley Development Plan and should be GRANTED Planning Consent subject to the following conditions:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

- The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken to the satisfaction of Council.

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

- 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 or the erection of a new 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 refer to their web site at www.lsc.sa.gov.au.

- 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.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Representation	Administration
C	Response to Representation	Applicant

ITEM 7

COUNCIL ASSESSMENT PANEL PROPOSED MEETING DATES FOR 2019

**Andrew Raeburn – Acting Team Leader
Planning
11 December 2018**

**Community Direction 3 – Natural and Built
Environment
Community Goal 3.1
Ensure that Urban Development and
Infrastructure meet the changing needs of
the community whilst maintaining the City's
heritage, amenity and character.**

Under the Council Assessment Panel's 'Meeting Procedures', the Panel sets its own meeting dates. For the past twelve months, the Council Assessment Panel has met on the third Tuesday of each month, and that meeting time has been compatible with other commitments of Panel Members. It is recommended that this practice continues.

RECOMMENDATION

MOVED:

SECONDED:

That the Council Assessment Panel (CAP) in 2019 meet on the third Tuesday of every month at 7.00pm in the Council Chambers, 181 Unley Road, Unley, in accordance with the meeting schedule outlined below (with the exception of January and December 2019):

Tuesday 22 January 2019 (fourth Tuesday)
Tuesday 19 February 2019
Tuesday 19 March 2019
Tuesday 16 April 2019
Tuesday 21 May 2019
Tuesday 18 June 2019
Tuesday 16 July 2019
Tuesday 20 August 2019
Tuesday 17 September 2019
Tuesday 15 October 2019
Tuesday 19 November 2019
Tuesday 10 December 2019 (second Tuesday)