

CITY OF UNLEY
COUNCIL ASSESSMENT PANEL

Dear Member

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 20 June 2023 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson
ASSESSMENT MANAGER

Dated 08/06/2023

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

20 June 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 Wednesday 17 May 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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1.	91 Kenilworth Road, Parkside – 22039582	4-23
2.	6 King William Road, Wayville - 23002756	24-112
Item No	Appeals Against Decision of Assessment Manager (PDI Act)	Page
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	Motion to move into confidence	-
	Nil	
	Motion to move out of confidence	
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ITEM 1**DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063**

DEVELOPMENT NO.:	22039582
APPLICANT:	Livio DeGiovanniello
ADDRESS:	91 KENILWORTH RD PARKSIDE SA 5063
NATURE OF DEVELOPMENT:	Flue for an oven (Retrospective)
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 500 sqm; semi-detached dwelling is 500 sqm; row dwelling is 500 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:	9 Dec 2022
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	2022.23 – 8 December 2022
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia De Ruvo Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil
RECOMMENDATION:	Planning Consent with Conditions
ATTACHMENTS:	1 – Plan Set 2 – Representations 3 - Response to representations

ITEM 1

DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

BACKGROUND

The application was lodged by the applicant following a health / compliance enquiry to Council regarding the installation of the flue to the northern side of the existing outbuilding, as can be seen in Figure 1.

The application was originally lodged to seek approval for the flue to be sited on the northern side of the outbuilding, as per the image below. During the public notification period a representation was received by Council not in support of the development. To address the concerns of the representor the applicant re-located the flue to the southern side of the outbuilding. As the application was still under assessment Council advised the applicant to stop any further work to the building until a decision was made on the application. The flue, however, has since been removed, awaiting a decision on the proposal.

Figure 1: View of the flue from adjoining property when the complaints were received by Council.



DESCRIPTION OF PROPOSAL:

The proposal seeks to install a flue from a pizza oven on the southern side of the existing outbuilding. The flue will extend through the roof of the outbuilding and sited 600mm above the pitch of the roof. A copy of the plans is contained in **Attachment 1**.

SITE DESCRIPTION:

Location reference: 91 KENILWORTH RD, PARKSIDE SA 5063

Title ref.: CT 5743/915 **Plan Parcel:** F14669 AL60

Zoning: Established Neighbourhood Zone with Historic Area Overlay

Subject Land:

The subject land is rectangular in shape with a frontage to Kenilworth Road of 17.6m, a depth of 40.3m and an approximate site area of 709.3m².

The subject land contains a two storey Colonial detached dwelling, circa 1988, an outbuilding to the north-western corner and two garden sheds to the south-eastern corner. The site is currently provided with vehicular access to Kenilworth Road from the existing double width crossover on the north-western corner the subject land.

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DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

The land topography falls from the east to the west by approximately 0.5m and contains no regulated or significant trees on the subject site.

Refer to Figure 2 to view the subject site from the rear yard of the subject land.

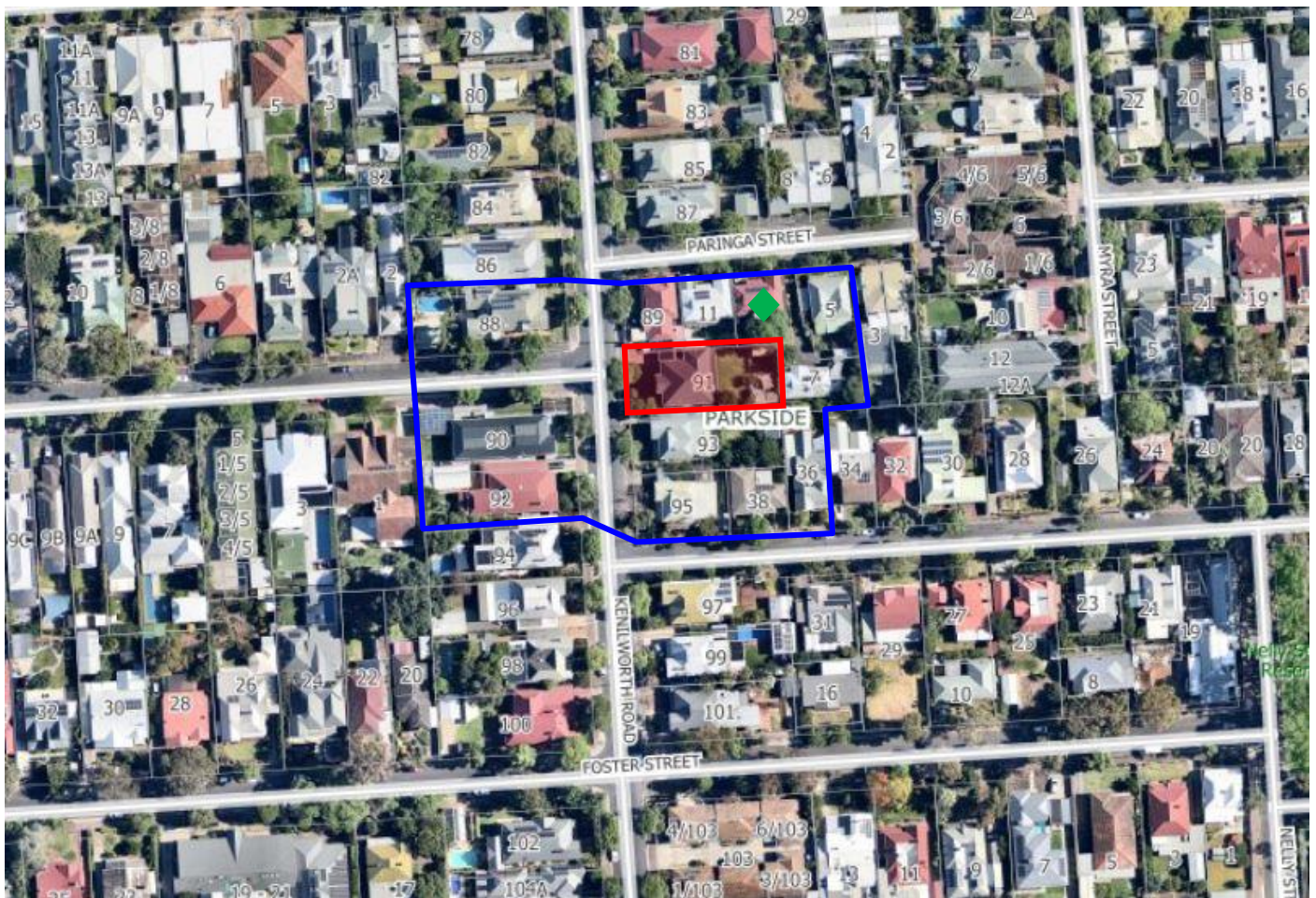
Locality:

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 Housing Diversity Neighbourhood Zone sited 150m to the north-east and 270m to the south of the subject site and the Urban Renewal Zone which is 250m to the east along Fullarton Road.

The locality is predominantly characterised by residential dwellings on rectangular shaped allotments which vary between 350m² to 800m². Dwellings are typically single storey in nature, with the subject land containing the sole two storey dwelling within the immediate locality. Varying dwelling types and styles are also noted within the wider locality which include detached, semi-detached and group dwellings with residential flat buildings sited along Wilkinson Road.

The locality is well vegetated with mature trees located on both private land and in the public realm.

Locality Plan



Subject Land



Locality



Representor

ITEM 1

DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

CONSENT TYPE REQUIRED:

Planning Consent

Category of Development:

- **PER ELEMENT:**
Other - Residential - Flue: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

Reason:

Established Neighbourhood Zone - Table 5 - Procedural Matter (PM) - Notification – A flue is not listed as an excluded form of Development.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
██████████ ██████████ ██████████	I oppose the development	Yes	Self (with assistance of family)

Summary:

46 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**.

One representation was lodged with Council and raised the following concerns:

- Smoke fumes within my backyard and neighbours ██████████
- Odour from both the smoke and meat drifting through the house and effecting washing;
- Visually offensive and intrusive and can be seen from within their home;
- Overall amenity concerns for our properties; and
- Requested to move flue to the south-western corner of the shed to minimise visual, smoke and odour impact. Improve amenity of our properties.

The above concerns relate to the flue being proposed on the northern side of the outbuilding.

The applicant provided a response to the representations which is contained in **Attachment 3**. The response to representations was emailed to the representor.

AGENCY REFERRALS

Not required

ITEM 1

DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

INTERNAL REFERRALS

Not required

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.

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 Code**, the extracts generated by the DAP on 9 Dec 2022, which are found at the following link: [Planning and Design Code Extract](#)

Land Use

The subject land is an existing residential property located within the **Established Neighbourhood Zone**, where **Desired Outcomes (DO)** are:

DO 1 – Established Neighbourhood Zone

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

DO 2 – Established Neighbourhood Zone

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

PO 1.1 – Established Neighbourhood Zone.

Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.

The proposal seeks to install a flue attached to a domestic oven within the existing outbuilding to the north-eastern corner of the subject land. While a flue is not specifically listed as an envisaged form of development, a domestic oven is anticipated within a neighbourhood type zone and the associated flue with a domestic oven is consistent with the intent of DO 1 and PO 1.1 of the **Established Neighbourhood Zone**.

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DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

PO 1.1 – Historic Area Overlay

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

PO 2.1 – Historic Area Overlay

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 1.1 – Established Neighbourhood Zone.

Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.

DO 1 – General Development Policies - Interface between Land Uses

Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

The flue will extent 600mm above the ridge of the outbuilding, with an overall height of 3.6m when measured from the FFL of the outbuilding. The proposed structure will not be viewed from the public realm and will only be readily noticeable to the immediate adjacent properties, satisfying **PO 1.1** and **2.1 of Historic Area Overlay**. As detailed earlier, in response to the representations received against the proposal, the applicant proposed to re-locate the oven and flue to the southern side of the outbuilding to reduce both the visual impact and the nuisance of the smoke emissions when the oven is in use. The flue is proposed to be located away from adjoining properties Private Open Space and is considered to mitigate any adverse effects to adjoining properties satisfying **DO 1 – General Development Policies – Interface between Land Uses**.

PO 5.1 – General Development Policies – Design in Urban Areas

Development with the potential to emit harmful or nuisance generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.

PO 5.1 – General Development Policies – Design in Urban Areas

Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:

- a) incorporating appropriate treatment technology before exhausted emissions are released*
- b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.*

While the proposal does not incorporate any treatment of the smoke that is emitted from the oven, it has been considered that the flue is of a height that is considered sufficient to disperse the smoke so it does not unreasonably impact on the amenity of sensitive receivers surrounding satisfying **PO 5.1** and **5.2 of General Development Policies – Design in Urban Areas**.

ITEM 1

DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

Figure 2: View of the outbuilding from the rear yard of the subject land.



Figure 3: View of the outbuilding from the rear yard of the subject land.



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DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

CONCLUSION

Whilst the development does not satisfy some of the Designated Performance Features set out in the relevant Performance Outcomes, these shortfalls are not considered to be detrimental to the locality or the amenity of the surrounding sensitive receivers within the locality.

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

- On balance the proposed development is considered to satisfy the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies;
- The proposed flue will not be viewed from the public realm and will only be readily noticeable to the immediate adjacent properties;
- The flue is of a height to sufficiently disperse the emissions;
- The flue is sited away from adjacent sensitive receivers private open space.
- The flue (and domestic oven that it serves) can be considered an ancillary use to a dwelling.

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 22039582, by Livio DeGiovanniello 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, except where varied by conditions below (if any).

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

ITEM 1

DEVELOPMENT APPLICATION - 22039582 – 91 KENILWORTH ROAD, PARKSIDE SA 5063

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).

Advisory Note 5

Please ensure that the burning of wood is in accordance with the Environmental Protection Agency 'Burn Better for Good' booklet, see the link below.

https://www.epa.sa.gov.au/files/11030_bbfgbrochureweb.pdf

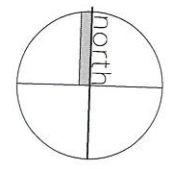
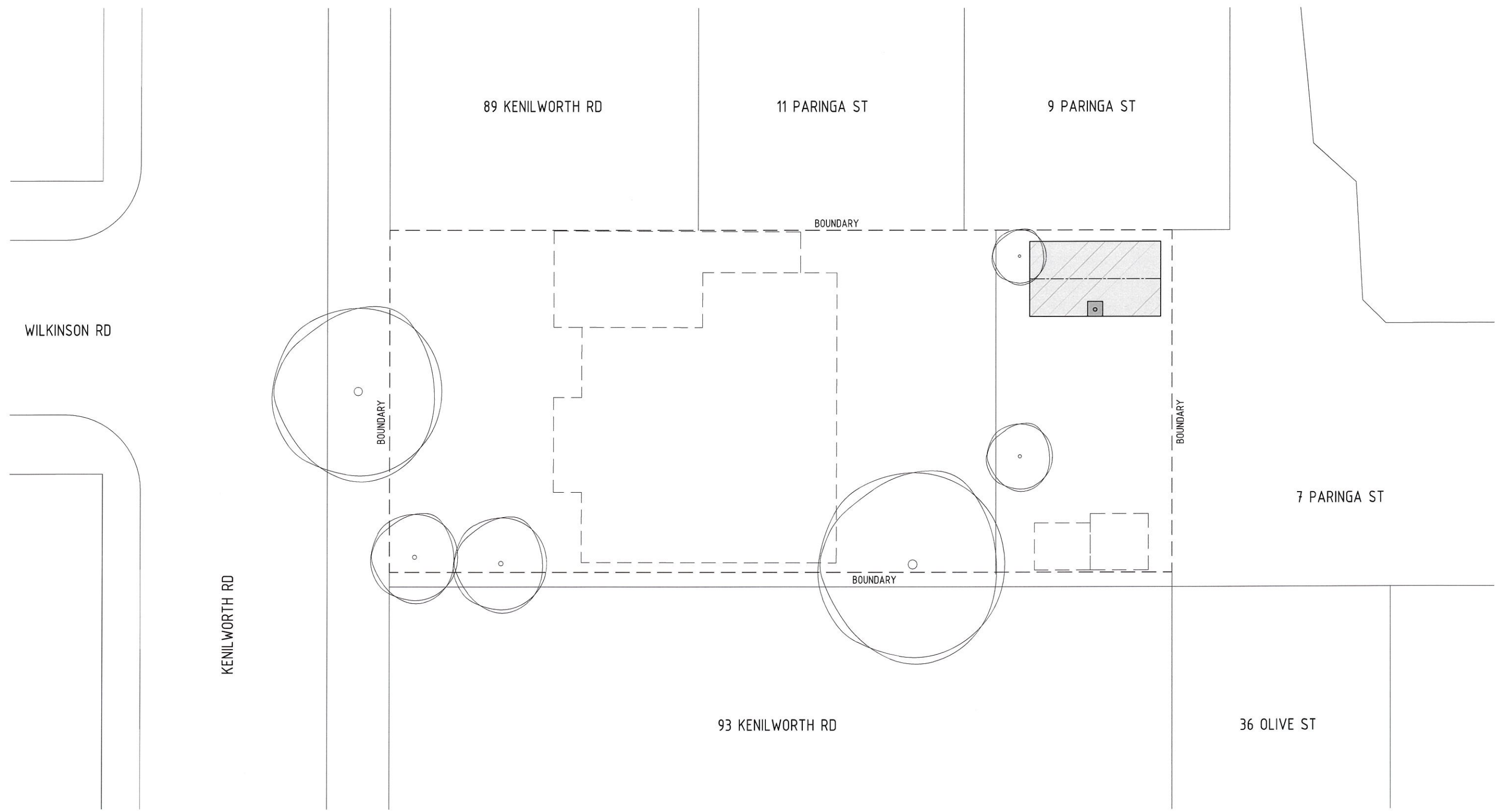
OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo


Title: Planning Officer

Date: 20 June 2023

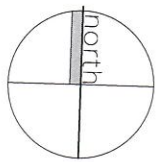
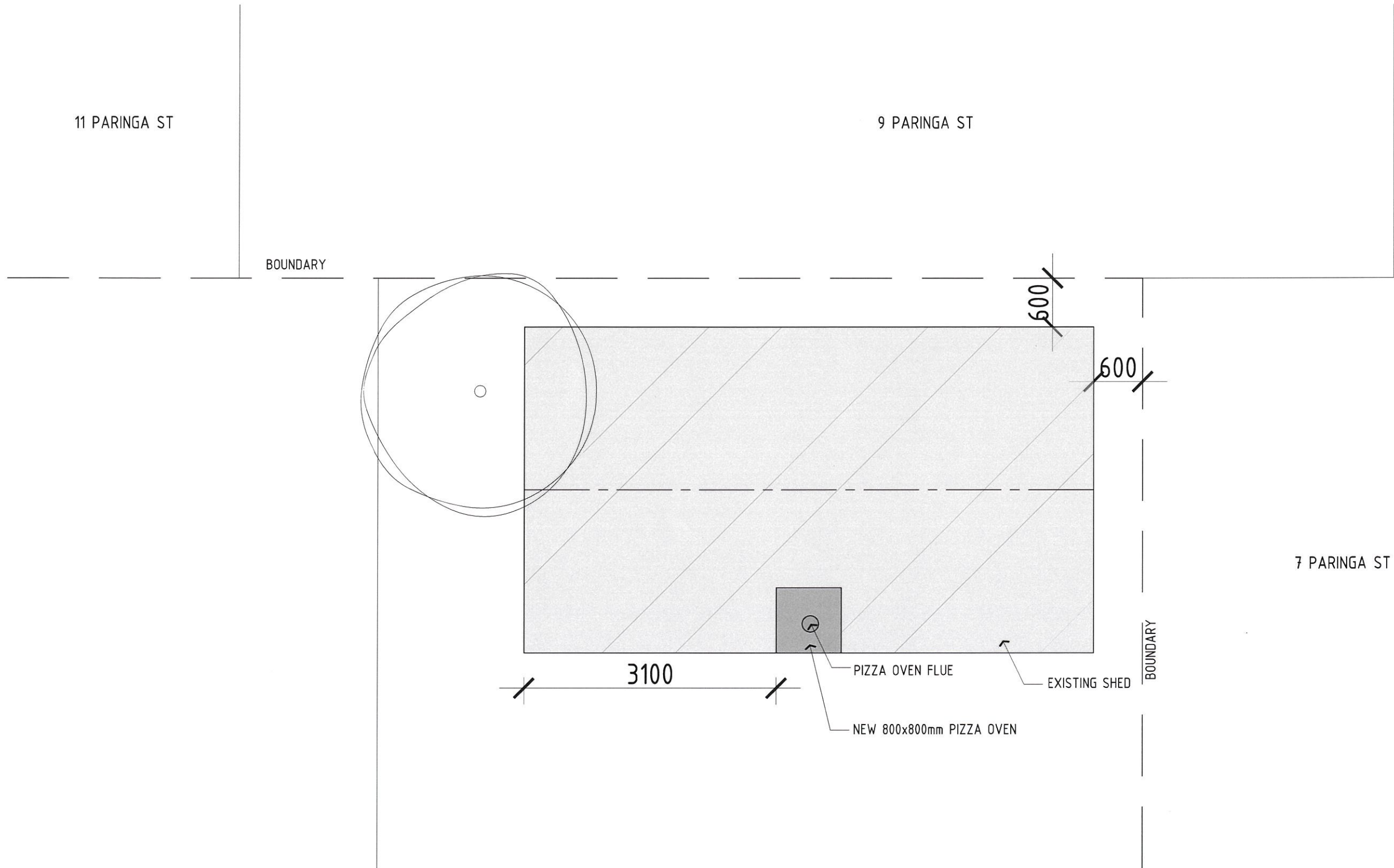
ATTACHMENT 1



- **SITE PLAN**
 - Scale 1:200 @ A3

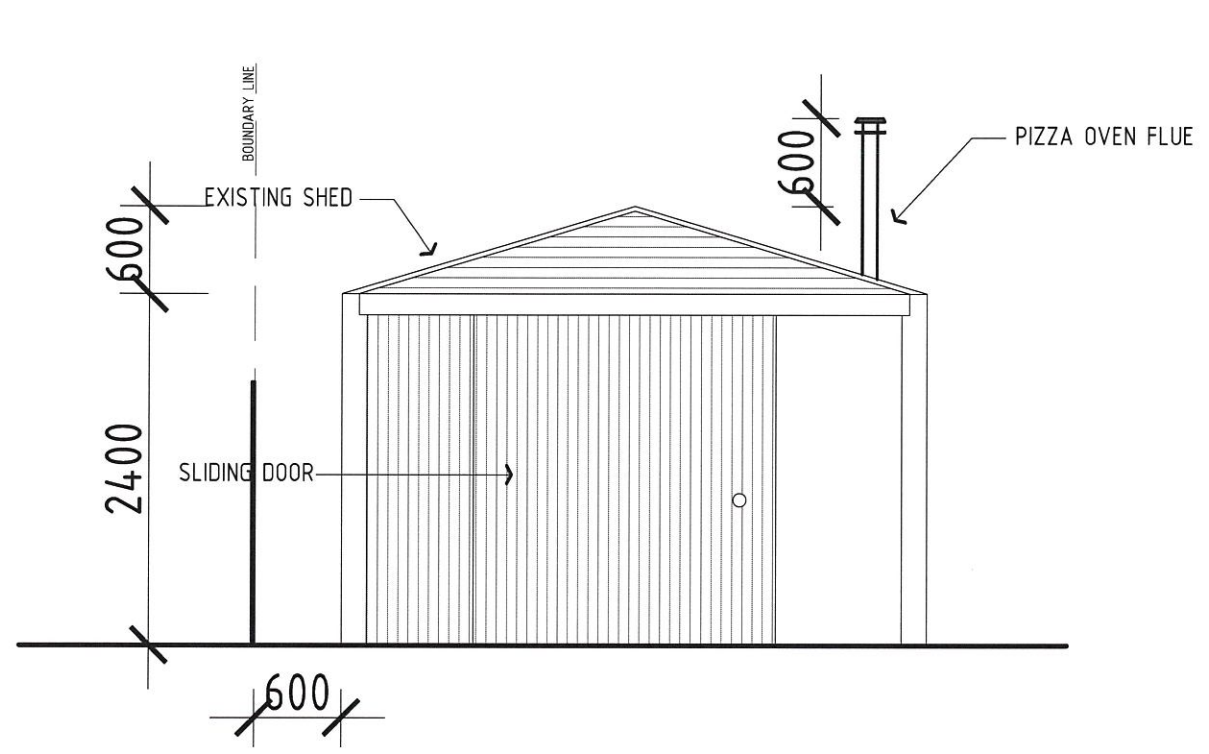
JOB TITLE PROPOSED SHED FOR: CLIENT DE GIOVANNIELLO ADDRESS 91 KENILWORTH RD PARKSIDE	DRAWING TITLE SITE PLAN	AMENDMENTS	Contractors are to verify all dimensions and levels before commencing any site work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Architect immediately. © COPYRIGHT	<div style="text-align: right;">  ANTHONYDONATOARCHITECTS Suite 5/59 Fullarton Road Kent Town SA 5087 t. 08 8364 6888 f. 08 8364 5355 www.adarchitects.com.au </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <th>JOB NO.</th> <th>SCALE</th> <th>DRAWN</th> <th>CHECKED</th> <th>DATE</th> <th>PAGE</th> <th>SHEET NO.</th> <th>REVISION</th> </tr> <tr> <td>5162-22</td> <td>1:200</td> <td>RL</td> <td></td> <td>MAY. '23</td> <td>A3</td> <td>SK01 of 03</td> <td></td> </tr> </table>	JOB NO.	SCALE	DRAWN	CHECKED	DATE	PAGE	SHEET NO.	REVISION	5162-22	1:200	RL		MAY. '23	A3	SK01 of 03	
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5162-22	1:200	RL		MAY. '23	A3	SK01 of 03														

AMENDED PLAN / DOCUMENT
DATE: 3 May 2023

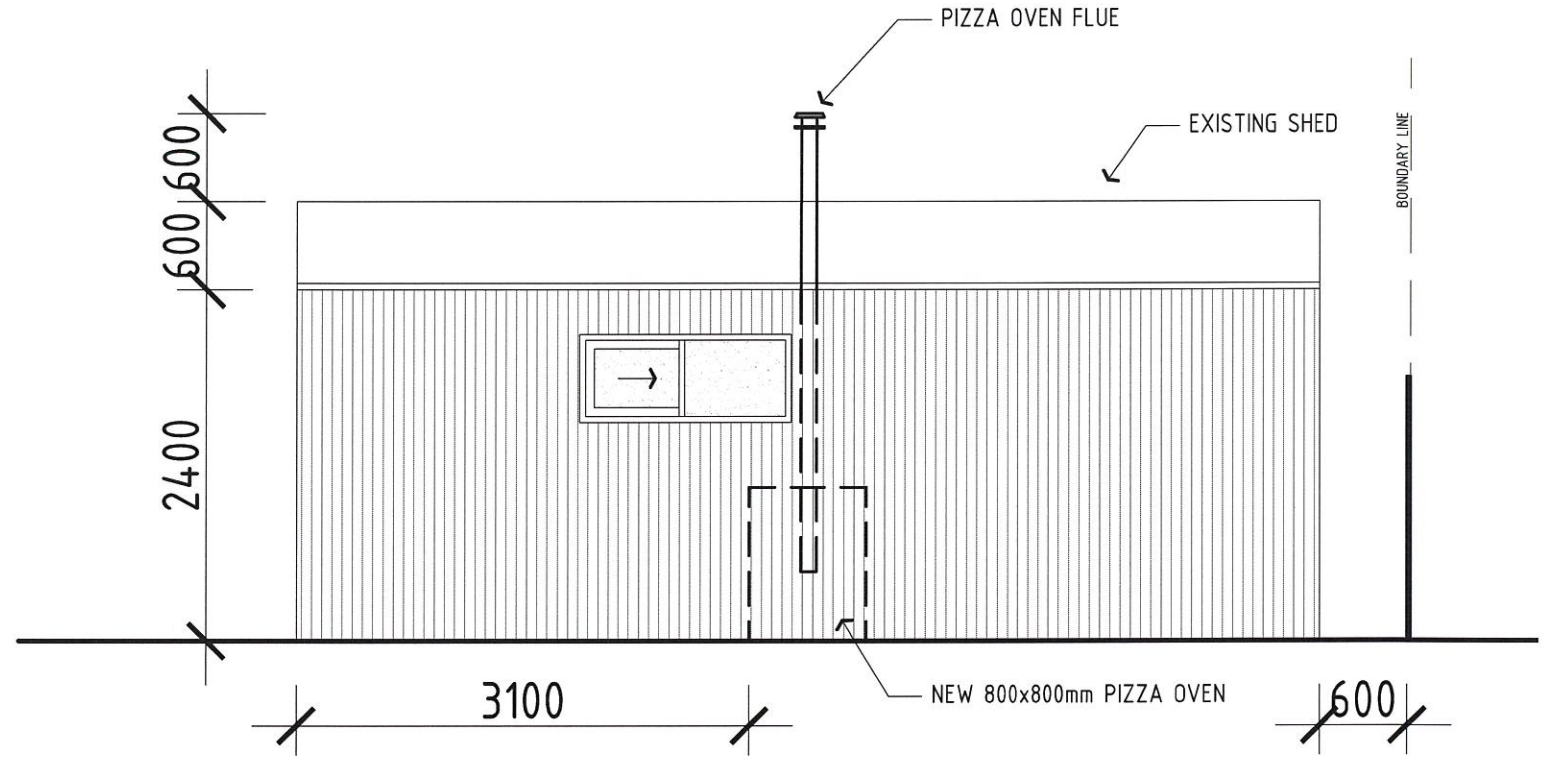


- SHED PLAN
 - Scale 1:50 @ A3

<p>JOB TITLE PROPOSED SHED FOR:</p> <p>CLIENT DE GIOVANNIELLO</p> <p>ADDRESS 91 KENILWORTH RD PARKSIDE</p>	<p>DRAWING TITLE SHED PLAN</p>	<p>AMENDMENTS</p>	<p>Contractors are to verify all dimensions and levels before commencing any site work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Architect immediately. © COPYRIGHT</p>	<p>ANTHONYDONATOARCHITECTS</p> <p>Suite 5/59 Fullarton Road Kent Town SA 5087 t. 08 8364 6888 f. 08 8364 5355 www.adarchitects.com.au</p>																
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FRONT ELEVATION
 Scale 1:50 @ A3



SIDE ELEVATION
 Scale 1:50 @ A3

SHED FRONT/SIDE ELEVATION
 Scale 1:50 @ A3

<p>JOB TITLE PROPOSED SHED FOR:</p> <p>CLIENT DE GIOVANNIELLO</p> <p>ADDRESS 91 KENILWORTH RD PARKSIDE</p>	<p>DRAWING TITLE SHED FRONT/SIDE ELEVATION</p>	<p>AMENDMENTS</p>	<p>Contractors are to verify all dimensions and levels before commencing any site work or making shop drawings. Figured dimensions shall take preference over scaled dimensions and any discrepancy shall be reported to the Architect immediately. © COPYRIGHT</p>	<p>ANTHONYDONATOARCHITECTS</p> <p>Suite 5/59 Fullarton Road Kent Town SA 5087 t. 08 8364 6888 f. 08 8364 5355 www.adarchitects.com.au</p> <table border="1"> <tr> <th>JOB NO.</th> <th>SCALE</th> <th>DRAWN</th> <th>CHECKED</th> <th>DATE</th> <th>PAGE</th> <th>SHEET NO.</th> <th>REVISION</th> </tr> <tr> <td>5162-22</td> <td>1:50</td> <td>RL</td> <td></td> <td>MAY. '23</td> <td>A3</td> <td>SK03 of 03</td> <td></td> </tr> </table>	JOB NO.	SCALE	DRAWN	CHECKED	DATE	PAGE	SHEET NO.	REVISION	5162-22	1:50	RL		MAY. '23	A3	SK03 of 03	
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5162-22	1:50	RL		MAY. '23	A3	SK03 of 03														

ATTACHMENT 2

Details of Representations

Application Summary

Application ID	22039582
Proposal	Flue for pizza oven
Location	91 KENILWORTH RD PARKSIDE SA 5063

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	12/01/2023 11:19 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

- smoke fumes within my backyard and neighbours backyards; - odour is from meat not pizza; - odour spreads through my house into bedrooms, dining room, kitchen and laundry; - odour effects 7, 9 & 11 Paringa Street; - Effecting washing on outside clothes lines; - visually offensive and visually intrusive can be seen from within my house (see photos of existing flue put up illegally); To alleviate concerns - requesting to move flue to south-western corner of the shed to minimise visual, smoke and odour impact - overall amenity concerns for our properties.

Attached Documents

12012023111710-0001-1171054.pdf



To Amelia

As requested the chimney on the shed was removed from the northern side of the shed to the S/W corner because it was too close to my back fence [redacted] However it has now been moved to the S/E corner which is too close to [redacted] fence. It needs to be put back on the S/W corner.

From [redacted]

20th April 2023 .

ATTACHMENT 3

Amelia DeRuvo

From: [REDACTED]
Sent: Thursday, 16 March 2023 2:19 PM
To: Michelle Penta; Amelia DeRuvo
Subject: Fwd: 91 Kenilworth Road Parkside DA22039582
Attachments: scan_66923_2023-03-14-15-24-58.pdf

CAUTION: This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Hi Michelle and Amelia,

please find detailed below, updated plans and written response to representor:

1. Flue has now been moved to satisfy requirements of the planning and Design code(see attached diagram).
2. Pizza oven is operated only on very few occasions during the year, which is not more than once a month at most (and most definitely not every weekend).
3. Neighbours alongside and behind the property of 91 kenilworth road, operated a bbq which they cook meat on most weeks and no complaint has ever been lodged, in regards to smoke and odour.
4. Please note most if not all 'reasons' have now been adhered to.

with thanks

[REDACTED]

[REDACTED]



Michelle Penta
Customer Liaison Officer Development
Development & Regulatory Services
City of Unley
Kaurna Country
P: (08) 83725429
unley.sa.gov.au



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ITEM 2**DEVELOPMENT APPLICATION - 23002756 – 6 KING WILLIAM ROAD, WAYVILLE SA 5034**

DEVELOPMENT NO.:	23002756
APPLICANT:	All Good Property Options Pty Ltd
ADDRESS:	6 KING WILLIAM RD WAYVILLE SA 5034
NATURE OF DEVELOPMENT:	Land Division creating two allotments from one (with common driveway) and construction of two, three storey group dwellings with associated fencing and swimming pools
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Business Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • 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 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 600 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • 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:	6 Feb 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	2 February 2023 - 2023.2
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Mark Troncone Planning Officer
REFERRALS STATUTORY:	South Australian Water Corporation SPC Planning Services
REFERRALS NON-STATUTORY:	Traffic

CONTENTS:

ATTACHMENT 1: Application Documents

ATTACHMENT 5: Acoustic Engineer Peer Response

ATTACHMENT 2: Representations

ATTACHMENT 3: Response to Representations

ATTACHMENT 4: Council Traffic Referral

ITEM 2

DEVELOPMENT APPLICATION - 23002756 – 6 KING WILLIAM ROAD, WAYVILLE SA 5034

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for a land division to create two (2) allotments from one (1) and the construction of two (2), three storey group dwellings with vehicular access from an adjoining right of way marked A on the survey plan.

The proposed allotments will have the following site areas:

- Proposed Lot 1 – 289m²
- Proposed Lot 2 – 291m²
- Common Area – 100m²

The two (2), three-storey group dwellings will have a maximum building height of 10.3m. The dwellings will include boundary walling with the maximum height of 10.3m and a length in the realm of 21.4m for the dwelling upon proposed Lot 1 and 20.8m for the dwelling upon proposed Lot 2.

The dwellings are of a contemporary design, with a mixture of stone, 'axon' cladding and timber as the primary materials. Each dwelling includes a roof terrace and glass balustrades at the third level.

SUBJECT LAND & LOCALITY:

Location reference: 6 KING WILLIAM RD WAYVILLE SA 5034

Title ref.: CT 5844/212 **Plan Parcel:** F12736 AL23 **Council:** CITY OF UNLEY

The subject land is an irregular rectangular shaped allotment with a frontage to King William Road of 13.72m with an area of approximately 680m². The site is currently vacant (**Figure 1**). The subject land is relatively flat and does not contain any regulated or significant trees.

Vehicle access to the site is gained via the right of way over the adjacent property to the north (4 King William Road) (**Figure 2**).



Figure 1: View of the subject land as taken from King William Road looking west

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Figure 2: View of the right of way over 4 King William Road as taken from King William Road looking west

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Locality

In forming an opinion as to the extent of the locality I have considered the extent to which the proposed development on the subject land is likely to be evident to the surrounding occupiers and landowners.

The locality primary consists of commercial land uses in the form of shops, offices and consulting rooms along King William Road.

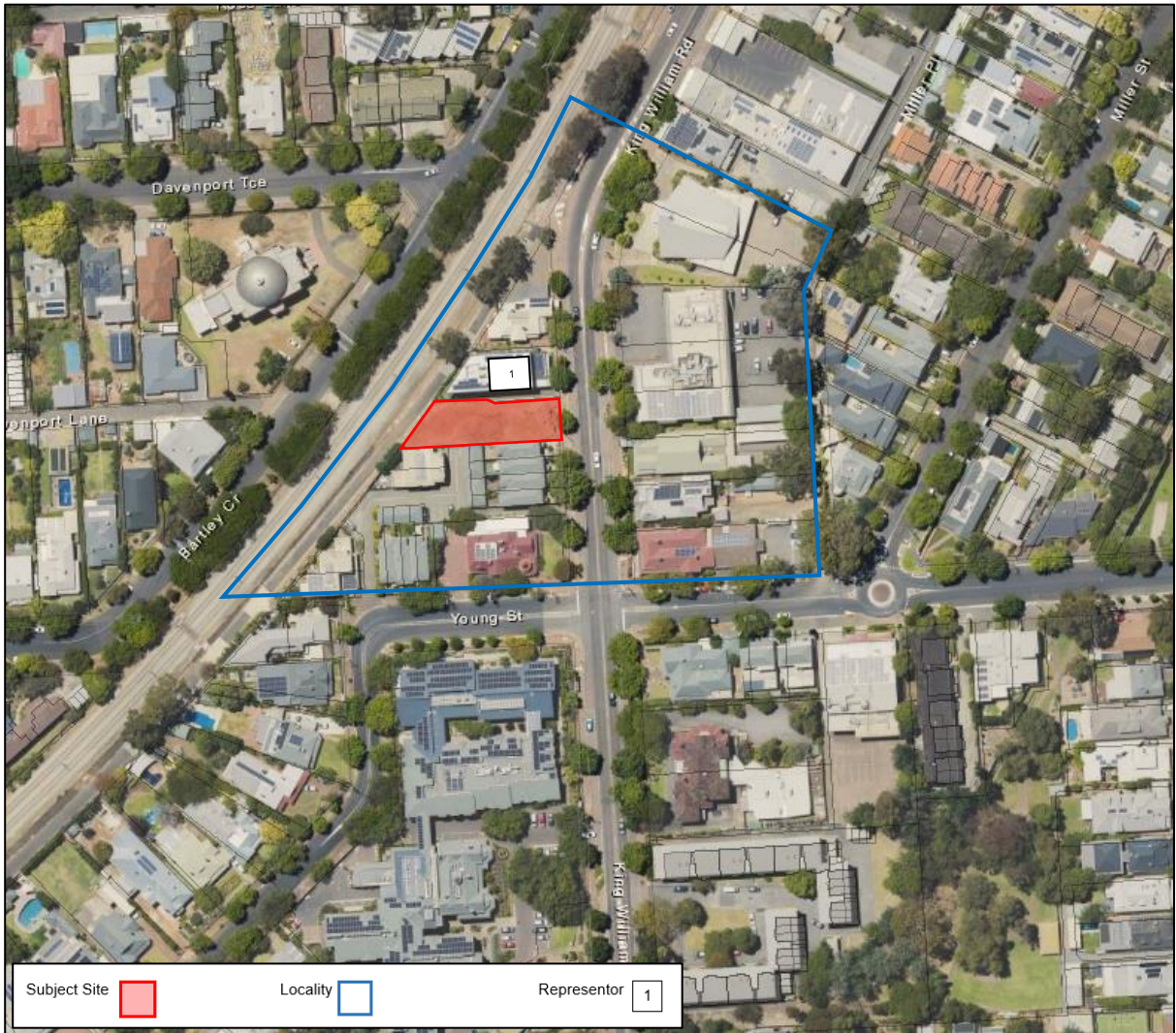


Figure 3: Locality plan

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The adjacent allotment to the north (4 King William Road) contains a two-storey building consisting of consulting rooms (**Figure 4**).



Figure 4: View of the adjacent building to the north (4 King William Road) as taken from King William Road looking west

The land to the south consists of 11 group dwelling (1-11/10 King William Road) which are two-storeys in height (**Figure 5**). The immediately adjacent dwellings to the subject land (Unit 1 & Unit 5, 10 King William Road) are also built with boundary walling along the shared southern boundary. The extent of the boundary walling is outlined below:

- Unit 1, 10 King William Road - approximately 14m in length and 6.3m in height from natural ground level and carport approximately 5.5m in length and 3.0m in height from natural ground level
- Unit 5, 10 King William Road - approximately 10m in length and 6.3m in height from natural ground level and adjoining carport 4.5m in length with a height of 3.8m from natural ground level.



Figure 5: View of the adjacent dwellings to the south (Unit 1 & Unit 5/ 10 King William Road) as taken from the subject land looking south

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The GLNELG tram line and shared use pedestrian/bike path is located immediately adjacent to the west (Figure 6).



Figure 6: View of the GLNELG tram line and shared use pedestrian/bike path as taken from the subject land looking west

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CONSENT TYPE REQUIRED:

Planning and Land Division Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Fences and walls
Swimming pool, spa pool or associated safety features: Code Assessed - Performance Assessed
Land division: Code Assessed - Performance Assessed
Group dwelling: Code Assessed - Performance Assessed
Fence: Code Assessed - Performance Assessed
Land division
New housing
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
The proposed dwellings exceed 2 levels and 9m in height (3 levels and approximately 10.3m in height from natural ground level)
The southern boundary walls of the proposed dwellings exceed 8m in length 3.2m in height (Maximum 21.4m in length and 10.3m in height from natural ground level)
- **LIST OF REPRESENTATIONS**

	Representor Name/Address	Support/Support with Concerns/Oppose	Request to be heard	Represented by
1	[REDACTED]	Oppose <ul style="list-style-type: none">● <i>Privacy</i>● <i>Access and Traffic</i>● <i>Density</i>● <i>Site Coverage</i>● <i>Building Height</i>● <i>Setbacks</i>● <i>Visitor Parking</i>● <i>Stormwater Management</i>● <i>Powerline Clearance</i>	Yes	Phillip Brunning & Associates

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SUMMARY

A copy of the representation can be found in **Attachment 2**. As outlined within the table above, the representation raised a number of matters, with primary focus on access and traffic and privacy into the commercial premises.

The applicant provided a Response to Representation (**Attachment 3**). The response provided commentary to each of the matters raised above. The response concluded the following:

'The proposed dwellings are an appropriate land use on this site. The development satisfies the majority of relevant DPFs and all relevant Performance Outcomes in terms of the design detail sufficient to warrant Planning Consent.'

AGENCY REFERRALS

- South Australian Water Corporation

Comment: No objections, with comments

- SPC Planning Services

Comment: No objections, with comments

INTERNAL REFERRALS

- **Traffic** - Full report can be found in **Attachment 4**.

Summary:

- *The proposed driveway entry width of 3.05m...meets the Australian Standards and is considered acceptable.*
- *The proposed ROW accessway driveway is less than 30m long and provides clear sight distance from one end to the other.*
- *Given only 4 parking spaces are provided in the proposed development, and there are only 9 spaces within the existing development at 4 King William Rd, peak hour traffic volumes are unlikely to ever exceed 30 or more movements in a peak hour.*
- *Considering all the above, the proposed accessway does not meet any warrants for the installation of a passing area within the accessway driveway.*

In addition, it was advised that clear sight distance for pedestrians should be provided in the form of a pedestrian sight triangle. This has since been implemented within the latest set of plans.

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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.

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.

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PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, are found within the following link: [Planning and Design Code Extract](#)

Relevant Planning and Design Code Policies

Relevant Policies
ZONE
Business Neighbourhood Zone
DO 1, DO 2
PO 1.1, PO 2.1, PO 2.2, PO 2.3, PO 3.1, PO 3.2, PO 3.4, PO 3.6, PO 3.7
OVERLAYS
Historic Area Overlay
DO 1
PO 1.1, PO 2.1, PO 2.2, PO 2.3, PO 2.4, PO 2.5, PO 6.1, PO 6.2
Historic Area Statement
Stormwater Management Overlay
DO 1
PO 1.1
Urban Tree Canopy Overlay
DO 1
PO 1.1
GENERAL DEVELOPMENT POLICIES
Design in Urban Areas
DO 1
PO 6.1, PO 7.1, PO 8.1, PO 10.1, PO 10.2, PO 17.1, PO 17.2, PO 18.1, PO 20.2, PO 20.3, PO 21.1, PO 21.2, PO 22.1, PO 23.1, PO 23.2, PO 23.3, PO 23.4, PO 23.5, PO 23.6, PO 24.1, PO 31.2, PO 31.3, PO 31.4, PO 33.1, PO 33.4, PO 33.5, PO 34.2, PO 44.1, Table 1 – Private Open Space
Interface between Land Uses
DO 1
PO 3.1, PO 3.2, PO 3.3
Transport, Access and Parking
DO 1
PO 5.1, 10.1, Table 1 - General Off-Street Car Parking Requirements

ITEM 2**DEVELOPMENT APPLICATION - 23002756 – 6 KING WILLIAM ROAD, WAYVILLE SA 5034****Quantitative Assessment****Dwelling upon Proposed Lot 1**

	P&D Code	Proposed
Site Area	600m ²	289m ²
Frontage	15m	13.72m
Site Coverage	60%	Dwelling covers approximately 70.1% (approximately 202.6m ²) of the individual allotment and 29.7% of the entire subject land
Private Open Space	60m ²	Approximately 73m ²
Soft Landscaping	20%	Approximately 8.6% (24.9m ²)
Total Height	2 Levels and 9m	3 levels and approximately 10.3m from natural ground level
Height of boundary dev	3.2m	Maximum 10.3m in height from natural ground level
Length of boundary dev	11.5m	Approximately 21.4m in length
Front setback	Average of the adjacent buildings (3.6m)	3.6m (2.1m porch)
Side setback	1m first building level 3m second building level	Minimum 0m first, second and third levels (south elevation) Minimum 1m first and second levels and 5m third level (north elevation)
Onsite car parks #	2, 1 undercover	2 undercover

Dwelling upon Proposed Lot 2

	P&D Code	Proposed
Site Area	600m ²	291m ²
Frontage	15m	N/A
Site Coverage	60%	Dwelling covers approximately 77.7% (approximately 226.2m ²) of the individual allotment and 33.2% of the entire subject land
Private Open Space	60m ²	Approximately 81m ²
Soft Landscaping	20%	Approximately 11.0% (32m ²)
Total Height	2 Levels and 9m	3 levels and approximately 10.3m from natural ground level
Height of boundary dev	3.2m	Maximum 10.3m in height from natural ground level
Length of boundary dev	11.5m	Approximately 20.8m in length
Front setback	Average of the adjacent buildings (3.6m)	N/A
Side setback	1m first building level 3m second building level	Minimum 0m first level and 2.5m second & third levels (south elevation) Minimum 0m first level and 3.8m second and third levels (north elevation)
Rear setback	3m first building level 5m second building level	Minimum 1.7m first level, 1.7m second level and 4.0m third level
Onsite car parks #	2, 1 undercover	2 undercover

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Site Area

The Local Variation (TNV) for the subject land identifies that the site area for a detached dwelling to be 600m² within the Business Neighbourhood Zone.

It is noted that the proposal is for group dwellings not detached dwellings. The Planning and Design Code (the Code) does not contain a Performance Outcome (PO) which relates to site areas within the Business Neighbourhood Zone.

Further investigation has also found that Minimum Site Area Variation generated by the Code for the subject land does not appear for the two immediately adjacent allotments also located within the Business Neighbourhood Zone; 4 King William Road and Unit 1, 10 King William Road). Therefore, this appears to be a Planning and Design Code anomaly.

As outlined within the *Rules of Interpretation* above

'In order to interpret Performance Outcomes, the policy includes a standard outcome that generally meets the corresponding performance outcome (Designated Performance Feature or DPF)'

Therefore, given that there is no relative Performance Outcome relating to specifically to site area, it is considered that the 600m² TNV is not relevant in this instance.

In any case, **Performance Outcome 4.1** of the **Business Neighbourhood Zone** states

'Land division and / or site amalgamation creates allotments that vary in size and are suitable for a variety of residential and commercial activities and improve the level of development integration.'

It is considered that the proposed land division creates two (2) allotments that are of a suitable size and configuration to accompany the proposed group dwellings. In addition, it is noted that that the subject land is located adjacent to 11 group dwellings to the south (Unit 1-11/10 King William Road) with a density rate of 225m² per dwelling.

Given the above, it is considered that the density of the proposed dwellings will not detract from the existing built form within the locality, and as such, will meet the intent of **PO 4.1** of the **Business Neighbourhood Zone**.

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Building Height

PO 3.1 of the **Business Neighbourhood Zone** states

'Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.'

Designated Performance Feature (DTS/DPF) 3.1 identifies that the maximum building height as 9m and 2 levels.

The proposed dwellings have an overall building height of 3 levels and 10.3m from natural ground level. As outlined within the image below, the subject land is located adjacent to the Established Neighbourhood Zone at the south-western end, however, is located within and adjacent the Business Neighbourhood Zone along all other sides of the allotment.

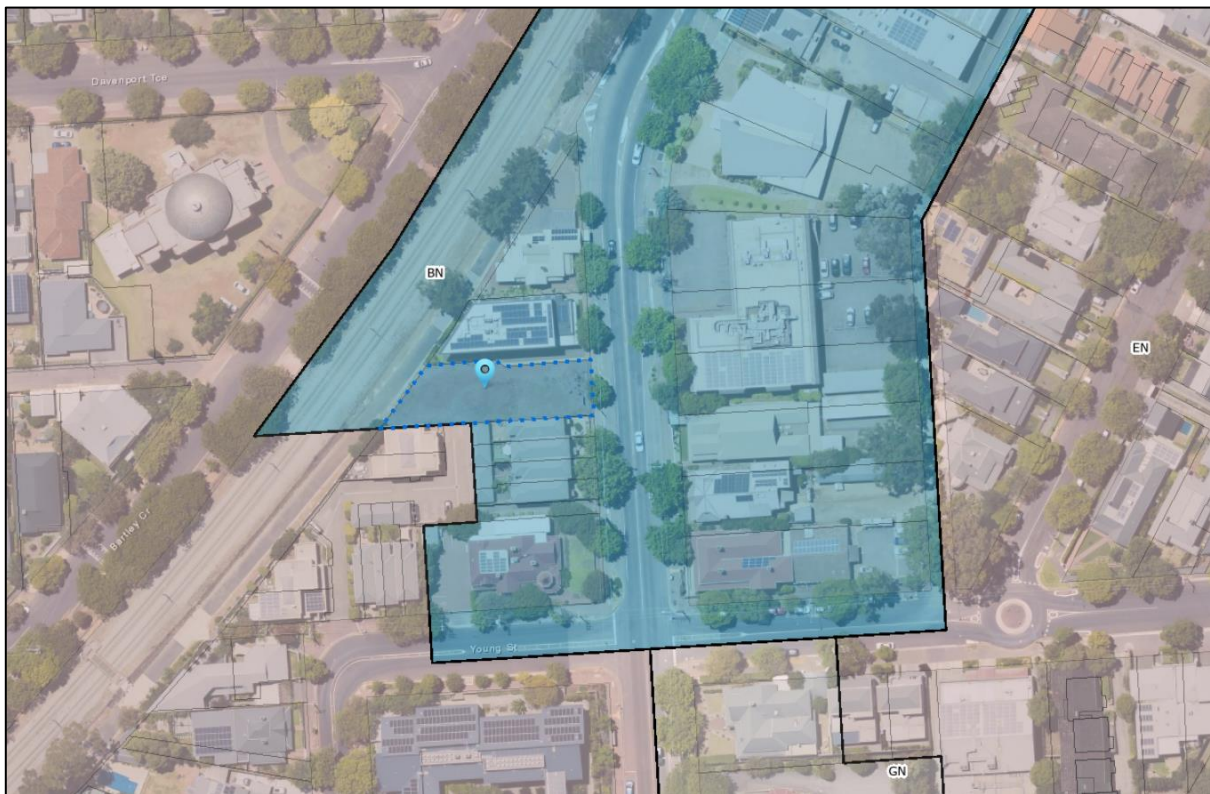


Figure 5: Extract from SAPPa demonstrating the subject land and the Business Neighbourhood Zone (blue) and Established Neighbourhood Zone (pink)

The immediately adjacent buildings have the following building heights:

- **4 King William Rd** – Two-storey building with an overall height of 8.4m (10.0 from the top of the service area) from finished floor level to the top of the parapet
- **Unit 1 & 5/10 King William Rd** – Two-storey dwellings with an overall height of approx. 8m from the finished floor level to the top of the parapet

The proposed dwellings will therefore be sited higher than the adjacent buildings in excess of approximately 1.9m. Despite exceeding the height of the adjacent buildings, the height of the subject dwellings is considered to be appropriate for the following reasons:

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Siting of Building Levels

The subject dwellings have been designed to have staggered façades. The dwelling upon proposed Lot 1, which fronts King William Road (primary street), displays an inset setback for each level as outlined below:

- **First Level:** Maximum building height of approximately 4.5m and setback of 3.6m from the primary façade to the primary street
- **Second Level:** Maximum building height of approximately 7.1m and a setback of 4.6m from the primary street
- **Third Level:** Maximum building height of approximately 10.3m and a setback of 8.4m from the primary street

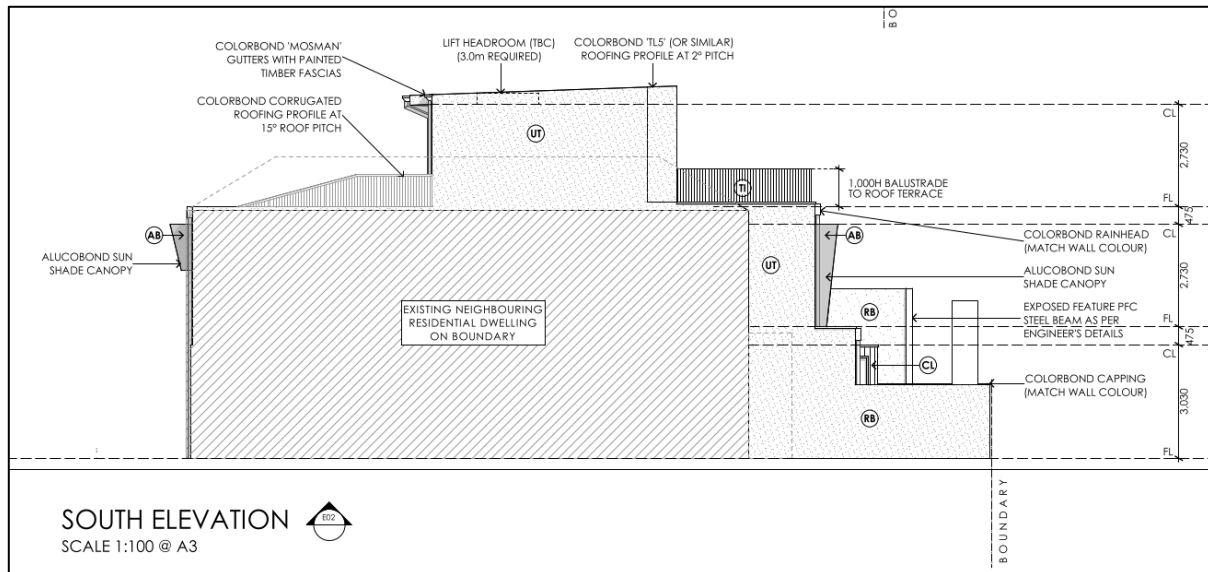


Figure 6: Extract from application plans prepared by Girardi Design detailing the elevation of the proposed dwelling upon Lot 1

Given the inset of each building level, the bulk and scale of the building as viewed from the primary street will be reduced, with particular regard to the third level which will be largely obscured at eye level as viewed from the public realm.

Zoning of the Subject Land

The Business Neighbourhood Zone in which the subject land is located, envisages development 2 levels and 9m in height which is greater than the Established Neighbourhood Zone which envisages 1 level and 6m.

Given the existing and anticipated two-storey built form along King William Road, the proposed three-storey development, with a largely obscured third level, is not considered to be unreasonable as the bulk and scale of the dwelling will not detract from buildings within the immediate locality.

Given the above, the proposed dwellings are considered to meet the intent of **PO 3.1** of the **Business Neighbourhood Zone**, and as such, the overall building height is considered to be acceptable in this instance.

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Boundary Wall and Overshadowing

PO 3.4 of the **Business Neighbourhood Zone** states

'Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining residential properties.'

Each of the proposed dwellings have boundary walls sited along the shared southern boundary as outlined below:

- **Dwelling upon proposed Lot 1:** Maximum 21.4m in length and 10.3m in height
- **Dwelling upon proposed Lot 2:** Maximum 20.8m in length and 10.3m in height

The proposed boundary walls for each dwelling have been sited to align with the existing boundary walling of the dwellings to the south and the shared driveway which services the dwellings. This can be seen within the image below:

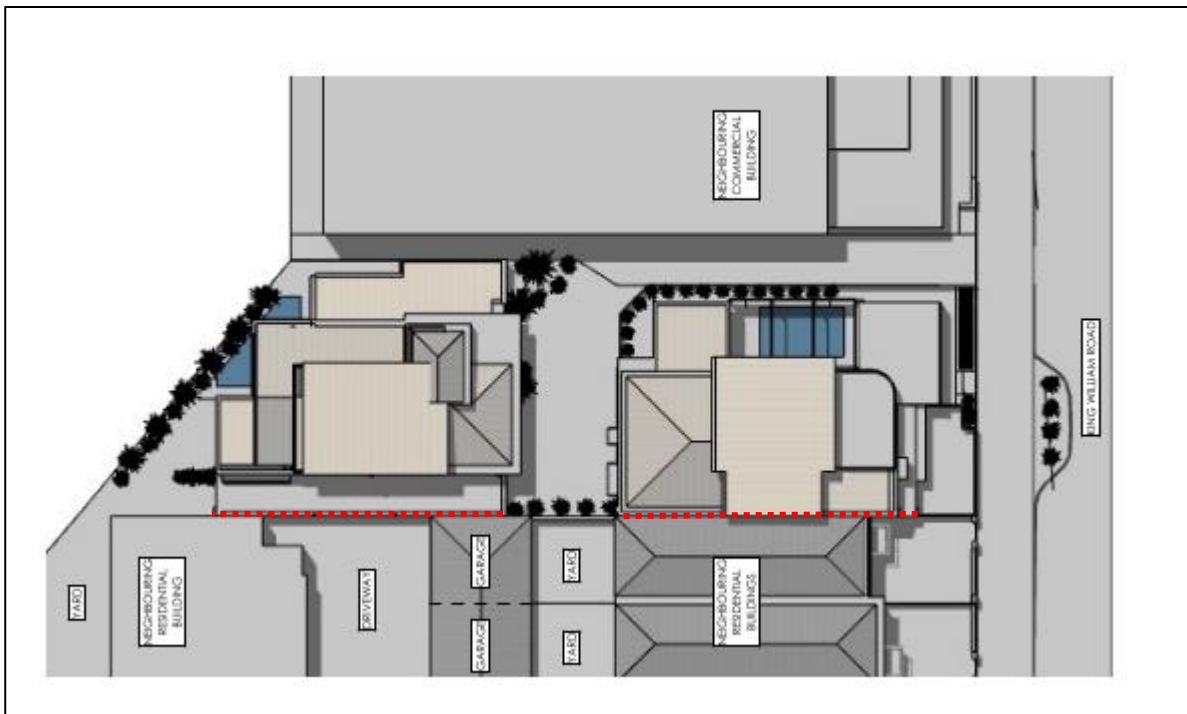


Figure 7: Extract from application plans prepared by Girardi Design detailing the level of overshadowing from the proposed dwellings. Location of boundary walls shown in red.

PO 3.1 & 3.2 of the **Interface between Land Uses** section states that overshadowing of habitable room windows of adjacent residential land uses and private open space areas of such land uses be designed to allow for the following:

- *'North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.'*
- *'Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance Overshadowing diagrams have been provided which detail the level of overshadowing of the proposal from June 22 – 9am to 3pm (winter) and December 22 – 9am to 3pm (summer).'*

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An assessment of each overshadowing diagram is detailed below:

June 22 – 9am to 3pm (winter)

- The front facing dwellings to the south (Unit 1 & 2/ 10 King William Road) will receive sunlight into the private open space areas at 12pm; and
- The rear dwellings to the south (Unit 5 & 6/ 10 King William Road) will receive direct sunlight into the private open space areas between 12pm – 3pm.

December 22 – 9am to 3pm (summer)

- The front facing dwellings to the south (Unit 1 & 2/ 10 King William Road) will receive 3 hours of sunlight between 9am-12pm; and
- The rear dwellings to the south (Unit 5 & 6/ 10 King William Road) will receive direct sunlight into the private open space areas between 9am to 3pm.

Although Unit 1&2 /10 King William Road will not receive the 3 hours of sunlight into the private open space area on June 22, the level of overshadowing is not considered unreasonable as it is expected that the dwellings will receive greater levels of sun during the late-summer and early autumn months.

On balance, it is considered that the level of overshadowing towards the properties to the south is acceptable as it meets the intent of **PO 3.4** of the **Business Neighbourhood Zone** and **PO 3.1 & 3.2** of the **Interface between Land Uses**.

Site Coverage and Soft Landscaping

PO 2.3 of the **Business Neighbourhood Zone** states

‘Site coverage is limited to provide space for landscaping, open space and pervious areas.’

DTS/DPF 2.3 identifies that development should not result in site coverage exceeding 60%.

The proposed dwellings have been proposed with the following roofed areas:

- **Proposed Residence Lot 1:** Approximately 202.6m² (29.7% of the total site area)
- **Proposed Residence Lot 2:** Approximately 226.2m² (33.2% of the total site area)

The proposed dwellings have a combined roofed area of approximately 428.8m², which equates to 62.9% of the total site area.

PO 22.1 of the Design in Urban Areas section states

‘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.’

DTS/DPF 22.1 identifies that allotments between >200-450m² should provide a minimum percentage of 20% of soft landscaping.

As identified within the Quantitative Assessment above, each dwelling will provide the following soft landscaping percentage:

- **Proposed Residence Lot 1:** Approximately 8.6% (25m²) of the individual allotment
- **Proposed Residence Lot 2:** Approximately 11.0% (32m²) of the individual allotment
- **Common Property:** Approximately 2.3% (17m²) of the site as a whole

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Whilst the dwellings exceed the quantitative measure for site coverage by 2.9% and will include less than 20% soft landscaping, the above shortfalls are not considered to be fatal given the percentage of area utilised as common property to allow for adequate vehicle turnaround, the inclusion of pools that will contribute to heat absorption and the extent of shaded areas. Although not included in the calculation of soft landscaping, the use of permeable paving will allow for stormwater infiltration which relates to the intent of the above Performance Outcomes.

As such, it is considered that the proposal meets the intent of **PO 2.3** of the **Business Neighbourhood Zone** and **PO 22.1** of the **Design in Urban Areas** section.

Access

PO 3.5 of the **Transport, Access and Parking** section states

‘Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.’

The proposal will utilise the existing crossover and right of way over the property to the north (4 King William Road). As outlined above, the application was referred to Council’s Traffic Engineer (**Attachment 4**). The report concludes that a passing bay was not considered to be necessary (as requested by the representor) given the small volume of vehicle movement generated by the proposed dwellings and the level of movement from the existing consulting rooms upon 4 King William Road.

Given the above, the proposal is considered to meet the intent of **PO 3.5** of the **Transport, Access and Parking** section.

Visitor Parking

Table 1 - General Off-Street Car Parking Requirements of the Transport, Access and Parking section states that a group dwelling ‘...with 3 or more bedrooms (including rooms capable of being used as a bedroom)’ should provide ‘2 spaces per dwelling, 1 of which is to be covered.’ The table also clarifies that the visitor parking rate of 0.33 spaces per dwelling is only relevant where three (3) or more group dwellings are proposed.

It is noted that the proposal is for two (2) group dwellings. As outlined within the quantitative table above, each dwelling contains 2 undercover car parking spaces. As such, the proposal meets the desired car parking rate identified within **Table 1 - General Off-Street Car Parking Requirements**.

Overlooking

PO 10.1 of the **Interface between Land Uses** section states

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

The representor has identified concerns with overlooking from the proposed dwellings into the commercial premises to the north (4 King William Road).

It should be noted that the Code does not have any relevant policies that relate to mitigating overlooking of commercial land uses. In any case, the north facing upper-level windows for both dwellings have window sill heights in excess of 1.5m or have external privacy screens attached adjacent the windows.

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Whilst the roof terraces have not been proposed with privacy screening along the northern side, the potential for overlooking is not considered unreasonable on account of the adjacent commercial land use and adjacent tramline.

As such, the proposal is considered to meet the intent of **PO 10.1** of the **Interface between Land Uses** section.

Powerline Clearance

PO 1.1 of the **Clearance from Overhead Powerlines** section states

Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.

DTS/DPF 1.1 further clarifies that the above can be met should one of the following be satisfied:

- *a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996*
- *there are no aboveground powerlines adjoining the site that are the subject of the proposed development.*

It is noted that the applicant has signed and submitted the relevant Electricity Declaration as part of the application. As outlined within the Response to Representations provided by URPS, advice has also been received from the Department of Energy and Mines regarding the proposed development and the power line which is considered to be satisfactory.

Therefore, it is considered that the proposal meets the intent of **PO 1.1** of the **Clearance from Overhead Powerlines** section.

Site Works and Stormwater Management

The site plan provided identifies the natural contours of the land and the finished floor levels of each dwelling. The data provided details that the site is relatively flat with a maximum fall across the site of approximately 0.5m. The spot levels generally range between 39.00 at rear portion of the site to 39.60 at the front/middle portion.

The finished floor levels of the dwellings have been proposed at a level of 39.60. The finished floor levels will result in the site being filled to the rear, with retaining walls proposed along the western (rear) boundary between 0.4m and 0.6m and plinths along the northern (side) boundary in the realm of 0.1m. No retaining has been proposed along the southern (side) boundary.

The proposed level of retaining walls is considered to be acceptable given their interface between the adjacent shared use pedestrian/bike path to the west and the driveway and car park of the building to the north (4 King William Road).

Whilst no stormwater details have been provided at this stage, it is considered that the dwellings can be designed with an adequate stormwater system that will direct stormwater to the street water table given the proposed finished floor level of the dwellings and the topography of the site. As such the proposed site works are considered to be acceptable. A reserved matter is included in the recommendation.

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Acoustic Treatments

Given the proximity of the rear dwelling (proposed dwelling upon Lot 2) to the adjacent tram line to the west, a Noise and Vibration assessment was requested by Council.

The acoustic assessment prepared by SONUS Acoustic Consultants was referred to Echo Acoustic Engineers for peer review (**Attachment 5**).

The review concluded that the vibration treatments recommended by SONUS are appropriate. A reserved matter is recommended (if approved) which will allow for the applicant to implement the necessary treatments during the Building Rules Consent stage.

CONCLUSION

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

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Business Neighbourhood Zone, Overlays and General Development Policies;
- The proposed development has been designed to respect and complement the streetscape context and will not unreasonably impact upon the adjacent residential properties in regards to the overlooking and overshadowing; and
- The proposed development will provide a suitable access arrangement and car parking.

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 23002756, by All Good Property Options Pty Ltd is GRANTED Planning Consent subject to the following reasons conditions & reserved matters:

CONDITIONS

Condition 1

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

Condition 2

The approved planting and landscaping must be completed in the first planting season concurrent with or following commencement of the use of the dwellings. 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 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.

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Condition 4

That ancillary pool and/or spa equipment shall be entirely located within a sound attenuated enclosure prior to the operation of said equipment. Noise generated from ancillary pool and/or spa equipment must not exceed 52 db(a) between 7am and 10pm and 45 db(a) between 10pm and 7am on any day, measured from a habitable room window or private open space of an adjoining dwelling.

Condition 5

That wastewater from the swimming pool shall be discharged to the sewer, and not be allowed to flow onto adjoining properties or the street water table under any circumstances.

Reserved Matters

1. Prior to Development Approval, the dwelling upon proposed Lot 2 must implement treatments that satisfy MBS 010 (*Construction requirements for the control of external sound*) with such examples identified within the approved SONUS acoustic report.
2. Prior to Development Approval, a site works and drainage plan be provided which demonstrates the appropriate stormwater detail to the satisfaction of Council.

Land Division Consent

Conditions imposed by SPC Planning Services under Section 122 of the Act

Condition 1

Payment of \$8066.00 into the Planning and Development Fund (1 allotment/s @ \$8066.00 /allotment). This payment will not become payable until the Certificate of Approval application under Section 138 has been lodged. At that time the Land Division Registration fee (currently \$1069.00), will also become payable. The total of the two fees must be paid in a single payment. Payment may be made via credit card (Visa or MasterCard) online at plan.sa.gov.au, over the phone on 7109 7018, or cheques may be made payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001

Condition 2

A final plan complying with the requirements for plans set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

Conditions imposed by South Australian Water Corporation under Section 122 of the Act

Condition 3

SA Water's water and sewer network is available for connection in this area. An investigation will need to be undertaken to determine infrastructure needs, appropriate fees and charges.

The financial requirements of SA Water shall be met for the provision of water and sewer supply services.

Condition 4

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant. <https://www.sawater.com.au/building,-developing-and-plumbing/new-connections-and-alterations/connection-fees>

ITEM 2

DEVELOPMENT APPLICATION - 23002756 – 6 KING WILLIAM ROAD, WAYVILLE SA 5034

Condition 5

if a connection/s off an existing main is required, an investigation will need to be carried out to determine if the connection/s to your development will be standard or non-standard costs.

Condition 6

The builder/developer will need to determine and verify if the depth of the existing sewer connection(s) is suitable for the development.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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.

Advisory Note 2

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 3

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 4

Any redundant crossovers must be reinstated to Council satisfaction.

Any proposed crossovers must be installed to Council satisfaction.

Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Advisory Note 5

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 6

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 7

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 8

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 2

DEVELOPMENT APPLICATION - 23002756 – 6 KING WILLIAM ROAD, WAYVILLE SA 5034

OFFICER MAKING RECOMMENDATION

Name: Mark Troncone
Title: Planning Officer
Date: 08/06/2023

ATTACHMENT 1

Total area of site: 682m² No. existing lots: 1
 Area of reserve: 0m² No. proposed lots: 2
 No. additional lots: 1

SUBJECT LAND

Allotment 23 in F12736

Site Address: 6 KING WILLIAM ROAD
 Suburb: WAYVILLE
 Hundred: ADELAIDE
 Title(s): CT 5844 / 212

ANNOTATIONS

All measurements in metres unless shown otherwise. Do not scale drawing. Original sheet size is A3. All measurements are subject to survey and final plan of division. Always check the current certificate(s) of title for any easement(s) and annotation(s) that affect the within land.

Council is to provide street numbering on the Decision Notification Form to allow new electricity and telecommunication connections to be established as per NBN Co and SA Power Networks.

nbn™ Owner/client (the developer) is to register their development with NBN Co at nbnc.com.au. Penalties may apply for failure to register your development.

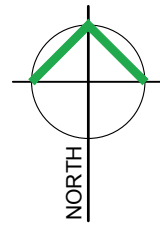
DIAL BEFORE YOU DIG Where existing structures are to be demolished, the developer is to apply to Council for demolition approval. Prior to demolition of a dwelling the electricity and gas services must be abolished. It is recommend to use the Dial Before You Dig service to check all service locations.

Where existing private internal sewer drains and/or water pipes cross proposed boundaries, the developer is to alter the drains and/or pipes such that they do not cross boundaries. As-constructed diagram by a licensed plumber is to be submitted to Office of the Technical Regulator.

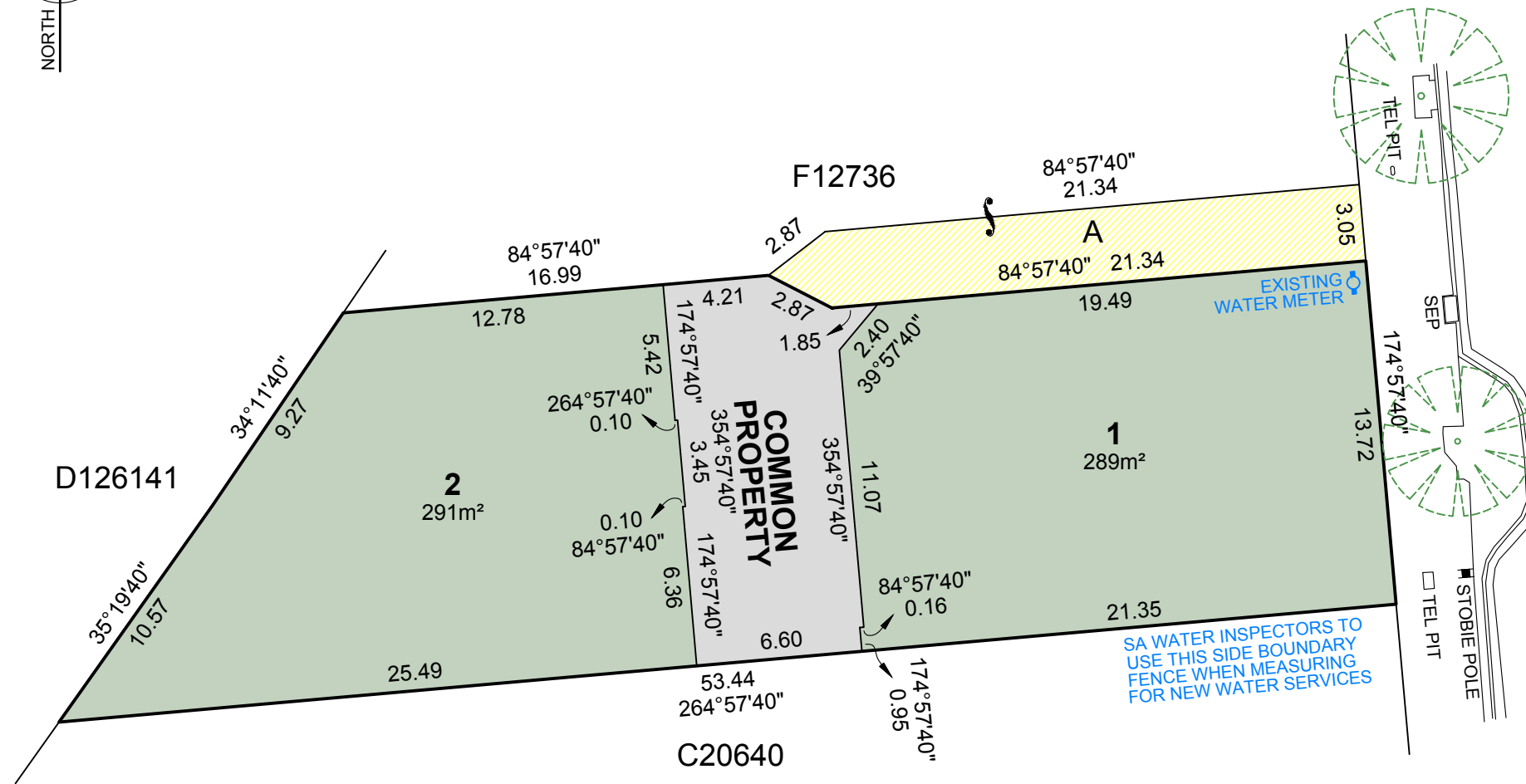
SA Water Connection contact details
 Zaina Stacey Administration
 Phone: 08 8379 7979
 Email: planning@zainastacey.com

PLAN VERSIONS DRAFTER: **DMS**

15/02/2023 Issued for planning consent



KING WILLIAM ROAD



EASEMENTS AND ANNOTATIONS

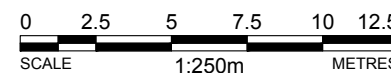
There are no regulated and/or significant trees on or within 20.0 metres of the subject land boundaries.

The within land is together with free and unrestricted right(s) of way over the land marked A.

SA WATER SEWER/WATER LOCATION RESTRICTIONS

Location restrictions for water and wastewater connections:

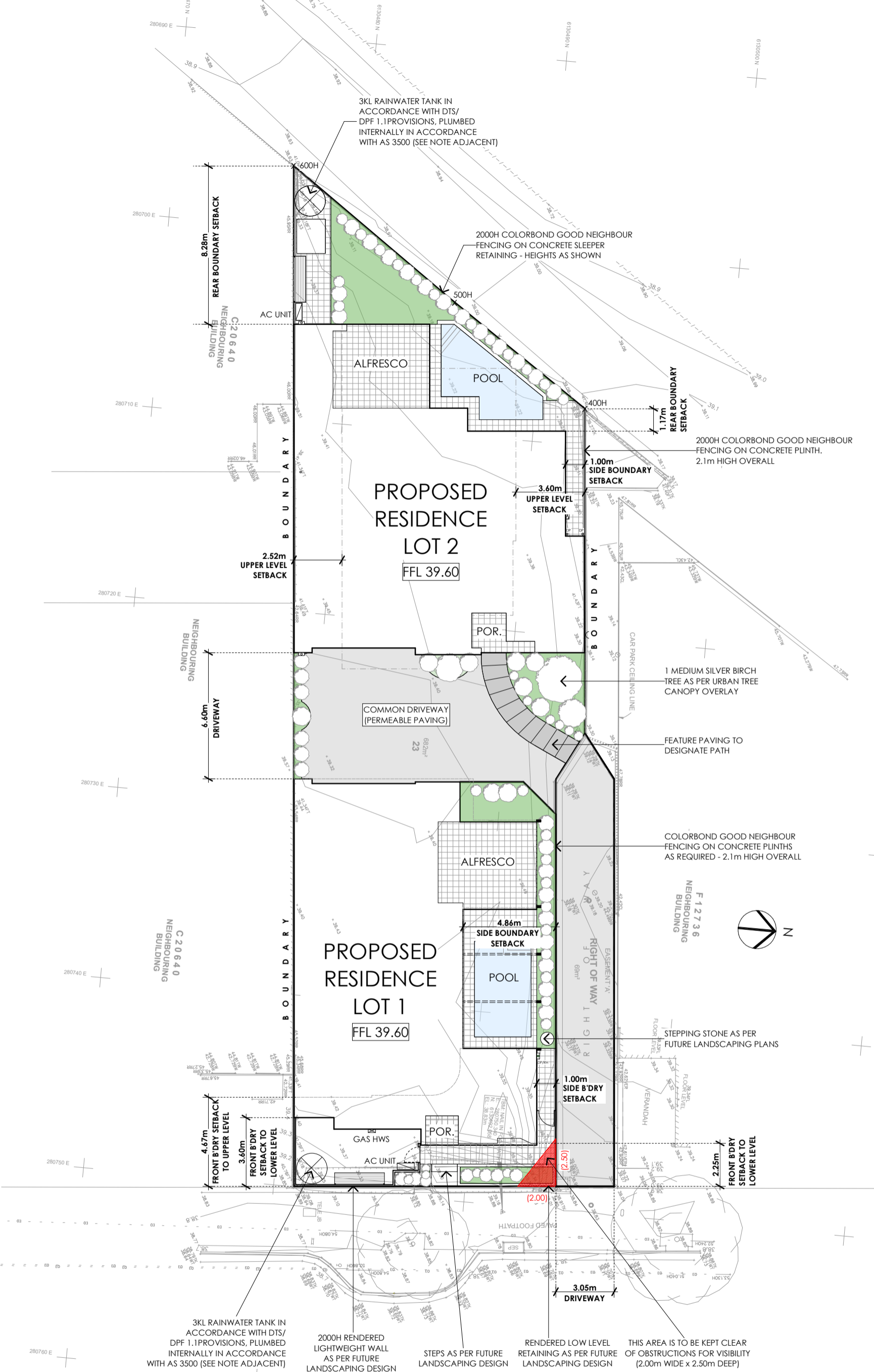
Gas meter	Minimum 1.0m from a gas meter
Light poles	Minimum 1.5m from a light pole
Stobie poles	Water 1.5m from a stobie pole Sewer 3.0m from a stobie pole
Stormwater culverts	Minimum 0.5m from edge of culvert
Telstra pit	Minimum 0.5m from edge of pit
Trees	Girth > 1.0m - minimum 3.0m from the tree and not within the tree canopy Girth < 1.0m - possibly closer to the tree than 3.0m and not within the tree canopy
Water and sewer connections	Minimum 0.6m apart



AMREIN, PROPOSED DEVELOPMENT

6 KING WILLIAM ROAD, WAYVILLE





SITWORKS NOTE

SITE LEVELS, FFLS, STORMWATER & SITE DRAINAGE AS PER ENGINEERS SITWORKS PLANS

RAINWATER TANK NOTE

RAINWATER TANK COMPLYING WITH PLANNING CODE DTS/DPF 1.1 AND AUST STD 3500

- 2KL RETENTION (FOR SITE 200 - 400m2)
- 1KL DETENTION WITH 20-25mm SLOW RELEASE ORIFICE (FOR SITE <30% PERVIOUSNESS)
- FROM MINIMUM 60% ROOF CATCHMENT
- CONNECTED TO TOILET AND L'DRY COLD TAP OR HWS (SITE >200m2)

LANDSCAPING NOTE

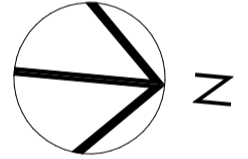
DTS/ DPF 1.1 TREE PLANTING IS PROVIDED IN ACCORDANCE WITH THE FOLLOWING:

SITE SIZE PER DWELLING (m2)	TREE SIZE AND NUMBER REQUIRED PER DWELLING
<450m2	1 SMALL TREE
450m2 - 800m2	1 MEDIUM TREE OR 2 SMALL TREES
>800m2	1 LARGE TREE OR 2 MEDIUM TREES OR 4 SMALL TREES

TABLE 1 TREE SIZE

TREE SIZE	MATURE HEIGHT (MIN.)	MATURE SPREAD (MIN.)	SOIL AREA AROUND TREE WITHIN SITE (MIN.)
SML.	4m	2m	10m2 AND MIN. DIM. OF 1.5m
MED.	6m	4m	30m2 AND MIN. DIM. OF 2m
LRG.	12m	8m	60m2 AND MIN. DIM. OF 4m

(DISCOUNTS ARE AVAILABLE SHOULD EXISTING ESTABLISHED TREES ON SITE BE RETAINED. REFER PLANNING CODE TREE CANOPY OVERLAY FOR DETAILS)



RESIDENCE 1 & 2

AREAS	m2
TOTAL SITE	: 750.9
SITE COVER	: 414.7

PLANNING ISSUE



ABN 23 284 686 378
 UNIT 1, 292-294 UNLEY ROAD
 HYDE PARK SA 5061
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 michael@girardidesign.com.au
 Web: www.girardidesign.com.au

Client:
 A & R. AMREIN
 Project:
 2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE
 At:
 6 KING WILLIAM ROAD, WAYVILLE, SA

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Designer:
 Clint Girardi
 Drawn:
 Michael Phillpott
 Date:
 8 JUNE 2023

Issue:	Drawing Number:
G	PLA01/14

LEGEND

- 47.51TK TOP KERB
- 47.36WT WATER TABLE
- 45.18FL FLOOR LEVEL
- 48.12IL INVERT LEVEL
- SPRINKLR / IRRIG VALVE
- HYDRANT
- DOMESTIC OUTLET
- DOWNPIPE
- DOMESTIC SUMP
- STORMWATER MHOLE
- SEP / GRATING
- 47.87TW TOP OF WINDOW
- 47.87BW BOTTOM OF WINDOW
- 47.87VER VERANDAH
- 50.93CL CAR PARK CEILING LEVEL
- 47.51RR ROOF RIDGE
- 47.51OH OVERHEAD
- UNDERSIDE OF ROOF
- SIGN / BUS SIGN
- TEL. COMM. PILLAR / PIT
- WATER SV / FP
- ELEC. / GAS METER
- GAS SERVICE
- UNDERSIDE OF ROOF
- 47.87FT TOP OF FENCE
- PSM
- PEG / TBM
- SURVEY MARKS
- BOREHOLE
- POWER / LIGHT POLE
- CABLE MARKER
- STOBIE / WOODEN POLE
- POST / BOLLARD
- SEWER MH / IO / SIP
- UNKNOWN POINT / SERVICE
- UNDERSIDE OF ROOF
- CAR PARK CEILING
- EDGE OF VEGETN
- ROAD SIGN / HOARD.
- ELEC OVERHEAD
- EDGE OF BITUMEN
- TOP OF GUTTER
- ROOF RIDGE
- TREE / SHRUB
- Possible REGULATED / SIGNIFICANT TREE by measurement only (trunk greater than 2.0m circumference). Professional advice from council / arborist required.
- BOTTOM OF BANK
- TOP OF BANK
- CHANGE OF GRADE
- DRAIN
- SEWER PIPE UG
- TEL. COMM. UG
- WATER PIPE UG
- BUILDING
- WALL
- GI BUILDING
- CONCRETE
- FENCE
- GATE

SITE PLAN
 SCALE 1:200 @ A3

THIS IS A LAND SURVEY ONLY, THEREFORE THE CORRELATION BETWEEN DRAWING AND THE PLOTTED BOUNDARY IS FOR INDICATION PURPOSES. THE MEASUREMENTS GIVEN SHOULD BE USED AS A GUIDE ONLY.

NOTES

ALL KITCHEN & WET AREA LAYOUTS SHOWN ON THIS PLAN ARE INDICATIVE ONLY. REFER TO JOINERY PLANS FOR CORRECT LAYOUTS AND PLUMBING POSITIONS

2.7 HIGH OPENING/INTERNAL DOOR (2630 HIGH) TYPICAL TO GROUND LEVEL (U.N.O)

2.4 HIGH OPENING/INTERNAL DOOR (2340 HIGH) TYPICAL TO UPPER & ROOF LEVEL (U.N.O)

HARDWIRED SMOKE DETECTOR WITH BATTERY BACK-UP INSTALLED IN ACCORDANCE WITH AS 3786-2014. ALL SMOKE ALARMS TO BE INTERLINKED IN ACCORDANCE WITH BCA 3.7.2.2

EXHAUST FAN DUCTED TO ATMOSPHERE OR VENTILATED ROOF SPACE INSTALLED ACCORDANCE WITH AS 1668.2

REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH S.A. HOUSING CODE APPENDIX D10.1

R/A ROOF ACCESS HATCH

DP 90 Ø ROUND PVC DOWNPIPES (PAINTED)

DP/S DOWNPIPE WITH SPREADER ONTO LOWER ROOF

DP/RH DOWNPIPE WITH SELECTED COLORBOND/PAINTED ZINCALUME RAINHEAD

col. COLUMN AS PER ENGINEERING DETAILS

RBP BRICK PIER WITH COLUMN INTERNALLY OR CONCRETE FILLED & REINFORCED AS PER ENG. DETAILS

EXTERNAL CLADDING/FINISHES

RB RENDERED BRICKWORK

ST FEATURE STONework (TBC)

CL HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME

TI TIMBER (TBC)

UT 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)

AB SELECTED ALUCOBOND CLADDING

PLANNING ISSUE



girardi design

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Phone: 0411 284 861

Email: clint@girardidesign.com.au
michael@girardidesign.com.au

Web: www.girardidesign.com.au

Client:

A & R. AMREIN

Project:

2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE

At:

6 KING WILLIAM ROAD,
WAYVILLE, SA

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Designer:

Clint Girardi

Drawn:

Michael Phillpott

Date:

8 JUNE 2023

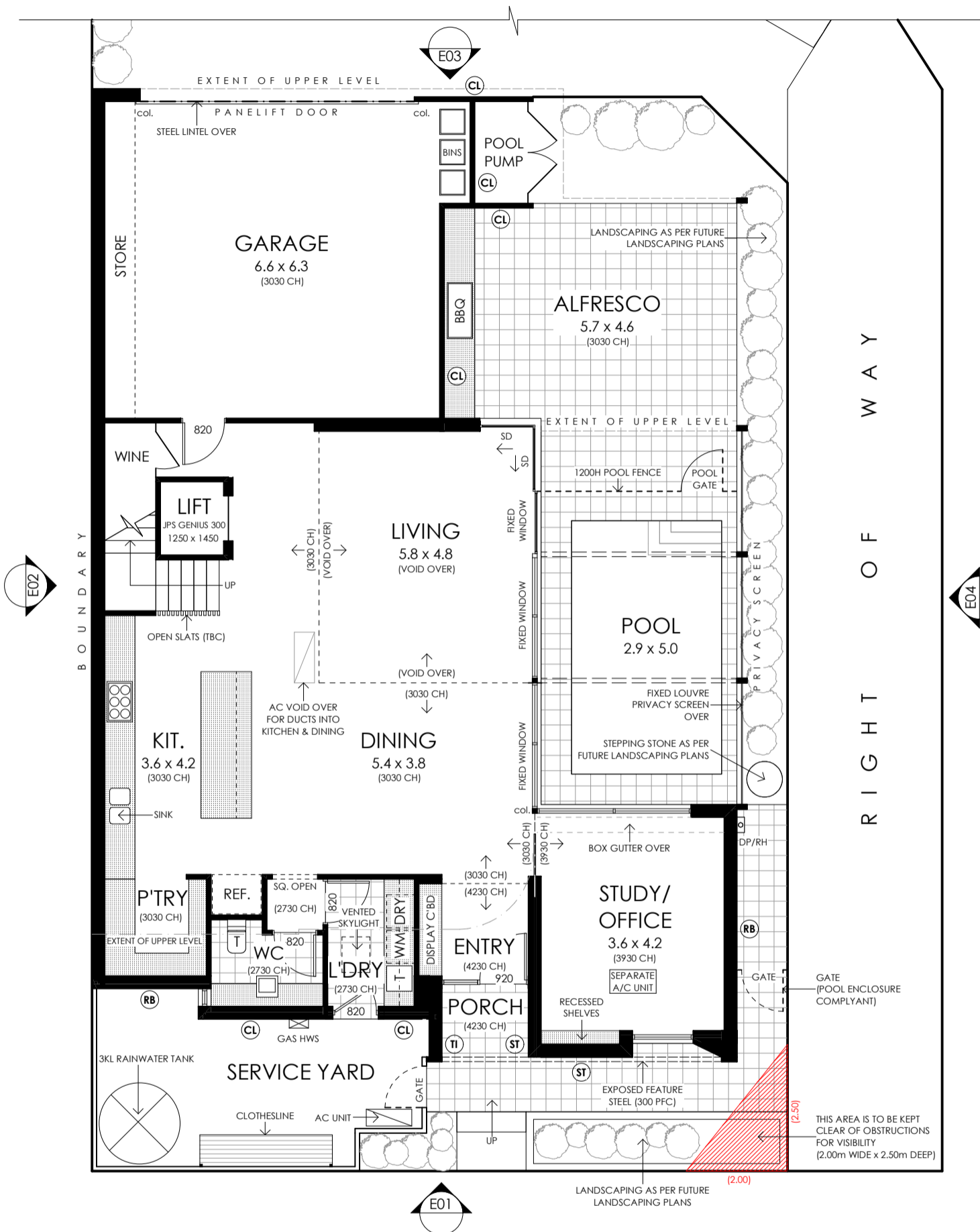
Issue:

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Drawing Number:

PLA.02/14

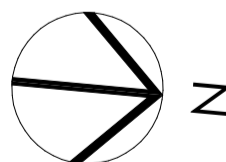
50



GROUND FLOOR PLAN

PROPOSED RESIDENCE - LOT 1

SCALE 1:100 @ A3



LOT 1 RESIDENCE

AREAS	m2
GROUND LIVING	: 120.6
UPPER LIVING (INC. VOID SPACE)	: 163.7
ROOF LEVEL	: 47.5
GARAGE	: 46.5
PORCH	: 2.5
ALFRESCO	: 30.9
ROOF TERRACE	: 28.4
TOTAL	: 440.1

NOTES

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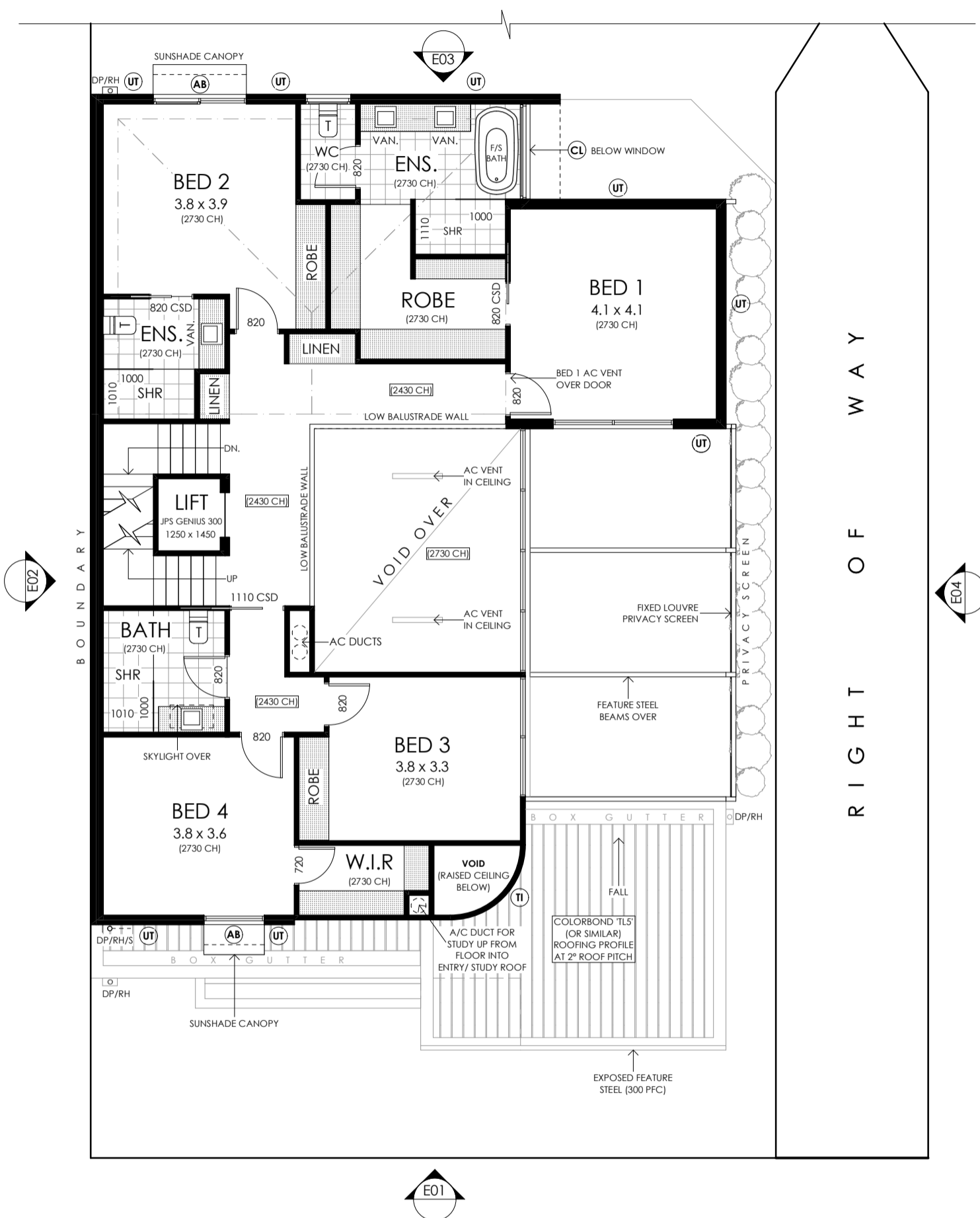
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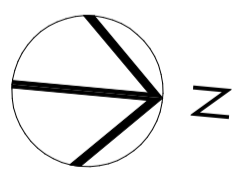
TI TIMBER (TBC)

UT 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)

AB SELECTED ALUCOBOND CLADDING



UPPER FLOOR PLAN
PROPOSED RESIDENCE - LOT 1
SCALE 1:100 @ A3



LOT 1 RESIDENCE

AREAS	m2
GROUND LIVING	: 120.6
UPPER LIVING (INC. VOID SPACE)	: 163.7
ROOF LEVEL	: 47.5
GARAGE	: 46.5
PORCH	: 2.5
ALFRESCO	: 30.9
ROOF TERRACE	: 28.4
TOTAL	: 440.1

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Clint Girardi
Drawn: Michael Phillpott Date: 8 JUNE 2023

Issue: G Drawing Number: PLA.03/14
51

NOTES

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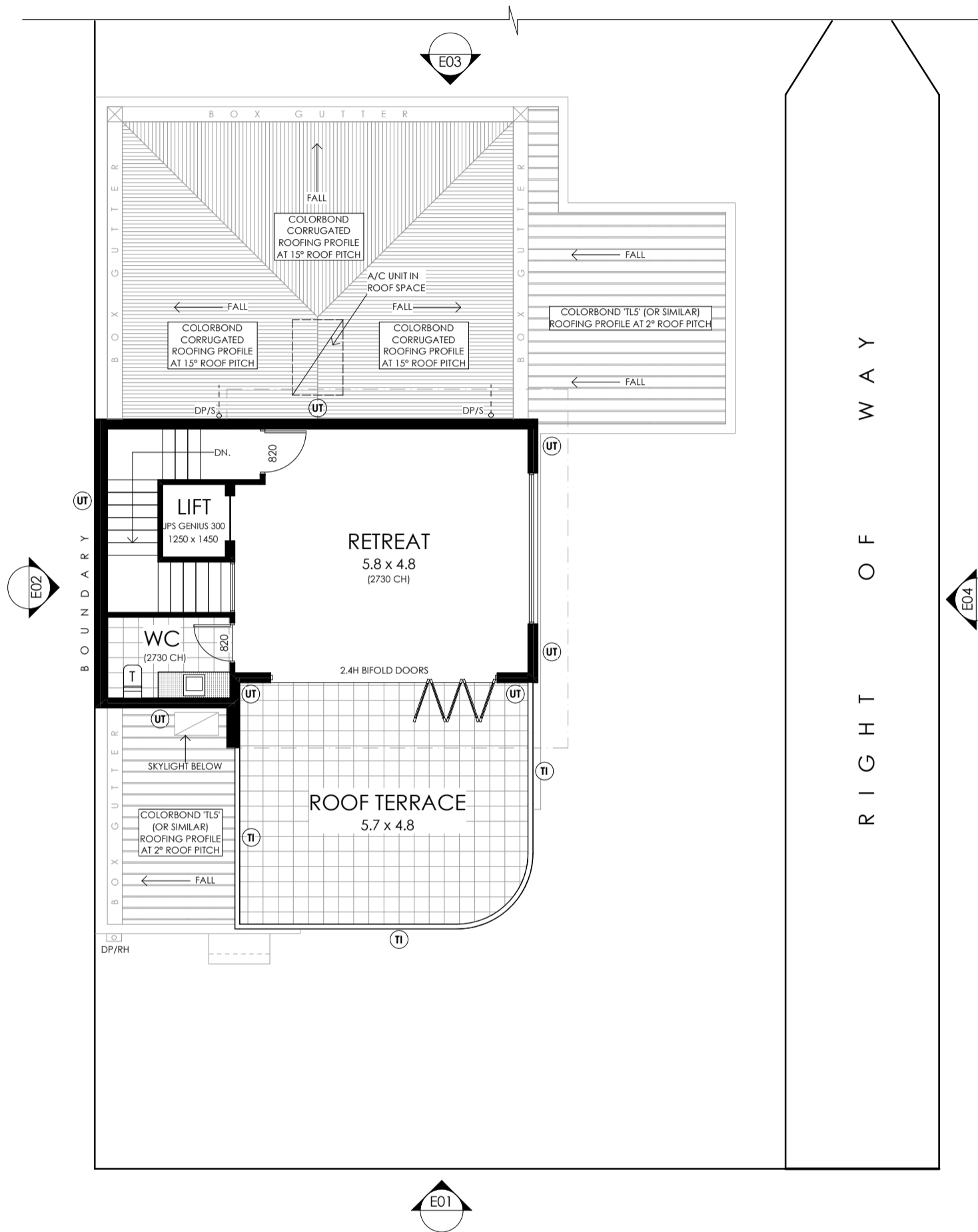
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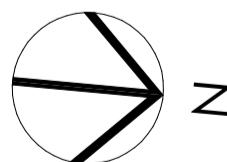
TI TIMBER (TBC)

UT 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)

AB SELECTED ALUCOBOND CLADDING



ROOF TERRACE FLOOR PLAN
PROPOSED RESIDENCE - LOT 1
SCALE 1:100 @ A3



LOT 1 RESIDENCE

AREAS	m2
GROUND LIVING	: 120.6
UPPER LIVING (INC. VOID SPACE)	: 163.7
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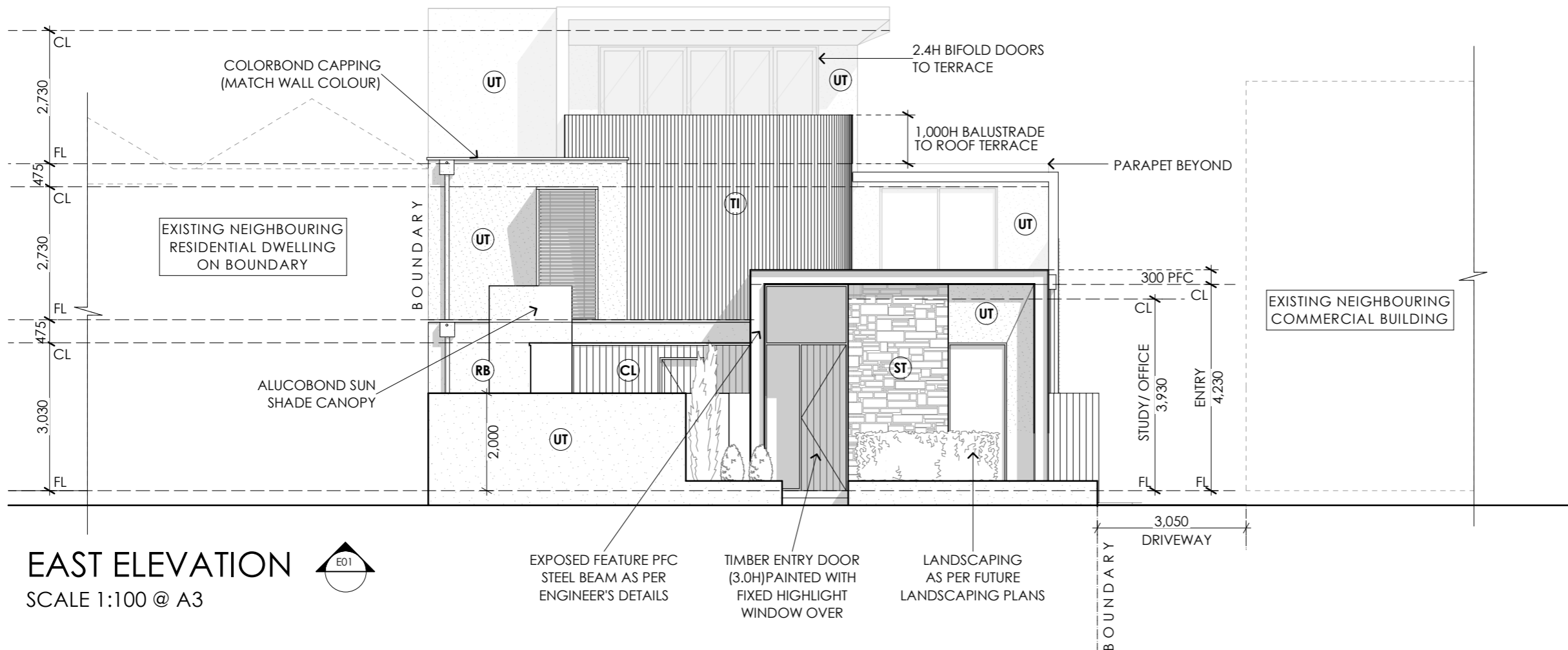
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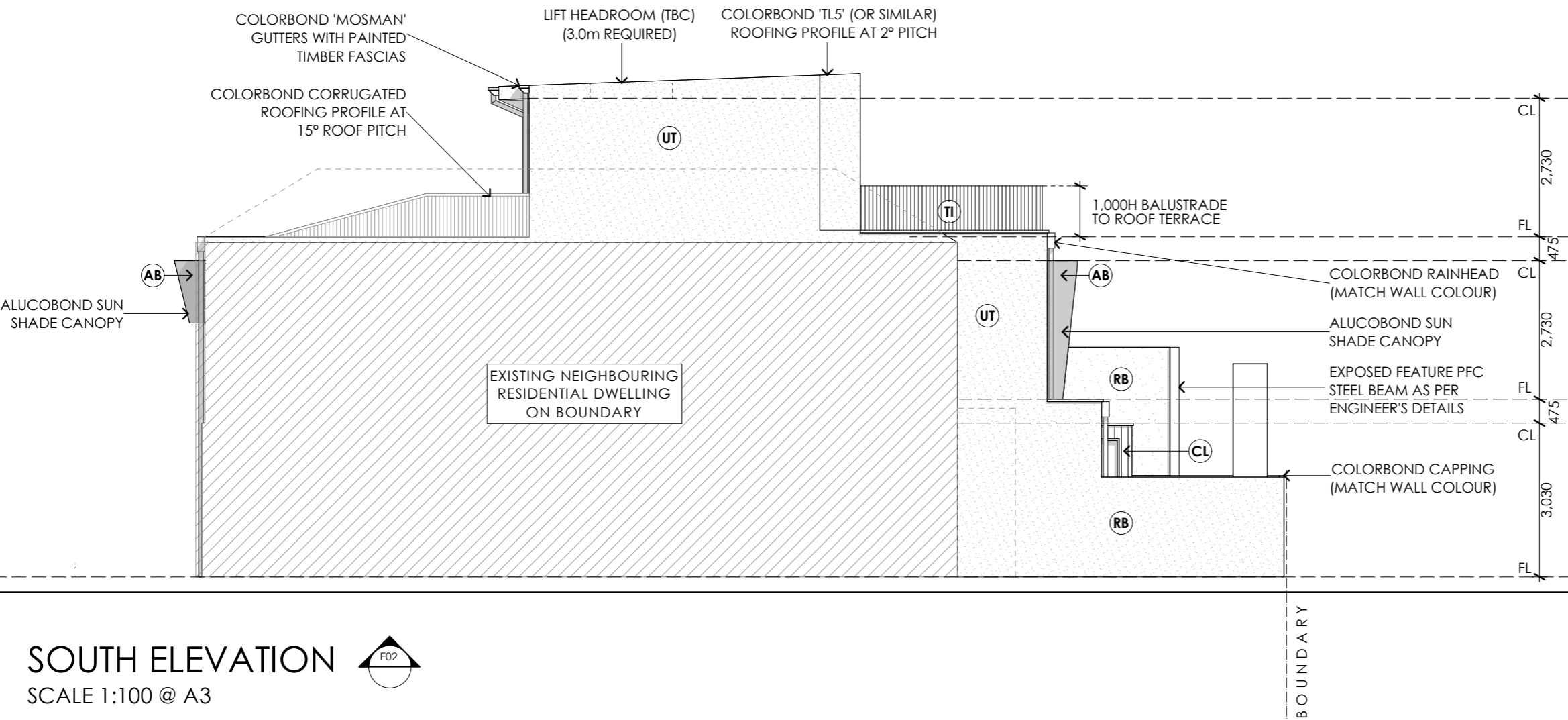
Designer:
Clint Girardi
Drawn: Michael Phillpott Date: 8 JUNE 2023

Issue: G Drawing Number: PLA.04/14
52



EXTERNAL CLADDING/FINISHES

- (RB)** RENDERED BRICKWORK
- (ST)** FEATURE STONEWORK (TBC)
- (CL)** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
- (TI)** TIMBER (TBC)
- (UT)** 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
- (AB)** SELECTED ALUCOBOND CLADDING



PLANNING ISSUE



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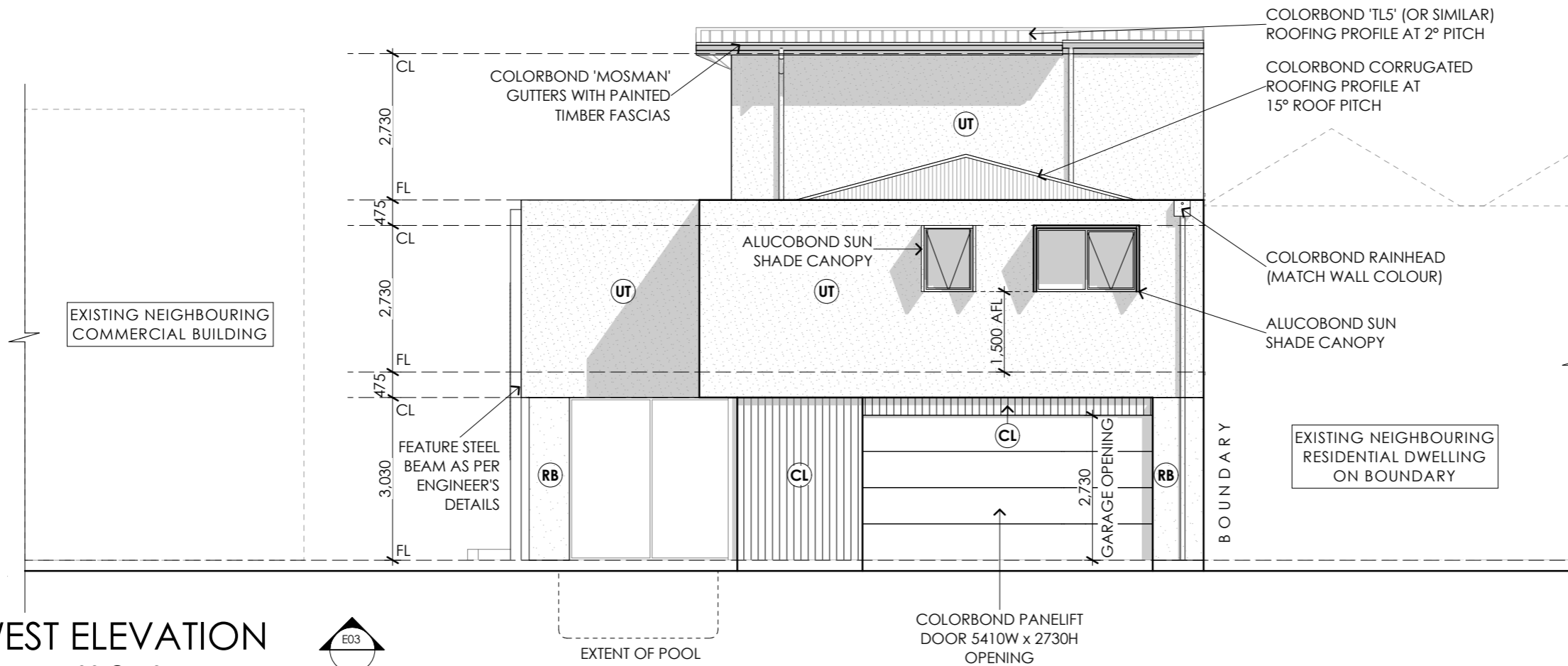
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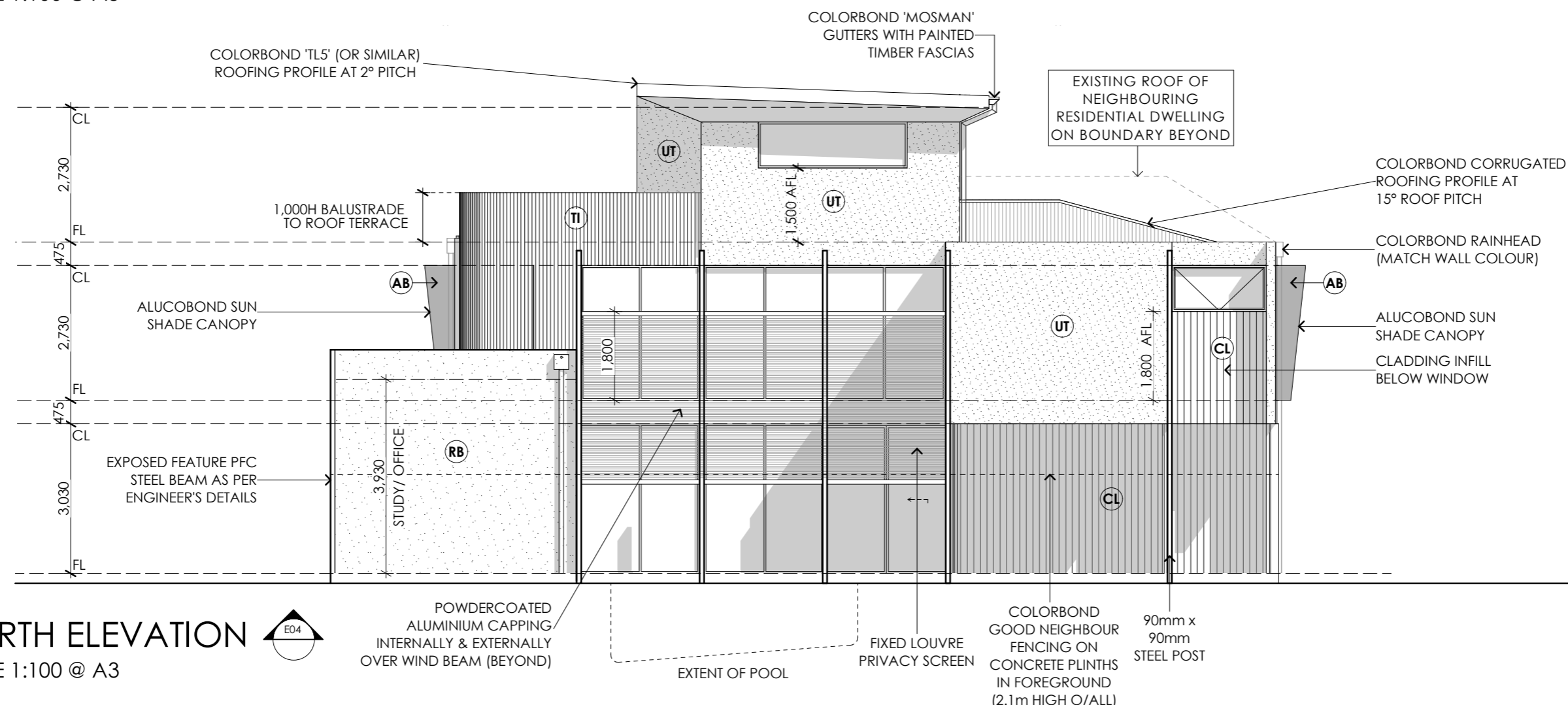
Designer:
 Clint Girardi
 Drawn: Michael Philippott
 Date: 8 JUNE 2023

Issue: G
 Drawing Number: PLA05/14
 53



WEST ELEVATION
SCALE 1:100 @ A3

- EXTERNAL CLADDING/FINISHES**
- (RB)** RENDERED BRICKWORK
 - (ST)** FEATURE STONEWORK (TBC)
 - (CL)** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
 - (TI)** TIMBER (TBC)
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 - (AB)** SELECTED ALUCOBOND CLADDING



NORTH ELEVATION
SCALE 1:100 @ A3

PLANNING ISSUE



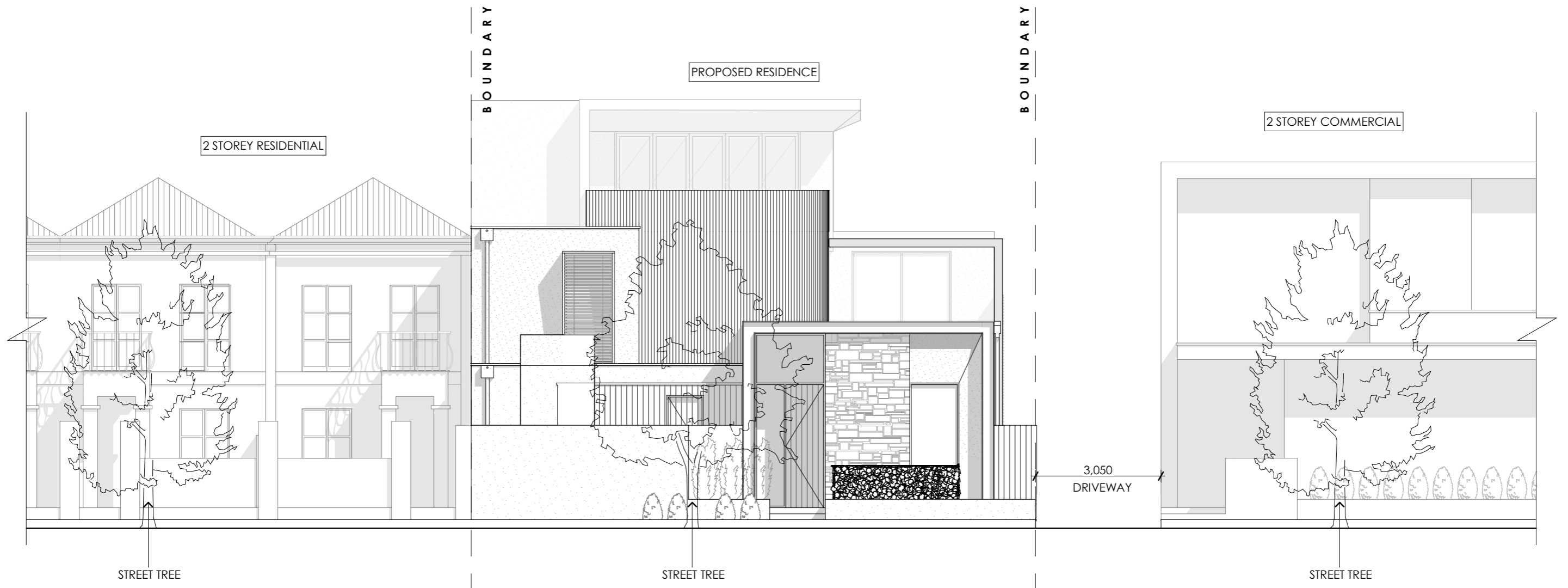
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PLA.06/14
54



STREETSCAPE ELEVATION - BUILT FORM
 SCALE 1:100 @ A3

PLANNING ISSUE



girardidesign

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 michael@girardidesign.com.au
 Web: www.girardidesign.com.au

Client:
 A & R. AMREIN
 Project:
 2 PROPOSED NEW TWO STOREY
 DWELLING INCLUDING
 ROOF TERRACE
 At:
 6 KING WILLIAM ROAD,
 WAYVILLE, S.A

Figured dimensions shall take preference over
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Designer:
 Clint Girardi
 Drawn: Michael Phillipott Date: 8 JUNE 2023

Issue: G	Drawing Number: PLA.07/14 55
-------------	------------------------------------

EXTERNAL COLOUR SCHEDULE

WALLS (FEATURE)	:	SANDSTONE
WALLS (RENDERED BRICK)	:	COLORBOND SURFMIST (OR SIMILAR)
WALLS (RENDERED FEATURE)	:	COLORBOND SHALE GREY (OR SIMILAR)
WALLS (CLADDING)	:	HARDIES SCYON 'AXON' 133mm VERTICAL PROFILE IN MONUMENT (OR SIMILAR)
WALLS (TIMBER)	:	TIMBER OAK (VERTICAL PROFILE - OR SIMILAR)
WINDOW FRAMES	:	BLACK/MONUMENT
ROOF/GUTTER/FASCIAS	:	COLORBOND WALLABY (OR SIMILAR)
EAVES/SOFFITS	:	PAINTED WHITE
ENTRY DOOR	:	PAINTED MONUMENT (OR SIMILAR)
FENCE	:	COLORBOND GOOD NEIGHBOUR IN MONUMENT
STEEL (FEATURE PORTALS)	:	PAINTED MONUMENT (OR SIMILAR)



PLANNING ISSUE



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Designer:
 Clint Girardi
 Drawn: Michael Phillpott Date: 8 JUNE 2023

Issue: G Drawing Number: PLA 08/14
 56

NOTES

ALL KITCHEN & WET AREA LAYOUTS SHOWN ON THIS PLAN ARE INDICATIVE ONLY. REFER TO JOINERY PLANS FOR CORRECT LAYOUTS AND PLUMBING POSITIONS

2.7 HIGH OPENING/INTERNAL DOOR (2630 HIGH) TYPICAL TO GROUND LEVEL (U.N.O)

2.4 HIGH OPENING/INTERNAL DOOR (2340 HIGH) TYPICAL TO UPPER & ROOF LEVEL (U.N.O)

HARDWIRED SMOKE DETECTOR WITH BATTERY BACK-UP INSTALLED IN ACCORDANCE WITH AS 3786-2014. ALL SMOKE ALARMS TO BE INTERLINKED IN ACCORDANCE WITH BCA 3.7.2.2

EXHAUST FAN DUCTED TO ATMOSPHERE OR VENTILATED ROOF SPACE INSTALLED ACCORDANCE WITH AS 1668.2

REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH S.A. HOUSING CODE APPENDIX D10.1

R/A ROOF ACCESS HATCH

DP 90 Ø ROUND PVC DOWNPIPES (PAINTED)

DP/S DOWNPIPE WITH SPREADER ONTO LOWER ROOF

DP/RH DOWNPIPE WITH SELECTED COLORBOND/PAINTED ZINCALUME RAINHEAD

col. COLUMN AS PER ENGINEERING DETAILS

RBP BRICK PIER WITH COLUMN INTERNALLY OR CONCRETE FILLED & REINFORCED AS PER ENG. DETAILS

EXTERNAL CLADDING/FINISHES

- RB** RENDERED BRICKWORK
- ST** FEATURE STONework (TBC)
- CL** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
- TI** TIMBER (TBC)
- UT** 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
- AB** SELECTED ALUCOBOND CLADDING

PLANNING ISSUE



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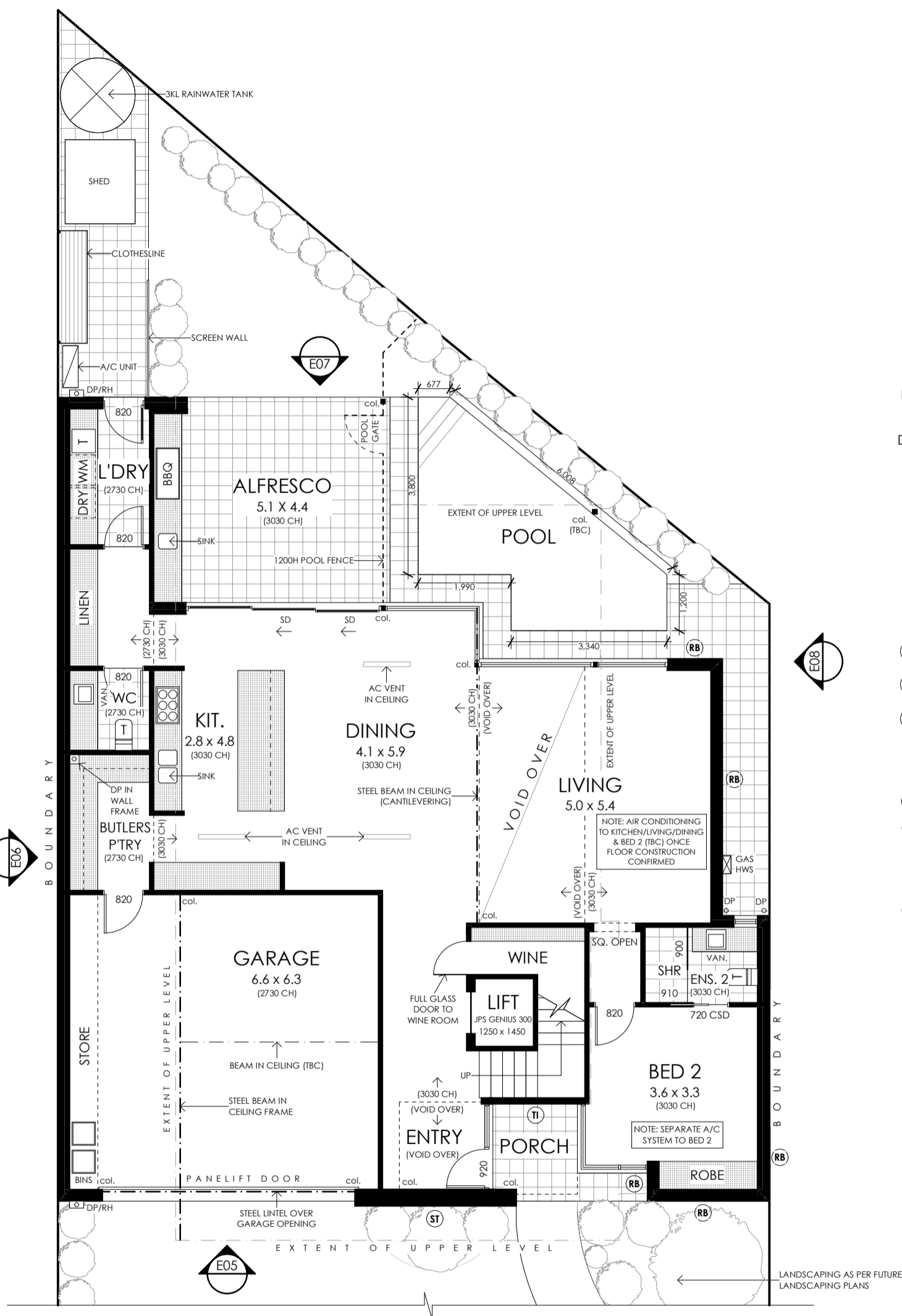
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 Web: www.girardidesign.com.au

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 Project:
 2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE
 At:
 6 KING WILLIAM ROAD, WAYVILLE, SA

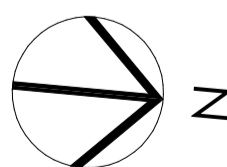
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Designer:
 Clint Girardi
 Drawn: Michael Philippott Date: 8 JUNE 2023

Issue: G Drawing Number: PLA.09/14
 57



GROUND FLOOR PLAN
 PROPOSED RESIDENCE - LOT 2
 SCALE 1:100 @ A3



LOT 2 RESIDENCE

AREAS	m2
GROUND LIVING	: 140.4
UPPER LIVING (INC. VOID SPACE)	: 145.3
ROOF LEVEL	: 42.5
GARAGE	: 46.2
PORCH	: 4.2
ALFRESCO	: 22.3
ROOF TERRACE	: 30.6
TOTAL	: 431.5

NOTES

ALL KITCHEN & WET AREA LAYOUTS SHOWN ON THIS PLAN ARE INDICATIVE ONLY. REFER TO JOINERY PLANS FOR CORRECT LAYOUTS AND PLUMBING POSITIONS

2.7 HIGH OPENING/INTERNAL DOOR (2630 HIGH) TYPICAL TO GROUND LEVEL (U.N.O)
 2.4 HIGH OPENING/INTERNAL DOOR (2340 HIGH) TYPICAL TO UPPER & ROOF LEVEL (U.N.O)

HARDWIRED SMOKE DETECTOR WITH BATTERY BACK-UP INSTALLED IN ACCORDANCE WITH AS 3786-2014. ALL SMOKE ALARMS TO BE INTERLINKED IN ACCORDANCE WITH BCA 3.7.2.2

EXHAUST FAN DUCTED TO ATMOSPHERE OR VENTILATED ROOF SPACE INSTALLED ACCORDANCE WITH AS 1668.2

REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH S.A. HOUSING CODE APPENDIX D10.1

R/A ROOF ACCESS HATCH

DP 90 Ø ROUND PVC DOWNPIPES (PAINTED)

DP/S DOWNPIPE WITH SPREADER ONTO LOWER ROOF

DP/RH DOWNPIPE WITH SELECTED COLORBOND/PAINTED ZINCALUME RAINHEAD

col. COLUMN AS PER ENGINEERING DETAILS

RBP BRICK PIER WITH COLUMN INTERNALLY OR CONCRETE FILLED & REINFORCED AS PER ENG. DETAILS

EXTERNAL CLADDING/FINISHES

- RB** RENDERED BRICKWORK
- ST** FEATURE STONework (TBC)
- CL** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
- TI** TIMBER (TBC)
- UT** 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
- AB** SELECTED ALUCOBOND CLADDING

PLANNING ISSUE



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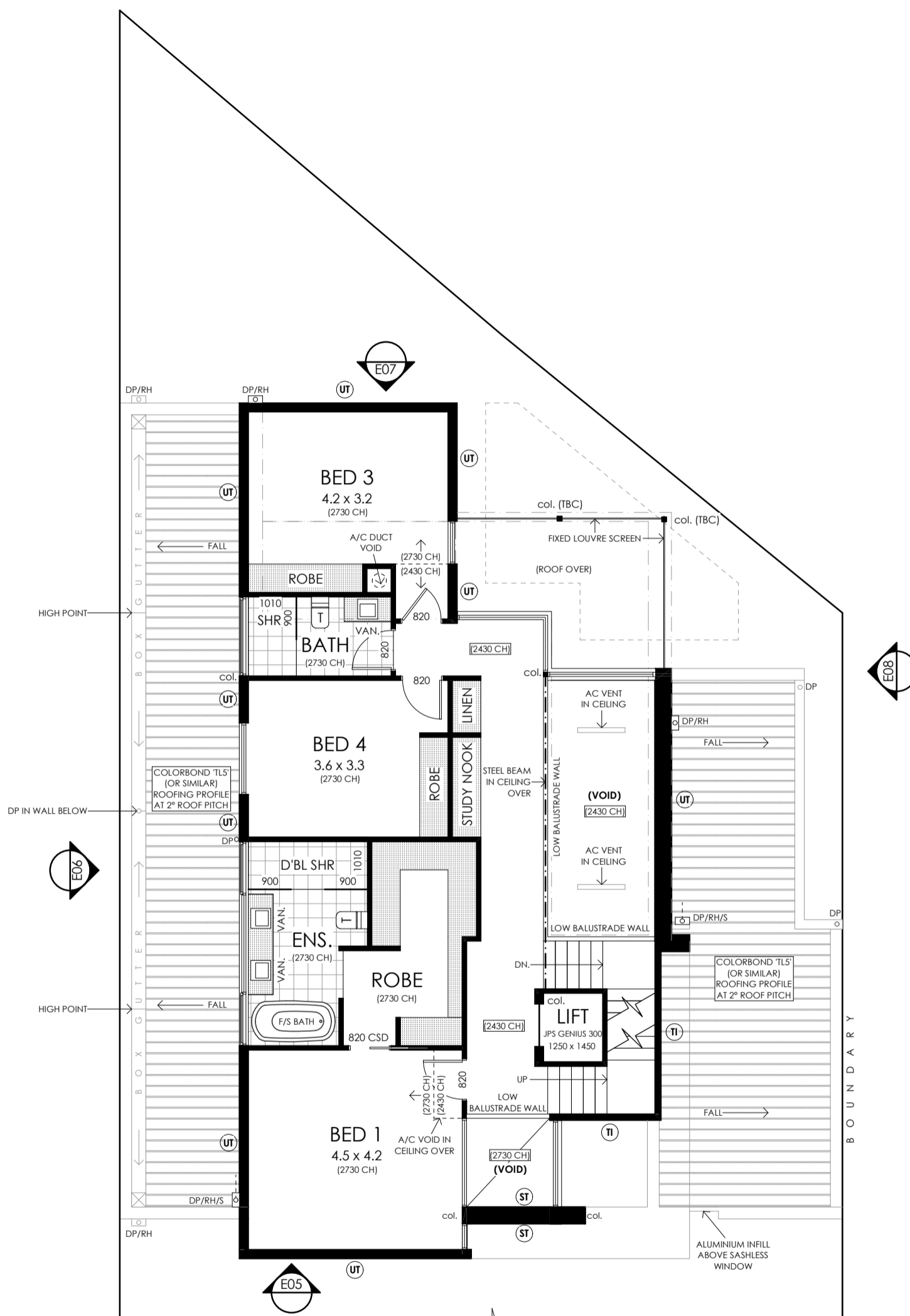
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 Web: www.girardidesign.com.au

Client:
 A & R. AMREIN
 Project:
 2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE
 At:
 6 KING WILLIAM ROAD, WAYVILLE, SA

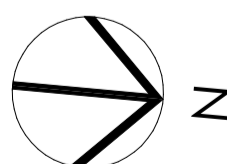
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Designer:
 Clint Girardi
 Drawn: Michael Phillpott Date: 8 JUNE 2023

Issue: G Drawing Number: PLA 10/14 58



UPPER FLOOR PLAN
 PROPOSED RESIDENCE - LOT 2
 SCALE 1:100 @ A3



LOT 2 RESIDENCE

AREAS	m2
GROUND LIVING	: 140.4
UPPER LIVING (INC. VOID SPACE)	: 145.3
ROOF LEVEL	: 42.5
GARAGE	: 46.2
PORCH	: 4.2
ALFRESCO	: 22.3
ROOF TERRACE	: 30.6
TOTAL	: 431.5

NOTES

ALL KITCHEN & WET AREA LAYOUTS SHOWN ON THIS PLAN ARE INDICATIVE ONLY. REFER TO JOINERY PLANS FOR CORRECT LAYOUTS AND PLUMBING POSITIONS

2.7 HIGH OPENING/INTERNAL DOOR (2630 HIGH) TYPICAL TO GROUND LEVEL (U.N.O)
2.4 HIGH OPENING/INTERNAL DOOR (2340 HIGH) TYPICAL TO UPPER & ROOF LEVEL (U.N.O)

HARDWIRED SMOKE DETECTOR WITH BATTERY BACK-UP INSTALLED IN ACCORDANCE WITH AS 3786-2014. ALL SMOKE ALARMS TO BE INTERLINKED IN ACCORDANCE WITH BCA 3.7.2.2

EXHAUST FAN DUCTED TO ATMOSPHERE OR VENTILATED ROOF SPACE INSTALLED ACCORDANCE WITH AS 1668.2

REMOVABLE DOOR HINGES FITTED IN ACCORDANCE WITH S.A. HOUSING CODE APPENDIX D10.1

R/A ROOF ACCESS HATCH

DP 90 Ø ROUND PVC DOWNPIPES (PAINTED)

DP/S DOWNPIPE WITH SPREADER ONTO LOWER ROOF

DP/RH DOWNPIPE WITH SELECTED COLORBOND/PAINTED ZINCALUME RAINHEAD

col. COLUMN AS PER ENGINEERING DETAILS

RBP BRICK PIER WITH COLUMN INTERNALLY OR CONCRETE FILLED & REINFORCED AS PER ENG. DETAILS

EXTERNAL CLADDING/FINISHES

- RB** RENDERED BRICKWORK
- ST** FEATURE STONework (TBC)
- CL** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
- TI** TIMBER (TBC)
- UT** 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
- AB** SELECTED ALUCOBOND CLADDING

PLANNING ISSUE



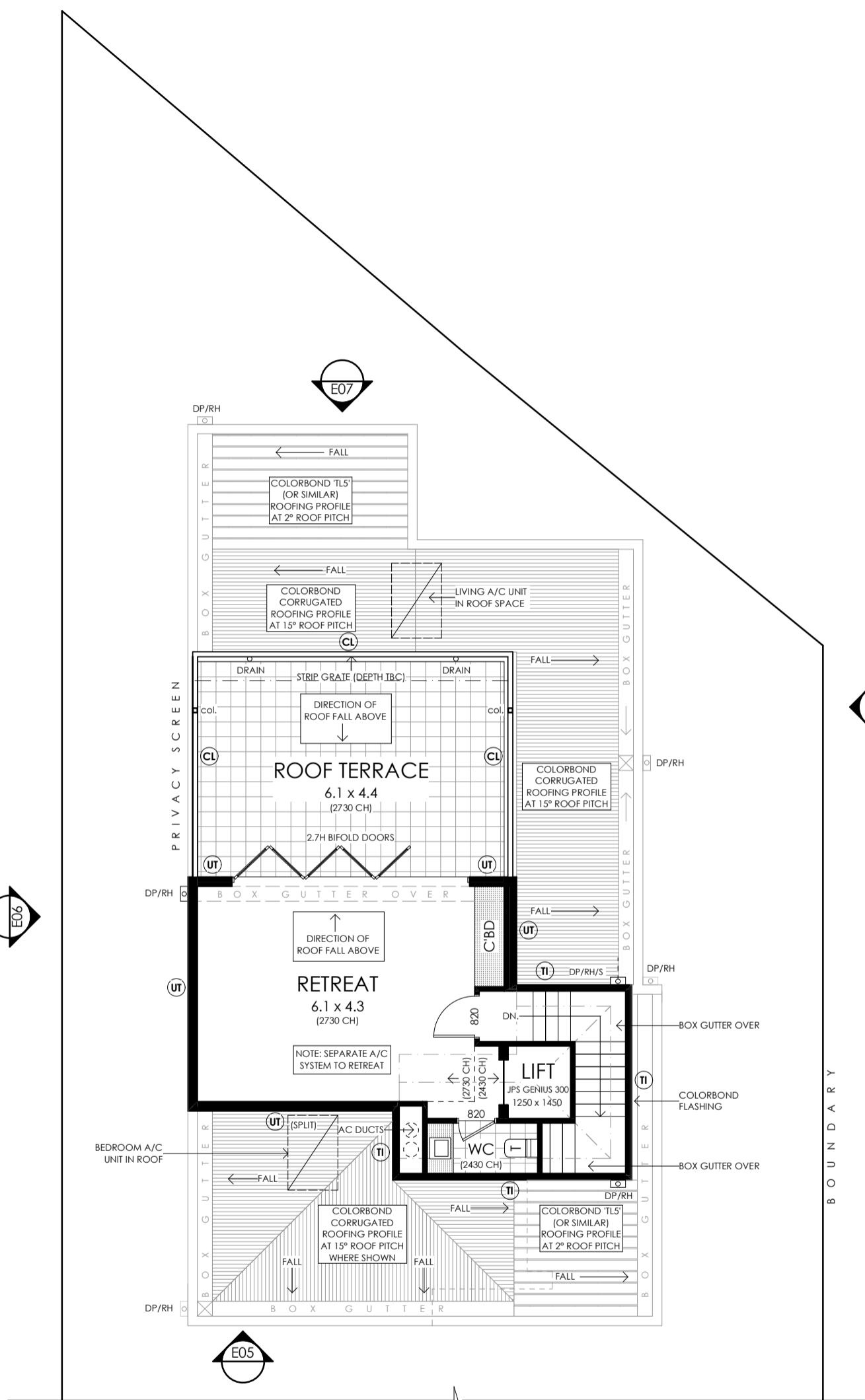
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Web: www.girardidesign.com.au

Client:
A & R. AMREIN
Project:
2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE
At:
6 KING WILLIAM ROAD, WAYVILLE, SA

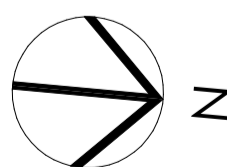
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Clint Girardi
Drawn: Michael Phillpott Date: 8 JUNE 2023

Issue: G Drawing Number: PLA 11/14
59

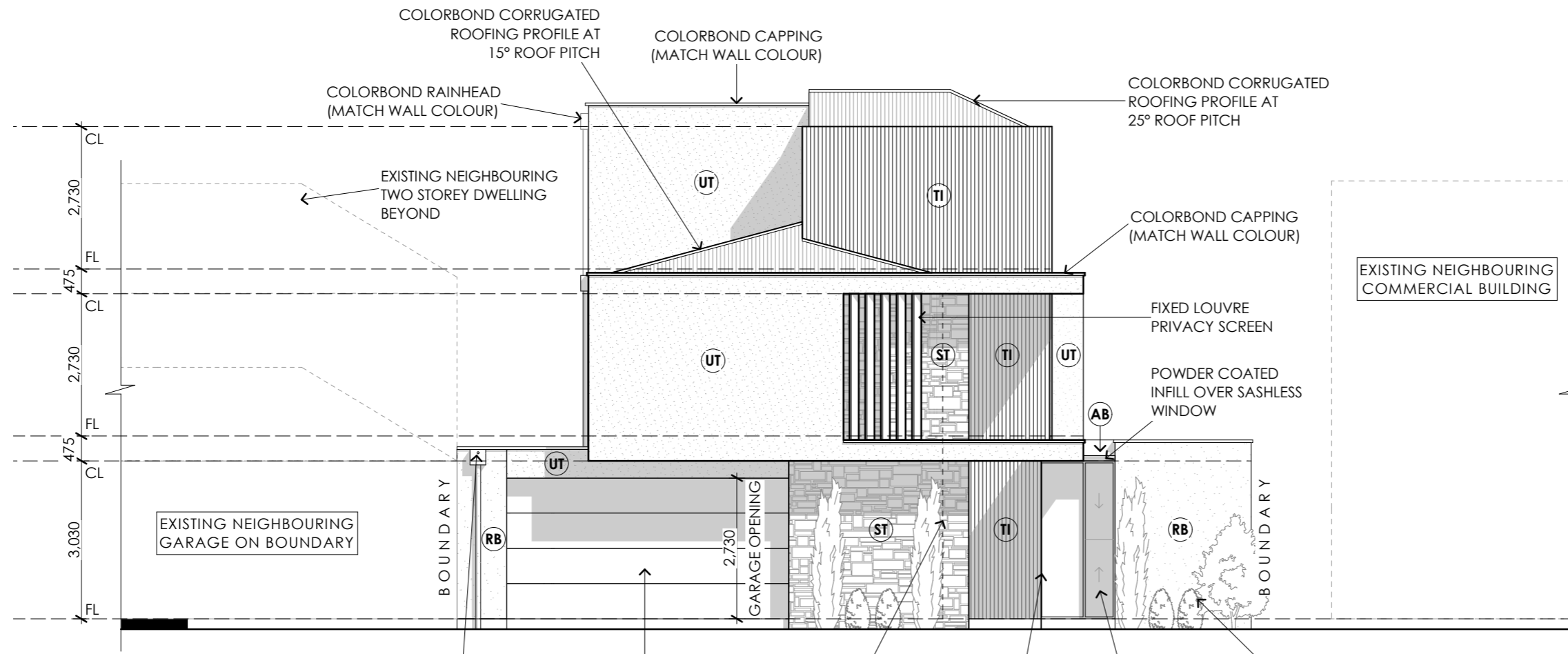


ROOF TERRACE FLOOR PLAN
PROPOSED RESIDENCE - LOT 2
SCALE 1:100 @ A3



LOT 2 RESIDENCE

AREAS	m2
GROUND LIVING	: 140.4
UPPER LIVING (INC. VOID SPACE)	: 145.3
ROOF LEVEL	: 42.5
GARAGE	: 46.2
PORCH	: 4.2
ALFRESCO	: 22.3
ROOF TERRACE	: 30.6
TOTAL	: 431.5

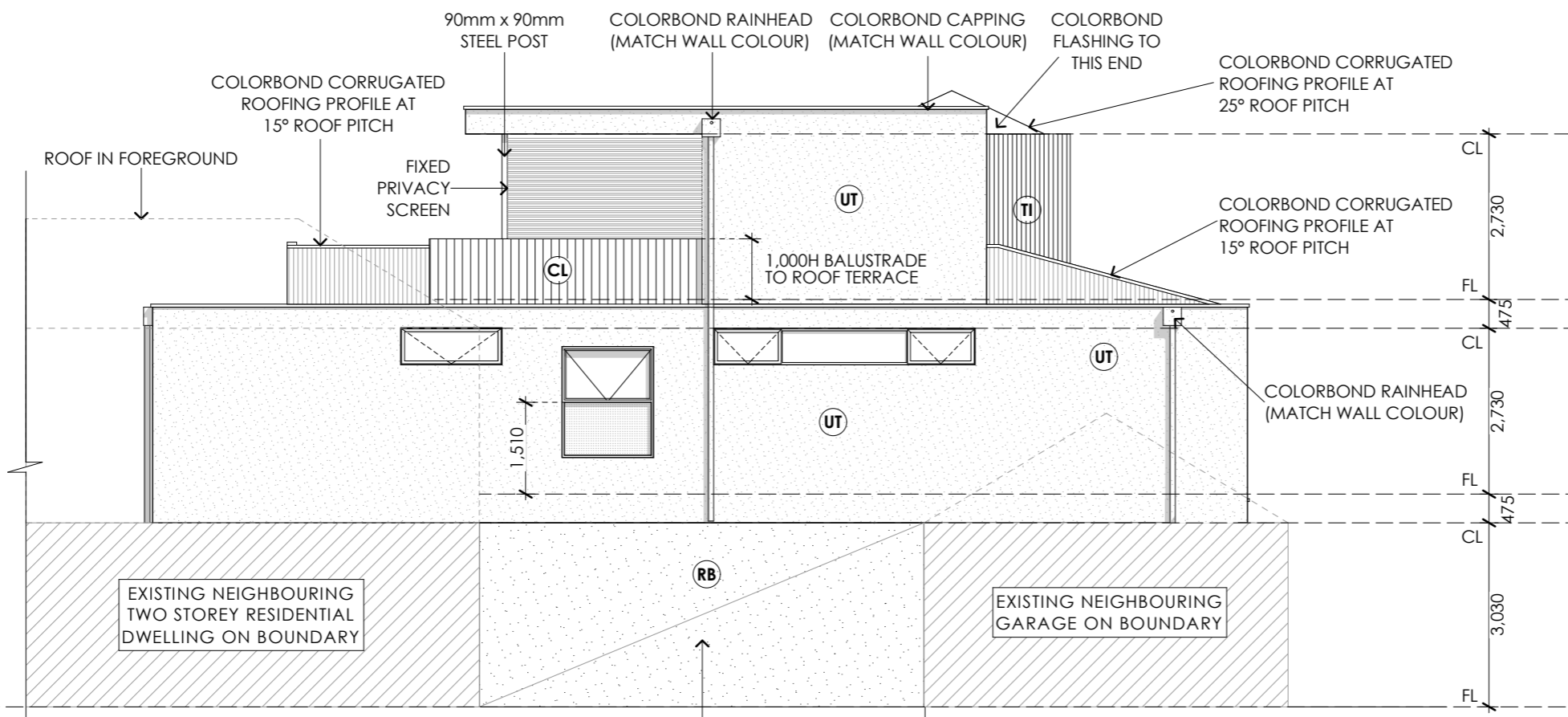


EAST ELEVATION
SCALE 1:100 @ A3



COLORBOND RAINHEAD (MATCH WALL COLOUR)
 COLORBOND PANELIFT DOOR 5410W x 2730H OPENING
 TIMBER ENTRY DOOR & WINDOWS BEYOND FEATURE STONEWORK WALL
 SILICONE BUTT JOIN CORNER WINDOW
 SASHLESS WINDOW
 LANDSCAPING AS PER FUTURE LANDSCAPING PLANS

- EXTERNAL CLADDING/FINISHES**
- RB** RENDERED BRICKWORK
 - ST** FEATURE STONEWORK (TBC)
 - CL** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
 - TI** TIMBER (TBC)
 - UT** 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
 - AB** SELECTED ALUCOBOND CLADDING



SOUTH ELEVATION
SCALE 1:100 @ A3



PROPOSED NEW RENDERED MASONRY WALL ON BOUNDARY

PLANNING ISSUE



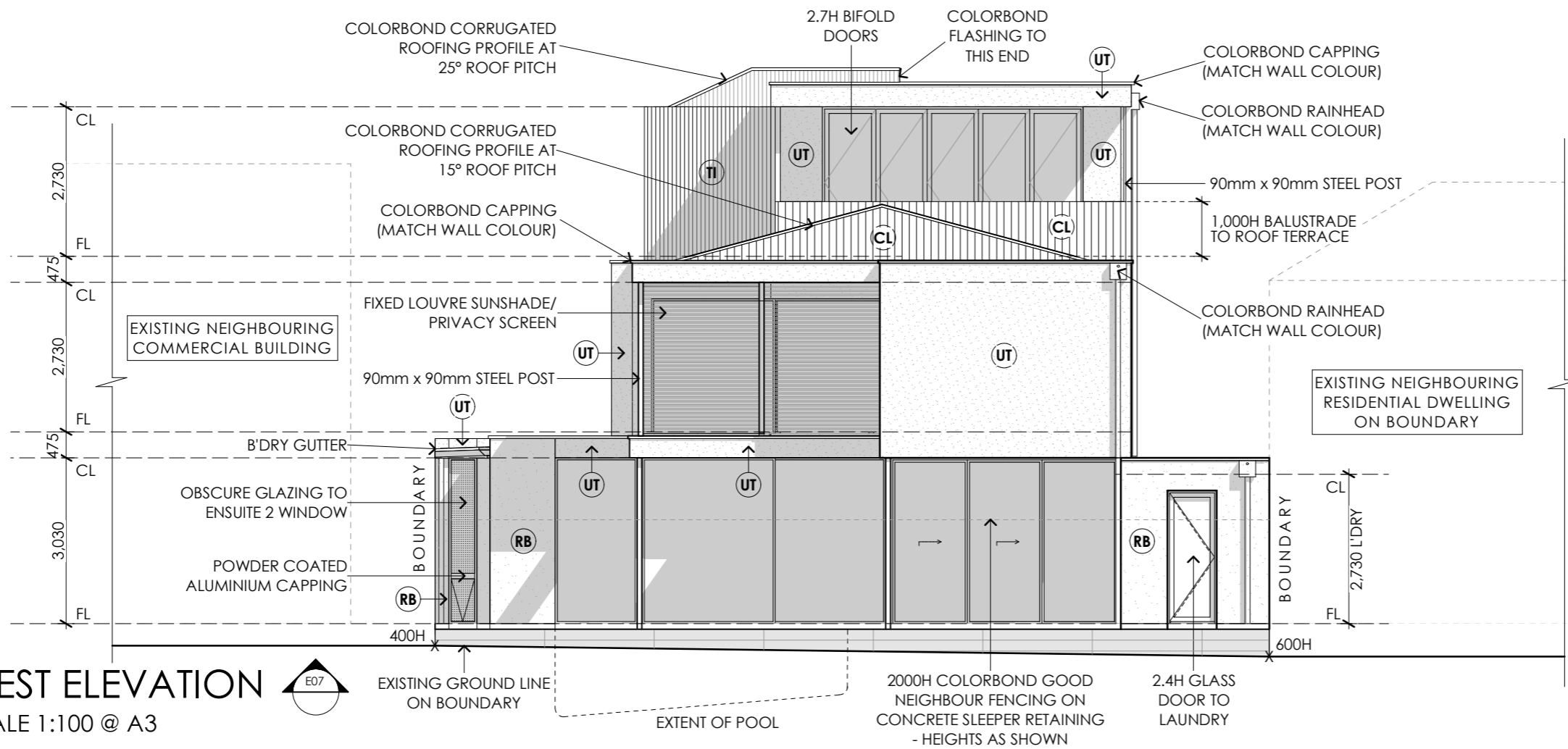
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 michael@girardidesign.com.au
 Web: www.girardidesign.com.au

Client:
 A & R. AMREIN
 Project:
 2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE
 At:
 6 KING WILLIAM ROAD, WAYVILLE, SA

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Designer:
 Clint Girardi
 Drawn: Michael Philippott
 Date: 8 JUNE 2023

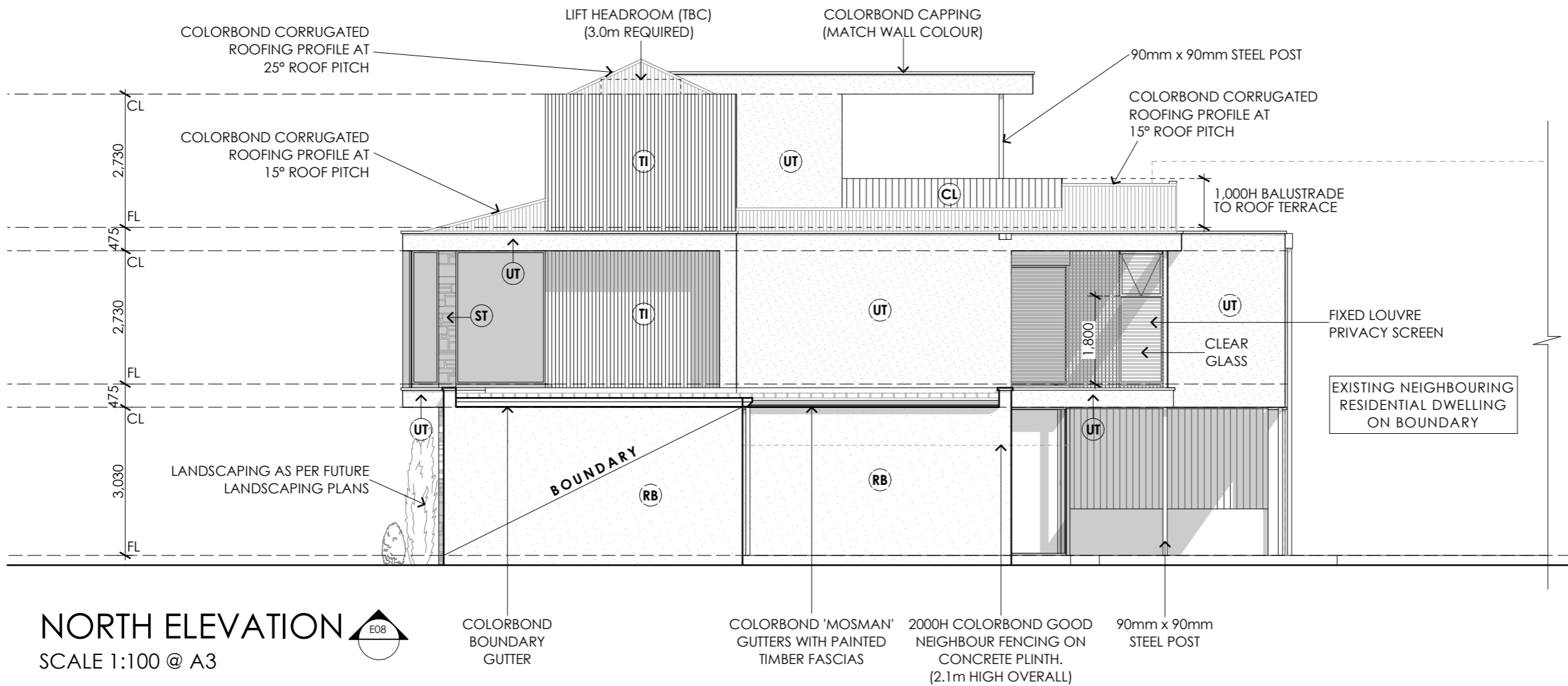
Issue: G
 Drawing Number: PLA12/14
 60



WEST ELEVATION
SCALE 1:100 @ A3



- EXTERNAL CLADDING/FINISHES**
- (RB) RENDERED BRICKWORK
 - (ST) FEATURE STONEWORK (TBC)
 - (CL) HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
 - (TI) TIMBER (TBC)
 - (UT) 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
 - (AB) SELECTED ALUCOBOND CLADDING



NORTH ELEVATION
SCALE 1:100 @ A3



PLANNING ISSUE



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Client:
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At:
6 KING WILLIAM ROAD,
WAYVILLE, SA

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Designer:
Clint Girardi
Drawn: Michael Phillpott
Date: 8 JUNE 2023

Issue: G
Drawing Number: PLA.13/14
61

EXTERNAL COLOUR SCHEDULE

- WALLS (FEATURE) : SANDSTONE
- WALLS (RENDERED BRICK) : COLORBOND SURFMIST (OR SIMILAR)
- WALLS (RENDERED FEATURE) : COLORBOND SHALE GREY (OR SIMILAR)
- WALLS (CLADDING) : HARDIES SCYON 'AXON' 133mm VERTICAL PROFILE IN MONUMENT (OR SIMILAR)
- WALLS (TIMBER) : TIMBER OAK (VERTICAL PROFILE - OR SIMILAR)
- WINDOW FRAMES : BLACK/MONUMENT
- ROOF/GUTTER/FASCIAS : COLORBOND WALLABY (OR SIMILAR)
- EAVES/SOFFITS : PAINTED WHITE
- ENTRY DOOR : TIMBER OAK (OR SIMILAR)
- FENCE : COLORBOND GOOD NEIGHBOUR IN MONUMENT



PLANNING ISSUE



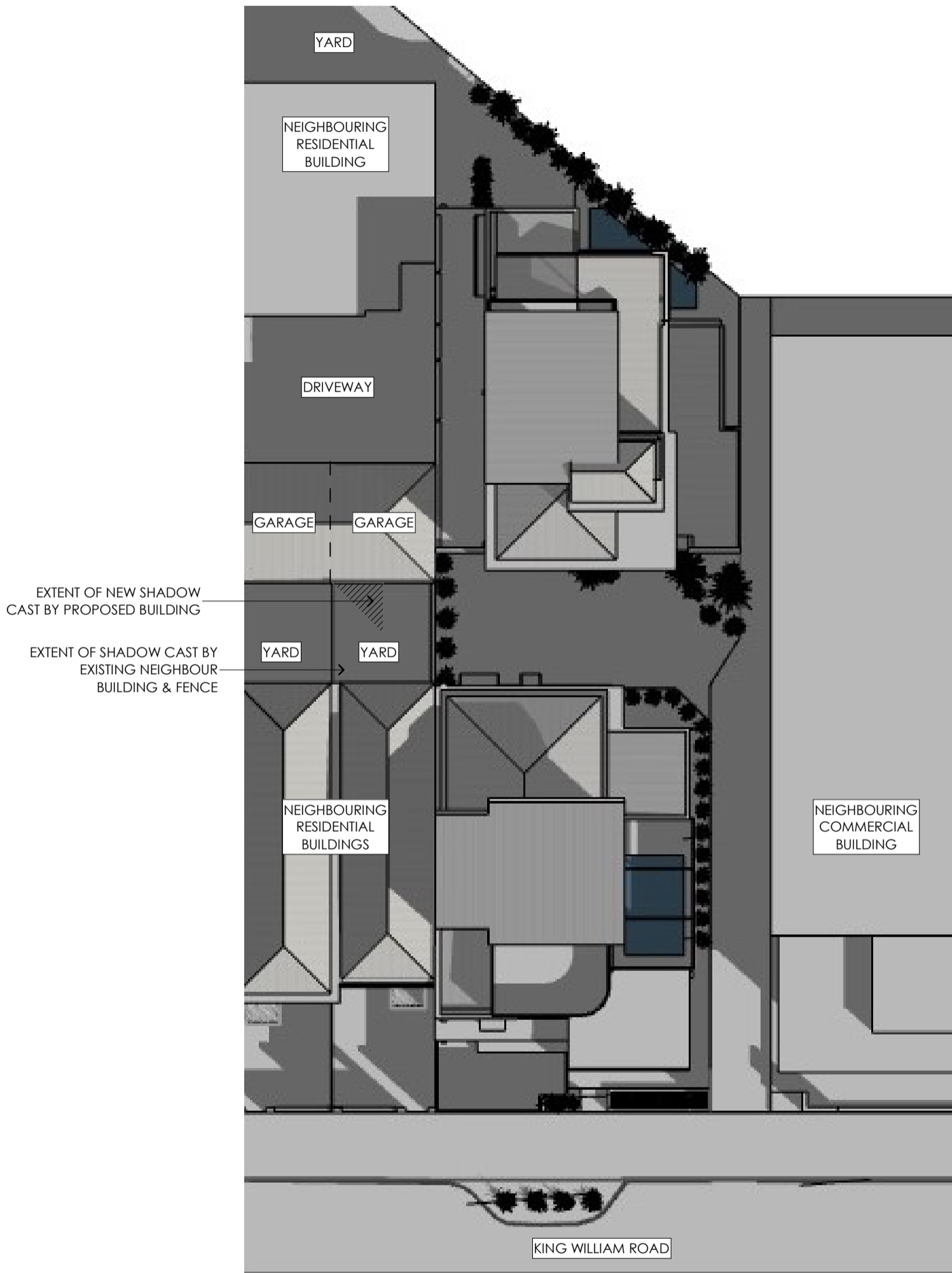
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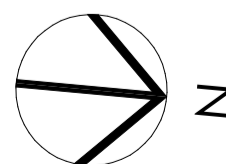
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Clint Girardi
 Drawn: **Michael Phillpott** Date: **8 JUNE 2023**

Issue: **G** Drawing Number: **PLA-14/14**
62



SUN SHADOW DIAGRAM
JUNE 22 - 9AM



PLANNING ISSUE



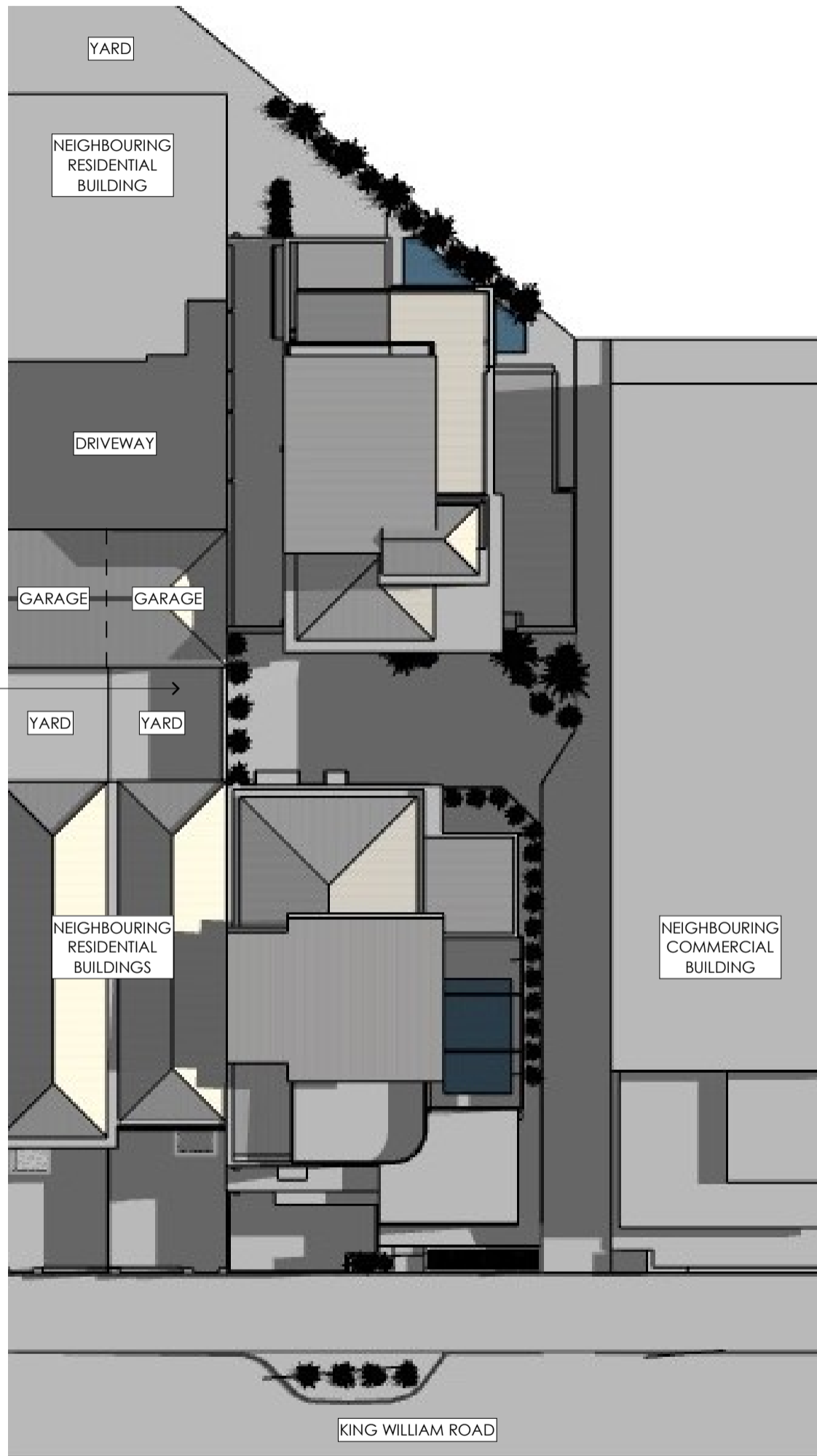
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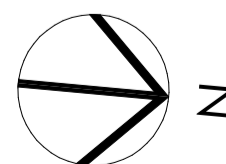
Designer:
 Clint Girardi
 Drawn: Michael Phillpott Date: 30 MAR 2023

Issue: A Drawing Number: SHAD.WIN.01/03
 63



SUN SHADOW DIAGRAM

JUNE 22 - 12PM



PLANNING ISSUE



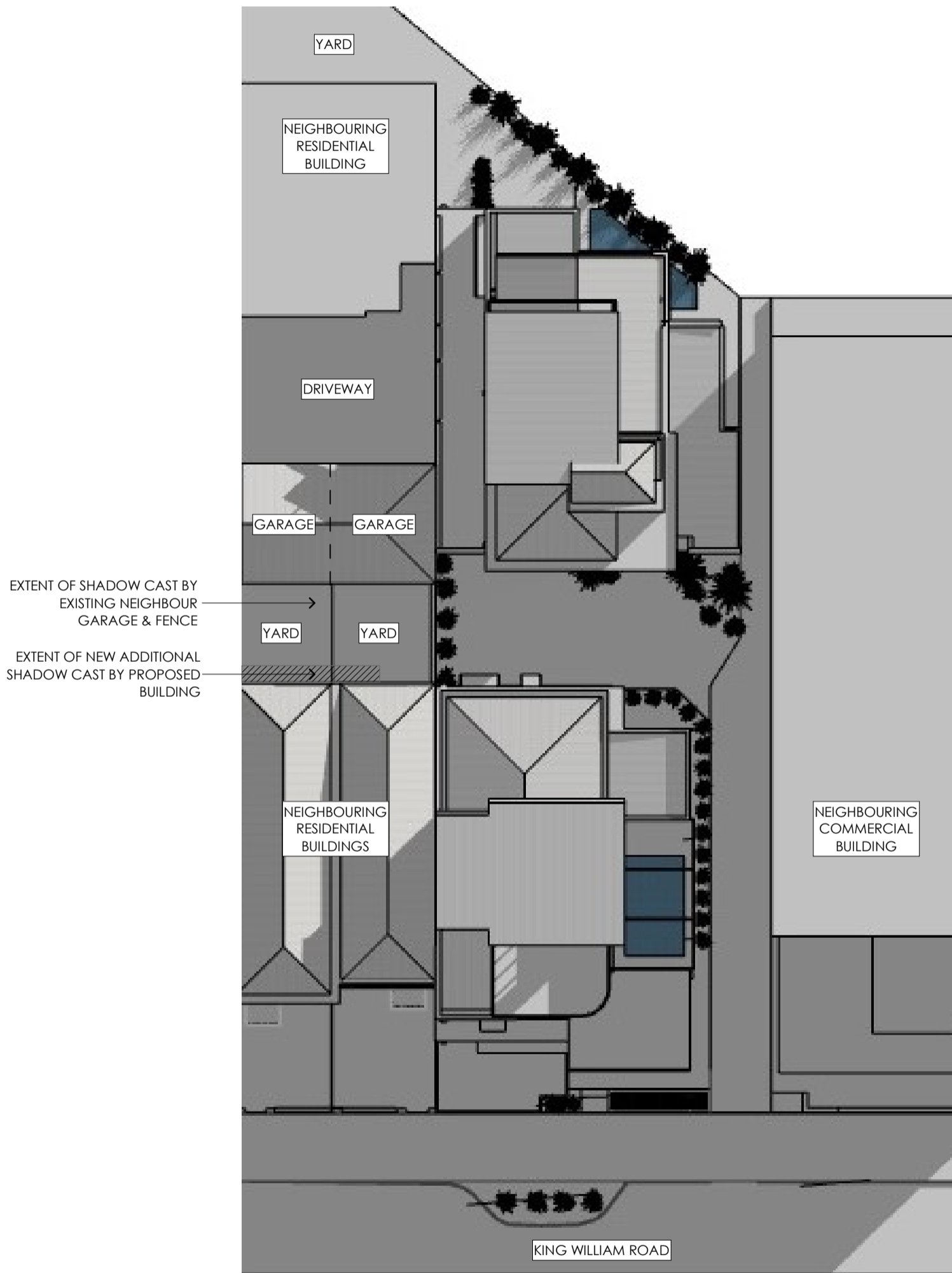
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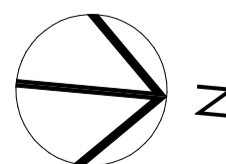
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Designer:
 Clint Girardi
 Drawn: Michael Phillpott
 Date: 30 MAR 2023

Issue: A
 Drawing Number: SHAD.WIN.02/03
 64



SUN SHADOW DIAGRAM
JUNE 22 - 3PM



PLANNING ISSUE



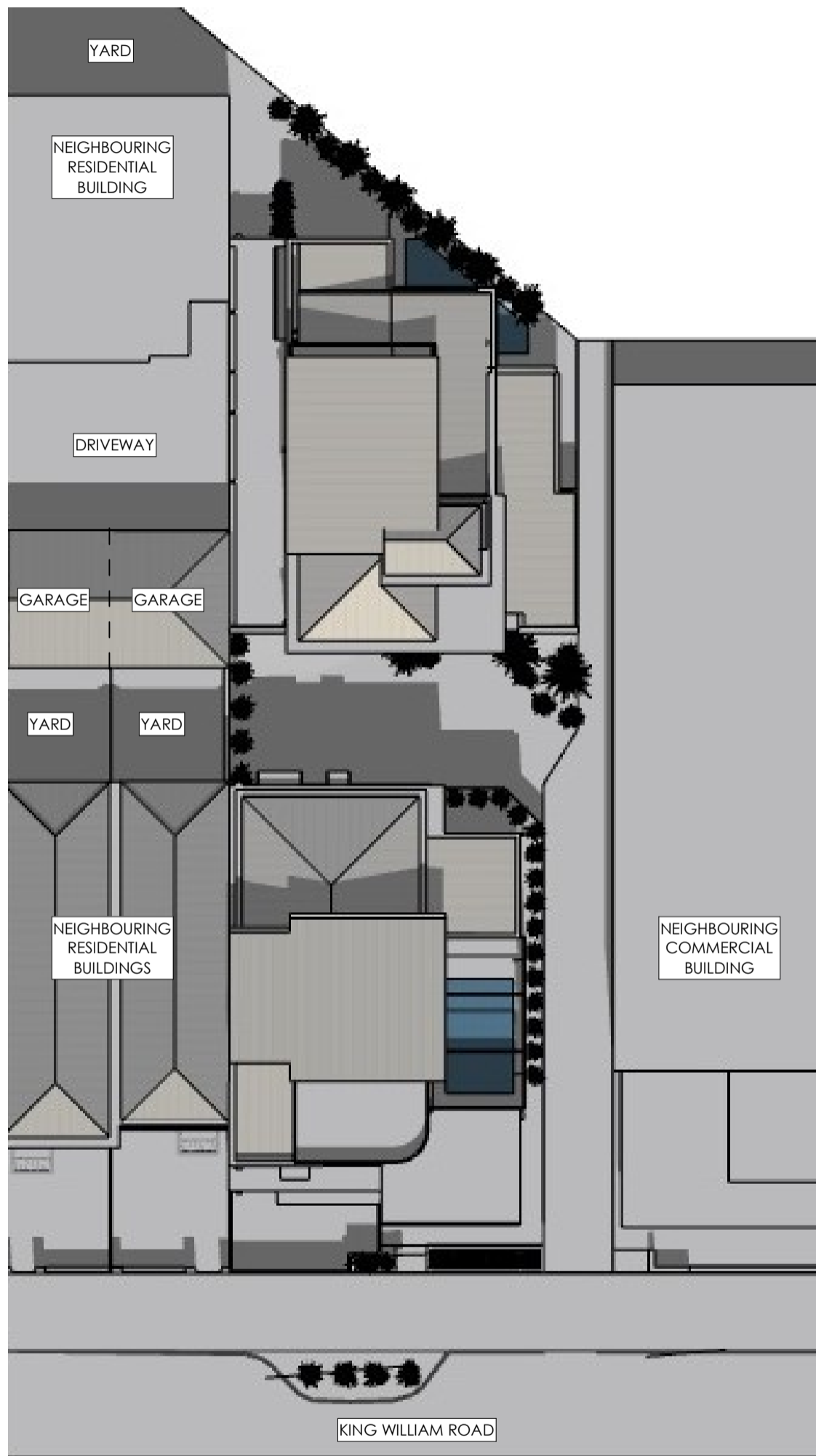
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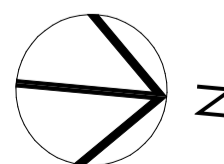
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Designer:
Clint Girardi
Drawn: Michael Phillpott Date: 30 MAR 2023

Issue: A Drawing Number: SHAD_WIN.03/03



SUN SHADOW DIAGRAM
DECEMBER 22 - 9AM



PLANNING ISSUE



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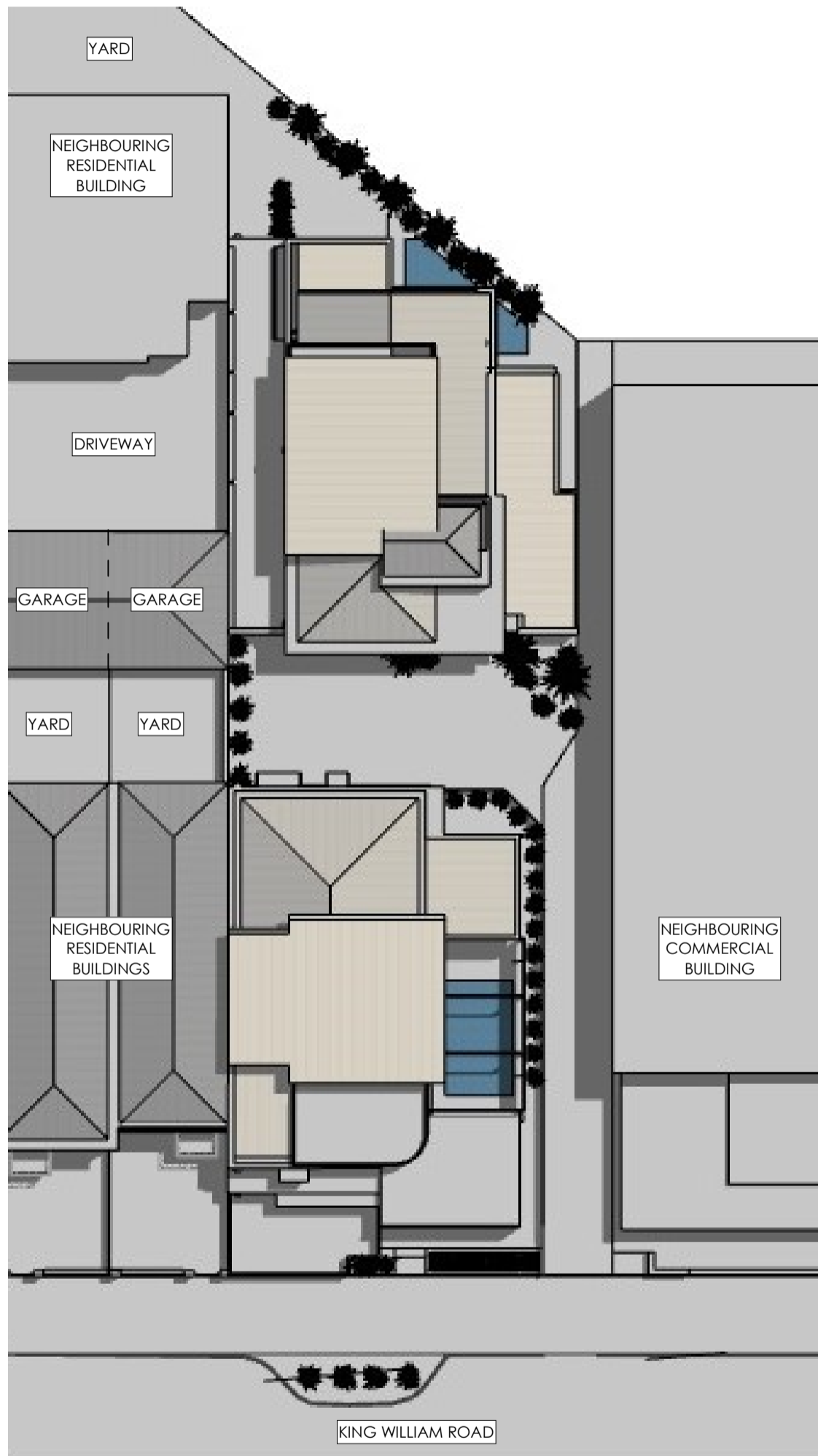
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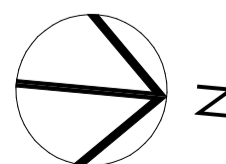
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Designer:
Clint Girardi
Drawn: Michael Phillpott Date: 30 MAR 2023

Issue: A Drawing Number: SHAD.SUM.01/03



SUN SHADOW DIAGRAM
DECEMBER 22 - 12PM



PLANNING ISSUE



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2 PROPOSED NEW TWO STOREY
DWELLING INCLUDING
ROOF TERRACE
At:
6 KING WILLIAM ROAD,
WAYVILLE, SA

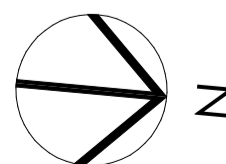
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Designer:
Clint Girardi
Drawn: Michael Phillpott Date: 30 MAR 2023

Issue: A Drawing Number: SHAD.SUM.02/03



SUN SHADOW DIAGRAM
DECEMBER 22 - 3PM



PLANNING ISSUE



girardi design

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Client:
A & R. AMREIN
Project:
2 PROPOSED NEW TWO STOREY
DWELLING INCLUDING
ROOF TERRACE
At:
6 KING WILLIAM ROAD,
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Drawn: Michael Phillpott Date: 30 MAR 2023

Issue: A Drawing Number: SHAD.SUM.03/03

6 King William Road

Acoustic Assessment

S7700C1

March 2023

sonus.

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Document Title : 6 King William Road
Acoustic Assessment

Client : All Good Property Options Pty Ltd

Document Reference : S7700C1

Date : March 2023

Author : Simon Moore, MAAS

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1 INTRODUCTION

An acoustic assessment has been prepared for the proposed development at 6 King William Road, Wayville.

The assessment has been conducted in response to the *Request for Information* (the **RFI**) issued by the *City of Unley* on 7 February 2023:

“It is noted that proposed residence Lot 2 has a number of habitable rooms and the private open space area located in close proximity to the existing tram line to the west.

A rail noise and vibration assessment should therefore be undertaken to assess the existing rail noise and vibration levels and to determine if any mitigation measures are required to be undertaken to the dwelling to meet the relevant standards.

It is intended that an assessment be carried out by an appropriately qualified acoustic engineer. Please refer to Environment Protection Authority – Guidelines for the assessment to noise from rail infrastructure for more details“

This report provides an assessment of the noise and vibration emissions from the tram line and provides mitigations required for the dwellings to meet the requirements of the relevant standards. Reference is made to the *Ministerial Building Standard MBS 010 – Construction requirements for the control of external sound (MBS 010)* and the *Environment Protection Authority – Guidelines for the assessment to noise from rail infrastructure (the Guidelines)*.

The assessment has been based on the following:

- Architectural plans drawing set by *Girardi Design* for 2 *PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE*, drawing numbers *PLA.01* through *PLA.14*, Issue *D* dated 31 January 2023; and,
- Vibration measurements for tram pass-bys taken at the site on 24 March 2023.

2 AIRBORNE NOISE ASSESSMENT

MBS 010 provides the most contemporary method for assessing noise ingress to residences that is associated with road or rail noise sources. As such, MBS 010 has been determined to be the most relevant standard that provides the required mitigation measures and has been used as the basis of the airborne noise assessment.

2.1 Criteria

MBS 010 establishes acoustic requirements for the building facade to adequately reduce noise levels from road and rail corridors, aircraft noise and mixed use areas in the vicinity. Acoustic treatments are required for the development to ensure the noise from rail is adequately mitigated.

The *Deemed-to-Satisfy* approach of MBS 010 specifies acoustic treatment to dwellings based on the *Sound Exposure Category (SEC)* that the dwellings fall under. The SECs range from 1 to 5, with SEC 1 requiring a basic level of acoustic treatment and SEC 5 requiring extensive treatment.

The SEC of a building envelope exposed to a rail line is determined according to the separation distance between the building and the sound source. The nearest rail line is the Glenelg tram line located adjacent to the western boundary of the site. The SECs for the building facades exposed to such a tram line are shown in Table 1.

Table 1: MBS 010 Sound Exposure Categories

Sound Exposure Category	Separation distance between a building and a tram line
1	10 < 20m
2	Less than 10m
3	Not applicable
4	Not applicable
5	Not applicable

The approach also takes into consideration any shielding or screening from the rail, provided by barriers or the building itself.

2.2 Assessment

Based on the separation distances between the nearest tram line and development, the maximum SEC that applies is SEC 1 to parts of the building on Lot 2 of the development. The construction requirements for SEC 1 of MBS 010 apply to the external walls, windows and external glass doors, and ventilation systems of the building on Lot 2. It is noted that the separation distance to Lot 1 is such that no SEC applies to this part of the development and therefore no acoustic treatment is required for the dwelling proposed on Lot 1.

It should be noted that the following constructions are provided as examples, and that alternative constructions that achieve the minimum acoustic performance requirements could also be considered.

2.2.1 External Walls

External walls for which SEC 1 requirements apply are marked-up in Appendix A. There are no specific acoustic requirements relating to external walls for the rooftop terrace level of the building.

Based on a review of the drawings, the following wall constructions comply with SEC 1 of MBS 010 for which a minimum $R_w + C_{tr}$ of 40 applies:

- Option A [RB] - Rendered Brickwork:
 - A single leaf of 220mm clay brick with 13mm render on the outside face;
 - Minimum 64mm steel studs separated from the brickwork by a 20mm air gap;
 - Minimum 50mm thick glass or mineral wool insulation with a density of at least 11 kg/m³ in between the studwork; and,
 - One layer of minimum 10mm thick standard plasterboard.

- Option B [UT] - Unitex Base Board 75mm wall system:
 - Unitex Base Board 75mm wall system installed on 25mm top hats, with minimum 6mm applied render;
 - 90mm steel studs;
 - Minimum 90mm thick glass or mineral wool insulation with a density of at least 11 kg/m³ in between the studwork; and,
 - Two layers of minimum 10mm thick standard plasterboard.
- Option C - Hebel (alternative):
 - 75mm autoclaved aerated concrete (Hebel) with optional external render or finish, installed on resilient steel channels;
 - 90mm steel studs;
 - Minimum 75mm thick glass or mineral wool insulation with a density of at least 11 kg/m³ in between the studwork; and,
 - One layer of minimum 10mm thick standard plasterboard.

2.2.2 Windows and External Glass Doors

The required thickness of the glass windows is dependent on the area of window compared to the floor area of the room, whether the room is habitable or a bedroom, as well as the SEC. Table 2 provides examples of glazing constructions to meet each $R_w + C_{tr}$ requirement for windows and external glass door systems. The minimum requirement for each window and external glass door is as specified in Appendix A. There are no specific acoustic requirements relating to windows or external glass doors for the rooftop terrace level of the building.

Table 2: Example Glazing Constructions

$R_w + C_{tr}$	Window Construction	Glass Door Thickness (where proposed)
25	3mm thick monolithic glass with hinged or awning type opening	-
28	6mm thick monolithic or laminated glass with sliding, double hung or awning type opening	6mm thick monolithic or laminated glass door

Alternatively, the following double-glazed construction will achieve an $R_w + C_{tr}$ of 28 that may be used to meet the minimum acoustic requirements for any glazing throughout the development:

- 4mm thick monolithic glass
- 12mm airgap
- 4mm thick laminated glass

All windows must have seals fitted to each edge of the openable window to restrict air infiltration. Any external glazed doors must have seals fitted to each edge of the door to restrict air infiltration and glazing set and sealed in an airtight, non-hardening sealant or a soft elastomer glazing tape.

2.2.3 Ventilation Systems

Ventilation to be provided in the form of openable windows. If ventilation other than openable windows is proposed, it must be designed such that it achieves an R_w of at least 25.

2.2.4 Boundary Fencing

An acoustic fence can optionally be installed along the boundary perimeter for the extent shown in Appendix A to negate most acoustic requirements for the ground floor (only) external walls, windows and external glass doors. Whilst not required by MBS 010, such a fence would have the additional benefit of improving the acoustic amenity in outdoor spaces such as the alfresco and pool areas.

The acoustic fence must be at least 2.1m high and of a solid construction (i.e. non-perforated) such as *Colorbond* sheet metal with no visible gaps in order to provide adequate acoustic shielding.

3 VIBRATION ASSESSMENT

3.1 Criteria

For vibration as a result of tram pass-bys, Section 2.3 of the Guidelines refers to *Annex A of Australian Standard AS 2670.2-1990: Evaluation of human exposure to whole-body vibration, Part 2-Continuous and shock-induced vibration in buildings (1 to 80Hz)* (the **Australian Standard**). As such, the Australian Standard has been determined to be the most relevant standard that provides objective criteria relating to vibration from rail and has been used as the basis of the vibration assessment.

3.2 Assessment

Vibration levels have been measured at the development site as a result of tram pass-bys along the adjacent tram line. Measurements were taken in accordance with the Guidelines, at a worst-case location which represents the closest location of the future building in relation to the tram line.

Figure 1 and Figure 2 show the measured vibration velocities along each axis relative to the direction of the source of vibration (the tram line). Multiple measurements were taken, of which *Measurement 1* corresponds to a southbound tram pass-by on the nearest adjacent tram line, and *Measurement 2* corresponds to both a northbound and southbound tram passing by the site on their respective tram lines at the same time.

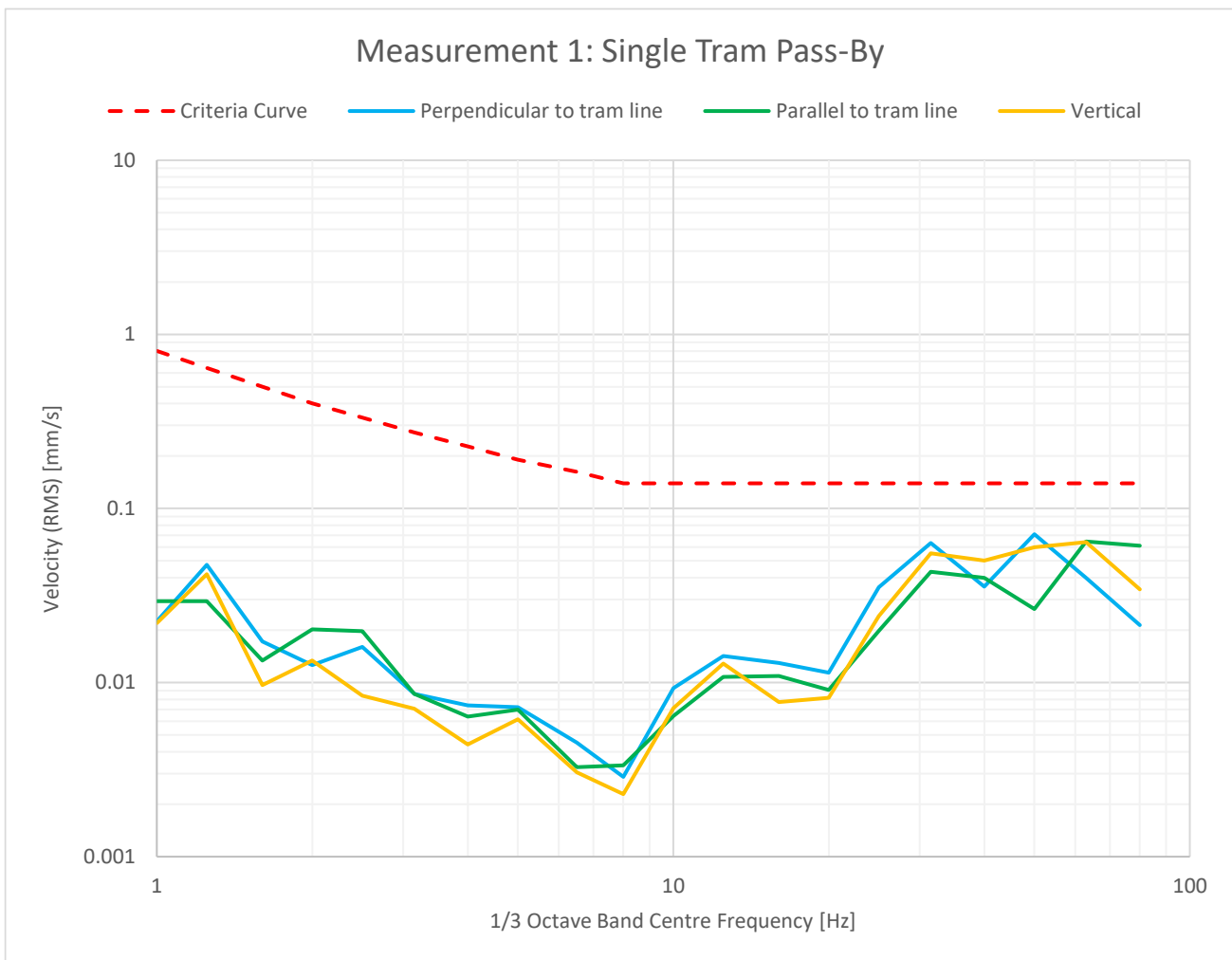


Figure 1: Vibration Measurement 1

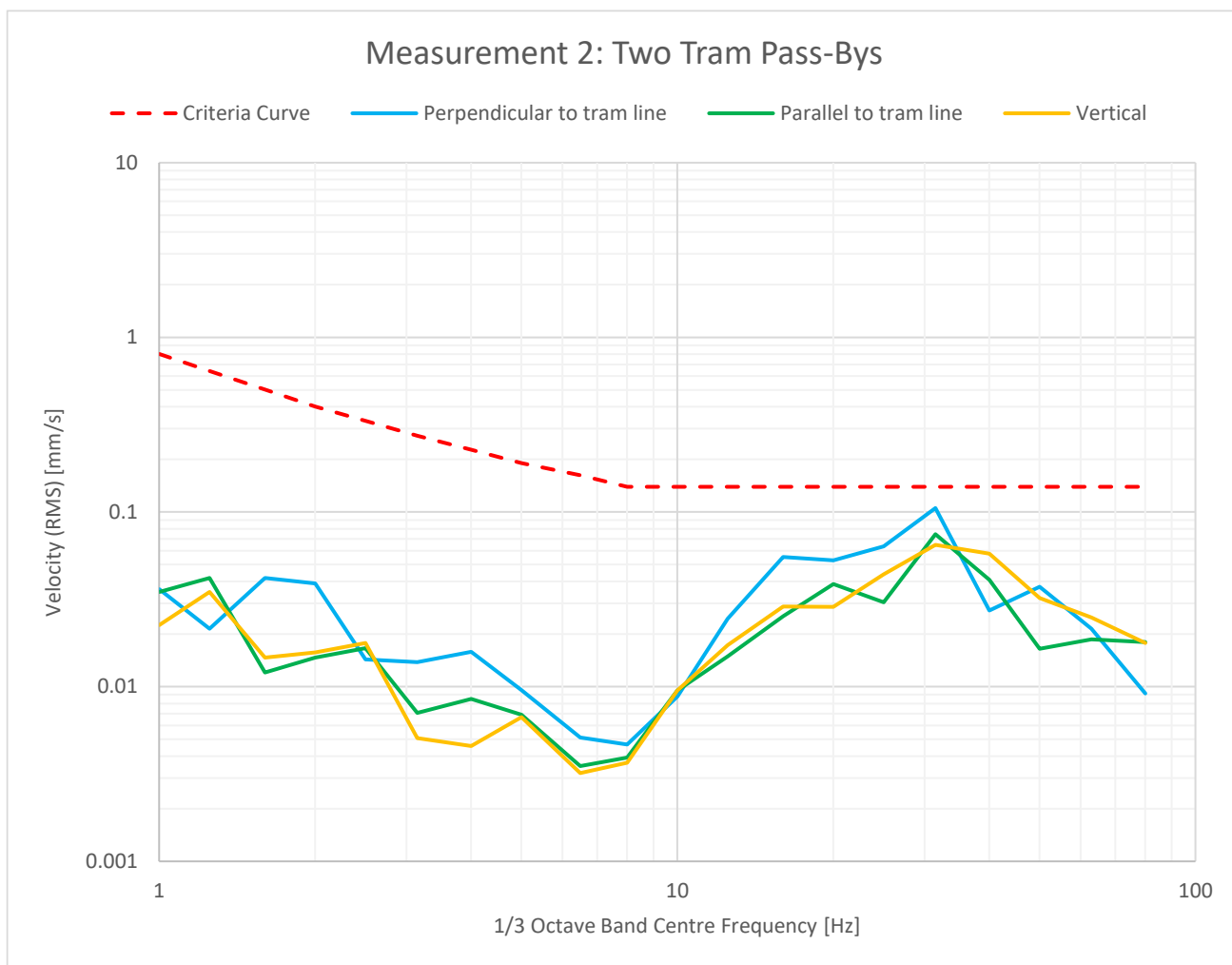


Figure 2: Vibration Measurement 2

As shown by the above figures, the measured vibration levels are below the criteria supplied by Annex A of the Australian Standard and therefore in compliance with the Guidelines.

4 CONCLUSION

A rail noise and vibration assessment has been undertaken for the proposed development at 6 King William Road, Wayville.

The assessment considers the airborne noise and vibration impacts on the development from the nearby existing tram line, and provides acoustic advice with reference to *Ministerial Building Standard MBS 010 – Construction requirements for the control of external sound* and the *Environment Protection Authority – Guidelines for the assessment of noise from rail infrastructure*.

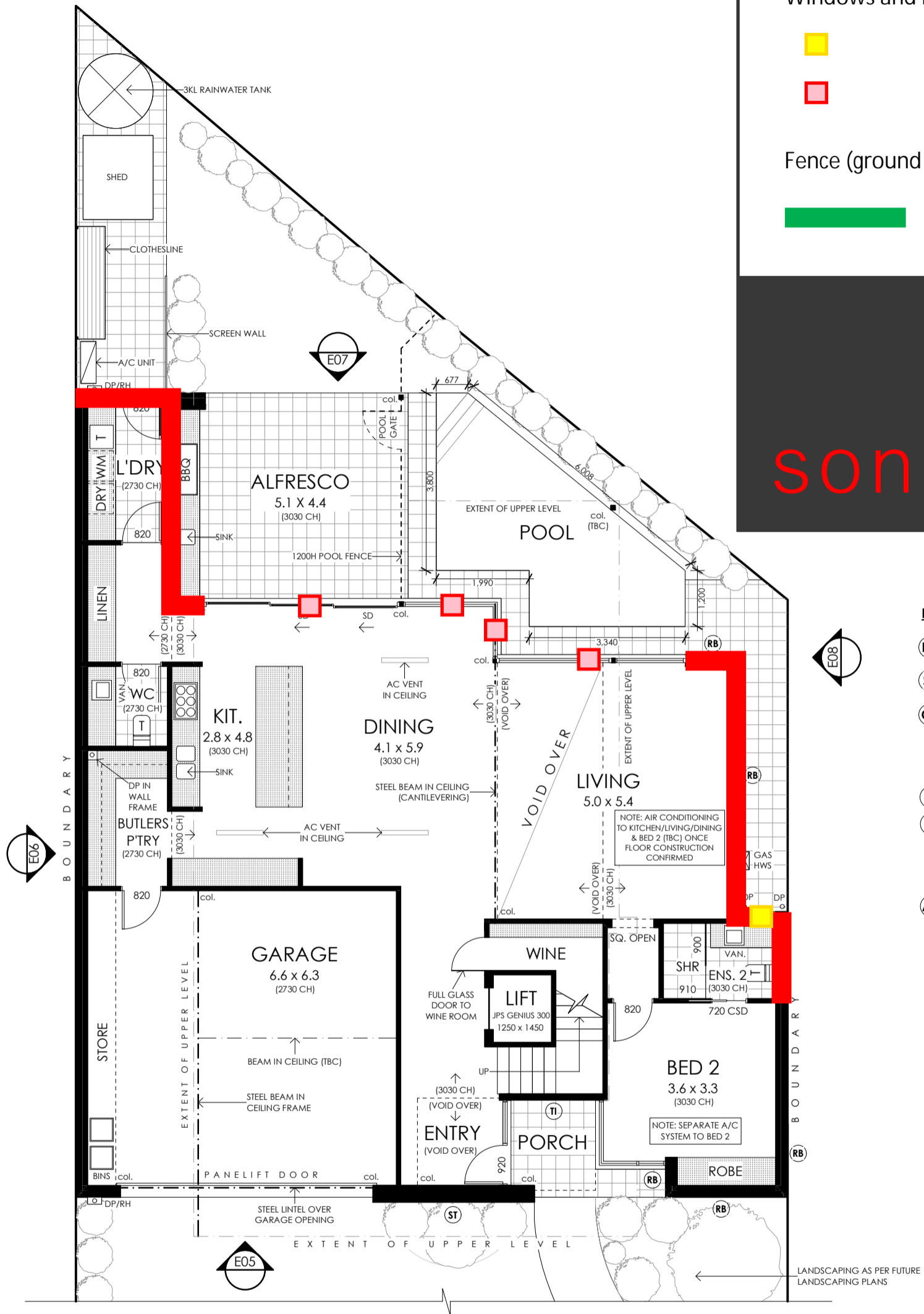
MBS 010 was used to provide objective criteria for internal noise levels and *Deemed-to-Satisfy* constructions for mitigating airborne noise. Subject to the acoustic requirements specified in this report, building constructions were provided as examples that would achieve the requirements of MBS 010.

Additionally, the Guidelines reference *Annex A of Australian Standard AS 2670.2-1990: Evaluation of human exposure to whole-body vibration, Part 2-Continuous and shock-induced vibration in buildings (1 to 80Hz)* to provide objective criteria for vibration levels resulting from tram pass-bys. Measurements were conducted at the site in accordance with the Guidelines that showed the criteria of Australian Standard would be achieved.

As such, mitigations required for the dwellings to sufficiently reduce airborne noise and vibration from the adjacent tram line in order to meet the requirements of the relevant standards have been provided.

APPENDIX A: MINIMUM ACOUSTIC REQUIREMENTS FOR EXTERNAL WALLS AND GLAZING

GROUND FLOOR: OPTION A



Acoustic Mark-up

External Walls

$R_w + C_{tr} \geq 40$

Windows and External Glass Doors

$R_w + C_{tr} \geq 25$

$R_w + C_{tr} \geq 28$

Fence (ground floor alternative)

$\geq 2.1m$ Solid Construction

sonus.

 INTERNALLY OR CONCRETE FILLED & REINFORCED AS PER ENG. DETAILS

- #### EXTERNAL CLADDING/FINISHES
- (RB)** RENDERED BRICKWORK
 - (ST)** FEATURE STONEWORK (TBC)
 - (CL)** HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
 - (TI)** TIMBER (TBC)
 - (UT)** 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
 - (AB)** SELECTED ALUCOBOND CLADDING

PLANNING ISSUE

girardi design

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Client:
A & R. AMREIN

Project:
2 PROPOSED NEW TWO STOREY DWELLING INCLUDING ROOF TERRACE

At:
6 KING WILLIAM ROAD, WAYVILLE, SA

Figured dimensions shall take preference over scaled drawings. Contractors shall verify all dimensions prior to commencement and notify builder of any discrepancies.

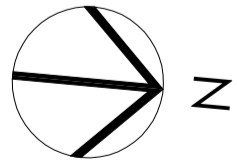
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Designer:
Clint Girardi

Drawn: Michael Phillpott Date: 31 JAN 2023

Issue: D Drawing Number: PLA.09/14

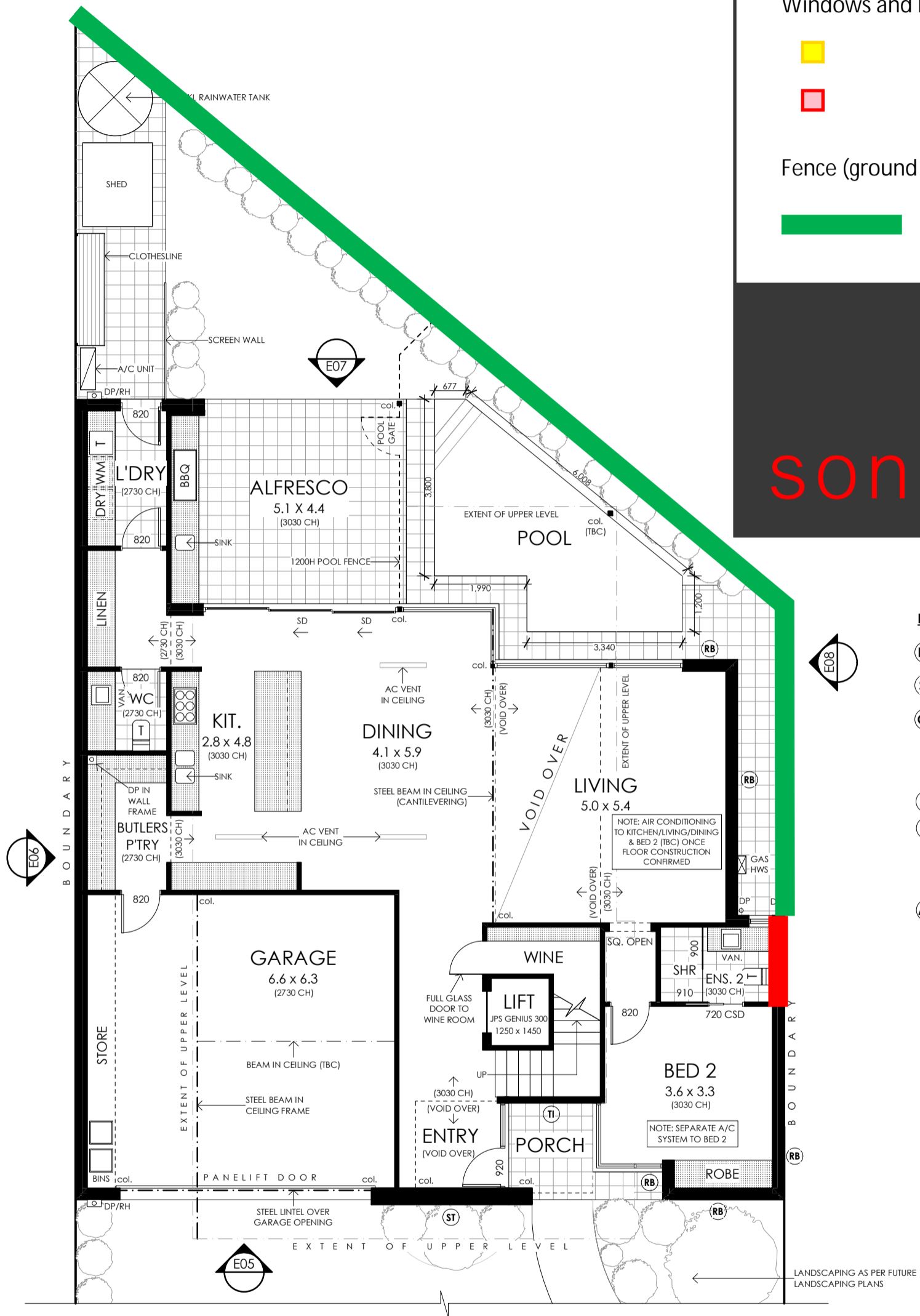
GROUND FLOOR PLAN
 PROPOSED RESIDENCE - LOT 2
 SCALE 1:100 @ A3



LOT 2 RESIDENCE

AREAS	m2
GROUND LIVING	: 140.4
UPPER LIVING (INC. VOID SPACE)	: 145.3
ROOF LEVEL	: 42.5
GARAGE	: 46.2
PORCH	: 4.2
ALFRESCO	: 22.3
ROOF TERRACE	: 30.6
TOTAL	: 431.5

GROUND FLOOR: OPTION B



Acoustic Mark-up

External Walls

$R_w + C_{tr} \geq 40$

Windows and External Glass Doors

$R_w + C_{tr} \geq 25$

$R_w + C_{tr} \geq 28$

Fence (ground floor alternative)

$\geq 2.1m$ Solid Construction

sonus.

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- #### EXTERNAL CLADDING/FINISHES
- RB RENDERED BRICKWORK
 - ST FEATURE STONEWORK (TBC)
 - CL HARDIES SCYON 'AXON' CLADDING 133mm VERTICAL PROFILE ON 135mm/160mm STUD FRAME
 - TI TIMBER (TBC)
 - UT 75mm UNITEX BASEBOARD ON 25mm TOP HATS TO FIRST FLOOR 90mm STUD FRAME (190 O/ALL)
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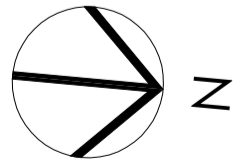
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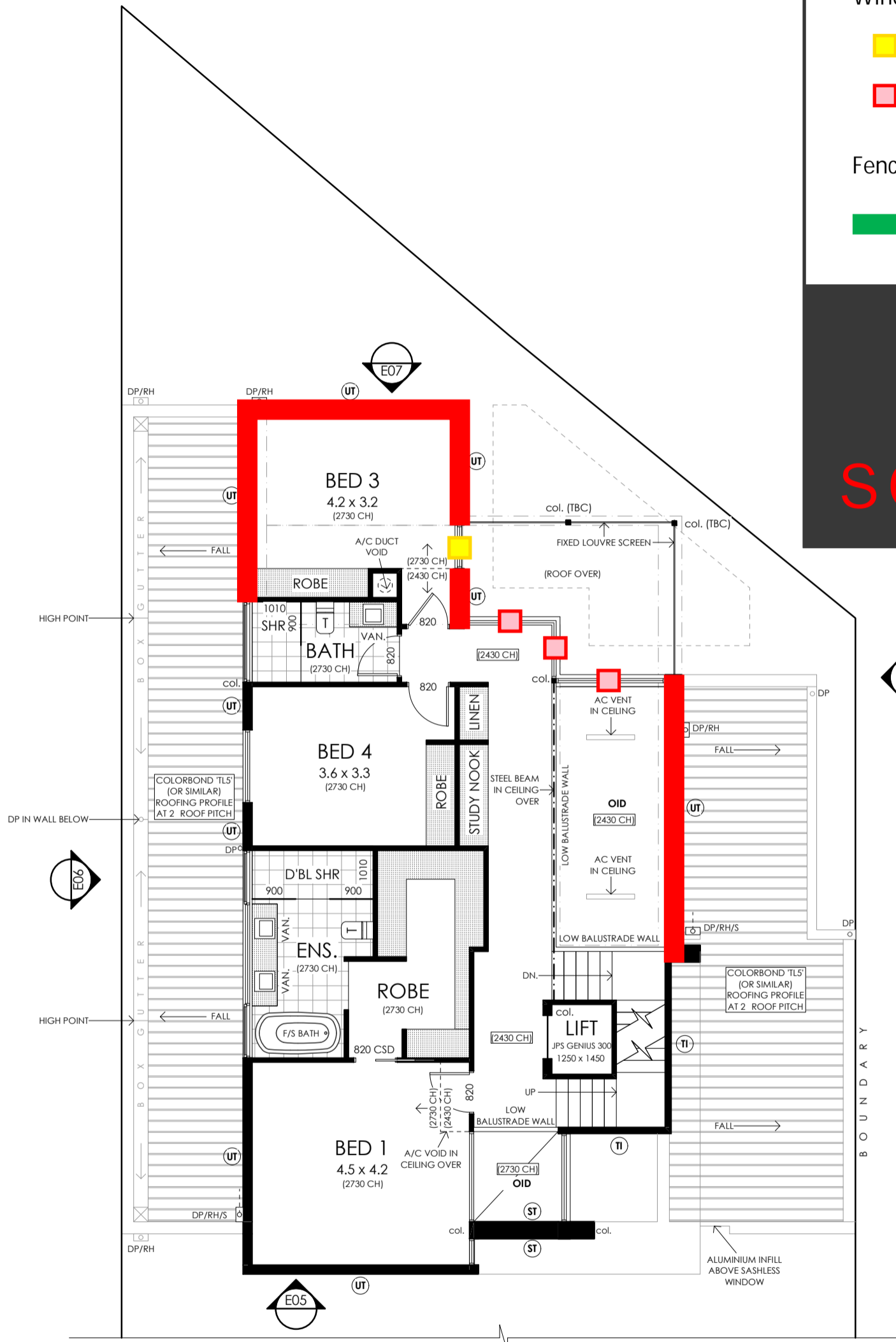
Issue: D Drawing Number: PLA 09/14

GROUND FLOOR PLAN
 PROPOSED RESIDENCE - LOT 2
 SCALE 1:100 @ A3



LOT 2 RESIDENCE	
AREAS	m2
GROUND LIVING	: 140.4
UPPER LIVING (INC. VOID SPACE)	: 145.3
ROOF LEVEL	: 42.5
GARAGE	: 46.2
PORCH	: 4.2
ALFRESCO	: 22.3
ROOF TERRACE	: 30.6
TOTAL	: 431.5

UPPER FLOOR



Acoustic Mark-up

External Walls

$R_w + C_{tr} \geq 40$

Windows and External Glass Doors

$R_w + C_{tr} \geq 25$

$R_w + C_{tr} \geq 28$

Fence (ground floor alternative)

$\geq 2.1m$ Solid Construction

sonus.

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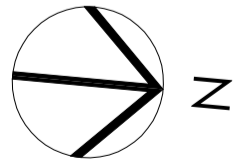
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UPPER FLOOR PLAN
 PROPOSED RESIDENCE - LOT 2
 SCALE 1:100 @ A3



LOT 2 RESIDENCE		m2
AREAS		
GROUND LIVING	:	140.4
UPPER LIVING (INC. VOID SPACE)	:	145.3
ROOF LEVEL	:	42.5
GARAGE	:	46.2
PORCH	:	4.2
ALFRESCO	:	22.3
ROOF TERRACE	:	30.6
TOTAL	:	431.5

ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23002756
Proposal	Land Division creating two allotments from one (with common driveway) and construction of two, three storey group dwellings with associated fencing and swimming pools
Location	6 KING WILLIAM RD WAYVILLE SA 5034

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	02/05/2023 02:09 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

Dear Sir/Madam, Please see attached: (1) [REDACTED] representation (2) Town Planning Assessment Should you require any further information please do not hesitate to contact me [REDACTED]

Attached Documents

[REDACTED]
[REDACTED]

2 May 2023

Dear Sir/Madam,

I have previously met with the owner/applicant of the vacant land at 6 King William Road preceding settlement. At that early stage the applicant was advised of the many challenges that the site will need to overcome, which are now highlighted with the current proposal.

I have reviewed the proposed subdivision and development for the adjacent property at 6 King William Road, Wayville. I have also sought professional advice from a town planner, the correspondence of which I have attached to this submission. This has helped to consolidate and validate my concerns with the proposed development. And I agree with his conclusion.

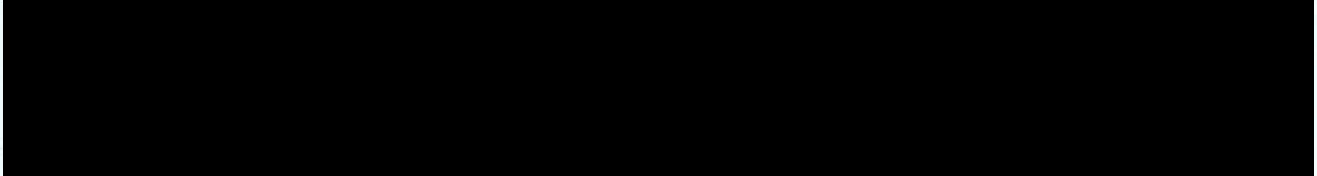
Whilst the proposal has design features which are architecturally appealing, I agree with the town planner's conclusion that the proposal is clearly an "over development" of the land. And for this reason should **not be approved**.

My principal concerns are well described in his letter of correspondence, and pertain but are not limited to:

- (i) density
- (ii) site coverage
- (iii) building height
- (iv) setbacks
- (v) powerline clearance
- (vi) access and traffic
- (vii) visitor parking
- (viii) privacy
- (ix) stormwater management

In addition I understand that the development is reliant upon a free and unrestricted right of way over land on my title. The benefits allowed by this right of way are yet to be determined.

I would like to elaborate on two of the above items only; namely (vi) access/traffic and (viii) privacy.



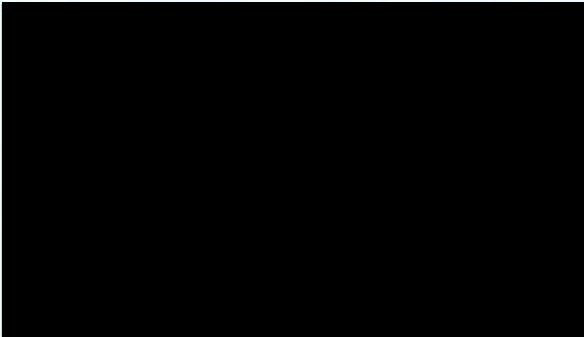
(vi) Access and traffic - as a medical professional I would like to formally express my concerns with a design proposal which will require pedestrian access to the rear of the Eastern dwelling and the front of the Western dwelling via a shared driveway with an adjacent commercial property. During the design phase of my building this was a major consideration, and we required rear and front access, to negate the need for pedestrian traffic on a narrow single carriageway. In fact I recall being advised that pedestrian access would not be allowed, without a separate pedestrian strip. Being a medical facility performing surgical procedures on site, emergency access is required at all stages. The right of way exists on my title, and I do not wish to witness a single pedestrian-vehicle incident on my premises.

Should this occur at any stage in the future, I will be utilising this letter of submission in my defence.

(viii) Privacy - as a specialist medical facility I must also protect the interests and privacy of my patients. We currently have a facial aesthetic plastic surgeon on site, whose patients have the highest privacy expectations. I understand that overlooking concerns are not generally taken into consideration with adjacent commercial properties. But we are a pre-existing medical facility providing consultation and treatment on site. This is not a new situation, as this site has been providing surgical and medical services to patients since the 1980's. It is highly inappropriate for a non-compliant third level, to be looking directly into a consulting room, theatre/recovery space or waiting area. Furthermore, it is also not appropriate for our staff and patients to have full view of their pool and entertaining spaces.

In conclusion, and for the above reasons, I am in agreement with the town planner's assessment. **And as such the development proposal should not be approved.**

I would be happy to discuss the contents of the above concerns further with the planning division and/or owners of the property related to the above application.



2 May 2023



Town Planning
Development Advice
Strategic Management

[REDACTED]
[REDACTED]
[REDACTED],

DEVELOPMENT APPLICATION 23002756 – LAND DIVISION, TWO DWELLINGS & SWIMMING POOLS – SHARED ACCESS ARRANGEMENTS - 6 KING WILLIAM ROAD, WAYVILLE - TOWN PLANNING REVIEW

Further to our recent discussion and as instructed, I provide the following review of the above mentioned development proposal for the land at 6 King William Road, Wayville which adjoins [REDACTED] with reference to the relevant provisions of the Planning & Design Code.

I understand that you are concerned with the proposed development and will make a representation to the relevant planning authority as provided for under Section 107(3)9b) of the Planning, Development and Infrastructure Act 2016. This letter has been prepared to accompany and form part of your representation.

1. PROPOSAL

The proposal is described as *'land division creating two allotments from one (with common driveway) and construction of two, three storey group dwellings with associated fencing and swimming pools'* as depicted in the plan of division prepared by Zaina Stacey and the architectural plans by Girardi Design.

I note that while the proposal documents also include an acoustic assessment by Sonus acoustic engineers which makes certain recommendation in relation to noise and vibration arising from the adjacent tram line, the Applicant has not provided expert town planning or traffic engineering advice.

The plan of division by community title seeks to create two allotments having the respective areas of 289 m² and 291 m² together with a shared driveway area noted as common property which is accessed from a 3.05 m wide driveway from King William Road located on your property over which rights of way apply.

Each allotment is to be developed with a three level freestanding dwelling with a height approaching 10 metres, with associated double garaging, private open space and a swimming pool. The rear dwelling is to be constructed boundary to boundary, with that at the front built to the south side boundary.

Vehicle access to garaging and pedestrian access to the rear dwelling is to be provided along the right of way, the freehold of which is held by your property at 4 King William Road and serves as a driveway to the car parking area that serves your medical consulting rooms.

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
Adelaide SA 5000
0407 019 748

phil@phillipbrunning.com

2. CONTEXT

This aerial photograph assists in understanding the context in which this development is proposed and the relationship to your medical consulting building which is accessed via a 3.05 m wide driveway to King William Road, an historical arrangement that harks back to when 4 and 6 King William Road were both used as single dwellings.



It is understood that at the time of developing your land you sought expert advice from CIRQA with respect to access arrangements to and from King William Road via this 3.05 m wide driveway which was at the margin of that considered acceptable and only on the basis of the small increase in number of vehicle movements arising.

To be clear, the width of this driveway does not allow two-way passing of vehicles.



3. PLANNING & DESIGN CODE

The land on which this development is proposed is located within the Business Neighbourhood Zone. The land is also subject to a number of policy overlays including that in relation to Historic Area, Stormwater Management and Urban tree Canopy.

The applicable Technical Numerical Variations (TNVs) for this location are:

- Maximum Building Height (Metres) (Maximum building height is 9m)
- Minimum Frontage (Minimum frontage for a detached dwelling is 15m)
- Minimum Site Area (Minimum site area for a detached dwelling is 600 sqm)
- Maximum Building Height (Levels) (Maximum building height is 2 levels)
- 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)

The proposal is to be performance assessed having regard to the relevant provisions of the Code. These provisions are expressed in terms of Desired Outcomes (DO), Performance Outcomes (PO) and Designated Performance Features (DPF).

While the measure contained with a DPF is provided as one way of satisfying the associated PO and may not be the only way of achieving compliance, it is nonetheless informative and may not be ignored.

The recent decision of the Court in Parkins¹ is of assistance when interpreting and applying POs and DPFs in the assessment of a proposal, with Commissioner Dyer finding that *the quantum of the departure may not be ignored*.

The Commissioner went on to say that *the significance of any departure will depend, as always, on the circumstances of the matter at hand. The preciseness of the correlation between a PO and its corresponding DPF will also have bearing*.

4. ASSESSMENT CONSIDERATIONS

The following assessment considerations are considered particularly relevant.

4.1 Density

As noted above, the minimum allotment size for a detached dwelling is 600 m².

While the proposal is technically for *group dwellings*, as defined in so far as one or more of these dwellings do not have a site with frontage to a public road, the front dwelling in particular, presents as a detached dwelling.

The site area proposed is less than half that otherwise sought for detached dwellings in this location. While this in itself may not be of significance, the smaller site area needs to be reconciled with measures for site coverage, set backs and height.

4.2 Site Coverage

The Code provides for a maximum site coverage of 50%. Site coverage is to be limited to provide sufficient space for landscaping, open space and pervious areas.

¹ PARKINS v ADELAIDE HILLS COUNCIL ASSESSMENT MANAGER [2022] SAERDC 12 Judgment of Commissioner Dyer 1 August 2022

On my calculation, the dwelling proposed for Lot 1 (the front dwelling) will result in a site coverage of 69% with the dwelling for Lot 2 (to the rear) resulting in a site coverage of 73%, both well in excess of the stated measure.

4.3 Building Height

PO 3.1 seeks buildings (that) are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.

The associated DPF identifies a maximum building height of 9 m or 2 levels. That which is proposed exceeds both measurements given the third level, notwithstanding that it is set in from property boundaries.

This third level is a clear departure from the stated measurement.

4.4 Set Backs

The dwelling proposed for Lot 1 is to be set back at only 2.2 m from the front property boundary to King William Road, substantively closer than that of your building and the town houses to the south contrary to PO 3.2 and the associated DPF.

The proposed development displays extensive on boundary construction (in the case of the rear dwelling, boundary to boundary) of a wall height approaching 10 m well in excess of that provided for by DPF 3.4 (up to 3.2 m for a maximum length of 11.5m).

The proposal also fails to satisfy DPF 3.7 with respect to rear setbacks (3 m for the ground floor component and 5 m for any second building level) which contributes to a 'crowding' effect between dwellings.

4.5 Powerline Clearance

I very much doubt that the dwelling proposed on Lot 1 will provide sufficient clearance to the overhead powerlines to the front of the site on King William Road in line with the requirement under the Electricity Act 1996.

I say this with reference to the analysis undertaken in relation to the development on your property which required the front portion of your building to be reduced to a single level with the first level to be set back a distance of some 5.5 metres.

I seriously question whether the design presented may actually be implemented.

4.6 Access & Traffic

PO 3.1 under the heading Transport, Access & Parking within the General Development policy section of the Code seeks '*safe and convenient access minimises impact or interruption on the operation of public roads*'.

PO 3.2 goes on to say that '*development incorporating vehicular access ramps ensures vehicles can enter and exit a site safely and without creating a hazard to pedestrians and other vehicular traffic*'.

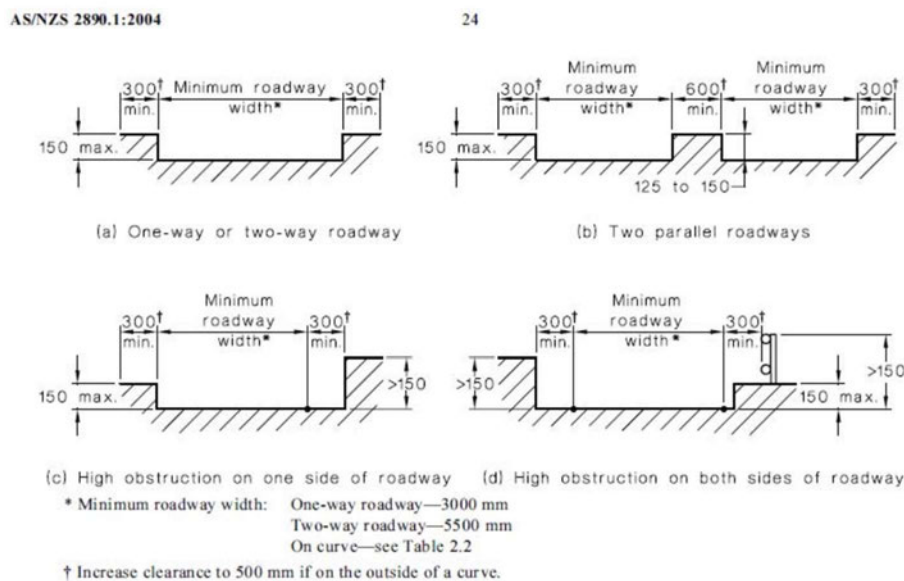
PO 3.3 seeks that '*access points are sited and designed to accommodate the type and volume of traffic likely to be generated by the development*' with PO 3.4 stating that '*access points are sited and designed to minimise any adverse impacts on neighbouring properties*'.

I contend that the proposed arrangement does not provide for safe and convenient access and will lead to impact interruption on King William Road given the scenario where an entering vehicle is required to reverse back onto the carriageway.

As I understand it the relevant Australian Standard requires a 5.5 m as a minimum width for driveways that serve a two way movement function. The current driveway has a width of 3.05 m which is substantively less than this requirement.

While this driveway width was accepted by Council at the time of determining the development on your land due to the limited increase in vehicles movements arising, it does not have capacity to accommodate the proposed development.

If this residential development is to proceed, this driveway will need to be provided with additional width to allow for simultaneous two way movement. At a minimum, structures should be set back 300 mm either side as per the detail below, as you have on your side.



DIMENSIONS IN MILLIMETRES

FIGURE 2.8 CIRCULATION ROADWAY AND RAMP CROSS SECTIONS

I also understand that planning authorities generally require a 6 m x 6 m paved area where the driveway meets the road reserve to allow for two vehicles to pass simultaneously and minimise disruption on the adjacent footpath.

There is also the issue of pedestrian safety. The proposed residential development relies upon this narrow driveway for pedestrians to access the Dwelling 2 in conflict with vehicles using it, with no refuge provided for pedestrians should the need arise.

I also question the adequacy of the space provided between the dwellings to allow for the safe and convenient manoeuvring of vehicles into and out from garages, potentially requiring multiple reverse turn manoeuvres.

One final matter worthy of consideration is the question as to whether the current access rights enjoyed by 6 King William Road may be lawfully assigned on to the two new allotments proposed without the consent of the owner of the freehold (you).

I suggest that this changed circumstance may not occur without your consent.

4.7 Visitor Parking

While the proposal may technically provide the requisite parking for group dwellings (2 spaces per dwelling with 2 or more bedrooms), it does not provide any visitor parking on site, nor is parking available on the street in front of this property.

4.8 Privacy

While your property is commercial in nature, I note the need for privacy of clients when attending consultations and that the proposed arrangement of balconies and upper level windows may compromise this experience.

There is also the issue of a vantage from the second level of your consulting room building into the swimming pool area of Dwelling 1 in particular, if not Dwelling 2 with insufficient screening afforded to protect privacy of users.

4.9 Stormwater management

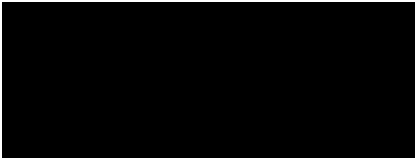
I note that the proposal provides no stormwater management details.

5. Conclusion

On the basis of my review, I conclude that the proposal is an '*over development*' of the land that should not be approved. While individually each departure may not be fatal, the cumulative effect is such that unacceptable externalities will arise.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



PHILLIP BRUNNING RPIA

Registered Planner

Accredited Professional – Planning Level 1, 2 & 3

ATTACHMENT 3



URPS

Adelaide
12/154 Fullarton Rd
Rose Park, SA 5067
08 8333 7999

Melbourne
29-31 Rathdowne St
Carlton, VIC 3053

03 8593 9650
urps.com.au

31 May 2023

Don Donaldson
Assessment Manager
City of Unley

Attention: Mark Troncione

Via the PlanSA Portal

Dear Don

Response to Representations 6 King William Road, Wayville (ID 23002756)

Introduction

URPS has been engaged by All Good Property Options Pty Ltd (the applicant) to respond to the written representations resulting from the public notification of the development application referred to above.

One written representation from the adjoining neighbour at [REDACTED] objecting to the proposed development has been submitted. This representation includes a letter from [REDACTED] who is understood to be the owner/occupier of the adjoining land, as well as Mr Phil Brunning who is a planning consultant acting on behalf of [REDACTED]. The remainder of my letter responds to this objection.

Approach to Assessment

Part 1 of the Code is entitled "Rules of Interpretation". It includes the following information on the role of Designated Performance Features:

Policies - Desired Outcomes and Performance Outcomes

Zone, subzone, overlay and general development policies are comprised of desired outcomes (DOs) and performance outcomes (POs). These are applicable to performance assessed development and to restricted development.

Desired outcomes

Desired outcome are policies designed to aid the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies module. Where a relevant authority is uncertain as to whether or how a performance outcome applies to a development, the desired outcome(s) may inform its consideration of the relevance and application of a performance outcome, or assist in

assessing the merits of the development against the applicable performance outcomes collectively.

Performance outcomes

Performance outcomes are policies designed to facilitate assessment according to specified factors, including land use, site dimensions and land division, built form, character and hazard risk minimisation.

Designated performance features

In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies. (underlining added)

DPFs are provided for general guidance. They are not mandatory. What matters most is the satisfaction of Performance Outcomes.

The subject site is in the Business Neighbourhood Zone. The following sections of the Code are also applicable to the proposed development:

- Airport Building Heights (Regulated) Overlay
- Building Near Airfields Overlay
- Historic Area Overlay
- Stormwater Management Overlay
- Urban Tree Canopy Overlay
- Clearance from Overhead Powerlines
- Design in Urban Areas
- Infrastructure and Renewable Energy Facilities
- Interface between Land Uses
- Site Contamination
- Transport, Access and Parking

Density

The Administrative Terms and Definitions Table in Part 8 of the Planning & Design Code includes the following definition:

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

I consider that the right of way that operates as the driveway to the proposed group dwellings forms part of the curtilage of these dwellings. This means that the Right of Way forms part of the subject site. On this basis, the subject site is approximately 777m². This also means that the average density per dwelling is 388.5m².

The representor has stated that a Technical Numeric Variation (TNV) applies to the subject site that establishes a minimum site area for a detached dwelling of 600m².

I have interrogated the Code on the South Australian Planning Policy Atlas (SAPPA). The spatial application of this TNV is shown in green on the plan below. It does not apply this part of the Business Neighbourhood Zone including the subject site.



Map 1: Extract from SAPPA showing the extent of the TNV for site areas in green.

Dwellings are clearly anticipated in PO and DPF 1.1 of the Business Neighbourhood Zone as follows:

- PO 1.1** Housing and accommodation types appropriate to the locality complemented by shops, offices, consulting rooms and other non-residential uses that do not materially impact residential amenity.
- DPF 1.1** Development comprises one or more of the following:...
- (c) Dwelling... (underlining added)

There is, however, no minimum density guideline for dwellings on the subject site.

I note that the existing adjoining dwellings to the south largely within the same Zone (4 dwellings in total) have an average allotment size of approximately 230m².

In this context, I contend that the average density of 388.5m² proposed is appropriate.

Site Coverage

PO and DPF 2.3 of the Business Neighbourhood Zone state:

PO 2.3 Site coverage is limited to provide space for landscaping, open space and pervious areas.

DPF 2.3 Development does not result in site coverage exceeding 60%. (underlining added)

The representor incorrectly indicates that relevant provision of the Code includes a maximum site coverage of 60%.

The Administrative Terms and Definitions Table in Part 8 of the Planning & Design Code includes the following definition:

Site coverage is calculated by adding the total roof area of all roofed buildings/structures on a site (excluding any eaves surrounding a habitable building) dividing this by the site area and then multiplying it by 100. Site coverage is expressed as a percentage. (underlining added)

The roofed area/footprint of proposed Dwelling 1 is 200.5m². The roofed area/footprint of proposed Dwelling 2 is 213.1m². Therefore, the total proposed roofed area is 413.6m². This equates to 53.2% of the site area. This satisfies PO and DPF 2.3 quoted above.

Building Height

PO and DPF 3.1 of the Business Neighbourhood Zone state:

PO 3.1 Buildings are generally of low-rise construction, with taller buildings positioned towards the centre of the zone and away from any adjoining neighbourhood-type zone to positively contribute to the built form character of the locality.

DPF 3.1 Except on a Catalyst site in the Melbourne Street West Subzone, Building height (excluding garages, carports and outbuildings) is no greater than:

(a) the following:

Maximum building height is 9m

Maximum building height is 2 levels..

In relation to DTS/DPF 3.1, in instances where:

(c) more than one value is returned in the same field:

(i) for the purpose of DTS/DPF 3.1(a), refer to the Maximum Building Height (Metres) Technical and Numeric Variation layer or Maximum Building Height (Levels) Technical and Numeric Variation layer in the SA planning database to determine the applicable value relevant to the site of the proposed development... (underlining added)

The Maximum Building Height (Levels) Technical and Numeric Variation Layer is applicable to the subject site. This is set at 2 levels.

The Administrative Terms and Definitions Table in Part 8 of the Planning & Design Code includes the following definition:

Low rise in relation to development, means up to and including 2 building levels.
(underlining added)

Desired Outcome 2 of the Business Neighbourhood Zone seeks:

***DO 2** Buildings of a scale and design that complements surrounding built form, streetscapes and local character and provide for landscaping and open space.* (underlining added)

All existing buildings in this locality are 1 and 2 levels in height.

The proposed development includes dwellings that are 3 levels in height.

It is contended that the proposed variation from the height guidelines in the Code is acceptable in this instance because:

- The second-floor levels are set well back from the primary street frontage so that they are inconspicuous in the streetscape, sufficiently complement surrounding built form and local character.
- The second-floor levels include appropriate privacy screening so as to not negatively impact on neighbouring properties.

Setbacks

Front Boundary Setback

PO and DPF 3.1 of the Business Neighbourhood Zone state:

***PO 3.2** Buildings are set back from primary street boundaries consistent with the existing streetscape.*

***DPF 3.2** The building line of a building set back from the primary street boundary:*

- (a) at least the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)...*
(underlining added)

The ground level of the adjoining consulting rooms to the north is setback 2.25m from the from the street boundary. The adjoining dwelling to the south is setback 6.0m from the street boundary to its main façade (the portico projects forward of this slightly). This means that the average setback of the existing building on the adjoining sites facing King William Road is approximately 4.1m.

Dwelling 1 has been designed so that the street facing façade has varied setback distances. This includes:

- 2.25m to the most forward projecting ground level element closest to the adjacent consulting rooms with a similar ground level setback.
- 3.00m and 3.60m to the ground level façade elements closest to the neighbouring dwelling to the south.
- 4.67m to the first-floor level closets to the neighbouring dwelling to the south
- 4.67m to the balcony and 9.16m and 9.66m to the wall of the second-floor level.

This staggering of the façade setbacks may not strictly adhere to PDF 3.2 but satisfies PO 3.2 creating consistency with the existing streetscape.

Side Boundary Setbacks

PO and DPF 3.1 of the Business Neighbourhood Zone state:

PO 3.4 Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining residential properties.

DPF 3.4 Except where the dwelling is located on a central site within a row dwelling or terrace arrangement, side boundary walls occur only on one side boundary and satisfy (a) or (b):

- (a) side boundary walls adjoin or abut a boundary wall of a building on adjoining land for the same or lesser length and height*
- (b) side boundary walls do not:*
 - (i) exceed 3.2m in height from the lower of the natural or finished ground level*
 - (ii) exceed 11.5m in length*
 - (iii) when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary*
 - (iv) encroach within 3m of any other existing or proposed boundary walls on the subject land.*

PO 3.6 Buildings are set back from side boundaries to provide:

- (a) separation between dwellings in a way that complements the established character of the locality*
- (b) access to natural light and ventilation for neighbours.*

DPF 3.6 Other than walls located on a side boundary, building walls are set back at least 900mm from side boundaries. (underlining added)

The proposed dwellings are located on the southern side boundary of the side boundary of the site.

Dwelling 1 has a ground level wall on the southern side boundary that is:

- 17.3m long and 3.1m high at ground level.
- 16.1m long and 3.6m high at first-floor level, and

- 5.6m long and 3.1m high and second-floor level.

This is longer and taller than the northern boundary wall of the existing adjoining dwelling to the south. It also doesn't satisfy PDF 3.4(b) quoted above.

It does, however, satisfy PO 3.4 because the portions of wall on the southern site boundary that extend beyond the neighbour's boundary wall do not result in unreasonable visual impact to that neighbour. This is because only a 2.8m wide portion of the ground level wall and 1.7m wide portion of the first-floor wall will be visible from the front yard of the neighbouring property (the second-floor southern boundary wall will not be visible from the neighbour's property).

The additional southern boundary walling will also not create any additional unreasonable overshadowing of the neighbouring properties to the south.

Dwelling 2 has a ground level wall on the southern side boundary that is 16.7m long and 3.1m high at ground level. This wall is 3.5m high including the retaining wall below (it will appear to be 2.73m high from the neighbouring property to the south).

This is longer and taller than the northern boundary wall of the existing adjoining dwelling to the south. It also doesn't satisfy PDF 3.4(b) quoted above.

It does, however, satisfy PO 3.4 because the portions of wall on the southern site boundary that extend beyond the neighbour's boundary wall do not result in unreasonable visual or overshadowing impact to the driveway area of that neighbour.

Dwelling 1 is setback 4m from the northern site boundary for ground and first-floor levels and 7.8m for the second-floor level. These setback distances satisfy DPF and PO 3.6 quoted above.

Dwelling 2 is setback 0m-1.0m from the northern site boundary for ground floor level, 3.5m-8.0m for first-floor level and 3.7m-6.0m for the second-floor level. These setback distances satisfy DPFs and POs 3.4 and 3.6 quoted above.

Rear Boundary Setback

PO and DPF 3.7 of the Business Neighbourhood Zone state:

PO 3.7 Buildings are set back from rear boundaries to provide:

- (c) separation between dwellings in a way that complements the established character of the locality*
- (d) access to natural light and ventilation for neighbours*
- (e) open space recreational opportunities*
- (f) space for landscaping and vegetation.*

DPF 3.7 Buildings walls are set back from the rear boundary at least:

- (g) 3m for the first building level*
- (h) 5m for any second building level. (underlining added)*

The subject site is unusual in that the rear/western boundary of the site fronts a transport corridor containing a shared use pedestrian/cyclist path and tram lines, together with Bartley Crescent on the opposite side of the tram lines. It may be considered a secondary street frontage as much as a rear boundary.

The rear/western site boundary is also at an approximate 45-degree angle from the primary street boundary.

Dwelling 2 has been designed so that its façade to the rear/western boundary has varied setback distances. This includes:

- 1.6m-6.1m to the ground level.
- 1.6m-4.5m to the first-floor level.
- 0.6m-04.5m to the roof of the second-floor level.

While this staggering of the façade setbacks does not satisfy PDF 3.7 it does satisfies PO 3.7 by providing:

- sufficient separation between dwelling in a way that complements the established character of the locality
- access to natural light and ventilation for neighbours
- open space recreational opportunities, and
- space for landscaping and vegetation.

Powerline Clearance

PO and DPF 1.1 of the Clearance From Overhead Powerlines section of the Code state:

PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.

DPF 1.1 One of the following is satisfied:

- (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996***
- (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development. (underlining added)***

The project architects has signed and submitted the appropriate declaration form with this Development Application.

More recently, the project architects have consulted with Ian Furness, Principal Electrical Engineer at the Department of Energy and Mines. Mr Furness has advised that:

“8m of clearance allows for the 5.5m vertical clearance and another 2.5m for sag. I don’t have a way to determine precisely what the sag for this section of line is, but that seems a reasonable margin”.

It is contended that the proposed development provides sufficient clearance to the existing powerlines to satisfy the Code provisions quoted above.

Access and Traffic

The proposed development involves an unusual situation where the driveway access to the two proposed dwellings also provides vehicle access to the adjoining consulting rooms to the north. Nonetheless, I consider PO and DPF 33.4 of the Design in Urban Areas section of the Code to be relevant:

PO 33.4 Residential driveways that service more than one dwelling or a dwelling on a battle-axe site are designed to allow passenger vehicles to enter and exit and manoeuvre within the site in a safe and convenient manner.

DPF 33.4 Driveways providing access to more than one dwelling, or a dwelling on a battle-axe site, allow a B85 passenger vehicle to enter and exit the garages or parking spaces in no more than a three-point turn manoeuvre. (underlining added)

All vehicles can enter and exit the site in a forward direction. I am advised that Council’s traffic specialists are satisfied that this is the case. This design approach satisfies the provisions quoted above.

There are several provisions in the Code which include different quantitative guidelines in relation to the width of driveways applicable to group dwellings as follows:

Transport, Access and Parking

PO 3.6 Driveways and access points are separated and minimised in number to optimise the provision of on-street visitor parking (where on-street parking is appropriate).

DPF 3.6 Driveways and access points:

(a) for sites with a frontage to a public road of 20m or less, one access point no greater than 3.5m in width is provided

(b) for sites with a frontage to a public road greater than 20m:

(i) a single access point no greater than 6m in width is provided, or

(ii) not more than two access points with a width of 3.5m each are provided.

Design in Urban Areas

PO 23.3 Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, domestic waste collection, landscaped street frontages and on-street parking.

DPF 23.3 Driveways and access points satisfy (a) or (b):

(a) sites with a frontage to a public road of 10m or less, have a width between 3.0 and 3.2 metres measured at the property boundary and are the only access point provided on the site

- (b) sites with a frontage to a public road greater than 10m:
- (i) have a maximum width of 5m measured at the property boundary and are the only access point provided on the site:
 - (iii) have a width between 3.0 metres and 3.2 metres measured at the property boundary and no more than two access points are provided on site, separated by no less than 1m.

PO 33.2 The number of vehicular access points onto public roads is minimised to reduce interruption of the footpath and positively contribute to public safety and walkability.

DPF 33.2 Access to group dwellings or dwellings within a residential flat building is provided via a single common driveway.

PO 33.3 Residential driveways that service more than one dwelling are designed to allow safe and convenient movement.

PF 33.3 Driveways that service more than 1 dwelling or a dwelling on a battle-axe site:

- (a) have a minimum width of 3m
- (b) for driveways servicing more than 3 dwellings:
 - (i) have a width of 5.5m or more and a length of 6m or more at the kerb of the primary street
 - (ii) where the driveway length exceeds 30m, incorporate a passing point at least every 30 metres with a minimum width of 5.5m and a minimum length of 6m. (underlining added)

The subject site, including the Right of Way, is less than 20m wide. The existing Right of Way containing the driveway is 3.05m wide. There is a landscaped protuberance and side entry pit along the remainder of the King William Road frontage which also limit the ability to alter the existing driveway arrangements.

The proposed driveway access satisfies the majority of DPFs in the Code quoted above as follows:

- The driveway is narrower than 5m as anticipated in DPF 23.3(b)(i)
- The driveway is a single common driveway leading to group dwellings as anticipated in DPF 33.2.
- The driveway has a minimum width greater than 3m and anticipated in DPF 33.3(a).

The only variation from the DPFs quoted above is the driveway is 0.45m narrower than the 3.5m anticipated in DPF 3.6(a). I consider this variation to be negligible and acceptable as it still provides for adequate manoeuvrability for single lane traffic.

It is acknowledged that the driveway will be shared with the adjoining consulting rooms. It is understood that vehicles associated with these consulting rooms navigate the single lane comfortably without impacting negatively on the function of King William Road.

It is contended that the addition of traffic from only two additional dwellings will not render the existing driveway unsafe or inconvenient from a traffic management perspective.

Visitor Parking

Table 1 - General Off-Street Car Parking Requirements in the Code states that group dwelling should include:

Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.

0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings. (underlining added)

The proposed development does not involve 3 or more dwellings. Therefore, the Code does not anticipate any on-site visitor parking.

Each dwelling includes a double garage which satisfies the on-site parking guidelines quoted above. The fact that the second parking space is also covered is a negligible and acceptable variation.

The proximity of the bus and tram stops to the subject site, as well as a separated bike pathway, is also emphasised in terms of the provision of alternative modes of transport for residents and visitors.

Privacy

There are several provisions in the Code that seek to protect the privacy of the occupants of neighbouring dwellings. The only provisions of the Code that relate to privacy protection for other nearby land uses are PO 31.2 and 31.3 of the Design in Urban Areas section of the Code (there are no associated DPFs):

PO 31.2 The orientation and siting of buildings minimises impacts on the amenity, outlook and privacy of occupants and neighbours.

PO 31.3 Development maximises the number of dwellings that face public open space and public streets and limits dwellings oriented towards adjoining properties. (underlining added)

Proposed Dwelling 1 has some first-floor windows to Bedroom 3 and the hallway facing the adjoining consulting room located between 5 and 9m from the Right of Way/driveway. The north-facing window of the retreat on the second-floor is also located 5m from the Right of Way/Driveway. A combination of 1800mm privacy screen and 1500mm high sill heights ensure that appropriate levels of privacy are preserved to the adjoining consulting rooms from this dwelling.

Proposed Dwelling 2 has 4m+ setbacks from the northern side boundary and mostly solid walls and louvred privacy screens to ensure that appropriate levels of privacy are preserved to the adjoining consulting rooms from this dwelling.

This design approach satisfies the Code provisions relating to privacy protection quoted above.

Stormwater Management

The subject site is relatively flat. This lowest point of the site in the south-western corner has a spot level of 39.03. Spot levels towards the eastern end of the site rise to 39.55. This means that there is a maximum fall across the site of only 0.52m.

The proposed ground level FFLs of the dwellings are 39.60. This means that stormwater can reasonably be directed towards the street water table.

As part of the construction documentation process and prior to Building Rules Consent, the proponent's civil engineer will design the stormwater and site drainage system in accordance with relevant standards.

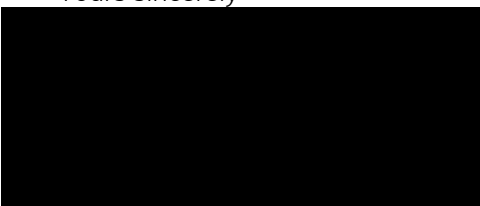
Conclusion

The proposed dwellings are an appropriate land use on this site. The development satisfies the majority of relevant DPFs and all relevant Performance Outcomes in terms of the design detail sufficient to warrant Planning Consent.

I will appear at the Council Assessment Panel meeting to respond to verbal representations and answer any questions from the CAP members.

Please contact me on 0400 730 412 if you have any questions.

Yours sincerely

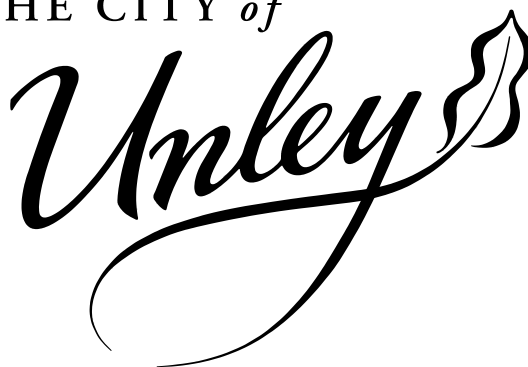


Marcus Rolfe
Director

ATTACHMENT 4

MEMORANDUM

THE CITY of



TO PLANNING AND DEVELOPMENT

FROM TRANSPORT ENGINEER

DATE 17 APRIL 2023

FILE

SUBJECT **Traffic comments on development application 23002756 –
6 King William Road, Wayville**

Proposal:

- Redevelop existing vacant site at 6 King William Road and build two (2) x three-story dwellings
- Each dwelling will have a double garage, providing at least 2 off-street spaces per dwelling.
- Vehicle access is proposed via a 6.60m wide common driveway, accessed from a 3.05m wide shared ROW via King William Road.

Comments

Comments on the plans submitted to Council are as follows:

- Proposed double garages for each dwelling will be at least 6.6m wide, 6.3m long and accessed via a shared aisle at least 6.6m wide. This either meets or exceeds all relevant standards and guidelines and is considered acceptable.
- The Australian Standards (AS2890.1-2004) Section 3.2 Access Driveways – Width and Location, Table 3.1 indicates that for a parking facility that provides less than 25 spaces (such as the ROW being assessed) with a local frontage road (i.e. not an arterial or sub-arterial road such as Greenhill Road), it is classified as a Category 1.
 - Category 1 requires an access driveway entry width of between 3.0m and 5.5m, with the proposed entry width of 3.05m, this meets the Australian Standards and is considered acceptable.
- Section 3.2.2 of the Standard indicates that if an accessway driveway is 30m or longer, or sight distance from one end to the other is restricted, and the frontage road is an arterial or sub-arterial road, both the access driveway and the circulation roadway for at least the first 6 m from the property boundary shall be a minimum of 5.5 m wide.
 - The proposed ROW accessway driveway is less than 30m long and provides clear sight distance from one end to the other.
- Section 3.2.2 of the Standard also indicates that in other cases subject to consideration of traffic volumes on a case-by-case basis, lesser widths, down to a minimum of 3.0 m at a domestic property, may be provided. As a guide, 30 or more movements in a peak hour (in and out combined) would usually require provision for two vehicles to pass on the driveway, i.e. a minimum width of 5.5 m.
 - Given only 4 parking spaces are provided in the proposed development, and there are only 9 spaces within the existing development at 4 King William Rd, peak hour traffic volumes are unlikely to ever exceed 30 or more movements in a peak hour.

- Considering all the above, the proposed accessway does not meet any warrants for the installation of a passing area within the accessway driveway.
- Clear sight distance to pedestrians must be provided for pedestrians travelling along King William Road in accordance with Australian Standards (Figure 3.3 of AS2890.1 - shown below). Plans provided by the applicant indicate that no pedestrian sight triangle has been provided adjacent the shared ROW and footpath on King William Road. **Please ensure plans are updated to include appropriate pedestrian sight triangle in accordance with Australian Standards.**

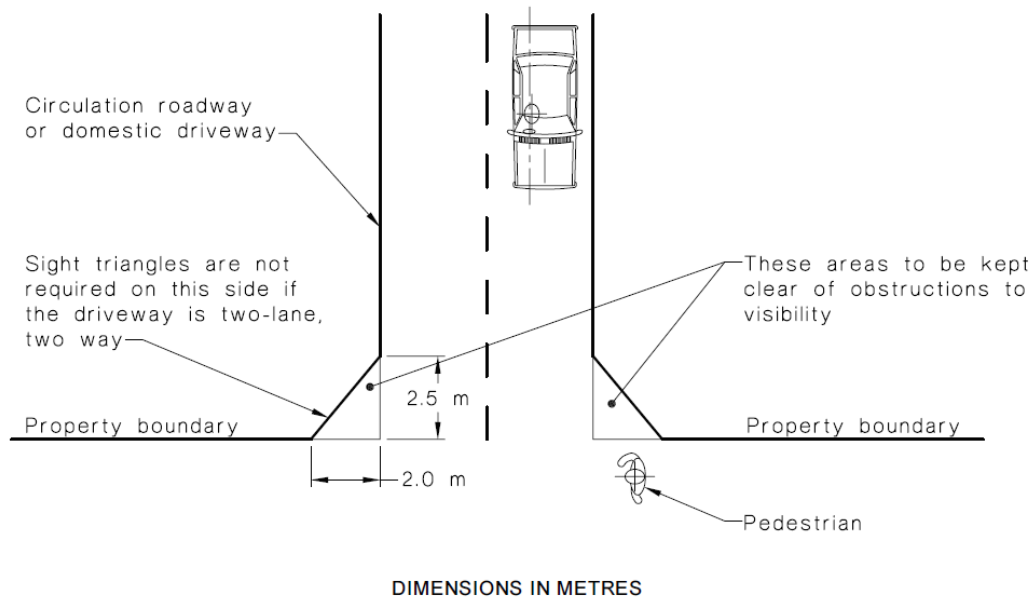


FIGURE 3.3 MINIMUM SIGHT LINES FOR PEDESTRIAN SAFETY

- Pedestrian safety along ROW when vehicles are also utilizing the ROW. Please note that the shared ROW / Driveway is a low speed shared zone, with vehicles and pedestrians required to give way as required. The ROW is at least 3m wide, which provides adequate width for a pedestrian to safely pass a vehicle utilizing the ROW at the same time.
- Traffic Safety at the shared junction between Dental Surgery and residential properties (i.e. multiple vehicles exiting the ROW at the same time). Please note that all vehicles will be exiting the site via the ROW in a forward's direction, which will provide far superior sight lines compared to a reversing vehicle. Like most road junctions, the vehicle arriving first would typically have right of way with the other vehicle giving way. This type of arrangement does not represent a significant safety concern that requires additional action.

Other:

- Any redundant crossovers must be reinstated to Council satisfaction.
- Any proposed crossovers must be installed to Council satisfaction.
- Any costs associated with changes to on-street parking signage and/or line marking is to be covered wholly by the applicant.

Jacob Avery
Transport Engineer

ATTACHMENT 5



CAUTION: This email originated from outside the organisation. Do not act on instructions, click links or open attachments unless you recognise the sender and know the content is safe.

Hi Mark,

Thank you for the opportunity to assist.

The Sonus report utilises the *Ministerial Building Specification 010 - Construction requirements for the control of external sound (MBS 010)* to determine the extent of noise reduction measures at Lot 2 6 King William Road due to its location adjacent the tram corridor, and utilises Annex A of *Australian Standard AS 2670.2-1990: Evaluation of human exposure to whole-body vibration, Part 2-Continuous and shock-induced vibration in buildings (1 to 80Hz)* (the **Australian Standard**) as the most relevant standard to assess vibration.

The Australian Standard is referenced by the EPA *Guidelines for the assessment of noise from rail infrastructure April 2013* (the **EPA Guidelines**) for the assessment of vibration from rail infrastructure. The EPA Guidelines also include recommendations for the assessment of noise from rail infrastructure, but MBS 010 is applied by the Sonus report in lieu of those recommendations.

The application of MBS 010 in lieu of the EPA Guidelines for the assessment of noise is common (and indeed, is mandated as such) in circumstances where the development site is within an *Air and Noise Emissions Overlay (Overlay)* of the *Planning and Design Code* (the **Code**).

In this circumstance, despite the location of the site adjacent a *designated road* (MBS 010 introduces the concept of a *designated road* as a trigger to implement noise reduction measures via the Overlay) and a tram corridor, it is not in the Overlay. It is noted that other areas in Unley Council adjacent a designated road (such as Unley Road), are in the Overlay.

The location of a site in the Overlay mandates the application of MBS 010. MBS 010 addresses noise entering the apartments from outside according to location in a mixed-use zone and/or being adjacent a designated road, rail or aircraft corridor. The noise reduction requirements for external walls, doors, glazing, and ventilation transmission paths then form part of the mandated building certification process.

Therefore, in the normal course of events with the site in the Overlay, the decision to utilise MBS 010 would be mandated and there would be no need to incorporate a condition of development plan consent (as the noise reduction measures would be mandated through the building certification process).

In this circumstance, the method is open and MBS 010 and/or the EPA Guidelines are available options. By way of background, MBS 010 introduces a complex mix of construction recommendations which can be ambiguous and the EPA Guidelines introduce some rigid external noise level recommendations which are likely to be difficult to achieve.

Notwithstanding all of the above, the following has been achieved by the Council's approach to date:

1. vibration has been considered and measured at the site as compliant with the Australian Standard
2. the built form has been upgraded from a standard build to address noise from the tram corridor (regardless of the method used and/or the ambiguities around that method)
3. there are other dwellings in similar proximity to the corridor without any known upgrades

Based on the above, your recommendation to include the Sonus report's recommendations as a condition of development plan consent would provide an overall positive outcome. Note that the extent of the treatment and the final construction details (for example, of the wall system) are subject to ambiguity in MBS 010 and could be further considered (but probably not for any net gain relative to the effort required to work through the different interpretations of MBS 010).

At a broader level, it might be beneficial to review the extent of the Air and Noise Emissions Overlay in the City of Unley council area.

Finally, as discussed with Tim and Don, the review process is generally desktop only and does not include any calculations or measurements to confirm the final detailed outcomes in the acoustic report/s.

Trust the above assists and please call me if you want to discuss further.

Regards,

Jason

Jason Turner
Director



From: Mark Troncone <mtroncone@unley.sa.gov.au>
Sent: Wednesday, April 5, 2023 2:52 PM
To: Jason Turner <jasonturner@echoacoustics.com.au>
Subject: DA 23002756 - Noise and Vibration Assessment Review

Hi Jason,

Hope you are well.

I have an application for the construction of two dwellings at 6 King William Road (plans attached). I requested that a Noise and Vibration assessment be undertaken as a result of the proximity of Lot 2 (rear lot) to the adjacent tram line to the west. The Sonus report suggested noise mitigation measures to reduce airborne noise and vibration from the adjacent tram line in order to meet the requirements of the relevant standards.

I will condition the dwelling upon Lot 2 be designed in accordance with the attached Sonus report. Are you able to review the Sonus report and confirm that you agree with the mitigation methods proposed?

Feel free to contact me if you have any questions.

ITEM 3

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

DATE OF MEETING: June 20th 2023

APPEALS - Nil

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status