

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Special Council Assessment Panel Meeting to be held on Tuesday 22 December 2020 at 7:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Gary Brinkworth
ASSESSMENT MANAGER

Dated 11/12/2020

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.

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

22 December 2020

MEMBERS:

Ms Shanti Ditter (Presiding Member)
Mr Brenton Burman
Mr Rufus Salaman
Mr Alexander (Sandy) Wilkinson
Ms Jennie Boisvert

APOLOGIES:

Mr Roger Freeman

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED:

SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 15 December 2020, as printed and circulated, be taken as read and signed as a correct record.

AGENDA

Apologies
Conflict of Interest
Confirmation

Item No	Development Application	Page
1.	20 Whistler Ave Unley Park – 85/2018/C2	
2.	3 Merlon Avenue Black Forest – 795/2020/C2	
3.	1 Victoria Avenue Unley Park – 397/2020/C2	
4.	43 Malcolm Street – 487/2020/C1	

Any Other Business
Matters for Council's consideration

ITEM 1**DEVELOPMENT APPLICATION – 090/85/2018/C2 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)**

DEVELOPMENT APPLICATION NUMBER:	090/85/2018/C2
ADDRESS:	20 Whistler Avenue, Unley Park SA 5061
DATE OF MEETING:	22 December 2020
AUTHOR:	Amy Barratt
DEVELOPMENT PROPOSAL:	Erect outbuilding and tree damaging activity
HERITAGE VALUE:	Contributory
DEVELOPMENT PLAN:	19 December 2017
ZONE:	Residential Historic Conservation Zone Area 7
APPLICANT:	I A Hercus
OWNER:	I A Hercus and C M Wu
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	NONE
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Deferred
RECOMMENDATION:	Refusal

1. PLANNING BACKGROUND

This application was considered by the Panel at its meeting on 20 August 2019 when it was recommended for refusal. The Panel resolved:

That Development Application 090/85/2018/C1 at 20 Whistler Avenue, Unley Park SA 5061 to 'Erect outbuilding and undertake tree damaging activity', should be DEFERRED to allow the applicant to consider:

- *Alternative construction techniques to minimise the potential impact on the nearby significant tree.*

The applicant recently indicated:

- *'After consultation with my Arborist I wish to re-submit a revised floor construction technique. Instead of concrete I propose constructing a paved floor using permeable paving. This I believe will be low impact, as the construction method requires no compacting or excavation, on top of which the pavers are permeable to both air and water. Please see attached letter*

from Gary from Adelaide Arb' (provided via email dated 19th August 2020, refer Attachment A).

Council's Arboricultural Department provide the following advice (summary):

- It is positive that the floor is being proposed above grade and therefore limiting root damage. However, I maintain that the proposed development will have a detrimental impact upon the aesthetic appearance and structural integrity of the subject trees and for very little improvement to the property or surrounding area.

Considering the information provided in response to the deferral, Administration maintain the recommendation for refusal as outlined in the report Council Assessment Panel report dated 20th August 2019 (refer Attachment AA).

2. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/85/2018/C1 at 20 Whistler Avenue, Unley Park SA 5061 to 'Erect outbuilding and undertake tree damaging activity', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons;

- The proposed development will not be undertaken with the minimum adverse affect on the health of two Significant trees; and
- It has not been demonstrated that reasonable alternative development options and design solutions have been considered to minimise inappropriate tree-damaging activities occurring

List of Attachments		Supplied By:
AA	Council Assessment Panel Report August 2019	Administration
A	Application Documents including Deferral Response	Applicant
B	Arboricultural Advice	Administration
C	Arboricultural Addendum – applicant	Applicant
D	Arboricultural Addendum	Administration

ATTACHMENT AA

ITEM

DEVELOPMENT APPLICATION – 090/85/2018/C2 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK)

DEVELOPMENT APPLICATION NUMBER:	090/85/2018/C2
ADDRESS:	20 Whistler Avenue, Unley Park SA 5061
DATE OF MEETING:	20 August 2019
AUTHOR:	Amy Barratt
DEVELOPMENT PROPOSAL:	Erect outbuilding and tree damaging activity
HERITAGE VALUE:	Contributory
DEVELOPMENT PLAN:	19 December 2017
ZONE:	Residential Historic Conservation Zone Policy Area 7
APPLICANT:	I A Hercus
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	NONE
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Recommendation for refusal
RECOMMENDATION:	Refusal
KEY PLANNING ISSUES:	Significant Trees

1. PLANNING BACKGROUND

An application was received by Council to erect a freestanding outbuilding within the rear yard of the subject land.

Through the assessment process, two Significant Eucalyptus camaldulensis were identified in the rear yard of the subject land.

Arboricultural advice was provided by the applicant and reviewed by Council's Arboriculture Department. Council's Arboricultural department found that the proposed development would result in 'tree damaging activity'.

2. DESCRIPTION OF PROPOSAL

The applicant proposes to erect a freestanding outbuilding and undertake 'tree damaging activity' at 20 Whistler Avenue Unley Park.

3. SITE DESCRIPTION

Item

Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued

The subject site is located within the Residential Historic Conservation Zone, Policy Area 7.

The subject site is located on the western side of Whistler Avenue, has a frontage of 18.29m, a depth of 60.96m and overall site area of 1114.9m². The southern boundary of the subject site abuts the rear boundary of 21 Victoria Avenue Unley Park, which is a Local Heritage Place.

The site is a regular shaped allotment and is occupied by an existing detached dwelling, swimming pool and outbuilding.

Two Significant *Eucalyptus camaldulensis* (River Red Gum) are located on the subject land, in close proximity of the proposed development.

4. LOCALITY PLAN



Subject land

5. LOCALITY DESCRIPTION

Land Use

The predominant land use within the locality is residential.

6. STATUTORY REFERRALS

Item

Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued

No statutory referrals required.

7. NON-STATUTORY (INTERNAL) REFERRALS

When it was brought to Administration's attention that the site contained two Significant trees, the applicant was requested to provide an Arborist Report to accompany the application. The applicant provided an Arborist Report prepared by Gary Moran of Adelaide Arb Consultants, dated 3rd May 2018 (Refer Attachment A).

The application was referred to Council's Arboricultural Department who provided the following comments:

- *The application has been assessed by Council's consulting arborist (Colin Thornton - Treevolution) and I have reviewed and considered the subsequent advice.*
- *The two (2) trees in question are 'significant' under current legislation and have attributes that deem them worthy of this status. As such, their preservation within the landscape is of significant importance.*
- *It is evident that the proposed development will further compromise the root zone of both trees. This concern is highlighted when considering the Australian Standard 4970-2009 'Protection of trees on development sites' which outlines this proposed development as 'major encroachment' of the 'Tree Protection Zone' (TPZ).*
- *Therefore, when considering the likely health impact upon these two trees, against the proposed development, it is clear that the development should not be supported. The continued preservation of such trees is of far greater importance than the construction of a small shed.*
- *Nevertheless, if the proposed development is considered of such importance and alternative locations for the footprint are not deemed reasonable then I would support the applicants provided arboricultural report and tree protections measures. Albeit, Council must acknowledge that this will negatively affect upon the two trees.*

The above referral response was provided to the applicant who subsequently sought further advice from Gary Moran of Adelaide Arb consultants (refer Attachment C).

Council's Arborist has also provided further comment (refer Attachment D).

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 nil representations were received.

9. ADMINISTRATION NEGOTIATIONS

The applicant has been advised that Administration does not support the proposed development in its current form.

Item

Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued

The applicant advises that they wish to proceed with the application.

10. DEVELOPMENT DATA

Site Characteristics		Development Plan Provision
Total Site Area	1114.9m ²	
Frontage	18.29m	
Depth	60.96m	
Outbuilding		
Length	6.1m	8m
Width	4.148m	-
Wall height	2.438m	3m
Pitch height	3.405m	5m
Floor Area	25.3m ²	Not exceeding 10% of the site area
Setbacks		
Side boundary (North)	600mm	600mm or on boundary
Rear boundary (West)	3m	600mm or on boundary

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

11. ASSESSMENT

Zone Desired Character and Principles of Development Control

Residential Historic Conservation Zone
<p><i>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.</p> <p><i>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 smallscale local businesses and community facilities supporting an appealing, pleasant and convenient living environment.</p> <p><i>Objective 3:</i> Retention, conservation and enhancement of contributory items, and the complementary replacement or redevelopment of non-contributory buildings</p>
Assessment
The proposed development is for a free-standing outbuilding located at the rear of the allotment. The proposal does not impact upon the existing dwelling or its streetscape contribution.

Relevant Zone Principles of	Assessment
------------------------------------	-------------------

Item**Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued**

Development Control	
<p>3 <i>Development should retain and enhance a contributory item by:</i></p> <p>a) <i>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 (i.e. the exposed external walls; roofing 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</i></p>	<p>The proposed outbuilding does not impact the character of the existing Contributory item as it is a free standing structure, located in the rear yard.</p>
<p>13 <i>A carport or garage should form a relatively minor streetscape element and should:</i></p> <p>a) <i>be located to the rear of the dwelling as a freestanding outbuilding; or</i></p> <p>b) <i>where attached to the dwelling be sited alongside the dwelling and behind the primary street façade, and adopt a recessive building presence. In this respect, the carport or garage should:</i></p>	<p>The proposed development satisfies PDC 13 as the outbuilding is located to the rear of the dwelling as a freestanding structure.</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		
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
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

Item

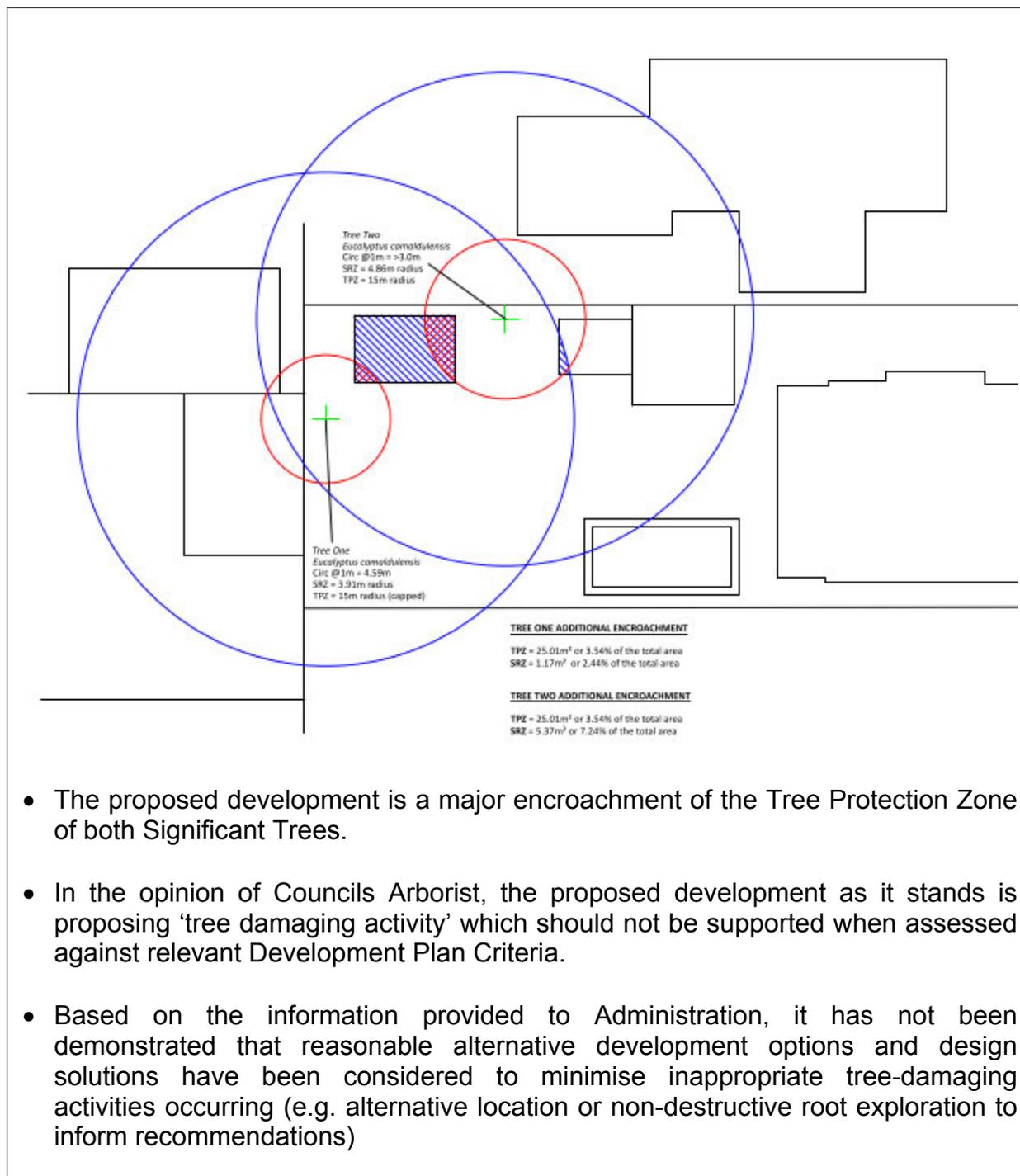
Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued

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

Relevant Council Wide Provisions	Assessment
Outbuildings and like structures PDC 30	<ul style="list-style-type: none">• The proposed development satisfies PDC 30.
Significant Trees PDC 5, 6, 7, 8	
<ul style="list-style-type: none">• The two Significant River Red Gum Trees make an important contribution to the amenity of the local area, and form a notable visual element to the landscape. Further, the subject species is indigenous to the local area and the subject trees are linked to a wildlife corridor. Accordingly, the proposed development should be designed and undertaken to retain and protect such Significant trees and preserve these attributes.• The related Principles of Development Control state that development should be designed and undertaken to retain and protect Significant trees, further that development should be undertaken with the minimum adverse affect on the health of a significant tree.• The total level of encroachment, taking into account existing and proposed encroachments increases the levels to the following amounts: <u>Tree 1</u> a) Tree Protection Zone - 180.58m² (25.54% of the total TPZ) b) Structural Root Zone – 12.79m² (26.63% of the total SRZ) <u>Tree 2</u> a) Tree Protection Zone – 171.58m² (24.27% of the total TPZ) b) Structural Root Zone – 9.28m² (12.51% of the total SRZ) <p>Refer Attachment B for Site Plan, excerpt provided below.</p>	

Item

Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued



12. DISCUSSION

The City of Unley Development Plan seeks the retention and preservation of Significant trees and states that tree damaging activity should not be undertaken unless;

- i) The work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree; or
- ii) The work is required due to unacceptable risk to public or private safety; or
- iii) The tree is shown to be causing, or threatening to cause damage to a substantial building or structure of value; or

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Development Application – 090/85/2018/C1 – 20 WHISTLER AVENUE, UNLEY PARK SA 5061 (UNLEY PARK) - Continued

- iv) The aesthetic appearance and structural integrity of the tree is maintained; or
- v) It is demonstrated that reasonable alternative development options and design solutions in accord with Council-wide, Zone and Area provisions have been considered to minimise inappropriate tree damaging activities occurring.

While the proposed outbuilding may of be an appropriate form and scale, the proposed location of the structure will cause tree damaging activity. The accompanying application documents have not demonstrated that the outbuilding could be located in a more suitable location, minimising inappropriate tree damaging activity. As such, the proposal is not supported by Administration.

13. CONCLUSION

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

- The proposed development will not be undertaken with the minimum adverse affect on the health of two Significant trees; and
- It has not been demonstrated that reasonable alternative development options and design solutions have been considered to minimise inappropriate tree-damaging activities occurring

The application is therefore recommended for REFUSAL.

14. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/85/2018/C1 at 20 Whistler Avenue, Unley Park SA 5061 to 'Erect outbuilding and undertake tree damaging activity', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons;

- The proposed development will not be undertaken with the minimum adverse affect on the health of two Significant trees; and
- It has not been demonstrated that reasonable alternative development options and design solutions have been considered to minimise inappropriate tree-damaging activities occurring

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Arboricultural Advice	Administration
C	Arboricultural Addendum – applicant	Applicant
D	Arboricultural Addendum	Administration

ATTACHMENT A

From: Ian Hercus
Sent: Wed, 19 Aug 2020 22:32:53 +0930
To: Amy Barratt
Subject: Re: Further PLANNING Information Required for Development Application
Number: 090/85/2018/C2 - 20 Whistler Avenue, Unley Park SA 5061
Attachments: image001.jpg

Hi Amy

The concerns of the CAP were over the proposed concrete slab construction of my shed floor and the impact on nearby trees.

After consultation with my Arborist I wish to re-submit a revised floor construction technique.

Instead of concrete I propose constructing a paved floor using permeable paving.

This I believe will be low impact, as the construction method requires no compacting or excavation, on top of which the pavers are permeable to both air and water.

Please see attached letter from Gary from Adelaide Arb

gary@adelaidearb.com.au

Sat, Aug 15, 11:13
AM (4 days ago)

to info, me

Hi Ian

Thank you for your request regarding a tree-friendly surface for your proposed shed floor. I have attached an example of a permeable paving system for you to review. I have highlighted the critical points regarding the selection of materials and installation of the surface:

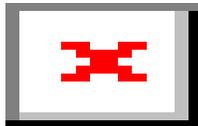
1. The permeable paving system must be installed above the existing grade without excavation or compaction to natural soils.
2. Permeable paving types have two categories and both work equally well;
 - a. Porous - Water and gaseous exchange penetrate through the paver itself.
 - b. Permeable - Water and gaseous exchange penetrate through small gaps in the interlocking system.
3. A cell confinement system is used with washed coarse gravel without fine particles and the pavers are placed on top.

I do not expect impacts to the Significant Trees if this methodology is followed. Please do not hesitate to contact me if either yourself or council requires further clarification.

Kind Regards

Gary Moran

Consulting Arboriculturist



O 0428 827 007

M 0447 235 528

E gary@adelaidearb.com.au

PO Box 381 GOODWOOD, SA 5034

On Wed, Jul 22, 2020 at 9:21 AM Amy Barratt <abarratt@unley.sa.gov.au> wrote:

Hi Ian,

Thank you for your email and direction indicating that you will be providing '*alternative construction techniques to minimise the potential impact on the nearby significant trees*'.

Please ensure that the information is received within thirty (30) days of the date of this email.

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5836 Folio 619

Parent Title(s) CT 4176/662
Creating Dealing(s) CONVERTED TITLE
Title Issued 05/02/2001 Edition 3 Edition Issued 12/09/2017

Estate Type

FEE SIMPLE

Registered Proprietor

JAMES FREDERICK HERCUS
OF 3 DENNIS COURT CLARENCE GARDENS SA 5039
IAN ANDREW HERCUS
OF FLAT 2 24A GRANGE ROAD HAWTHORN SA 5062
AS THE EXECUTOR(S) OF
PETER FREDERICK HERCUS WHO DIED 10/06/2016

Description of Land

ALLOTMENT 230 FILED PLAN 12745
IN THE AREA NAMED UNLEY PARK
HUNDRED OF ADELAIDE

Easements

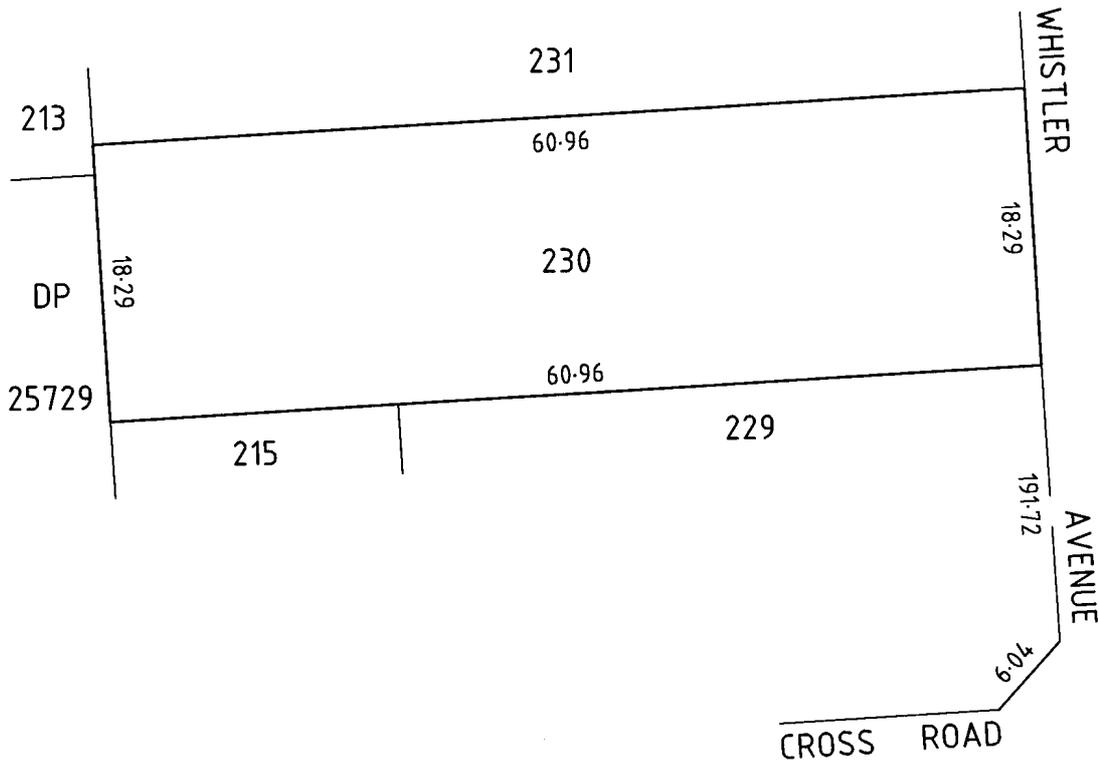
NIL

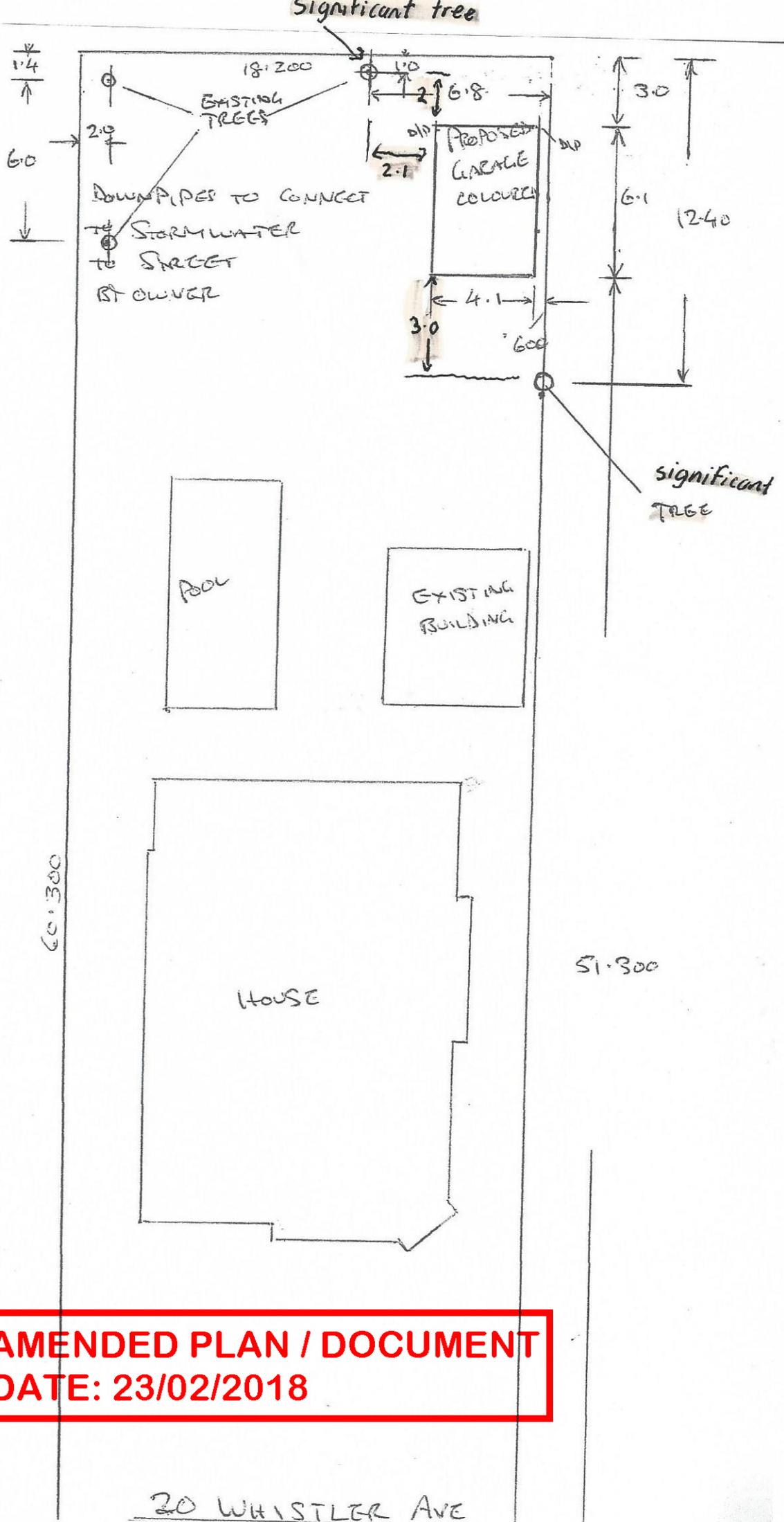
Schedule of Dealings

NIL

Notations

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





AMENDED PLAN / DOCUMENT
DATE: 23/02/2018

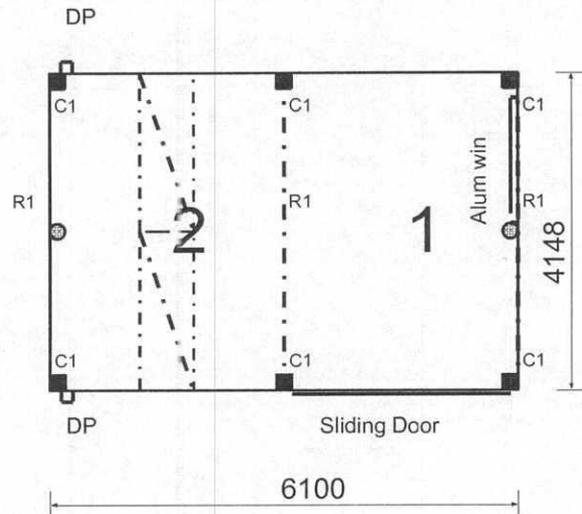
20 WHISTLER AVE

Proposed Project for Mr Ian Hercus

Postal Address	Site Address	Sunday	Date Prepared -	Sunday, 12 Mar 2017
			Prepared by -	James Amato
			Order # -	
	Unley Park		Quote Ref # -	JA 31201
			Scale -	1:100



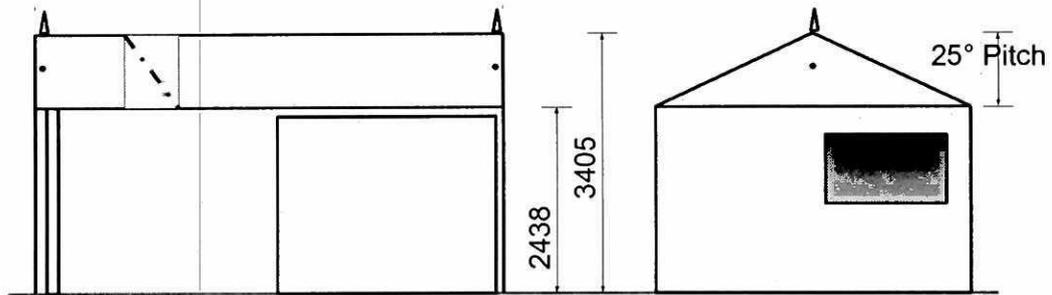
929 South Rd,
Edwardstown 5
Ph (08) 8297 98
Fax (08) 8371 1



- SIDE COLUMNS
- GABLE END COLUMNS

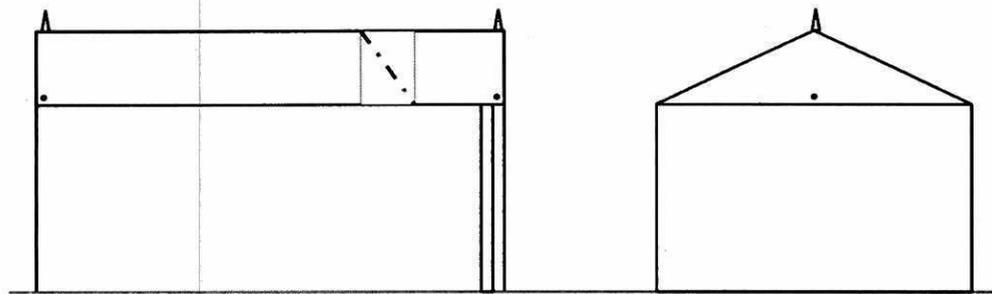
COLOURS

=====	
ROOF	WOODLAND GREY
RIDGE	WOODLAND GREY
WALL	SURFMIST
GUTTER	CAULFIELD GREEN



LEFT HAND SIDE

FRONT



RIGHT HAND SIDE

BACK

Document # - R0142-020WhiAvEcam
Prepared for Ian Hercus
20 Whistler Avenue
Unley Park SA 5061
Date: 3rd May 2018

ABN 15 469 020 770
PO Box 381
Goodwood SA 5034
Ph: 08 8351 4849
E. info@adelaidearb.com.au

Tree Report – 20 Whistler Avenue, Unley Park



Executive Summary

Adelaide Arb Consultants were commissioned to conduct a Development Impact Report on two Significant Trees at 20 Whistler Avenue, Unley Park. This assessment identifies potential impacts from the construction of a shed and recommends mitigation strategies conforming to AS4970-2009.

Tree Report prepared by:
Adelaide Arb Consultants
Gary Moran

3rd May 2018

This assessment found proposed encroachments within the SRZ of both trees. Impacts to the trees however are not expected as;

- The species has good tolerance to root disturbance.
- There is area contiguous to both TPZ's to compensate for the minor potential root loss.
- Tree-friendly excavation methods have been recommended under the supervision of the Project Arborist to ensure the root system is not damaged.
- Recommendations in accordance with AS4970-2009 are provided to minimise potential impacts.

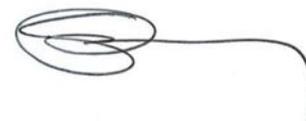
This assessment supports the application to construct the shed as substantial impacts to either Significant Tree are not expected.

Thank you for the opportunity to provide you with this advice. Should you require any further assistance or clarification, please do not hesitate to call or email me.

Yours sincerely



GARY MORAN
Consulting Arboriculturist
Certificate IV Arboriculture
REGISTERED ISA (TRAQ)



SHANE SELWAY
Senior Consulting Arboriculturist
Diploma Arboriculture
ISA Certified Arborist (AU-0270A)

3rd May 2018

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3rd May 2018

Brief

Adelaide Arb Consultants were commissioned by Mr Ian Hercus to conduct a comprehensive assessment of two mature trees located within the rear garden of the subject property with potential to be impacted by the construction of a new shed which requires pier holes to be excavated.

The subject property is the residential allotment of 20 Whistler Avenue, Unley Park.

Both subject trees are identified as *Eucalyptus camaldulensis* - **River Red Gum** and display fair levels of health and integrity and have long Useful Life Expectancies.

The assessment criteria included the following for each tree:

- Health, structure and sustainability within current environmental conditions.
- Legislative control status under the *Development Act 1993* and the City of Unley Development Plan.
- Tree protection requirements in accordance with Australian Standard *AS4970-2009 Protection of trees on development sites* to maintain the trees in their current condition throughout the construction processes.
- The calculated Tree Protection Zone and Structural Root Zone in accordance with Standard *AS4970-2009 Protection of trees on development sites*.
- Other factors relevant to best tree management.

3rd May 2018

Tree and Environmental Observations

Tree 1		<i>Eucalyptus camaldulensis</i> - River Red Gum
Assessment Date	9 th April 2018	
GPS Location	34°57'50.30"S 138°35'58.80"E	
Height	27 metres	
Spread (Diameter)	23 metres	
Age	Mature	
Useful Life Expectancy	> 10 years	
Basic Health	Fair	
Basic Structure	Fair to Good	
<p>Right: Tree 1 as viewed from the east and adjacent the swimming pool fence.</p>		

Circumference	4.59 metres
Legislative Control	The trunk circumference is greater than three metres classifying it as a Significant Tree under the <i>Development Act 1993</i> .

3rd May 2018

Root Protection Zones	
Diameter @ Breast Height	1.38 metres
Tree Protection Zone	= 1.38 x 12 = 15.00 metres (capped) as a radius from the centre of the trunk at ground level.
Diameter @ Root Buttress	1.49 metres
Structural Root Zone	= $(1.49 \times 50)^{0.42} \times 0.64$ = 3.91 metres as a radius from the centre of the trunk at ground level.

General Observations

The tree is located adjacent to the rear boundary of the subject property and is highlighted as Tree 1 on the attached plan.

The tree consists of a tall trunk which divides at approximately eight metres above ground level. The crown is open, spreading and moderately biased to the west due to the phototropic growth response to light competition to adjacent trees.

The root zone consists primarily of an open grassy area with a newly constructed building approximately one metre to the west.

Health is fair as indicated by moderate dieback, epicormic growth and reduced foliage density. No acute levels of pests or diseases however were evident.

Structure is fair to good as indicated by the absence of unstable defects within the primary structure. Branch failures have occurred however the branches present good pruning options for the long-term management of the tree.

3rd May 2018

Development Plan Assessment

Objectives

The City of Unley considers the preservation of significant trees that provide important aesthetic and environmental benefit.

The tree provides important aesthetic and environmental benefit and given its size and location. The subject tree's retention and protection during development should be considered.

Trees are a highly valued part of the Metropolitan Adelaide and Unley environment and are important for a number of reasons including high aesthetic value, conservation of bio-diversity, provision for fauna, and preservation of original and remnant vegetation.

While indiscriminate and inappropriate significant tree removal should be generally prevented, the preservation of significant trees should occur in balance with achieving appropriate development.

The proposed development includes the construction of shed. The encroachment is 3.3% of the Tree Protection Zone. As There is a pier proposed within the Structural Root Zone, encroachment is identified as a 'Major Encroachment' under AS4970-2009. It has been demonstrated however that this encroachment is unlikely to adversely impact the tree.

Principles of Development Control

The trees listed in the "Significant Trees Register" identified in Table Un/7 together with any others controlled by Development Regulations are designated as significant trees. This designation extends to all parts of the root system, trunk, canopy and other parts of each tree, including those parts which have grown since the initial designation of the trees as significant.

The subject tree is a Significant Tree as its trunk circumference is greater than three metres at one metre above ground level.

Development should be designed and undertaken to retain and protect significant trees.

The development proposal has considered tree protection requirements.

Where a significant tree or significant tree grouping attains any of the following, development should be undertaken with the minimum adverse effect on the health of a significant tree:

a) The tree makes a significant contribution to the character or amenity of the local area.

The tree is situated within the rear of the allotment however stands as a tall individual that forms part of a group providing important character and amenity to the area.

b) The tree forms a notable visual element to the landscape of the local area.

The tree is a large specimen however is located within the rear garden and is partially obscured from view from public vantage points by adjacent trees.

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c) The subject tree does make a significant contribution to habitat value of an area individually and is an important link to other vegetation which forms a wildlife corridor.

The subject species is indigenous to the local area and the subject tree is linked to a wildlife corridor.

Significant trees should be preserved and tree-damaging activity should not be undertaken unless:

b) in any other case than tree removal;

i) The work is not required for the removal of deadwood, treatment of disease, or is in the general interests of the health of the tree.

No pruning is required to achieve the development.

ii) The work is not required due to an unacceptable risk to public and private safety.

No pruning is required to achieve the proposed development.

iii) The tree has not been shown to have or be threatening to cause damage to a substantial building or structure of value.

The tree is not threatening to cause damage to a substantial building or structure of value.

iv) The aesthetic appearance and structural integrity of the tree is maintained.

Tree-friendly excavation methodologies have been recommended to ensure the integrity and stability of the Significant Tree are not compromised.

v) It is demonstrated that reasonable alternative development options and design solutions in accord with Council-wide, Zone and Area provisions have been considered to minimise inappropriate tree-damaging activity occurring.

Development options have been explored and recommendations which are provided in accordance with AS4970-2009 to minimise potential damage to the Significant Tree.

The development involves groundwork activities such as excavation, filling and sealing of surrounding surfaces within a distance equal to the under-tree canopy of a Significant Tree, should only be undertaken where the aesthetic appearance, health and integrity of the Significant Tree, including its root system, will not be adversely affected.

The proposal involves such activities as excavation and sealing of surrounding surfacing however management options are available and recommendations have been provided to ensure the Significant Tree is not adversely impacted.

Land should not be divided where the division and subsequent fencing, boundary definition, roads, buildings or structures would be likely to result in a substantial tree-damaging activity occurring to a significant tree.

The proposal does not involve subdivision of lands.

Where development is to take place in close proximity to a significant tree (whether such development takes place on the site of the tree or otherwise) that tree should be protected

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by appropriate measures during the course of the development. In particular, the area in which the tree's branches and roots are located should be protected by the erection of a secure fence prior to commencement of any work on site to prevent any disturbance to such area, for example by compaction, excavation, filling or contact causing damage to branches.

Temporary fencing erected for the protection of a tree designated as a significant tree during construction and development activity to appropriate standards of practice should:

- a) Consist of a minimum 2.0 metres high solid, chain mesh, steel or similar fabrication with posts at 3.0 metre intervals.
- b) Incorporate on all sides a clearly legible sign displaying the words "Tree Protection Zone".
- c) Not be erected closer to the tree than a distance equal to half of the height of the tree or the full width of the branch spread (whichever is lesser).

The development construction area occurs well within the Tree protection Zone of the subject tree and as such, trunk, branch and compaction protection measures have been recommended instead of the use of a tree protection fence.

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Tree 2		<i>Eucalyptus camaldulensis</i> - River Red Gum
Assessment Date	9 th April 2018	
GPS Location	34°57'49.88" 138°35'58.82"E	
Height	25 metres	
Spread (Diameter)	25 metres	
Age	Mature	
Useful Life Expectancy	> 10 years	
Basic Health	Fair to Good	
Basic Structure	Fair to Good	
<p>Right: Tree 2 as viewed from the south and within the subject allotment.</p>		

Circumference	> 3.00 metres
Legislative Control	The trunk circumference is greater than three metres classifying it as a Significant Tree under the <i>Development Act 1993</i> .

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Root Protection Zones	
Diameter @ Breast Height	1.25 metres
Tree Protection Zone	= 1.25 x 12 = 15.00 metres as a radius from the centre of the trunk at ground level.
Diameter @ Root Buttress	2.50 metres
Structural Root Zone	= $(2.50 \times 50)^{0.42} \times 0.64$ = 4.86 metres as a radius from the centre of the trunk at ground level.

General Observations

The tree is located within the rear garden adjacent to the northern boundary and is highlighted as Tree 2 on the attached plan.

The tree consists of a single trunk supporting an array of lateral branches. The crown is moderately broad, decurrent and typical of the species.

The root zone consists of a grassy area surrounding the trunk, boundary fence to the north and shed to the east. No obvious recent disturbances have occurred within this area.

Health is fair to good as indicated by the normal foliage density and colour. No acute levels of pests or diseases were evident.

Structure is fair to good as indicated by the good buttressing which leads into good trunk and branch taper. Branch failures have occurred however the branches present good pruning options for the long-term management of the tree.

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Development Plan Assessment

Objectives

The City of Unley considers the preservation of significant trees that provide important aesthetic and environmental benefit.

The tree provides important aesthetic and environmental benefit and given its size and location. The subject tree's retention and protection during development should be considered.

Trees are a highly valued part of the Metropolitan Adelaide and Unley environment and are important for a number of reasons including high aesthetic value, conservation of biodiversity, provision for fauna, and preservation of original and remnant vegetation.

While indiscriminate and inappropriate significant tree removal should be generally prevented, the preservation of significant trees should occur in balance with achieving appropriate development.

The development proposal involves the construction of a shed on a concrete slab and piers. The encroachment is 3.3% of the Tree Protection Zone however a pier is located within the Structural Root Zone. This is identified as a 'Major Encroachment' under AS4970-2009. It has been demonstrated however that this level of encroachment is unlikely to result in substantial impacts. The retention of the subject tree is achievable without restriction to the proposed development.

Principles of Development Control

The trees listed in the "Significant Trees Register" identified in Table Un/7 together with any others controlled by Development Regulations are designated as significant trees. This designation extends to all parts of the root system, trunk, canopy and other parts of each tree, including those parts which have grown since the initial designation of the trees as significant.

The subject tree is a Significant Tree as its trunk circumference is greater than three metres when measured at one metre above ground level.

Development should be designed and undertaken to retain and protect significant trees.

The development proposal has considered tree protection requirements.

Where a significant tree or significant tree grouping attains any of the following, development should be undertaken with the minimum adverse effect on the health of a significant tree:

a) The tree makes a significant contribution to the character or amenity of the local area.

The tree is situated within the rear of the allotment however stands as a tall individual that forms part of a group providing important character and amenity to the area.

b) The tree forms a notable visual element to the landscape of the local area.

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The tree is a large specimen however is located within the rear garden is partially obscured from view from public vantage points by adjacent trees.

c) The subject tree does make a significant contribution to habitat value of an area individually and is an important link to other vegetation which forms a wildlife corridor.

The subject species is indigenous to the local area and the subject tree is linked to a wildlife corridor.

Significant trees should be preserved and tree-damaging activity should not be undertaken unless:

b) in any other case than tree removal;

i) The work is required for the removal of deadwood, treatment of disease, or is in the general interests of the health of the tree.

The recommended work involves the removal of deadwood and live tissue to manage a material risk in an area frequented by people.

ii) The work is required due to an unacceptable risk to public and private safety.

The recommended pruning is aimed at managing a material risk associated with branch failure.

iii) The tree has not been shown to have or be threatening to cause damage to a substantial building or structure of value.

The tree is not threatening to cause damage to a substantial building or structure of value.

iv) The aesthetic appearance and structural integrity of the tree is maintained.

The recommended pruning removes less than 5% of crown volume therefore the appearance and integrity of the tree is not expected to be compromised.

v) It is demonstrated that reasonable alternative development options and design solutions in accord with Council-wide, Zone and Area provisions have been considered to minimise inappropriate tree-damaging activity occurring.

Development options have been explored and recommendations are provided in accordance with AS4970-2009 to minimise potential damage to the Significant Tree.

The development involves groundwork activities such as excavation, filling and sealing of surrounding surfaces within a distance equal to the under-tree canopy of a Significant Tree, should only be undertaken where the aesthetic appearance, health and integrity of the Significant Tree, including its root system, will not be adversely affected.

The proposal involves such activities as excavation and sealing of surrounding surfacing however management options available and recommendations have been provided to ensure the Significant Tree is not adversely impacted.

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Land should not be divided where the division and subsequent fencing, boundary definition, roads, buildings or structures would be likely to result in a substantial tree-damaging activity occurring to a significant tree.

The proposal does not involve subdivision of lands.

Where development is to take place in close proximity to a significant tree (whether such development takes place on the site of the tree or otherwise) that tree should be protected by appropriate measures during the course of the development. In particular, the area in which the tree's branches and roots are located should be protected by the erection of a secure fence prior to commencement of any work on site to prevent any disturbance to such area, for example by compaction, excavation, filling or contact causing damage to branches.

Temporary fencing erected for the protection of a tree designated as a significant tree during construction and development activity to appropriate standards of practice should:

- a) Consist of a minimum 2.0 metres high solid, chain mesh, steel or similar fabrication with posts at 3.0 metre intervals.**
- b) Incorporate on all sides a clearly legible sign displaying the words "Tree Protection Zone".**
- c) Not be erected closer to the tree than a distance equal to half of the height of the tree or the full width of the branch spread (whichever is lesser).**

The development construction area occurs well within the Tree protection Zone of the subject tree and as such, trunk, branch and compaction protection measures have been recommended instead of the use of a tree protection fence.

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Discussion

Adelaide Arb Consultants were commissioned by Mr Ian Hercus to conduct a Development Impact Report on two mature trees located within the rear garden of 20 Whistler Avenue, Unley Park. This assessment aims to identify potential impacts to the trees from the construction of a shed which includes excavation for piers and to recommend mitigation strategies conforming to Australian Standard AS4970-2009 *Protection of trees on development sites*.

Both trees are of the species *Eucalyptus camaldulensis* (River Red Gum) and are controlled under the *Development Act 1993* and the City of Unley as Significant Trees.

The encroachment within the Tree Protection Zones of both trees has been calculated at 3.3% each TPZ area. Although the encroachments are small, there is one pier hole proposed within the Structural Root Zone of both trees. The encroachments are therefore recognised as Major Encroachments' under AS4970-2009. The health and integrity of the trees however are not expected to be compromised as demonstrated by the following points:

1. The species has a good tolerance to root disturbance as it has evolved along watercourses throughout mainland Australia. This environment receives regular flooding and erosion and the species has adapted to this which AS4970 3.3.4 (c) allows consideration for.
2. There are areas contiguous to both TPZ's to allow for future root development and compensate for the minor potential root loss which AS4970-2009 sec 3.3.3 allows consideration for.
3. Tree protection measures are provided within the recommendations section of this document to minimise potential impacts.
4. All excavation within the TPZ and SRZ has been recommended to be conducted using non-destructive methods such as Hydrovac under the supervision of the Project Arborist who should hold the AQF Level 5 in Arboriculture.

Note- *AS4970-2009 defines the Structural Root Zone (SRZ) as the area required for tree stability. It is therefore paramount that Point 4 above is closely followed to maintain the stability and minimise potential damage to the root systems to both trees*

Applying these measures in addition to general tree protection in accordance with AS4970-2009 will ensure substantial tree damaging activities do not occur to either Significant Tree.

Summary

This assessment finds that the proposed subdivision can be achieved whilst maintaining both trees in a sustainable condition.

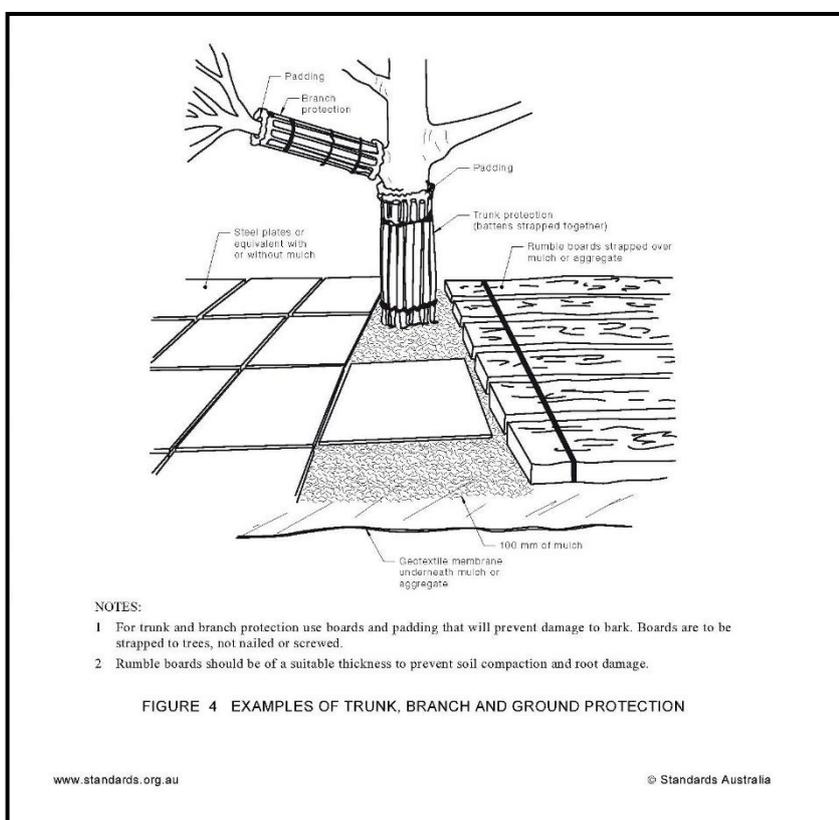
3rd May 2018

Recommendations

Tree Protection Zone Maintenance: Protection of above and below ground tree parts are paramount to sustainable tree retention. The following management guidelines for Tree Protection Zones are generated from Australian Standard AS4970-2009 *Protection of trees on development sites* and provide generic information which should be implemented in all areas where trees are required or desired to be retained in a sustainable condition however development activities will be conducted within the vicinity of the root development area.

Tree Protection Zone establishment

- Define and outline the Tree Protection Zones around each tree within the development areas. The Tree Protection Zone radius is to be equivalent to that expressed within the Root Protection Zones of the Tree Observations. **Note:** Tree Protection Zones consider both crown and root protection.
- Determine and mark all areas of acceptable encroachment within the development area to allow for Tree Protection Zone alterations to be considered and implemented.
- In normal tree protection circumstances, a Tree Protection Zone fence would be installed along the radius of both TPZ's. This is not possible within the proposed development due to boundary constraints and the requirement for works within both TPZ's. Trunk and ground protection therefore should be installed (see adjacent diagram).



Above: Australian Standard AS4970-2009 Protection of trees on development sites, p16.

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Other Tree Protection Measures

- Soil moisture levels should be monitored on a regular basis by the project arborist and a temporary irrigation system may be required throughout the confines of Tree Protection Zones.

The following activities are not permissible within the Tree Protection Zone: -

1. Machine excavation including trenching
2. Storage of materials
3. Preparation of chemicals including cement products
4. Parking of vehicles and plant
5. Refuelling
6. Dumping of waste
7. Washing and cleaning of equipment
8. Placement/storage of fill
9. Lighting of fires
10. Soil level alterations
11. Temporary or permanent installation of utilities and signs
12. Physical damage to the tree including attaching anything to the tree.

Major Encroachments-Development Design and Construction Considerations

- Development activities including excavation are required within the TPZ and SRZ of both subject trees which are defined as Major Encroachments under Australian Standard AS4970-2009 *Protection of trees on development sites*. A high level of tree protection requirements therefore, are to be implemented.
- The project arborist must be engaged to demonstrate tree sustainability using non-destructive excavation techniques such as Hydrovac within both TPZ's as well as other measures.
- All non-destructive excavation within both TPZ's must be conducted under the supervision of the project arborist.
- The project arborist must determine root density proportions and distribution including the potential loss of any roots. The project arborist will consider the following: tree stability, tree age, vigour and size, tree species tolerance to development activities, soil characteristics and other factors.
- The project arborist must record and document all works within both TPZ's.
- The project arborist is to determine the appropriate measures and methodologies for the construction to proceed based on the findings of the non-destructive root investigation which may include root pruning and/or design alterations.

Note-*Trunk and ground protection measures should be installed prior to any construction activities commencing.*

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Development Compliance

- Certification of Tree Protection Compliance as per AS4970-2009 is required to be undertaken by a suitably qualified AQF Level 5 Arboriculturist as per the following Developmental Timeline extract.

INDICATIVE STAGES IN DEVELOPMENT AND THE TREE MANAGEMENT PROCESS

Stage in development	Tree management process	
	Matters for consideration	Actions and certification
Planning (Sections 2 and 3)		
Site acquisition	Legal constraints	
Detail surveys	Council plans and policies Planning instruments and controls Heritage Threatened species	Existing trees accurately plotted on survey plan
Preliminary tree assessment	Hazard/risks Tree retention value	Evaluate trees suitable for retention and mark on plan Provide preliminary arboricultural report and indicative TPZs to guide development layout
Preliminary development design	Condition of trees Proximity to buildings Location of services Roads Level changes Building operations space Long-term management	Planning selection of trees for retention Design review by proponent Design modifications to minimize impact to trees
Development submission	Identify trees for retention through comprehensive arboricultural impact assessment of proposed construction. Determine tree protection measures Landscape design	Provide arboricultural impact assessment including tree protection plan (drawing) and specification
Development approval	Development controls Conditions of consent	Review consent conditions relating to trees
Pre-construction (Sections 4 and 5)		
Initial site preparation	State based OHS requirements for tree work Approved retention/removal Refer to AS 4373 for the requirements on the pruning of amenity trees Specifications for tree protection measures	Compliance with conditions of consent Tree removal/tree retention/transplanting Tree pruning Certification of tree removal and pruning Establish/delineate TPZ Install protective measures Certification of tree protection measures

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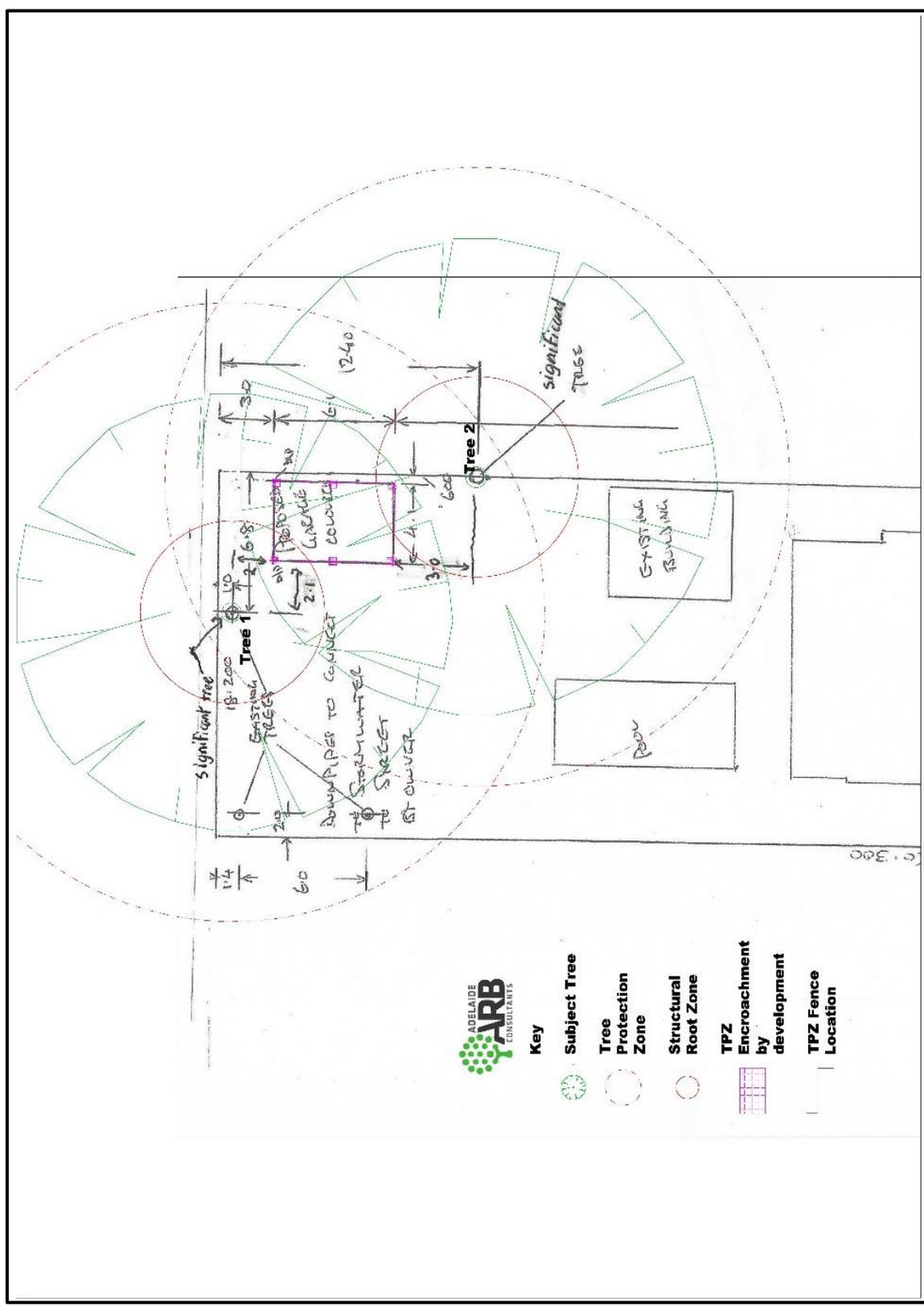
Construction (Sections 4 and 5)		
Site establishment	Temporary infrastructure Demolition, bulk earthworks, hydrology	Locate temporary infrastructure to minimize impact on retained trees Maintain protective measures Certification of tree protection measures
Construction work	Liaison with site manager, compliance Deviation from approved plan	Maintain or amend protective measures Supervision and monitoring
Implement hard and soft landscape works	Installation of irrigation services Control of compaction work Installation of pavement and retaining walls	Remove selected protective measures as necessary Remedial tree works Supervision and monitoring
Practical completion	Tree vigour and structure	Remove all remaining tree protection measures Certification of tree protection
Post construction (Section 5)		
Defects liability/ maintenance period	Tree vigour and structure	Maintenance and monitoring Final remedial tree works Final certification of tree condition

NOTES:

- 1 Owing to variations in planning legislation this table is a general indication of the process only.
- 2 Certification of tree protection and condition should be carried out by the project arborist.

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Site Plan



TREVOR JOHN AND ASSOCIATES Pty Ltd
consulting engineers



367 Glen Osmond Road
Glen Osmond
South Australia 5064
Phone (08) 8379 6862
Fax (08) 8338 1762
Email tja@lj.com.au

PROJECT STANDARD DOMESTIC GABLE GARAGE

SITE LOCATION REGION A TERRAIN CATEGORY 3

BUILDING SIZE

SPAN	4.90 m	4.0 m
HEIGHT	3.0 m	2.4 m
BAY SPACING	3.0 m	
PITCH	25.0 deg.	

Configuration Fully enclosed on both sides and both ends (with or without doors)

BUILDER OLYMPIC INDUSTRIES
1233 Main North Road
Para Hills West
S.A. 5097

ENGINEERING DESIGN DOCUMENTS

PROJECT NO. 36588 . D2.49.30.25.30.A3.FEdo.V01

CONTENTS		ISSUE DATE
Drawings	D1 - D2	14/05/2009
Standard Details	SD1 - SD3	18/08/2005
Member Summary sheets	S1 - S15	14/05/2009
General Notes & Specifications		14/05/2009
Certificate - MR Herriot & Assoc.	F0505-062	18/08/2005
Regulation 1507 Certificate		14/05/2009
Section 40		14/05/2009
Form 55		14/05/2009

PORTAL - DESIGN VERSION V001 16.08.05

Herriot
CONSULTING

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AND
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ENGINEERS

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CIVSTRUCT PTY LTD

ABN:49 112 016 467

INDEPENDENT PRIVATE CERTIFICATION

CERTIFICATION OF INDEPENDENT TECHNICAL EXPERT

PURSUANT TO REGULATION 88

(SA DEVELOPMENT REGULATIONS – 2008)

Project: C-section Portal Frame Buildings, Re: Olympic Industries
Design Version Portal: V002 2008.09.30 & Design Version Portal: V001

Designer: Trevor John & Associates Pty Ltd, Consulting Engineers

Job No: F0505-062-1

Date: 13 March 2012

Extent of Certification: In June 2010, Herriot Consulting at the request of the designer, began conducting exhaustive testing on design Software "C-section Portal Frame Building Software V002 2008.09.30" developed by the designer. The Software produces drawings and specifications in respect of the structural steel framing and associated structural components for steel framed structures. The software was updated to reflect minor changes in AS/NZS4600.2005 compared with the 1996 version which was certified previously by MR Herriot and Associates now trading as Herriot Consulting.

I, Andrew Lee, Practising professional engineer, hereby provide technical details that I have prepared which certify that any design, drawings and specifications relating to structural components produced by both versions of the Software will comply with the structural requirements of the Building Code of Australia subject to the following conditions:

1. The appropriate wind speed data has been entered in the Software by the operator of the Software which inputs can be verified by inspecting the information contained within the design.
2. There have been no pertinent changes to the latest version of the relevant Australian Standards or the Building Code of Australia or relevant technical data following the date of this certificate.

Subject to the fulfilment of these conditions and the bona fide operation of the Software by a Structural Engineer employed by Trevor John and Associates, I agree that this certificate may be relied upon for the purposes of Regulation 88 of the Development Regulations 2008 (SA) as the certificate of an independent technical expert certifying that the materials, forms of construction and systems to which the details, particulars, plans, drawings or specifications relate will, if installed or carried out in accordance with the details, particulars, plans, drawings or specifications, comply with the requirement of the Buildings Code of Australia. I provide this certificate having carried out all relevant tests on the Software by comparing the output of the Software with the specifications, rules, standards, codes of practice or other publications applicable to the designs produced by the Software.

Analysis, investigation into and testing of the Software included:

1. General appraisal of the software
2. Identifying software functional requirements
3. Confirmation that all required spreadsheet functionality is met through an exhaustive cross checking process of all related cells
4. Independent member and connection design analysis



ANDREW LEE B.E.Hons.Civil, M.I.E. Aust.

HERRIOT CONSULTING

ALJJ:RHC

Admin\Misc\L0505062-1.CertificationofStructuralSteelFrame(March 2012)

INDEPENDENT PRIVATE CERTIFICATION
CERTIFICATION OF INDEPENDENT TECHNICAL EXPERT
PURSUANT TO REGULATION 88
(SA DEVELOPMENT REGULATIONS – 2008)

Project: Roof and Wall Panel Bracing as a Replacement to Flat Steel Strap Bracing used on Domestic Garages Built by Olympic Industries

Designer: Trevor John & Associates Pty Ltd, Consulting Engineers
(Now a Division of Fyfe Earth Partners)

Job No: F1205-002

Date: 14 May 2012

Extent of Certification:

Wall and roof panel bracing as a replacement to steel strap bracing in the construction of domestic garages only for Olympic Industries.

Based upon test results, the testing programme and results of which are attached, carried out under the direct instruction and supervision of Trevor John from Trevor John & Associates.

I, Andrew Lee, Practising Professional Engineer, advise that I have reviewed the test results and the calculations for the flat steel strap bracing and certify that panels for both OP 0.35 bmt wall and CGI 0.42 bmt profiles achieve a minimum rating of 12KN factored appropriately under Table B1 of AS/NZS1170.0.

This is subject to the following conditions:

1. For use in domestic garages only and for Olympic Industries only.
2. Bracing panel to be a minimum 3 metres wide between either main frame column or rafter.
3. Cladding and fixings to be as per the standard Olympic Industries design. Any variation to cladding, fixings, purlin and girt spacing is not permitted.

Subject to the fulfilment of these conditions and the bona fide design by a Structural Engineer employed by Trevor John & Associates Pty Ltd, I agree that this certificate may be relied upon for the purposes of Regulation 88 of the Development Regulations 2008 (SA) as the certificate of an independent technical expert certifying that the wall and roof panels as mentioned previously, will meet and comply with the requirements of the Building Code of Australia.

I provide this certification having thoroughly examined the test results and on inspection and observation of many similar clad 'un-braced' buildings during more than 20 years consulting experience as a Structural Engineer.



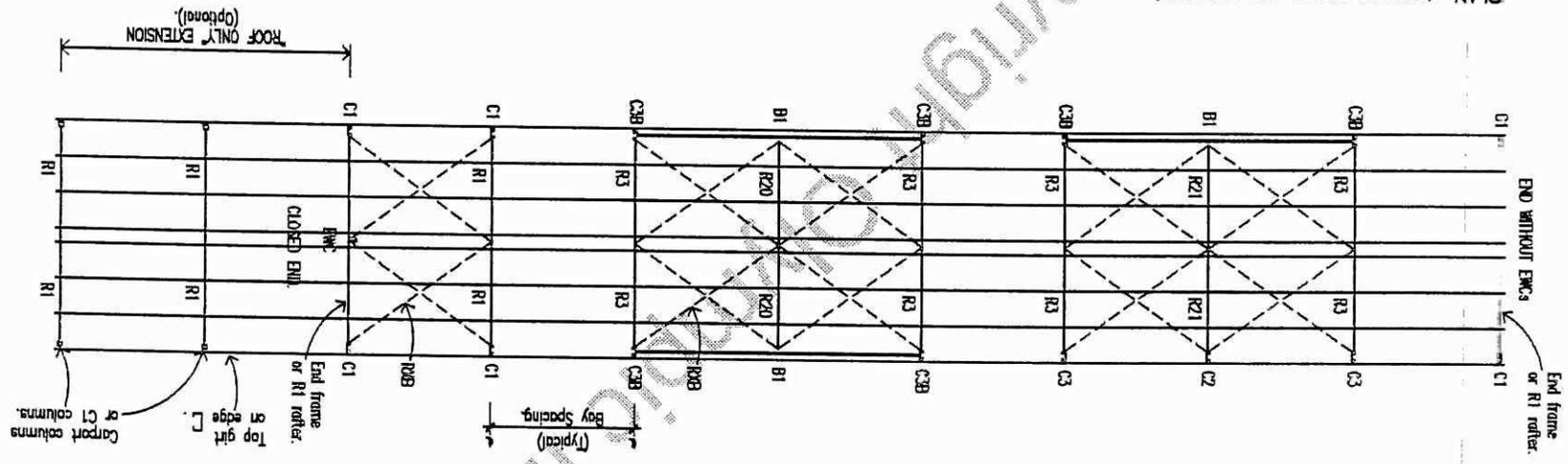
ANDREW LEE B.E.Hons.Civil, M.I.E. Aust.

HERRIOT CONSULTING

AL:RHC

2012/1205/1205-002/AdminReport/1205002.CertificationRoof&WallPanelBracing

- Enc. * Racking Rest Results & Summary
by Trevor John & Assoc. P/L dated 19.4.2012
* Sample Steel Strap Brace Calculation



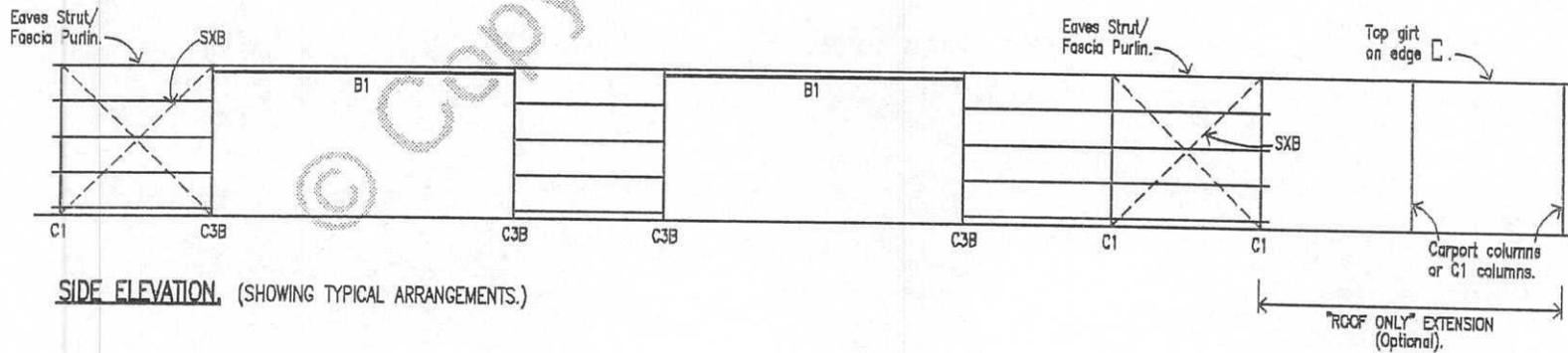
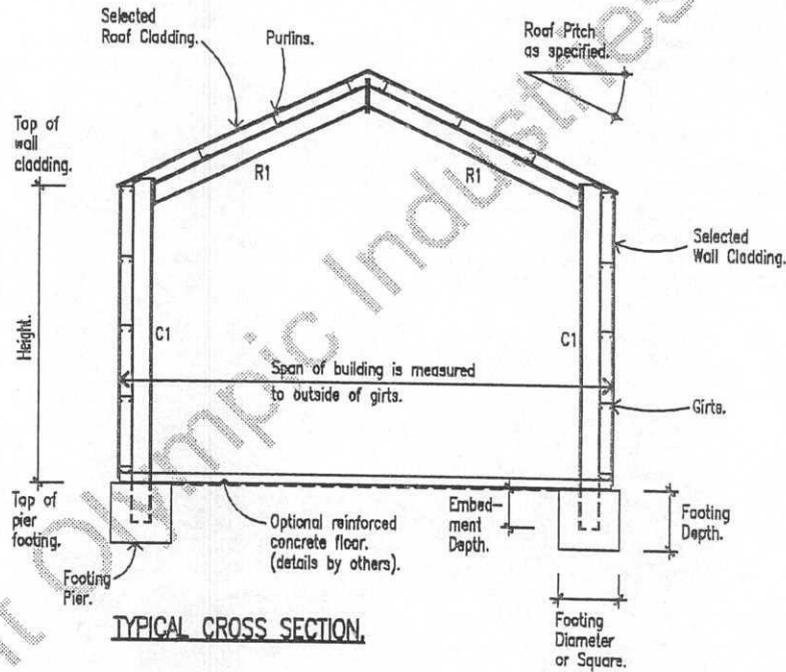
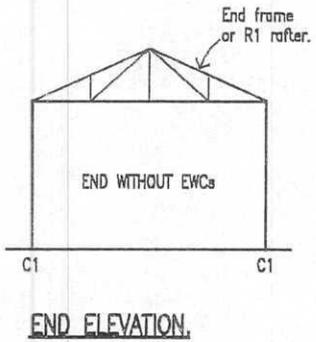
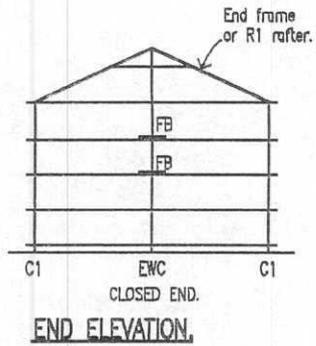
PLAN (SHOWING TYPICAL ARRANGEMENTS.)

4.9m span x 3.0m high building.
3.0m bay spacing.
25° roof pitch.

GENERAL NOTES

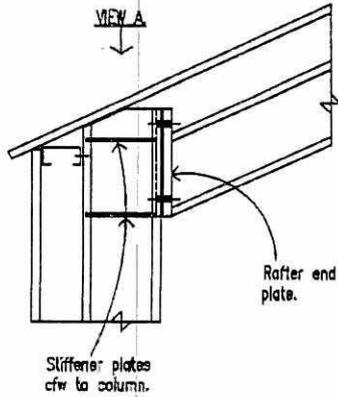
Where end wall columns are deleted to suit door openings, use main rafter in lieu of end wall rafter.
Where both ends of the building are closed, use struts and roof bracing at both ends.

Copyright Industries



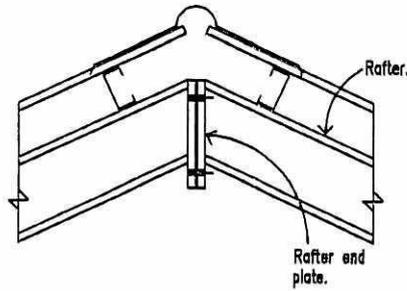
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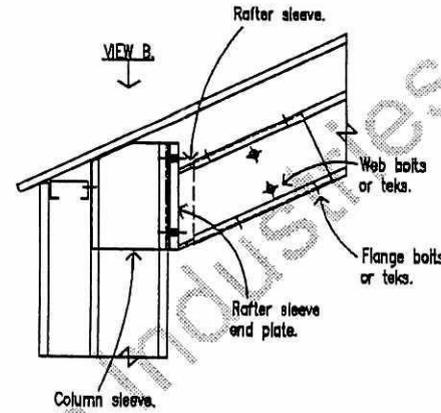
KNEE JOINT.

Refer to Schedule for no. and position of bolts.



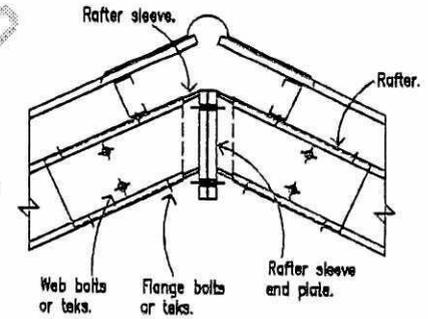
RIDGE JOINT.

Refer to Schedule for no. and position of bolts.



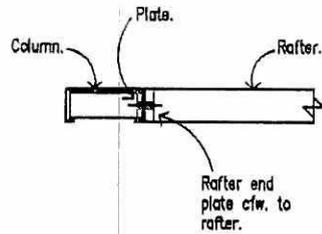
RAFTER SLEEVE KNEE JOINT.

Refer to Schedule for no. and position of bolts.

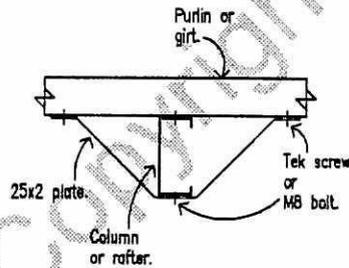


RAFTER SLEEVE RIDGE JOINT.

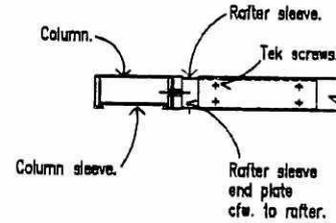
Refer to Schedule for no. and position of bolts.



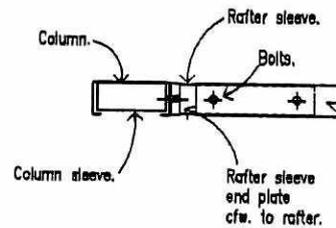
VIEW A.



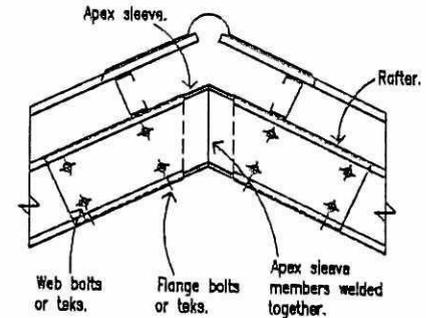
FLY-BRACE DETAIL



VIEW B. (USING TEKS.)



VIEW B. (USING BOLTS.)

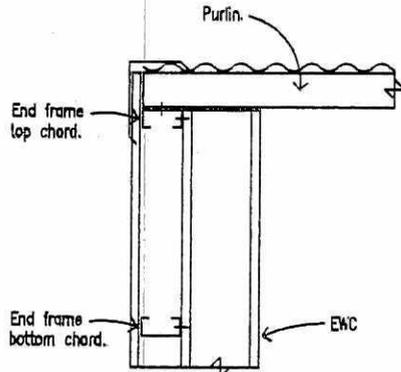


APEX SLEEVE RIDGE JOINT.

Refer to Schedule for no. and position of bolts.

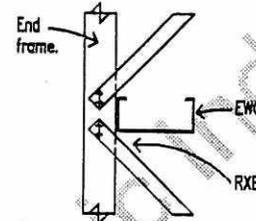
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6/10

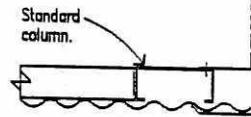
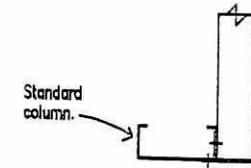


END WALL COLUMN CONNECTION DETAIL

Used with C150 and C200 rafters



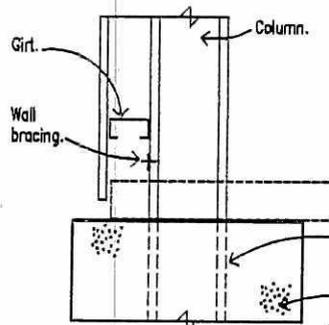
PLAN DETAIL AT END WALL COLUMN



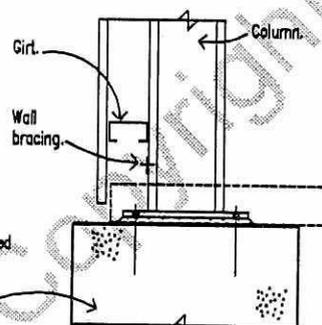
STANDARD COLUMN

OPTIONS FOR PLAN DETAIL OF CORNER WITH OPENING TO END BAY OF SIDE WALL

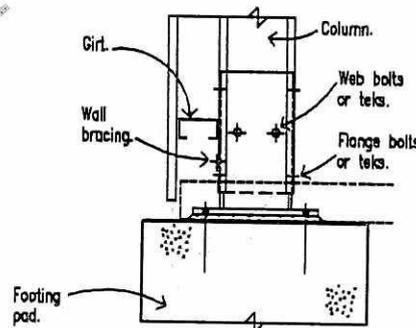
Refer to Schedule for required type.



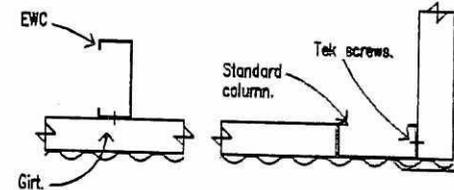
EMBEDDED COLUMN



BASE PLATE



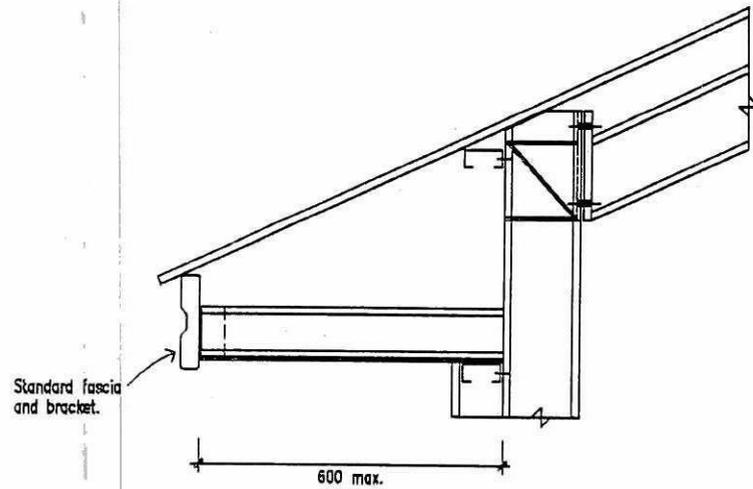
BASE PLATE WITH SLEEVE



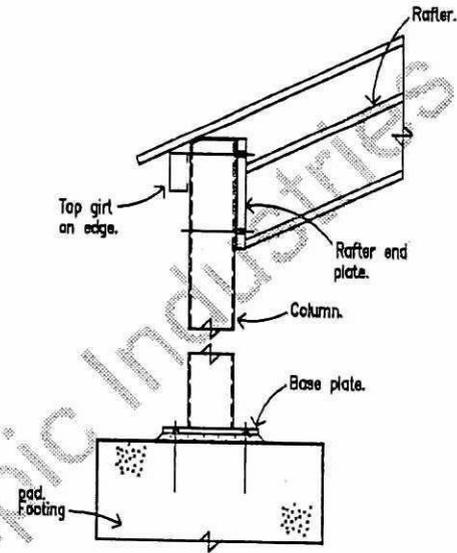
PLAN DETAIL OF STANDARD CORNER

TYPICAL COLUMN BASE DETAILS

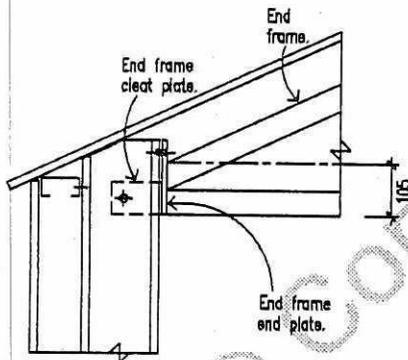
Refer to Schedule for no. and position of bolts.



EAVES OVERHANG.
(Optional).



SHS./RHS. CARPORT COLUMN DETAILS.
(Optional).



END FRAME CONNECTION DETAILS.
Refer to Schedule for
no. and position of bolts.

08/05/14:16:58

8 / 10

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consulting engineers

PROJECT 36588
CODE D2.49.30.25.30.A3.FE.do.V01

Sheet S1

STANDARD DOMESTIC GABLE GARAGE

WIDTH 4900 mm (overall)	LENGTH 6000 mm (minimum)
HEIGHT 3000 mm (top of wall)	ROOF PITCH 25 deg.
BAY SPACING 3000 mm	1 End Wall Column at one end
	Fully enclosed on both sides and both ends (with or without doors)
	Doors not relied upon to be kept closed in high winds
IMPORTANCE LEVEL	2
WIND RATING	REGION A TERRAIN CATEGORY 3 (Refer to AS/NZS 1170.2)
	Description Terrain with numerous closely spaced obstructions 3m to 5m high
	Shielding factor 0.90 Topographic factor 1.00
	This design complies with the requirements for N1 wind speed, for sites assessed according to AS4055

MEMBER SUMMARY

CERTIFICATION

The Certification issued by M.R Herriot and Associates covers the Member Summary and includes all the members and connections specified on Sheets S1 - S15, the details shown on Standard Detail Sheets 3, and the General Notes & Specifications

The following format applies to the Certification.

The engineering software used to prepare these documents has been checked and certified by M.R Herriot and Associates
Input data has been selected by the Design Engineer in our office to suit the specified building application.

Where the input data results in a non-complying design the software will not allow any documents to be printed, consequently this document can only be printed where the input data selected results in a design which complies with the structural requirements of the Building Code of Australia.
Although the date of the Certificate precedes the issue date of these documents, it is the software program used to prepare this design which has been certified.

MATERIAL SUPPLIERS

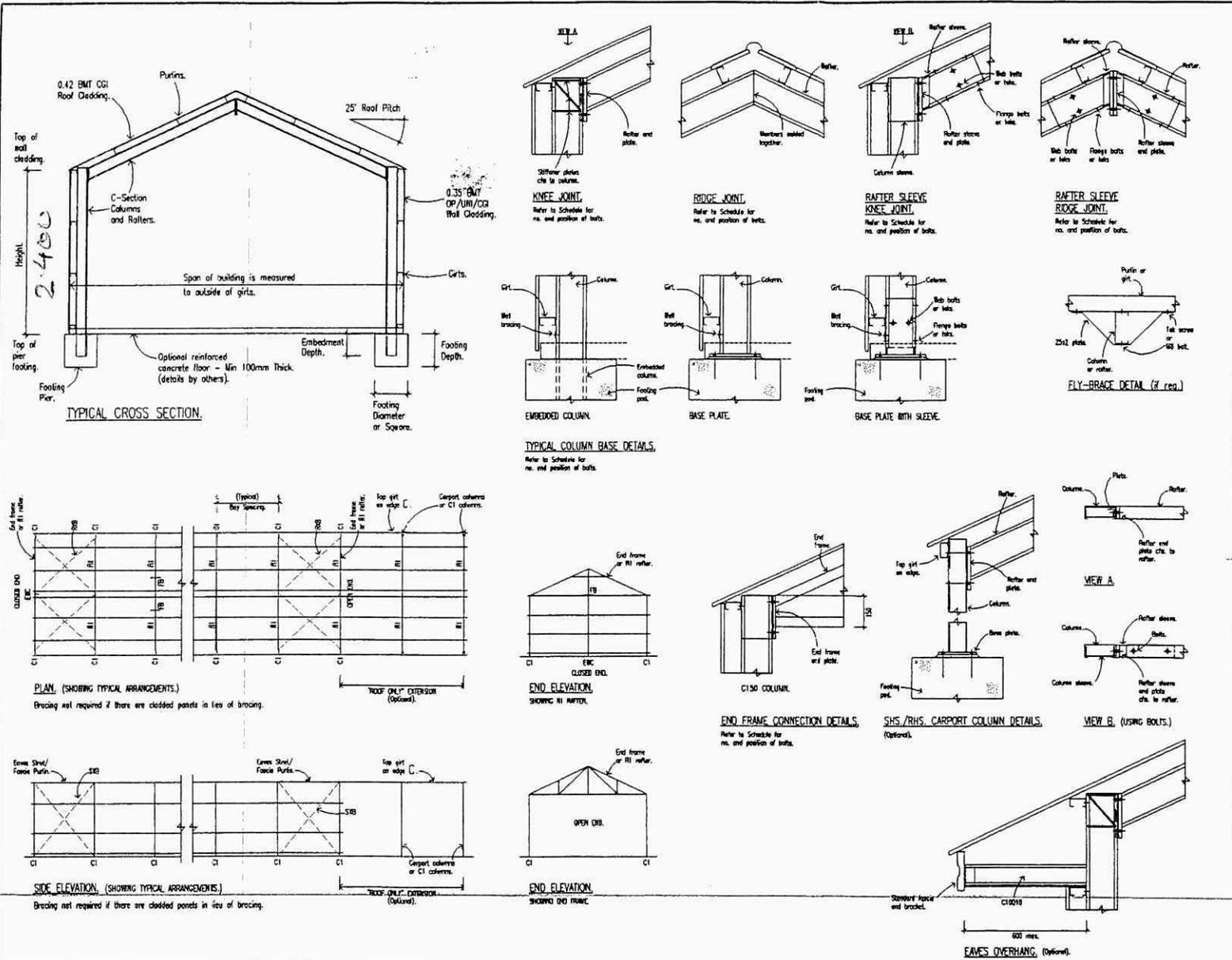
Main framing members	Olympic Industries
Purlins & girts	Olympic Industries
Cladding	Roof Lysaght
	Walls Lysaght

TREVOR JOHN & ASSOCIATES PTY LTD
consulting engineers

PROJECT 36588 Sheet S15
CODE D2.49.30.25.30.A3.FEdo.V01

<u>FOOTING PADS</u>		<u>With 100 mm concrete floor</u>			<u>Without concrete floor</u>		
	<u>Shape</u>	<u>Size</u>	<u>Depth</u>	<u>Req.</u>	<u>Size</u>	<u>Depth</u>	<u>Req.</u>
<u>C1 COLUMNS</u>							
Columns without side wall bracing	Square	375 sq.	500	None	375 sq.	600	None
	Circular	375 ø	500	None	375 ø	600	None
Columns with side wall bracing	Square	375 sq.	700	None	450 sq.	700	None
	Circular	375 ø	700	None	375 ø	750	None
<u>C2 COLUMNS</u>							
Columns without side wall bracing	Square	375 sq.	400	None	375 sq.	600	None
	Circular	375 ø	450	None	375 ø	700	None
Columns with side wall bracing	Square	450 sq.	600	None	450 sq.	900	None
	Circular	375 ø	875	None	375 ø	1100	None
<u>C3 COLUMNS Configuration 1</u>							
<u>All C3 & C3B Columns</u>							
Columns without side wall bracing	Square	450 sq.	600	None	450 sq.	800	None
	Circular	450 ø	600	None	450 ø	900	None
Columns with side wall bracing	Square	450 sq.	600	None	600 sq.	800	None
	Circular	450 ø	600	None	450 ø	1100	None
<u>C3B Corner Columns</u>							
	Square	375 sq.	600	None	450 sq.	700	None
	Circular	375 ø	600	None	375 ø	900	None
<u>C3 COLUMNS Configuration 2</u>							
<u>All C3 & C3B Columns</u>							
Columns without side wall bracing	Square	600 sq.	900	None	600 sq.	1200	None
	Circular	450 ø	1200	None	450 ø	1400	None
Columns with side wall bracing	Square	600 sq.	1000	None	600 sq.	1200	None
	Circular	450 ø	1300	None	450 ø	1500	None
<u>C3B Corner Columns</u>							
	Square	375 sq.	600	None	450 sq.	700	None
	Circular	375 ø	600	None	375 ø	900	None
<u>EWC COLUMNS</u>							
	Square	375 sq.	400	None	375 sq.	400	None
	Circular	375 ø	400	None	375 ø	400	None
<u>CONCRETE</u>							
	Grade	N 20	Slump	100 mm	Aggregate	20 mm	
<u>SOIL TYPE</u>							
	Silt, fine silty sand, granular soil with conspicuous clay content						
	Ultimate design bearing capacity 200 (kPa)						

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Herriot CONSULTING
 177 Fellowship Road, Durrich SA 5093
 P: 86 4311 4333
 F: 86 4311 4340
 CONTRACT: 1017-130
 REVISED: 11/04/2017

INDEPENDENT PRIVATE CERTIFICATION
CERTIFICATION OF INDEPENDENT TECHNICAL EXPERT
PURSUANT TO REGULATIONS
(BA DEVELOPMENT REGULATIONS - 2008)

Project: Ovation Portal Frame Building, Rio Olympic Industries
Design Version: Portal V002.02.05.20
Design Version Portal: V001

Designer: Trevor John & Associates Pty Ltd, Consulting Engineers
Job No: F0504-062-1
Date: 13 March 2012

Extent of Certification: In June 2011, Herriot Consulting at the request of the designer, began conducting intensive testing on design software 'C-section Portal Frame Building Software V002.02.05.20' developed by the designer. The software produces drawings and specifications in respect of the structural steel framing and associated structural components for steel framed structures. The software was updated to reflect minor changes in AS/NZS 4600:2005 compared with the 1988 version which was certified previously by IIR Herriot and Associates now being as Heriot Consulting.

I, Andrew Lee, Practising professional engineer, hereby provide technical details that I have prepared which verify that any design, drawings and specifications relating to structural components produced by both versions of the Software will comply with the structural requirements of the Building Code of Australia subject to the following conditions:

- The appropriate wind loaded data has been entered in the Software by the operator of the Software which inputs are verified by inspecting the information contained within the design.
- There have been no pertinent changes to the latest version of the relevant Australian Standards or the Building Code of Australia or relevant technical data following the date of this certification.

Subject to the fulfilment of these conditions and the normal operation of the Software by a Structural Engineer employed by Trevor John and Associates, I agree that this software may be relied upon for the purposes of Regulation 80 of the Development Regulations 2008 (DA) as the certificate of an independent technical expert reporting that the materials, form of construction and systems to which the details, calculations, plans, drawings or specifications relate will, if installed or carried out in accordance with the details, particulars, plans, drawings or specifications, comply with the requirements of the Building Code of Australia. I provide this certificate having carried out all relevant tests on the Software by comparing the output of the Software with the specifications, rules, standards, codes of practice or other publications applicable to the design produced by the Software.

Analysis, investigation and testing of the Software included:

- General operation of the software
- Identifying software functional requirements
- Confirmation that all required engineering functionality is met through an exhaustive cross checking process of all related calls
- Independent member and connection design analysis

ANDREW LEE B.Eng. Hon. Civ. Eng. Aust.
HERIOT CONSULTING
 177 Fellowship Road, Durrich SA 5093

TREVOR JOHN AND ASSOCIATES PTY LTD
 consulting engineers

30/3/2012

Dr Ref 2165

Design Includes:
 PO Box 15
 PARADISE SA 5098

RIO OLYMPIC INDUSTRIES - CONCRETE PORTAL FRAME BUILDING

We hereby certify that the Engineering Data provided by our client for C-section portal frame building meeting in-house design software - PORTAL - DESIGN VERSION V002.02.05.20 & PORTAL - DESIGN VERSION V001.16.09.01 - has been carried out in accordance with the latest relevant Australian Standards, and comply with the structural requirements of the Building Code of Australia.

TREVOR JOHN & ASSOCIATES
 Chartered Professional Engineer
TREVOR JOHN & ASSOCIATES PTY LTD

BUILDING SPECIFICATIONS MEMBER SUMMARY - REGION A/B - TERRAIN CAT 2/3 - DOORS OPEN

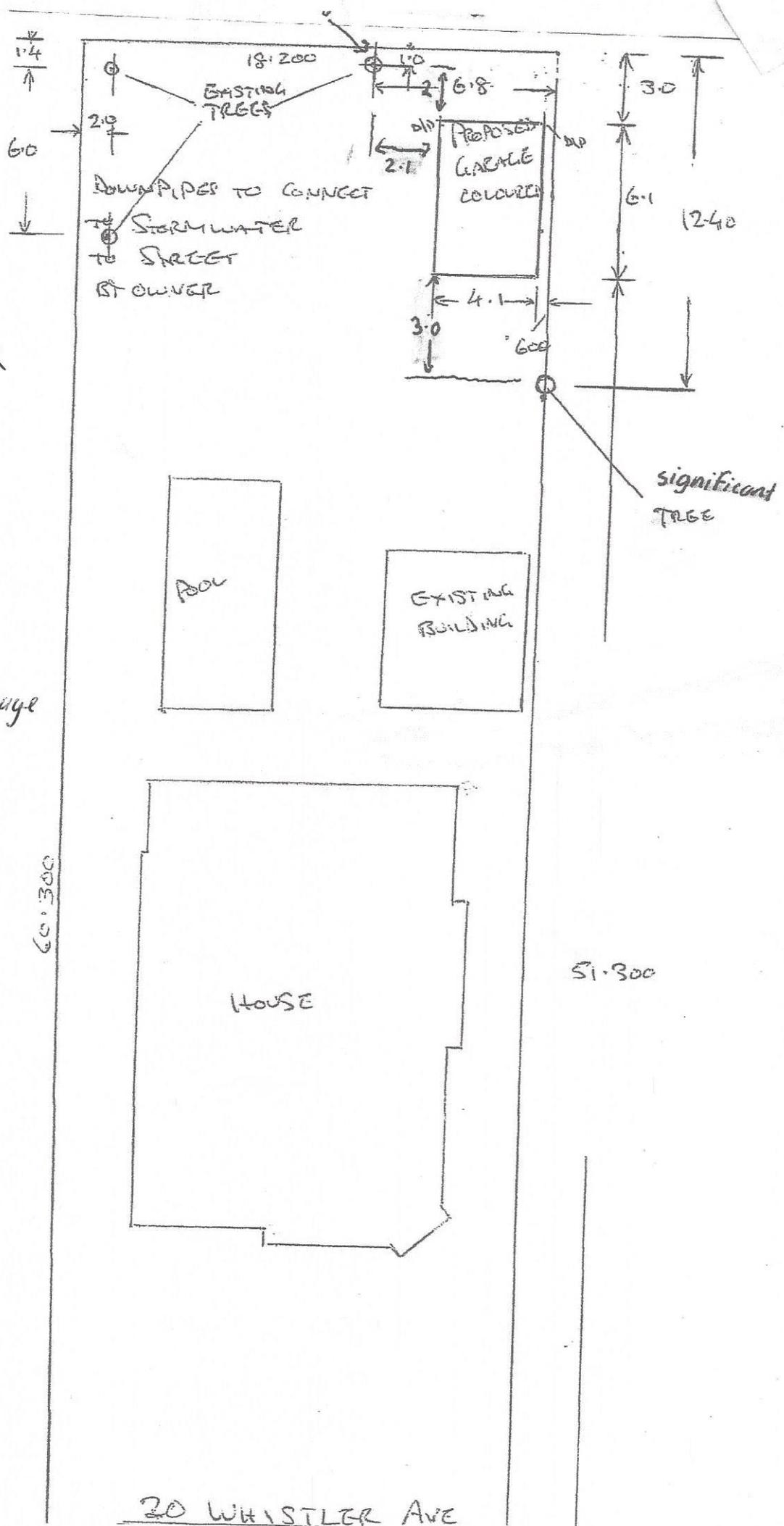
WIND SPEED	SPAN	HEIGHT	C1 COLUMNS	R1 RAFTERS	EWV COLUMNS	PURLINS/GIRTS	FLY BRACE (if reqd)	FOOTING + FLOOR	FOOTING NO FLOOR
N1 / W2B	Up to 6.0m	Up to 3.0m	C15012	C15012	C15015	C755010	FMS 25x2	375 X 375 X 500	375 X 375 X 700
N2 / W33	4.9m	Up to 3.0m	C15015	C15015	C15015	C755010	FMS 25x2	375 X 375 X 600	450 X 450 X 650
N2 / W33	Up to 6.0m	Up to 2.4m	C15015	C15015	C15012	C755010	FMS 25x2	375 X 375 X 700	450 X 450 X 750
N2 / W33	Up to 6.0m	2.4m to 3.0m	C15015	C15015	Double C15012	C755010	FMS 25x2	450 X 450 X 600	450 X 450 X 800
N3 / W41	Up to 6.0m	Up to 3.0m	C15019	C15019	Double C15019	C755010	FMS 25x2	450 X 450 X 800	600 □ or □ X 800

OLYMPIC INDUSTRIES *Building the way*

STANDARD DOMESTIC BUILDING

SPANS 3.4m, 4.0m, 4.9m, 6.0m
 HEIGHT Up to 3.0m
 ROOF PITCH 25° BAY SPACING 3.0m

30/3/2012
 Design Includes:
 PO Box 15
 PARADISE SA 5098



I Robert Fox
 OF No. 19

Whistler Ave
 have no
 objection to
 proposed shed/garage
 being built in
 the North West
 corner of No. 20
 Whistler Ave

signed: *RJF*
 dated: 27/5/12
 R. J. FOX

ATTACHMENT B

MEMORANDUM

TO:	Julie Paine
SENT:	14 August 2018
FROM:	Joel Ashforth – Natural Assets Lead
RE:	Application # 090/085/2018/C2 20 Whistler Street, Unley Park
PROPOSAL:	Development adjacent two (2) ‘significant’ River Red Gums.

Dear Julie

The application has been assessed by Council’s consulting arborist (Colin Thornton - Treevolution) and I have reviewed and considered the subsequent advice.

The two (2) trees in question are ‘significant’ under current legislation and have attributes that deem them worthy of this status. As such, their preservation within the landscape is of significant importance.

It is evident that the proposed development will further compromise the root zone of both trees. This concern is highlighted when considering the Australian Standard 4970-2009 ‘Protection of trees on development sites’ which outlines this proposed development as ‘major encroachment’ of the ‘Tree Protection Zone’ (TPZ).

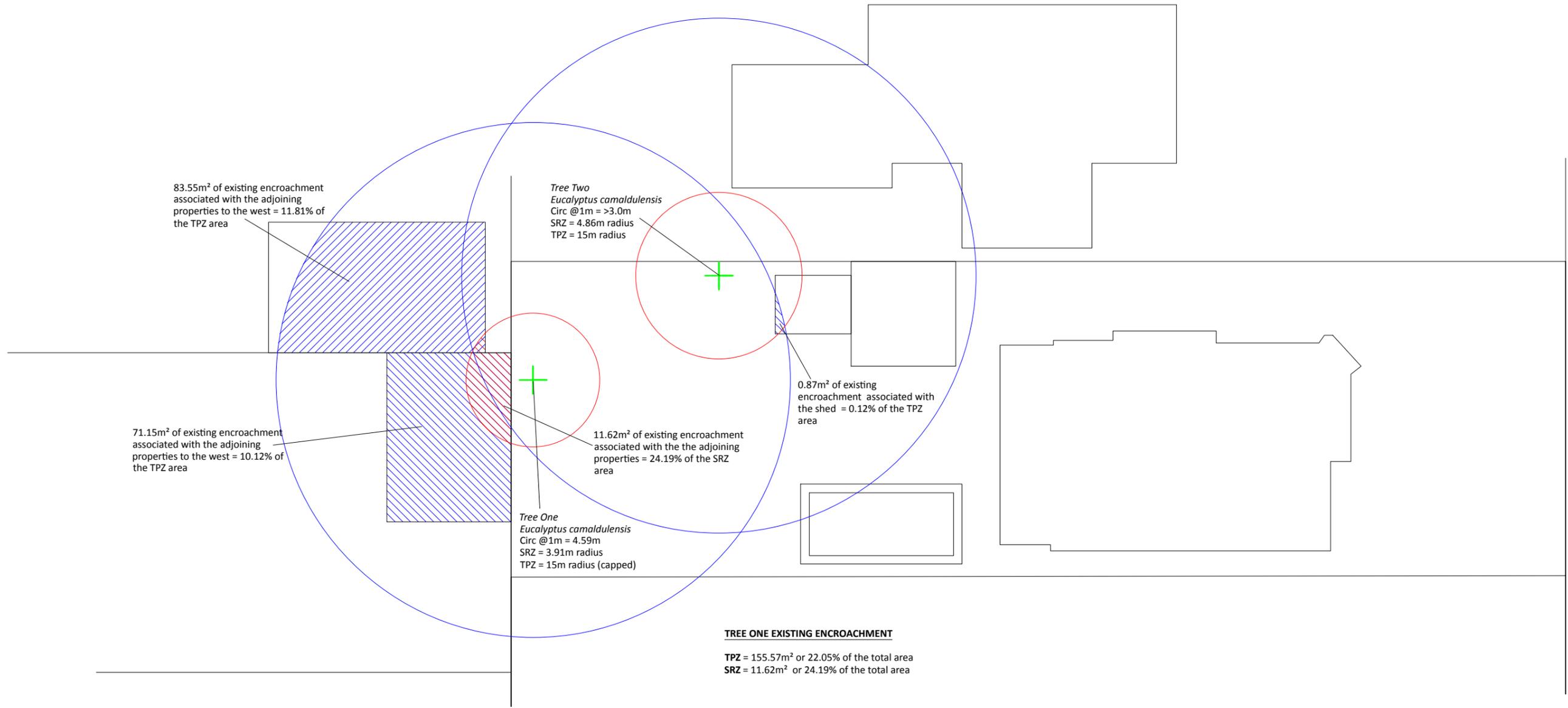
Therefore, when considering the likely health impact upon these two trees, against the proposed development, it is clear that the development should not be supported. The continued preservation of such trees is of far greater importance than the construction of a small shed.

Nevertheless, if the proposed development is considered of such importance and alternative locations for the footprint are not deemed reasonable then I would support the applicants provided arboricultural report and tree protections measures. Albeit, Council must acknowledge that this will negatively affect upon the two trees.

Regards

Joel Ashforth
NATURAL ASSETS LEAD

SITE PLAN Showing Existing levels of encroachment into the TPZ AND SRZ of TREE ONE



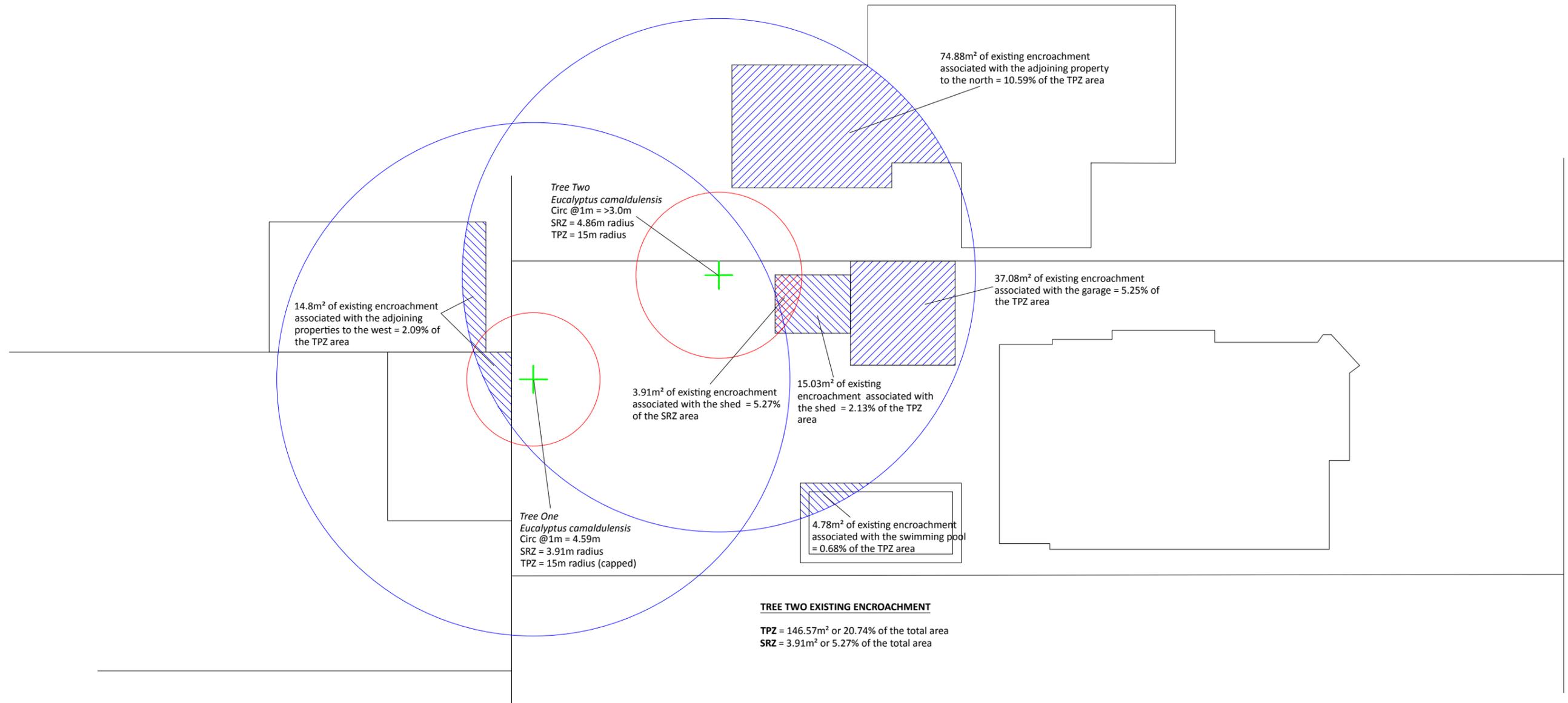
BY	DATE	SCALE 1/250 @ A3
		SURVEYED
		DRAWN
		CHECKED

PREPARED FOR City of Unley Council
 20 Whisler Avenue
 UNLEY PARK

DATE ISSUED	22nd July 2018
SHEET	No.
FILE No.	

DETAILED SURVEY

SITE PLAN Showing Existing levels of encroachment into the TPZ AND SRZ of TREE TWO



WHISTLER AVENUE

TREE TWO EXISTING ENCROACHMENT
 TPZ = 146.57m² or 20.74% of the total area
 SRZ = 3.91m² or 5.27% of the total area



BY	DATE	SCALE 1/250 @ A3
		SURVEYED
		DRAWN
		CHECKED

PREPARED FOR City of Unley Council
 20 Whisler Avenue
 UNLEY PARK

DATE ISSUED	22nd July 2018
SHEET	No.
FILE No.	

DETAILED SURVEY

SITE PLAN Showing Existing levels of encroachment into the TPZ AND SRZ of TREE TWO

COMMENTS

The total level of encroachment, taking into account existing and proposed encroachment increases the levels to the following amounts

TREE ONE
 TPZ - 180.58m² which is equivalent to 25.54% of the total TPZ area
 SRZ - 12.79m² which is equivalent to 26.63% of the total SRZ area

TREE TWO
 TPZ - 171.58m² which is equivalent to 24.27% of the total TPZ area
 SRZ - 9.28m² which is equivalent to 12.51% of the total SRZ area

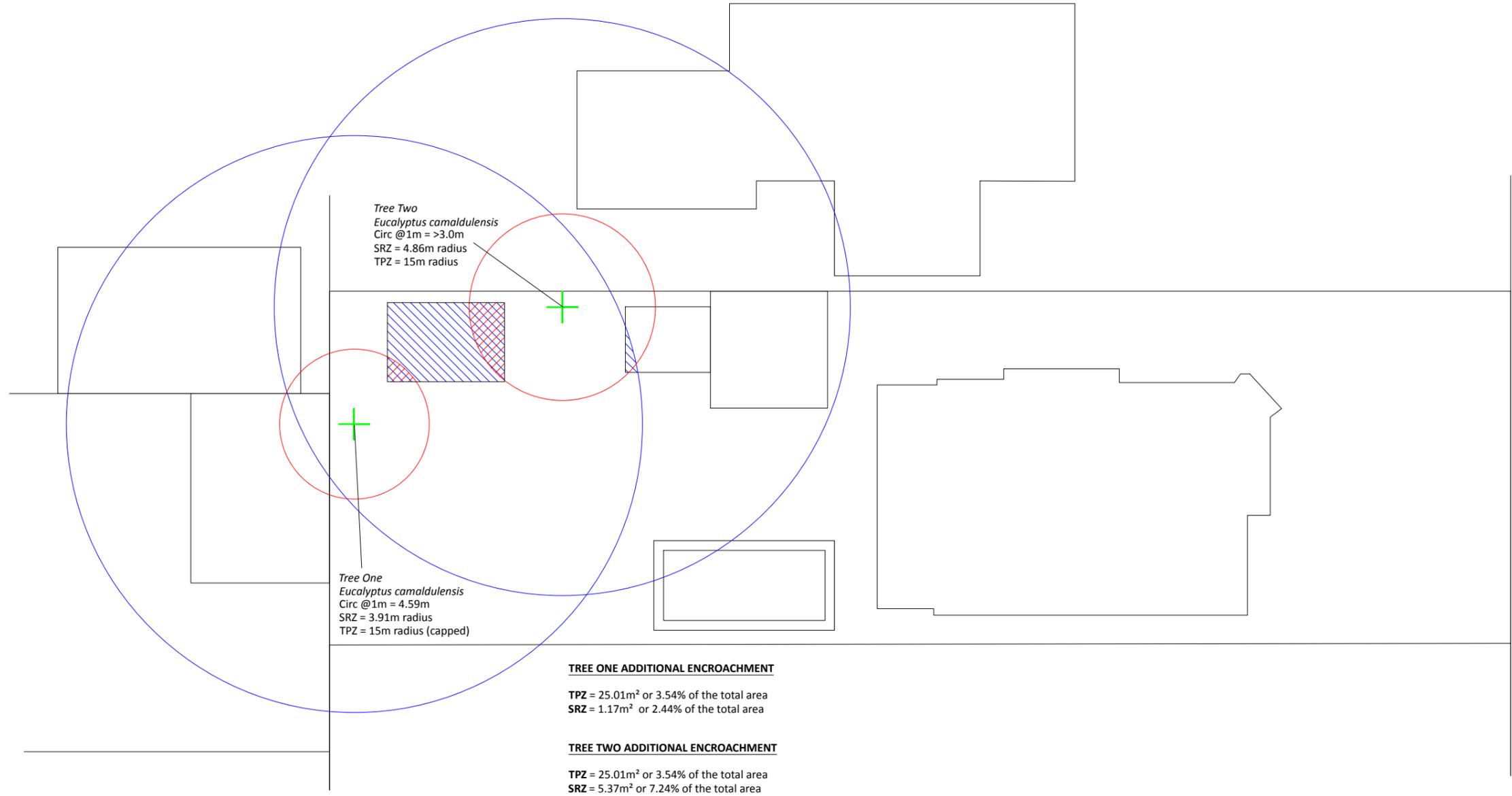
The potential impacts the formation of the garage and associated excavation and sealing of surfaces is substantial. The location of the construction and associated infrastructure is shown to encroach significantly into the identified Structural Root Zone (SRZ) and Tree Protection Zone (TPZ) for the River Red Gums located on this property.

Several areas of concern are apparent with regard to the location of the development and the proposed method of construction in relation to the trees, with the main consideration being the impact the development may have on the tree's rooting system and overall health and longevity.

The level of encroachment is significantly greater than the 10% limit identified in AS 4970 before alternative designs need to be considered.

The applicants arborist suggests the use of a pier and beam method of construction, however, there is no supporting evidence to suggest that this would be appropriate. The ground level beneath the proposed structure will effectively be sealed restricting the ingress of water be restricted from the ingress of natural ground water.

Due to the level of existing encroachment into the TPZ and SRZ of both trees the application cannot be supported from an arboricultural and tree retention perspective



TREE ONE ADDITIONAL ENCROACHMENT

TPZ = 25.01m² or 3.54% of the total area
 SRZ = 1.17m² or 2.44% of the total area

TREE TWO ADDITIONAL ENCROACHMENT

TPZ = 25.01m² or 3.54% of the total area
 SRZ = 5.37m² or 7.24% of the total area



BY	DATE	SCALE 1/250 @ A3
		SURVEYED
		DRAWN
		CHECKED

PREPARED FOR City of Unley Council
 20 Whistler Avenue
 UNLEY PARK

DATE ISSUED	22nd July 2018
SHEET	No.
FILE No.	

DETAILED SURVEY

WHISTLER AVENUE

ATTACHMENT C

From: gary@adelaidearb.com.au
Sent: 10 Sep 2018 11:09:19 +0930
To: 'Ian Hercus'
Cc: Julie Terzoudis
Subject: RE: Further PLANNING Information Required for Development Application
Number: 090/85/2018/C2 - 20 Whistler Avenue, Unley Park SA 5061

Hi Ian

The recommendations provided in my report are in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites Section 3.3.3 Major Encroachment* which states;

If the proposed encroachment is greater than 10% of the TPZ or within the Structural Root Zone (SRZ) the project arborist must demonstrate the tree would remain viable. The area lost to this encroachment must be compensated for elsewhere and be contiguous with the TPZ. This may require root investigation by non-destructive methods and consideration of relevant factors listed in clause 3.3.4.

My report has recommended a non-destructive root investigation and has considered all factors within 3.3.4. Additionally, my extensive experience in conducting non-destructive root investigations near *Eucalyptus camaldulensis* (River Red Gum) rarely finds substantial root activity within the top 1.5 metres of soil. If there was a likelihood of substantial root activity within the proposed shed location, I would not have provided this recommendation.

Council's arborist has calculated the sum of all past encroachments within the TPZ's. As mentioned in the paragraph above, it is unlikely these are 'buildings or obstacles affecting root growth' under 3.3.4 (g) due to the nature of the species' root system. If the sum of all past TPZ encroachments were considered in suburban development applications, the vast majority of developments could not proceed.

Lastly, AS4970-2009 does not state the monetary value or perceived importance of the project must be considered as council has suggested.

Kind Regards

Gary Moran
Consulting Arboriculturist



O 0428 827 007

M 0447 235 528

E gary@adelaidearb.com.au

PO Box 381 GOODWOOD, SA 5034

ATTACHMENT D

From: Julie Terzoudis
Sent: 15 Sep 2018 10:33:17 +0930
To: 'Ian Hercus'
Subject: 090/85/2018/C2 - 20 Whistler Avenue, Unley Park SA 5061

Hi Ian,

In response to the points raised in the email from Gary Moran regarding the above proposed development and arborists report, the following reply is made in collaboration with Council's arborist:

1. *The recommendations provided in my report are in accordance with Australian Standard AS4970-2009 Protection of trees on development sites Section 3.3.3 **Major Encroachment***

The Australian Standard being referred to and which the Arboricultural industry often refers to for guidance is intended for sites where development is supported and to occur. It's not intended to argue for or against development. Although this is often referenced, myself included. Notwithstanding this, Council's Strategic Assets deems the development will compromise the root zone of two 'significant' trees and will likely have a negative impact upon their health for very little reward in terms of meaningful development.

2. *which states; If the proposed encroachment is greater than 10% of the TPZ or within the Structural Root Zone (SRZ) the project arborist must demonstrate the tree would remain viable. The area lost to this encroachment must be compensated for elsewhere and be contiguous with the TPZ. This may require root investigation by non-destructive methods and consideration of relevant factors listed in clause 3.3.4.*

The area being encroached cannot be meaningfully compensated for elsewhere and be contiguous within the TPZ. If the applicant wishes to explore some non-destructive root exploration prior to pursuing the development approval, I would support and assist visiting the site during works and consider findings.

3. *My report has recommended a non-destructive root investigation and has considered all factors within 3.3.4. Additionally, my extensive experience in conducting non-destructive root investigations near *Eucalyptus camaldulensis* (River Red Gum) rarely finds substantial root activity within the top 1.5 metres of soil. If there was a likelihood of substantial root activity within the proposed shed location, I would not have provided this recommendation.*

Within Section 3.3.4, many considerations are advised, of which one is indeed root investigation which I have discussed above however, this exploration must occur prior to development approval. Furthermore, this Section highlights the need to consider the presence of existing or past structures or obstacles affecting root growth and is contrary to the comments made below. Furthermore, I do not concur with the view regarding 'substantial root activity' and it clearly shows a lack of understanding for the urban residential environment that is the City of Unley with almost all tree roots occurring in the top 1.5 metres of soil. Nevertheless, it's not only substantial root activity that impacts trees, all tree roots are of importance and considering the existing encroachment the remaining tree roots are critical, including the area they may optimise in the future.

4. Council's arborist has calculated the sum of all past encroachments within the TPZ's. As mentioned in the paragraph above, it is unlikely these are 'buildings or obstacles affecting root growth' under 3.3.4 (g) due to the nature of the species' root system. If the sum of all past TPZ encroachments were considered in suburban development applications, the vast majority of developments could not proceed.

You cannot pick and choose the parts of the Standard you wish to read, it must be read in full and considered in context with legislation. In conclusion, despite much discussion around the Australian Standard, the fact is that the standard is a guide for protecting trees on development sites and the development as it stands is proposing 'tree damaging activity' that should not be supported when considering the importance and need for the proposed development in accordance with the Regulated and Significant Tree Policy in the City of Unley Development Plan. [Unley Council Development Plan.pdf](#)

5. Lastly, AS4970-2009 does not state the monetary value or perceived importance of the project must be considered as council has suggested.

Council does not apply any monetary assessment of proposed development. In point of fact, weight is given to the necessity of the development to ensure a site remains functional and useful. In this case, a shed building which potentially could be accommodated in an alternative location or through alternative methods, would not be considered a vital structure for a residential site.

To summarise, the proposed development fails to accord with the following Development Control Principles within the Regulated and Significant Tree Policy:

- DCP5 - Development should be designed and undertaken to retain and protect significant trees and advice should be obtained from suitably qualified persons with regard to such retention and protection.
- DPC7 - Development should be undertaken with the minimum adverse affect on the health of a significant tree.
- DPC8(b)(iv) - Significant trees should be preserved and tree damaging activity should not be undertaken unless: it is demonstrated that reasonable alternative development options and design solutions in accord with Council-wide, Zone and Area provisions have been considered to minimise inappropriate tree-damaging activities occurring.

Council's arborist would be happy to assist and support any further root investigations to assess potential alternative technical solutions. The application in its current form can proceed to an independent CAP panel for a decision, however Council would provide a recommendation for refusal for the above given reasons.

Please advise how you would like to proceed.

Kind regards,

Julie

Julie Terzoudis

ITEM 2

DEVELOPMENT APPLICATION – 090/795/2020/C2 – 3 MERLON AVENUE, BLACK FOREST SA 5035

Date of Meeting	22 December 2020
Author	Amy Barratt
Development Proposal	Erect verandah at rear (within 600mm of common boundary)
Heritage Value	Nil
Development Plan	15 October 2020
Zone	Residential B350 Zone
Applicant/Owner	Pergolas of Distinction/ N A Cullen-Reid
Application Type	Category 2
Representation(s) Received	One
Reason for CAP's Consideration	Unresolved representation
Recommendation	Approval

3. PERSONS BEING HEARD

Representor

- Christopher Atsikbasis 7 Selkirk Ave Black Forest

Applicant

- Pergolas of Distinction

4. PLANNING BACKGROUND

Past applications

- 104/2018/C2 Construct single storey dwelling including verandah, and carport on boundary Approved
- 828/2016/C2 Land division and construct new two storey dwelling on second allotment with garage Approved

Current application

During the assessment of the application, staff requested plans that more clearly demonstrated the location of the posts (provided by the applicant in response to representation).

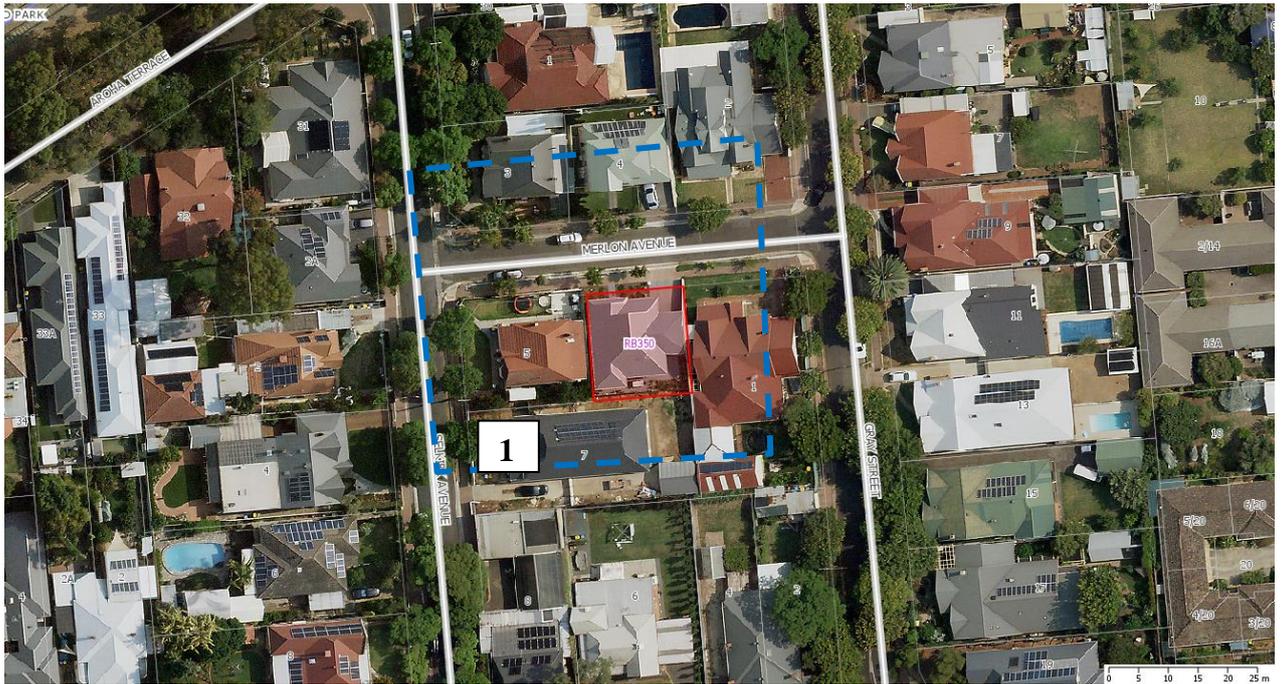
5. DESCRIPTION OF PROPOSAL

The applicant proposes to construct a verandah at the rear of the existing dwelling.

6. SITE DESCRIPTION

The site is regular in shape having a primary frontage to Merlon Avenue of 17.94m, a depth of 18.29m and is currently occupied by a single storey dwelling.

7. LOCALITY PLAN



Subject Site



Locality



Representations

8. LOCALITY DESCRIPTION

The land use within the locality is residential and includes predominantly detached dwellings (single and two storey in nature).

9. REFERRALS

Statutory

No statutory referrals undertaken.

Internal (Non-statutory)

No internal referrals undertaken.

10. PUBLIC NOTIFICATION

One representation was received and raised the following concerns (summarised):

- Visual impact of the structure
- Stormwater management

(Refer Attachment B for complete representation)

The applicant responded in the following terms (summarised):

- A gutter will be installed by the client after completion
- The verandah will be installed adjacent the boundary, with the gutter within the subject land

(Refer Attachment C for full response)

11. ASSESSMENT

The proposal has been assessed in relation to the following relevant provisions of the Development Plan.

Zone	<i>Objective 1 & Desired Character</i>	<i>PDCs 1-6</i>
Residential Development	<i>Objectives 1-5</i>	<i>PDCs 1- 62</i>

The following table outlines the proposal's consistency with relevant quantitative guidelines in the Development Plan.

Table 1: DEVELOPMENT DATA

Verandah - Consideration	Proposed	Development Plan Quantitative Guidelines	Guideline Achieved (Yes, No, Partial)
Length	6m (on boundary)	12m	Yes
Width	2.8m	-	
Height	2.835m	3m 5m max	Yes
Area	16.8m ²	80m ²	Yes
Side set-back	5.1m and 6.2m	Can be on boundary	Yes
Rear set-back	Within 600mm (open)	Can be on boundary (& 0.9m to a habitable room window of adj dwelling)	Yes
Site coverage	56% (Existing site coverage 51.5%)	50%	Yes – minor variance

In assessing the merits of the application, the following matters warrant further discussion:

Built Form & Site Coverage

The proposed verandah is ancillary to the associated dwelling, limited in height and length and is not located within close proximity of habitable room windows of adjacent dwellings.

The structure minimally adds to the overall site coverage of the site, providing cover to a small portion of the existing private open space.

12. CONCLUSION

The proposed development is not seriously at variance with the Development Plan and adequately satisfies the Desired Character and relevant Principles of Development Control for the Residential B350 Zone and Council Wide provisions.

13. RECOMMENDATION

The application is recommended for Development Plan CONSENT.

MOVED:

SECONDED:

That Development Application 090/795/2020/C2 at 3 Merlon Avenue, Black Forest SA 5035 to 'Erect verandah at rear (within 600mm of common boundary)' 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:

DEVELOPMENT PLAN CONSENT DETAILS OF DECISION:

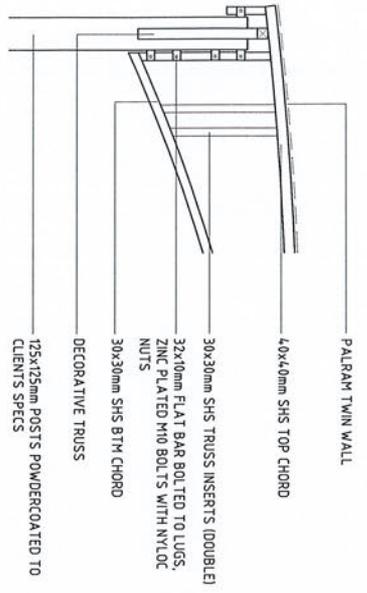
1. The Development herein approved shall be undertaken in accordance with all plans, drawings, specifications and other documents submitted to Council and forming part of the relevant Development Application except where varied by conditions set out below (if any) and the development shall be undertaken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

NOTES PERTAINING TO DEVELOPMENT PLAN CONSENT:

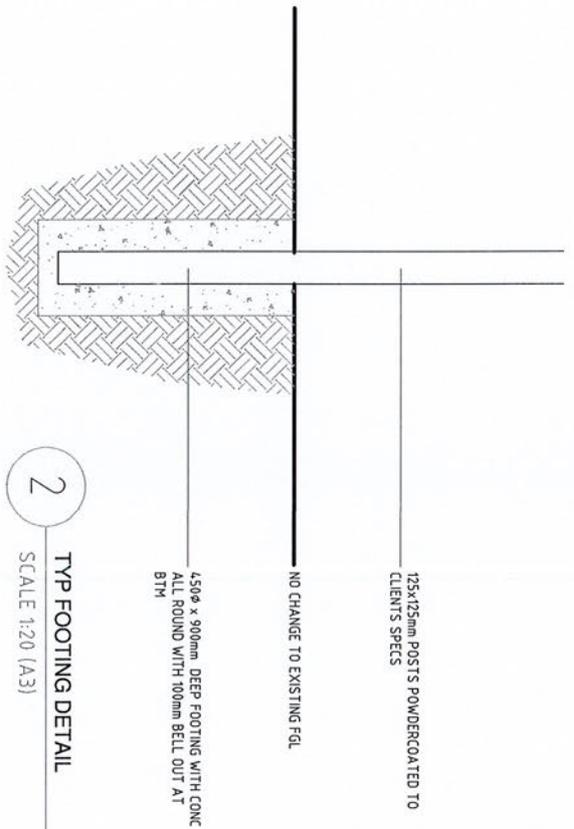
- It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

ATTACHMENTS		
A	Application Documents	Applicant
B	Representations	Administration
C	Response to Representations	Applicant
D	Superseded Plan/Notified Plan	Administration

ATTACHMENT A



1 TYP POST TO TRUSS CONNECTION
SCALE 1:20 (A3)



2 TYP FOOTING DETAIL
SCALE 1:20 (A3)

**AMENDED PLAN / DOCUMENT
DATE: 27/11/2020**

STRUCTURAL CERTIFICATION

 DATE: 16/10/2020...
 A.M. Stodulka M.Eng.Sc.(Syd Uni)
 M.I.E Aust C.P.Eng No. 3017

DETAILS

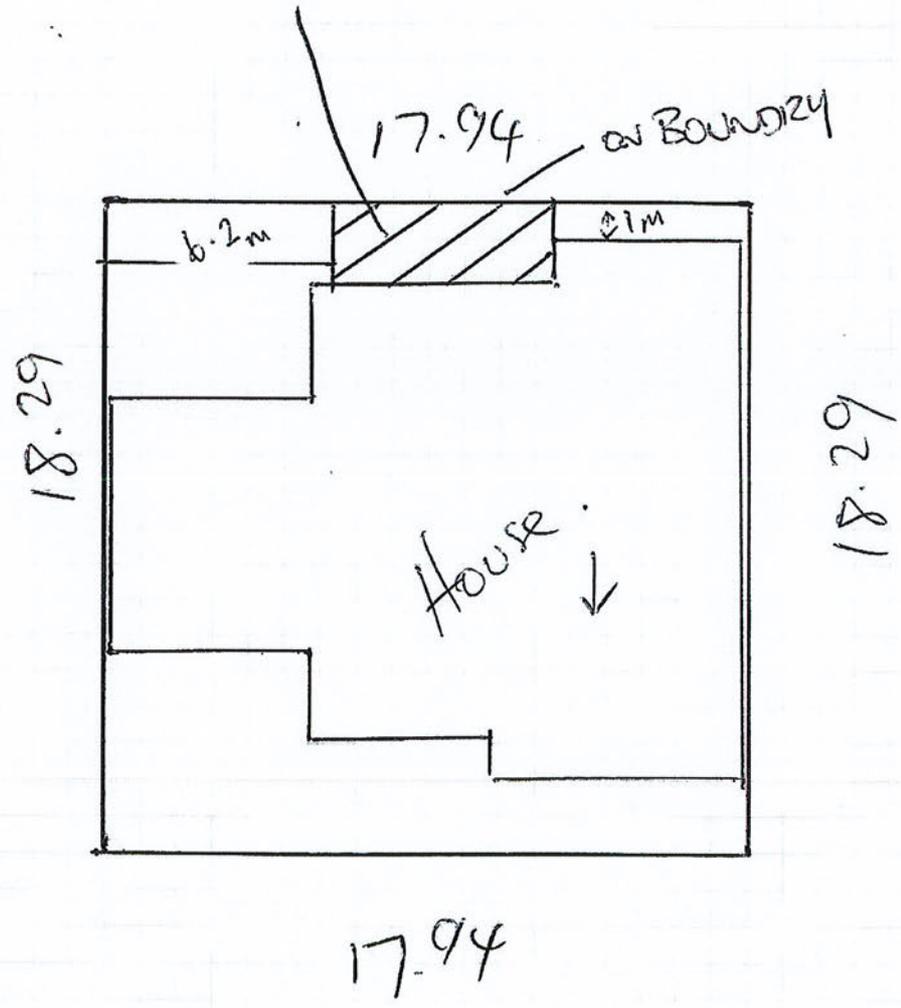
DETAILS	AMENDMENT	BY	ISSUE	 DISCOVER YOUR OUTDOOR POTENTIAL	VOGUE PERGOLAS AUSTRALIA Pty Ltd 99 TRALEE STREET HUME, A.C.T. 2860 ABN 59 632 662 170 ACN 632 662 170 CONTRACT DETAILS PH: 1300 723 849 www.voguepergolas.com.au	CULLEN VOGUE PERGOLA BLACK FOREST SA	DATE	SCALE	DATE	SCALE
							1:50 (A3)	10/8/2020	AS	2 / 2

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 DIMENSIONS OVERRIDE ACTUAL SCALED DISTANCES - DO NOT SCALE FROM DRAWING



SCALE 1:200
NO CUT & FILL
NO C/L TREES

PROPOSED VOGUE PERGOLA



**AMENDED PLAN / DOCUMENT
DATE: 27/11/2020**

ATTACHMENT B

REPRESENTATION Category 2 (Page 1)

To: Amy Barratt, City of Unley Development Section

Please read these notes carefully:

1. Both pages MUST be completed in full and returned to the City of Unley by the closing date to be a valid representation.
2. This page (ie Page 1) will NOT be published on the internet.
3. Pages 1 and 2 (and any attachments) may be included as attachments in the hard copy of the Council Assessment Panel agenda.
4. Please note that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation (Pages 1 and 2 and attachments) will be forwarded to the Applicant for consultation and response.

The **closing date** for Representations is **5pm on 17 November 2020**.

Application: 090/795/2020/C2 3 Merlon Avenue, Black Forest SA 5035

Details of Person(s) making Representation:

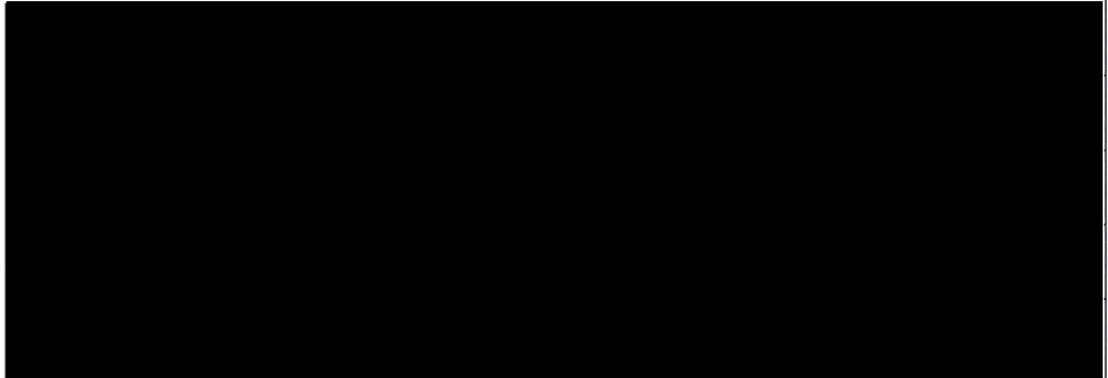
Name:

Postal Address:

EMAIL ADDRESS:

Daytime Phone No.

Property affected
by Development



A handwritten signature in cursive script, appearing to read 'Steph's', is written over a horizontal line.

(Signature)

10-11-20

(Date)

REPRESENTATION Category 2 (Page 2)

To: Amy Barratt, City of Unley Development Section

1. This page (ie Page 2) and any attachments may be published on the internet and thus be able to be searched via Google and other internet search engines.
2. In accordance with Section 38(8) of the Development Act 1993, a copy of this representation (Pages 1 and 2 and any attachments) will be forwarded to the Applicant for consultation and response.

The closing date for Representations is 5pm on 17 November 2020.

Application:	090/795/2020/C2 3 Merlon Avenue, Black Forest SA 5035
Property affected by Development	7 Selkirk Ave, Black Forest, SA, 5035

I support the proposed development.

OR (Tick one only)

I object to the proposed development because:

(Please state your reasons so that each planning issue can be clearly identified. Attach extra pages if you wish)

We have received conflicting plans surrounding the verandah proposed.

One set of plans shows the posts 600mm from boundary, the other set shows hard up on fence.

Away from the visual appearance we have concerns there is no gutter on the boundary side of verandah. Where will the water run off go?

My concerns (if any) could be overcome by: 600mm back from boundary with gutter & downpipe into stormwater.

Extending our fence height to compensate for visual appearance. Please note it was at the request of 3 Merlon Ave to reduce the height of new boundary fence 12 months ago. We preferred to keep same height as our rear (east) fence.

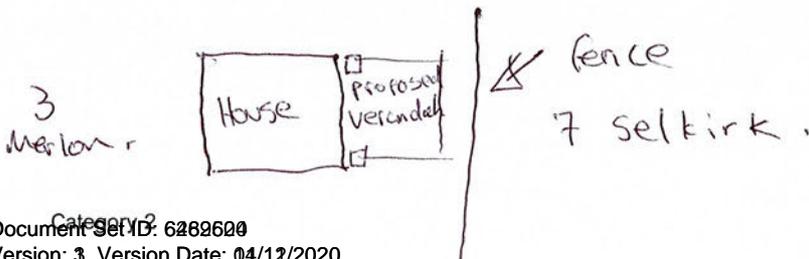
WISH TO BE HEARD

DO NOT WISH TO BE HEARD

by the Council Assessment Panel

(Tick one box only. If you do not tick either box it will be assumed that you do not wish to be heard by the Council Assessment Panel.)

Could the post of the verandah be on the house side, instead of the boundary?



ATTACHMENT C

From: Daniel Jones
Sent: Thu, 26 Nov 2020 17:08:57 +1030
To: Amy Barratt;'Betty Douflias'
Cc: 'ALLSTATE TIMBER & HARDWARE'
Subject: RE: 090/795/2020/C2 - 3 Merlon Avenue, Black Forest SA 5035
Attachments: DOC261120.pdf

Hello Amy,

With regards to the application for 3 Merlon Ave, Black Forest. I have attached a copy of updated plans to be approved showing the installation of gutter which would be connected by the client after completion.

The distance would be as any other boundary setup of a pergola with the gutter to remain entirely on our clients side, not the 600mm suggested from the next door neighbour. Confusion over the install location of the pergola has always been clear shown against the boundary.

Happy to discuss further if required please contact myself anytime when available.

Regards,

Daniel Jones

Building Supervisor

P | 08 8395 4500 **M** | 0417 852 724

A | 22 Delray Ave, Holden Hill SA 5088

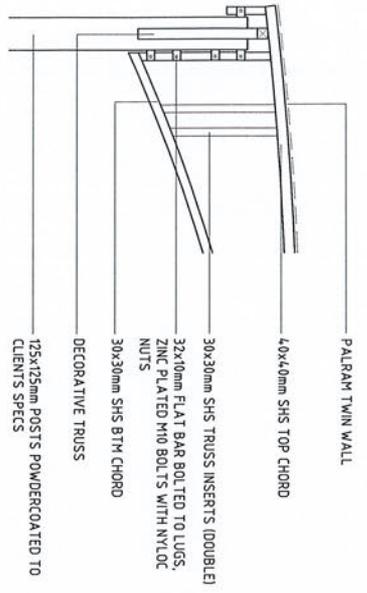
W | www.pergolasofdistinction.com.au



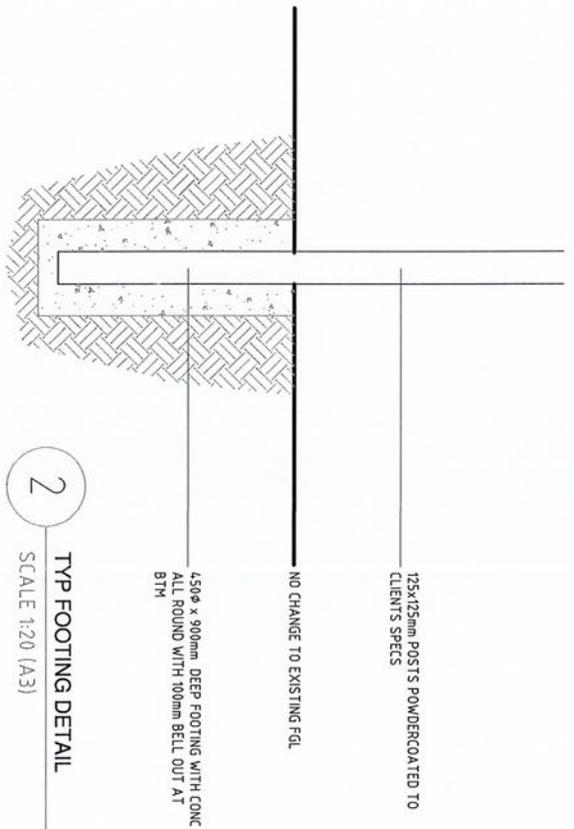
Premium Partners

[Louvretec](#) | [Markilux](#) | [Renson](#) | [Evaya](#) | [Corradi](#)
[Vogue](#) | [Revolution Roofing](#) | [Pergolas of Distinction](#)

ATTACHMENT D



1 TYP POST TO TRUSS CONNECTION
SCALE 1:20 (A3)



2 TYP FOOTING DETAIL
SCALE 1:20 (A3)

DETAILS

DETAILS	AMENDMENT	BY	ISSUE
PLEASE REFER TO OUR WEBSITE FOR THE FULL T&CS OF THE WARRANTY AGREEMENT, AND THE RECOMMENDED MAINTENANCE SCHEDULE FOR THIS SPECIFIC PRODUCT, AND ITS GEOGRAPHICAL LOCATION, UPON INSTALLATION			

VOGUE PERGOLAS
AUSTRALIA PTY LTD
99 TRALEE STREET
HUME, A.C.T. 2860
ABN 59 632 662 170
ACN 632 662 170
CONTACT DETAILS
PH: 1300 723 849
www.voguepergolas.com.au

DISCOVER YOUR OUTDOOR POTENTIAL

VOGUE PERGOLA
BLACK FOREST SA

CLIENT	CULLEN
PROJECT	VOGUE PERGOLA
DATE	1:50 (A3)
SCALE	10/8/2020
DATE	AS
JOB	SA-21-004
DRAWING NUMBER	2 / 2

STRUCTURAL CERTIFICATION

A.M. Stodulka

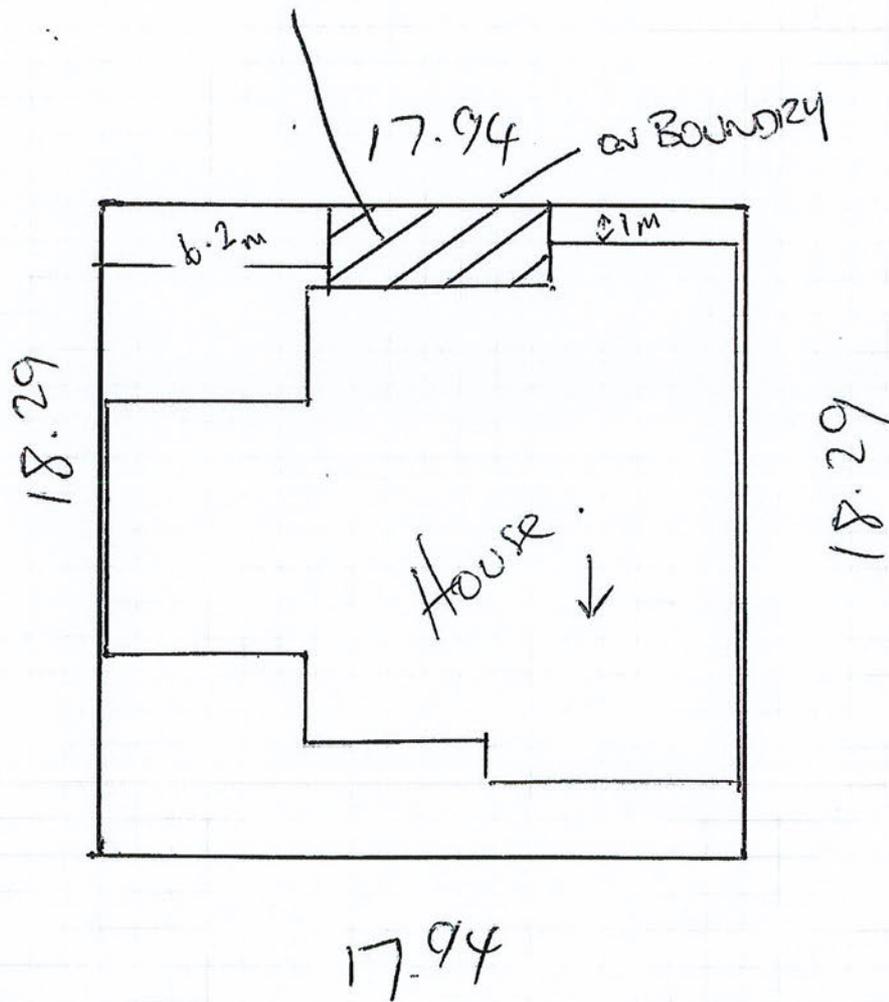
DATE: 16/10/2020

A.M. Stodulka M.Eng.Sc.(Syd Uni)
M.I.E Aust C.P.Eng No. 3017



SCALE 1:200
NO CUT & FILL
NO C/O TREES

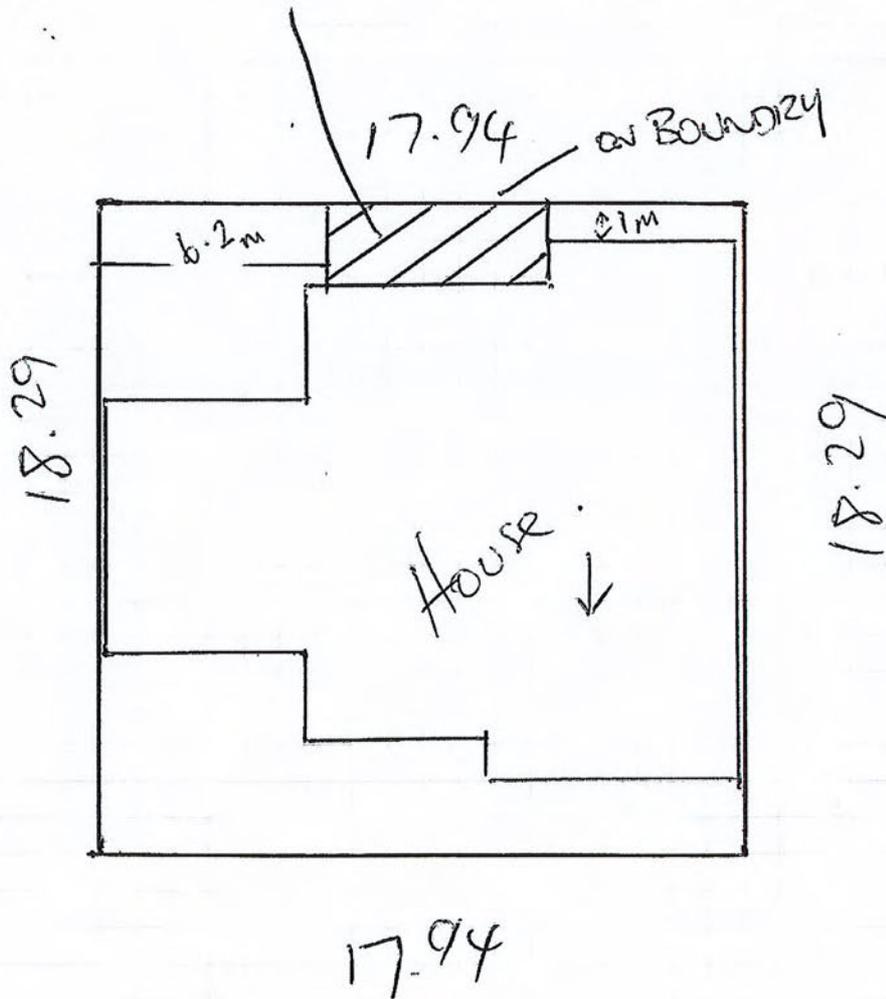
PROPOSED VOGUE PERGOLA





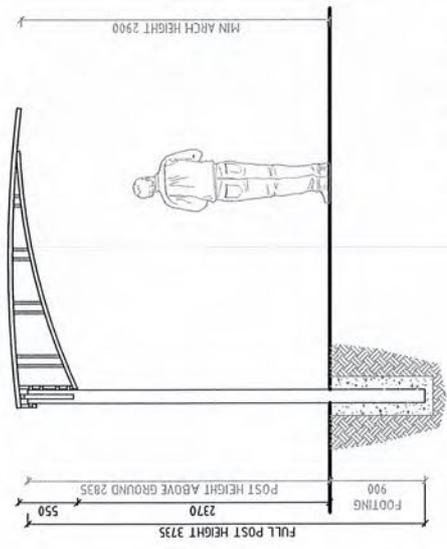
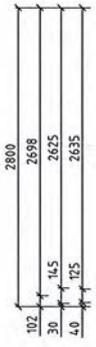
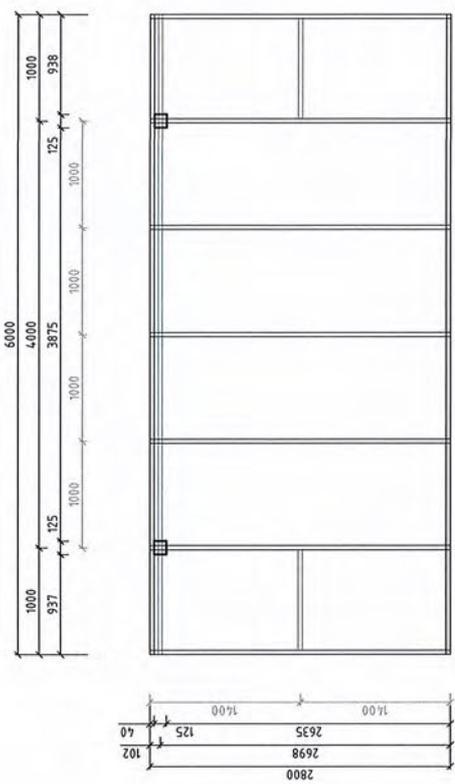
SCALE 1:200
NO CUT & FILL
NO CIV TREES

PROPOSED VOUE PERGOLA

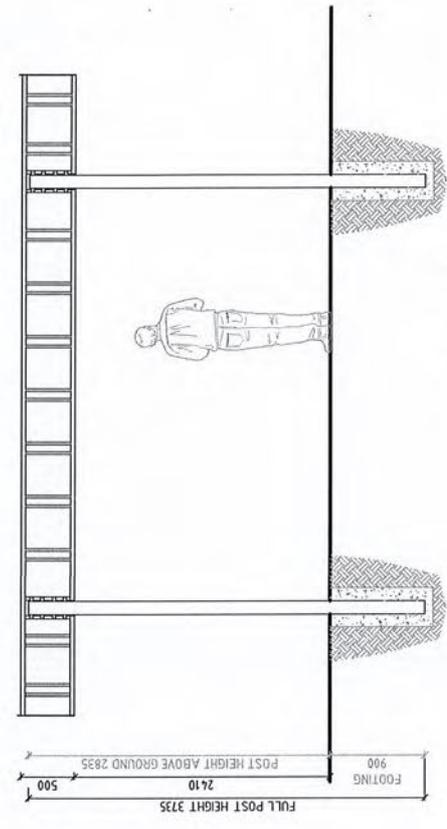
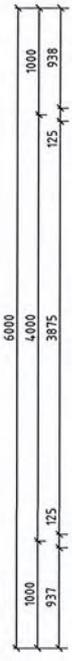


SUPERSEDED

RADIUS DIMENSIONS: R ₁ : 12.0m & T ₁ : 2.8m
PERGOLA NOTES: POWDERCOAT SURFMIST COVER: PALRAM TWIN WALL TO BE CONFIRMED BY THE CLIENT
PERGOLA AREA AREA: 16.8 sqm
ADDITIONAL NOTES



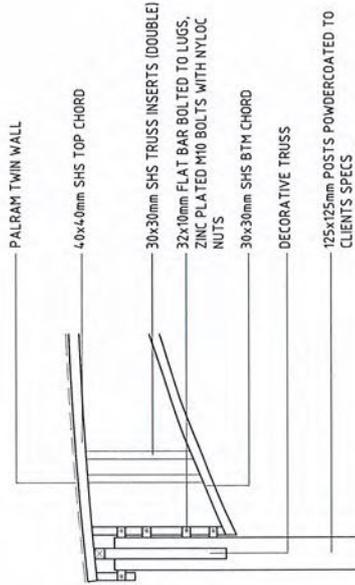
SIDE ELEVATION



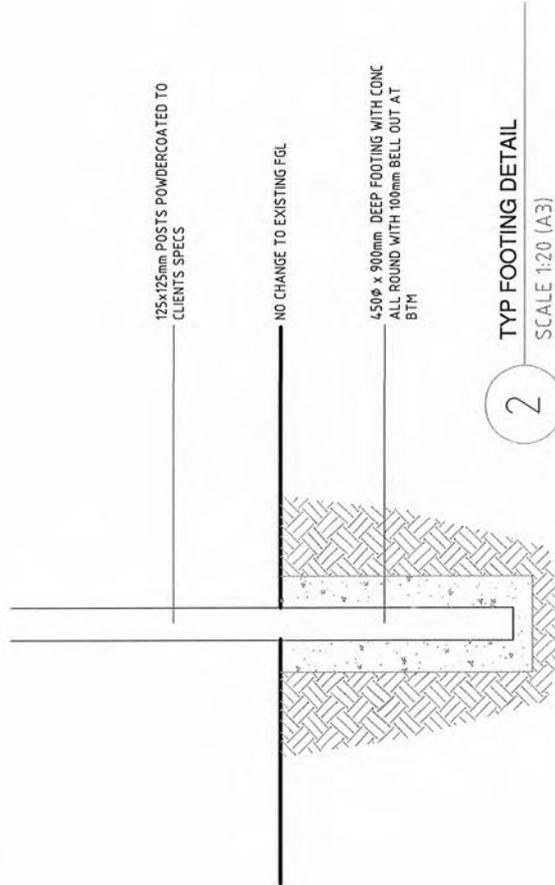
TRUSS ELEVATION

FINAL PLAN

VOGUE PERGOLAS AUSTRALIA PTY LTD 99 TRALEE STREET HUME, A.C.T. 2820 ABN: 38 632 662 170 ACN: 632 662 170 CONTACT DETAILS PH: 130 723 818 WWW.VOGUEPERGOLAS.COM.AU	CULLEN VOGUE PERGOLA	PLAN & ELEVATION SCALE: 1:50 (A3) DATE: 10/8/2020	QUANT: 1 PROJECT: PM DRAWING NO: SA-21-004 AS SHEET NO: 1 / 2
	VOGUE PERGOLAS AUSTRALIA PTY LTD 99 TRALEE STREET HUME, A.C.T. 2820 ABN: 38 632 662 170 ACN: 632 662 170 CONTACT DETAILS PH: 130 723 818 WWW.VOGUEPERGOLAS.COM.AU	DISCOVER YOUR OUTDOOR POTENTIAL DIMENSIONS OVERRIDE ACTUAL SCALED DISTANCES - DO NOT SCALE FROM DRAWING	



1 TYP POST TO TRUSS CONNECTION
SCALE 1:20 (A3)



2 TYP FOOTING DETAIL
SCALE 1:20 (A3)

STRUCTURAL CERTIFICATION
[Signature]
DATE.....16/10/2020...
A.M.Stodulka M.Eng.Sc.(Syd Uni)
M.I.E Aust C.P.Eng No. 3017

DETAILS

DETAILS AMENDMENT	DATE	SCALE	DATE
PLEASE REFER TO OUR WEBSITE FOR THE FULL T&CS OF THE WARRANTY AGREEMENT, AND THE RECOMMENDED MAINTENANCE SCHEDULE FOR THIS SPECIFIC PRODUCT, AND IT'S GEOGRAPHICAL LOCATION, UPON INSTALLATION	PROJECT	1:50 (A3)	10/8/2020
THIS DRAWING AND ANY/ALL AMENDMENTS REMAIN THE PROPERTY OF VOGUE PERGOLAS AUSTRALIA PTY LTD	DRAWN/ISSUED	PM	AS
	CULLEN	SA-21-004	
	VOGUE PERGOLAS AUSTRALIA PTY LTD 98 TRALEE STREET HUME A.C.T. 2800 ABN 59 652 662 170 ACN 652 662 170 CONTACT DETAILS: PH: 1300 793 349 www.voguepergolas.com.au	BLACK FOREST SA	2 / 2

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DIMENSIONS OVERRIDE ACTUAL SCALED DISTANCES - DO NOT SCALE FROM DRAWING

ITEM 3**DEVELOPMENT APPLICATION – 090/397/2020/C2 – 1 VICTORIA AVENUE,
UNLEY PARK SA 5061 (UNLEY PARK)**

DEVELOPMENT APPLICATION NUMBER:	090/397/2020/C2
ADDRESS:	1 Victoria Avenue, Unley Park SA 5061
DATE OF MEETING:	15 December 2020
AUTHOR:	Calvin Bacher
DEVELOPMENT PROPOSAL:	Erect 2.8m high boundary fence
HERITAGE VALUE:	Contributory
DEVELOPMENT PLAN:	19 December 2017
ZONE:	RESIDENTIAL HISTORIC (CONSERVATION) ZONE POLICY AREA 7
APPLICANT:	D Rohrsheim
OWNER:	G P Rohrsheim
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS RECEIVED:	YES – 1 (one) oppose
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Unresolved representations
RECOMMENDATION:	Approval

1. PLANNING BACKGROUND

The original application was lodged at a height of 3.1 metres. The applicant was requested to reduce the height of the fence to at least 2.8m, consistent with Residential Development PDC 35.

2. DESCRIPTION OF PROPOSAL

The proposed development seeks to erect a boundary fence upon the northern boundary for approximately 51.4m. The total height of the proposed fence is 2.8m with approximately 1.8m being situated above the final floor level of the adjacent dwelling (1A Victoria Avenue).

The fencing comprises a mix of timber hardwood cladding upon both sides of the fence posts.

3. SITE DESCRIPTION

The subject site is a single residential allotment located on the eastern side of Victoria Avenue. The rear boundary of the site abuts Heywood Park for its entirety.

It is noted that there are no easements or encumbrances on the Certificate of Title. Brownhill Creek traverses through the subject site.

The subject land has a frontage of 40.13m to Victoria Avenue, a depth of 91.44m and a total area of approximately 3,281m².

The land is currently occupied by a two-storey (Contributory Item) dwelling, swimming pool, footbridge and associated outbuildings.

4. LOCALITY PLAN



 Subject Site  Locality  Representations

5. LOCALITY DESCRIPTION

The locality is confined to the subject land and adjoining properties to the west and north, all of which are established residential properties.

There are several mature trees that follow the Brownhill Creek and provides a vegetated buffer between the adjacent properties to the north including two Significant Trees.

These two trees are separated from the proposed construction zone by the creek line.

6. STATUTORY REFERRALS

No statutory referrals required.

7. NON-STATUTORY (INTERNAL) REFERRALS

Council Arboriculture Department

The application was referred to Council's arboriculture department due to proposed development in proximity to the two significant trees. Advice was received that the proposed development would not negatively impact on the two significant trees provided that the Australian Standard 4970-2009 'Protection of trees on development sites' is adhered to.

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.

1A VICTORIA AVENUE, UNLEY PARK (Oppose)	
ISSUES RAISED	APPLICANTS RESPONSE
Impact upon watercourse Visual impact Overshadowing	Applicant did not response directly to the issues raised but requested that the application be presented to the CAP.

(* denotes non-valid planning considerations)

9. DEVELOPMENT DATA

Building Characteristics	Proposed	Development Plan Provision
BOUNDARY FENCE		
Location	Side (northern) boundary	
Set backs	Set back approximately 9.8m from front (western) boundary.	
Length	51.365m	N/A
Height	2.8m total	2.1m privacy fence
Colours and Materials		
Fencing	Steel posts – painted (Black) Hardwood timber cladding – painted (Black)	

(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: 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.</p> <p>Objective 3: Retention, conservation and enhancement of contributory items, and the complementary replacement or redevelopment of non-contributory buildings.</p>
Desired Character
<p>Contributory Items 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.</p>
Assessment
<p>The proposed boundary fence is a domestic structure that is considered to be ancillary to the existing dwelling located in the subject site.</p> <p>The proposed fencing will enhance the privacy between the subject site and adjoining properties.</p> <p>The proposed boundary fence is considered to have minimal impact upon the streetscape contribution of the contributory dwelling and its locality.</p>

Relevant Zone Principles of Development Control	Assessment
1 Development should conserve and enhance the desired character as expressed for each of the seven policy areas.	The proposed boundary fence is considered to have minimal impact upon the grand built scale, form and streetscape contribution of the contributory dwelling and its locality.
2 Development should comprise: (b) ancillary domestic-scaled structures and outbuildings;	Satisfied – Proposed boundary fence is considered to be a domestic-scaled structure and ancillary to the existing dwelling.
3 Development should retain and enhance a contributory item by: (iii) open fencing and garden character;	Satisfied – Proposed fencing is limited to privacy fencing between adjoining properties and not located forward of the associated dwelling.

Policy Area Desired Character and Principles of Development Control

Policy Area 7 – Grand Unley Park Heywood Estate
--

Desired Character
<p>The grand streetscape character is founded on wide streets with avenues of substantial trees and expansive allotments, street frontages and gardens. Intrinsic to the area is an extensive collection of contributory items of a grand scale, being unique Victorian and Turn-of-the-Century villas and mansions, 1930's and 1940's International styles, together with Gentleman's Tudors and Bungalows. These contributory items are individualised by original architectural inspirations.</p> <p>Development will:</p> <p>(a) conserve contributory items, in particular villas, mansions, bungalows, tudors and latter complementary international architectural styles; 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 allotment patterns with:</p> <p>(i) dwelling sites typically of no less than 30 metres street frontages and with site areas of 1500 square metres (and as much as 3000 square metres); and</p> <p>(ii) generous front setbacks of some 11 metres; and</p> <p>(iii) side setbacks of between 4 metres and 8 metres so as to maintain a total spacing between neighbouring dwelling walls, of some 12 metres; and</p> <p>(d) maintain and respect the grand built scale and form of contributory items and the characteristic substantial, well landscaped gardens, behind complementary, preferably open, fences.</p>
Assessment
<p>Proposed fencing is limited to privacy fencing between adjoining properties and not located forward of the associated dwelling.</p> <p>The proposed boundary fence is considered to have minimal impact upon the grand built scale, form and streetscape contribution of the contributory dwelling and its locality.</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	<i>Objectives</i>	1
	<i>PDCs</i>	1, 9, 10
Form of Development	<i>Objectives</i>	1, 7
	<i>PDCs</i>	1, 2
Hazards	<i>Objectives</i>	1, 3
	<i>PDCs</i>	1, 3
Natural Resources	<i>Objectives</i>	1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 13
	<i>PDCs</i>	1, 2, 3, 4, 7, 36, 37, 38, 39
Public Notification	<i>PDCs</i>	1
Regulated and Significant Trees	<i>Objectives</i>	1, 2, 3
	<i>PDCs</i>	1, 4, 5, 6, 7, 8, 9, 11, 12
Residential Development	<i>Objectives</i>	1, 2
	<i>PDCs</i>	1, 19, 20, 23, 24, 35, 41

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	The proposed development exceeds the suggested maximum height of privacy fencing (2.1m) by 700mm. Due to the increased finished floor level of the adjoining property (approximately up to 1.0m above ground level at boundary) it is considered that the increased total height is appropriate for the fence to suitably create visual privacy between the adjoining properties. Considering the above the variance from the PDC is considered acceptable for the provision of privacy screening to be sufficient.
PDC 41	When considering the location and orientation of the proposed development, any additional impacts of overshadowing upon the adjacent property (habitable rooms and verandah) is considered to not significantly impact the existing available sunlight access.
Design and Appearance	
PDC 1	<p>The proposed fencing is designed as to have no timber panels upon the lower section of the fence to mitigate the visual impact of the fence and to allow for sightlines under the fence into the creek-bed while avoiding the overlooking into the subject land.</p> <p>The height of the fencing is considered reasonable as it provides privacy without being visually overbearing to adjoining properties and the locality. The solid section of fencing is situated to generally cover the 1.8m above the finished floor level of the dwelling on the adjacent property.</p>
Hazards	
PDC 3	<p>The proposed development is considered to satisfy PDC 3 when considering:</p> <ul style="list-style-type: none"> - The proposed fence bottom is elevated approximately 600mm from ground level (top of bank) for the entirety of the proposed fence thereby not impeding upon the flow of floodwaters through the land or other surrounding land. - The proposed fence is to be located above or upon the top of bank for the entirety of the development.

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 boundary fence is considered to have minimal impact upon the grand built scale, form and streetscape contribution of the contributory dwelling and its locality.
- It is considered that the total height is appropriate for the fence to suitably create visual privacy between the adjoining properties.
- When considering the location and orientation of the proposed development, any additional impacts of overshadowing upon the adjacent property is considered to not significantly worsen the existing available sunlight access.
- The proposed location and design of the development is considered to not impede upon the flow of floodwaters through the land or other surrounding land.

The application is therefore recommended for Development Plan CONSENT.

12. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/397/2020/C2 at 1 Victoria Avenue, Unley Park SA 5061 to 'Erect 2.8m high boundary 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.

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 – Including planning consultant's advice	Applicant
B	Representations	Administration
C	Response to Representations	Applicant
D	Arboriculture Department Referral Comments	Administration

ATTACHMENT A

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5382 Folio 746

Parent Title(s) CT 2041/146
Creating Dealing(s) CONVERTED TITLE
Title Issued 04/12/1996 Edition 13 Edition Issued 09/10/2018

Estate Type

FEE SIMPLE

Registered Proprietor

GEORGINA PRUDENCE ROHRSCHEIM
OF 1 VICTORIA AVENUE UNLEY PARK SA 5061

Description of Land

ALLOTMENT 84 FILED PLAN 11720
IN THE AREA NAMED UNLEY PARK
HUNDRED OF ADELAIDE

Easements

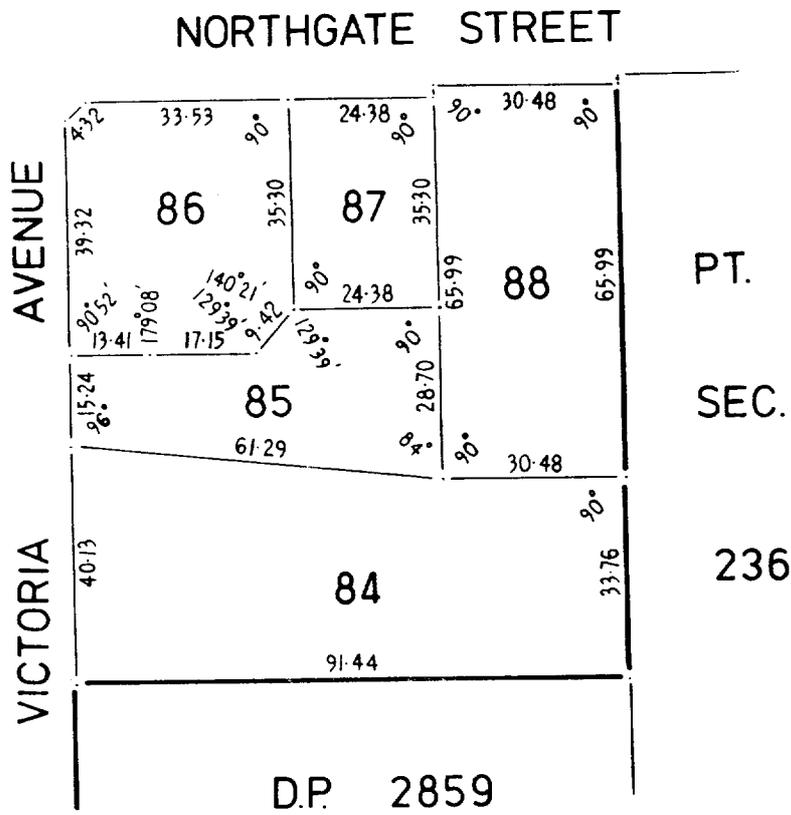
NIL

Schedule of Dealings

NIL

Notations

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



Unley Park 1878 001



Town Planning
Development Advice
Strategic Management

19 June 2020

Mr Gary Brinkworth
Manager Development & Regulatory
City of Unley
pobox1@unley.sa.gov.au

Dear Gary,

Development Application – Boundary Fence – 1 Victoria Avenue, Unley Park

I refer to the Development Application by Mr David Rohrsheim that seeks Development Plan Consent to erect a timber paling fencing on the northern boundary of their property at 1 Victoria Avenue, Unley Park.

I have been engaged by Mr Rohrsheim to provide my town planning opinion in relation to the proposed fence having regard to the existing condition of the land, the character of the surrounding locality and relevant provisions of the Development Plan.

The alignment and form of the proposed fence is depicted more particularly on the plans prepared by Oxigen Landscape Architects. The fence is to have an effective height of 2.1 metres above the floor level of the dwelling on 1A Victoria Avenue.

A fence along this property boundary is necessary in order to provide suitable privacy to the Rohrsheim's residential property, given the siting position, extent of glazing and the relative floor level of this dwelling.

The dwelling approved by Council on 1A Victoria Avenue is immediately adjacent the shared property boundary and elevated to a level that has a vantage over my Client's property save for limited screening afforded by existing vegetation.

This vantage is exacerbated by large full height windows in the south facing elevation of the dwelling at 1A Victoria Avenue which afford a line of sight across the creek channel into the Mr Rohrsheim's property, including their swimming pool area.

The resultant loss of privacy is considered entirely unacceptable.

In order to mitigate this line of sight and achieve a level of privacy that may reasonably be expected on their property within a residential location such as this, Mr Rohrsheim proposes a boundary fence.

Mr Rohrsheim does so in the absence of any meaningful proposal from the owners of 1A Victoria Avenue and to ensure good neighbourly relations into the future. The views afforded by the existing situation into my Client's property are untenable.

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
Adelaide SA 5000
0407 019 748

phil@phillipbrunning.com



As can be seen from the photographs above, the full height windows look directly into the Rohrsheim property with minimal if any meaningful screening by existing vegetation, which of course can not be relied upon into the future.

I say this in so far this vegetation, all of which is on the Rohrsheim property, is of varying degrees of maturity and health, with limited opportunity for additional planting to be undertaken.

Mr Rohrsheim seeks a boundary fence between the two properties in a manner consistent with that which is generally evident thought the surrounding locality. A solid side boundary fence may reasonably be expected in the circumstance.

The plastic sheeting attached to these windows is an indication of the practical need to provide privacy screening between the two properties. The proposed fence will achieve this function for the privacy, if not modesty of both parties.

Regardless of the desire by the neighbour to capture views over and into Brownhill Creek, which is wholly contained on 1 Victoria Avenue, such should not be at the disproportionate expense of my Client's privacy.

Brownhill Creek in this location is not contained within public open space and is held within the freehold of 1 Victoria Avenue, with an easement provided in favour of the Council for the purposes of stormwater drainage.

Any amenity afforded by Brownhill Creek is for the sole enjoyment of my Client. The residents of 1A Victoria Avenue may not reasonably expect any aspect over my Client's land particularly when it disadvantages him and his family.



Turning now to the Development Plan, it is first appropriate to note that the land is located within the Residential Historic (Conservation) Zone and more particularly Policy Area 7 – Grand Unley Park Heywood Estate.

Whereas a boundary fence up to 2.1 metres would ordinarily not constitute 'development' as defined, Schedule 3 of the development Regulations identifies that approval is required where proposed in a Historic Conservation Zone.

I note that a fence up to 2.1 metres in height where not located on the street frontage or forward of the primary walls of the building is identified as a *complying* form of development in the Residential Historic (Conservation) Zone.

Complying Development

Complying developments are prescribed in Table Un/7.

In addition, the following forms of development are designated as complying:

Fencing up to 2.1 metres in height where not located on the street frontage or forward of the primary front wall of the building.

On my reading of the Development Plan, the proposed fence need not satisfy the conditions for complying development identified at Table Un/7, in so far as a fence up to 2.1 metres is specifically listed without condition.

The effective height of the proposed fence is 2.1 metres above the floor level of the dwelling at 1A Victoria Avenue albeit on posts that extend below so as to respond to the undulating nature of the topography in this location.

I note that the proposed fence does not extend along the entirety of the property boundary, but only that section which is necessary to afford suitable screening between the two properties.

The area to the front of both dwellings as is visible from Victoria Avenue is to remain open, with the proposed fence not extending further forward of the recently constructed dwelling on 1A Victoria Avenue.

As an aside, one might have hoped that this issue of privacy between the two properties might have been addressed at the time of assessing the application for this dwelling given its elevated position achieved via the filling of land.

The proposed fence will remedy this unacceptable situation.

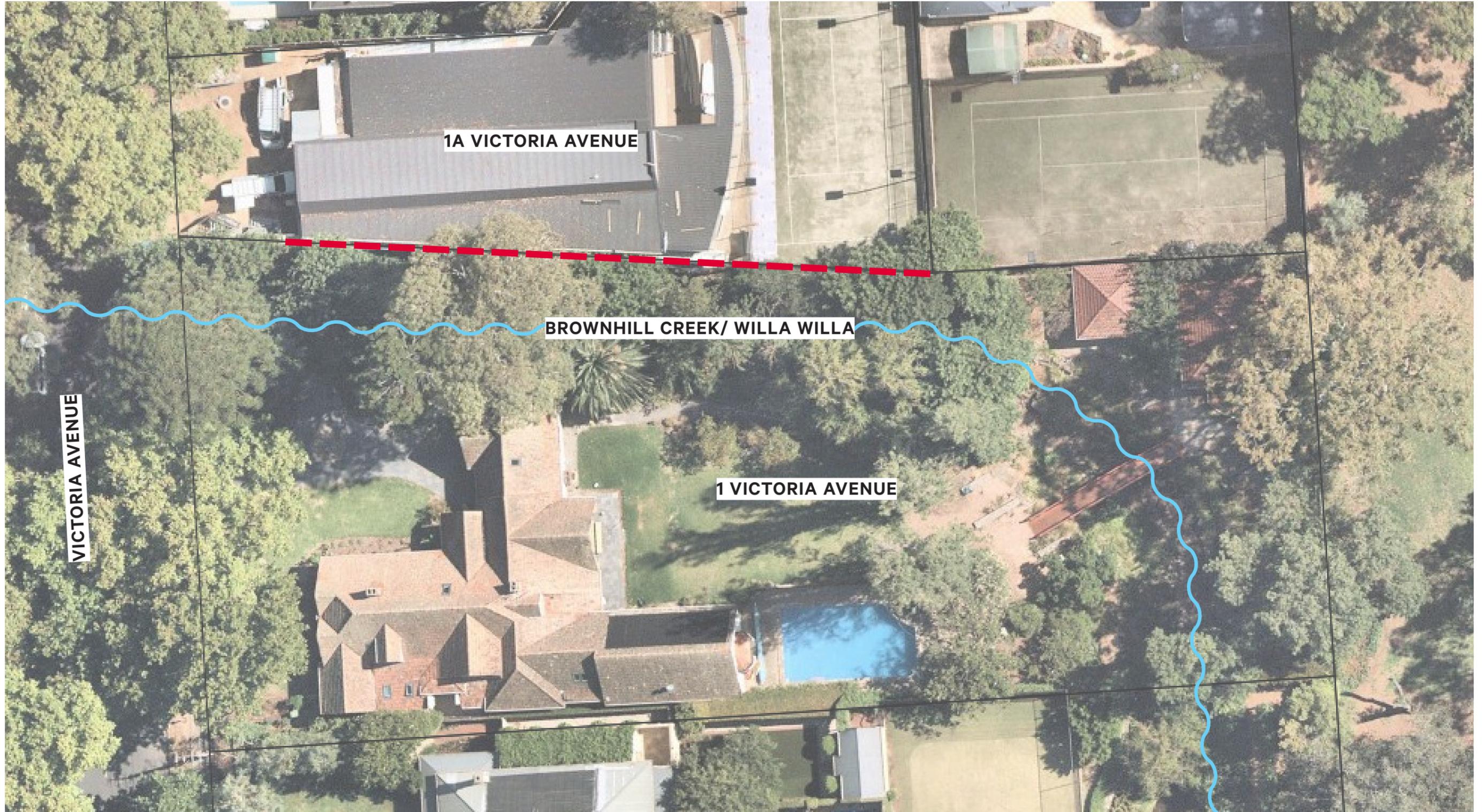
We look forward to Council confirming approval for the proposed fence as a *complying* form of development so as to enable installation to be commenced without delay given that the 1A Victoria Avenue is soon to be occupied.

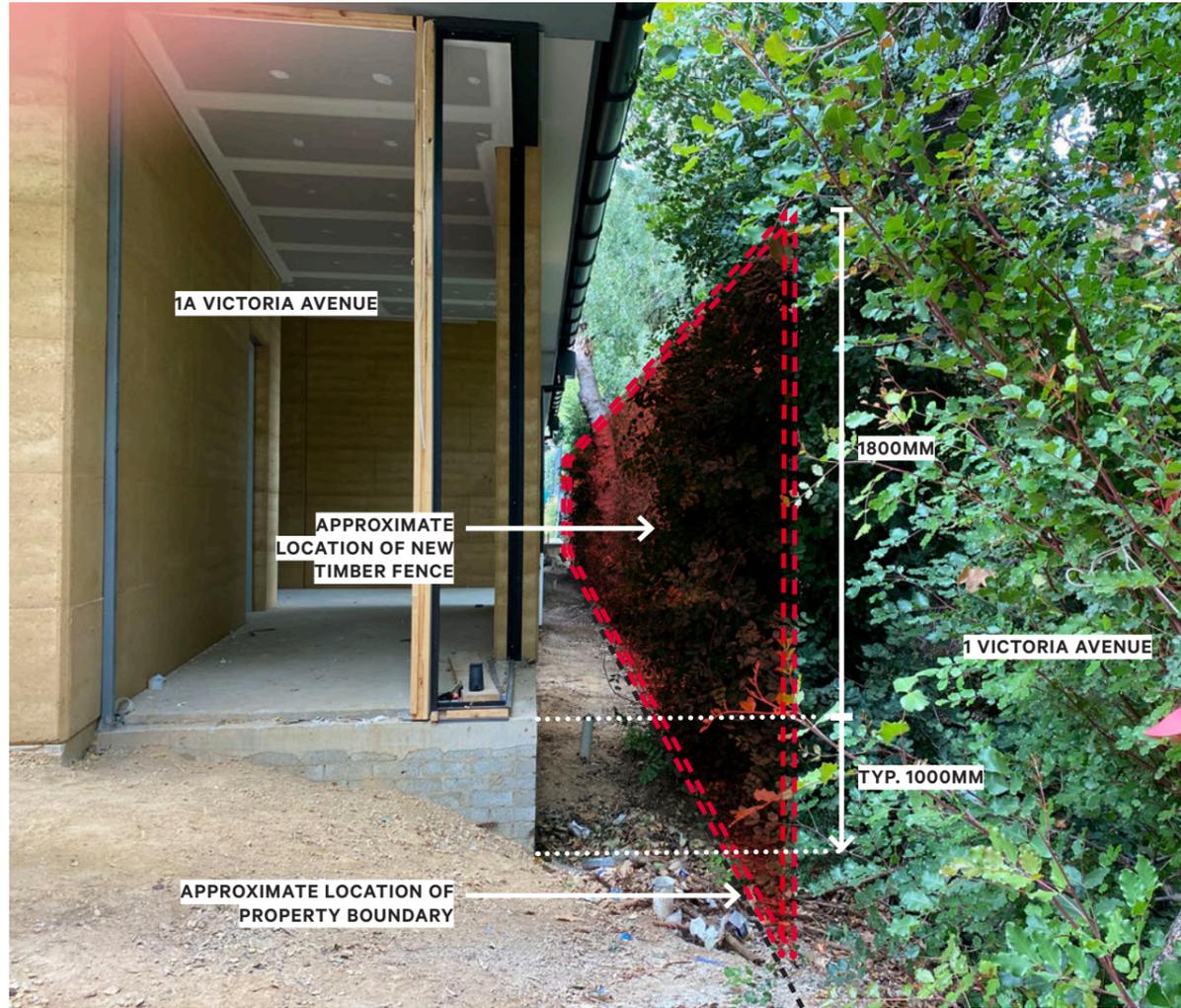
Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



PHILLIP BRUNNING RPIA
Registered Planner





Site Photo



Precedents

4 September 2020

Mr Calvin Bacher
Development Officer
The City of Unley
pobox1@unley.sa.gov.au



Town Planning
Development Advice
Strategic Management

Dear Calvin,

Development Application No. 090//397/2020/C2

In response to your letter of 23 July 2020 and further to our subsequent telephone conversations, I take this opportunity on behalf of the Applicant to provide amended proposal plans that address the matters raised for consideration.

More particularly, the amended proposal plans show the proposed fence as having a total height of 2.8 metres above ground level, other than in response to localised variations in the terrain immediately below.

I understand that this height is in line with that provided for by Council Wide Principle of Development Control 35 as referred to in your letter such that does not adversely affect the visual amenity of the locality or access to sunlight on adjoining land.

As discussed in my earlier letter, the purpose of this fence is to afford both parties with suitable privacy given the elevated nature of the new dwelling on 1A Victoria Avenue and the full height windows as they relate to the front and back yard of 1 Victoria Avenue. Without a boundary fence, both properties enjoy almost no private open space.

The revised submission for a fence with a total height of 2.8 metres above ground level, will finish 1.8 metres above the building floor level of 1A Victoria Avenue (46.7mAHD), and only 1.3 metres above the building floor level of 1 Victoria Avenue (47.2mAHD). A lesser height fence would not achieve suitable privacy between residential properties which to my mind is a reasonable expectation in a locality such as this.

My Client proposes a fence no wider than necessary between the dwellings, thus providing 1A Victoria Avenue with views from their front yard of my clients property, including Brownhill Creek. The fence is also designed such that 1A Victoria Avenue can see from their windows under the fence into the Brownhill Creek bed, and of course see above the fence up to the Significant trees that remain on 1 Victoria Avenue.

Since the time of the initial submission, development at 1A Victoria Avenue has completed and outdoor equipment has commenced operation, including pool, spa and a large air-conditioning unit. This equipment sits raised on a platform on the outside wall at the south-east corner of the 1A Victoria Avenue building, adjacent the boundary, and was installed without any screen or fence to attenuate the noise crossing into the back yard of 1 Victoria Avenue.

Phillip Brunning & Associates

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We understand it was a condition of the 1A Victoria Avenue development for the pool and spa equipment to be enclosed in a sound attenuating box. (At the time of writing, this has not yet occurred.) The air-conditioner is described by the Mitsubishi manufacturer as a large, commercial-grade unit. It extends approximately 2.8 meters above the boundary ground level. The noise from this equipment interferes significantly with my Client's quiet enjoyment of their back yard.

Therefore my Client now wishes to take this opportunity to install appropriate acoustic dampening material on the fence so as to reduce noise arising from the equipment located adjacent the boundary on 1A Victoria Avenue. Sonus Acoustic Engineers have advised that a fence of 2.8 metres above ground would provide a clearly noticeable reduction in noise for the pool pump, but potentially negligible impact on the noise from the taller air-conditioning unit. The black acoustic dampening material will be fronted by timber cladding, also painted black to match the black features of the 1A Victoria Avenue dwelling.

A report from Adelaide ARB Consultants is included which notes that the two Significant Trees are separated from the construction zone by the natural root barrier of the creek line and therefore no controls would be required for their protection during construction of this proposed fence.

I trust that you may now proceed with your assessment of this application.

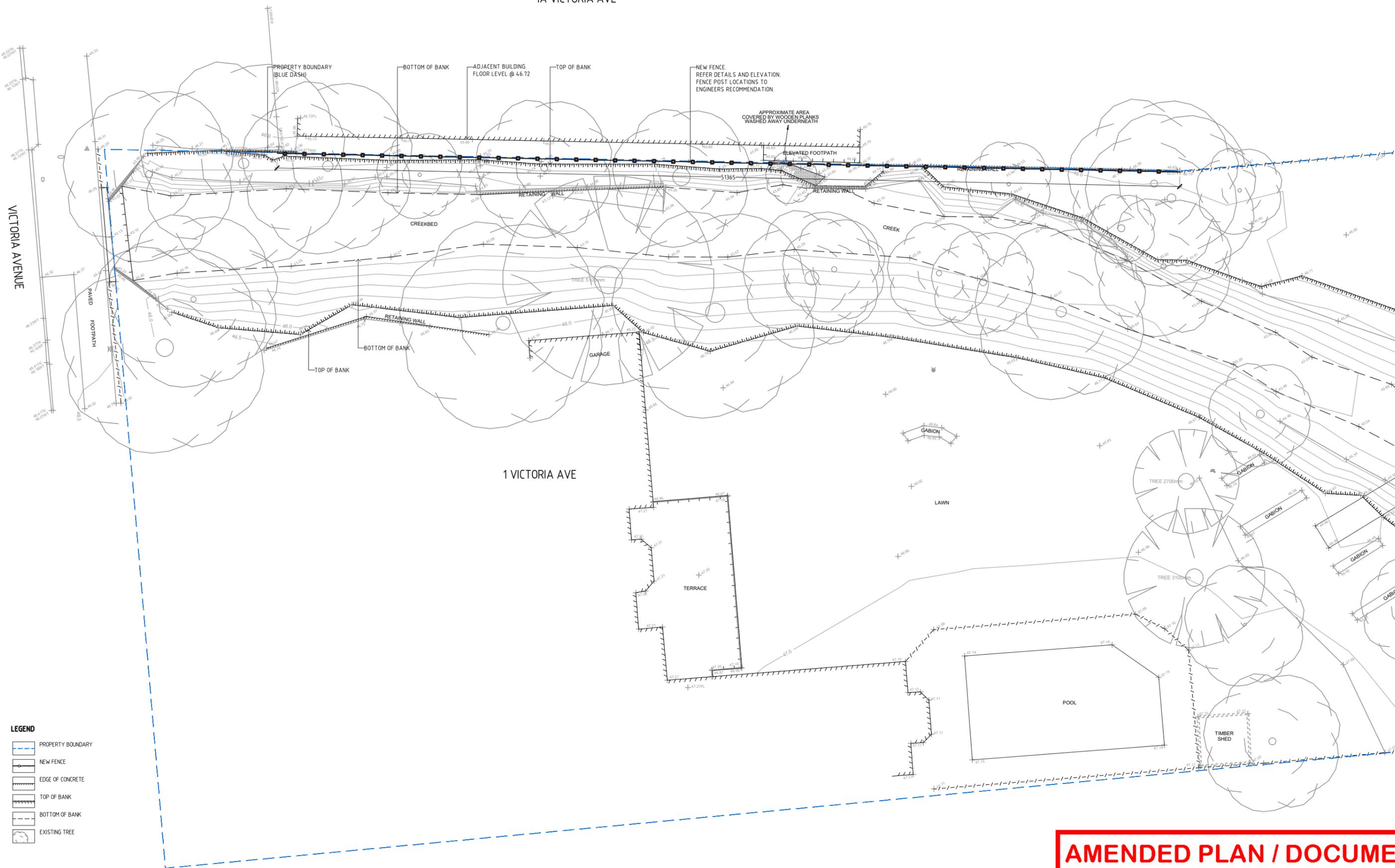
Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD

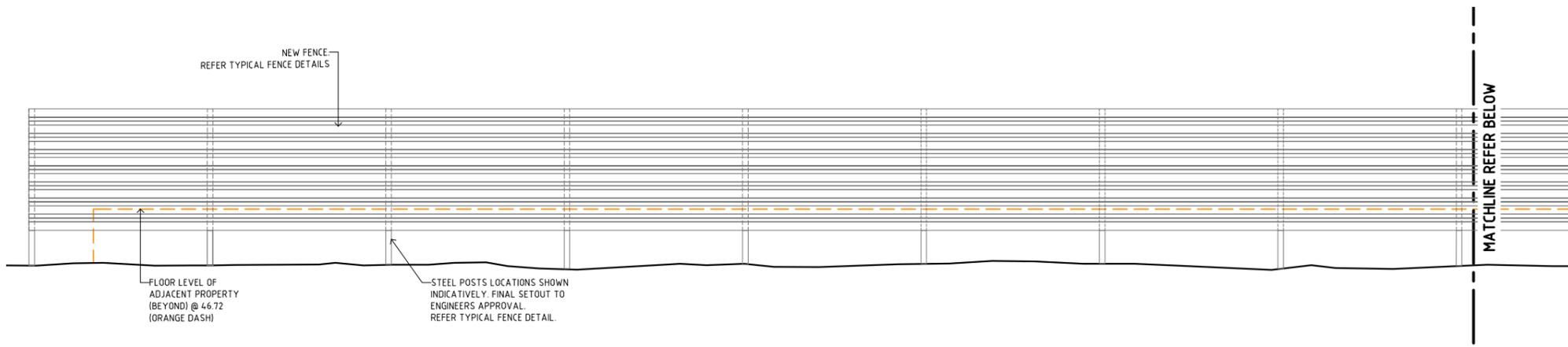


PHILLIP BRUNNING RPIA
Registered Planner

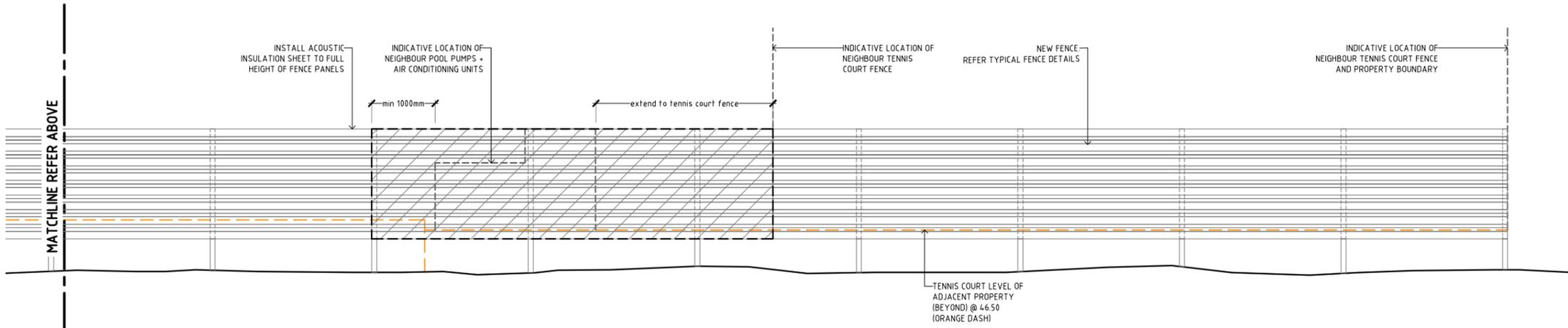
1A VICTORIA AVE



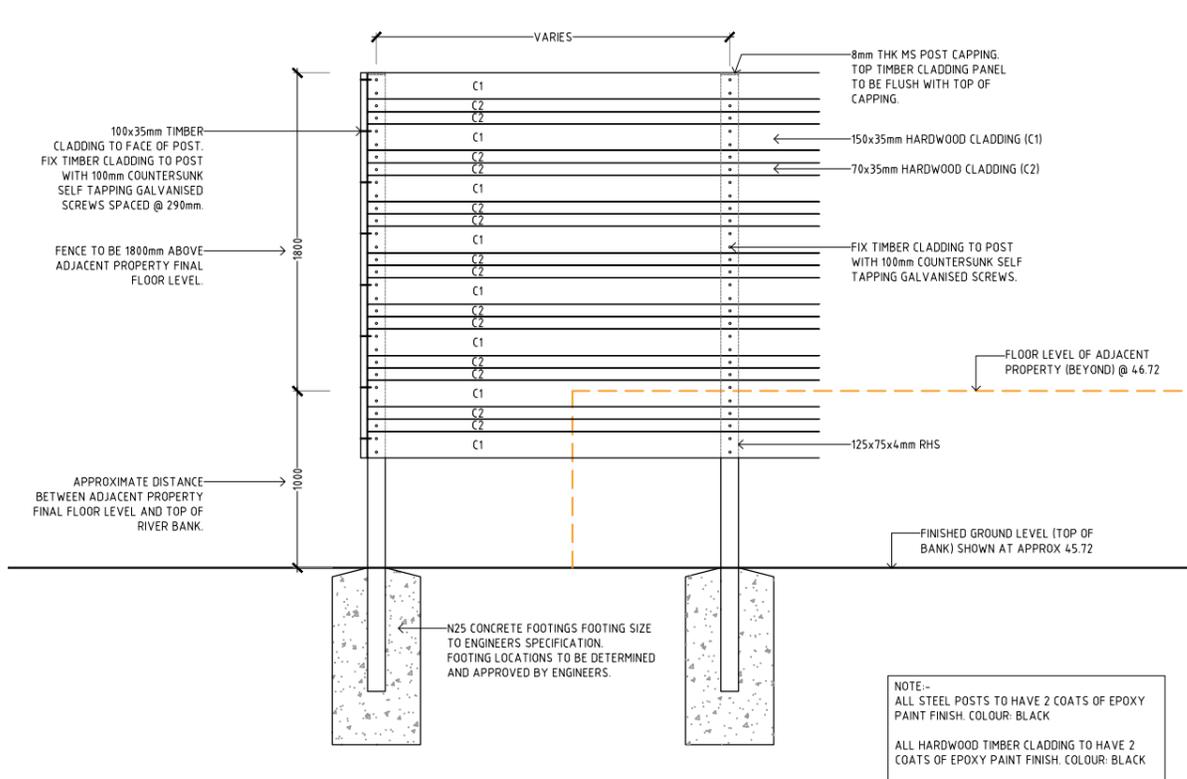
**AMENDED PLAN / DOCUMENT
DATE: 04/09/2020**



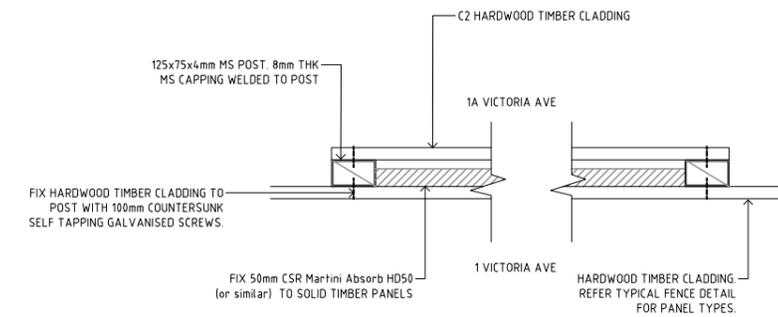
01 FENCE ELEVATION 01
SCALE 1:50 (A1), 1:100 (A3)



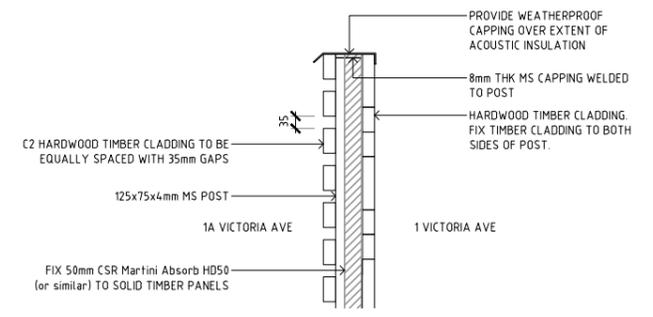
02 FENCE ELEVATION 02
SCALE 1:50 (A1), 1:100 (A3)



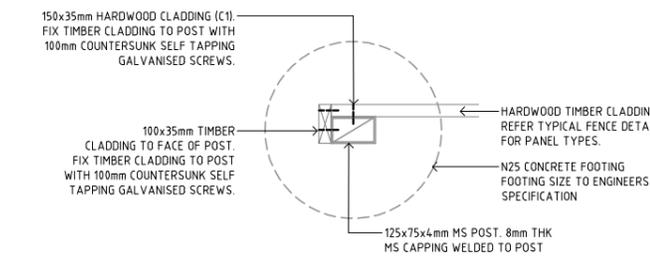
03 TYPICAL FENCE DETAIL
SCALE 1:20 (A1), 1:40 (A3)



04 ACOUSTIC INSULATION - FENCE PLAN DETAIL
SCALE 1:10 (A1), 1:20 (A3)



05 ACOUSTIC INSULATION - FENCE SECTION DETAIL
SCALE 1:10 (A1), 1:20 (A3)



06 FENCE POST DETAIL
SCALE 1:10 (A1), 1:20 (A3)

**AMENDED PLAN / DOCUMENT
DATE: 04/09/2020**

Document # - L0308-001VicAvVsp
Prepared for David Rohrsheim
1 Victoria Avenue
Unley Park
Date: 3rd August 2020

ABN. 16 804 909 619
PO Box 381
Goodwood SA 5034
Ph. 08 8351 4849
E. info@adelaidearb.com.au

Dear David,

I confirm that I have conducted a Visual Tree Assessment of the various trees located adjacent the creek embankment to the north of your house at 1 Victoria Avenue, Unley Park. This assessment occurred due to your desire to construct a boundary fence at the northern boundary of the allotment and concerns that its construction may cause damage to these trees.

Tree data and imagery including Tree Protection Zone and Structural Root Zone information are provided per tree within Appendix A – Individual Tree Data & Imagery.

The boundary alignment occurs to the north of the creek line with three dominant trees also within this area. Three additional large trees, two of which are controlled as Significant Trees under the provisions of the *Development Act 1993*, are located to the south of the creek embankment and were also assessed to ensure all aspects relating to tree protection were accounted for. These three trees, (labelled Trees 1-3 on the attached site plan) are separated from the construction zone by the natural root barrier of the creek line and therefore no controls are required to be implemented for their protection.

Trees 4-6 however are located within the area of the fence location. It should also be noted that the recently constructed dwelling within 1A Victoria Avenue has in some cases been constructed within the Structural Root Zone of these trees. The fence posts proposed will also be required to be constructed within these areas.

None of the trees to the north of the creek (Trees 4-6) are controlled assets under the provisions of the *Development Act 1993* however given your desire to retain the natural screen effect of these trees in conjunction with a boundary fence, the following recommendations are provided. These recommendations are not required to be implemented under the instruction of Development Approval however you may wish to include your intent to maintain the trees using these management options within your application to the City of Unley.

Development Design and Construction Considerations

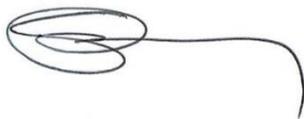
The development proposal in its current stage includes the construction of a post and rail, or similar, fence construction at the northern alignment of the creek embankment within the subject property. This is likely to cause encroachment to occur within the Structural Root Zone of Trees 4-6 and therefore, the following building design considerations need to be expressed in the design phase of the development process.

-
- Define and outline the Tree Protection Zone and Structural Root Zone around Trees 4-6 within the subject allotment. The Tree Protection Zone and Structural Root Zone radii is to be equivalent to that expressed within the Root Protection Zones (Construction) of the Tree and Environmental Observations. **Note:** Tree Protection Zones consider both crown and root protection.
 - Design the fence system to restrict the number of post locations within each trees' Structural Root Zone where possible.
 - Determine and mark all areas of proposed encroachment (excavation) and consult with the Project Arborist to determine if any expected root density conflicts may occur.
 - Conduct excavation for fence post locations using non-destructive excavation techniques such as HydroVac excavation to determine root density within these locations. Where woody roots are identified, the Project Arborist is to assist in determining an appropriate construction alteration, this may include an alternative post location or root severance.
 - Access to the construction area is to occur via the northern creek embankment. No access is permissible via the southern area of the creek.
 - Certification of Tree Protection Compliance as per AS4970-2009 is required to be undertaken by a suitably qualified AQF Level 5 Arboriculturist as per the following Developmental Timeline extract.

The above recommendations are expected to enable the sustainable retention of trees within the northern creek bank at 1 Victoria Avenue, Unley Park. As noted previously, none of these trees are controlled under the provisions of the *Development Act 1993* while trees within the southern bank are separated from the construction area by the natural root barrier of the creek itself.

Thank you for the opportunity to provide you with this advice. Should you require any further assistance or clarification, please do not hesitate to call or email me.

Kind regards,



SHANE SELWAY

Senior Consulting Arboriculturist

Graduate Certificate of Arboriculture

Diploma of Arboriculture

International Society of Arboriculture – Certified Arborist AU-0270A

Site Plan



The above icons indicate locations of the subject tree population identified within the vicinity of the proposed northern boundary fence at 1 Victoria Avenue, Unley park. The green circles are scaled to the extent of each trees Structural Root Zone. Where fence posts are required to be constructed within these locations, further tree protection requirements are to be administered as explained within the recommendations of this document.

Tree	
Tree Height (Estimated) [m]:	22
Crown Spread [m]:	17
Species:	Araucaria bidwillii
Common Name:	Bunya Bunya Pine
Health:	Good
Structure:	Good
Form:	Typical
Age:	Mature
Circumference Range:	>3m
Legislative Control:	Significant
Number of Stems (Multi Calc):	
DBH [cm]:	113
DBH [cm] Stem 1:	
DBH [cm] Stem 2:	
DBH [cm] Stem 3:	
DBH [cm] Stem 4:	
DBH [cm] Stem 5:	
DBH [cm] Stem 6:	
Useful Life Expectancy:	>20 years
Observations-Characteristics:	
Observation Comments:	
Height Range:	20-30 Metres
DBH Range:	>75cm
Primary ID:	73330
Tree Id:	1
DBH [in]:	44.488213
Archived:	No

Photos



Street View



Google

Report a problem

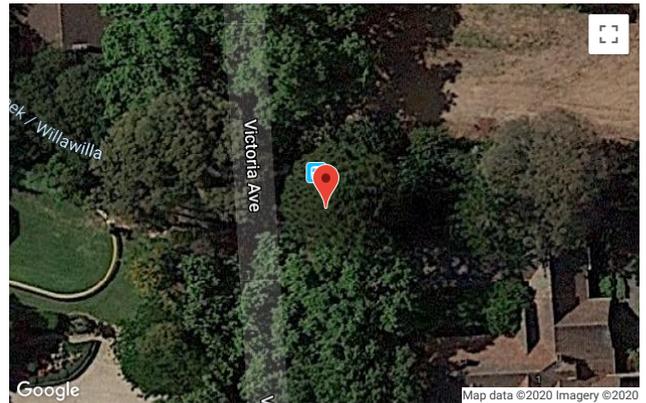
Location	
Client Site:	Shane Data Collection
Address:	1 Victoria Avenue
City:	Unley Park
Longitude:	138.59865941029
Latitude:	-34.961291349448

Construction	
Diameter at Root Flare (DRF) [m]:	1.41
Tree Protection Zone (TPZ) [m]:	13.56
Structural Root Zone (SRZ) [m]:	3.82
TPZ Protection:	Protect as per AS4970-2009

Risk Assessment	
Assessed Tree Part:	Branch
Tree part Assessed Description:	
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	Low
Likelihood:	Unlikely
Consequence of Failure:	Minor
Risk Rating:	Low
Noted Targets:	Road
Add Targets:	

Trunk Circ	
Circumference:	379
Circumference 2:	
Circumference 3:	
Circumference 4:	
Circumference 5:	
Circumference 6:	
Circumference Sum:	379

Map

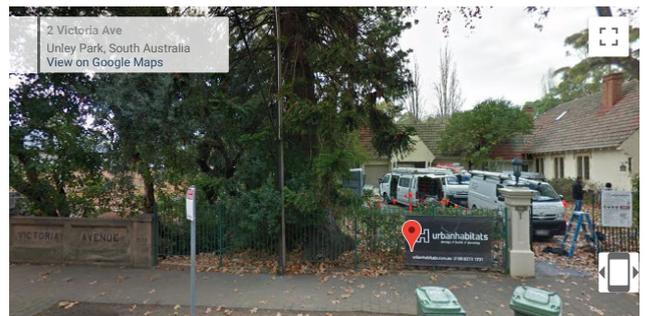


Tree	
Tree Height (Estimated) [m]:	22
Crown Spread [m]:	12
Species:	Araucaria cunninghamii
Common Name:	Hoop Pine
Health:	Good
Structure:	Fair
Form:	Irregular
Age:	Mature
Circumference Range:	>3m
Legislative Control:	Exempt
Number of Stems (Multi Calc):	
DBH [cm]:	89
DBH [cm] Stem 1:	
DBH [cm] Stem 2:	
DBH [cm] Stem 3:	
DBH [cm] Stem 4:	
DBH [cm] Stem 5:	
DBH [cm] Stem 6:	
Useful Life Expectancy:	10-20 years
Observations-Characteristics:	Co-dominant Stems, Unstable IBC Primary
Observation Comments:	Included Bark Union within primary structure.
Height Range:	20-30 Metres
DBH Range:	>75cm
Primary ID:	73331
Tree Id:	2
DBH [in]:	35.039389
Archived:	No

Photos



Street View



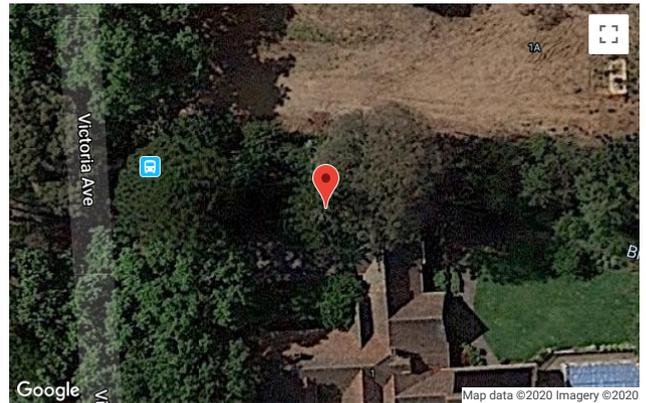
Location	
Client Site:	Shane Data Collection
Address:	1 Victoria Avenue
City:	Unley Park
Longitude:	138.59888042428
Latitude:	-34.961297765986

Construction	
Diameter at Root Flare (DRF) [m]:	0.93
Tree Protection Zone (TPZ) [m]:	10.68
Structural Root Zone (SRZ) [m]:	3.21
TPZ Protection:	Protect as per AS4970-2009

Risk Assessment	
Assessed Tree Part:	Branch
Tree part Assessed Description:	
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	High
Likelihood:	Somewhat Likely
Consequence of Failure:	Significant
Risk Rating:	Moderate
Noted Targets:	
Add Targets:	

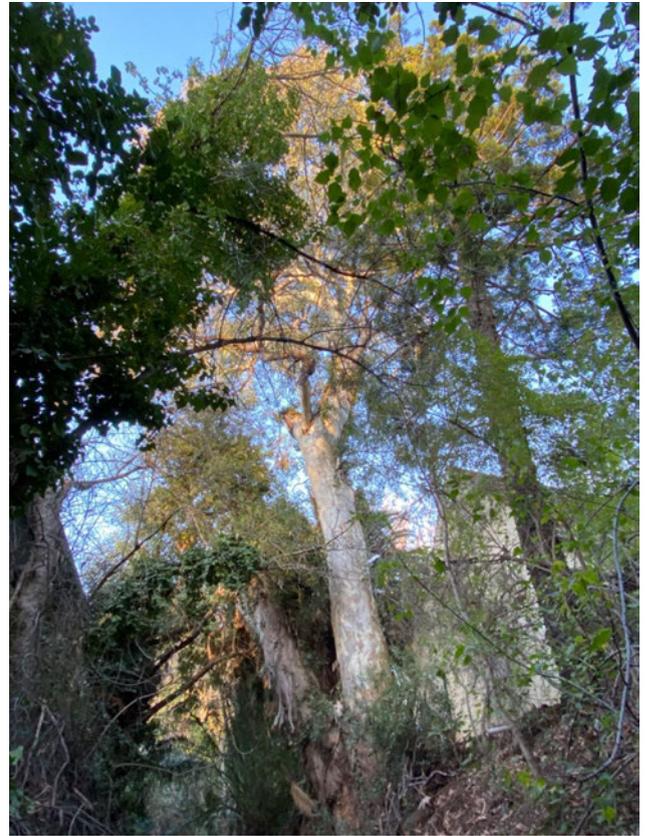
Trunk Circ	
Circumference:	244
Circumference 2:	
Circumference 3:	
Circumference 4:	
Circumference 5:	
Circumference 6:	
Circumference Sum:	244

Map

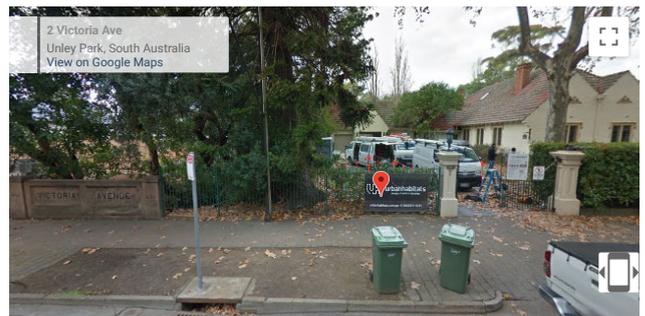


Tree	
Tree Height (Estimated) [m]:	25
Crown Spread [m]:	20
Species:	Eucalyptus camaldulensis
Common Name:	River Red Gum
Health:	Good
Structure:	Good
Form:	Typical
Age:	Mature
Circumference Range:	>3m
Legislative Control:	Significant
Number of Stems (Multi Calc):	
DBH [cm]:	125
DBH [cm] Stem 1:	
DBH [cm] Stem 2:	
DBH [cm] Stem 3:	
DBH [cm] Stem 4:	
DBH [cm] Stem 5:	
DBH [cm] Stem 6:	
Useful Life Expectancy:	>20 years
Observations-Characteristics:	
Observation Comments:	
Height Range:	20-30 Metres
DBH Range:	>75cm
Primary ID:	73332
Tree Id:	3
DBH [in]:	49.212625
Archived:	No

Photos



Street View



Google

Report a problem

Location	
Client Site:	Shane Data Collection
Address:	1 Victoria Avenue
City:	Unley Park
Longitude:	138.59895700718
Latitude:	-34.961284269925

Construction	
Diameter at Root Flare (DRF) [m]:	2.05
Tree Protection Zone (TPZ) [m]:	15
Structural Root Zone (SRZ) [m]:	4.47
TPZ Protection:	Protect as per AS4970-2009

Risk Assessment	
Assessed Tree Part:	Branch
Tree part Assessed Description:	
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	High
Likelihood:	Somewhat Likely
Consequence of Failure:	Significant
Risk Rating:	Moderate
Noted Targets:	
Add Targets:	

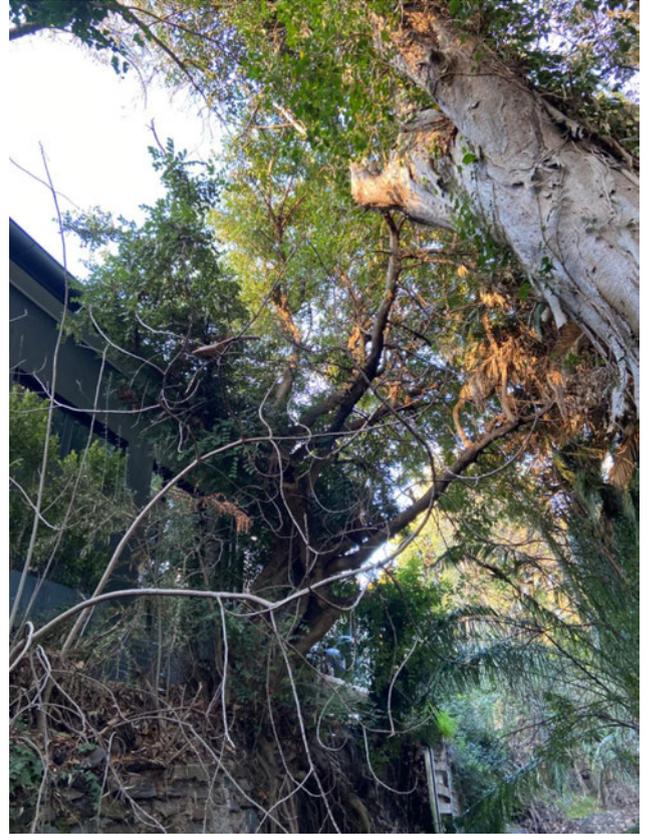
Trunk Circ	
Circumference:	647
Circumference 2:	
Circumference 3:	
Circumference 4:	
Circumference 5:	
Circumference 6:	
Circumference Sum:	647

Map

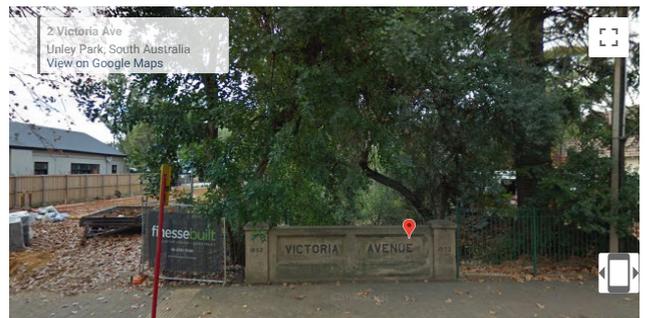


Tree	
Tree Height (Estimated) [m]:	12
Crown Spread [m]:	10
Species:	Ceratonia siliqua
Common Name:	Carob
Health:	Good
Structure:	Fair
Form:	Typical
Age:	Mature
Circumference Range:	>3m
Legislative Control:	Exempt
Number of Stems (Multi Calc):	
DBH [cm]:	95
DBH [cm] Stem 1:	
DBH [cm] Stem 2:	
DBH [cm] Stem 3:	
DBH [cm] Stem 4:	
DBH [cm] Stem 5:	
DBH [cm] Stem 6:	
Useful Life Expectancy:	10-20 years
Observations-Characteristics:	
Observation Comments:	
Height Range:	10-20 Metres
DBH Range:	>75cm
Primary ID:	73333
Tree Id:	4
DBH [in]:	37.401595
Archived:	No

Photos



Street View



Google

Report a problem

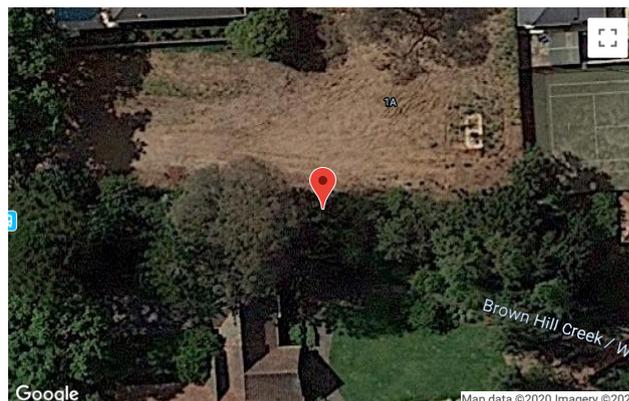
Location	
Client Site:	Shane Data Collection
Address:	1 Victoria Avenue
City:	Unley Park
Longitude:	138.59906819932
Latitude:	-34.961241411804

Construction	
Diameter at Root Flare (DRF) [m]:	1.2
Tree Protection Zone (TPZ) [m]:	11.4
Structural Root Zone (SRZ) [m]:	3.57
TPZ Protection:	Protect as per AS4970-2009

Risk Assessment	
Assessed Tree Part:	Branch
Tree part Assessed Description:	
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	High
Likelihood:	Somewhat Likely
Consequence of Failure:	Significant
Risk Rating:	Moderate
Noted Targets:	
Add Targets:	

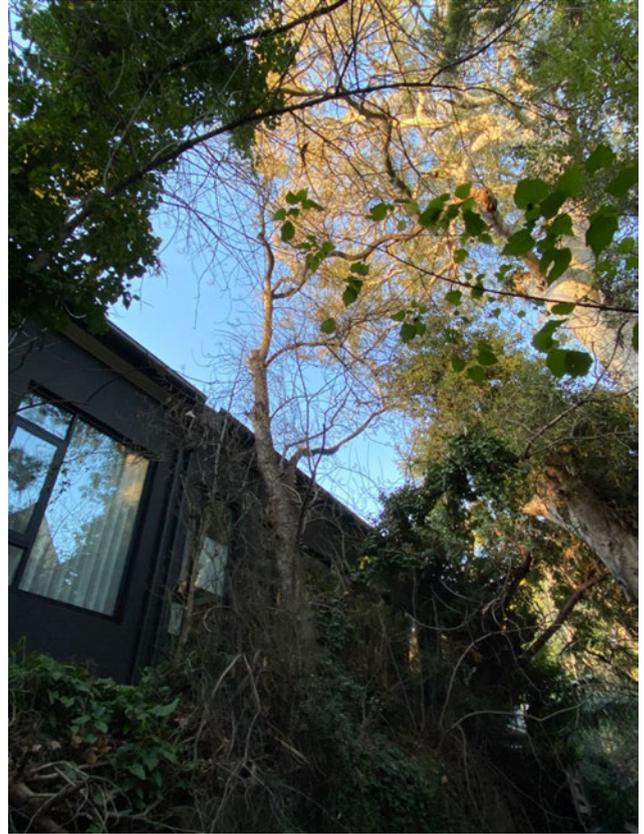
Trunk Circ	
Circumference:	300
Circumference 2:	
Circumference 3:	
Circumference 4:	
Circumference 5:	
Circumference 6:	
Circumference Sum:	300

Map

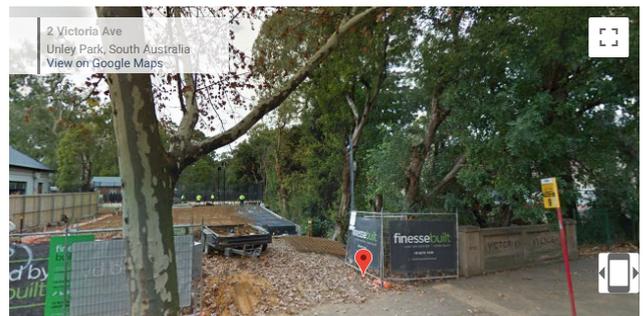


Tree	
Tree Height (Estimated) [m]:	13
Crown Spread [m]:	7
Species:	Fraxinus angustifolia subsp. angustifolia
Common Name:	Desert Ash
Health:	Good
Structure:	Fair
Form:	Typical
Age:	Mature
Circumference Range:	<2m
Legislative Control:	Exempt
Number of Stems (Multi Calc):	
DBH [cm]:	45
DBH [cm] Stem 1:	
DBH [cm] Stem 2:	
DBH [cm] Stem 3:	
DBH [cm] Stem 4:	
DBH [cm] Stem 5:	
DBH [cm] Stem 6:	
Useful Life Expectancy:	10-20 years
Observations-Characteristics:	
Observation Comments:	
Height Range:	10-20 Metres
DBH Range:	46-60cm
Primary ID:	73334
Tree Id:	5
DBH [in]:	17.716545
Archived:	No

Photos



Street View



Google

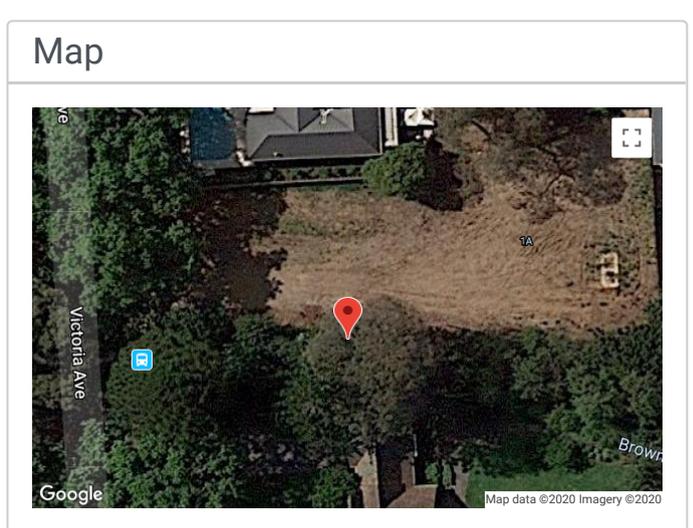
Report a problem

Location	
Client Site:	Shane Data Collection
Address:	1 Victoria Avenue
City:	Unley Park
Longitude:	138.59892067782
Latitude:	-34.961230970461

Construction	
Diameter at Root Flare (DRF) [m]:	0.55
Tree Protection Zone (TPZ) [m]:	5.4
Structural Root Zone (SRZ) [m]:	2.57
TPZ Protection:	Protect as per AS4970-2009

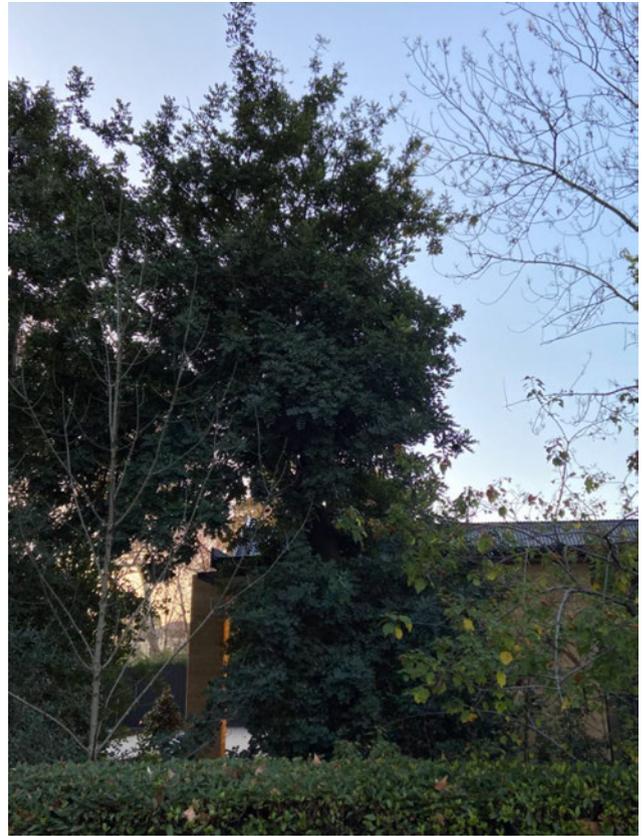
Risk Assessment	
Assessed Tree Part:	Branch
Tree part Assessed Description:	
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	High
Likelihood:	Somewhat Likely
Consequence of Failure:	Minor
Risk Rating:	Low
Noted Targets:	Building
Add Targets:	

Trunk Circ	
Circumference:	165
Circumference 2:	
Circumference 3:	
Circumference 4:	
Circumference 5:	
Circumference 6:	
Circumference Sum:	165

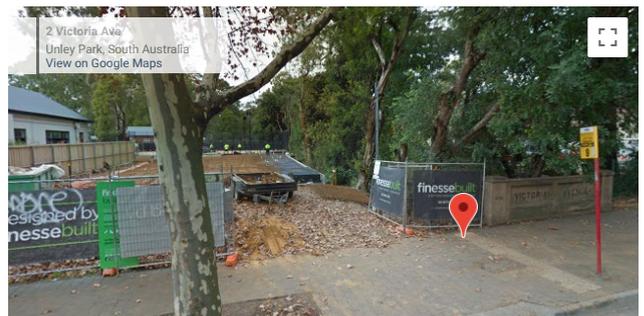


Tree	
Tree Height (Estimated) [m]:	8
Crown Spread [m]:	12
Species:	Ceratonia siliqua
Common Name:	Carob
Health:	Good
Structure:	Good
Form:	Typical
Age:	Mature
Circumference Range:	>2m <3m
Legislative Control:	Exempt
Number of Stems (Multi Calc):	
DBH [cm]:	50
DBH [cm] Stem 1:	
DBH [cm] Stem 2:	
DBH [cm] Stem 3:	
DBH [cm] Stem 4:	
DBH [cm] Stem 5:	
DBH [cm] Stem 6:	
Useful Life Expectancy:	10-20 years
Observations-Characteristics:	
Observation Comments:	
Height Range:	5-10 Metres
DBH Range:	46-60cm
Primary ID:	73335
Tree Id:	6
DBH [in]:	19.68505
Archived:	No

Photos



Street View



Google

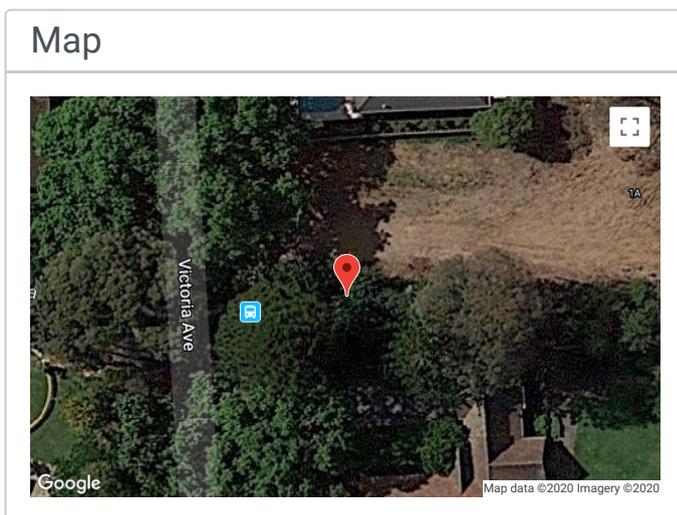
Report a problem

Location	
Client Site:	Shane Data Collection
Address:	1 Victoria Avenue
City:	Unley Park
Longitude:	138.59877508055
Latitude:	-34.961236395033

Construction	
Diameter at Root Flare (DRF) [m]:	0.6
Tree Protection Zone (TPZ) [m]:	6
Structural Root Zone (SRZ) [m]:	2.67
TPZ Protection:	Protect as per AS4970-2009

Risk Assessment	
Assessed Tree Part:	Branch
Tree part Assessed Description:	
Likelihood of Failure:	Possible
Likelihood of Impacting Target:	High
Likelihood:	Somewhat Likely
Consequence of Failure:	Minor
Risk Rating:	Low
Noted Targets:	Building
Add Targets:	

Trunk Circ	
Circumference:	170
Circumference 2:	
Circumference 3:	
Circumference 4:	
Circumference 5:	
Circumference 6:	
Circumference Sum:	170



Acoustifence® Information

- Lab tested STC value of 28 represents over an 80% reduction in sound to the human ear.
- Works extraordinarily well blocking sound.
- Far less sound reflected than solid walls.
- Installed or removed in less than one hour.
- UV tolerant and does not support mold.
- Virtually indestructible, very resilient material.
- 100% recyclable
- Comprised of over 64% recycled materials.
- Will accept most paint finishes.
- To store, Acoustifence easily rolls up like a carpet.



Material Specifications – Part # “Acoustifence 6x30 Industrial ”

Acoustical Rating	STC 28 / OITC 22
Size	6 ft. (1.83m) x 30 ft. (9.14m) x 0.125 in (3mm) 180 ft² (16.72m²)
Weight	185 lbs. (84Kg)
Fastening	Brass Grommets every 6 in (152mm) along top edge with four grommets spaced along the bottom edge. Commonly installed horizontally.
Color	Black



Acoustifence® Installation

Number of people: 2
Time required: 20/30 min.
Items: Utility Knife, Pliers, 70 lb. wire ties (in cluded with purchase)

1. Cut and remove the plastic wrap around the roll.
2. Lean the roll against the fence as vertical as possible with the grommet edge to the top. Line up the top of the roll to the top of the fence or at the desired height.
3. Begin unrolling the Acoustifence material along the fence. Have one person slowly unroll the material while the second person inserts the ties in each grommet as the material is unrolled. Insure that the material is kept taught as you install the wire ties to prevent it from sagging.
4. Remove the tape and roll core.
5. Pull each cable tie so that the Acoustifence is properly lined up at the desired height. DO NOT make the cable tie tight! It must be loose enough to allow the eyelet to pivot freely. Try to distribute weight equally.
6. Do not trim off end of cable tie until you are sure weight is distributed equally.

(Specifications and prices subject to change without notice.)

Acoustifence® Acoustical Test Results ATI Report # 65299.01

ASTM E90 Sound Transmission Loss Measurements

Date: 05/25/2006

Specimen: Acoustifence Sound Barrier Material

Specimen Area: 6.0 Sq. Ft.

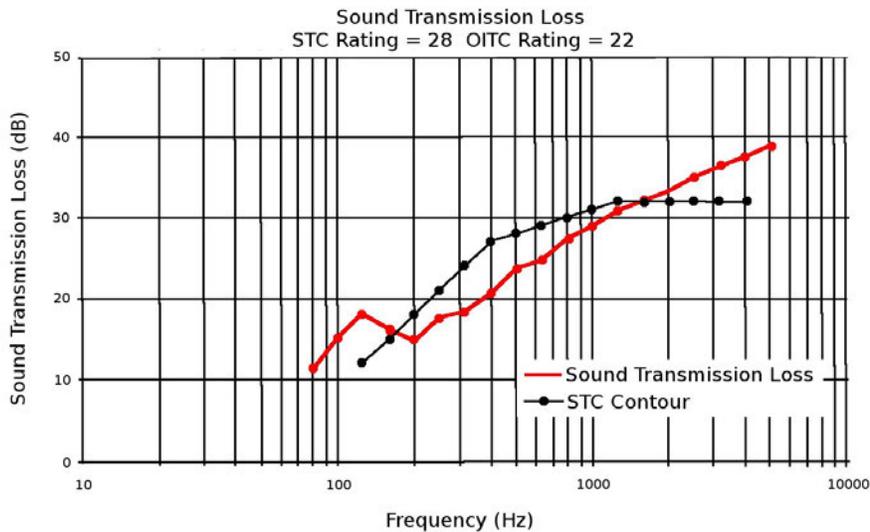
Filler Area: 134.0 Sq. Ft.

Operator: Benjamin W. Green

	Bkgrd	Absorp	Source	Receive	Filler	Specimen
Temp F	73.9	74.0	73.1	73.9	73.1	73.7
R. H. %	65.7	65.7	63.3	65.7	61.4	65.1

Freq (Hz)	Bkgrd SPL (dB)	Absorp (Sabines / Sq. Ft.)	Source SPL (dB)	Receive SPL (dB)	Filler TL (dB)	Specimen TL (dB)	95% Conf Limit	No. of Deficiencies	Trans Coef Diff
80	43.0	52.5	84.2	63.7	36.3	11	2.54	0	11.7
100	39.2	59.1	87.7	62.9	40.3	15	3.77	0	12.0
125	47.4	55.9	91.5	63.7	47.5	18	2.02	0	15.9
160	43.4	50.4	94.2	68.8	46.2	16	1.06	0	16.5
200	43.0	54.9	97.9	73.5	49.6	15	0.80	3	21.3
250	35.8	53.0	99.3	72.2	51.0	18	1.12	3	19.8
315	33.7	57.2	95.7	67.5	54.0	18	0.53	6	22.1
400	33.3	56.0	95.0	64.6	58.4	21	0.78	6	24.3
500	31.6	56.3	98.8	65.4	60.5	24	0.30	4	23.4
630	25.1	57.7	101.5	66.9	65.2	25	0.53	4	26.9
800	25.2	59.9	101.3	63.8	67.4	27	0.54	3	26.4
1000	23.2	62.6	101.0	61.9	72.2	29	0.49	2	29.8
1250	23.8	69.4	105.1	63.7	78.0	31	0.28	1	33.8
1600	20.1	70.2	111.4	68.6	81.8	32	0.22	0	36.3
2000	15.0	76.3	107.4	63.2	79.9	33	0.22	0	33.2
2500	7.5	86.9	105.9	59.3	74.8	35	0.23	0	26.3
3150	8.4	102.0	106.6	58.0	77.8	36	0.33	0	28.0
4000	7.7	124.9	105.6	55.0	81.1	37	0.33	0	30.2
5000	8.1	162.8	104.1	51.0	81.0	39	0.36	0	28.7

STC Rating = 28 (Sound Transmission Class)
 Deficiencies = 32 (Number of deficiencies versus contour curve)
 OITC Rating = 22 (Outdoor / Indoor Transmission Class)



(Specifications and prices subject to change without notice.)

ATTACHMENT B

REPRESENTATION Category 2 (Page 1)

To: Calvin Bacher, City of Unley Development Section

Please read these notes carefully:

1. Both pages MUST be completed in full and returned to the City of Unley by the closing date to be a valid representation.
2. This page (ie Page 1) will NOT be published on the internet.
3. Pages 1 and 2 (and any attachments) may be included as attachments in the hard copy of the Council Assessment Panel agenda.
4. Please note that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation (Pages 1 and 2 and attachments) will be forwarded to the Applicant for consultation and response.

The **closing date** for Representations is **5pm on 15 October 2020**.

Application: 090/397/2020/C2 1 Victoria Avenue, Unley Park SA 5061

Details of Person(s) making Representation:

Name:

Postal Address:

EMAIL ADDRESS:

Daytime Phone No.

Property affected
by Development

1A VICTORIA AV UNLEY PARK


(Signature)

30/9/20
(Date)

👉 Attach any extra pages to this form

REPRESENTATION Category 2 (Page 2)

To: Calvin Bacher, City of Unley Development Section

1. This page (ie Page 2) and any attachments may be published on the internet and thus be able to be searched via Google and other internet search engines.
2. In accordance with Section 38(8) of the Development Act 1993, a copy of this representation (Pages 1 and 2 and any attachments) will be forwarded to the Applicant for consultation and response.

The closing date for Representations is **5pm on 15 October 2020.**

Application:	090/397/2020/C2 1 Victoria Avenue, Unley Park SA 5061
Property affected by Development	1A VICTORIA AV UNLEY PARK

I support the proposed development.

OR (Tick one only)

I object to the proposed development because:
(Please state your reasons so that each planning issue can be clearly identified. Attach extra pages if you wish)

PLEASE REFER TO THE ATTACHED DOCUMENT.

My concerns (if any) could be overcome by:

WISH TO BE HEARD
 DO NOT WISH TO BE HEARD by the Council Assessment Panel
(Tick one box only. If you do not tick either box it will be assumed that you do not wish to be heard by the Council Assessment Panel.)



URPS

ADELAIDE

12/154 Fullarton Road
ROSE PARK SA 5067
(08) 8333 7999

MELBOURNE

4 Brunswick Place
FITZROY VIC 3065
(03) 8593 9650

www.urps.com.au
ABN 55 640 546 010

15 October 2020

Mr Calvin Bacher
Development Officer
City of Unley
181 Unley Road
UNLEY SA 5061

Dear Calvin

Development at 1 Victoria Avenue, Unley Park – Application Number 397/2020/C2

Introduction

Thank you for providing the Category 2 notification letter dated 25 September 2020 with respect to Application Number 397/2020/C2.

URPS has been engaged to assist [REDACTED] with respect to providing comment on the development proposed at 1 Victoria Avenue, Unley Park.

Christopher and Elizabeth neighbour the subject land at 1A Victoria Avenue, Unley Park.

The proposal

The proposal is for a 2.8-metre-high fence positioned on the side boundary between 1 and 1A Victoria Avenue, Unley Park.

The fence will comprise timber cladding with very limited gaps effectively being a high blank wall as viewed from our clients' land.

Concerns

We wish to object to the proposed development for the reasons explained below under their respective headings.

Impact upon Watercourse

The proposed fence will be positioned on the edge of Willa Willa - Brownhill Creek.

More specifically, we hold concern for the following reasons:

- The footings are large and will have the potential to damage or undermine the stability of the bank of the creek.
- The proposal will increase the risk of erosion to the bank of the creek.

shaping great communities

- The proposal will diminish the natural character of the creek.

The applicant's documentation provided for comment includes no evidence to suggest these matters will be avoided.

Council Wide, Hazards Principle 3 states:

3 Development and earthworks associated with development should not do any of the following:

- (a) impede the flow of floodwaters through the land or other surrounding land;
- (b) increase the potential hazard risk to public safety of persons during a flood event;
- (c) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood;
- (d) cause any adverse effect on the floodway function;
- (e) increase the risk of flooding of other land;
- (f) obstruct a watercourse.

(Underlining added)

Ideally, a much lower, or largely open style fence (i.e. post and rail at 1.5 metres high) that requires smaller footings would be preferable and have a significantly reduced impact on the creek, and in turn result in better performance against Council Wide Hazard Principle 3.

We also hold concern as to how the fence will be constructed with protection of the creek.

I understand the proposal may involve workers, tools and equipment being positioned on the banks of the creek which may cause further damage to the banks of the creek thus diminishing its natural character and streetscape generally.

There is also the question of an NRM referral.

Schedule 8 of the Development Regulations 2008 states:

- (1) *Development comprising or including an activity for which a permit would be required under section 127(3)(d) or (5)(a) of the Natural Resources Management Act 2004 if it were not for the operation of section 129(1)(e) of that Act (on the basis that the referral required by virtue of this item operates in conjunction with section 129(1)(e) of that Act), other than development within a River Murray Protection Area under the River Murray Act 2003***

A referral may be required in lieu of appropriate flood management information.

Visual Impact

The proposed fence will have a total height of 2.8 metres for its entire length, which we understand is approximately 50 metres.

This is significantly higher than most other fences throughout the general locality and will have a negative impact upon Christopher and Elizabeth's property.

Various provisions within the Development Plan guide that development should minimise the visual impact of development as viewed from adjoining properties.

Sense of Enclosure, outlook and natural light

Christopher and Elizabeth have worked hard to develop their property with careful liaison with Council to ensure:

- The design of the house was architecturally sympathetic to the streetscape and character of the locality.
- The design was suitable to the standard of dwellings in Victoria Avenue.
- The development was compliant with the 100-year flood plain requirements.
- The development would have no impact upon the water flow and amenity of the creek.

Aspects of their home have been carefully considered to take advantage of views towards the creek, all of which will be blocked by the proposal. In particular, the carefully considered design features include:

- A large picture window adjacent the front door which provide outlook towards the creek.
- A large picture window at the end of the entry hall.
- Particular bedroom windows.
- Particular playroom windows.

While these windows provide outlook toward the creek, they do not unreasonably compromise the neighboring privacy of 1 Victoria Avenue. This is because:

- Some of them look towards the front garden which is already publicly visible from Victoria Avenue generally.
- The general distance between the dwellings ensures adequate privacy.
- The numerous established trees and bushes positioned between the dwellings prevent direct views.

The proposal will have a negative impact upon the quality of Christopher and Elizabeth's home with particular reference to their outlook and natural ambient light access for the rooms of their home adjacent the southern boundary.

These impacts are largely caused by the unnecessary height of the fence and its enclosed design. The aforementioned alternative design would address these concerns.

Air Conditioner

The air conditioning unit to Christopher and Elizabeth's house is situated on a plinth close to the boundary at one point. We are concerned that the proposed fence will impede air flow to this unit leading to damage or restricted functionality.

Once again, the true need for the fence is questioned.

Conclusion

The boundary between the properties has never been fenced and Christopher and Elizabeth question the true need for it and the suitability of its design.

We submit that the proposal will:

- Detract from the character of the locality.
- Cause damage the bank of the creek.
- Unreasonably impact upon the amenity of 1A Victoria Avenue in relation to outlook, sense of enclosure, access to natural ambient light for particular rooms.

Ideally, a much lower, open style fence that requires smaller footings would be proposed if one were required at all.

Alternatively, Christopher and Elizabeth are also happy to work with the applicant to ensure privacy between properties via carefully positioned mature trees, hedges, bushes or some other form of privacy screens.

We envisage that these would be carefully designed and positioned to retain full functionality of both properties without compromising amenity and while ensuring privacy.

We formally request to be heard by the CAP in relation to these concerns.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Matthew King', with a long horizontal flourish extending to the right.

Matthew King RPIA
Managing Director

ATTACHMENT C

6 November 2020

Mr Calvin Bacher
Development Officer
The City of Unley
pobox1@unley.sa.gov.au



Town Planning
Development Advice
Strategic Management

Dear Calvin,

Development Application No. 090//397/2020/C2 – Response to Representation

I have been provided with a copy of the representation made by URPS on behalf of Mr Christopher Kelly & Mrs Elizabeth Watson of 1A Victoria Avenue Unley Park being the adjoining neighbours to the south of the subject land at 1 Victoria Avenue. I understand that this is the only representation which has been submitted in response to public notification of the application.

I have been requested to respond on behalf for the Applicant, Mr David & Mrs Georgina Rohrsheim. My clients request the opportunity to be represented before the Panel to respond to the representation and any questions arising.

As you will be aware, I have previously outlined my town planning opinion in relation to the proposed fence and have responded to requests for information during preliminary assessment, with amended plans being submitted thereafter.

The design of the fence was amended to achieve an effective height of 1.8 metres above the building floor level of the recently constructed dwelling at 1A Victoria Avenue. This will provide a suitable level of privacy between the two properties.

Regrettably, the design and siting position of this new dwelling at 1A Victoria Avenue has resulted in an unacceptable loss of privacy for the occupants of 1 Victoria Avenue due to the inclusion of large, unscreened south facing windows that facilitate a direct line of sight into my Clients' property, including a significant proportion of their private rear yard space My clients have lost their sense of privacy in their rear yard and this has had a significant impact on the amenity of their dwelling.

The previous dwelling on 1A Victoria Avenue oriented itself more so to the north, was separated by a car park, thick vegetation, and with minimal windows in the south facing elevation such that a boundary fence was not necessary to afford privacy.

This existing situation has changed dramatically in this regard.

In addition to the provision of large habitable room windows in this south facing elevation, the building level has been elevated so to achieve suitable flood protection. This has resulted in a situation which significantly compromises the privacy of my clients and their family's enjoyment of their rear private open space.

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
Adelaide SA 5000
0407 019 748

phil@phillipbrunning.com

Equally, the large expanse of windows in this south facing elevation with no fence or meaningful screening gives rise to an uncomfortable situation whereby my Clients can themselves look into the Representor's dwelling.

This situation is unacceptable on any objective measure within a residential area

It is apparent that the Representor in designing their new home sought to capture an aspect into the adjoining Brownhill Creek which is located wholly within my Clients' private property that is held in fee simple as a Torrens title.

This aspect could only ever be enjoyed by taking views over and across a side property boundary and into adjoining private land. The problem that now arises is not of my clients' making and is frankly not their problem.

Indeed my clients are apparently expected to now suffer the consequences of decisions made by others to design and orient the windows of a new dwelling to face my clients' private land across a side property boundary.

I repeat that the creek runs through private land and comprises private property and my clients are entitled to fence it subject to any required authorisations. Their fencing proposal is a measured and appropriate response to an unacceptable situation.

Interestingly the creek is not contained within a defined easement recorded on the Certificate of Title, acknowledging that the function of this watercourse is afforded rights under other legislation. It is however not a public space.

In proposing this fence along their northern property boundary to provide suitable privacy, my Clients have taken advice and put forward a proposal which will ensure that the integrity of the creek channel is maintained with every care taken to minimise disturbance.

As you would be aware there are numerous examples of boundary fences adjacent the alignment of the creek that have been constructed, with appropriate techniques utilised to avoid and/or minimise impact.

The next property down stream at 4 Victoria Avenue has fences along both sides of the creek right up to the street, and the property immediately upstream at 3 Victoria Avenue has a boundary fence adjoining Heywood Park that sits over the top of the creek.

As I understand it, a permit is not required for the installation of a boundary fence adjacent to a watercourse on its bank and that such is only required where the works constitute a *water affecting* activity which this is not.

While referral to the Mount Lofty Ranges Natural Resources Management Board is not required, my Clients will liaise with officers from both NRM Board and Council to ensure an appropriate methodology of construction.

The extent of intervention into the terrain along the bank is limited to localised footings, the specific design and location of which will be determined by a Consulting engineer in collaboration with the Landscape Architect engaged by my clients.

Advice has and will continue to be taken from a Consulting Arborist, Mr Shane Selway in relation to the continued health of trees in this location, noting that tree damaging activity is not being undertaken to any regulated or significant tree.

Issue is taken with the visual impact of the proposed fence and that it is out of character with the surrounding locality. This assertion is rejected on the basis that a simple inspection of the locality will confirm the presence of comparable boundary fencing.

Furthermore, Mr James Hayter, who is an experienced Landscape Architect and Urban Design expert, has been consulted by my clients. The result is a design which, in terms of its position, configuration and use of materials, is mindful of the context within which it is proposed and provides an appropriate response.

Likewise, I do not share the view that the proposed fence will be visually obtrusive when viewed from Victoria Avenue, noting that it is well set back from this public road and substantively screened by vegetation within the creek channel which is to be maintained.

The use of timber palings on this fence is considered to be appropriate in this context and preferable to metal sheeting in so far as it is a 'natural' material that will blend with the landscape and surrounding building form.

Side boundary fencing is a typical feature of urban development and provides dwelling occupants with the level of privacy and security typically expected in private dwellings and private open spaces. The fact that a creek runs through my clients' land does not alter the position at all.

The representors have no right to a view into my clients' private property. My clients are entitled to their privacy and the Development Plan strongly supports the protection of that privacy and the amenity that privacy provides. I refer, for example, to Council-wide PDC 10 under the general heading "Design and Appearance".

The need for a fence is self evident and arises due to decisions not of my Clients' making. The design of the new dwelling at 1A Victoria Avenue has sought to borrow the amenity afforded by my Clients' property.

I note that the Representors have recently installed a fixed screen along a section of the shared side boundary further to the east where it adjoins their private yard area, a clear acknowledgement of the need for privacy between properties.

This recent development serves as evidence that suitable concrete footings to support such a screen or fence can be installed along the boundary without undermining the stability of the adjacent creek bank.

The suggestion that this fence is unnecessarily high is difficult to follow. Once again the effective height of the fence above the finished building level of the dwelling at 1A Victoria Avenue is 1.8 metres. The Council will be well aware that the conventional height of side boundary fencing is typically 2.1 metres in Metropolitan Adelaide.

The Representors built a 3.7m high fence on the same boundary where it suited them for their tennis court. The fence proposed by my Clients will be the lowest of all the fences around the perimeter of 1A Victoria Avenue.

A fence of a lower height would be completely ineffectual given the aspect of the southern windows in the representors' dwelling which afford clear views from primary habitable living spaces into my clients' private open space.

Likewise additional plantings or hedging would fail to achieve the degree of privacy that is reasonably expected within a residential area such as this, particularly when such plantings would need to be particularly successful and dense and would need to

be established in shade and sloping soils on the southern side of the representors' dwelling. Just as in any other typical residential situation in an urban area, vegetation is no substitute for the privacy and security afforded by side fencing.

The Representors cleared all pre-existing vegetation located adjacent their southern property boundary and given the siting position of their new home, there is little if any prospect for landscaping in this location.

As a matter of practicality, reliance on landscape plantings along the northern side of the creek channel for privacy is problematic given the many challenges arising, including challenges associated with maintenance and longevity.

My clients certainly should not be expected to rise to the frankly impossible challenge (confirmed by Mr Selway) of planting, nurturing and maintaining some kind of effective and enduring vegetated screen which will achieve similar outcomes to the proposed side boundary fence.

Once again, the Representors have sought to maximise the amenity of their property in a manner that borrows from and seriously compromises the amenity otherwise afforded by my Client's property. This is not only uncharacteristic of the locality, but the outcome is not supported by the Development Plan.

To the extent that the bottom of the proposed fence is elevated above the existing terrain along this boundary, this is of no consequence to the amenity that will continue to be enjoyed on 1A Victoria Avenue.

These south facing windows extend well above the proposed 1.8 m fence and thus will continue to enjoy suitable ambient light and views to vegetation, with the proximity of the fence to this elevation in line with the set back requirements provided for under the Development Plan.

Likewise in respect to function of air-conditioning equipment, the proposed arrangement is comparable with that typically experienced in residential settings elsewhere in the council area and that suitable airflow should be afforded.

I completely reject the notion that a fence ought not be installed on the side boundary of private residential land due to its proximity to air-conditioning equipment.

For these reasons and that previously expressed, I am of the view that the proposed fence should be granted consent. I request that you advise us of the date and time of the CAP meeting at which this application will be considered so that my client can attend by representative to respond to the representation.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



PHILLIP BRUNNING RPIA
Registered Planner



3 VICTORIA AVENUE



4 VICTORIA AVENUE

ATTACHMENT D

DA Arborist Referral (Internal)

21-Sep-2020 15:06:40 - Calvin Bacher - DAREGEN

Please provide comments RE proposed boundary fence and protection of trees.
Tree report provided.

02-Nov-2020 13:07:32 - Joel Ashforth - DAREGEN

I have printed plans and provided arboricultural report which appears significantly lacking content.

25-Nov-2020 09:08:29 - Joel Ashforth - DAREGEN

Dear Calvin

I have visited the site and considered the arboricultural report from Adelaide Arb Consultants.

I believe this development can proceed without a negative impact upon any trees, maintaining a legislative status, providing the above-mentioned report and the Australian Standard 4970-2009 'Protection of trees on development sites' is adhered.

I trust this suffices.

Joel Ashforth

ITEM 4
DEVELOPMENT APPLICATION – 090/487/2020/C1 – 43 MALCOLM STREET, MILLSWOOD SA 5034 (UNLEY PARK)

DEVELOPMENT APPLICATION NUMBER:	090/487/2020/C1
ADDRESS:	43 Malcolm Street, Millswood SA 5034
DATE OF MEETING:	22 December 2020
AUTHOR:	Calvin Bacher
DEVELOPMENT PROPOSAL:	Remove regulated tree - <i>Corymbia maculata</i> (Spotted Gum)
DEVELOPMENT PLAN:	19 December 2017
ZONE:	(BUILT FORM) ZONE P 9.5
APPLICANT:	The Adelaide Tree Surgery
OWNER:	D F and T Moffat
APPLICATION TYPE:	Merit
PUBLIC NOTIFICATION:	Category 1
CAP'S CONSIDERATION IS REQUIRED DUE TO:	Recommendation for Refusal

1. PLANNING BACKGROUND

Nil

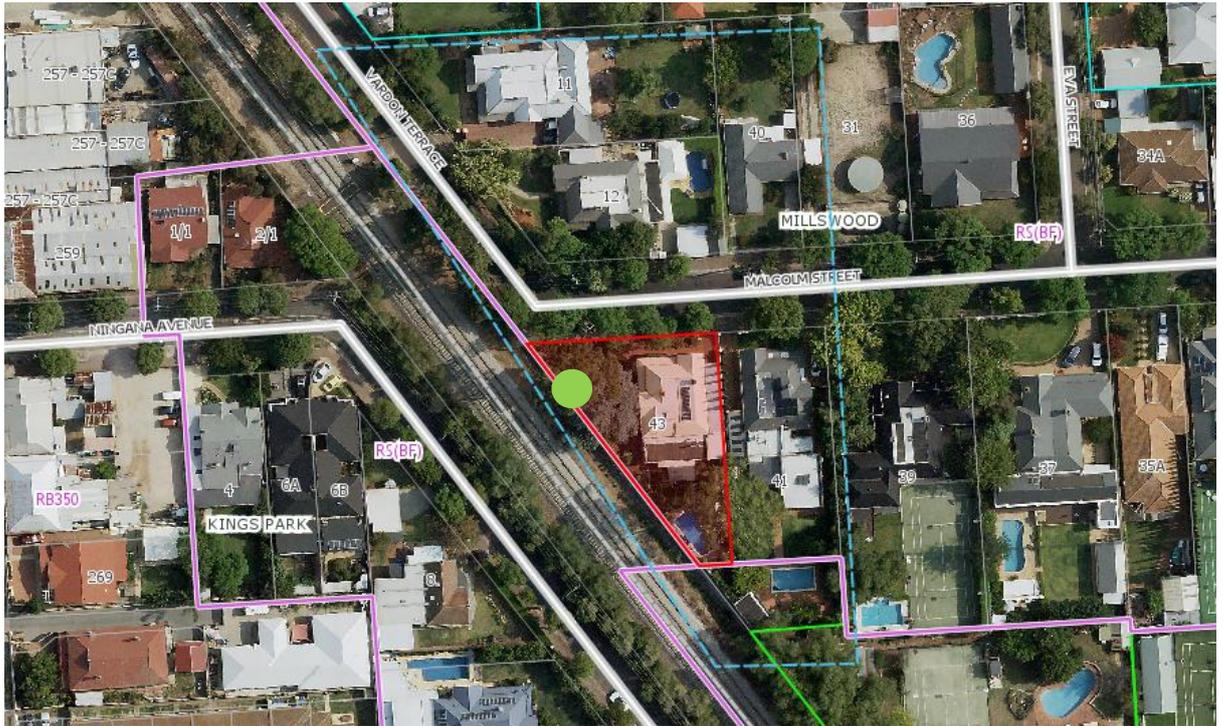
2. DESCRIPTION OF PROPOSAL

The applicant proposes to remove a Regulated Tree – *Corymbia Maculata* (Spotted Gum) located near the north-western corner of the property at 43 Malcolm Street, Millswood.

3. SITE DESCRIPTION

The subject site is located on the southern junction of Malcolm Street and Vardon Terrace. There is an existing dwelling and associated swimming pool located on the site. The western boundary of the site abuts a railway corridor.

4. LOCALITY PLAN



5. PUBLIC NOTIFICATION

No notification was undertaken in accordance with Schedule 9(13) of the *Development Regulations 2008* as the application is assigned Category 1.

7. ARBORICULTURAL ASSESSMENT

The applicant (The Adelaide Tree Surgery) provided an arborists report finding:

- There have been a number of failed branches (three large branches ranging from 80mm to 160mm in diameter) throughout the crown of the tree resulting in a void within the crown.
- Expected increase in limb failure due to previous large failures.
- Pruning likely to compromise the crown and increase the possibility of more failures.
- No suitable remedial options available to remediate due to the multiple failures.
- No damage is being caused to existing buildings

Administration commissioned an appropriately qualified arborist to review the arborist's report for the application. That review by Council's appointed arborist found:

- A Tree Risk Assessment Qualification (TRAQ) was undertaken and the risk rating was determined to be low.
- The tree is in good health and has a useful life expectancy of 10-20 years.
- No damage is being caused to existing buildings.
- Recommended minor pruning to maintain low levels of risk. Pruning is unlikely to impact tree health or to alter its general appearance.

8. DEVELOPMENT PLAN 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> The tree is in good health, well-formed and is considered to provide a level of visual amenity that significantly contributes to the locality.
(b)	<i>Indigenous to the locality;</i> The species is not indigenous to South Australia
(c)	<i>A rare or endangered species;</i> <i>or</i> The species is not rare or endangered.
(d)	<i>An important habitat for native fauna.</i> No nesting sites or habitat hollows were observed.

Principles of Development Control	Administration Comments
2	<i>A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:</i>
(a)	<i>the tree is diseased and its life expectancy is short;</i> The tree is in good health and has a life expectancy of 10-20 years.
(b)	<i>the tree represents a material risk to public or private safety;</i> Risk assessments undertaken determine that the material risk to public or private safety is low.
(c)	<i>the tree is causing damage to a building;</i> No damage is being caused to a building.
(d)	<i>Development that is reasonable and expected would not otherwise be possible;</i> No development is proposed in associated with the removal of the tree.

(e)	<i>The work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.</i>	N/A
------------	---	-----

10. CONCLUSION

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

- The subject tree is well-formed, can be viewed from Vardon Terrace and Malcolm Street and is considered to provide important aesthetic benefit.
- The tree is in good health, well-formed and is considered to provide a level of visual amenity that significantly contributes to the locality and therefore should be retained in accordance with Council Wide Regulated and Significant Trees Objective 2.
- It has not been demonstrated that the significant tree is diseased, that its life expectancy is short, that it represents an unacceptable risk to public or private safety, and that it is causing damage to a substantial building or structure of value.

The application is therefore recommended for Development Plan REFUSAL.

11. RECOMMENDATION

MOVED:

SECONDED:

That Development Application 090/487/2020/C1 at 43 Malcolm Street, Millswood SA 5034 to 'Remove regulated tree - *Corymbia maculata* (Spotted Gum)', is at variance with the provisions of the City of Unley Development Plan and should be REFUSED Planning Consent for the following reasons:

- The subject tree is considered to provide important aesthetic benefit and therefore should be retained in accordance with Council Wide Regulated and Significant Trees Objective 1.
- The tree is in good health, well-formed and is considered to provide a level of visual amenity that significantly contributes to the locality and therefore should be retained in accordance with Council Wide Regulated and Significant Trees Objective 2.
- It has not been demonstrated that the significant tree is diseased, that its life expectancy is short, that it represents an unacceptable risk to public or private safety, and that it is causing damage to a substantial building or structure of value.

List of Attachments		Supplied By:
A	Application Documents	Applicant
B	Council Arborist Referral Comments	Administration

ATTACHMENT A



THE *Adelaide*
TREE SURGERY
A division of *tree aware*

3 Ellemsea Circuit
LONSDALE SA 5160
ABN: 33 099 478 994

Phone: 8371 5955 **Mobile:** 0408 086 774 **Fax:** 8297 6885 **Email:** mark@adelaidetreesurgery.com

Arboricultural Assessment and Report

Prepared for
Ms Trudi Moffatt
43 Malcolm Street
Millswood SA 5034

In Regard to
1 x Regulated *Corymbia maculata* (Spotted Gum)



Prepared By:
Mark Elliott Consulting Arborist/Diploma Arboriculture



THE *Adelaide*
TREE SURGERY
A division of *tree aware*

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LONSDALE SA 5160
ABN: 33 099 478 994

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1.0 INTRODUCTION

- 1.1 This report has been prepared at the request of **Ms Trudi Moffatt** and this tree report is in relation to a “**Regulated Tree**” which is located in the front yard of **43 Malcolm Street, Millswood SA 5034**.
- 1.2 There subject tree has been identified as a ***Corymbia maculata* (Spotted Gum)** which has been identified as a “**Regulated Tree**” as per the ***Development Regulation 2008***.
- 1.3 **It has been recommended that the Spotted Gum is to be removed which requires approval from the City of Unley.**

2.0 TERMS OF REFERENCE

- 2.1 Instructions were received in **May 2020**.
- 2.2 The instructions requested were to undertake an inspection and tree report of the “Regulated” ***Corymbia maculata* (Spotted Gum)** which is located in the front yard of **43 Malcolm Street, Millswood SA 5034** as a result of multiple failures.

3.0 CAVEAT EMPTOR

- 3.1 This is a stage 1 '**Ground Report**'. The tree was inspected from the ground only.
- 3.2 The report is limited by the time of the inspection.
- 3.3 The report reflects the tree as found on the day of inspection. Any changes to site conditions or surroundings, such as construction works, landscape works or further failures or pruning, may alter the findings of the report.
- 3.4 The report is based on the tree inspection.
- 3.5 The inspection period to which this report applies is three months from the date of the report.

4.0 THE SITE

- 4.1 The subject tree is located in the front yard of **43 Malcolm Street, Millswood SA 5034**.
- 4.2 **Millswood** has a large number of large mature trees lining the street throughout the suburb and also within private properties. Hyde Park is a highly vegetated suburb.
- 4.3 **Millswood** is located with the council boundaries of the **City of Unley** which is located approximately 3 – 9 km south from the **Central Business District (CBD)**.



Figure 1 shows an aerial image of the property of 43 Malcolm Avenue, Millswood SA 5034 and the Spotted Gum is highlighted in red.

5.0 THE TREE- One *Corymbia maculata* (Spotted Gum):

- 5.1** The **Spotted Gum** has a stem circumference of greater than 2 meters and less than 3 meters when measured at one meter above natural ground level, therefore the tree can be declared a “**Regulated Tree**” as per the ***Development Regulations 2008***.
- 5.2** The **Spotted Gum** is a semi-mature specimen with an estimated age between **40 – 45 plus years old**.



Figure 2 shows the Spotted Gum Tree in the front yard of 34 Malcolm Street, Millswood SA 5034.

- 5.3** The **Spotted Gum** is located along the western boundary line of the property and on the western side of the tree is a pedestrian walkway and also a railway corridor.
- 5.4** The **Spotted Gum** is approximately 19 - 21 meters in height.
- 5.5** The **Spotted Gums** crown is approximately 10 meters north – south and 11 meters east – west. The crown on the western side overhangs the railway corridor.
- 5.6** The foliage density and vigor at the time of the inspection is good and the branch structure is typical of the **Spotted Gum**.
- 5.7** The tree has had previous pruning undertaken with numerous pruning cuts located throughout the crown.
- 5.8** There have been a number of failed branches throughout the crown of the tree. Majority of these failures have been from the western – north western side of the crown.
- 5.9** As a result of the failed branches, this has left a void within the crown of the tree (**refer Figure 4**) and the large branch on the western side has now been loins tailed (**refer Figure 3**).
- 5.10** There is also some significant damage to the branch that overhangs the railway corridor of the western side as a result of the branch failure. This damage is approximately half way along this branch on the top side.



Figure 3 and 4 show the Spotted Gum which is the side of the crown where there have been multiple failures and the large limb which has been compromised as a result of the failures heading towards the railway corridor.

6 DISCUSSIONS

- 6.1 The **Spotted Gum** is a semi mature tree that **The Adelaide Tree Surgery** has managed over the past **6 – 8 years**. This tree along with the other trees within the property have regular inspections and maintenance pruning.
- 6.2 On at least three occasions we have attended site to remove failed branches from this **Spotted Gum**.
- 6.3 Unfortunately, the failed branches that have occurred have been on the large size and the diameter of these branches have ranged from 80mm to 160mm in diameter.
- 6.4 The failed branch on the western side of the crown that overhangs the railway corridor was significant in size and this branch originated from approximately half way along the western branch. This failure has left an exposed wound and I believe has compromised the integrity of the remaining branch.
- 6.5 The branch in question, overhang the railway corridor significantly and as a result of the failures there are no suitable remedial options available to remediate this branch. If this branch was removed it would leave a large void within the crown of the tree.
- 6.6 The western – south western side of the tree is where most of our winds come from and with the tree having a large void on this side of the crown, it only increases the chances of continued failures.
- 6.7 The **Spotted Gums** are a difficult tree to remediate when large branch failure has occurred. This is a result of the foliage growing on the ends of the branches. When failures occur this often loins tails the branches which also increases the chance of ;limb failure.
- 6.8 Unfortunately, I believe there are no suitable remedial options available to remediate this **Spotted Gum** due to the multiple failures.
- 6.9 **Based on the findings within this report, I am recommending that the tree is approved to be removed.**

7 LEGISLATE REQUIREMENTS

7.1 The one **Spotted Gum** is classified a “**Regulated Tree**” as per the *Development Regulations 2008* and also refers to the **City of Unley Development Plan** consolidated 19th December 2017.

A Regulated Tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:

- (a) the tree is diseased and its life expectancy is short; **Yes – the Spotted Gum has had a large number of failures and as a result of these failures there are some compromised branches throughout the crown of the tree. I believe remediating (pruning) of the tree is not an option and this will only compromise the crown and increase the possibility of more failures. This opinion takes into account the previous failures and the location of the tree.**
- (b) the tree represents a material risk to public or private safety; **Yes – as a result of the large number of failures which majority on the western side of the crown over the railway line which is also the side of the tree where the large remaining damaged branch is located, I believe the tree represents risk to public and private safety.**
- (c) the tree is causing damage to a building; **No – the tree is not causing damage to building.**
- (d) development that is reasonable and expected would not otherwise be possible; **Not applicable**
- (e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree. **Yes – due to the large number of failures that the Spotted Gum has recently had and with some damaged branches remaining it is in the best interest of the tree to be removed as I believe there are no suitable remedial options available to remediate the tree.**

8 RECOMMENDATIONS

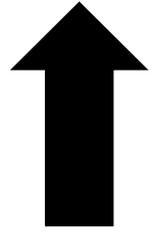
8.1 Having considered the findings within this report, I am recommending that the **Spotted Gum** is completely removed. This decision is based on the limited remedial options available and the unacceptable risk the tree poses to private and public safety.

8.2 It is recommended that suitable replacement trees are planted to replace the removing of the **Spotted Gum** or monies are contributed to the “**Tree Fund**”.

8.3 Council Approval from the City Unley needs to be granted prior to commencement of any works.

Mark Elliott
Consultant Arborist/Diploma Arboriculture

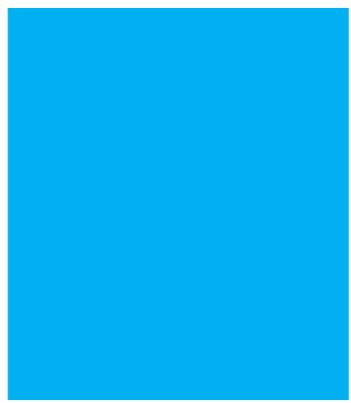
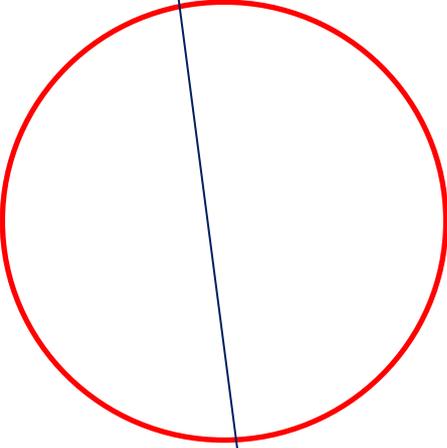
APPENDIX A: SITE PLAN



Malcolm Avenue

Corymbia maculata
(Spotted Gum)

43 Malcom Street, Millswood



**Railway
Corridor**

APPENDIX B: REFERENCES

The Development Act (1993) South Australian Legislation

The Development Regulations (1993) South Australian Legislation

City of Unley Development Plan Consolidated 19th December 2017

APPENDIX C: DISCLAIMER AND LIMITATIONS

This report only covers identifiable defects present at the time of inspection. The author accepts no responsibility or can be held liable for any structural defect or unforeseen event/situation that may occur after the time of inspection, unless clearly specified timescales are detailed within the report.

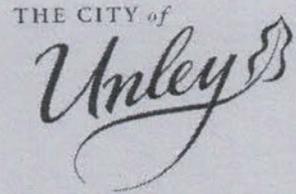
The author cannot guarantee trees contained within this report will be structurally sound under all circumstances, and cannot guarantee that the recommendations made will categorically result in the tree being made safe.

Unless specifically mentioned this report will only be concerned with above ground inspections, that will be undertaken visually from ground level. Trees are living organisms and as such cannot be classified as safe under any circumstances. The recommendations are made on the basis of what can be reasonably identified at the time of inspection therefore the author accepts no liability for any recommendations made.

Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the author can neither guarantee nor be responsible for the accuracy of information provided by others.

**Details of Regulated Tree
Proposed Removal**

(To be accompanied by a Development Application Form and Fees)



1. Property details

Property No.: 43 Street: MALCOLM Suburb: MILLSWOOD

2. Tree details

Tree 1:

Total circumference: Greater than 2 metres

Scientific name: Coccoloba maculata Common name: Spotted Gum
e.g. *Schinus areira* (Peppercorn Tree)

Reason for removal (please be as specific as possible):

Tree 2:

Total circumference: _____

Scientific name: _____ Common name: _____
e.g. *Schinus areira* (Peppercorn Tree)

Reason for removal (please be as specific as possible):

Tree 3:

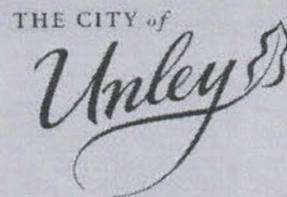
Total circumference: _____

Scientific name: _____ Common name: _____
e.g. *Schinus areira* (Peppercorn Tree)

Reason for removal (please be as specific as possible):

Details of Regulated Tree Proposed Removal

(To be accompanied by a Development Application Form and Fees)



Continued...

Replacement Trees

Pursuant to Section 42(4) of the *Development Act 1993*, if the Council grants approval for the removal of a Regulated Tree or Significant Tree, the Council is required to impose a condition requiring you to plant and maintain two (2) trees to replace every Regulated Tree and three (3) trees to replace every Significant Tree. Replacement trees cannot be planted within 10 metres of an existing dwelling or an existing in-ground swimming pool.

If there is no suitable location for you to plant replacement trees in accordance with the above criteria, or if you do not wish to plant replacement trees for whatever reason, the Council may allow you to pay money into its Urban Trees Fund at the rate of **\$96.00*** for each replacement tree that is not planted. Money paid into the Urban Trees Fund is used by the Council to either:

- (a) maintain or plant trees which are or will (when fully grown) constitute significant trees; or
- (b) to purchase land in order to maintain or plant trees which are or will (when fully grown) constitute significant trees.

Please indicate your preference:

Plant Replacement Trees

2 trees for each Regulated Tree removal
3 trees for each Significant Tree removal

OR

Pay into Urban Trees Fund

\$192.00* for Regulated Trees
\$288.00* for Significant
Tree removal

If the Council grants consent to your Application to remove your tree(s), a condition will generally be imposed on your consent, in accordance with the preference stated above. Please note however, that in some instances, such as where the replacement of trees is important to the character and amenity of an area, the Council may not allow payment into the Urban Trees Fund in lieu of planting replacement trees.

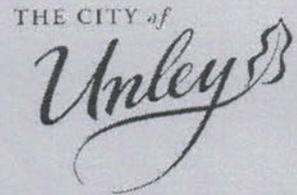
If you have elected to plant replacement trees, the replacement trees shall have the capacity to grow to a minimum height of four (4) metres at maturity.

If you have elected to make a payment into the Urban Trees Fund, you will receive an invoice when the decision is made that will provide 30 days to make payment.

* a 66.6% discount applies to an owner and occupier of the land where the relevant tree is situated and who is the holder of a current 'full Commonwealth pension' Pensioner Concession Card issued by the Commonwealth Government.

**Details of Regulated Tree
Proposed Removal**

(To be accompanied by a Development Application Form and Fees)



Continued...

Site Plan

In the box below, please draw a Site Plan that shows the following information:

- The location of existing buildings on site;
- The location of the tree(s) which you are proposing to remove, including the distance from existing buildings on the site; and
- The location of the replacement trees which you are proposing to plant (where relevant), including the distance from existing buildings on the site.

Please refer Arborist Report.

Street

*PLEASE NOTE: for irregular-shaped allotments a separate site plan must be attached

Signature of Applicant

Date

20-7-20

ATTACHMENT B

Document: # - R0467-043MalStCmac
Prepared for The City of Unley
Attn: Calvin Bacher
PO Box 1
Unley SA 5061
Date: 15th October 2020

ABN. 16 804 909 619
PO Box 381
Goodwood SA 5034
Ph. 08 8351 4849
E. info@adelaidearb.com.au

Tree Report – 43 Malcolm Street, Millswood



Executive Summary

Adelaide Arb Consultants were commissioned by The City of Unley to assess a development application to remove a Regulated Tree at 43 Malcolm Street, Millswood. The application was submitted after a branch failure raised concerns of safety.

The tree is identified as *Corymbia maculata* - Spotted Gum. The tree is a tall specimen which can be viewed from adjacent streets and it offers significant amenity to the local area.

Structure is fair as indicated by the recent branch failure and recently exposed small portion of the crown. The new exposure indicates a moderately elevated potential for the failure of secondary and tertiary branches. No unstable unions or other defects were observed.

Tree Report prepared by:
Adelaide Arb Consultants
Gary Moran

15th October 2020



The Tree Risk Assessment Qualification methodology determined the risk rating to be low. Although the potential for branch failure is moderately elevated, the likelihood of a branch failure injuring a person is low due to infrequent use of the area. Additionally, as potential failed branches are likely to be small, this would be unlikely to derail a train.

This assessment does not support the application to remove the Regulated Tree as it does not meet the criteria for removal under the City of Unley Development Plan as:

- It does not have a short life expectancy.
- It does not represent a material risk to public or private safety.
- The tree is not causing or threatening to cause damage to a building.
- Pruning options are available to maintain low levels of risk.

Pruning specifications have been provided to maintain low levels of risk and to allow the tree to adapt to new wind loading and reducing the likelihood of branch failure.

Thank you for the opportunity to provide this advice. Please do not hesitate to contact me for further clarification.

Yours sincerely

A handwritten signature in black ink, appearing to read "G Moran", with a long horizontal flourish extending to the right.

GARY MORAN
Consulting Arboriculturist
Certificate IV Arboriculture
REGISTERED ISA (TRAQ)

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Development Plan Assessment (Regulated Trees)	7
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Brief

Adelaide Arb Consultants were commissioned by The City of Unley to assess a development application to remove a Regulated Tree. The subject property is the residential allotment of 43 Malcolm Street, Millswood with the tree located immediately adjacent to the western boundary.

Not part of the brief, but some of your findings.

The assessment criteria included the following tree attributes:

- The health, structure, and sustainability within current environmental conditions.
- The control status under the current provisions of the *Development Act 1993* including an assessment against the relevant City of Unley Principles of Development Control.
- Conduct a risk assessment using a recognised tree risk assessment methodology.
- Crown management options conforming to the current guidelines of Australian Standard AS4373-2007 *Pruning of amenity trees* to reduce the risk of potential branch failure and prolong the Useful Life Expectancy of the tree.
- Other factors relevant to effective tree management.

Tree and Environmental Observations

Tree 48		<i>Corymbia maculata</i> - Spotted Gum
Assessment Date	9 th October 2020	
Height	>20 metres	
Spread (Diameter)	14-20 metres	
Age	Mature	
Useful Life Expectancy	10-20 years	
Basic Health	Good	
Basic Structure	Fair	
Form	Good	
Right: The subject tree viewed from the north.		

Circumference	271 centimetres
Legislative Control	The trunk circumference at one metre above ground level is greater than two metres however less than three metres. This tree is therefore controlled as a Regulated Tree under the current provisions of the <i>Development Regulations 2008</i> pertaining to the <i>Development Act 1993</i> .

General Observations

The subject tree is located on the western boundary of the subject property immediately adjacent to the footpath along the railway corridor. This location is highlighted on the attached aerial image.

A single trunk rises to approximately ten metres above ground level where large primary branches emerge. The form is tall, moderately broad and vase shaped. This form is typical of the species.

The root zone consists of an ornamental garden surrounding the trunk to the north. A gravel footpath and the railway corridor lie to the west. There have been no recent disturbances within the root zone that I am aware of.

Health is good as indicated by the normal foliage colour and density. There were no acute levels of pests, diseases or other environmental stresses of concern noted.

Structure is fair as indicated by the moderate history of medium diameter branch failure within the upper south western crown. The ascending southwestern primary branch is moderately exposed and 'lions tailed' from the failures. The root buttress is well-formed and leads into good trunk taper. All branch attachments appear to be sound.

The subject tree is located approximately 14.5 metres from the dwelling.

TRAQ Risk Assessment

Target Impact Likelihood	Likelihood of Failure	Likelihood Failure & Impact
Medium	Possible	Unlikely
Consequence of Failure & Impact		
Minor		

TRAQ Risk Rating - Low

The likely risk scenario is a small to medium diameter secondary branch failing on to the railway corridor and footpath. Such a failure is unlikely to impact a person (talk about the train line separately from people. E.g. larger branches are not likely to land on the train tracks or a passing train.) due to the infrequent use of the path. The path is a weather affected target meaning this area is unlikely to be occupied by people during a storm/wind event when a failure is most likely to occur. It should also be noted that such a failure resting on the train tracks would be unlikely to derail, a train due to the small diameter.

Development Plan Assessment (Regulated Trees)

Objectives

1. The City of Unley considers the conservation of regulated trees that provide important aesthetic and/or environmental benefit.

The subject tree is a tall specimen which can be viewed from Vardon Terrace and Malcolm Street. It remains well-formed despite the recent failure and therefore provides important aesthetic benefit to the locality.

2. Development should occur in balance with preserving regulated trees that demonstrate one or more of the following attributes:

a) The subject tree makes a significant contribution to the character and visual amenity of the local area.

The subject tree has a large, tall, and well-formed leafy crown which can be viewed from adjacent streets. It therefore provides a significant contribution to the locality.

a) The tree is not indigenous to the local area.

The species *Corymbia maculata* is indigenous to New South Wales with a small disjunct population near Orbost, Victoria.

b) The tree species is not listed as rare or endangered under the *National Parks and Wildlife Act 1972*.

c) The tree does not represent importance to habitat value for native fauna.

The species is not indigenous to the area and no nesting sites or habitat hollows were observed.

Principles of Development Control

1. Development should have minimum adverse effects on regulated trees.

The development application is to remove the Regulated Tree. No development or construction proposal has been provided to me.

2. A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:

a) The subject tree is not diseased and does not have a short life expectancy.

The tree is in good health and the species is well adapted to the local climate. Although the subject tree has experienced branch failures, pruning options are available to reduce the likelihood of further failures and to prolong its Useful Life Expectancy

a) The tree does not represent a material risk to public or private safety.

A risk assessment was conducted by applying the Tree Risk Assessment Qualification (TRAQ). This methodology found a low risk rating which can be interpreted as the tree does not represent a material risk.

b) The tree is not causing damage to a building.

The tree is located approximately 14.5 metres from the subject dwelling and does not have structural attributes indicating a failure has a likelihood of impacting the dwelling.

c) Development that is reasonable and expected is not being restricted by the subject trees.

No development proposal has been provided to me.

d) The work is not required for the removal of deadwood, treatment of disease however is not in the general interests of tree health.

This assessment recommends minor pruning to maintain low levels of risk. Such pruning is unlikely to impact tree health or to alter its general appearance.

3. Tree damaging activity other than removal should seek to maintain the aesthetic appearance and structural integrity of the tree.

Pruning options are available to reduce the likelihood of branch failure without impacting the aesthetic appearance or structural integrity of the tree.

Discussion

Adelaide Arb Consultants were commissioned by The City of Unley to assess a development application to remove a Regulated Tree. The subject property is the residential allotment of 43 Malcolm Street, Millswood. The application was submitted after a recent branch failure raised concerns of safety for the applicant.

The subject tree is identified as *Corymbia maculata* - Spotted Gum and it is controlled as a Regulated Tree under the *Development Act 1993* and the *City of Unley Development Plan*. The tree is a tall specimen which can be viewed from Vardon Terrace and Malcolm Street and therefore it offers significant amenity to the local area.

The tree has good health attributes and therefore further discussion on tree health has been omitted from this document as health is largely irrelevant to the recommendation.

Structure is fair as indicated by the recent branch failure. This failure has exposed the ascending southwestern branch within the middle and upper crown. This new exposure to wind indicates a moderately elevated potential for the failure of secondary and tertiary branches in this section of the crown is present. It should be noted however no unstable unions or other defects were observed within the form.

A risk assessment was conducted by applying the Tree Risk Assessment Qualification (TRAQ) methodology. This methodology determined the risk rating to be low. Although the potential for branch failure is moderately elevated, the likelihood of a branch injuring a person is low as the path underneath the tree receives infrequent use and is a weather affected target meaning people are less likely to use the path during a wind/storm event when a failure is most likely to occur. Additionally, as potential failed branches are likely to be relatively small and only the smaller branch tips would be likely to rest on the adjacent train tracks in a failure event, this would be unlikely to derail a train. (YES)



15th October 2020



I have considered the removal of the subject tree as an option to mitigate risk. This assessment however does not support the development application to remove the Regulated Tree as it does not meet the criteria for removal under the City of Unley *Development Plan* or the *Development Act 1993* as follows:

- The tree is in good health and the species is well adapted to the local climate. It therefore does not have a short life expectancy.
- The risk assessment found a low risk rating indicating it does not represent a material risk to public or private safety.
- The tree is not causing or threatening to cause damage to a building.
- Pruning options are available to maintain low levels of risk and to prolong the Useful Life Expectancy of the tree.

Pruning specifications are provided on the following page to maintain low levels of risk. These options are aimed allowing the tree to adapt to new wind loading and reducing the likelihood of branch failure.

Recommendations

Pruning is recommended to reduce the likelihood of branch failure and to maintain low levels of risk:

1. Conduct minor reduction pruning on the lateral branches surrounding the failure location
 - a. (Reduction pruning in AS4373 requires us to specify the amount of reduction pruning - e.g. 10%, 20% etc. Specifying maximum branch sizes to be cut relates to thinning pruning).
2. Conduct crown thinning in the areas surrounding the reduction pruning locations.
 - a. Thin by 15%
 - b. Maximum cut diameter of 25 millimetres
3. All pruning should be conducted by qualified arborists in accordance with Australian Standard AS4373-2007 *Pruning of amenity trees*.
4. This pruning should be conducted within the coming six months to maintain low levels of risk.



- Image right: intended pruning locations.

Site Plan

