

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 19 December 2023 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson
ASSESSMENT MANAGER

Dated 12/12/2023

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the traditional lands for the Kurna people and that we respect their spiritual relationship with their country.

We also acknowledge the Kurna people as the traditional custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

CITY OF UNLEY

COUNCIL ASSESSMENT PANEL

19 December 2023

MEMBERS:

Mr Brenton Burman
Ms Colleen Dunn
Mr Terry Sutcliffe
Mr Will Gormly
Dr. Iris Iwanicki

APOLOGIES:

CONFLICT OF INTEREST:

CONFIRMATION OF MINUTES:

MOVED:

SECONDED:

That the Minutes of the City of Unley, Council Assessment Panel meeting held on Tuesday 21st November 2023, as printed, and circulated, be taken as read and signed as a correct record.

A G E N D A

Apologies
Conflict of Interest
Confirmation of the minutes

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ITEM 1**DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063**

DEVELOPMENT NO.:	23005883
APPLICANT:	P and S Papathanasopoulos
ADDRESS:	131 YOUNG ST PARKSIDE SA 5063
NATURE OF DEVELOPMENT:	Demolition of the existing dwelling and associated structures, including retrospective demolition of the verandah and outbuilding
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Historic Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 5.7m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 400 sqm; semi-detached dwelling is 400 sqm; row dwelling is 400 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	3 March 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	2023.3 – 16 Feb 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia De Ruvo Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Structural Engineer
RECOMMENDATION:	Refused
ATTACHMENTS:	Attachment 1 - Plan Set & Supporting Documentation Attachment 2 – Representations Attachment 3 – Response to representations Attachment 4 – Council Internal Referral Reports – Structural Engineers

ITEM 1

DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

BACKGROUND:

The application was lodged by the applicant following a compliance enquiry by Council regarding the partial demolition of the double frontage cottage without approval from Council. The extent of which the building was demolished can be seen in Figure 1 - 3 below.

Figure 1: The dwelling as viewed onsite currently



Source: www.realestate.com.au

Figure 2: The dwelling as viewed onsite currently



ITEM 1

DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

Figure 3: The dwelling as viewed onsite currently



DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the demolition of a turn-of-the-century symmetrical double fronted cottage and all ancillary structures on site. The cottage has a hipped roof with two chimneys, besser brick attached lean-to and woven wire front fence. The proposal also seeks the retrospective approval for the removal of the front bullnose verandah and an outbuilding. A copy of the plans and any supporting documentation is contained in **Attachment 1**.

SITE DESCRIPTION:

Location reference: 131 YOUNG ST, PARKSIDE SA 5063

Title ref.: CT 5938/976 **Plan Parcel:** F14392 AL51

Zoning: Established Neighbourhood Zone with Historic Area Overlay

SUBJECT LAND:

The subject land is located within the **Established Neighbourhood Zone** and the **Historic Area Overlay**.

The subject land is sited on the southern side of Young Street and is a rectangular shape allotment with a 15.24m wide primary street frontage, a depth of 49.44m with approximate site area of 753.5m². The subject land is not affected by any easements or encumbrances.

The site contains a single storey detached dwelling identified as a turn-of-the-century symmetrical double fronted cottage, circa 1900, with an attached lean-to. The bull-nose verandah has since been removed as well as an outbuilding. The roof to the lean to and the rear portion of the original double front cottage has been removed with some damage sustained to the eastern side of the original building. The site is currently provided with vehicular access to Young Street from the existing crossover on the eastern side of the subject land.

The land is relatively flat and contains no regulated or significant trees on the subject land, however a mature Eucalyptus Camaldulensis (River Red Gum) tree is sited on the adjoining site at 118 Robsart Street.

Refer to Figure 2 to view the subject site from the primary road frontage taken from Young Street.

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LOCALITY:

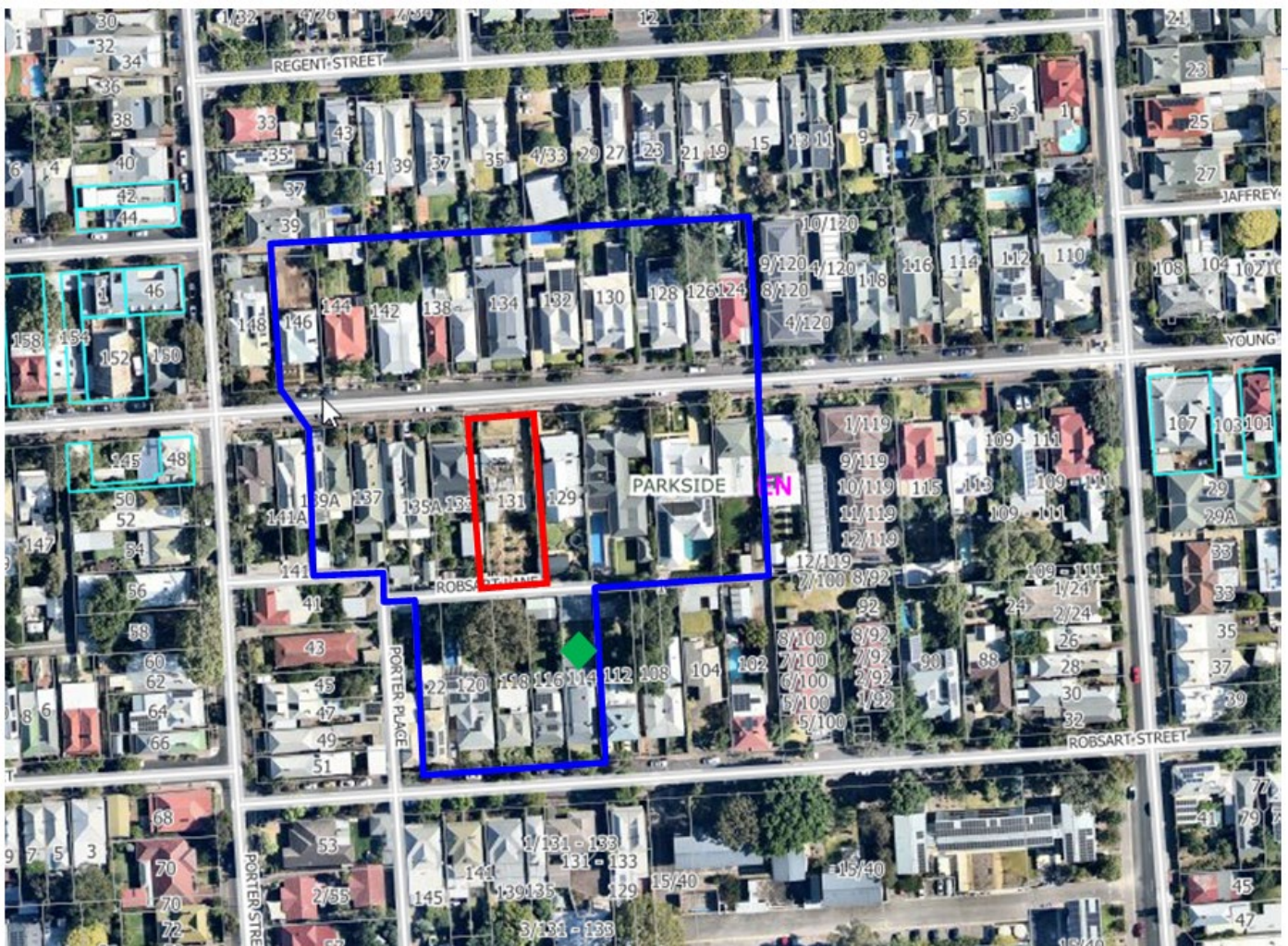
When determining the locality of the subject land I have considered the general pattern of development and the extent to which the proposed development is likely to impact surrounding occupiers and landowners. The locality is located wholly within the **Established Neighbourhood Zone**, with the **Urban Corridor (Main Street) Zone** sited 300m to the west along Unley Road.

The locality is predominantly residential in nature, with the exception of childcare centre and an aged care facility located to the east of the subject land and outside the immediate locality. The residential development in the locality is comprised of varying dwelling types such as detached and semi-detached dwellings and residential flat buildings of varying eras. The locality is largely comprised of original building forms such as villas, double and single fronted cottages however interspersed with conventional dwellings, 1970s residential flat buildings, modern interpretations of original housing and more recent infill dwellings. Dwellings are typically single storey in nature, with limited examples of two-storey buildings located east of the subject land. The allotment pattern is generally rectangular in shape with site areas ranging between 200m² to 1000m².

Allotments within the locality are well vegetated with mature vegetation, however street trees are limited to the northern side of Young Street.

Locality Plan

One representor is sited within the aerial image with three representors sited outside of the aerial image.



ITEM 1

DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- Per element:
Demolition: Code Assessed - Performance Assessed
Demolition
- Overall Application Category:
Code Assessed - Performance Assessed
- Reason:
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Established Neighbourhood Zone - Table 5 - Procedural Matter (PM) - Notification - Clause 6(2) as the proposal seeks to demolish a building in a Historic Area Overlay and the application requires to be publicly notified.

As part of the public notification process 53 owners and/or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject land for the duration of the notification period. A copy of the representations can be found in **Attachment 2**.

During the notification period Council received 5 representations, 1 who supports the development and four who do not support the development.

Representations:

Representer Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	I support the development	No	
[REDACTED]	Do not support the development	No	
[REDACTED]	Do not support the development	No	
[REDACTED]	Do not support the development	Yes	Self
[REDACTED]	Do not support the development	Yes	Self

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DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

Summary:

One representor supports the removal of the dwelling due to the suspected asbestos and the mould within the dwelling. The four representors, who do not support the development, raise the following concerns:

- The dwelling contributes to the streetscape of the Established Neighbourhood Zone and specifically the Historic Area Overlay;
- The Historic Built form of Young Street and the wider locality links to the historic area and the character which is valued by residents;
- Engineering report sets out significant engineering issues, reasonably common in older dwellings which can be addressed;
- While costly to repair, the removal of asbestos and mould can be dealt with using specialist removal services and the dwelling can be remediated through qualified persons;
- Removal of the dwelling will remove another key element in the Historic suburb and should not be removed where there is an opportunity to restore the dwelling;
- Damage to the dwelling is a result of deliberate damage and neglect over the previous 18 months which exposed the dwelling to the weather elements that contributed to the items raised in the Structural report;
- DO 1 of Historic Area Overlay specifically speaks to the retention of existing, historic, dwellings in the Historic Area;
- Removal of outbuildings and lean-to do not contribute to the streetscape; and
- Demolition of the dwelling commenced late 2021 without approval;

The applicant provided a response to the representations which can be found in **Attachment 3**. The response to representations was emailed to the representors.

AGENCY REFERRALS:

Not required

INTERNAL REFERRALS:

- Structural Engineer
During the course of the assessment the proposal was referred to Council's Consultant Engineer for advice. This response can be found in **Attachment 4**. As part of the referral a site inspection was undertaken as well as a peer review of the applicants engineering report. Councils' consultant engineer clarified that the loss of structural integrity of the building has not been demonstrated and that they do not agree with the comments provided by applicant engineer. The basis that the original building cannot be repaired due to safety concerns for workers is also not supported.

RULES OF INTERPRETATION:

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to interpret Performance Outcomes, the policy includes a standard outcome that generally meets the corresponding performance outcome (Designated Performance Feature or DPF). A DPF provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

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DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT:

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

Demolition

Historic Area Overlay PO 7.1 states:

Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:

- a) the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style;*
or
- b) the structural integrity or safe condition of the original building is beyond reasonable repair.*

The relevant **Historic Area Statement** for the subject land is the **Residential Compact Parkside North Historic Area Statement (Un6)** which identifies the following attributes of dwellings within the area:

- Constructed between 1870 to 1930;
- Architectural style of Victorian and Turn-of-the-Century double frontage, single fronted and attached cottages, Victorian and Turn-of-the-Century symmetrical and asymmetrical villas and Inter-War bungalows;
- Use of Sandstone, Bluestone, timber joinery (window frames, door frames, fascias, bargeboards, and verandah posts), brick quoins occasionally rendered around windows and doors, brick or rendered string courses and plinths, rendered masonry, corrugated iron roof cladding.
- Fencing between 1 – 1.2m in height of open see-through fencing maintaining the open streetscape, using timber picket or similar, woven crimped wire or galvanised steel tubing.

The existing dwelling on site, specifically the front and side façades, roof form and materials, demonstrates the key characteristics and features sought by the **Historic Area Statement (Figure 2)**. Although some of the key features have since been removed, the front elevation could be reasonably restored in a manner consistent with the buildings original style. As such demolition would not be supported when assessed against **PO 7.1(a)**.

The applicant provided an engineering report, prepared by Structural Systems Consulting Engineers, regarding the structural integrity or safe condition of the original building seeking demolition approval to be assessed again **PO 7.1 (b)**. This report, refer to **Attachment 1** for the complete report, concluded that the existing dwelling was beyond reasonable repair for the following reasons:

- *As part of the visual inspection undertaken by the applicant's engineer, extensive horizontal, vertical, and diagonal wall cracking to the rear and sides of the building was noted indicating that extensive movement has occurred.*

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DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

Extensive wall cracking to the internal walls was also noted, with cracks varying from minor to severe category wall damage. Cracks were found in every room, with an increase in severity towards the rear section. Due to moisture, wall render was falling out in some locations and paint has bubbled in the crack locations.

- *The ceiling is in very bad condition and may pose a safety hazard. The lack of roof cladding has caused the ceiling cladding to deteriorate extensively. Two sections of the ceiling have fallen and in the opinion of Structural Systems Consulting Engineers, the cladding is unstable and a large section of the ceiling may collapse at any time without warning.*
- *Green and black moulding was visible throughout the dwelling. The mould was noted under and above the ceiling cladding. Mould can cause serious health issues when the toxin they release is airborne. This will occur when the building dries out and the substance is dispersed due to open air.*
- *Internal flooring has deteriorated beyond repair in the rear sections of the dwelling. The timber flooring was wet and mouldy, skirting boards have fallen off and were broken in various locations. There was no access to the floor joists to make an observation of their condition, however it is assumed that they are likely damaged due to high exposure to moisture and weather elements. However, the lanolin floor covering appears largely intact, although lanolin tiles were broken off at the door edges.*

Figure 4: View of the internal condition of the dwelling on site.



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DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

Figure 5: View of the external condition of the dwelling on site.



To assess the original buildings conformance with the **PO 7.1 (b)** of the **Historic Area Overlay**, Council's Consultant Engineer undertook a site inspection where the site observations were as follows:

- **Wall movement**
The front wall of the building appears sound when viewed externally with no significant movement nor distress. Both side walls have horizontal displacement in the middle of the wall at the top. The movement in the eastern side wall was significant but not of a magnitude to render the wall unsound or unsafe. Peter was unable to access the western side of the building but similar movements were evident.
- **Chimney**
The chimney in the north eastern room exhibited significant cracking and distress (as viewed through the window). The chimney above roof line appeared to have some horizontal displacement. This element may be unsound.
- **Flooring**
The floors (as viewed through the windows) appeared damp and a fall to the side walls was evident. The damp condition would most likely have resulted from the removal of the roof sheeting and subsequent exposure to the elements.

ITEM 1

DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

- Ceilings
The ceilings were in a very poor condition with some ceiling sections missing. Most of the damage is likely to be as a result of the removal of the roof sheeting and subsequent exposure to the elements
- Roof
The roof structure appeared to be typical of its era and while not compliant with contemporary standards did not appear unsound.

Councils Consultant Engineer also peer reviewed the information provided by Structural Systems and provided the following additional commentary:

- *The Structural Systems report identified one photo showing a significant crack (approximately 5mm) as per Australian Standard 2870-2011 Residential Slab & Footings Classification - Appendix C Table C1 Classification of Damage with Reference to Walls, which is believed to be in the rear lean-to and does not form part of the original building, and the chimney with severe distress. This is the only evidence of severe masonry distress provided. It was stated that there are multiple photos of distressed paint and plaster and cracking that does not appear severe, but they do not in his opinion demonstrate a loss of structural integrity. Peter concluded that the report prepared by Structural Systems does not provide evidence that the structural integrity of the four front rooms of the building is compromised, with the exception of the chimney;*

Councils Consultant Engineer explains that the repair of old roof sheets and ceilings and the releveling of floors in a building of this age is not unreasonable. Lastly, the opinion that the building cannot be repaired due to safety concerns for workers is not supported.

Following the advice provided by Peter Harmer, there was a level of uncertainty as to the structural integrity and safe condition of the dwelling. In June 2023 Council administration allowed the applicant to provide supplementary information in support of their position advising them to engage an engineer to undertake a complete investigation into the structural integrity of the existing dwelling, identifying the severity of the structural deficiencies and provide a list of remedial works required to ensure the structural integrity of the original building. In addition to this, Council would require a detailed costing report, prepared by a suitably qualified person, outlining the cost of the remediation works as well as a costing for a 'like for like' replacement dwelling of the same form, footprint and materials as the original building.

The applicant sought the advice from Arcon Consulting Services Pty. Ltd. who provided their opinion on the status of the residence after undertaking a site inspection as well as the review of the Structural Systems report. A copy of the report can be found in **Attachment 1**. The Arcon report also discussed whether the building can be economically salvaged. The information provided unfortunately does not provide the detailed analysis into the structural integrity of the original building sought nor did the report provide a list of remediation works required to remediate the structural integrity of the original building. The Arcon report provided details on an *Estimated Cost* to reinstate the dwelling, however it not only goes beyond the criteria to remediate the structural integrity of the original building but also does not relate to a list of remediation works as detailed by an engineer. Lastly, the cost for a 'like for like' dwelling was not provided as a comparison on whether the cost to remediate the original building was reasonable.

The supplementary information provided by the applicant was not adequate to demonstrate that the original buildings structural integrity or safe condition was beyond reasonable repair and councils position regarding the demolition of the original building remains unchanged.

CONCLUSION:

For the reasons detailed above, the demolition of the double-fronted cottage cannot be supported. Insufficient evidence to support the claim that the structural integrity and safe condition of the existing building being beyond reasonable repair has been provided to support the demolition in accordance with **PO 7.1(b) – Historic Area Overlay**.

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DEVELOPMENT APPLICATION – DA 23005883 – 131 YOUNG STREET, PARKSIDE SA 5063

The matters raised by the representors have been considered in the course of this assessment. While the proposal has been determined to not be seriously at variance with the Planning and Design Code, the proposal is not considered to satisfy the provisions of the Planning and Design Code for the following reasons:

- The proposal does not seek to conserve the original building that reinforces the streetscape and is of a scale, form and features consistent with the historic area and as expressed in the Historic Area Statement; and
- The applicant has not provided sufficient information to demonstrate that the original building's structural integrity or safe condition is beyond reasonable repair;

RECOMMENDATION:

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23005883 by P and S Papathanasopoulos is REFUSED Planning Consent subject to the following reasons:

REFUSAL REASONS

Planning Consent

- The proposed dwelling has not demonstrated that the structural integrity or safe condition of the original building is beyond reasonable repair and does not satisfy **Historic Area Overlay - Performance Outcome 7.1(b)**.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The applicant has the right of review and appeal pursuant to section 202 of the PDI Act 2016.

An appeal to the Court against a decision by the Assessment Manger or Council Assessment Panel must be made directly to the Environment, Resources and Development Court within 2 months of the applicant receiving this notice of decision. The Court is located at the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

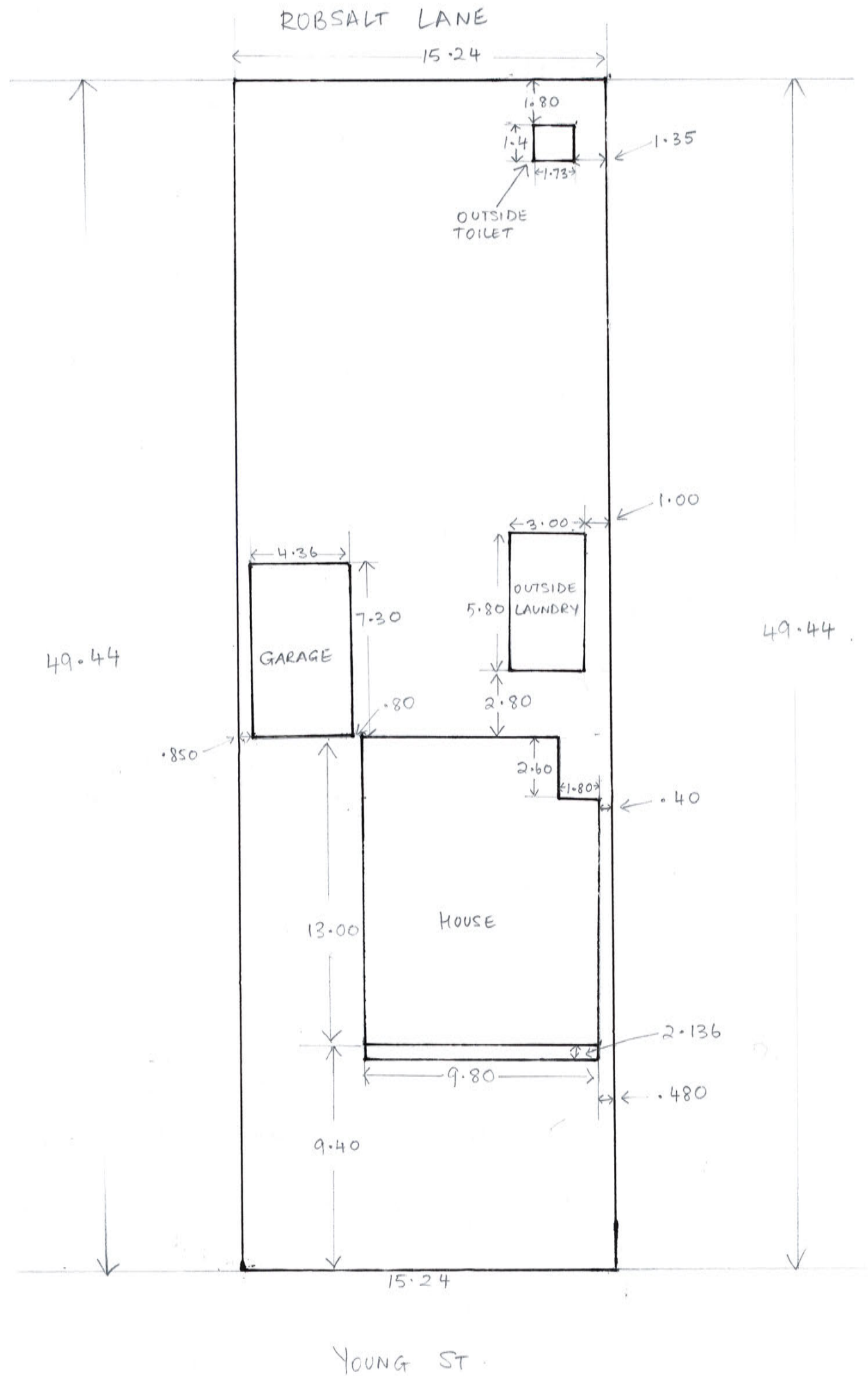
OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo

Title: Planning Officer

Date: 19 Dec 2023

ATTACHMENT 1





STRUCTURAL
SYSTEMS
consulting engineers

Date Issued

Wednesday 18 January 2023

Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings

SCOPE

Structural Systems Pty Ltd has been engaged to inspect the existing dwelling and outbuilding at 131 Young St, Parkside.

This report aims to comment on the structural conditions of these buildings and provide engineering comments and recommendations based on the site visit observation so that the owner(s) can determine the scope of works required to be done.

LIMITATIONS

This report is based on a visual, non-destructive examination only of parts that were visible and accessible during the inspection on 18th July 2022.

The scope of this report only covers existing building conditions that can be visually inspected from the ground.

Structural Systems Pty Ltd takes no liability beyond the scope of the services requested.

We cannot provide any assurance that any other items that are not accessible or not inspected in the scope are defect-free or comply with the NCC and relevant Code and Standard.

For the subject building this report DOES NOT cover or only covers in part of the following:

- Footing and slab construction.
- Soil investigation
- Stormwater, levels
- Plumbing, services.
- Costing.
- Safety and health issues.
- Pest and pest control.
- Any other area that is not mentioned in the report.

A visual, non invasive inspection was undertaken of the subject areas. Our comments and recommendations are based on our site visit, engineering knowledge, and experience in the building construction. The comments and recommendations are concepts and preliminary in nature only.

A detailed design and construction costings are not included in the scope of this report.

This report should not relied upon for construction work without engaging an engineer's supervision along with a detailed design as this report does not cover construction work in detail.



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DT 220517

Site Address

131 Young St, Parkside

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CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings



View from Street front

STRUCTURE CONSTRUCTION MATERIAL AND TYPE

The construction of the inspected structures:

- 1. Building type:** Single-storey stone and brick masonry building
Approximate construction time in the 1890s - 1900s.
- 2. Site Topography:** Generally flat.
Land appears to fall toward the street front.
- 3. Perimeter paving:**
Concrete paving at the front side and rear.
- 4. Tree:**
Apart from a small lemon tree behind the outbuilding, no trees were present around the building at the time of the inspection.



DT 220715 (132) 2022-07-18



5. Footing:

Footings were not inspected. The type of footing construction is most likely strip footing or blue stone footing which was common at the time of construction.

6. External & internal walls:

External Stone walls rendered where observed. Internal walls are rendered single-leaf brick or stone walls.

7. Roof and ceiling:

Steel roof on conventional timber framing. The ceiling's cladding is plasterboard supported on timber framing.

8. Floor: Timber board on a timber floor joist. In the rear section, a layer of lanolin covers the flooring.

9. Outbuilding: Simple timber framing structure with a galvanised corrugated sheet roof and asbestos external wall cladding.

DT 220715 (129) 2022-07-18



10. Garage: The garage was removed. Only a concrete slab remains.



OBSERVATION AND FINDINGS

At the time of the inspection, the building is in very poor condition.

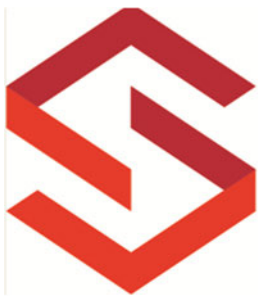
The following conditions are very prominent and stand out:

- Part of the rear section of roof was removed along with the front bull nose verandah roof.



- Rendering lost on several sections of the brick and stone external wall.





- Extensive wall cracking to the rear and sides of the building. The crack pattern is horizontal, vertical and diagonal indicating that extensive movement has occurred.



- Extensive wall cracking to the internal walls. Cracks vary from Minor to Severe category wall damage. There are cracks in every room. The cracks increase in severity towards the rear section. The wall renderings were falling out at some spots and paint has bubbled in the crack locations due to moisture.



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SYSTEMS**
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Date Issued

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Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings

DT 220715 (56) 2022-07-18



DT 220715 (75) 2022-07-18





**STRUCTURAL
SYSTEMS**
consulting engineers

Date Issued

Wednesday 18 January 2023

Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings





The ceiling is in very bad condition and may pose a safety hazard. The lack of roof cladding has caused the ceiling cladding to deteriorate extensively. Two sections of the ceiling have fallen off. The cladding in our opinion is unstable and a large section of the ceiling may collapse at any time without warning.

Green and black moulding was visible throughout. They were seen under and above the ceiling cladding. The moulding can cause serious health issues when the toxin they release is airborne. This will occur when the building dries out and the substance is dispersed due to open air.





**STRUCTURAL
SYSTEMS**
consulting engineers

Date Issued

Wednesday 18 January 2023

Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings

DT 220715 (109) 2022-07-18



DT 220715 (99) 2022-07-18





**STRUCTURAL
SYSTEMS**
consulting engineers

Date Issued

Wednesday 18 January 2023

Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings



Internal flooring has deteriorated beyond repair in the rear section of the house. Timber flooring was wet and mouldy. Skirting boards have fallen off and were broken at various locations. We had no access to the floor joists to observe and determine their condition, however it is most likely they are damaged due to high exposure to moisture and weather elements.

The lanolin floor covering section appears largely intact. Some lanolin tiles were broken off at the door edges.



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131 Young St, Parkside

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CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings

DT 220715 (64) 2022-07-18



DT 220715 (123) 2022-07-18





**STRUCTURAL
SYSTEMS**
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Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings

DT 220715 (52) 2022-07-18



DT 220715 (62) 2022-07-18





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SYSTEMS**
consulting engineers

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Wednesday 18 January 2023

Job Number

DT 220517

Site Address

131 Young St, Parkside

Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings

DT 220715 (104) 2022-07-18



DT 220715 (105) 2022-07-18





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Site Address

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Client

CON PAPATHANASOPOULOS

Proposed/
Inspected

Existing house and out buildings



- Outbuilding:
The structure appears to be functional and is used for storage. However, the lack of stormwater drainage and asbestos cladding pose a risk to the occupant. Some cladding was broken off at sheeting joint locations.



**STRUCTURAL
SYSTEMS**
consulting engineers

Date Issued

Wednesday 18 January 2023

Job Number

DT 220517

Site Address

131 Young St, Parkside

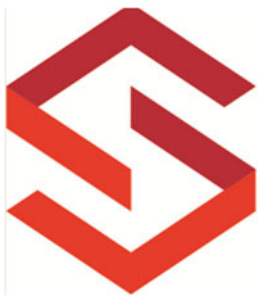
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Inspected

Existing house and out buildings

RECOMMENDATION

Based on our visual observation of the site and all the available information at the time of the inspection, our comments regarding the areas of concern are as follows:

There is a chance of structural instability such as some loss of bearing in structural members that have been distorted, moved, or tilted.... Immediate action is strongly recommended.

The structure is unstable in many parts of the building – especially around the removed roof sheeting section and the masonry walling where significant cracking has occurred. There is the possibility of a sudden collapse.

Apart from the visible structural defects, there are two invisible risks that builders. They are the presence of asbestos in wall cladding, ceiling cladding and floor covering and the presence of moulding all around the building which are highly hazardous.

It is the opinion and recommendation that the structure should be demolished as it would be dangerous to repair and economically not viable to underpin and make the structure stable with piling below the suction profile. (as the footing system is not compliant and does not have the capacity to support the structure). Whilst our report may indicate repairing may be an option, we don't believe it is a safe option and safety to workers and life is more important.

Should you require any further information or assistance, please do not hesitate to contact this office.



STRUCTURAL SYSTEMS PTY LTD

Att: Foundation-Maintenance and ft performance - A homeowner guide
Att: AS 2870-2011 -Appendix C - Table C1

14th November 2023

Mr Con Papathanasopoulos

Dear Sir

Re: Inspection of 131 Young Street, Parkside – Independent Opinion

Receipt of your email letter of appointment dated 10th November 2023 is acknowledged. In addition, I have sourced, read, and relied upon the following Documents to varying degrees, which documents I have also attached to this report:

1. Report number DT220517 from Structural Systems dated 18th January 2023.
2. Twenty-four (24) photographs

1. Introduction

The majority of my working life since 1974, has been in the architectural and construction industry in various capacities as well as a Builder, architectural designer, project manager, building superintendent and expert witness. At that time, I commenced work with Stephenson and Turner Architects (one of the largest Architectural firms at the time) as an architectural technician and later, to gain a further understanding of structures, I was appointed by Moyston Lower Consulting Engineers to oversee their building interests and later ventured into pure construction work (refer to attached resume).

My knowledge and expertise in building construction has been continuously developed and updated over the many years in the many roles that I have worked in the building industry since completing my Associate Diploma in Building Technology at the South Australian Institute of Technology, including design, structures, construction and building management.

Whilst engaged in the above roles, my practice has been to update, as well as, advance my experience, knowledge, and skills by attending seminars and being actively involved with the Master Builders Association of South Australia. Between 1998 to the present day, where I sat on the board of directors of that Association. Both before, during and after my role as Director I was involved with a sub-committee of the Master Builders Association of SA, namely, the Building Contracts and Disputes Committee. My role with that Committee was primarily interacting with the Department of Administration and Industry Services (known - "DAIS" at the time), architects and private sector contractors with a view to formulating and assessing current contractual terms and pricing practices to ensure



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ABN 84 106 52 7 708

Lic. No. BLD179683

fair terms and pricing outcomes for all interested parties.

I have previously given evidence as an independent expert in South Australian Courts. I have read and am familiar with the Supreme and District Courts of SA Guide to Expert Witnesses, specifically Uniform Civil Rules, and have prepared my opinion following the rules directions and guidelines set by those courts.

I have attached a Resume setting out further details of my experience and abilities.

2. Independence

Prior to my involvement in this matter, I have had no relationship with and did not know the Owner of the property

3. My Brief

I have limited my report to the areas provided by Owner and Structural Systems where I have been asked to:

- 1. Opinion on the status of the residence and its outer buildings*
- 2. Opinion on whether the building can be economically salvaged.*

4. Observation and Comments

I undertook a site inspection of the property and its surroundings on the 17th October 2023. What I found was a derelict building with an unkept surrounding. There are two outer buildings which are laundry and toilet. The surrounding concrete paths were full of weeds and friable due to the lack of reinforcement.

The residence was found to be derelict. The residence and the outer buildings were found to be full of friable asbestos. The residence had no roof covering leaving the internal building exposed to the elements. The rear of the residence appeared to be an addition since the walls are constructed of brickwork while the front section walls were found to be constructed of stone with render covering. One would expect the footings of a building of this age to be constructed of some form of stone. The walls have substantial cracks which would support the opinion that the footings have failed over time. The residence is in severe state of disrepair. The attached photographs will provide a pictorial representation of the state of the building.

The outer buildings (laundry and toilet) were also in severe disrepair. The photographs show the laundry constructed of timber studs and clad in fibrous asbestos and the floor constructed of lean unreinforced concrete floor. The toilet block appears to have been built at a later date due to the walls being constructed of cement blocks. None of these buildings should be considered for reinstatement due to the content of asbestos, the poor footings/slab system and the poor nature to the walls.

5. Estimated Cost to Reinstate

• Demolition including Asbestos removal	\$ 65,000.00
• Site and Civil Works	\$ 25,250.00
• Underpinning	\$ 52,850.00
• Remove walls in section/reinstate	\$ 125,985.00
• Render All Walls	\$ 95,250.00
• Carpentry (1 st & 2 nd fix, floors & hardware etc.)	\$ 105,000.00
• Roof metal sheeting and plumbing	\$ 65,845.00
• Plumbing (1 st & 2 nd fix, sanitary/tap ware, new sewer Stormwater)	\$ 98,500.00
• Electrical (1 st & 2 nd fix, light fittings etc.)	\$ 27,865.00
• Plasterboard linings	\$ 32,945.00
• Joinery	\$ 48,365.00
• Tiling (S/F tiles for floors and walls)	\$ 28,425.00
• Floor coverings	\$ 32,125.00
• Shower Screen/Mirrors	\$ 2,780.00
• Painter (inside & out)	\$ 38,180.00
• White goods	\$ 19,500.00
• Landscaping/Irrigation	\$ 27,125.00
Estimated Cost	\$ 852,810.00

The sums allocated to each trade is a conservative estimate based on experience and current material and labour rates. The reinstatement cost is irrational when compared with a complete rebuild. Reinstatement work can only be considered as a little better than a “band aid” solution. The estimate above only includes the cost for the demolition of the outer buildings but not their reinstatement. In my consideration I have allowed plumbing and electrical services to be replaced to current Australian standards and to SA Water and SAPN regulations.

5. Conclusion

In my opinion, the buildings are beyond salvaging to today's standards. The nature of the support walls and footings/floors make it impossible to remedy. Financially, it is impractical to dismantle and reinstate in its original state. The reasons being the footings have failed, the walls to the buildings are mainly constructed of stone, to the residence, timber framed walls clad with asbestos and the timber affected by dry rot or termite infestation to the laundry and the toilet does not comply to today's regulations.

The attached floor plan indicates the layout of the land. The photographs clearly indicate the severe deterioration of the buildings. The asbestos will need to be carefully removed and disposed of. My opinion is to have all the buildings cleared of asbestos and demolished. Due to the disrepair of the buildings, demolition is the only practical solution. There is nothing in the buildings that can be remedied or salvaged for reuse. The stones and brickwork to the residence had signs of salt damp which makes their reuse unreasonable. For the safety of the neighbours and aesthetics, the area should be clear of all asbestos, building materials, failing concrete paths/driveway and vegetation

6. **Disclaimer**

The report truthfully expresses the opinion of the writer. All assumptions relied upon have been referred to in its body.

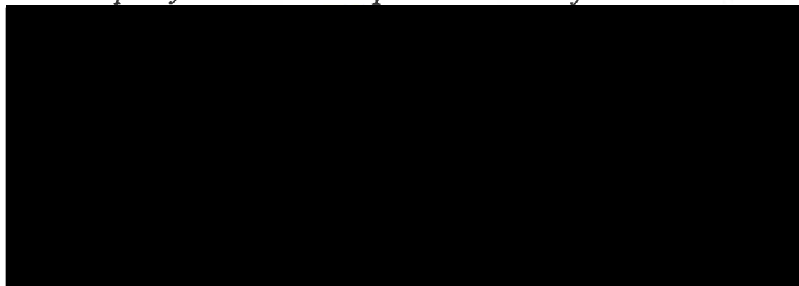
This report is limited to the instructions provided by the Owner and Structural Systems P/L and an assessment made of the areas. As such it is not intended that it disclose defects in areas which have not been specifically mentioned in this report as is, that is beyond the purpose and scope of the report.

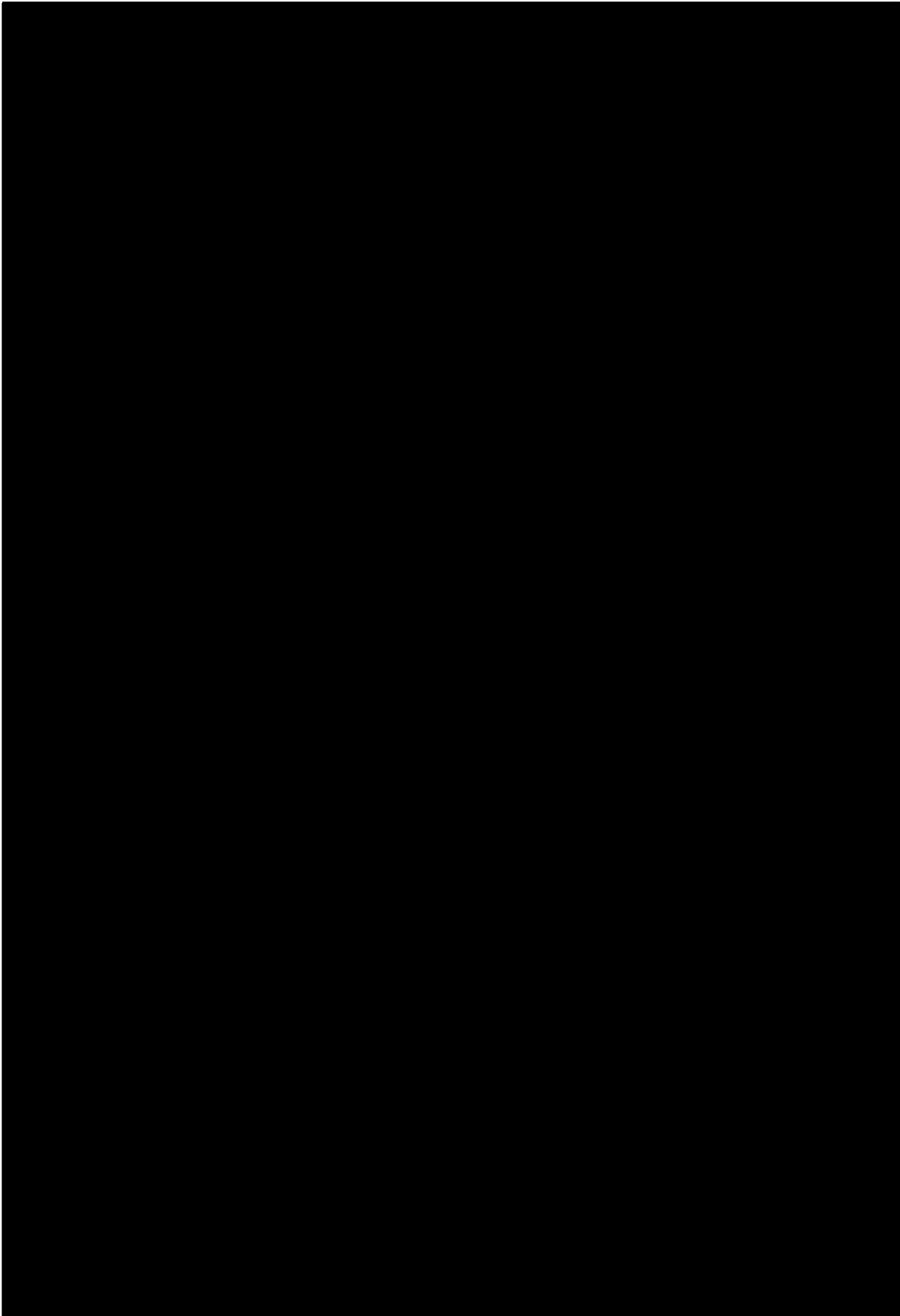
A limitation of this report is that destructive inspection and testing techniques have not been employed.

This report has been prepared by Arcon Consulting Services for the Proprietors including, if required, for use in court proceedings.

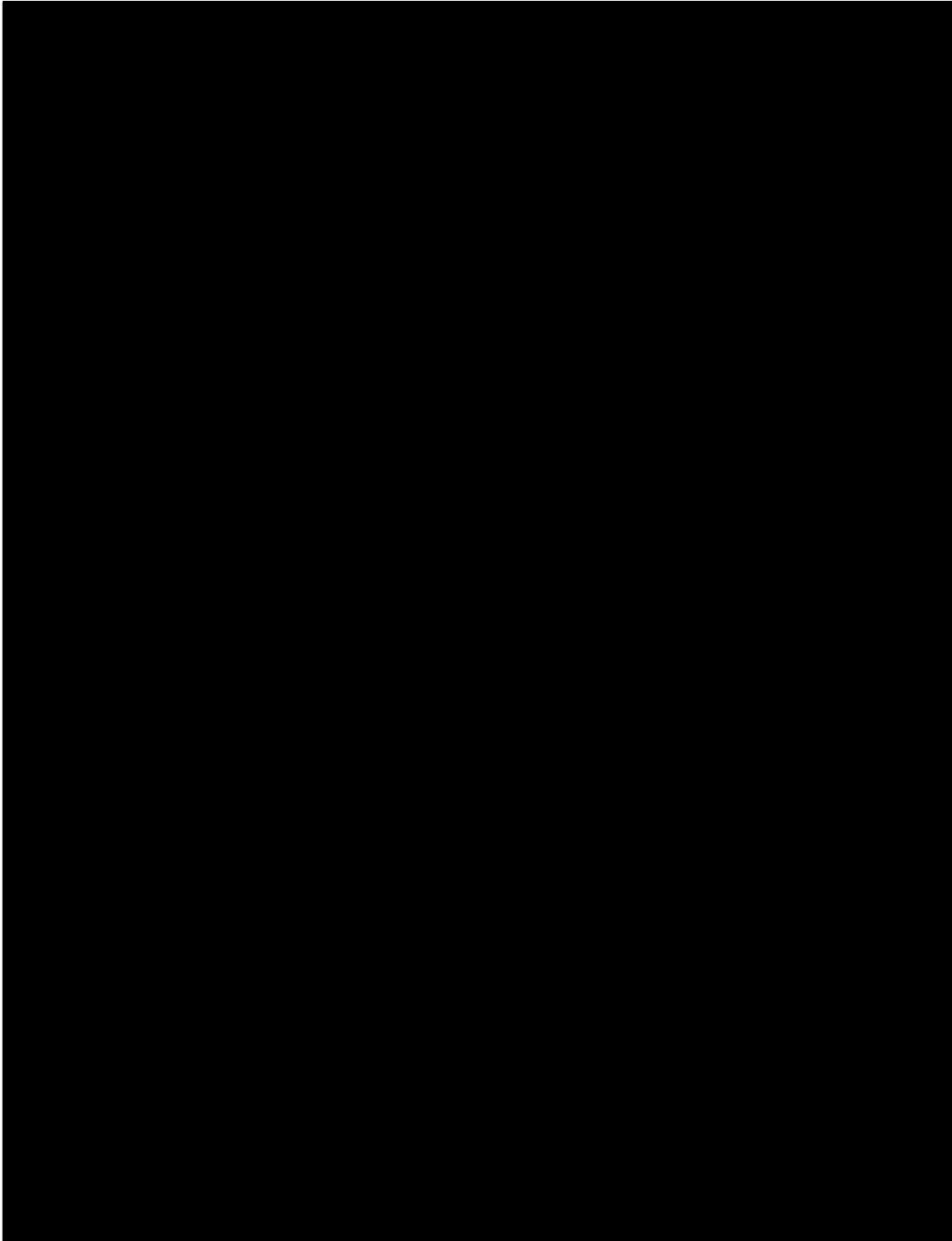
It is for the use of the Proprietors and neither Arcon Consulting Services nor any of its directors, employees or associate consultants undertake responsibility in to any other party unless permission is expressly provided for another person to rely upon the contents of this report by Arcon Consulting Services.

This report shall not be copied, reproduced in part or in full, or given to any other party without the express consent of Arcon Consulting Services or the Proprietor.



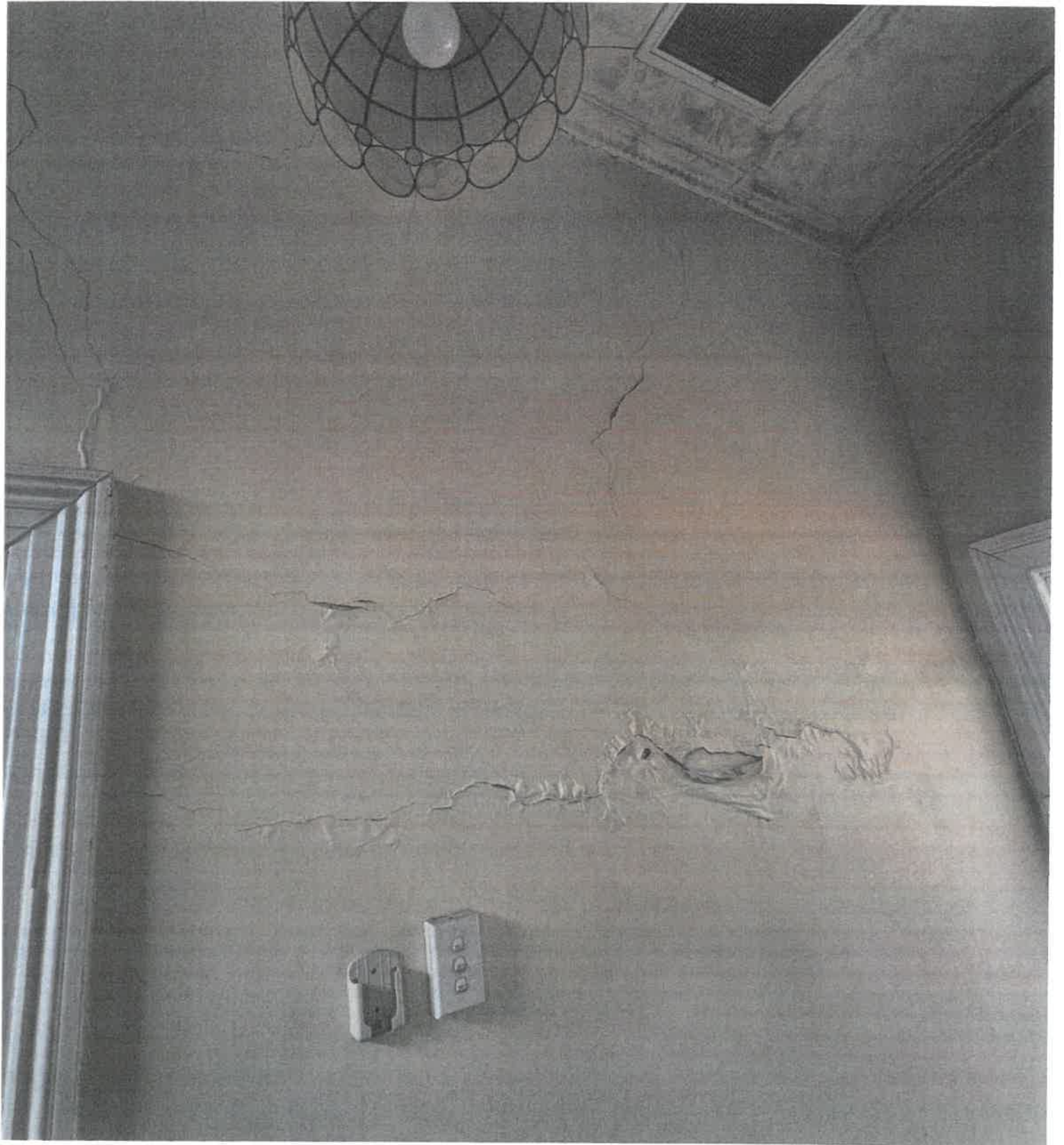


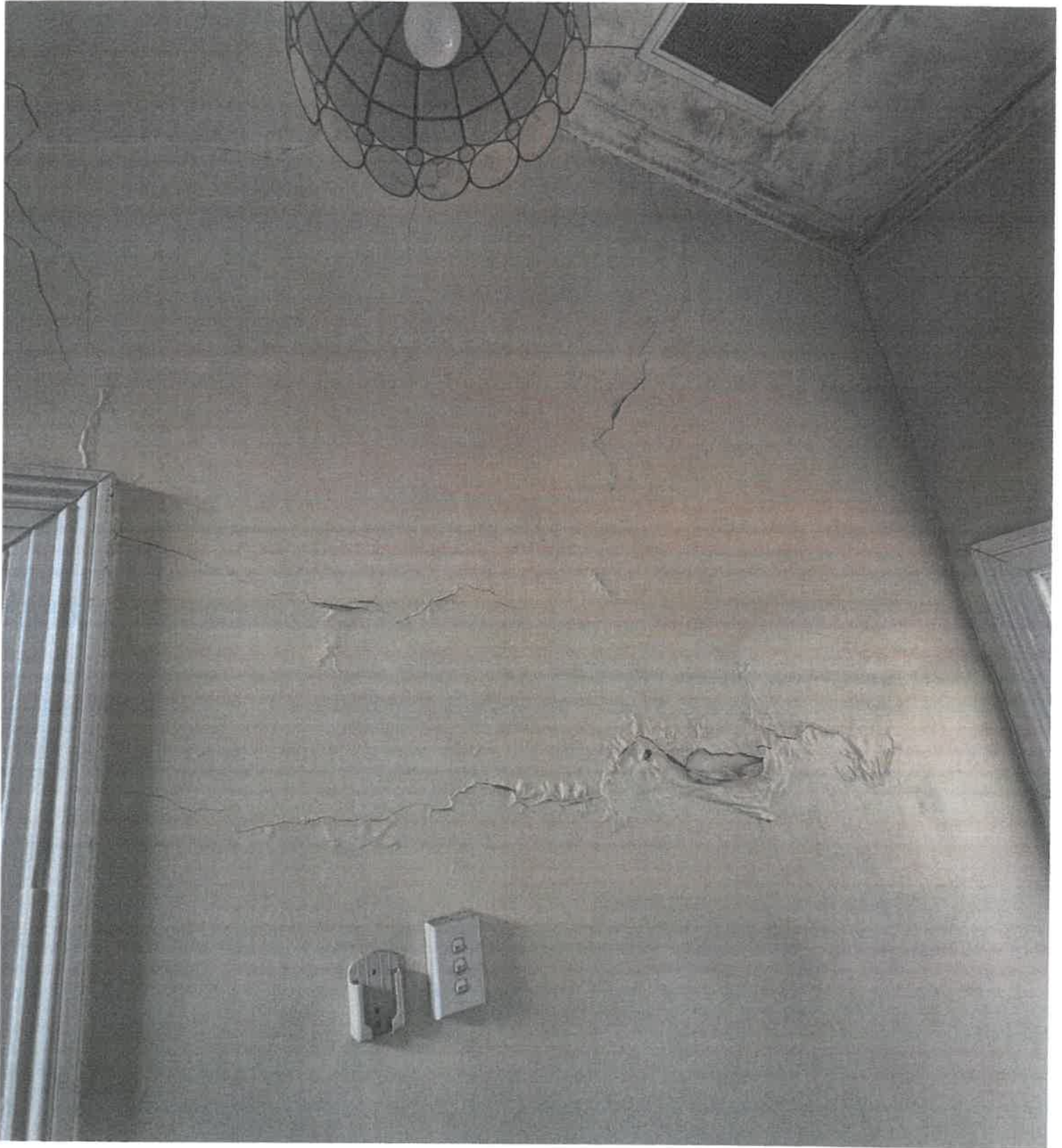


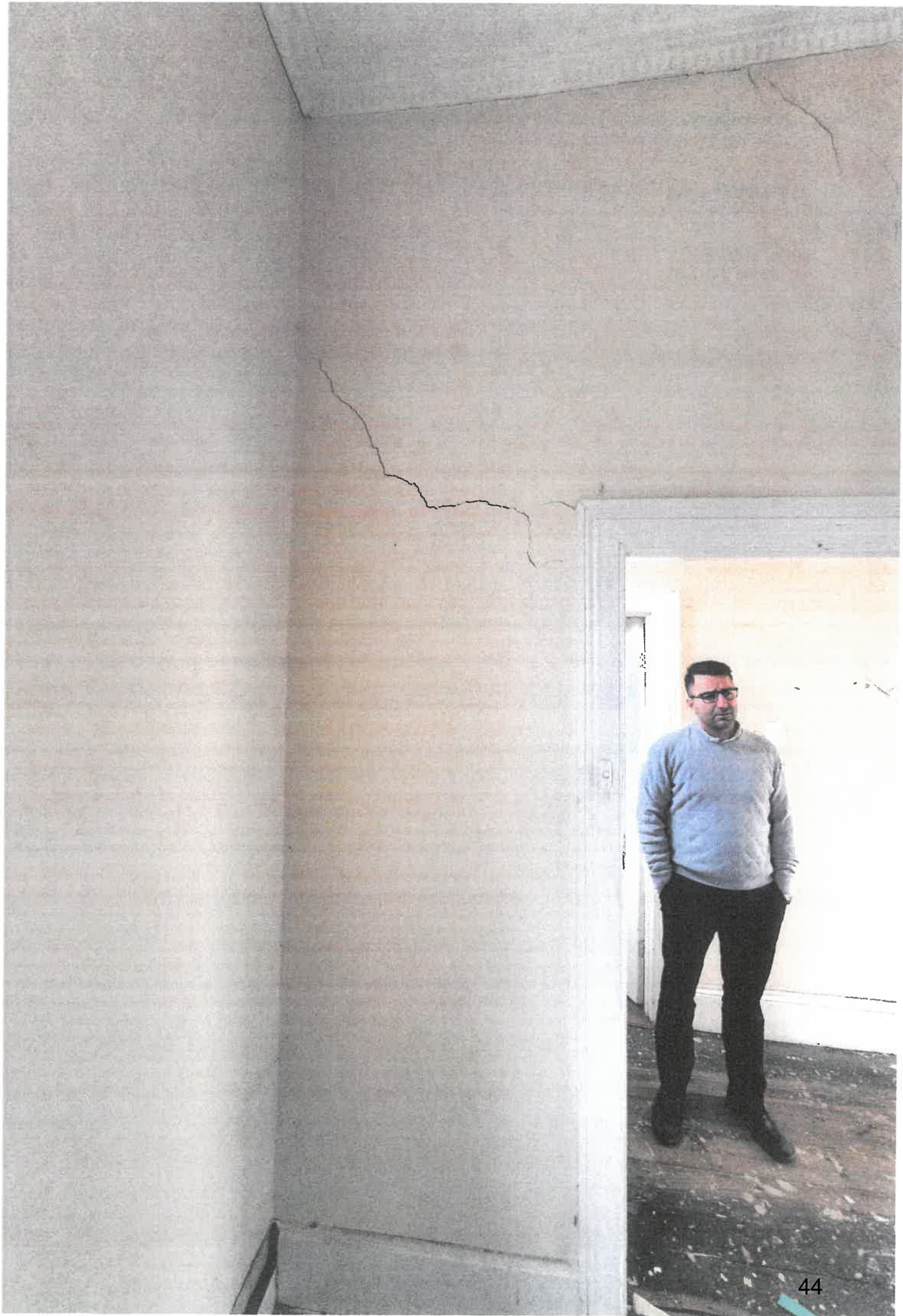






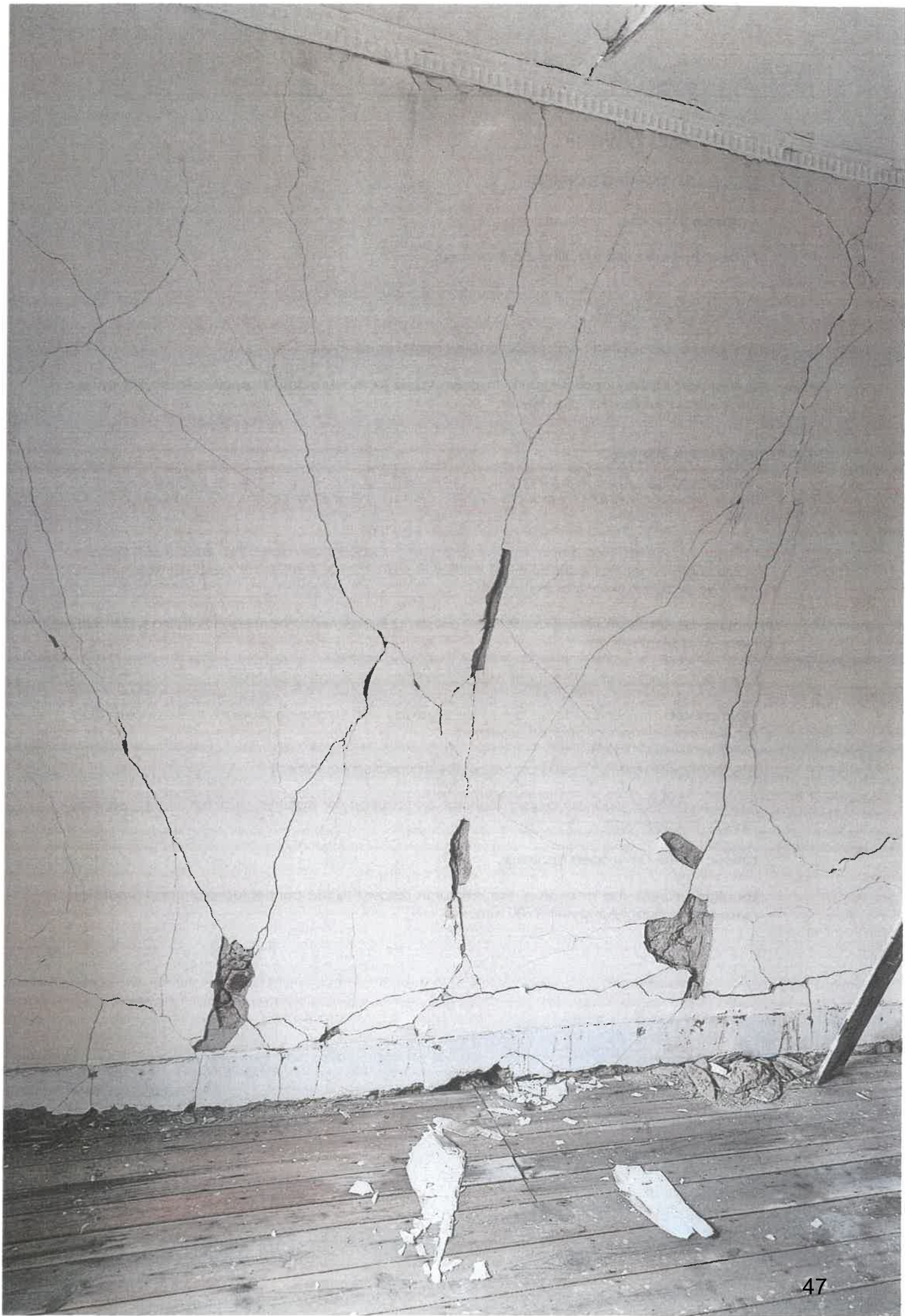








































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ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23005883
Proposal	Demolition of the existing dwelling and associated structures
Location	131 YOUNG ST PARKSIDE SA 5063

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	28/03/2023 09:56 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons

It has been evident for some time that the intention for this dwelling (contained within a Historic Area Overlay) was demolition (approved or otherwise). Google street view as recently as November 2020 clearly shows this dwelling as being occupied and in stable condition. Since that time efforts have been made, without appropriate approvals, to slowly dismantle the structure with the aim of full removal. It is understood that this was brought to Councils attention when the verandah was being removed and Council intervened. It can be seen on the Plan SA aerial imagery that the roof sheeting was already being methodically removed prior to Council becoming aware of the removal of the verandah (garage was already removed at this point). The intentional removal of the roof sheeting, exposing the dwelling to the weather has unsurprisingly contributed to several the items raised in the Structural Systems report – which makes fact that damaged has occurred due to high exposure to moisture and weather elements. The Established Neighbourhood Zone and Historic Area Overlay are clear on maintaining the predominant streetscape character and historic themes and characteristics are reinforced through conservation and contextually responsive development. This parcel of land is worth considerably more with the dwelling removed than in its original condition prior to the partial unapproved demolition works. Council would have unlikely entertained the option of removal in its original condition. It is evident that the extent of deterioration is because of intentional action rather than general deterioration because of age. If Council approve the demolition for this dwelling, they are setting dangerous precedent that anything can be removed if you take the roof off, wait for the damage and then get an engineer to advise its too far past retention.

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	29/03/2023 04:33 PM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons see attached	

Attached Documents

131YoungStSubmission2023-5206739.docx
131YoungStSubmission2023-5206774.pdf
131YoungStSubmission2023-5206877.pdf
131YoungStSubmission2023-5206911.pdf
131YoungStSubmission2023-5206953.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	P and S Papathanasopoulos
Development Number:	23005883
Nature of Development:	Demolition of historic dwelling and associated structures
Zone/Sub-zone/Overlay:	Established Neighbourhood, Historic Overlay (Un6)
Subject Land:	131 Young St Parkside 5063
Contact Officer:	unknown – City of Unley
Phone Number:	City of Unley
Close Date:	19/4/23

My name*: [REDACTED]	My phone number: Click here to enter text.
My postal address*: [REDACTED]	My email: [REDACTED]

* Indicates mandatory information

My position is:

I support the development

I support the development with some concerns (detail below)

I oppose the development

The proposed demolition conflicts with the “established neighbourhood” zone and the “Historic overlay” rules. The current state of the historic dwelling is a result of deliberate damage and neglect over the last 18 months which should prevent any claim of poor structural integrity.

The existing dwelling is true to the type of local heritage buildings (double fronted cottage circa 1900). The dwelling was in habitable condition, leased to tenants until approximately October 2021. Deliberate destruction of the property has occurred since this time with removal of the sheet roofing, guttering and veranda. All trees have been cut down. The eastern wall of the property was also deliberately damaged by repeatedly driving a vehicle into the wall.

I believe these actions should undermine any attempt to claim poor structural integrity as a cause for demolition as the damage has been deliberately caused by the current owners to achieve this and subvert the planning process.

Specifically regarding the Historic Overlay:

DO 1 - Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

Retention of an existing, historic, dwelling best supports the historic area.



Demolition: PO 7.1 Buildings and structures, or features thereof, that demonstrate the historic characteristics as expressed in the Historic Area Statement are not demolished, unless:

1. the front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style
or
2. the structural integrity or safe condition of the original building is beyond reasonable repair.

The front of the dwelling is now missing the veranda, this was removed by the owners after Nov 2021 (image inserted from Nov 2021). This should not meet the criteria for "substantial alteration" as it is easily replaced. Any impairment to the structural integrity of the building is a consequence of the actions of the owners as outlined above (removal of roof/gutters/vehicle wall damage) as should be reflected in any professional report. Please note the intact eastern wall in this image prior to deliberate vehicle damage. City of Unley satellite/overhead image collection will document the changes.



PO 7.2 Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.

Agree that outbuildings/lean-to are not contributing to streetscape and meet this performance outcome.

I believe this application fails to align with the performance outcome stated in the Historic Overlay outcomes so must be rejected.

[attach additional pages as needed]

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

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

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

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

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

Signature: Submitted Digitally

Date: 29/3/23

Return Address: [Click here to enter text.](#) *[relevant authority postal address]* or

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

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

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The existing dwelling is true to the type of local heritage buildings (double fronted cottage circa 1900). The dwelling was in habitable condition, leased to tenants until approximately October 2021. Deliberate destruction of the property has occurred since this time with removal of the sheet roofing, guttering and veranda. All trees have been cut down. The eastern wall of the property was also deliberately damaged by repeatedly driving a vehicle into the wall.

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Date: 29/3/23

Return Address: [Click here to enter text.](#) *[relevant authority postal address]* or

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Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	29/03/2023 07:56 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
The existing dwelling is located in a historic overlay area. It appears in excellent condition. It contributes to the historic character of Parkside and should be retained.	

Attached Documents

Representations

Representor 4 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	31/03/2023 05:51 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development

Reasons

This has been a travesty since this vile and greedy owner began deliberately vandalizing his own property to bring about just such an outcome as this development. I have watched for at least 2 years while he spent his weekends ripping the roof off, windows out even sledge hammering his walls to bring about the current state of shambles it is now while dumping the by-product in the council collection bins, it's a disgraceful display of greed and arrogance. You set the bar abominably low when you allowed a perfectly habitable, perfectly charming and historic property next door to this one be bulldozed so an 'award' winning soulless bunker could take its place at 129. If you allow this to proceed you are playing into the hands of greedy yet again, destroying another character properly for nothing but profit and greed. It is unjustifiable, he should be forced to repair it or sell it as is. The greedy dirty bastard!

Attached Documents

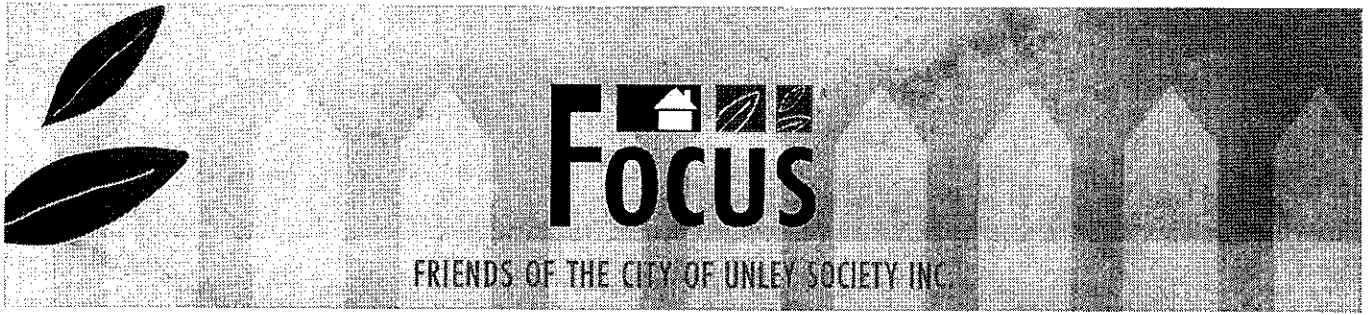
Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	17/04/2023 09:29 AM
Submission Source	Over Counter
Late Submission	Yes
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons see attached	

Attached Documents

17042023091349-0001-5320929.pdf



The Acting Assessing Officer
Planning Team
City of Unley
181 Unley Road
Unley SA 5063

14/4/23

Dear Madam/ Sir

RE: IN RESPONSE TO AN APPLICATION TO DEMOLISH PROPERTY at 131 YOUNG STREET
PARKSIDE SA 5063 (ID 23005883)

The Friends of the City of Unley Society (FOCUS) is a group of residents working to protect and enhance the built and green amenity of Unley, and in particular the historic buildings which typify Unley. FOCUS has become aware of an application to demolish a villa located in Parkside at 131 Young Street.

FOCUS objects to the demolition of this villa, which building contributes to the streetscape of the Established Neighbourhood Zone of Parkside, with its historic overlay.

The Historic Overlay statement for this part of North Unley purports to preserve the "land divisions, development patterns" and "built form characteristics that provide a legible form to the historic development of a locality". This villa, as well as the many villas and single fronted cottages in Young Street, distinguish the historic built form of this suburb, and its links with the history of the area, the character of which is valued by residents and visitors to the suburb.

A related engineering report supplied with the application for demolition sets out some significant engineering issues, reasonably common in older houses, all of which potentially could be addressed, as acknowledged in the report. While potentially costly to repair, the presence of asbestos and mould could be dealt with using specialist removal services, the roof could be restored, cracks repaired and floor reinstated. Some of these appear to have been exacerbated by the removal of part of the roof and the front verandah before approval was made for demolition, which is concerning.

FOCUS is concerned that the demolition of this villa will remove another key element in this historic suburb and amplify the "saw tooth" streetscape profile which has occurred with past poor development decisions in Young Street. We believe that preserving contributing items wherever possible is important and demolition approval should not be provided where there is an opportunity to restore and preserve these items.

We urge you to consider the above in your decisions about this property,

[Redacted signature block]

FRIENDS OF THE CITY OF UNLEY SOCIETY (FOCUS)
P.O.BOX 172, FULLARTON SA 5063
FOCUSONUNLEY@GMAIL.COM
WWW.FOCUSONUNLEY.ORG

3

14 APR 2023

Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	19/04/2023 06:22 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
I agree this property needs to be demolished as there is asbestos and mold. A nice fresh stone house would suit the area lovely. It's too far gone and Needs a fresh start. Yes please let them demolish	

Attached Documents

ATTACHMENT 3

To our dear neighbours,

This letter is to address your concerns regarding the demolition of our property at 131 Young Street Parkside. We are hoping we can address any issues and to reassure you, that what we are planning to do is in the best interest of the neighbourhood.

When our property was tenanted, it became deteriorated and not suitable to live in. Some of the concerns we have are asbestos, mould and structural damage. Over the past 2 years we have had structural engineers and contractors visit the property. As highlighted and recommended in the engineer's report, it would be dangerous to repair and most importantly the safety of workers would be compromised, due to the structure being unstable.

No deliberate damage has been made to the property by the owners. A roof panel was removed due to a leaking ceiling, as informed by our Real Estate property manager. However, when repair works were actioned, asbestos was found by the contractor and all work was stopped on the property due to safety concerns. The front verandah, colour bond shed and trees were removed as per the recommendations of the engineers that believe the property should be demolished. The copper pipes were removed via theft on the property after the tenants vacated the property.

We acknowledge that there are concerns around the type of house that will be built. We can assure residents that a traditional style home will be built in keeping with the styles in the area.

We are happy to address any further concerns via our email address- [REDACTED]

Kind Regards,

P and S Papathanasopoulos

ATTACHMENT 4

Amelia DeRuvo

From: Charlie Caruso <charlie@scaengineering.com.au>
Sent: Thursday, 9 March 2023 8:06 PM
To: Amelia DeRuvo
Subject: 230321 - Demolition of a dwelling - 23005883 : 131 Young St Parkside

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Amelia,

Thank you for your referral and as requested I make the following comments for Council's consideration regarding the above application:

1. It is to be noted that I have not inspected the above building so my professional opinions are based solely upon a review of the following documents,
 - 1.1 Structural Systems Pty Ltd; Inspection report # DT220517, 18th January 2023, (Structural Systems Report).
 - 1.2 Realestate.com.au; Listing of subject property dated May 2008.
 - 1.3 Realestate.com.au; Listing of subject property dated September 2016.
2. It is noted that the above building conforms with the values described in Council's Historic Area Statement, therefore it may not be demolished unless,
 - 2.1 The front elevation of the building has been substantially altered and cannot be reasonably restored in a manner consistent with the building's original style, or
 - 2.2 The structural integrity or safe condition of the original building is beyond reasonable repair.
3. The Structural System Report does not specifically state that the front elevation of the building has been substantially altered, therefore any demolition application is to be based solely upon the criteria of the building's structural integrity.

Furthermore, although lacking any specific statement regarding the building's front elevation, page 5-of-17 of the Structural Systems Report does contain a photograph illustrating that the dwelling's front bullnose verandah roof has been removed. Comparisons between this photograph and the building's front elevational views in May 2008 and September 2016, (as depicted on the realestate.com.au website) confirm that alterations to the building's frontage are considered to be minimal rather than substantial.

4. Page 5-of-17 of the Structural Systems Report contains photographs captioned, "*Rendering lost on several sections of the brick and stone external wall*". Although it is agreed that the current damage is severe, comparisons between these photographs and the building's side elevational views in May 2008 and September 2016, (as depicted on the realestate.com.au website) reveal the rate of deterioration between 2016-to-present has been exponentially greater than that of a similar time period between 2008-to-2016. This suggests that the current degree of damage may be a result of a deliberate campaign to purposely compromise the building's structural integrity. Likewise with the deterioration and removal of mortar between the masonry units and with the removal of roof cladding.
5. Page 9-of-17 of the Structural Systems Report states that in their opinion, "*The ceiling is in very bad condition and may pose a safety hazard. The lack of roof cladding has caused the ceiling cladding to deteriorate*".

extensively. Two sections of the ceiling have fallen off. The cladding in our opinion is unstable and a large section of the ceiling may collapse at any time without warning”.

Based on the degree of damage illustrated in their report, my professional opinion supports this view.

6. Page 17-of-17 of the Structural Systems Report states that in their opinion “*There is a chance of structural instability such as some loss of bearing in structural members that have been distorted, moved, or tilted. Immediate action is strongly recommended”.*

It also goes on to say, “It is the opinion and recommendation that the structure should be demolished as it would be dangerous to repair and economically not viable to underpin and make the structure stable with piling below the suction profile. (as the footing system is not compliant and does not have the capacity to support the structure). Whilst our report may indicate repairing may be an option, we don’t believe it is a safe option and safety to workers and life is more important”

Based on the degree of damage illustrated in their report, my professional opinion supports this view.

7. Whilst it is considered that the current degree of damage may be a result of a deliberate campaign to purposely compromise the building’s structural integrity, my professional opinion is that the Structural Systems Report sufficiently demonstrates that the structural integrity or safe condition of the original building is now beyond reasonable repair.
8. Based on the information provided, my professional opinion would be to support the recommendations provided in the Structural Systems Report.
9. Let me know if this is adequate for your requirements and happy to discuss any queries.

Regards,

S C A E N G I N E E R S
SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
t: 08 8331 0126
m: 0417 846 851
f: 08 8333 3114
e: charlie@scaengineering.com.au

This E-mail is confidential to the intended recipient and may also contain information which is subject to legal privilege. If you are not the intended receiver, you must not peruse, use, pass on or copy this E-mail and we also ask that you notify the sender by E-mail or telephone and destroy the original E-mail. Please note that whilst care is taken, no representation is made that this E-mail is free of viruses or other defects.

From: Amelia DeRuvo <Aderuvo@unley.sa.gov.au>
Sent: Thursday, 2 March 2023 1:04 PM
To: Charlie Caruso <charlie@scaengineering.com.au>
Subject: Demolition of a dwelling - 23005883: 131 Young St Parkside

Hi Charlie,

I hope you are well.

My name is Amelia, I am one of the newest planners here at the City of Unley. I was hoping I could have your assistance with an application of mine which seeks to demolish a dwelling.

As you are probably aware, the justification for removal is based on **PO 7.1 of Historic Area Overlay:**

Amelia DeRuvo

From: Charlie Caruso <charlie@scaengineering.com.au>
Sent: Monday, 29 May 2023 5:46 PM
To: Amelia DeRuvo
Cc: Don Donaldson
Subject: 230321 : 131 Young Street, Parkside - Meeting follow up
Attachments: Markup-230529.pdf

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Amelia,

All well here thank you as I trust it is with you and as requested, I provide the following supplementary comments for Council's consideration regarding the above application:

10. It must be noted that our original assessment of the proposed demolition of this building issued to Council on the 28th May 2023, had been based solely upon a review of the building's reported structural integrity outlined in Structural Systems Pty Ltd Inspection report # DT220517, 18th January 2023, (Structural Systems Report).
11. A subsequent site inspection of this building on the 22nd May 2023, has confirmed our original professional opinion that the Structural Systems Report sufficiently demonstrated that the current structural integrity or safe condition of the original building is now beyond reasonable repair.
12. Notwithstanding this professional opinion however, if alternative overriding reasons demand that this building be retained, then well established procedures are available to temporarily restrain unstable sections. In this manner, all necessary permanent remediation of the current building can be carried out in a completely safe work environment. Such an exercise will need to be carried out by a suitably qualified temporary works designer and may entail the erection of steel support frames similar to the attached markup. To alleviate the associated costs of these works, an experienced designer may also be able to incorporate such temporary stability considerations into the building's final, desired permanent configuration.
13. With regards to the possibility of "*retaining the front 2-or-4 rooms of the dwelling*", given that the original structure consisted solely of the front 4 rooms, it is considered it would be far easier to justify the structural stability of the original 4-room footprint as opposed to a modified, 2-room footprint. Therefore if the building must indeed be retained, my professional opinion would be to retain the original front 4-rooms.
14. Let me know if this is adequate for your requirements and as always, happy to discuss any queries.

Regards,

S C A E N G I N E E R S
SUITE 3, 76 OSMOND TERRACE NORWOOD SA 5067
t: 08 8331 0126
m: 0417 846 851
f: 08 8333 3114
e: charlie@scaengineering.com.au

This E-mail is confidential to the intended recipient and may also contain information which is subject to legal privilege. If you are not the intended receiver, you must not peruse, use, pass on or copy this E-mail and we also ask that you notify the sender by E-mail or telephone and destroy the original E-mail. Please note that whilst care is taken, no representation is made that this E-mail is free of viruses or other defects.

Amelia DeRuvo

From: Peter <peter@harmerconsulting.com.au>
Sent: Friday, 2 June 2023 1:04 PM
To: Don Donaldson; Amelia DeRuvo
Subject: dwelling - 131 young street parkside

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Dear Amelia & Don

As requested I provide this brief response in relation to the proposal to demolish the dwelling at the abovementioned premises.

I visited the site on Thursday 25 May, 2023 in your company. I was unable to access the inside of the front four rooms. The inspection was limited to an external viewing with some views through available windows. My inspection was brief and limited with the main purpose of providing this requested commentary on the engineering reports submitted

The building is in excess of 100 years old with masonry walls, a steel clad roof and primarily timber floors. The building is unlikely to have any substantial structural footings. At the time of the site visit significant portions of the roof cladding and ceilings had been removed.

It is understood that the leanto structure and outbuilding are not important aspects of this matter and are thus not considered. I have not considered issues associated with electrical or plumbing services, termite damage, asbestos etc

My site observations are summarised as follows -:

- The front wall of the building appears sound when viewed externally with no significant movement nor distress.
- Both side walls have horizontal displacement in the middle of the wall at the top. The movement in the eastern side wall was significant but not of a magnitude to render the wall unsound or unsafe. I was unable to access the western side of the building but similar movements were evident.
- The building had been plastered and painted on a number of occasions making viewing of historic masonry distress difficult
- The chimney in the north eastern room exhibited significant cracking and distress (as viewed through the window). The chimney above roof line appeared to have some horizontal displacement. This element may be unsound.
- The floors (as viewed through the windows) appeared damp and a fall to the side walls was evident. The damp condition would most likely have resulted from the removal of the roof sheeting and subsequent exposure to the elements
- The ceilings were in a very poor condition with some ceiling sections missing. Most of the damage is likely to be as a result of the removal of the roof sheeting and subsequent exposure to the elements
- The roof structure appeared to be typical of its era and while not compliant with contemporary standards did not appear unsound.
- Some paving was provided at the front, the rear and the eastern side
- The base of the walls exhibited damp
- The verandah was removed

I have reviewed the report provided by Structural Systems dated 18 January, 2023. I provide the following comments

- In relation to the structural integrity of the masonry walls, the report provides one photo of a significant crack (approx 5mm) which is understood to be in the rear wall of the leanto, and a photo of a chimney with severe distress. This is the only evidence of severe masonry distress provided. There are many photos provided of distressed paint and plaster and cracking that does not appear severe, but these do not in my opinion demonstrate a loss of structural integrity. I thus consider that the report does not provide evidence that the structural integrity of the four front rooms of the building is compromised, with the exception of the chimney
- In relation to the ceilings and floors, these are noted as being in a poor condition. This damage is likely to have primarily been caused by the removal of the roof sheets and the subsequent exposure to the elements
- The comments relating to the safety of workers is appropriately addressed in the SCA Engineering reports

I have reviewed the reports provided by SCA Engineering dated 9 March, 2023 & 29 May, 2023. I provide the following comments

- These reports support the view that the damage to the ceilings and floors is most likely primarily attributable to the removal of roof sheets and subsequent exposure to the elements
- I do not agree with the commentary that the loss of structural integrity in the masonry walls has been demonstrated by the Structural Systems reports (for the reasons explained above)

In relation to the masonry walls associated with the front four rooms I do not believe that the reports provide appropriate evidence that the structural integrity of the walls has been lost, with the exception of the chimney

In relation to the floors and ceilings, I understand that damage as the result of inappropriate actions of the owners should not be given significant weight in these considerations. I also consider that the repair of old roof sheets and ceilings and the releveling of floors in a building of this age is not unreasonable.

The proposition that the building can not be repaired due to safety concerns for workers is not supported, and is addressed in the SCA Engineering commentary

I trust the above provides you with the information you were seeking

Regards

[Redacted signature]

Peter Harmer
CONSULTING

0417 827 013
peter@harmerconsulting.com.au

PO Box 1842
Burnside SA 5066

ITEM 2**DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061**

zDEVELOPMENT NO.:	23010105
APPLICANT:	Dennis Collins
ADDRESS:	8 NORTHGATE ST UNLEY PARK SA 5061
NATURE OF DEVELOPMENT:	Installation of two freestanding signs with one sign incorporating an LED screen.
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Historic Area • Heritage Adjacency • Local Heritage Place • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 6m) • Minimum Frontage (Minimum frontage for a detached dwelling is 21m) • Minimum Site Area (Minimum site area for a detached dwelling is 1,000 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 2m for the first building level; 4m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	26 May 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	2023.6 – 27 April 2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia De Ruvo Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Heritage Advisor
RECOMMENDATION	Refuse Planning Consent
ATTACHMENTS	<p>1 - Plan Set & Supporting Documentation</p> <p>2 - Representations</p> <p>3 – Response to representations</p> <p>4 – Internal Correspondence – Heritage Advice</p>

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the installation of two free standing signs within the new entry way of the Unley Sports Club fronting to Northgate Street. The proposed signs will be sited on either side of the arbor and sited on a 45 degree angle to the footpath on Northgate Street.

Each sign will be 1.8m in height (H) x 1.06m in width (W) and sited on top of the concrete plinth and will have a total sign face area of 1.9m². Sign 'A' will incorporate 1.536m (H) x 0.96m (W) LED screen with the intent to advise residents and the community of events, facilities and services offered by the club. Sign 'B' will incorporate the logo of the club and its sporting facilities. Both signs will be finished in a two-tone green finish with Sign 'B' including white lettering.

BACKGROUND:

The application was originally lodged with two free-standing signs to a height of 2.235m x 1.06m with a total face area of 2.37m². Sign 'A' incorporated a 1.536m (H) x 0.96m (W) LED screen with Sign 'B' being internally illuminated. Following discussions with Council administration regarding concerns relating to the size, height and form of the signs, as well as the issues raised by representors, the application was amended with the following changes:

- The overall height of the signs reduced to 1.8m;
- The internal illumination removed from Sign 'B'; and
- In discussion with the applicant's independent heritage advisor the colour of the signs have been amended.

It is acknowledged that a form of signage would be appropriate on site given the land use and that the Established Neighbourhood Zone does anticipate some form of advertisements. We discussed with the applicants and their Planning Consultant our position and what could be support from Councils perspective which is as follows:

- Reduce the overall height of the free-standing sign to 1.5m;
- Removal of the internal illumination; and
- Removal of the LED component.

The applicant chose not to amend the proposal as per our advice.

SUBJECT LAND & LOCALITY:

Location reference: 8 NORTHGATE ST UNLEY PARK SA 5061

Title ref.: CT 5810/951 **Plan Parcel:** D7775 AL1 **Council:** CITY OF UNLEY

Site Description

The subject land is located within the **Established Neighbourhood Zone** and subject to the **Historic Area Overlay**.

The subject land is an irregular shaped allotment with a frontage to Northgate Street of 92.525m an overall depth of 121.4m² and an approximate overall site area of 9996m². The subject land is not affected by any easements or encumbrances.

The site currently contains a Local Heritage Place, the *Unley Park Bowling Club* (Heritage NR 3894), as well as a single storey addition to the western side of the building. Along the southern boundary is an emu

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

style front fence, to a height of 1.4m, and an arbor within the pedestrian entrance from Northgate Street. Pedestrian access is also obtained via Warwick Avenue.

Additionally, there are two outbuildings / storage sheds, verandahs (both attached to the addition and detached from all structures), bowling greens with associated lighting and canopies, six tennis courts with associated lighting and two further fields used for recreational sporting activities.

The land is relatively flat and contains no regulated park or significant trees on the subject site or adjoining sites that will be affected by the development.



Figure 1: View of the subject land from Northgate Street.



Figure 2: View of the subject land from Northgate Street.

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061



Figure 3: View of the subject land from Northgate Street.

Locality

When determining the locality of the subject land, the general pattern of development and the extent to which the proposed development is likely to impact surrounding occupiers and landowners was considered. West of the subject land is solely the **Established Neighbourhood Zone**, with the **Community Facilities Zone**, **Urban Corridor (Main Street) Zone**, **General Neighbourhood Zone** and **Business Neighbourhood Zone** sited east of the subject land and sited along Unley Road.

The locality is largely characterised by residential dwellings, with the exception of the offices at 9 Northgate Street and the Unley Park Baptist Church (Local Heritage Place) at 1 Northgate Street. Residential development in the locality is comprised of both single and double storey dwellings, sited on predominantly rectangular shaped allotments with site areas ranging between 250m² and 4200m². Original housing styles such as villas, bungalows and tudors are interspersed within modern interpretations of cottages and bungalows as well as more recent contemporary buildings, resulting in a mixed streetscape character.

Allotments within the locality are well vegetated with mature vegetation, however there are limited trees and vegetation along Northgate Street within close proximity of the subject land.

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

Locality Plan

Eight of the representors are sited outside of the aerial image.



Subject Land



Locality



Representor

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Advertisement
Advertisement: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

PUBLIC NOTIFICATION

- REASON**

Established Neighbourhood Zone – Table 5 – Procedural Matter (PM) – Notification an advertisement is not listed as a *Class of Development* that is excluded from public notification. Council also did not consider the development to be minor in nature that it would not unreasonably impact on the owners or occupiers of the land in the locality, therefore the application was required to be publicly notified.

As part of the public notification process 41 owners and / or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject land for the duration of the notification period. A copy of the representations can be found in **Attachment 2**.

During the notification period Council received 15 representations, 11 in support the proposal, two in support of the proposal with concerns and 2 not in support of the proposal.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	I support the development with some concerns	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development with some concerns	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	Yes	Self
[REDACTED]	I support the development	Yes	Self

ITEM 2**DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061**

[REDACTED]			
[REDACTED]	I oppose the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No
[REDACTED]	I support the development	No	No

Summary:

The representors raised the following concerns:

Representors in support of the development:

- The clubs seeks to use modern technology to advise residents and the wider community of the functions, amenities, sporting facilities and services offered by the club;
- The club relies of functions as its sole source of income, the signs will allow the club to advise residents and the wider community of said functions;
- The signs will allow the club to be more engaging with the community;
- Provide information to the community that is modern and sympathetic to the environment
- Match the signs within the vicinity;
- Promotion of the club through one sign rather than through a proliferation of signs attached to the fence as previous undertaken on site;
- Signs will provide an orderly, economical and efficient solution to the reason advertising it needs
- LED screen will help modernise the club;
- Enhances the viability of the club and ensure its ongoing use;
- The signs are in keeping with the character of the locality and in keeping with the nature of the property;
- The signs have been designed so it will complement the established functions and activities of the club;
- Signs do not impact on the heritage value of the Local Heritage Place and is sympathetic to the characteristics of the Unley Sports club; and
- Design is pleasing to the eye and not intrusive, complementary to the Club Centenary works.

Representors who support the development with concerns:

- The signs were accepted however concerns with the LED component;
- The signs are tastefully designed and less intrusive than the signage seen on Unley Road. It is also an improvement on the current signs; and
- The new entrance has helped develop the club and provides a more professional public face.

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

Representors who oppose the development:

- Detrimental visual impact on the streetscape;
- Signs are directly aimed at residential development and the elevations do not accurately reflect how the signs will be seen from the sensitive receivers;
- The locality is largely residential and the development will impact on the residential nature of the area;
- Signs are not necessary as the club provides soft and hard copies of events via newsletters;
- Messaging to the community can be accomplished by other means, e.g. social media and emails;
- Signs will create a precedent as to what types of signage can be sited within residential streets; and
- There are numerous lights emitted from the site and the signs will increase its impact.

The applicant provided a response to the representations which can be found in **Attachment 3**. The response to representations provided by Adam Williams from MasterPlan was emailed to the representors who supported the development with concerns and who opposed the development.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

- Heritage Consultant
During the course of the assessment the proposal was referred to Council's Consultant Heritage Architect for advice. This response can be found in **Attachment 4**.

RULES OF INTERPRETATION:

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines **Zones**, **Subzones**, **Overlays** and **General Development Provisions** policy which provide **Performance Outcomes (POs)** and **Desired Outcome (DOs)**.

In order to interpret **Performance Outcomes**, the policy includes a standard outcome that generally meets the corresponding performance outcome (**Designated Performance Feature or DPF**). A **DPF** provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT:

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

Advertisement

The subject land is located within the **Established Neighbourhood Zone** where the relevant **Desired Outcomes (DO)** and **Performance Outcomes (PO)** are:

DO 1 – A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.

DO 2 – Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footpaths, front yards, and space between crossovers.

PO 12.1 – Advertisements identify the associated business activity, and do not detract from the residential character of the locality.

The subject land is also sited within the **Local Heritage Overlay** where the relevant **DO's** and **PO's** are:

DO 1 - Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

PO 1.1 - The form of new buildings and structures maintains the heritage values of the Local Heritage Place.

PO 1.2 - Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.

PO 1.4 - Development is consistent with boundary setbacks and setting.

PO 1.5 - Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.

PO 1.6 - New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.

PO 1.7 - Development of a Local Heritage Place retains features contributing to its heritage value.

PO 3.3 - Advertising and advertising hoardings are designed to complement the Local Heritage Place, be unobtrusive, be below the parapet line, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.

Lastly, the subject land is also sited within the **Historic Area Overlay** where the relevant **DO's** and **PO's** are:

DO 1 – Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

PO 1.1 - All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

PO 2.1 – The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

PO 4.3 – Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, be below the parapet line, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.

PO 6.2 – Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.

DO 1 of the **Historic Area Overlay** and **Established Neighbourhood Zone** both seek new buildings to be sympathetic to the historic characteristics of the streetscape and locality. With **DO 1** of the **Local Heritage**

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

Place Overlay seeking to ensure that new development maintains the heritage and cultures values of the Local Heritage Place through conservation, on-going use and adaptive re-use.

Further, **PO 4.3 of Historic Area Overlay** and **PO 3.3 of Local Heritage Place Overlay** expressly seek for advertisements to be designed to complement the Local Heritage Place, to be unobtrusive and to not conceal or obstruct heritage elements of the Local Heritage Place or dominate its setting. The applicant engaged their own Heritage Consultant who provided a *Heritage Impact Assessment*, refer to Attachment 1, regarding the proposed development on the Local Heritage Place. The report detailed the historical background of the Local Heritage Place and considered how the proposed free-standing signs will not detrimentally impact on its Heritage Value. The conclusion of the report stated:

- That the proposed signs are relatively low in scale, are of a simple rectangular form and have been incorporated and well-integrated in the recently built fence and arbor main entrance;
- The signs are central to the site and a considerable distance from the Local Heritage Place. Considering the broad frontage width and expansive grounds they are not obtrusive nor dominant elements;
- Although sited between the primary road frontage and the Local Heritage Place, the signs are minor elements in the overall context of the subject land with the Local Heritage Place retaining its relative prominence in the streetscape;
- The signs can be included within the integral elements of the complex, similar to the light poles, catenary lights, shelters, benches, seats, scoreboards etc.; and
- The finished colours of the signs have been selected for its compatibility with the context of the site, as they are of a similar colour of the existing light poles. The varying green tones are complementary and avoids high contrast with the LED screen.

To assess the signs' conformance with the **Local Heritage Place Overlay** and the **Historic Area Overlay**, Council's Consultant Heritage Architect undertook an assessment and reviewed the proposed signs the locality and the development's relationship to the Local Heritage Place. The assessment advised that the proposed signs do not satisfy the relevant provisions expressed in the **Historic Area Overlay** or the **Local Heritage Place Overlay**. It was considered that the proposed signage is contrary to the heritage and cultural values of Local Heritage Places and the Historic Area, with particular mention of the design characteristics of the proposed signs.

The proposed signs, specifically the LED screen, will not only result in an obscured view of the Local Heritage Place, but the signs will also be distracting and will detract from features and appearance of the Local Heritage Place as well as its setting when viewed from the public realm. The scale of the development, size of the free-standing pylon signs, and their siting and location directly in front of the Local Heritage Place further exacerbates that the signs have not been sympathetically designed to not detrimentally impact on the heritage values of the Local Heritage Place.

The proposed development is not considered to satisfy **DO 1, PO 1.1, PO 1.2, PO 1.6** or **PO 3.3** of **Local Heritage Place Overlay**.

In addition to the above, the signs are not considered to reinforce the historic themes and characteristics of the Historic Area and as expressed in the Historic Area Statement. The proposed signs are considered to detract from the character of the streetscape rather than enhance it through contextually responsive development. Due to the size, scale and colours selected and materials of the proposed sign, with specific mention of the LED screen, the proposed signs will capture the eye when viewed from the public realm, creating a dominate feature within the streetscape and the signs do not satisfy **DO 1, PO 1.1, PO 2.1, PO 4.3** or **PO 6.2** of **Historic Area Overlay**.

The **General Development Policies – Advertisement DO 1 and PO's** are as follows:

***DO 1** – Advertisements and advertising hoardings are appropriate to context, efficient and effective in communicating with the public, limited in number to avoid clutter, and do not create hazard.*

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

PO 1.1 – Advertisements are compatible and integrated with the design of the building and/or land they are located on.

PO 1.2 – Advertising hoardings do not disfigure the appearance of the land upon which they are situated or the character of the locality.

PO 1.5 – Advertisements and/or advertising hoardings are of a scale and size appropriate to the character of the locality.

PO 2.1 - Proliferation of advertisements is minimised to avoid visual clutter and untidiness.

PO 2.2 - Multiple business or activity advertisements are co-located and coordinated to avoid visual clutter and untidiness.

PO 2.3 – Proliferation of advertisements attached to buildings is minimised to avoid visual clutter and untidiness.

The proposed development will be centrally sited on a generously wide frontage and designed in a symmetrical manner to avoid untidiness of the subject land, generally satisfying **PO 2.2** and **2.3** of **General Development Policies – Advertisements**. Nevertheless as discussed above, the siting and location of the signs have not been integrated with the building and therefore the Local Heritage Place on site. The overall height and scale of the free-standing signs, being 2.1m when measured from natural ground, is excessive in height and detracts from the character of the land, the building and the locality. The proposal is not considered to satisfy **PO 1.1, 1.2** and **1.5** of **General Development Policies – Advertisement**.

PO 3.1 of the **General Development Policies – Advertisement** seeks:

Advertisements are limited to information relating to the lawful use of land they are located on to assist in the ready identification of the activity or activities on the land and avoid unrelated content that contributes to visual clutter and untidiness.

It has been confirmed by the applicant that the images and information shown on the LED screen will be limited to information relating only to the *Unley Park Sports Club* and the activities, functions and amenities offered by the club and satisfies **PO 3.1** of **General Development Policies – Advertisements**.

CONCLUSION

Whilst the proposal is not considered to be seriously at variance with the Code as advertising is contemplated in the policy for the locality, on balance the proposal is not considered to satisfy the relevant Desired Outcomes and Performance Outcomes of the **Local Heritage Place Overlay, Historic Area Overlay, Established Neighbourhood Zone** or the **General Development Policies – Advertisements**.

The proposed signs have not been sympathetically designed to not dominate the Local Heritage Place and its setting, or the historic streetscape of the locality. The scale of the development, the size of the signage and its siting and location will be obtrusive and will obstruct and detract from the appearance of the Local Heritage Place and its historic features when viewed from the public realm. The proposed signs will also detract from the residential character of the locality and are not compatible or integrated with the land it is located on.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

ITEM 2

DEVELOPMENT APPLICATION – 23010105 – 8 NORTHGATE STREET, UNLEY PARK SA 5061

2. Development Application Number 23010105, by Dennis Collins is REFUSED Planning Consent subject to the following reasons:

REFUSAL REASONS

Planning Consent

- The signs have not been sited and designed to complement the residential character and amenity of the neighbourhood and does not satisfy PO 1.3 of Established Neighbourhood Zone.
- The signs are sited between the primary street boundary and the façade of the Local Heritage Place and does not satisfy PO 1.6 of Local Heritage Place Overlay.
- The signs have not been designed to complement the Local Heritage Place as it is obtrusive and dominates the building and its setting and does not satisfy PO 3.3 of Local Heritage Place Overlay.
- The signs are not consistent with the prevailing historic characteristics of the historic area and do not satisfy PO 2.1 of Historic Area Overlay.
- The signs do not contribute to the landscape patterns and characteristics that contribute to the historic area and do not satisfy PO 6.2 of Historic Area Overlay.
- The signs are not compatible and integrated with the land and does not satisfy PO 1.1 of General Development Policies – Advertisements.
- The advertisement signs are not of a scale and size that is appropriate to the character of the locality and does not satisfy PO 1.5 of General Development Policies – Advertisements.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The applicant has the right of review and appeal pursuant to section 202 of the PDI Act 2016.

An appeal to the Court against a decision by the Assessment Manger or Council Assessment Panel must be made directly to the Environment, Resources and Development Court within 2 months of the applicant receiving this notice of decision. The Court is located at the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

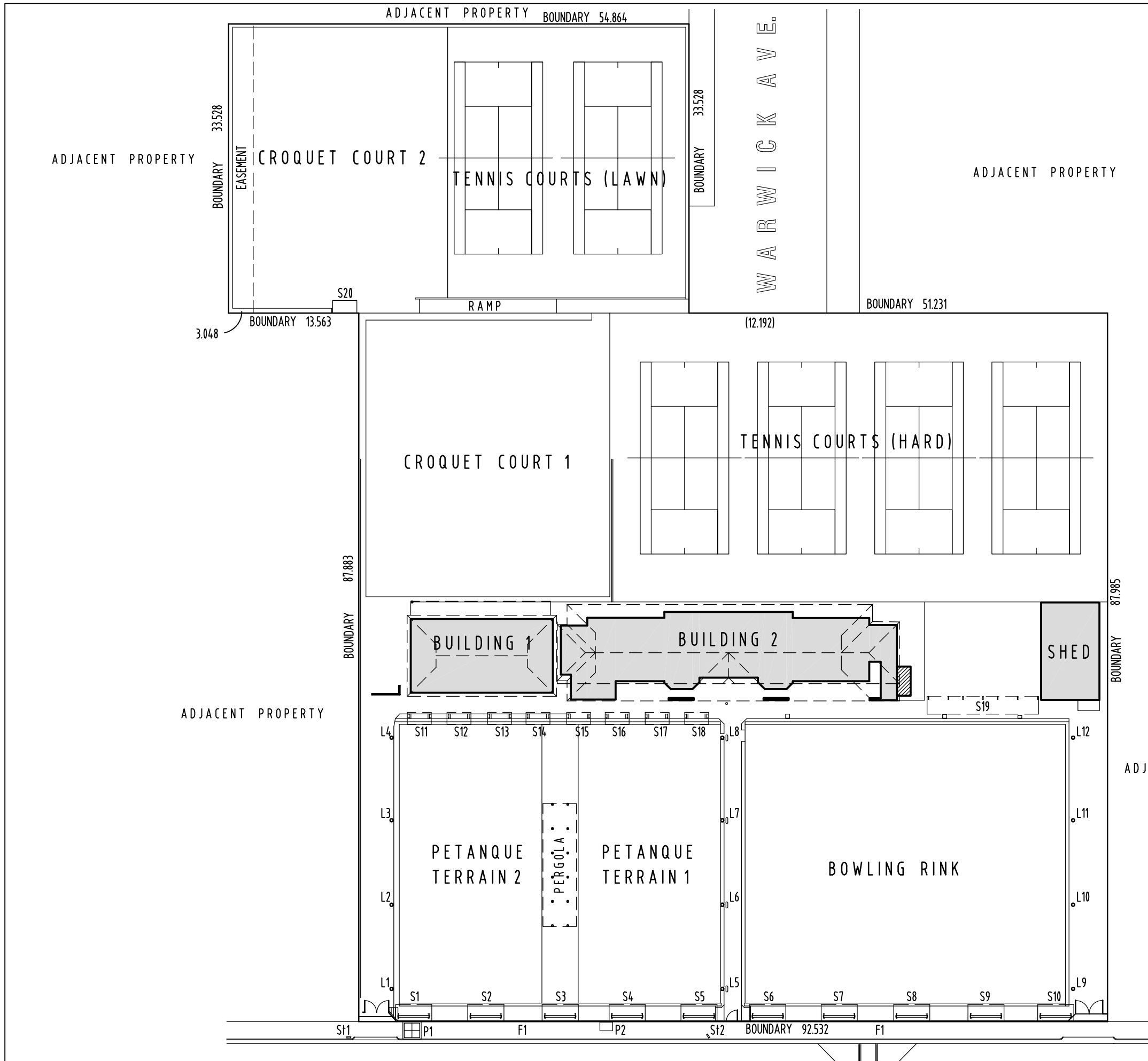
OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo

Title: Planning Officer

Date: 19 Dec 2023

ATTACHMENT 1

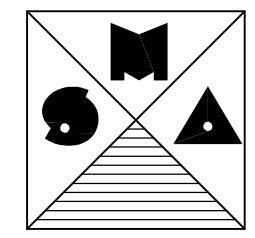


LEGEND

- Fx FENCE
- Gx GATE
- Sx SHELTER SHED
- Lx LIGHT POLE
- Px FOOTPATH SERVICE PIT
- Sfx STOBIE POLE



MARK SENIOR ARCHITECT



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 10 Cooper St. Eden Hills SA 5050

PROJECT
**UPSC CENTENARY PROJECT
 REFURBISHMENT - LEVEL 1
 8 NORTHGATE STREET
 UNLEY PARK SA 5061**

DRAWING
EXISTING SITE PLAN

SCALE
 1:500

DATE	DRAWN	CHECKED
19-06-23	MDS	

CAD REF.	DRAWING NUMBER	REVISION
	WD01	B

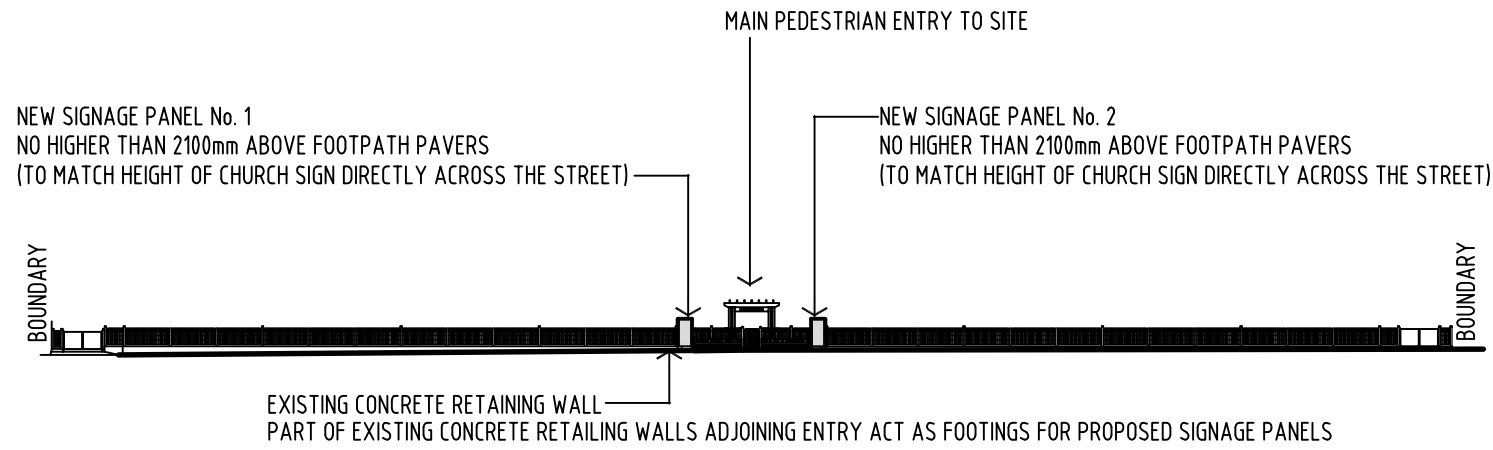
THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS.

SITE PLAN
 EXISTING
 1:500

NORTHGATE STREET

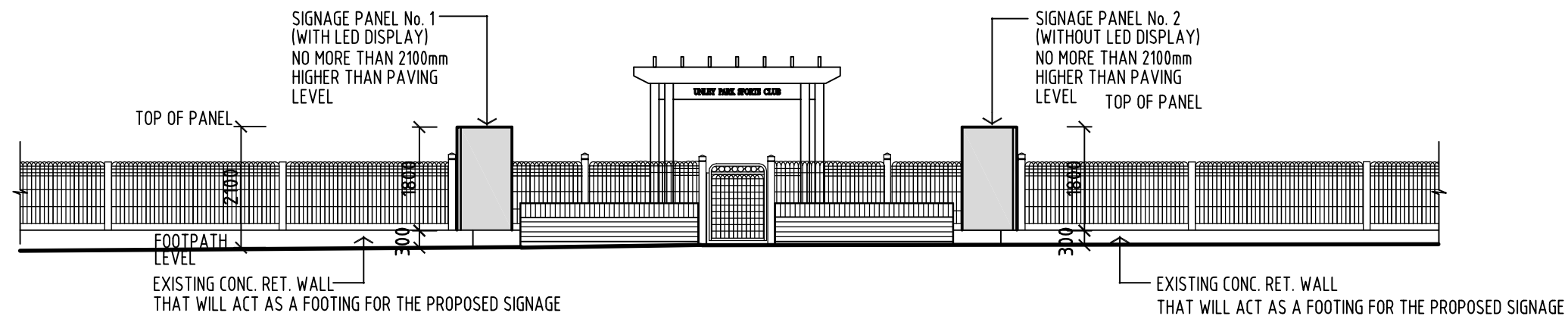
NOTES

- SIGNAGE PANELS SHALL BE PROPRIETARY ITEMS BY HAYNES SIGNS. SIGNAGE PANEL 2 SHALL HAVE FIXED FONTS AND SIGNAGE PANEL 1 SHALL HAVE FIXED FONTS + ELECTRONIC LED DISPLAY. SIGNAGE PANEL SHALL BE STEEL FRAMED AND ALUMINIUM CLAD PANELS SHALL BE MOUNTED ON THE EXISTING CONCRETE FOOTING / RETAINING WALL. PANEL HEIGHT SHALL BE NO HIGHER THAN 2100mm FROM COUNCIL FOOTPATH PAVING LEVEL. EACH PANEL SHALL BE 1800mm HIGH MOUNTED ON EXISTING 300mm HIGH RETAINING WALL/FOOTING



STREET ELEVATION

1:500

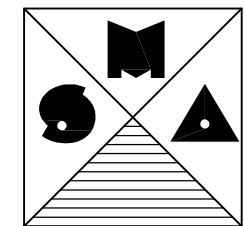


STREET ELEVATION

MAIN PEDESTRIAN ENTRY

1:100

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PROJECT
UPSC CENTENARY PROJECT
REFURBISHMENT - LEVEL 1
8 NORTHGATE STREET
UNLEY PARK SA 5061

DRAWING
**COMMUNITY NOTICEBOARD/
 SIGNAGE PANEL**
STREET ELEVATIONS

SCALE		
1:100, 1:500		
DATE	DRAWN	CHECKED
09-05-23	MDS	
CAD REF.	DRAWING NUMBER	REVISION
	WD03	B

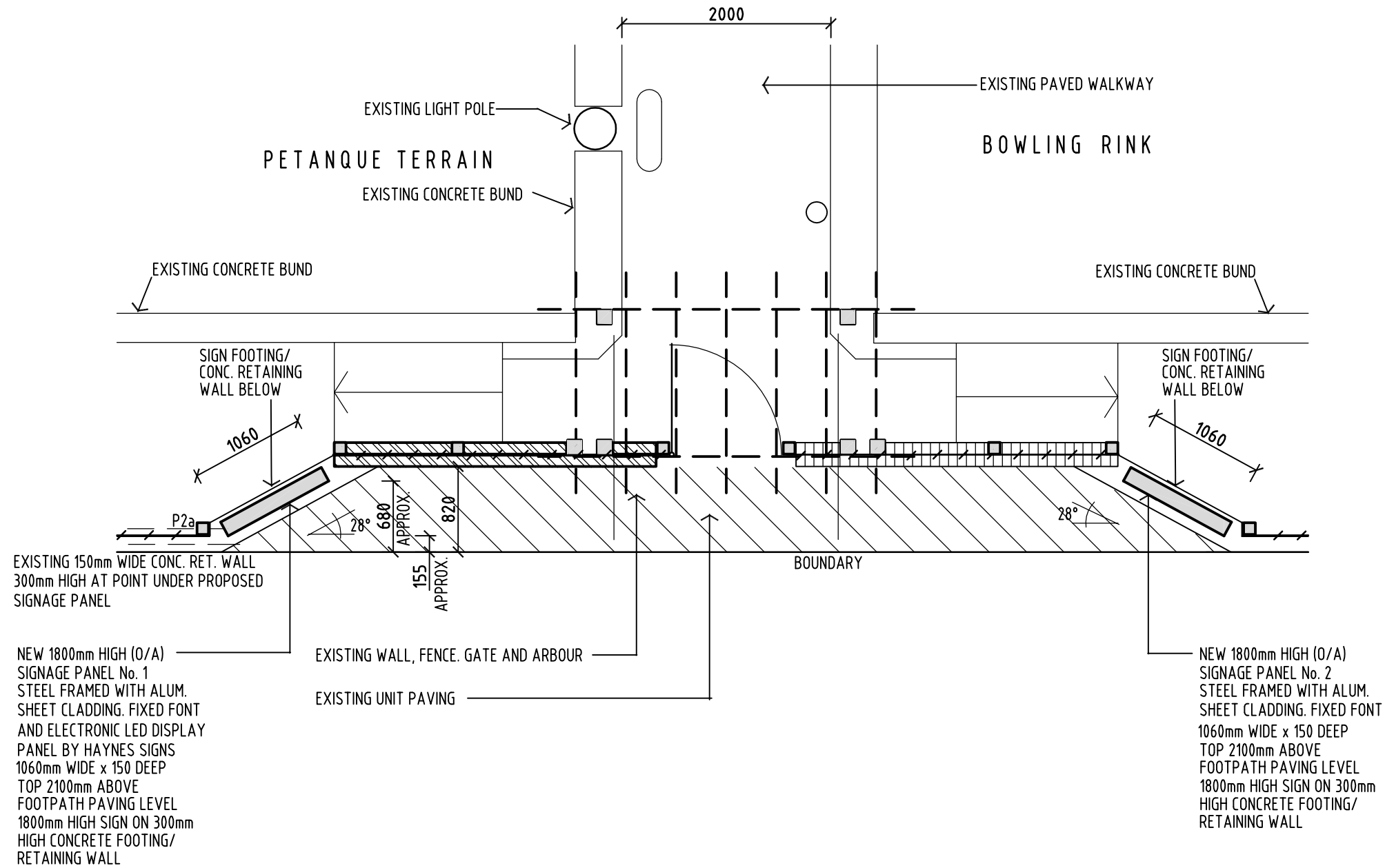
THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS.

SCALE BAR 1:100



NOTES

- SIGNAGE PANELS SHALL BE PROPRIETARY ITEMS BY HAYNES SIGNS. SIGNAGE PANEL 2 SHALL HAVE FIXED FONTS AND SIGNAGE PANEL 1 SHALL HAVE FIXED FONTS + ELECTRONIC LED DISPLAY. SIGNAGE PANEL SHALL BE STEEL FRAMED AND ALUMINIUM CLAD PANELS SHALL BE MOUNTED ON THE EXISTING CONCRETE FOOTING / RETAINING WALL. PANEL HEIGHT SHALL BE NO HIGHER THAN 2100mm FROM COUNCIL FOOTPATH PAVING LEVEL. EACH PANEL SHALL BE 1800mm HIGH MOUNTED ON EXISTING 300mm HIGH RETAINING WALL/FOOTING



**COMMUNITY NOTICEBOARD/
 ENTRY SIGNAGE PANEL**

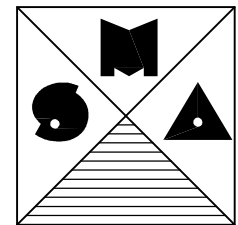
PLAN

1:50

SCALE BAR 1:50



MARK SENIOR ARCHITECT



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PROJECT
**UPSC CENTENARY PROJECT
 REFURBISHMENT - LEVEL 1
 8 NORTHGATE STREET
 UNLEY PARK SA 5061**

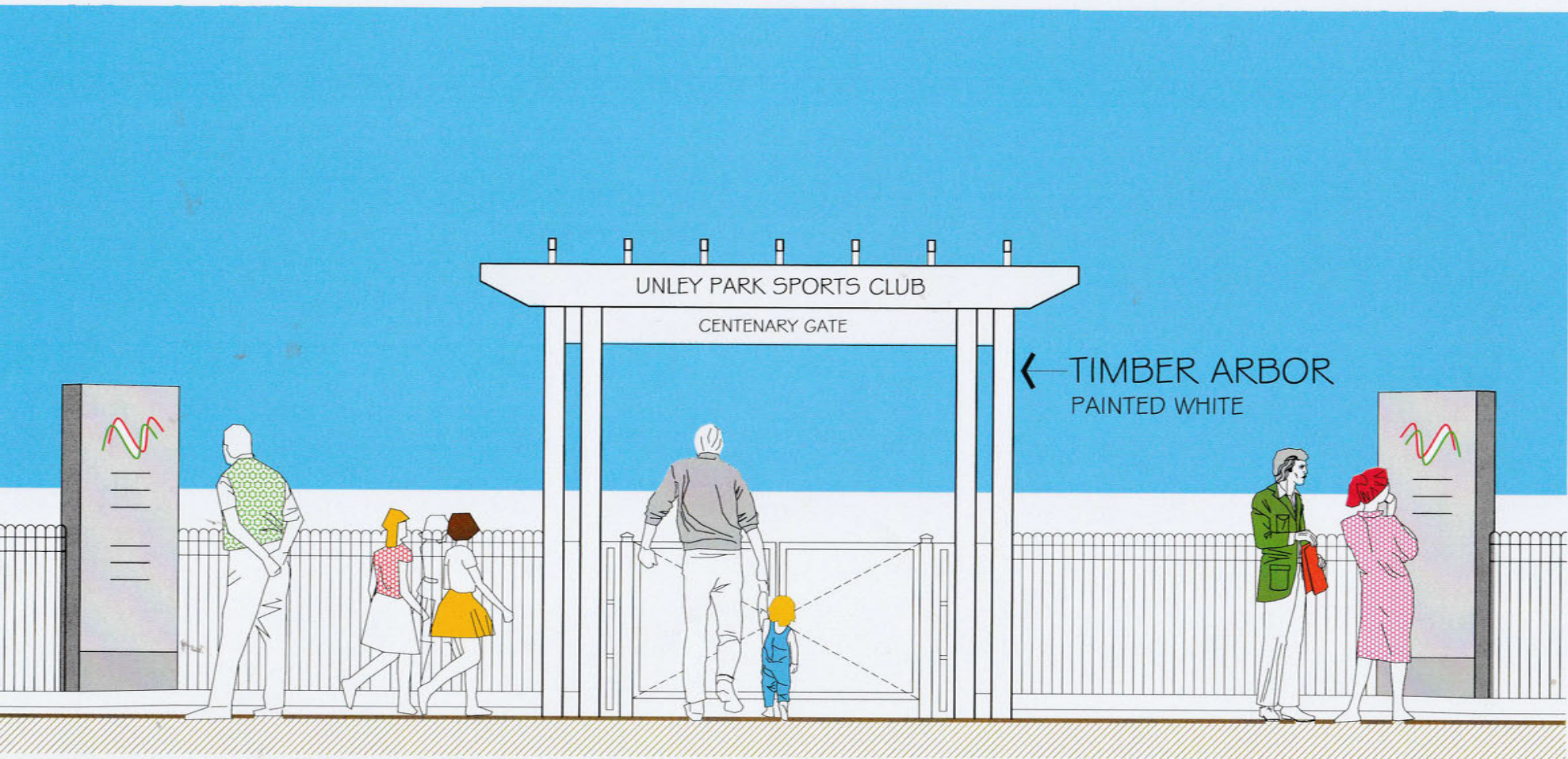
DRAWING
**COMMUNITY NOTICEBOARD/
 SIGNAGE PANEL
 PLAN**

SCALE
 1:50, 1:500

DATE 09-05-23 DRAWN MDS CHECKED

CAD REF. DRAWING NUMBER WD02 REVISION B

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS.



UNLEY PARK SPORTS CLUB

CENTENARY GATE

← TIMBER ARBOR
PAINTED WHITE

SIGN BOARD EMU FENCING SET BACK NEW GATES EMU FENCING SET BACK SIGN BOARD

PROPOSED NEW ENTRANCE
TO CELEBRATE THE CENTENARY OF UNLEY PARK
SPORTS CLUB.



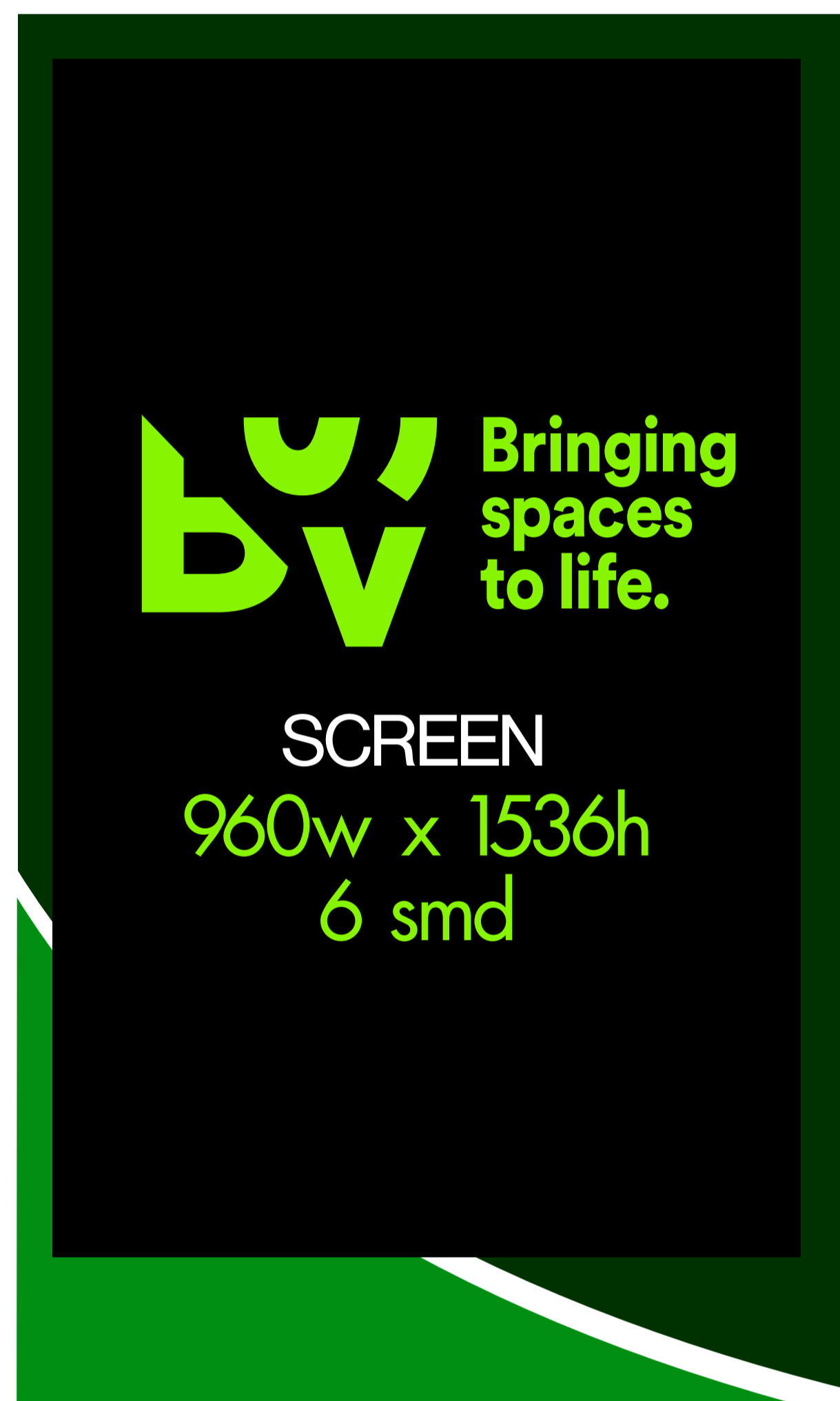
- | CREATIVE DESIGN
- | PREMIUM SIGNAGE
- | VEHICLE LIVERY
- | LED SCREENS

sign a

FRONT 1060

SIDE

approx 1800



2 PAC FOREST GREEN PAINT FINISH

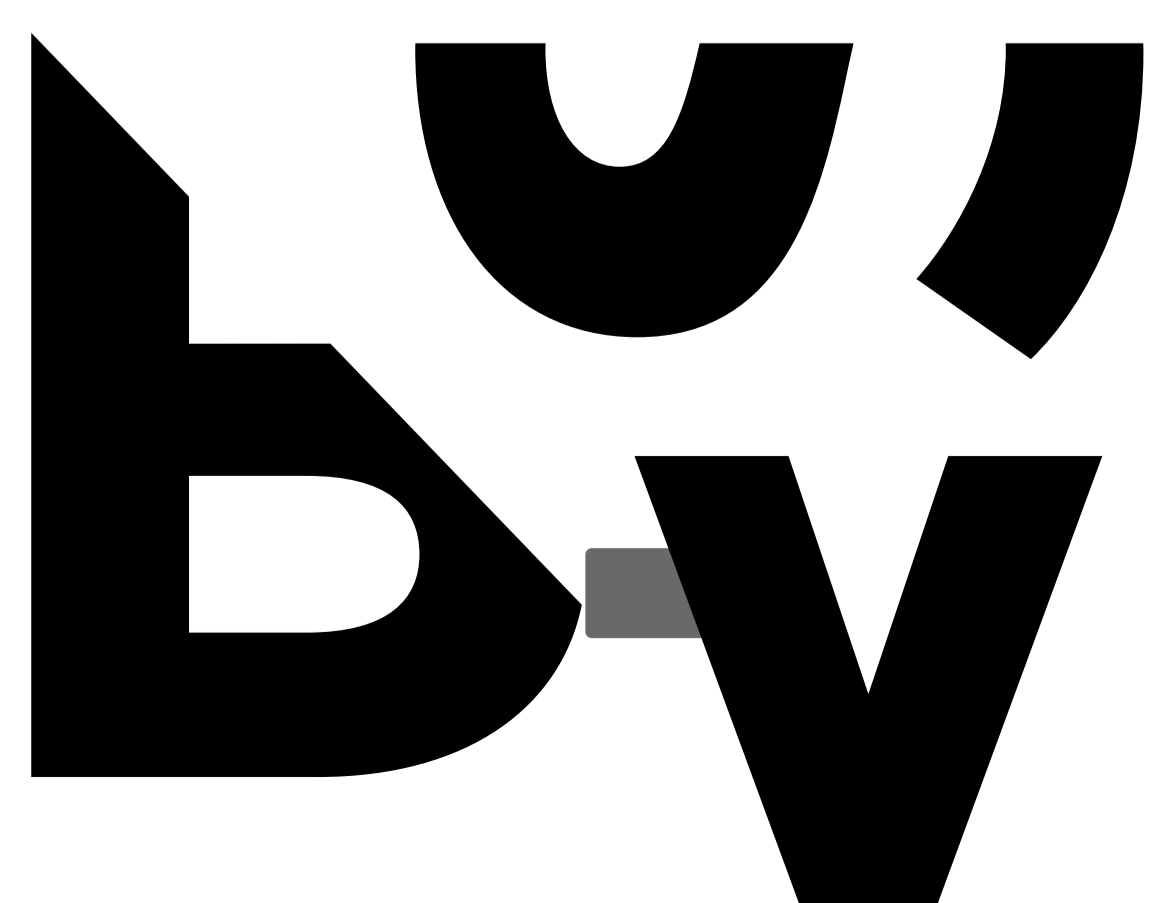
ENGINEERED FOOTING BY OTHERS

sign b

SIDE



ENGINEERED FOOTING BY OTHERS



Bringing spaces to life.

IMPORTANT

DISPLAY GUIDELINES - conforming to DPTI guidelines

- The LED component of the sign will not display images, text or backgrounds that are predominately red, yellow/amber or green in colour. Block colours of red, yellow/amber or green will not be displayed.
- The sign, including the LED component, shall be static at all times.
- No element of the sign shall flash, scroll, move or change.
- The time taken for consecutive displays to change will be no longer than 0.1 seconds.
- Auto Brightness control. The illuminance of the sign will be as follows:
Ambient Conditions Sign Illuminance Vertical Component (Lux) Sign Luminance (Cd.m²) Max
Sunny day 40000 6300
Cloudy day 4000 1100
Twilight 400 300
Dusk 40 200
Night "4 150
These levels will be controlled by an automatic brightness controller which is installed on the screen. This device will measure the ambient light every 300 seconds/5 mins, adjusting the brightness levels of the screen in accordance with the luminosity levels as set by Department of Planning, Transfer and Infrastructure (DPTI).
- A Bright Sign Unit device will operate the content on the LED screen.
This will be based with the unit and includes an automatic error detection system which will turn off should the screen malfunction, sending the screen to black. This is a closed circuit device that does not allow hacking or unauthorised modification.

Point 3 – Written statement

- a. **Will there be moving images?** - As per council and Department of Transport regulations there will be **no** moving content displayed on the screen at any time. The sign will not flash, scroll or move.
- b. **What will be the time between displays, how quickly will the message change?** - The digital screen will display one self contained message ever 45 seconds. This is in line with the Department for Infrastructure and Transport regulations however this can be adjusted to and extended time if required.
- c. **How many messages will filter through daily, or will it be a stand- alone message for an entire day?** As a standard there will be approx. 5 - 10 messages displayed on each day.
- d. **How often will the LED screen be updated with a new event?** As a standard the sign will be updated approx. twice per month with the exception of the Christmas period at approx. once per week.
- e. **What colours will be used on the LED screen (background & lettering)** the LED screen is a full colour display, Unley Park Sports Club can design content to fit inline with council regulations if required.
- f. **Provide an example of an image shown on the LED screen;** please see below.



Point 4 Illuminated levels.

The LED screen is fitted with an automatic brightness sensor ensuring drivers are not distracted by the screen.

The operational system for the LED screen shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction. The screen shall only be re-activated in the next available off-peak period.

These above provisions are inline with the Department for Infrastructure and Transport regulations.

UNLEY PARK SPORTS CLUB

8 Northgate Street Unley Park

STREETSCAPE PROJECT

Signage Proposal

The 'Blade' sign proposal is taken from the sign style used by the Baptist Church complex almost immediately opposite.

This sign measures 2.4h x 0.8w x 0.12d
(Photo attached)

This signage was suggested and developed by a previous Unley Council Heritage Advisor and located so as not to disrupt the rhythm of the heritage fencing proposal either at the boundary or the inset feature brick (and entry gate) alignment.

As well as ensuring consistency in street signage these signs help in providing visibility above the parked vehicles that are regularly parked along the Club Northgate Street boundary, blocking out vision of the message.

The immediate character of the area is not essentially residential, with a church and church office presence and a significant Testra complex dominating the streetscape opposite.

The nearest residences are 50m east and west of the proposed signage.

Two signboard blades are proposed, both 2.4h by 1.0w x 0.15d.

One sign is static whilst the other is planned to house an LED display screen.

As the UPSC is made up of 4 subsidiary clubs

Unley Park Lawn Tennis Club

Hyde Park Croquet Club

Eastern Suburbs Pétanque Club

Unley Park Bowls Club

There is a constant requirement for club announcements and information to be conveyed to the members and public.

This has been traditionally been done via sandwich boards, pennants, blackboards and various tarps or boards laced to, or draped over the fence.

To organise and control this undisciplined array, we would like to convey information via an LED screen system.

An LED can do this by a rolling display of club events arranged and controlled from the Clubhouse Office computer.

As requested we confirm

That this display system would automatically be switched off at 10pm every night.

That no specific advertising is proposed.

DRAFT ONLY



STEVENS
ARCHITECTS
PTY LTD

Architects and Heritage Consultants

Suite 19, 262 Melbourne Street
North Adelaide, SA 5006

Telephone: (08) 8267 1277
Facsimile: (08) 8267 2585

30 November 2023

MasterPlan SA Pty Ltd
33 Carrington Street
ADELAIDE SA 5000

Attention: Adam Williams

Dear Adam,

UNLEY PARK SPORTS CLUB – PROPOSED SIGNAGE - HERITAGE IMPACT ASSESSMENT

In accordance with your request, I have reviewed the documentation associated with the proposed new signage at the Unley Park Sports Club, visited the subject site and assessed the impact of the proposed development on the heritage values of the place.

Having done so, I am pleased to provide this letter in support of the proposed development.

The subject place.

The subject place is known as the Unley Park Sports Club. It is located at 8 Northgate Street, Unley Park, on the northern side and near the eastern end of Northgate Street.

The site includes a principal clubhouse building, amenities, function rooms, associated sheds and outbuildings, bowls rinks, tennis courts and associated infrastructure.

Brief historical background.

The Unley Park Sports Club was formed in May 1923 and comprised the Men's Bowling Club, Women's Bowling Club, Tennis Club and Croquet Club. The Club has been in continuous operation on the site for one hundred years and currently provides facilities for lawn bowls, tennis, croquet, pétanque and a variety of leisure and social activities.

The clubhouse building was built in 1924. The building was designed by prominent Adelaide architect Charles W. Rutt and the builder was Bonnett & Ray. An article in The Register newspaper in the issue dated Monday 2 June 1924 provides the following description of the clubhouse building and grounds:

The sports ground has a frontage of 303 ft. to Northgate Street, with about the same depth, and the clubhouse is practically in the centre. The building is of brick, with a tiled roof. The full length is 136 ft., and it will be surrounded by a wide verandah. There is to be one frontage to the bowling green and another to the tennis court. The depth of the building is 40 ft. and there is a clever arrangement by which portion of the verandah facing the tennis court can be utilized for a stage. For the bowlers there will be a dressing room 24 by 21 ft., with a visitors' room adjoining, 21 by 12 ft. There was also a bar (but no licence as yet), lavatories, and a splendid billiard room for two tables, the dimensions being 31 by 24 ft. A room for the President and secretary of the club measures 12 by 8 ft. The room for men lawn tennis players is 21 by 14 ft. and there are hot and cold shower baths adjoining; in fact, there will be a hot water service throughout the building. There is a special entrance to the ladies' room from the wide verandah, and accommodation is made for members both of the lawn tennis and croquet clubs. There will be a large kitchen, from which service to any part of the building will be convenient. A great feature of the design is that all the centre part of the building is fitted with sliding doors, so that there will be at all times as available a huge room for entertainments, meetings, and dances. When the sliding doors are opened the length of the room will be 52 ft.

The renowned pastoralist and businessman Sir Sidney Kidman was patron of the club and his wife Lady Kidman who laid the foundation stone in May 1924 was patroness. At the time, the Kidmans were residing at their dwelling at 76 Northgate Street which bore the same name, (“Eringa”), as their previous residence at Kapunda.

Physical description.

The clubhouse building is constructed of red brick walls with a terracotta tiled roof. The red brick walls feature castellated bays arranged symmetrically about the main entrance and are embellished with a rendered base course, concrete lintels and stucco band under the eaves. The roof is expansive, providing a strong horizontal emphasis to the architectural design and extending over a deep, timber-framed verandah. A central Dutch gable with red brick and stucco in combination, a clerestory window, clock and building identification sign focus attention on the entrance to the building. Doors and windows are timber framed with multi-paned doors and double hung windows. All timber joinery is painted white.

The clubhouse building is of high integrity, retaining much of its original form and building fabric. It is a prominent feature on the site, located almost centrally in the expansive grounds. The original terracotta roof tiles of building, having reached the end of their serviceable life, were recently replaced with terracotta tiles selected to match the original as closely as reasonably possible.

The clubhouse building exhibits bungalow stylistic influences and reflects design tastes and incorporates materials typical of buildings of the Inter-War period. The building is however of particular interest for its fine architectural design and detailing.

A sand-coloured concrete brick building with terracotta tile roof, located to the west of the clubhouse building and known as the Barton Room, which appears to have been constructed in the late 1950s/early 1960s.

The grounds have undergone improvements over time but retain their open appearance. Catenary lighting, light poles, shelters, sheds and paving are an accepted part of the club infrastructure.

The proposed development.

The proposed development involves installation of two new signs on the southern boundary of the property. It is referenced as follows:

Application ID: 23010105.

Proposed Development: Installation of two freestanding pylon signs, one incorporating a LED screen and one being internally illuminated.

The proposed signs are 1.8 metres high by 1.0 metre wide. One of the signs has an LED panel. The formerly proposed internal illumination of the other sign has been deleted from the application.

The proposed signs are located on the Southern, (Northgate Street), boundary of the subject site. They are located either side of a recently-constructed timber arbor which defines the entrance to the Unley Park Sports Club. The proposed signs are set at a slight angle to the adjacent footpath. They are two-tone green in colour with white lettering.

Documentation.

The following documents have been prepared in connection with the development application and have been reviewed in preparing this assessment:

- Signage drawing by Haynes Signs for Unley Park Sports Club.
- Street Elevations drawing WD04 A dated 06-11-21 by Mark Senior Architect.
- Written statement concerning the proposed development by Unley Park Sports Club.

The following resources have been reviewed in preparing this assessment:

- Unley Heritage Research Study for City of Unley, Volume 2, Part 3 (Unley - Wayville) Building Data Sheets: Local Heritage Places 2006 (updated to 2013), by McDougall & Vines, Conservation and Heritage Consultants.
- Newspaper Article, 'The Register' Monday 27 August 1923.
- Newspaper Article, 'The Register' Monday 2 June 1924.
- Newspaper Article, 'The Register' Monday 6 February 1928.

The heritage status of 8 Northgate Street, Unley Park.

The subject place is a Local Heritage Place. The South Australian Property and Planning Atlas provides the following details:

Heritage Number: 3894.

Address: 8 Northgate Street UNLEY PARK.

Details: Unley Park Bowling Club.

Extent of listing.

The extent of the heritage listing is described as follows:

External form, materials and detailing of the 1924 Bowling clubhouse. The later lean-to air-conditioning enclosure to the east as well as any other later additions or alterations are excluded from the listing.

Heritage value.

The assessment sheet from the Unley Heritage Research Study (2006, updated 2013) by McDougall & Vines that originally informed the inclusion of the place as a Local Heritage Place in what was then Council's development plan includes a statement of Heritage Value which states:

"The Unley Park Bowling Club constructed in 1924 is an important Inter-war community building which is indicative of sport and recreational activities in the district since the 1920s. The building is also noteworthy for its use of Inter-war bungalow style elements in a non-residential building."

The assessment sheet states that the building meets criteria (a), (b) and (d) under Section 23(4) of the Development Act, 1993. It goes on to provide the following reasoning:

Criteria (a):

The Unley Park Bowling Club displays historical, economic or social themes that are of importance to the local area as it is indicative of the growth and development of community sport and recreational activities in the Unley district during the Inter-war years.

Criteria (b):

The Unley Park Bowling Club represents customs or ways of life that are characteristic of the local area and is associated with the history of sport and recreation within the area.

Criteria (c):

The Unley Park Bowling Club displays aesthetic merit, design characteristics or construction techniques of significance to the local area as it an excellent example of an interwar style sport & recreation building displaying design characteristics such as face brick, terracotta tiled roof, generous verandah and simple render detailing.

The heritage value of the place therefore resides in the clubhouse building, in particular, its architectural form, detailing and historic building fabric.

More broadly, the context and setting of the building, its expansive grounds and facilities contributes to and enables an understanding of the heritage values of the place.

Planning & Design Code policy relevant to heritage assessment.

The place is subject to:

- Local Heritage Place Overlay.
- Historic Area Overlay, (Residential Spacious Unley Park (East), (Un21).
- Heritage Adjacency Overlay.
- Established Neighbourhood Zone.

Assessment of the heritage impact of the proposed development.

The proposed signs are associated with the historical and ongoing use of the place, (the Unley Park Sports Club). They are located on the front, (Northgate Street), boundary of the site and do not physically impact on the clubhouse building which is the subject of the local heritage listing, (Local Heritage Place Overlay DO 1).

While the proposed signs do impact on the context and setting of the place, the impact is considered to be acceptable for the following reasons:

- The proposed signs are relatively low in scale and of simple (rectangular) form, (1.8 metres high by 1.0 metre wide).
- The proposed signs are neatly incorporated and well-integrated in the recently-installed timber-framed, woven wire fencing and timber arbor at the main entrance to the complex.
- The proposed signs are located near the centre of the site when viewed from Northgate Street and are a considerable distance from the clubhouse building and nearby local heritage places.
- The proposed signs are viewed in the context of the broad frontage width and the expansive grounds of the complex and the proposed signs are not obtrusive nor dominant elements in this context.
- Although located between the historic building and the front boundary, the proposed signs are minor elements in the overall context of the complex and the clubhouse building retains its relative prominence in the streetscape.
- The proposed signs are viewed and interpreted as integral elements in the context of the complex which includes light poles, catenary lights, shelters, benches, seats, scoreboards, fencing and retaining walls.
- The colours of the proposed signs which include a mid-green and a dark green, have been carefully selected for compatibility with the context. The mid green colour is similar to the colour of the existing light poles and the catenary lights. The dark green complements the lighter green and avoids high contrast with the LED screen.

For these reasons, the proposed development is considered to be reasonably consistent with relevant Planning & Design Code policy relating to local heritage places, Local Heritage Place Overlay DO 1, PO 1.1, 1.2, 1.5, 1.6, 2.2 and 3.3.

While there are some historic dwellings in the locality, the streetscape character of the eastern end of Northgate Street, as it approaches Unley Road, is not consistent. It is punctuated by the broad frontage width and the associated infrastructure of the Unley Park Sports Club and the long boundary of the Baptist Churches and Hall opposite. It is influenced by buildings from a variety of eras, styles and forms including dwellings dating from the early 1900s, 1920s, 2000s, a dwelling of recent construction and the c1920s and c1960s Telecom exchange buildings opposite. The streetscape character could not be described as “coherent” in the meaning of Historic Area Overlay DO 1. As a consequence, the proposed signs are reasonably compatible with and will not adversely impact on the streetscape character of the locality, (Historic Area Overlay DO 1 and PO 1.1 are relevant). For similar reasons to those described above in assessing impact in relation to the Local Heritage Place Overlay provisions, the proposed signs are reasonably consistent with Historic Area Overlay PO 4.3.

The proposed signs are not within the specific area subject to the Historic Adjacency Overlay and are sufficiently distant from adjacent and nearby heritage places to not adversely impact on their heritage value.

Although larger than the size mentioned in the deemed-to-satisfy aspect of Zone PO 12.1, the proposed signs are associated with a large site, are located roughly centrally in a substantial front boundary width and are a considerable distance from nearby dwellings. They are not associated with a residence or home office.

The Unley Park Sports Club have advised that the flexibility of a sign that can be changed regularly to cater for the interests of the four different sporting clubs associated with the complex in addition to social and community events is necessary to support the ongoing use of the place. It is important to note that the use of the place underpins the ongoing maintenance and upkeep of the place, something that is becoming increasingly challenging as the clubhouse building ages.

The signs in themselves do not adversely impact on the heritage value of the place nor the historic streetscape context. The fact that one sign is to have an LED display is acceptable given the broad frontage width of the site and the specific location, centrally in the front boundary, some distance from the clubhouse building, a considerable distance from other heritage places in the area and in an immediate streetscape of mixed character.

Conclusion.

For the abovementioned reasons, the proposed development is compatible with the heritage values of the subject place and is reasonably consistent with relevant Planning & Design Code policy.

I am able to support the proposed works.

I would be pleased to answer any questions that you may have regarding this heritage advice.

Yours faithfully,
STEVENS ARCHITECTS PTY. LTD.



Andrew Stevens. RAlA.
(Director).

6 December 2023

Amelia DeRuvo
C/- City of Unley
Via email: Aderuvo@unley.sa.gov.au

Dear Amelia

**Re: Letter of Support for two freestanding signs,
one incorporating an LED screen at 8 Northgate Street, Unley Park**

Background

MasterPlan (SA) Pty Ltd act for the Unley Park Sports Club (the "Applicant") in respect to Development Application 23010105. We were engaged following Council advising our client in writing that the development application will not be supported on the grounds of being inconsistent with certain policies of the Planning and Design Code ('the Code').

The inconsistencies were summarised in correspondence dated 9 June 2023, and include:

- Council's heritage advisor held concerns about the illuminated components of the signs, one incorporating an LED screen, compromises the heritage values of the Local Heritage Item on-site and does not satisfy Performance Outcomes (PO) 1.1, 1.2, 1.5 and 1.6 of the Local Heritage Place Overlay.
- In addition, the heritage advisor noted that advertisements and associated hoardings should be unobtrusive, complementary and not dominate the Local Heritage building or its setting as per PO 3.3 of the Overlay.

Council's heritage advisor recommended the LED screen and the internal illumination be removed from sign 'A' and sign 'B' respectively and illumination of the signs be provided by flood lighting.

In addition, Council's Planning Officer advised the overall height and scale of the proposed signs were inconsistent with Established Neighbourhood Zone (ENZ) Performance Outcome and Designated Performance Feature 12.1 which state advertising to be of a size and scale that does not detract from the residential character of the locality. The Officer recommended the overall height and scale of the signboards be amended.

In line with some of the recommendations provided by Council's assessment staff, the height of both signs was reduced to 1.8 metres and the internal illumination was removed from "sign B". The LED component was retained as part of "sign A". Council staff advised the LED display element of the proposal was a significant reason for not giving its support to the proposal.





The proposed digital display of the proposed signs will not exhibit moving video or animation, nor will images flash, scroll, or move. The images on the digital screen will be displayed each day between 7:00 am and 10:00 pm with the images updated twice per month, except during the Christmas period when messages will be updated once per week.

The LED screen is fitted with an automatic brightness sensor and the operational system for the digital screen shall incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction. The LED display is an essential component of the proposed development.

Planning Observations

The following table contains the provisions of the Planning and Design Code referenced in the correspondence issued by Council and our own observations of the proposal when considered against those policies. Our observations outline why we do not share the position taken by Council’s heritage advisor and assessment officer in respect to their assessment of the application.

PLANNING AND DESIGN CODE POLICIES	OBSERVATIONS
<p>Local Heritage Place Overlay PO 1.1: The form of new buildings and structures maintains the heritage values of the Local Heritage Place.</p>	<p>As stated in the Heritage Impact Assessment prepared by Stevens Architects, the heritage value of the place resides in the architectural form, detailing, and historic building fabric of the clubhouse.</p> <p>The proposed signs will have no physical impact upon the local heritage place and the siting and design of the signs have been purposefully incorporated as integral elements of the recently completed refurbishment of the primary entrance statement to enhance the appearance of the facility and especially complement the values of the local heritage place.</p>
<p>Local Heritage Place Overlay PO 1.2: Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.</p>	<p>The scale of the signs has been reduced to a height of 1.8 metres. This amendment reduces the signs to a more human scale but also makes the signs more comparable in scale with the recently erected front woven wire fencing and gate, arbor, and the existing light poles, score stands and shelters adjacent the signs.</p> <p>As noted by Stevens Architects, the signs will be relatively low in scale and of simple form and incorporated and integrated with the timber framed, woven wire fencing and arbor. Further, the signs will be set amongst existing sports ground structures that are a considerable distance from the clubhouse building.</p> <p>In the context of the broad frontage width and the expansive grounds of the complex, the proposed signs are not obtrusive, nor will they dominate the heritage value elements of the local heritage place.</p>



PLANNING AND DESIGN CODE POLICIES	OBSERVATIONS
<p>Local Heritage Place Overlay PO 1.5: Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.</p>	<p>The signs will be finished in a two-tone green colour (mild and dark green) with white lettering. The mild green will be like in colour to the light poles and overhead lights.</p> <p>The LED screen will have a variety of colours however the screen will be surrounded by other features of their immediate surrounding that do not have heritage values.</p> <p>The colours of the LED display are expected to mimic the white, red, cream, grey, black and orange colours of other structures evident around the playing surfaces of the sports club and of the streetscape immediately adjacent the street frontage of the subject land.</p> <p>The colours of the signs will be largely compatible with the context of the subject land and the locality.</p>
<p>Local Heritage Place Overlay PO 1.6: New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.</p>	<p>The subject land has a vast primary street frontage (some 92 metres long), and the front walls of the local heritage place are setback approximately 40 metres from the frontage.</p> <p>Between the clubhouse building and the frontage are multiple playing surfaces, numerous shelters, prominent light poles and associated lighting and the recently erected arbor and wire woven fence and gate. All these features are notable elements of the subject land when viewed from Northgate Street.</p> <p>The signs are considered minor elements when considered with the overall context of the facility and like abundance of existing structures visible from Northgate Street, their installation is not likely to diminish the prominence of the heritage listed clubhouse building within the setting.</p>
<p>Local Heritage Place Overlay PO 3.3: Advertising and advertising hoardings are designed to complement the Local Heritage Place, be unobtrusive, be below the parapet line, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.</p>	<p>As noted above, the scale of the signs is low scale, sited among other prominent elements of the facility, and will enjoy substantial separation from the heritage listed building.</p> <p>Furthermore, the land has a history of having advertising of various shape and form placed along the land's primary street frontage.</p> <p>The proposed signs will bring an end to the historic practice of advertising being placed at various vantage points along the primary street frontage and reduce the impact of visual clutter and untidiness previously caused by a proliferation of advertisements along Northgate Street.</p>



PLANNING AND DESIGN CODE POLICIES	OBSERVATIONS
<p>Established Neighbourhood Zone PO 12.1: Advertisements identify the associated business activity, and do not detract from the residential character of the locality.</p>	<p>Many community facilities in residential areas now contain digital signage to efficiently transmit information to the community.</p> <p>The facility has historically provided the community with facilities to support lawn bowls, lawn tennis, croquet, pétanque, and a variety of leisure and social activities, including meetings, dances and entertainment. Like most sports clubs, the venue provides important facilities for the whole of the community, not just members.</p> <p>Advertising of sports, events, and functions hosted at the facility has been a historic feature of the land. The signs will not be used to promote third party products or services, the content will relate only to the use of the land.</p> <p>The use of accessible and adaptable technology will provide the club with efficient flexibility to regularly change messages beneficial to its members and the broader community. This will enable to facility to better support social and community events without needing to continue the wasteful practice of placing signs across the front fencing.</p> <p>Further, the immediate streetscape character of Northgate Street is not considered to comprise consistent built form. The streetscape is influenced by buildings from a variety of eras, styles and forms, as recognised in the heritage impact assessment provided by Stevens Architects.</p> <p>The streetscape character is not considered “coherent” and the diverse features of the immediately locality will ensure the proposed signs do not detract from the residential amenity or character of the area.</p>

Conclusion

The subject land is a community sports facility which accommodates bowling, pétanque, croquet and tennis facilities. The lawn bowling rink and pétanque playing areas are located at the southern end of the site and immediately adjacent to the Northgate Street frontage. The locality sits at the interface of an established residential area and the high street like corridor of Unley Road.

The subject land has an extremely wide street frontage with sports playing surfaces and associated structures being notable elements of the subject land and along the land’s interface with Northgate Street. Although the Local Heritage Place is setback approximately 40 metres from the frontage and sited behind to the playing fields, it nevertheless remains a prominent building within the locality due to the architectural form, detailing, and historic building fabric of the clubhouse.



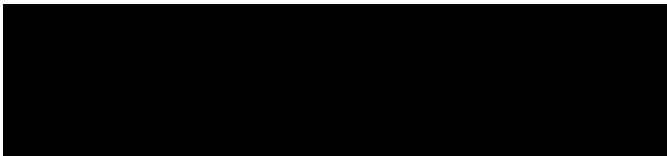
The orientation, design, siting and features of the proposed signs, including the LED display, have been devised to provide critical messaging to members and the public and in a manner that complements the recently refurbished entrance statement to the sporting facilities and the values of a Local Heritage Place.

We consider the proposed signs will provide an orderly, economical, and efficient solution to the reasonable advertising needs of this longstanding community sporting facility and have been designed and sited in a manner that will complement the established function and activities conducted on the subject land and will not be detrimental to the heritage value of the adjacent Local Heritage Place or character of the immediate locality.

The value added to the proposal is to remove information and poster clutter that was previously noticeable on the site. The signage (especially LED screen) allows for displaying information relating to the club activities in an ordinary and clean manner. There will not be a need for additional posters on the fence or information boards on the side of the road.

In our opinion, the proposal does not offend the relevant provisions of the Planning and Design Code, especially those identified by Council as not being satisfied by the proposal.

Yours sincerely



Adam Williams
MasterPlan SA Pty Ltd

cc: Unley Park Sports Club

ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23010105
Proposal	Installation of two freestanding pylon signs, one incorporating a LED screen and one being internally illuminated
Location	8 NORTHGATE ST UNLEY PARK SA 5061

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	09/09/2023 03:04 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

Reasons

My neighbours who live closer to the bowling club raised concerns about this plan because our neighborhood is an old residential area, and they don't want this street to become more commercialized with the illuminated LED screens. Happy with normal sign boards. Thanks.

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	12/09/2023 03:48 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons I support the development as I live in Bellevue Place the street opposite the proposed development (Signs). The club and facility provide and excellent community service and I know many of the locals are not fully aware of the activites it could provide them. I therefore fully support the erection of illuminated sign that can provide current event and activity information	

Attached Documents

Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	13/09/2023 09:03 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development

Reasons

I believe the proposed signs will not detract from the character of the immediate locality and are in keeping with the nature of the property and surrounding properties. I think that the proposed signs will provide an orderly, economical and efficient solution to the reasonable advertising needs of this longstanding community sporting facility, and have been designed and will be located such that they will complement the established function and activities conducted at the club. The signs will help to enhance the viability of the club and ensure it continues to provide important facility to the wider community for many years to come. I do not believe the signs will be detrimental to the heritage value of the adjacent Local Heritage Place or character of the immediate locality. I believe that the form and scale of the proposed signs is sympathetic with the historic characteristics of the Unley Park Sports Club property.

Attached Documents

Representations

Representor 4 - [REDACTED]

Name	[REDACTED] t
Address	[REDACTED]
Submission Date	16/09/2023 02:31 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

Reasons

With considerable help from the Council, we have developed the club and its surrounds to a high standard. The front entrance, which includes these two prospective sign boards, is an important part of our plan. We need to have our "public face" looking professional and smart so as to attract the general public and corporate bodies to hire our facilities for their social parties, conventions as well as the exercise and dancing groups that are currently using our clubrooms. The monies received from such hiring goes a very long way to maintaining everything. We think the two signs will tastefully inform everybody of what is currently on and advertise our future events without intruding on the environment. They should be less intrusive than a lot of existing advertising in Unley Rd. They will certainly be better than the sandwich boards and banners which are the alternative.

Attached Documents

Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	17/09/2023 11:43 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
The proposed signage removes the need for various temporary signs and banners attached to the fence of the premises. These types of temporary signage can be often seen around the Baptist church across Northgate Street and are quite unsightly. I therefore believe planning consent should be granted.	

Attached Documents

Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	18/09/2023 11:52 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
Every club and organisation needs to attract new members and for people to hire and use the clubs facilities and signage is essential to that. Without it, clubs will not be financially viable and will also lead to a degradation of facilities. I believe the proposed signage is suitable and in keeping with the heritage of the club and local area. I therefore support the approval of the proposed changes	

Attached Documents

Representations

Representor 7 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	21/09/2023 08:07 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development

Reasons

I wish to express my view on the proposed pylon signs in particular the LED screen in front of the UPSC I think its such a great idea The Unley Council up to now has been so supportive in modernizing our club I look forward to the signs being erected on Northgate St LED screens are the most effective way of promoting events Much better than little signs attached to the new heritage fence We are more than a Bowls and Pétanque Club. Many in the community actually don't realize there are 6 beautiful tennis courts and a thriving Croquet Club behind our 2 very different buildings, architecturally We need to keep with the times, be inclusive , which these boards will offer Technology is here to stay so let us embrace it Unlike the pending referendum, we need to co-operate and blend with each other, buildings included The age of buildings shouldn't dictate the future and the progress of community centers such as our club I ask you to consider this application sympathetically

Attached Documents

Representations

Representor 8 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	22/09/2023 05:01 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons The free 02 free standing pylon sign are not necessary for the club as all it's members do receive soft or hard copies if newsletters. This is purely for this very rich club to generate more income by using this space for advertisement. It would spoil the streetscape of Northgate Street. Based on my above points, I believe that planning consent should be refused. Thank you. Yours sincerely [REDACTED]	

Attached Documents

Representations

Representor 9 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	23/09/2023 10:05 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development

Reasons

I wish to make the following points in support of this Application. The signage pylons are designed to match the only other sign in the vicinity, outside the Baptist Church Office opposite. The LED screen will allow event promotion via one concentrated sign. Some elevation is obviously required to allow visibility above the cars parked in the street. The signage that will evolve if this Application is NOT approved will be as in the past, a conglomeration of individual club signs and promotion displays. The photo attached is about 75% of what will otherwise happen . Usually there is a canvas laced to the fence, a large feather pennant and sandwich boards congesting the footpath The proposal is remote from the heritage clubhouse by approx 50mts. The pergola entry portico is feature and the signage either side represents a build up to this entry feature. The club is reliant on running 'functions' as is primary income. 'Planning' should be aware of this and not just ignore it in favor of regulations, imposed without consideration to social and operating needs.

Attached Documents

UPSC-FENCE-SIGNS-v2-1279347.jpeg



Representations

Representor 10 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	24/09/2023 07:14 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development
Reasons The proposed electronic signage would provide crisp and clear advice to local residents passing by as to the services and amenities made available to the community by this valuable green space. As a local resident I am constantly surprised by other residents not being aware that the Unley Park Sports Club is open to the public for recreational and healthy sporting activity. The proposed design is pleasing to the eye and not intrusive. It is complimentary to the Club Centenary works that are nearing completion and will provide information to passers by in a way that is modern but sympathetic to the environment. The electronic display is correctly sized to provide the required information without being overly large.	

Attached Documents

Representations

Representor 11 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	25/09/2023 08:58 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	
Attached document outlines	[REDACTED]

Attached Documents

8-Northgate-Street-Representation-[REDACTED]-1279603.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant: Unley Park Sports Club

Development Number: 23010105 *[development application number]*

Nature of Development: Installaton of 2 free standing pylon signs; one with LED screen and one internally luminated. Noted as ADVERTISING *[development description of performance assessed elements]*

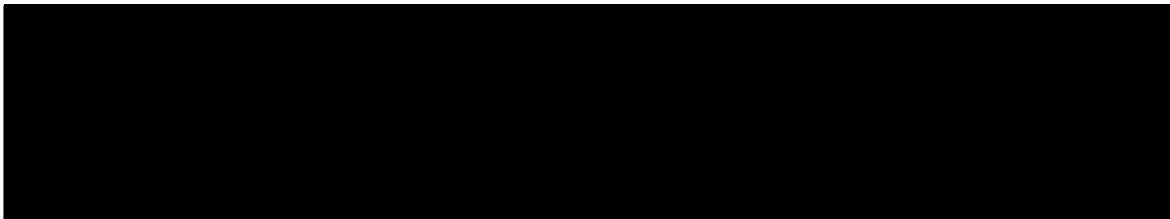
Zone/Sub-zone/Overlay: [Click here to enter text.](#) *[zone/sub-zone/overlay of subject land]*

Subject Land: 8 Northgate Street Unley Park SA 5061 *[street number, street name, suburb, postcode]*
[lot number, plan number, certificate of title number, volume & folio]

Contact Officer: ? *[relevant authority name]* Assessment Panel @ City of Unley.

Phone Number: ? *[authority phone]*

Close Date: 28/09/2023 *[closing date for submissions]*



** Indicates mandatory information*

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

15 18 SEP 2023



See attached



[attach additional pages as needed]

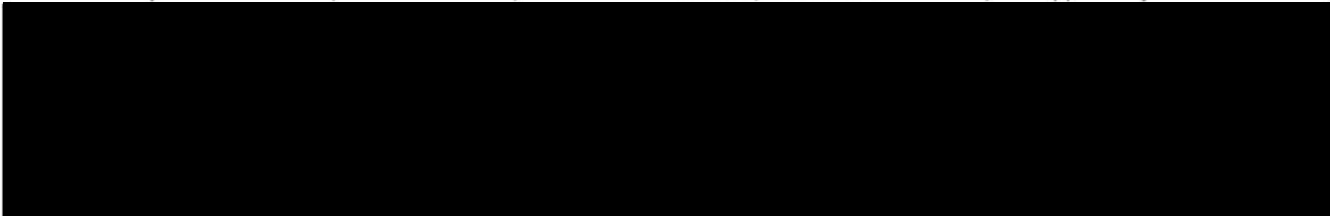
Note In order for this submission to be valid, it must

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

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

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

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



Return Address [Click here to enter text.](#) *[relevant authority postal address]* or

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

Complete online submission [planninganddesigncode plan sa gov au/haveyoursay/](http://planninganddesigncode.plan.sa.gov.au/haveyoursay/)

Dear Deputy Mayor Broniecki and Councillor Rabbitt,

Plans are well afoot as per Application 23010105 for the installation of two large freestanding LED and Illuminated pylon signs at 8 Northgate Street, Unley Park.

Each illuminated large sign is said to be approximately 2.10 metres by 1.06 metres by 0.60 metres with one of the signs to be aimed directly at the new home being built alongside the Telstra complex in Northgate Street, opposite the Sports Club and the other.....directly at the front steps leading from the Unley Park Baptist Church! The Street Elevation Plan on the Plan SA Portal 7098 does not accurately reflect the “seemingly Intentional aiming” of the signs at the places which will be directly affected.

As we are adjoining property owners, we have grave concerns with the general effect the signs will have on the streetscape of Northgate Street, Bellevue Place, even Thorner Street and indeed, on the largely residential streets of your Ward.

It appears as though the Application may have already received tacit Council approval given the foundations have been laid and wiring for the signs appears to be in place; so our concern may well fall on deaf ears, but what a compelling precedent will be established if the illuminated signs go ahead.....and what an encouragement to all of those people now working from home to seek to advertise their own businesses through the installation of similar advertising signs on their front fences.

It also seems as though it was merely a tokenistic afterthought to invite examination or representation against the signage proposal. This appears to be what a “fait accompli” looks like.

That said, we see the two Councillors of our ward as being very much guardians of our suburb and streetscape, hence this email. However, we are aware that His Worship The Mayor is a croquet player at the Club and maybe he is already aware of and is supportive of the plans. There again, he does not live in Unley Park and may not be as concerned as we are about the potential impact on this (Northgate) and nearby streets, in our suburb and your own Ward.

The Signage Proposal for the Streetscape Project is somewhat mischievous in that it suggests that our area is not really RESIDENTIAL and, therefore, very few nearby residents will have been advised of the plan to install the signage which will certainly be seen every night by people in Thornber Street (at the southern end of Bellevue Place) and, of course, persons in every car driving either East or West along Northgate Street.....or North or South along Bellevue Place. What an advertiser’s dream in one of Adelaide’s premier Residential suburbs!

Reference is made to a large sign at the nearby Unley Park Baptist Church in Northgate Street as being a good example of the signage proposed by the Sports Club..... hardly. The church sign is passive.

It is proffered that the Sports Club’s signage was suggested by a previous Unley Council Heritage Advisor so as not to disrupt the rhythm of the Sports Club’s recent “heritage” emu wire “fencing project.” A Heritage Advisor advising on the inclusion of modern illuminated advertising signs within heritage fencing, does not pass the Unley Park streetscape test!

There is a suggestion that the signage will, in part, be used to inform members of upcoming events. That should be done via social media or email, rather than anti-streetscape signage. As for advertising the Club’s facilities.....there

are already a lot of lights burning on most nights, but two more, bright and coloured, rolling..... and for Club advertisement, are just two too many!

Unfortunately, we will not be available, nor able, to make representations to halt the erection of these signs (in a Residential Zone) nor is it appropriate that we do. Rather, we believe that the objections should be coming from the Councillors who we see as guardians who represent the Ward of Unley Park and who, hopefully, wish to preserve its distinct prestigious residential and uncommercial character.

In closing, we thank you for your time, interest and service to the community and ask that you do not hesitate to contact either of us in relation to this matter.

Yours sincerely,

[Redacted signature block]

Representations

Representor 12 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	25/09/2023 09:45 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development

Reasons

This Club is a significant contributor to the Unley community as it caters for sports and many types of functions in the area. Previously the old fence and hedge were adorned with messy and somewhat ugly signs hanging off the fence to advertise the sports and functions facility. The removal of the hedge, installation of a new heritage style fence and an arbor entrance has greatly enhanced the visuals of the club and Northgate Street. Compared to other signage in the area I don't believe that the proposed signage will detract from the character of Northgate Street and the surrounding area. Refusal of the application will only see the plethora of old messy signs hanging off the fence again. This application is for signage assisting a community club in providing reasonable advertising of club functions and activities and I fully support the club's application.

Attached Documents

Representations

Representor 13 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	25/09/2023 12:22 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
The Unley Park Grounds are hidden treasure and should be more exposure to the residents what is hidden behind the gates.	

Attached Documents

Representations

Representor 14 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	26/09/2023 06:51 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons I believe that the proposed new sign is a good use of modern technology to remind the local community of the sports and other activities, such as the men's and women's breakfast, that regularly take place at the Unley Park Sports Club. Our aging community has an excellent local meeting and fitness resource centre, the new sign will help remind them of it. This new sign, with up to current information will help the UPSC to engage even more closely with the local community.	

Attached Documents

Representations

Representor 15 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	26/09/2023 10:20 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development

Reasons

UPSC provides many important supports for the Unley community. Sports x 4, fitness groups, breakfast clubs and many social groups who hire the club's facilities (eg birthdays, special occasions, christmas work functions). UPSC has no Govt support to cover running costs, so must fundraise to cover all operational costs. The new sign will provide up to date information about all the activities which are offered, not only sports, but promote the availability of hiring the facilities. This electronic sign, which is carefully designed, will maintain the heritage look and feel of Unley Park, and will be a useful asset for the club.

Attached Documents

ATTACHMENT 3

30 November 2023

Amelia De Ruvo
C/- City of Unley
Via email: Aderuvo@unley.sa.gov.au

Dear Amelia

**Re: Response to representation to Installation of two freestanding pylon signs,
one incorporating a LED screen and one being internally illuminated, at
8 Northgate Street, Unley Park**

MasterPlan (SA) Pty Ltd have been engaged by the applicant, Unley Sport Club, to assist in the preparation of a response to the representations received during public notification for Development Application 23010105.

The application underwent public notification for a period of 15 business days in September 2023, during which time a total fifteen (15) representations were received. Below is the summary of the representation received:

- Two (2) representors opposed the development and do not wish to be heard by the Council Assessment Panel (CAP).
- Two (2) representors support the development with some concerns and do not wish to be heard by the CAP.
- Two (2) representors support the development and wish to be heard by the CAP.
- Nine (9) representors support the development and do not wish to be heard by the CAP.

The concerns that were expressed in the representations in relation to the proposal are:

- Negative impact on the streetscape of Northgate Street and wider locality.
- The need for the signage.





Amendments to the Proposal

After receiving the submissions, the client decided to amend to proposal to:

- Reduce the height of the proposed pylons to 1.8 metres.
- Remove the illumination element from the east pylon (sign B).
- Slightly amend the proposed colour to better reflect the heritage character of the Unley Sport Club, in accordance with the independent heritage advisor (Andrew Stevens).

Plans reflecting the changes are **attached** to the correspondence.

Response to Matters Raised in Representations.

We provide below a response to the concerns expressed in the representations.

Impact Upon the Streetscape

Three (3) of the representations expressed concerns with the potential impact of the development on the streetscape, one referring to the proposal as *"two large freestanding LED and illuminated pylon signs"*. We suspect the scale of the proposed signage has been mis-understood and we are of the opinion the proposal will have minimal impact on the local streetscape.

Firstly, the signs have been reduced in height (previously 2.1 metres) and the internal illumination has been removed from one of the signs. At 1.8 metres high and 1.0 metres wide, and with one containing an LED screen 960 millimetres wide by 1.53 metres high, the proposed signs are of a modest human scale. We expect the scale of the signage, given the scale of the subject land and its vast frontage and open space, will have little impact on the character of the locality or the streetscape.

Further, the signs will be centrally sited along the primary street frontage of the subject land and immediately adjacent a place of worship and a Telstra telecommunications exchange facility. It is noted the place of worship has its own freestanding sign which is taller than the proposed signs.

In conjunction with the subject land, these adjacent properties have relatively long street frontages, are prominent features of the immediate locality, and do not exhibit residential characteristics. As such, the proposed signs will be sited in a setting that has no immediate residential land uses or residential attributes. The signs should have no impact on immediate adjacent properties.

Additionally, the signs have been designed and sited to complement the existing arbor and reinforce the entrance statement to the Unley Park facilities. They will be sited adjacent existing playing surfaces which host active recreational activities and movement of people with regularity. We are of the view the scale of the signs and their siting will have no detrimental impact on the values of a Local Heritage Place given the function and form of the immediate setting.



In respect to the illumination, the LED screen will automatically adjust according to the ambient conditions in the area and will have a limited hour of operation. The LED illumination is expected to be comparable with existing lighting of the club and is unlikely to result in an increase of illumination within the locality.

We conclude the scale, siting and illumination of the proposed signs will not result in a detrimental impact upon the character of the existing residential areas of the zone nor the streetscape. The immediately setting is strongly influenced by non-residential land uses which create favourable separation distance from residential properties within the broader locality.

Need for the Signage

Two (2) of the representation questioned the need for the proposed signs and suggested information should be provided via social media, electronic mail, or newsletters. It was suggested the only purpose of the signage was to generate more income.

It is hoped the signage will significantly improve identification and the provision of relevant messages to members and the general public. The content of the advertising will relate only to the use of the subject land as an outdoor recreational facility and the internal facilities that provide meals and can accommodate social events.

In the past these functions and services have been promoted in an ad-hoc manner with signage placed along the front fence of the subject land, as shown below in **Image 1**.



Image 1: Previous advertising scattered across street frontage.



The proposed development will consolidate the need for the proliferation of signs being placed along the front fence and diminishing the appearance of the subject land. It will create a more orderly and efficient appearance of the land.

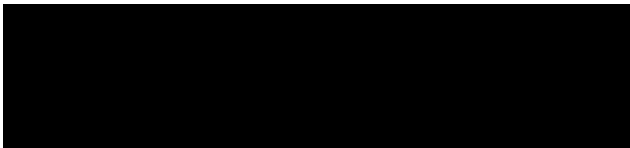
The proposed development will greatly improve the management of signage on the subject land and provide clear messaging to the public in a modern manner appropriate for the subject land and the locality.

Closure

We trust that the response to the representations provided herein, resolve the matters raised and/or provide the necessary justification for the proposed development.

Please keep us informed of the time and date that this matter will be considered by the Council Assessment Panel so that the applicant can arrange for their representative to be in attendance to respond to any verbal representations to be heard.

Yours sincerely



Adam Williams
MasterPlan SA Pty Ltd

ATTACHMENT 4



Anaglypta

ARCHITECTURE

ABN 81 614 388 439

PO Box 1390

Mount Barker SA 5251

08 83883440

pippa@anaglypta.com.au

Heritage Advice

DA Number	23010105	
Property Address:	8 Northgate Street, Unley Park SA 5061 CT Vol 5810 Folio 951	
Heritage Listing:	Local Heritage Place	
Proposed Development:	Installation of two freestanding pylon signs, one incorporating a LED screen and one being internally illuminated	
Overlay:	Local Heritage Place Overlay	
Zone Section:	Established Neighbourhood	
Author:	Anaglypta Architecture Pippa Buckberry	Date: 13/11/2023
Drawing References:	Mark Senior Architects; WD01- 04 dated 9/5/23	

Previous Advice to Applicant:

Pre-DA advice March 2022 regarding fence and signage locations.

Pre-DA advice April 2022 that electronic signage wouldn't be appropriate.

Heritage Significance:

Local Heritage Place: 8 Northgate Street, Unley Park

The Heritage Datasheet c 2006 identifies criteria 'a', 'b' and 'd' as being satisfied identifying that the building being:

- (a) *The Unley Park Bowling Club displays historical, economic or social themes that are of importance to the local area as it is indicative of the growth and development of community sport and recreational activities in the Unley district during the Inter-war years.*
- (b) *The Unley Park Bowling Club represents customs or ways of life that are characteristic of the local area and is associated with the history of sport and recreation within the area.*
- (d) *The Unley Park Bowling Club displays aesthetic merit, design characteristics or construction techniques of significance to the local area as it an excellent example of an interwar style sport & recreation building displaying design characteristics such as face brick, terracotta tiled roof, generous verandah and simple render detailing.*

The Statement of Heritage Value describes:

The Unley Park Bowling Club constructed in 1924 is an important Inter-war community building which is indicative of sport and recreational activities in the district since the 1920s. The building is also noteworthy for its use of Inter-war bungalow style elements in a non-residential building.



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Proposed Development

Installation of two freestanding pylon signs, one incorporating a LED screen and one being internally illuminated.

Impact of Proposed Development

The following Desired Outcomes and Performance Outcomes are considered relevant to the proposed development assessment;

Local Heritage Place Overlay Assessment Provisions

DO1 Development maintains the heritage and cultural values of Local Heritage Places through conservation, ongoing use and adaptive reuse.

Response: The proposed LED and internally illuminated signage is contrary to the heritage and cultural values of the Local Heritage Place, in particular the aesthetic merit and design characteristics of the Local Heritage Place will be impacted by the proposed signage, distracting from the features and appearance of the place and its setting.

PO 1.1 The form of new buildings and structures maintains the heritage values of the Local Heritage Place.

Response: The proposed LED and internally illuminated signage will detrimentally impact on the heritage values of the Local Heritage Place, by distracting and detracting from the setting and appearance of the place.

PO 1.2 Massing, scale and siting of development maintains the heritage values of the Local Heritage Place.

Response: The location of the proposed LED and internally illuminated signage being directly in front of the Local Heritage Place exacerbates the issues and inappropriateness of the proposed signage.

PO 1.3 Design and architectural detailing (including but not limited to roof pitch and form, openings, chimneys and verandahs) maintains the heritage values of the Local Heritage Place.

Response: Internally illuminated and LED signage is contrary to the heritage values of the place, external illumination via spot lights would be an appropriate alternative solution.

PO 1.5 Materials and colours are either consistent with or complement the heritage values of the Local Heritage Place.

Response: The colours of the proposed signage panels (excluding LED and internal illumination) are broadly acceptable, being shades of green which relate to the bowling green behind.

PO 1.6 New buildings and structures are not placed or erected between the primary or secondary street boundaries and the façade of a Local Heritage Place.

Response: This Performance Objective is not satisfied by the proposal, as the signs are placed directly between the primary street and the façade of the Local Heritage Place.

PO 2.1 Alterations and additions complement the subject building and are sited to be unobtrusive, not conceal or obstruct heritage elements and detailing, or dominate the Local Heritage Place or its setting.



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Response: This Performance Objective is not satisfied by the proposal, the internal illumination and proposed LED signage will be obtrusive and will obstruct, detract from, and dominate the appearance of the Local Heritage Place.

PO 3.3 Advertising and advertising hoardings are designed to complement the Local Heritage Place, be unobtrusive, be below the parapet line, not conceal or obstruct heritage elements and detailing, or dominate the building or its setting.

Response: This Performance Objective is not satisfied by the proposal, the internal illumination and proposed LED signage will be obtrusive and will obstruct, detract from, and dominate the appearance of the Local Heritage Place.

Historic Area Overlay Assessment Provisions

DO1 Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

Response: This Performance Objective is not satisfied by the proposal, proposed signage is contrary to the characteristics of the Historic Area Overlay and will detract from the character of the streetscape.

PO 1.1 All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

Response: This Performance Objective is not satisfied by the proposal, the proposed signage, and in particular the internal illumination and proposed LED signage, does not have consideration for the historic streetscape and built form as expressed in the Historic Area Statement.

PO 2.1 The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

Response: This Performance Objective is not satisfied by the proposal, the proposed signage will be highly visible within the public realm and is inconsistent with the prevailing historic characteristics of the Historic Area.

PO 2.5 Materials are either consistent with or complement those within the historic area.

Response: This Performance Objective is not satisfied by the proposal, the proposed signage, and specifically the internal illumination and proposed LED signage is inconsistent with and does not complement the materials within the Historic Area.

PO 4.3 Advertising and advertising hoardings are located and designed to complement the building, be unobtrusive, be below the parapet line, not conceal or obstruct significant architectural elements and detailing, or dominate the building or its setting.

Response: This Performance Objective is not satisfied by the proposal, the internal illumination and proposed LED signage will be obtrusive and will obstruct, detract from, and dominate the appearance of the surrounding buildings and their setting.

PO 6.2 Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.

Response: This Performance Objective is not satisfied by the proposal, specifically the internal illumination and proposed LED signage does not maintain the valued landscape characteristics and does not contribute to the historic area.

Conclusion

In its current form the application is recommended for refusal as the proposed signage is inconsistent with both the Historic Area and the associated Local Heritage Place Desired and Performance Objectives.

Avoiding LED and internally illuminated signs within Historic Areas and in association with heritage places has been consistent practice since the inception of these types of signs. And this advice was provided to the sports club representatives in 2022 when the proposal was first considered.

The proposed signage should be consistent in height and detail with the nearby signage for the Unley Park Baptist Church (which is not illuminated).

The proposed signs could be acceptable with external, spot-lights (either in footpath or mounted on the sign).

ITEM 3**DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034**

DEVELOPMENT NO.:	23025035
APPLICANT:	Michael Fogarty
ADDRESS:	36 LE HUNTE ST WAYVILLE SA 5034
NATURE OF DEVELOPMENT:	2 x new two storey dwellings
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy • Water Resources
LODGEMENT DATE:	20 Sept 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.13 - 31/08/2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Timothy Bourner Senior Planner
REFERRALS STATUTORY:	Not required
REFERRALS NON-STATUTORY:	Not required

CONTENTS:

ATTACHMENT 1:	Site plans and elevations	ATTACHMENT 4:	Representation
ATTACHMENT 2:	Civil plans	ATTACHMENT 5:	Response to Representation
ATTACHMENT 3:	Approved Plan of Division	ATTACHMENT 6:	Additional information from Rep.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

DETAILED DESCRIPTION OF PROPOSAL:

The development proposes two (2) double storey semi-detached dwellings, retaining walls and fencing. The contemporary style dwellings will be constructed of rendered and painted lightweight materials with timber batten screens and features to the front façade. The walls will be white with the pre-coloured steel roof being 'Surfmist' in colour.

The development will require the demolition of the existing dwelling on the site with the proposed site boundaries mirroring those of an approved land division application, DA 23013310 approved 18 July 2023, **Attachment 3**. Demolition does not require development approval in the General Neighbourhood Zone.

The quantitative features of the proposed dwellings are listed in Table 1 below:

	Proposed	Code	Met - Yes/No
Site Area	350m ² each	300 m ²	Yes
Site Coverage	58%	60%	Yes
Front Setback	6m	Average less 1m	Yes
Side (east)	0m (garage), 900m (Lot 2) 2m (upper) 0M common wall (Lot 1)	900mm when not on boundary	Yes
Side (west)	0m (garage), 900m (Lot 2) 2m (upper) 0M common wall (Lot 1)	900mm when not on boundary	Yes
Rear	6.589 (Alfresco) 10.089 (dwelling)	3m and 5m	Yes
POS	78 m ²	60 m ²	Yes
Soft Landscaping	81/350 = 23%	20%	Yes
Building height	7.738m total/2 levels	9m/2 levels/7m wall	Yes

Table 1 – Quantitative features

The dwellings are to be accessed directly from the primary street via two crossovers, one existing and one proposed.

Site plans and elevations can be found in **Attachment 1**.

SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 36 LE HUNTE ST WAYVILLE SA 5034

Title ref.: CT 5105/437 **Plan Parcel:** F10395 AL103 **Council:** CITY OF UNLEY

The subject site is a regular shaped allotment with a width of 15.85 metres and a depth of 44.2m with a total site area of 751m². The site has a fall to the rear of approximately 400mm.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

The approved land division has divided the land into two allotments of 350m² and 351m² with frontages of 7.92m and 7.93m respectively.

The site currently contains a single storey detached bungalow likely constructed in the mid 1920's. There is a small outbuilding located to the rear. To the front of the site is a masonry and metal fence.

Locality

The locality has been determined to be as shown on **Figure 2**, taking into account the general pattern of development and likely impacts of the proposal. The locality falls across General Neighbourhood and Established Neighbourhood Zones.

The locality is entirely residential with all allotments containing dwellings of varying forms and periods of construction spans over both Zones.

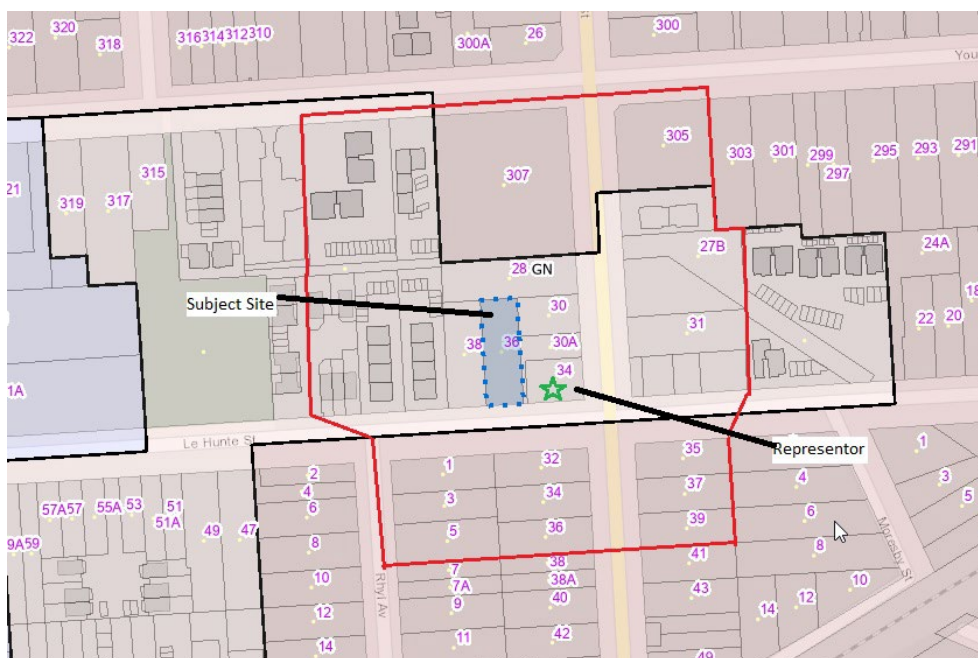


Figure 2 – Locality, Site and Representor (marked with green star)

The locality is well vegetated with numerous large trees, both on private land and in the public realm, predominantly found on the street verges.

The locality is characterised by a mix of allotment sizes and dwelling styles and forms. The locality includes large, detached dwellings on large allotments as well as smaller allotments containing row and group dwellings, with four (4) double storey residential flat buildings.

The dwellings vary in era with older interwar dwellings across the locality with later 1960's-1970's residential flat buildings and row dwellings in amongst them. More recent buildings are seen at 28A and 29A Joslin Street with the adjoining allotment at 38 Le Hunte Street having an approved pair of semi-detached dwelling yet to be constructed.

The wider locality follows this pattern of development.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 New housing
 Fences and walls
 Semi-detached dwelling: Code Assessed - Performance Assessed
 Fence: Code Assessed - Performance Assessed
 Retaining wall: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
 Code Assessed - Performance Assessed
- **REASON**
 P&D Code

PUBLIC NOTIFICATION

- **REASON**
 - Table 5 (3) (b) – building wall on a boundary exceeds 3m from the top of footings.
- **LIST OF REPRESENTATIONS**

Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard
[REDACTED]	Support with concerns	Yes

• **SUMMARY**

70 Owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period.

One representation was received within the notification period and this representation can be found in **Attachment 4**. This representor has sought to be heard by the Council Assessment Panel.

The matters of concern raised by the representor related to the risk of overlooking into their property.

The representation was forwarded to the applicant with the applicant’s response in **Attachment 5**. No changes were made to the proposal; only additional information was provided.

The applicant’s response was forwarded back to the representor with the representor providing a further statement of concern, again reiterating their concerns regarding overlooking. This response can be found in **Attachment 6**.

AGENCY REFERRALS

Not required.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

INTERNAL REFERRALS

Not required.

PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

Land Use

The subject site is located within the **General Neighbourhood Zone** where the **Desired Outcome (DO)** is

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

The zone **Performance Outcome (PO) PO 1.1** is as follows:

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

The corresponding **DPF 1.1** lists dwelling as an envisaged use and therefore the proposal is consistent with **Performance Outcome (PO) 1.1** and **Designated Performance Feature (DPF) 1.1 (e)**.

Building Height

General Neighbourhood Zone PO 4.1 states:

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

The corresponding **DPF** seeks building heights no greater than 2 levels and 9m.

The proposed semi-detached dwellings are 2 levels with a maximum height of 7.738m.

This proposed building height satisfies **PO 4.1** insofar as it is under the desired maximum building height and is consistent with both the prevailing character and the low-rise suburban character of the locality.

Setbacks

As noted in Table 1, the proposed dwellings satisfy the setback provisions of the zone.

The relevant General Neighbourhood POs area as follows:

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

***PO 7.1** - Walls on boundaries are limited in height and length to manage visual and overshadowing impacts on adjoining properties.*

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DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

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

- a) separation between buildings in a way that contributes to a suburban character*
- b) access to natural light and ventilation for neighbours.*

***PO 9.1** - Building walls (excluding ancillary buildings and structures) are setback from rear boundaries to provide:*

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

As noted in **Table 1**, the proposal satisfies the above noted **POs**.

General Neighbourhood Zone PO 7.1 states:

***PO 7.2** - Dwellings in a semi-detached, row or terrace arrangement maintain space between buildings consistent with a suburban streetscape character.*

This **PO** seeks that there is boundary separation between adjoining allotments. The proposal includes boundary development to both outer boundaries. Whilst this is in contrast to **PO 7.2**, it is not considered to be detrimental to the locality or adjoining allotments. The boundary walls are relatively short (6.9m long) with the remainder of the building being a minimum of 1m with most of the building being 2m setback from side boundaries. The adjoining dwellings have similar or greater side setbacks with the boundary walls abutting an access way to the east and a driveway to the west.

As such the proposal is considered to satisfy **PO 7.2** and will allow space between buildings consistent with a suburban streetscape character

Built Form

Design in Urban Areas includes the following **POs**:

***PO 20.2** - Dwelling elevations facing public streets and common driveways make a positive contribution to the streetscape and the appearance of common driveway areas.*

***PO 20.3** - The visual mass of larger buildings is reduced when viewed from adjoining allotments or public streets.*

The contemporary design of the dwellings with rendered and painted lightweight materials with timber battens screens and features to the front façade is consistent with the more contemporary dwellings in the locality and have a range of materials and articulations to provide visual interest.

The proposed setbacks will provide relief from the two storey nature of the development, with the overall height being similar to the adjacent two storey buildings in the locality.

The proposed dwellings are considered to contribute to the more modern and contemporary emerging character of the locality and **PO 20.2** and **PO 20.3** are considered to be satisfied.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

Private Open Space

Design in Urban Areas PO 21.1 states:

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

The corresponding **DPF** seeks dwellings on allotments greater than 300m² provide a minimum of 60m² of private open space.

The proposed dwellings each provide 74m² of private open space. This private open space is located entirely behind the dwelling and is fully accessible from the primary living area. The private open space is inclusive of the north facing terrace.

Landscaping

Design in Urban Areas PO 22.1 states:

PO 22.1 - Soft landscaping is incorporated into development to:

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

The corresponding **DPF** seeks that dwellings on allotments between 200m² and 450m² provide a minimum of 20% soft landscaping areas with a minimum dimension of 700mm.

The proposal demonstrates that each dwelling provides 81m² of soft landscaping areas with a minimum dimension of 700mm. These areas represent 23% of their respective allotment sizes. The soft landscaping is predominantly located to the rear of each dwelling with the front of the dwellings each having a small strip to the side of the driveway and a larger 13m² area in front of the dwelling.

All the areas of soft landscaping are shown to be landscaped with a variety of trees, shrubs and groundcovers.

The proposed areas of soft landscaping satisfy **PO 22.1**.

The **Urban Tree Canopy Overlay PO 1.1** states:

PO 1.1 - Trees are planted or retained to contribute to an urban tree canopy.

The corresponding **DPF** seeks that dwellings on allotments of less than 450m² provide one (1) small tree of a minimum 4m height, 2m spread in an area of no less than 10m².

The proposal demonstrates that each dwelling will include one tree in their respective front yards. The trees are proposed to be Silver Birch growing to 5-6m tall. This satisfies **PO 1.1**.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

Fencing and Retaining Walls

Design in Urban Areas PO 9.1 states:

***PO 9.1** - Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

The proposed development includes up to 400mm of fill primarily to the rear of the site and corresponding retaining walls on the side and rear boundaries to a maximum height of 450mm. Attached to the top of these walls is to be 1.8m high pre-coloured steel fencing. The resulting boundary structures will be a maximum of 2.25m above natural ground level.

These walls and fences are designed to enable a flat building allotment whilst maintaining privacy for both the subject sites and surrounding residential properties.

The height and extent of fill and retaining walls will not cause unreasonable visual impact to the surrounding land. Small walls and fencing of the type proposed are readily observable in the locality and the proposed fencing will maintain character. Given this, the proposed fencing and retaining is considered to satisfy **PO 9.1**.

Overlooking

The primary point of concern raised by the representor was that of overlooking. The representor raised issue with the side window sill height above the finished floor level and the risk this may pose to the privacy of their private open space and habitable rooms on the western side of their dwelling.

The representor also raised a concern regarding the front windows of the dwellings and the risk to the privacy of their private open space.

Design in Urban Areas (General Development Polies) PO 10.1 states:

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

The corresponding **DPF** states:

***DPF 10.1** - Upper level windows facing side or rear boundaries shared with a residential use in a neighbourhood type zone:*

- a) are permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 125mm*
- b) have sill heights greater than or equal to 1.5m above finished floor level*
- c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5m above the finished floor level.*

The Code also provides a definition of **Direct Overlooking**:

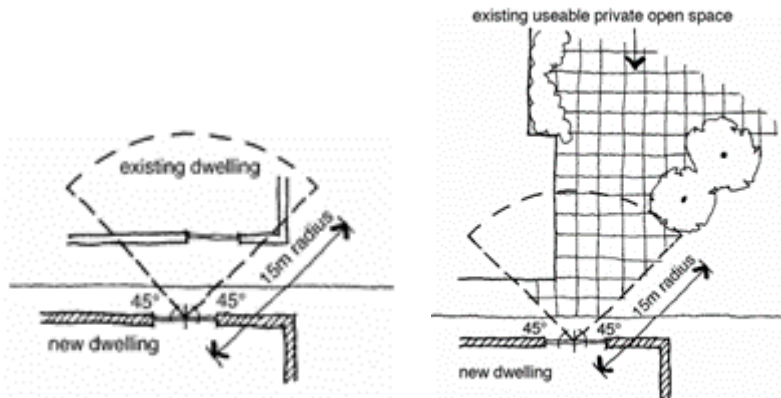
***Direct Overlooking** - In relation to direct overlooking from a window, is limited to an area that falls within a horizontal distance of 15 metres measured from the centre line of the overlooking window and not less than 45 degree angle from the plane of that wall containing the overlooking window.*

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

The following diagrams are provided in the definition to further demonstrate:

Overlooking window:



The proposal demonstrates the upper-level side and rear windows have sill heights 1.5m above the upper level finished floor level. This design directly satisfies **DPF 10.1 (b)** and as such is considered to satisfy **PO 10.1**. Overlooking has been adequately mitigated.

The front windows of the proposed dwellings are floor to ceiling windows providing an outlook to the street. The adjacent site to the east has an area of private open space of 34 Le Hunte Street as well as a narrow, fenced private access way serving 30A Joslin Street. This access way separates 34 Le Hunte Street and the subject site and is approximately 1.5m wide.

The applicant in their response to the representor provided an annotation on the Upper Floor Plan drawing, Drawing A11, contained in **Attachment 1**, demonstrating the extent of direct overlooking from the front windows. The annotations are an overlaid sightline based on the diagrams in the definition of Direct Overlooking. These sightlines as taken from the centre point of the window show almost no direct overlooking, with only a small amount into the access way. When taken from the side of the window, again the direct overlooking is minimal with a small portion of less than half a square meter of private open space being visible with the majority being the access way.

Given the above any direct overlooking has been mitigated and the proposal satisfies **PO 10.1**.

Stormwater Management

The **Stormwater Management Overlay PO 1.1** states:

PO 1.1 - Residential development is designed to capture and re-use stormwater to:

- a) *maximise conservation of water resources*
- b) *manage peak stormwater runoff flows and volume to ensure the carrying*
- c) *capacities of downstream systems are not overloaded manage stormwater runoff quality.*

The corresponding **DPF** seeks those dwellings on sites between 200m² and 400m² with a site perviousness of less than 30% provide stormwater retention of 2000L and detention of 100L as a minimum.

The proposal includes a minimum 3000L water tanks to each dwelling with 2000L of retention and 1000L of detention. All water is to be directed to the street water table. This satisfies PO 1.1.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

CONCLUSION

Having considered all the relevant assessment provisions, the proposed residential development is consistent with the relevant Desired Outcomes of the Planning and Design Code and the proposal is not considered to be seriously at variance with the Code and is considered to satisfy the provisions for the following reasons

- The proposed development is considered to satisfy the relevant Performance Outcomes of the General Neighbourhood Zone, Overlays and General Development Policies;
- The proposed dwellings have been designed to respect and complement the streetscape context and will not unreasonably impact upon the adjacent properties; and
- Direct overlooking from upper-level habitable rooms windows is minimised.

RECOMMENDATION

It is resolved that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23025035, by Michael Fogarty is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation as listed below, except where varied by conditions below (if any):

- Plans and Elevations prepared by Michael Fogarty Building Design Drawings A01, A10, A11, A20, A21 (Dated 7 November 2023)
- Site Drainage Plan prepared by Bentley Consulting Dated 13 September 2023 Issue A

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes, or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

Condition 4

The planting and landscaping identified on the Site Plan submitted with the application must be completed in the first planting season concurrent with or following occupation of the approved works. Such planting and landscaping must not be removed, nor the branches of any tree lopped and any plants which become diseased or die must be replaced by suitable species.

Condition 5

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 6

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

ADVISORY NOTES

Planning Consent

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

ITEM 3

DEVELOPMENT APPLICATION – DA 23025035 – 36 LE HUNTE STREET WAYVILLE SA 5034

Advisory Note 5

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.

Advisory Note 6

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.

Advisory Note 7

The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

Advisory Note 8

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

OFFICER MAKING RECOMMENDATION

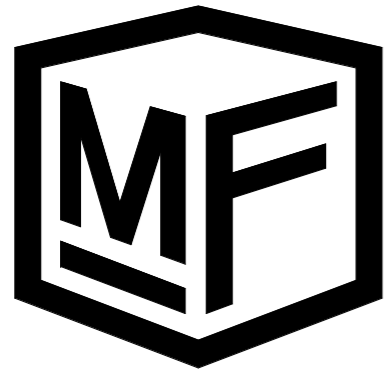
Name: Timothy Bourner

Title: Senior Planner

Date: 19 December 2023

ATTACHMENT 1

FOR PLANNING



MICHAEL FOGARTY BUILDING DESIGN

128 UNLEY ROAD, UNLEY SA 5061
0417 277 666
michael@mfbuildingdesign.com
www.mfbuildingdesign.com

2 X NEW TWO STOREY SEMI-DETACHED DWELLINGS MR JASE AND MRS ALICIA MORRIS 36 LE HUNTE STREET WAYVILLE SA 5034



SHEET LIST			
NUMBER	NAME	STATUS	REVISION
A00	COVER PAGE	FOR PLANNING	2
A01	SITE PLAN	FOR PLANNING	2
A10	GROUND FLOOR PLAN	FOR PLANNING	2
A11	UPPER FLOOR PLAN	FOR PLANNING	2
A20	ELEVATIONS	FOR PLANNING	2
A21	ELEVATIONS	FOR PLANNING	2

BUILDING SCHEDULE

FLOORS:
CONCRETE SLAB TO GROUND LEVEL
TIMBER FLOOR TO UPPER

WALLS:
NEW TIMBER FRAME STUD WALL WITH 10mm
PLASTERBOARD LINING INTERNALLY
HEBEL VENEER TO LOWER
3 COAT RENDER FINISH TO WALLS COLOUR: WHITE
STONE AS SELECTED TO FEATURE PIER
CONCRETE LOOK RENDER TO PARAPET TO FRONT
TIMBER BATTEN SCREEN TO FRONT ELEVATION

ROOF:
NEW TIMBER FRAME PITCHED ROOF WITH CUSTOM
ORB ROOF SHEETING AT 22° PITCH
COLOUR: SURFMIST

WINDOWS:
COMMERCIAL WINDOW FRAME WITH AWNING
COLOUR: WHITE





DOORS:
COMMERCIAL DOOR FRAME WITH STACKING DOOR
COLOUR: WHITE
TILT UP DOOR CLAD IN TIMBER





PLANNING APPROVAL

UPON RECEIPT OF THESE PLANS, I (THE CLIENT), HAVE REVIEWED THE DRAWINGS AND APPROVE FOR THEM TO BE SUBMITTED FOR PLANNING APPROVAL UNLESS STATED OTHERWISE VIA WRITTEN FORM, TO MICHAEL FOGARTY BUILDING DESIGN.

NOTE: THAT ANY CHANGES REQUESTED AFTER PLANNING APPROVAL HAS BEEN ISSUED WILL OCCUR IN A CHARGE AT THE HOURLY RATE AS DESCRIBED IN CONDITIONS OF FEE SCHEDULE AND WILL REQUIRE RE-SUBMISSION TO COUNCIL. THIS MAY ALSO BE THE CASE FOR ANY CONSULTANTS THAT HAVE BEEN SOURCED FOR ANY WORKS.

LANDSCAPE SCHEDULE

-  ID: A1
TEDDY BEAR MAGNOLIA
APPROX 3M TALL EVERGREEN INFORMAL HEDGE
-  ID: A2
JAPANESE BOXWOOD HEDGE
APPROX .5M TALL EVERGREEN FORMAL HEDGE
-  ID: A3
ORNAMENTAL PEAR
APPROX 4M TALL DECIDUOUS HEDGE AND SCREEN
-  ID: A4
DWARF CITRUS
APPROX 2.5M TALL EVERGREEN FEATURE TREE

-  ID: A5
MURRAYA
APPROX 2M TALL EVERGREEN FORMAL HEDGE
-  ID: A6
NANDINA OBSESSION
APPROX 0.6M TALL EVERGREEN LOW HEDGE
-  ID: A7
LIRIOPE MUSCARI
APPROX 0.6M TALL EVERGREEN PERENNIAL
-  ID: A8
SILVER BIRCH (Betula pendula)
APPROX 5-6m TALL DECIDUOUS TREE




AREA SCHEDULE - SITE

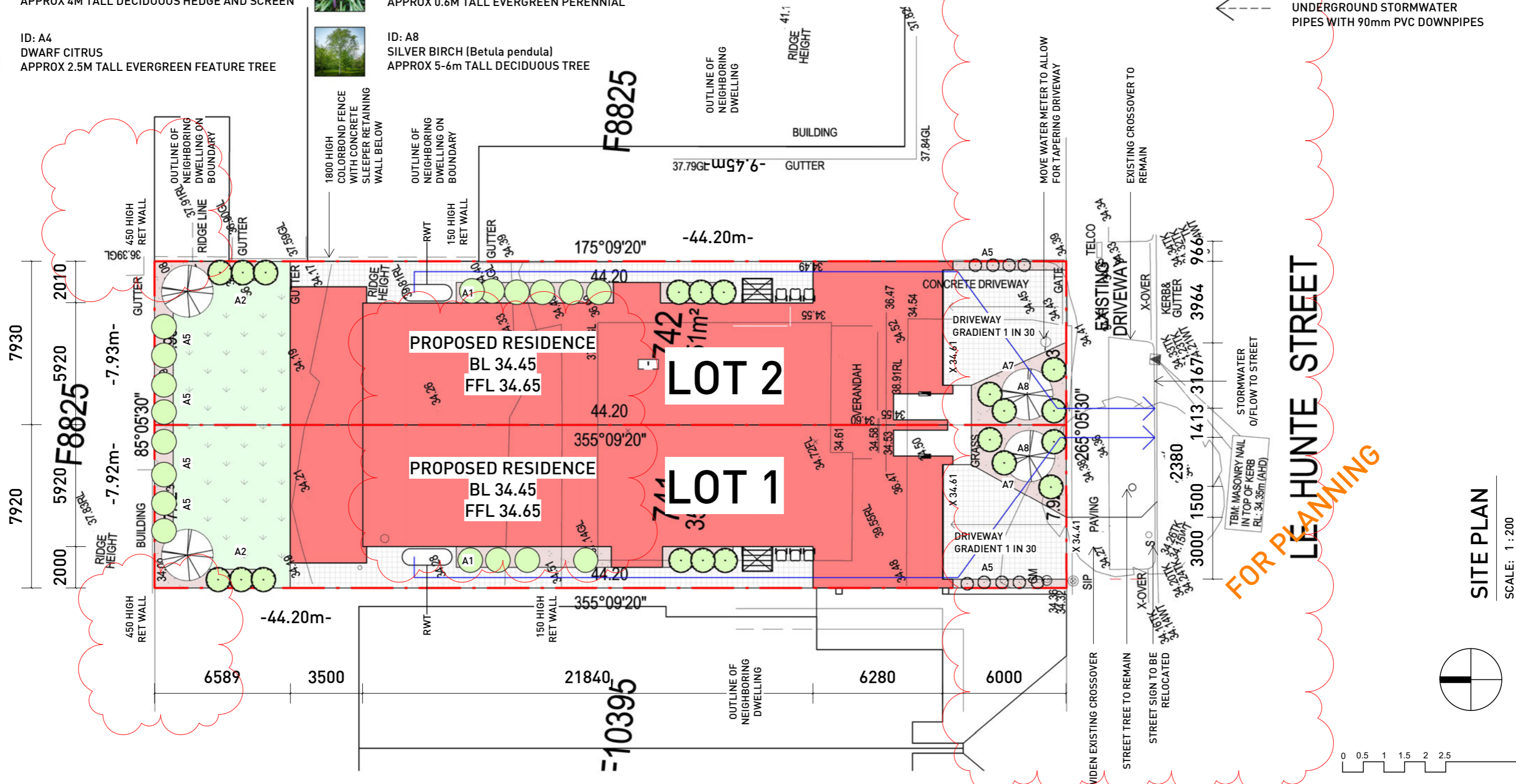
TOTAL SITE AREA	= 700m ²
INDIVIDUAL SITE	= 350m ²
SITE COVERAGE	= 58% / 206m ²
PRIVATE OPEN SPACE	= 22% / 80m ²
SOFT LANDSCAPING	= 22% / 78m ²

AREA SCHEDULE - DWELLING

AREA	
GARAGE	39 m ²
LOWER LIVING	140 m ²
PORCH	3 m ²
TERRACE	24 m ²
UPPER LIVING	118 m ²
TOTAL	323 m ²

SITE MATERIALS

-  CONCRETE PERIMETER PAVING - GREY
-  RWT 3000 LITRE RAINWATER DETENTION TANK COLLECTING MINIMUM 60% OF ROOF AREA CONNECTED INTO WC AND LAUNDRY COLD WATER OUTLETS O/FLOW CONNECTED TO STREET VIA 90mm PVC PIPES
-  UNDERGROUND STORMWATER PIPES WITH 90mm PVC DOWNPIPES



FOR PLANNING

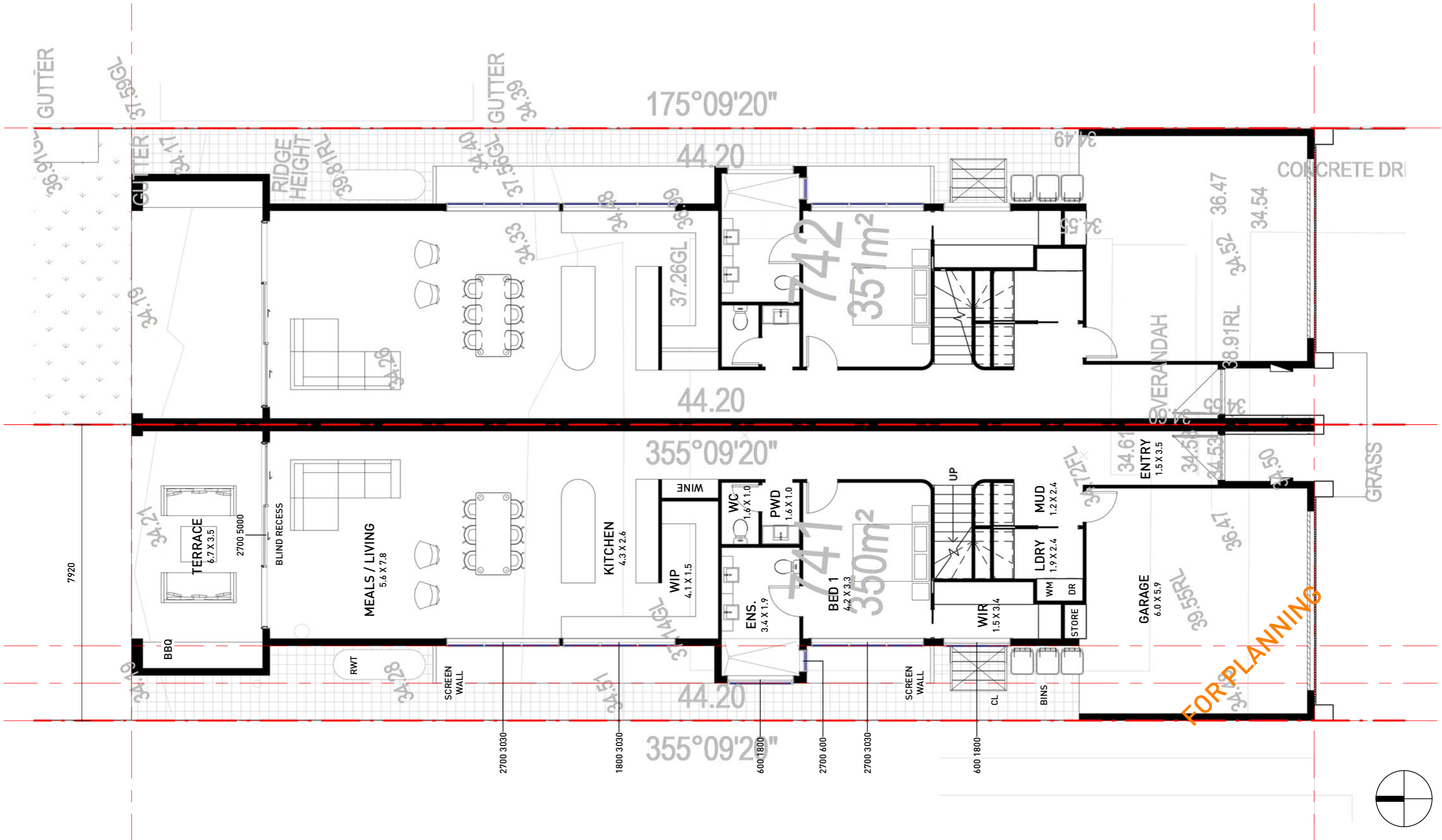
SITE PLAN
SCALE: 1 : 200

DATE 7/11/2023 3:24:44 PM	JOB# 1751	REVISIONS:	SHEET: SITE PLAN
DWG NO: A01		1	13-08-23 SKETCH
ISSUE:		2	24-08-23 FOR PLANNING
SCALE AT A3: As indicated			
FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS BEFORE COMMENCING ANY BUILDING WORK. ANY DISCREPANCY TO BE REPORTED TO THE DESIGNERS IMMEDIATELY.			
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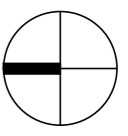
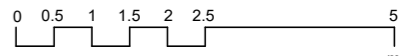
MICHAEL FOGARTY
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CLIENT: MR JASE AND MRS ALICIA MORRIS
PROJECT: 2 X NEW TWO STOREY SEMI-DETACHED DWELLINGS
SITE: 36 LE HUNTE STREET WAYVILLE SA 5034



GROUND FLOOR PLAN

SCALE: 1 : 100



DATE	7/11/2023 3:24:49 PM	JOB#	1751
DWG NO:	A10		
ISSUE:			
SCALE AT A3:	1 : 100		
<small>FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS BEFORE COMMENCING ANY BUILDING WORK. ANY DISCREPANCY TO BE REPORTED TO THE DESIGNERS IMMEDIATELY.</small>			
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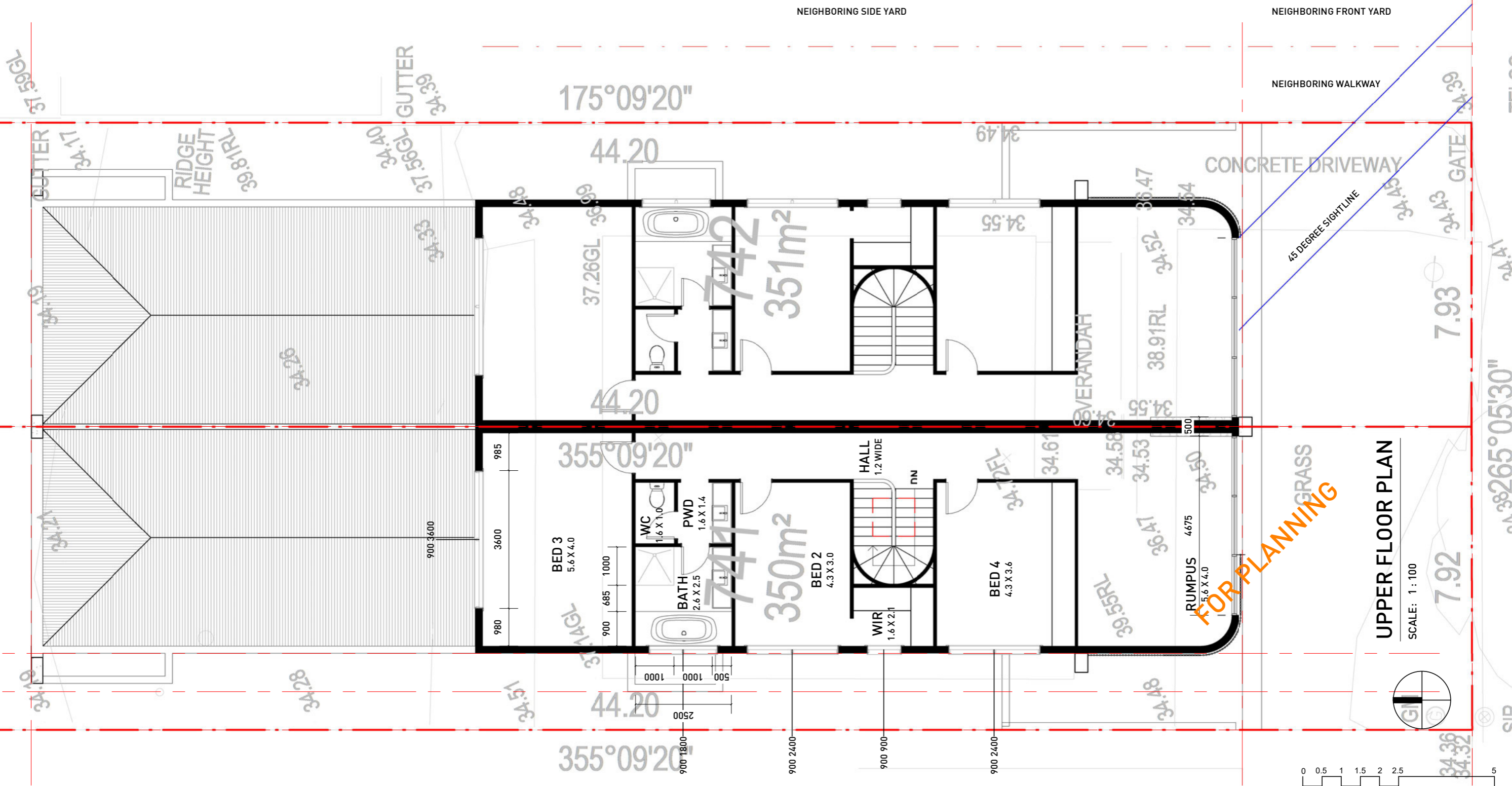
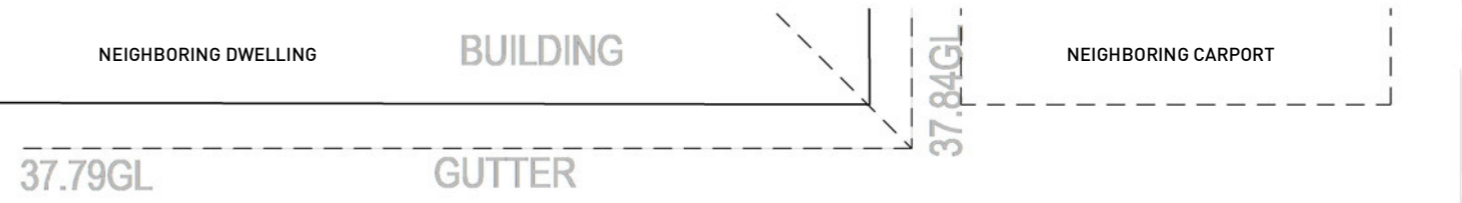
REVISIONS:	SHEET:	GROUND FLOOR PLAN
1	13-08-23	SKETCH
2	24-08-23	FOR PLANNING



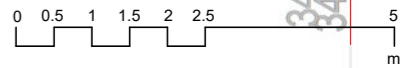
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 SITE: 36 LE HUNTE STREET WAYVILLE SA 5034

F8



UPPER FLOOR PLAN
SCALE: 1 : 100



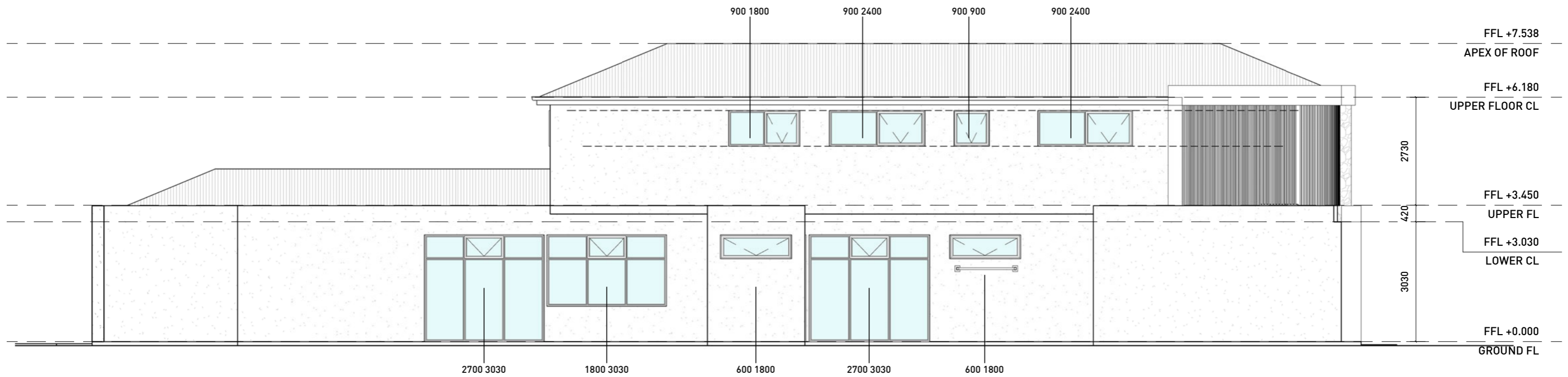
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DWG NO:	A11		
ISSUE:			
SCALE AT A3:	1 : 100		
<small>FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS BEFORE COMMENCING ANY BUILDING WORK. ANY DISCREPANCY TO BE REPORTED TO THE DESIGNERS IMMEDIATELY.</small>			
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REVISIONS:	SHEET:	UPPER FLOOR PLAN
1	13-08-23	SKETCH
2	24-08-23	FOR PLANNING



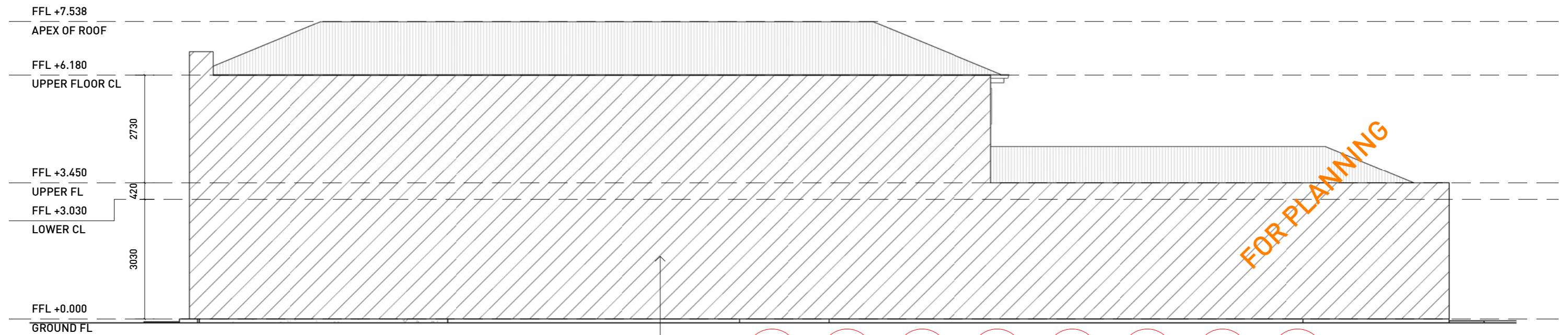
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PROJECT: 2 X NEW TWO STOREY SEMI-DETACHED DWELLINGS
SITE: 36 LE HUNTE STREET WAYVILLE SA 5034



SIDE ELEVATION - WEST

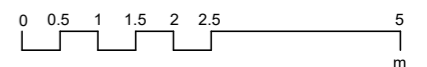
SCALE: 1 : 100



INTERNAL SIDE ELEVATION - EAST

SCALE: 1 : 100

DOUBLE LEAF HEBEL FIRE RATED WALL TO BOUNDARY - SEMI-DETACHED DWELLINGS - SHARED FOOTING



DATE	7/11/2023 3:24:58 PM	JOB#	1751
DWG NO:	A20		
ISSUE:	1 13-08-23 SKETCH		
SCALE AT A3:	2 24-08-23 FOR PLANNING		
FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS BEFORE COMMENCING ANY BUILDING WORK. ANY DISCREPANCY TO BE REPORTED TO THE DESIGNERS IMMEDIATELY.			
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REVISIONS:	SHEET:	ELEVATIONS
1	13-08-23	SKETCH
2	24-08-23	FOR PLANNING



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CLIENT: MR JASE AND MRS ALICIA MORRIS
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 SITE: 36 LE HUNTE STREET WAYVILLE SA 5034



FRONT ELEVATION - SOUTH

SCALE: 1 : 100



REAR ELEVATION - NORTH

SCALE: 1 : 100

BUILDING SCHEDULE

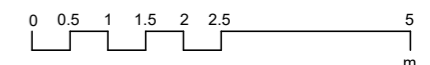
FLOORS:
 CONCRETE SLAB TO GROUND LEVEL
 TIMBER FLOOR TO UPPER

WALLS:
 NEW TIMBER FRAME STUD WALL WITH 10mm
 PLASTERBOARD LINING INTERNALLY
 HEBEL VENEER TO LOWER
 3 COAT RENDER FINISH TO WALLS COLOUR: WHITE
 STONE AS SELECTED TO FEATURE PIER
 CONCRETE LOOK RENDER TO PARAPET TO FRONT
 TIMBER BATTEN SCREEN TO FRONT ELEVATION

ROOF:
 NEW TIMBER FRAME PITCHED ROOF WITH CUSTOM
 ORB ROOF SHEETING AT 22° PITCH
 COLOUR: SURFMIST

WINDOWS:
 COMMERCIAL WINDOW FRAME WITH AWNING
 COLOUR: WHITE

DOORS:
 COMMERCIAL DOOR FRAME WITH STACKING DOOR
 COLOUR: WHITE
 TILT UP DOOR CLAD IN TIMBER



DATE	7/11/2023 3:25:00 PM	JOB#	1751
DWG NO:	A21	REVISIONS:	2
ISSUE:		SHEET:	24-08-23 FOR PLANNING
SCALE AT A3:	1 : 100	ELEVATIONS	
<small>FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DRAWINGS. VERIFY DIMENSIONS AND LEVELS BEFORE COMMENCING ANY BUILDING WORK. ANY DISCREPANCY TO BE REPORTED TO THE DESIGNERS IMMEDIATELY.</small>			
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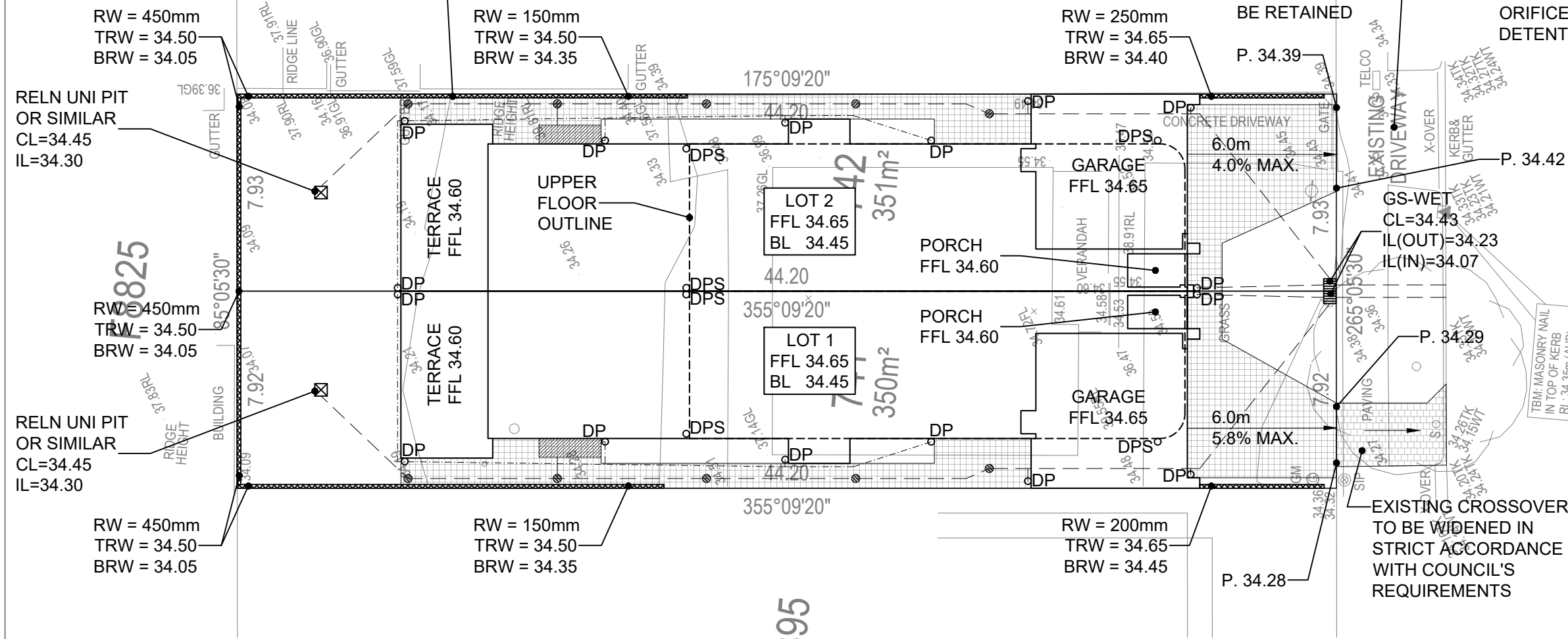
MICHAEL FOGARTY
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 128 UNLEY ROAD UNLEY
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 e: michael@mfbuildingdesign.com

CLIENT: MR JASE AND MRS ALICIA MORRIS
 PROJECT: 2 X NEW TWO STOREY SEMI-DETACHED DWELLINGS
 SITE: 36 LE HUNTE STREET WAYVILLE SA 5034

ATTACHMENT 2

SITE DRAINAGE PLAN

NEW RETAINING WALL MAY NOT BE REQUIRED WHERE EXISTING NEIGHBOURING STRUCTURAL FOOTING ABUTTING BOUNDARY ON HIGHER SIDE. PROVIDE NECESSARY WATERPROOFING/TERMITE PROTECTION IF REQUIRED.



TYPICAL TO BOTH RESIDENCES, DENOTE 3000L COMBINATION TANK (2000L RETENTION/ 1000L DETENTION) PLUMBED TO 60% OF ROOF AREA. REUSE TO BE CONNECTED TO ONE TOILET AND EITHER THE LAUNDRY COLD WATER OUTLETS OR HOT WATER SERVICE, AND INSTALLED IN ACCORDANCE WITH PLANNING AND DESIGN CODE - VERSION 2021.6. ORIFICE OF 20-25mm FITTED TO BOTTOM OF DETENTION COMPONENT FOR SLOW RELEASE.

PROVIDE 1.8m HIGH COLORBOND FENCE (OR AS SPECIFIED BY ARCHITECT) ALONG ALL BOUNDARIES EXCLUDING FRONT BOUNDARY. FENCE TO BE ABOVE RETAINING WALLS IN LOCATIONS OF EXISTING/PROPOSED RETAINING WALLS. ALTERNATIVELY, EXISTING FENCE TO BE RETAINED AND UTILISED IF IN GOOD CONDITION.

NO EVIDENCE OF FLOOD INUNDATION. FINISHED FLOOR LEVEL HAS BEEN SET MIN. 300mm ABOVE HIGHEST TOP OF KERB.

IMPORTANT NOTE: ANY ENGINEERING OR DESIGN DISCREPANCY ON SITE SHOULD BE REPORTED BACK TO DESIGN ENGINEER PRIOR TO COMMENCEMENT OF WORK

PROPOSED CROSSOVER WIDENING TO BE IN ACCORDANCE WITH COUNCIL REQUIREMENTS AND SPECIFICATIONS. MAXIMUM 2.5% FALL ACROSS FOOTPATH

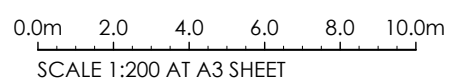
BUILDER IS TO CONFIRM THERE IS ADEQUATE FALL TO STORMWATER AND SEWER PRIOR TO COMMENCING EARTHWORKS

NOTES

- SET-OUT OF BUILDING IS TO BE AS PER ARCHITECTURAL DRAWINGS.
- REFER TO FOOTING CONSTRUCTION REPORT FOR SERVICE PIPE LAGGING REQUIREMENTS. REFER TO FOOTING DESIGN ENGINEER FOR ADVICE IF NO FOOTING CONSTRUCTION REPORT.
- FLEXIBLE CONNECTIONS FOR SEWER AND STORMWATER PIPES ARE REQUIRED FOR THIS SITE
- SUITABLE VERTICAL EXPANSION JOINT IS TO BE PROVIDED TO DOWNPIPES AT PAVING LEVEL.
- PATH LEVEL AT FLOOD GULLY TO BE A MINIMUM OF 165mm BELOW FINISHED FLOOR LEVEL
- GRADE PAVING AWAY FROM EDGE OF BUILDING AT MIN 2.5% FOR FIRST 1.0m.
- DURING CONSTRUCTION WATER RUN-OFF SHALL BE COLLECTED AND CHanneled AWAY FROM THE BUILDING.
- PROVIDE MIN. 150mm COVER TO ALL STORMWATER PIPES, OR MIN. 300mm IF SUBJECT TO VEHICULAR LOADING. PROVIDE CONCRETE ENCASEMENT IF UNABLE TO ACHIEVE MIN. COVER.
- PROVIDE TRAFFICABLE LID TO STORMWATER PIT WITHIN DRIVEWAY
- ENGINEERING DRAWINGS SHALL NOT BE SCALED FOR DIMENSIONS
- U.N.O LEVELS SHOWN BASED ON ENGINEERING SURVEY TO BE CONFIRMED BY BUILDER. THE BOUNDARY DATA SHOWN IS FOR INDICATIVE PURPOSES ONLY
- LOCATION AND EXTENTS OF RETAINING WALLS ARE INDICATIVE ONLY. OWNER/BUILDER TO CONFIRM SURVEY LEVELS MATCH ACTUAL SITE CONDITION.
- RETAINING WALL'S HEIGHT OF 400mm OR LESS CAN BE SUBSTITUTED WITH CONCRETE PLINTH.
- OWNER/ BUILDER TO ENSURE THAT ADJOINING STRUCTURES INCLUDING RETAINING WALLS WILL NOT BE COMPROMISED BY ANY CONSTRUCTION WORK ON PROPOSED SITE.
- REFER TO FOOTING DETAILS FOR REQUIREMENTS OF ALL TRENCH EXCAVATIONS NEXT TO FOOTINGS.
- ALL WORKS TO BE COMPLETED IN STRICT ACCORDANCE WITH RULES, REQUIREMENTS, LAW & REGULATIONS OF ALL AUTHORITIES THAT HAVE JURISDICTION OVER ANY ASPECTS OF THE WORK.
- ALL TREES WITHIN THE SITE BOUNDARIES ARE TO BE REMOVED U.N.O AND THE VOIDS BACKFILLED WITH COMPACTED SOIL OF THE SAME MOISTURE CONTENT AS THE REST OF THE SITE
- GUTTERS BETWEEN DWELLINGS TO BE SIZED AS BOX GUTTERS
- BUILDER/ OWNER TO CONFIRM DOWNPIPES LOCATIONS WITH ARCHITECT/ BUILDING DESIGNER PRIOR TO CONSTRUCTION.
- ENSURE TOP OF RAINWATER TANK IS MINIMUM 400mm BELOW LOWEST ROOF GUTTER INVERT.

LEGEND

- BRICK PAVING
- BRICK PAVING CROSSOVER TO MATCH EXISTING
- GRATED SUMP 300x300
- GRATED INLET PIT 90 DIA. MIN.
- DOWNPIPE (SIZE AS PER ARCHITECT)
- DOWNPIPE WITH SPREADERS
- STORMWATER PIPE 90 DIA. UPVC MIN 1:200 FALL
- SEALED STORMWATER PIPE 90 DIA. UPVC



BENTLEY CONSULTING

ABN: 51 515 149 696 PHONE: 0428 444 784 ADDRESS: ADELAIDE SHOWGROUND, WAYVILLE SA 5034

CLIENT:



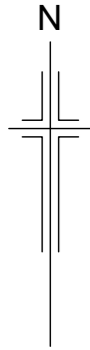
NAME: MICHAEL FOGARTY BUILDING DESIGN
EMAIL: michael@mfbuildingdesign.com

PROJECT:

JOB NUMBER: BC230834
ADDRESS: 36 Le Hunte St, Wayville SA

STATUS	DATE	BY	ISSUE
ISSUE FOR APPROVAL	13/09/23	AL	A

ATTACHMENT 3

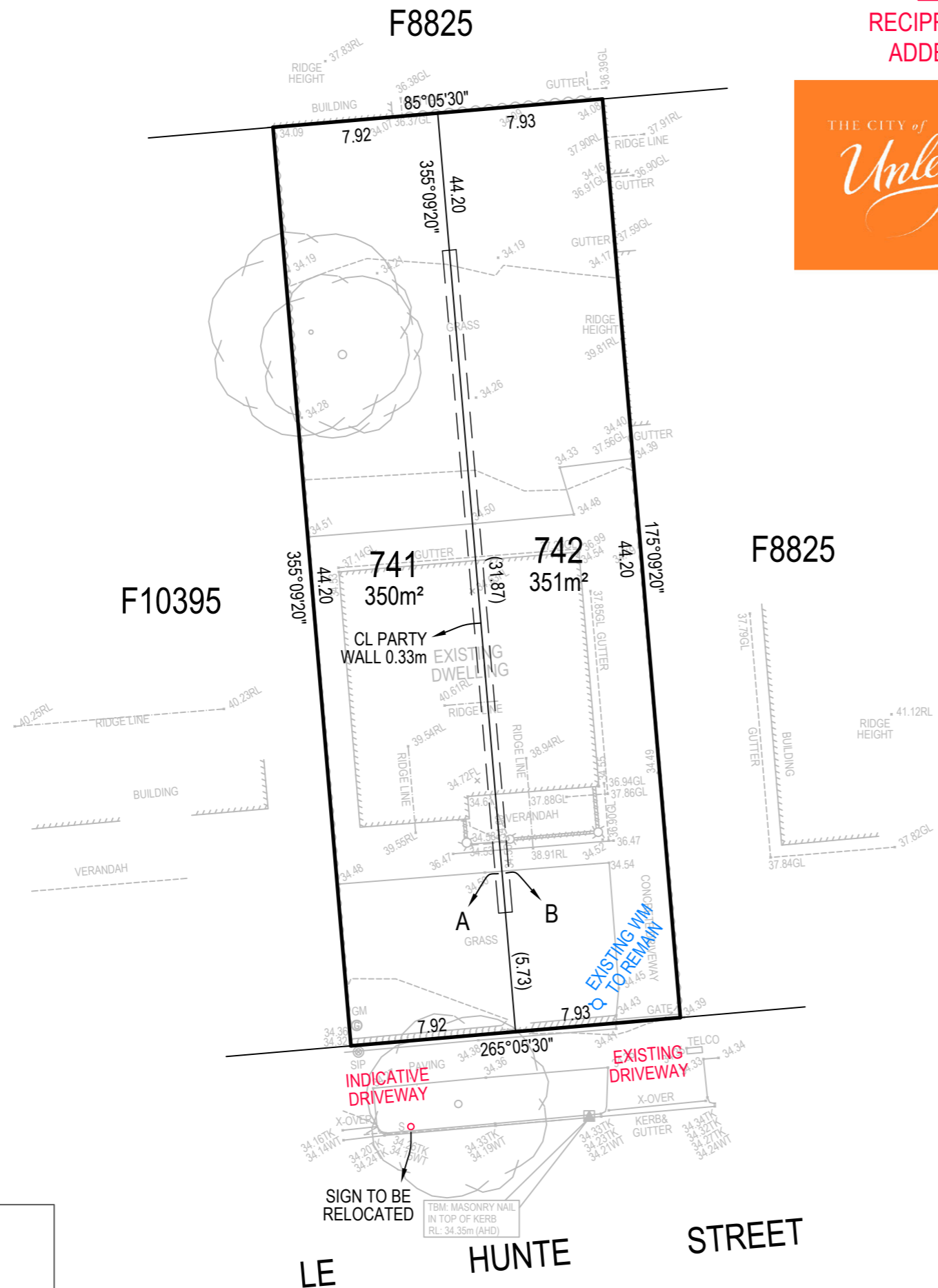


AMENDED PLAN 01/09/2023
RECIPROCAL PARTY WALL RIGHT(S)
ADDED PER COUNCIL REQUEST.

THE CITY of
Unley

Section 65 (Minor Variation)
Granted
Amended Plans and / or Documentation

Consent Granted pursuant to Section 65 of the PDI (General) Regulations 2017



PROPOSED PLAN OF DIVISION

Council: CITY OF UNLEY
DEV. No.: 23013310
TITLE SYSTEM: REAL PROPERTY ACT
TITLE REFERENCE: CT 5105/437
TOTAL AREA: 701m²
MAP REFERENCE: 6628/41/N
HUNDRED: ADELAIDE
AREA: WAYVILLE

**ALLOTMENT 103 IN F10395
36 LE HUNTE STREET**

STATEMENTS CONCERNING EASEMENTS ANNOTATION:
AND AMENDMENTS

RECIPROCAL PARTY WALL RIGHTS ARE TO BE
CREATED OVER THE PORTIONS MARKED A AND B.

EXISTING STRUCTURES ARE TO BE REMOVED.

SITE TERRAIN IS FLAT.

NO SIGNIFICANT OR REGULATED TREES ON SITE.

NOTE:
THIS PLAN WAS PREPARED AS A PROPOSED SUBDIVISION AND SHOULD NOT BE USED FOR ANY OTHER PURPOSE. THE DIMENSIONS SHOWN HEREON ARE SUBJECT TO SURVEY AND THE REQUIREMENTS OF COUNCIL AND OTHER RELEVANT AUTHORITIES.

NO RELIANCE SHOULD BE PLACED ON THE INFORMATION ON THIS PLAN FOR ANY FINANCIAL DEALINGS INVOLVING THIS LAND. THIS NOTE IS AN INTEGRAL PART OF THE PLAN.

SCALE 1:250 (A3) REVISION: 0

DATA SUBJECT TO SURVEY
DATE: 01/09/2023 BP REF: 1713351



p 08 8373 3880
a 78 Goodwood Road
Wayville SA 5034
e info@plsurvey.com.au



ATTACHMENT 4

Details of Representations

Application Summary

Application ID	23025035
Proposal	2 x new two storey dwellings
Location	36 LE HUNTE ST WAYVILLE SA 5034

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	11/10/2023 08:20 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons see attached	

Attached Documents

RepresentationOnApplication23025035-6657668.docx
--

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:	Michael Fogarty
Development Number:	23025035
Nature of Development:	Fence, Retaining Wall & Dwelling
Zone/Sub-zone/Overlay:	General Neighbourhood
Subject Land:	36 Le Hunte Street Wayville 5034 F10395 AL103, CT 5105/437
Contact Officer:	Assessment Manager at City of Unley
Phone Number:	8372 5111
Close Date:	24 October 2023

██████████ ██████████	██████████ ██████████
██████████ ██████████ ██████████	██████████ ██████████

* Indicates mandatory information

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

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

I am the owner and occupier of the adjacent property at 34 Le Hunte Street, Wayville.

I am concerned about elements of the development that overlook No. 34.

First, the upper floor windows which face East (shown on the UPPER FLOOR PLAN and SIDE ELEVATION – WEST on the plans) do not appear, to my reading, to be obscured in any way. If these windows are not obscured, they will provide direct views into No. 34. Those views include views directly into the interior of the dwelling at No. 34 (the west facing wall of No. 34 has windows to a bedroom, bathroom, and laundry), and views into the side-yard and front yard of No. 34.

Secondly, the upper floor windows which face South (shown on the FRONT ELEVATION – SOUTH of the plans) appear to be set back at least 6 metres from the road and will also provide direct and unobstructed views into the yard of no. 34.

I am not concerned about the development generally, but I am concerned that the upper floor windows will affect the privacy of the occupants of no. 34 and will generally affect the enjoyment of the property at No.34.



I would support the application if the upper floor windows were obscured or changed so that they do not provide views into No. 34.

[attach additional pages as needed]

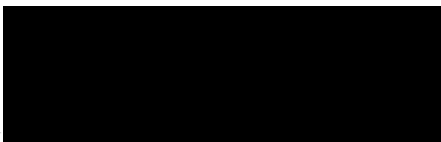
Note: In order for this submission to be valid, it must:

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

I:	<input checked="" type="checkbox"/> wish to be heard in support of my submission*
	<input type="checkbox"/> do not wish to be heard in support of my submission
By:	<input checked="" type="checkbox"/> appearing personally
	<input type="checkbox"/> being represented by the following person: Click here to enter text.

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

Signature



Date: 10 October 2023

Return Address: Assessment Manager at City of Unley

Email: DevelopmentServices@unley.sa.gov.au

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

ATTACHMENT 5



36 Le Hunte Street Wayville 5034

Response to Representation by [REDACTED].

To whom it may concern,

In response to the two items raised:

Issue 1: Upper floor windows to be obscured.

The upper floor windows are shown with a sill height of 1500mm as per the council guidelines.

I spoke with the neighbor who said they will not accept anything less than 1800, we are not willing to make this change as we have currently designed in accordance with the council guidelines.

Issue 2: Windows to the front elevation to be obscured or changed.

No. 34 has an address, primary frontage, front door and porch all which face Le Hunte Street. The walkway access to the west of their block also provides an overlooking buffer. I have drawn the 45 degree sight lines from the upper rumpus onto the upper floor plan and I cannot see any overlooking of No. 34.

Thank you

Michael Fogarty

MF Building Design



ATTACHMENT 6

22 November 2023

Timothy Bourner
Senior Planner
Development & Regulatory Services
City of Unley
By email only: DevelopmentServices@unley.sa.gov.au
tbourner@unley.sa.gov.au

Development application 23025035 36 Le Hunte St. WAYVILLE SA 5034

We maintain our original objection and, having regard to the application, elaborate on that objection as follows.

The issues raised by the objection to the application are twofold:

1. The upper level windows overlooking and affecting the visual privacy of no. 34.
2. The Southern upper level windows overlooking and affecting the visual privacy of no. 34.

Consideration of the Planning and Design Code (“the Code”)

The extant application has been categorised as Performance Assessed pursuant to s 107 of the *Planning Development and Infrastructure Act 2016*. The application is to be assessed on its merits against the Code.¹

An assessment on the merits of the application requires a consideration of the Code and its inter-operable Desired Outcomes (“DOs”), Performance Outcomes (POs) and Designated performance features (DPFs).

These 3 criteria operate together in a hierarchical manner to facilitate the assessment of aspects of the application.

The DOs may inform the relevant authority as to how POs may apply and assist in assessing merits. The terms of the DOs are broadly couched, and deliberately so, in order that the authority has overriding policy agendas to assess the merits of each application against.

The POs are framed at a more granular level and are designed to facilitate assessment of specified factors in a level of detail not provided for by the DOs. Whilst POs are specific, they are to be read in conjunction with the more broadly framed DOs. Even if the authority is satisfied that a PO is met, it will not necessarily follow that a DO is automatically satisfied.

Finally, the DPFs assist in the interpretation of POs by providing standard outcomes that will generally meet the POs. However, even if standard outcomes are met, the authority must still assess the application on its merits, having regards to the broader principles laid out by the POs and DOs and the specific circumstances of each application.

Notably, the words of subdivision 3 of the Act (which establishes the Code) and the Code itself reveal the application of the Code in each circumstance as discretionary. That is, the guidance provided by

¹ S 107(1) and 107(2)(b) of the *Planning Development and Infrastructure Act 2016*.

the Code assists in consideration of developments, but does not set immutable rules that the authority must apply inflexibly and without regard to the particular circumstances of the application.

Number 34 Le Hunte Street (no. 34)

No. 34 is situated on the corner of Le Hunte St and Joslin St. As a corner block, no. 34 has street frontage onto both Le Hunte and Joslin streets. A sizeable yard extends around the West, South and East sides of no.34. That yard is entirely a Private Open Space.²

The boundary of no. 34 is entirely fenced by an impenetrable 1.8 metre brush fence. The fence is not transparent at all. The 2 points of entry and egress from no. 34 are a walkway (enclosed by a gate) and a separate driveway. Both face onto Le Hunte St. The driveway is enclosed by a 1.8m tall solid timber electric roller door. The gate enclosing the walkway is also 1.8m tall and solid timber. In combination, the fence, gate, and driveway roller door entirely enclose no. 34 and enclose the entire yard as a Private Open Space. Pedestrians cannot see into no. 34. Nor can passing cars see into no. 34.

On the Western wall of the dwelling (which faces the proposed development), there are 2 large windows and a smaller, opaque window. One large window is for a bedroom. The other is for a kitchen/laundry. Both of these windows, therefore, provide direct views into commonly used areas of the dwelling at no. 34. The smaller, opaque window is a bathroom window.

Because of the private nature of the dwelling (as a result of the tall boundary fence), the entirety of no.34 (both inside the dwelling and in the yard) is for the exclusive use of the occupants, who enjoy a high level of privacy, which contributes significantly to the enjoyment of the property. Frontage, and front door, and front porch of no. 34 do face Le Hunte St but, contrary to the response of the applicant, there is no view from Le Hunte street into no. 34 on account of the high fence.

Issue 1

The Design General Development Policy at DPF 10.1 lists that upper level windows facing shared side boundaries satisfy the DPFs if they are one of:

10.1(a) permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm

10.1(b) have sill heights greater than or equal to 1.5m above finished floor level

10.1(c) incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5 m above the finished floor level.

It is conceded that the current application shows sill heights greater than or equal to 1.5m above finished floor level.

However, the DPF at 10.1 is subject to the overriding DO 1(c) that each Development should be inclusive by, inter alia, optimising privacy for occupants. When assessing the merits of the application, it is submitted that the authority should have regard to the direct overlooking³ from the upper floor windows into habitable rooms on the Western facing wall and two thirds of the Private Open Space at no. 34.

² As defined by the Code in Table 1.

³ As defined by the Code.

A window at 1.5 metres high will come up to roughly the chest of an adult of average height. An adult looking out of the upper floor windows will not have their view of two thirds of the entire Private Open Space of no. 34 obstructed or mitigated in any way. More concerningly, the views from the upper floor windows directly into a bedroom, the bathroom, and the kitchen/laundry of no. 34 will also not be obstructed or mitigated in any way.

By the DPF at 10.1, the Code clearly envisages mitigation of direct overlooking. In the circumstances, 1.5m window sill heights creates no mitigation whatsoever. This is a case of the DPF being inadequate to address its own raison d'être. We submit that, having regard to the DO 1(c) regarding privacy, the upper floor windows should either be permanently obscured to a height of 1.8m or lifted to a sill height of 1.8m. Such measures will not restrict the intake of natural light into the upper floors of the development, nor will the view of the skyline and trees to the East be obstructed for the development.

Issue 2

The upper level windows that face South appear, from a reading of the plans, to be floor to ceiling length.

The sight lines drawn on the plans of the development do not appear to capture the full extent of what will be visible of the Private Open Space at no. 34 from the Southern upper floor windows of the development. The distance that those windows are set from the road reveals that, taking a 45 degree angle from the centre point of the window in accordance with the Code, the window will directly overlook the Private Open Space of no. 34.

Where the Southern upper floor windows are floor to ceiling it is submitted that they should at the least comply with DPF 10.1 and be obscured or screened to prevent an angle of view into the Private Open Space.

Other issues

We again note that we do not oppose the application.

We note that we have not taken any issue with various other matters raised by the development. For example, we have not raised any issues with Overshadowing as set out at 3.1-3.3 of the Interface between Land Uses General Development Policy, including the generating capacity of solar panels.⁴ That is because we do not wish to unduly delay or oppose the development.

We ask that the application be amended in order that the privacy of no. 34 is not unreasonably compromised in the manner currently proposed. The proposed design of the impugned upper floor windows simply do not provide any mitigation for direct overlooking as contemplated by the Code, and will seriously affect the privacy of the occupants of no. 34 and the enjoyment of the property.



⁴ Which are intended for installation on the Western facing roof of no. 34 prior to the completion of the development.

ITEM 4

APPLICATIONS BEFORE THE ERD COURT - SUMMARY OF ERD COURT APPEALS

TO: City of Unley Council Assessment Panel

FROM: Don Donaldson, Assessment Manager

SUBJECT: Summary of ERD Court Appeals

MEETING DATE: December 19th 2023

APPEALS - 1

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status
DA22040422 - 7 Thornber Street, Unley Park	Demolition	Refused by CAP, March 21 st 2023	Appealed to ERD, conference adjourned until March 14th 2024