

CAP Meeting Agenda

Presiding Member: Mr Brenton Burman

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 16 April 2024 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson
Assessment Manager

Dated: 03/04/2024

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

KAURNA ACKNOWLEDGEMENT

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

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yailtya, 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

AGENDA

Item No		Page
1.	Apologies	2-2
2.	Conflict of Interest	2-2
3.	Confirmation of the Minutes	2-2
4.	Planning, Development Infrastructure Act Applications	
4.1	38 Malcolm Street, Millswood – 23036876	3-112
5.	Appeals Against Decision of Assessment Manager	
5.1	Nil	-
6.	Applications Before the ERD Court	
6.1	Summary of ERD Court Appeals	113-113
7.	ERD Court Compromise Reports - CONFIDENTIAL	
7.1	Motion to move into confidence	-
	Nil	-
	Motion to move out of confidence	-
	Nil	-
8.	Council Reports	
8.1	Nil	-
9.	Other Business	
9.1	Nil	-

ITEM 4.1**DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD**

DEVELOPMENT NO.:	23036876
APPLICANT:	Karmen & Darryl Wakelin C/- Future Urban
ADDRESS:	38 MALCOLM ST MILLSWOOD SA 5034
NATURE OF DEVELOPMENT:	Construction of a two-storey detached dwelling, front fence, swimming pool with associated safety barriers and demolition of ancillary structures
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) • Building Near Airfields • Historic Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 6m) • Minimum Frontage (Minimum frontage for a detached dwelling is 21m) • Minimum Site Area (Minimum site area for a detached dwelling is 1,000 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 2m for the first building level; 4m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	3 Jan 2024
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2023.19 - 21 December 2023
CONSENT TYPE REQUIRED	Planning Consent
CATEGORY OF DEVELOPMENT:	<ul style="list-style-type: none"> • PER ELEMENT: Fences and walls Detached dwelling: Code Assessed - Performance Assessed Fence: Code Assessed - Performance Assessed New housing Swimming pool or spa pool and associated swimming pool safety features: Code Assessed - Performance Assessed Demolition: Code Assessed – Performance Assessed • OVERALL APPLICATION CATEGORY:

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

	Code Assessed - Performance Assessed • REASON P&D Code
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia De Ruvo Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Assets Officer Heritage Consultant
RECOMMENDATION	Support with conditions
ATTACHMENTS	Attachment 1 – Plan Set & Supporting Documentation Attachment 2 – Representations Attachment 3 – Response to representations

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is for the construction of a two-storey detached dwelling, combined picket and masonry front fence, a swimming pool with associated safety barriers and the demolition of ancillary structures on site. The proposed plans are contained within **Attachment 1**.

Demolition of all ancillary structures on site, including existing fencing and a swimming pool, will be undertaken to allow for the construction of the dwelling.

The proposed two storey detached dwelling will be constructed using a variety of materials and finishes which include masonry face brick, selected rendered finishes, hardwood cladding and Zincalume roof sheeting. The dwelling will be comprised of four bedrooms, five bathrooms (including three ensuites), study, mud room, rumpus, laundry, multipurpose room, open plan kitchen (with walk in pantry), dining and living area, alfresco and a three-car garage under the main roof. The upper storey also results in two balconies, one fronting to Malcolm Avenue and the other fronting to the rear yard. The balcony fronting into the rear yard includes 1.8m obscured battens. Vehicular access to the dwelling will be obtained via a modified crossover from Malcolm Street with a maximum width of 5.1m.

The proposal also seeks to construct a combined masonry and picket front fence to a height of 1.8m sited forward of the building line of the dwelling.

Lastly, the proposal seeks to install a swimming pool to the rear of the subject land, with the pool pump equipment sited along the eastern boundary and within an acoustic box to reduce the noise emitted from the equipment.

SITE DESCRIPTION & LOCALITY:

Location reference: 38 MALCOLM ST MILLSWOOD SA 5034

Title ref.: CT 5882/859 **Plan Parcel:** F218843 AL100 **Council:** CITY OF UNLEY

Site Description

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

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

The subject land is sited on the northern side of the Malcolm Street and is a rectangular shaped allotment with a 20.73m wide frontage, a depth 45.72m with an approximate site area of 947.78m². The subject land is relatively flat and is not affected by any easements or encumbrances.

The site is currently a vacant allotment containing a dilapidated swimming pool, tennis court and associated fence and outbuildings, which appears to be previously ancillary to 31 Avenue Street, Millswood. Vehicular access is obtained via a single width crossover from the western side of the allotment. The land is relatively flat and moderately vegetated with one street tree located within the verge. There are no regulated or significant trees on the subject site or adjoining sites.



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

Locality

When determining the locality of the subject land the general pattern of development and the extent to which the proposed development is likely to impact surrounding occupiers and landowners was considered. The locality is located entirely within the **Established Neighbourhood Zone**.

The locality is predominantly characterised by residential dwellings, with the exception of the Adelaide metro train line sited to the west of the subject land. The residential development within the locality is comprised of detached dwellings of varying eras. Towards the western end of Malcolm Street are original house styles such as villas, return-verandah Villas and bungalows interspersed with conventional dwellings and infill dwellings. Towards the eastern end of Malcolm Street are predominantly conventional dwellings, infill dwellings and more recent contemporary dwellings with sparsely located original buildings such as bungalows and villas. This results in a notably mixed character to the streetscape.

The allotment pattern in the locality is relatively consistent, comprising of rectangular allotments with wide street frontages facing Malcolm Street. Site areas in the locality range between 600m² and 2300m².

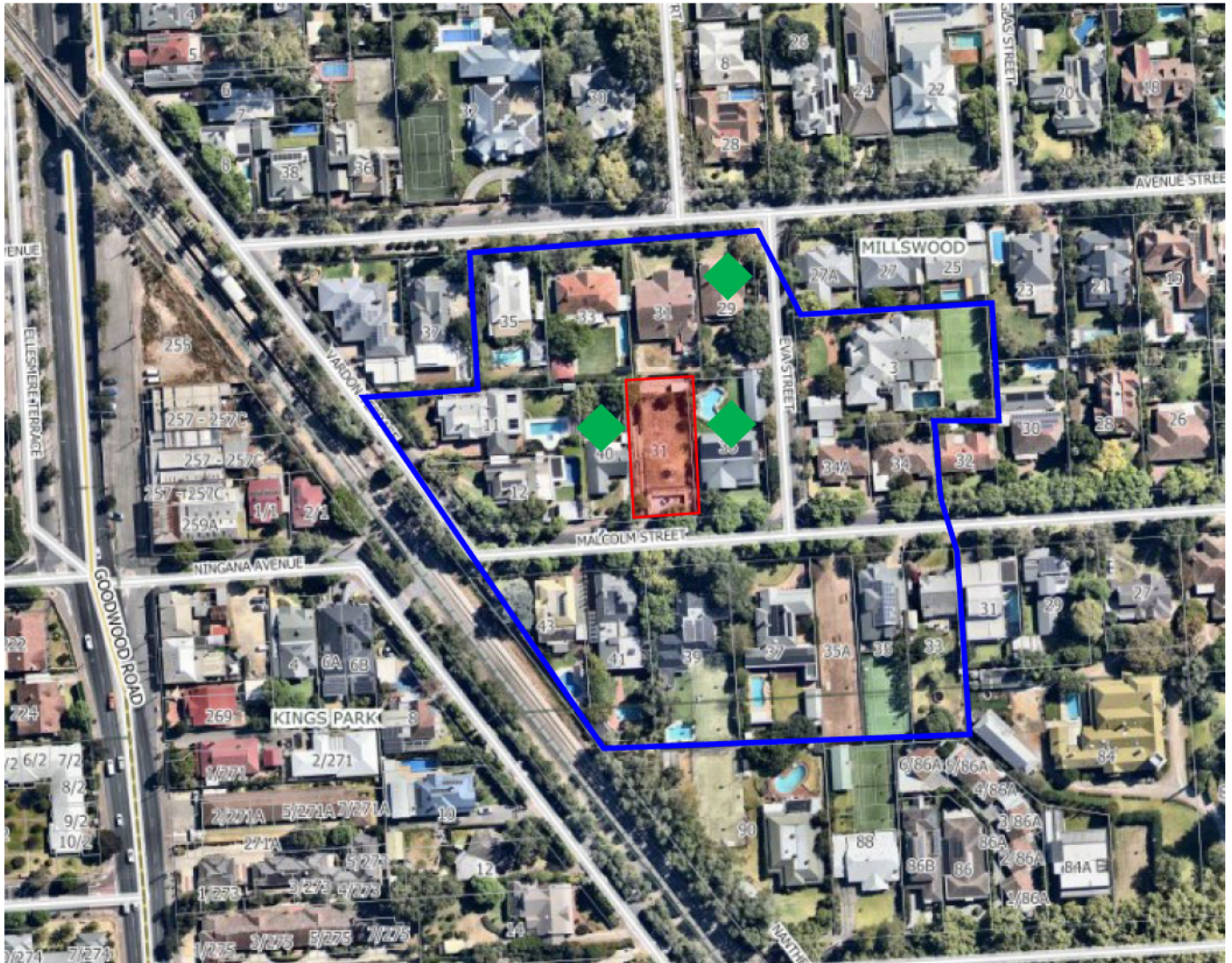
The locality is well vegetated with regulated trees and mature vegetation seen both on private land as well as within the verge of Malcolm Street, Eva Street and Vardon Terrace.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

Locality Plan

The representor lives within the locality of the subject land.



Subject Land



Locality



Representor

SERIOUSLY AT VARIANCE ASSESSMENT

The PDI Act 2016, Section 107 (2)(c) states that *the development must not be granted planning consent if it is, in the opinion of the relevant authority, seriously at variance with the Planning and Design Code (disregarding minor variations).*

The **Established Neighbourhood Zone Desired Outcome** states:

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

The proposal is for the construction of a dwelling that is sympathetic to the built form character and development pattern of the locality.

The **Established Neighbourhood Zone Performance Outcome** states:

***PO 1.1** – Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

The proposal is for the construction of a residential dwelling which maintains the established development pattern of the neighbourhood.

As seen in the following planning assessment, the proposal is considered to satisfy the intent of the **Desired Outcomes** and **Performance Outcomes** with only minor variations noted against the respective **Designated Performance Features**. Therefore, this proposal for a two storey detached dwelling is not considered to be seriously at variance with the Planning and Design Code.

SERIOUSLY AT VARIANCE 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.

PUBLIC NOTIFICATION

- **REASON**

Established Neighbourhood Zone – Table 5 – Procedural Matter (PM) – Notification – Clause 3(1) & (2)(a) the dwelling exceeds the maximum building height specified in Established Neighbourhood Zone DPF 4.1 and results in a boundary wall exceeding 8m in length and therefore is not an excluded form of development and requires to be publicly notified.

As part of the public notification process 18 owners and/or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject land for the duration of the notification period. A copy of the representations can be found in **Attachment 2**.

During the notification period Council received three representation, two who oppose the development and one who supports the development with concerns. All representors have requested to be heard by the Council Assessment Panel.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	I oppose the development	Yes	Self
[REDACTED]	I oppose the development	Yes	Self
[REDACTED]	I support the development with some concerns	Yes	Self

Summary:

The representors raised the following concerns:

- Bulk and scale of the proposed dwelling;
- Overall height of building;

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

- Rectilinear form of the dwelling;
- Architectural details and style expressed by the Historic Area Statement not exhibited by the proposed dwelling;
- Garage dominance;
- Overlooking;

The applicant provided a response to the representations which can be found in **Attachment 3**. The response to the representation provided by Future Urban was emailed or sent via post to the representors.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

- Assets Officer

Councils Assets officer have reviewed the plans and support the modified location and width of the crossover, granted a 2m setback from the existing street tree is provided. Standard crossover comments provided within Advisory Note 10

- Heritage Consultant

During the course of the assessment the proposal was referred to Council's Consultant Heritage Architect for advice. Advice provided by Councils Heritage Consultant has been undertaken across a number of referrals and emails. I have combined their comments into a summary below:

- The broader locality, specifically to the west displays a variety of dwelling styles, generally of high-quality design which are sensitive to the streetscape character. Houses in the locality have a certain gravitas & grandeur without being ostentatious;
- The proposed dwelling will be sited forward of the two adjoining dwellings, but will broadly be consistent with the building setbacks in the locality;
- The proposed dwelling wall heights may be too low within the historic context and additional height to the ground floor might be one way of addressing this. The ground floor wall height is 3.3m in height, however there is a 600mm band in a different material, which is effectively the roof line, leaving the wall height reading as 2.7m in an area where 3.5m is typical);
- There is a lack of design features that relate to the traditional building forms expressed in the Historic Area Statement (which include hipped and gable roof forms, chimneys, open verandah's, feature ornamentation, plasterwork, ironwork and timberwork), lattice work and associated front fences);
- The lack of visible roof form is an obvious attribute which is inconsistent with the Historic Area Statement. If the second storey is possibly clad in a roof material it might give the development an appearance of some roof form.
- The proposal results in a three-car garage which is not separate, recessed or "a minor, unobtrusive presence in the streetscape", although the cladding of the garage assists in reducing the impact. However, the fact is the garaging takes up 50% of the street frontage and that is a concern;
- A front fence across the entirety of the frontage should be considered as it would minimise the streetscape impact and de-emphasise the extent of garaging.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

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 **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

Demolition

PO 7.3 of the **Historic Area Overlay** states:

PO 7.3 – Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.

To allow for the construction of the proposed two-storey detached dwelling, the existing swimming pool, fencing and outbuildings are to be demolished. The existing buildings or structures on site do not conform to the values described in the **Historic Area Statement** and therefore is supported to be removed. **PO 7.3** of **Historic Area Overlay** as been satisfactory addressed.

Detached Dwelling

Land Use

The subject site is located within the **Established Neighbourhood Zone** where the **Desired Outcome (DO)** and **Performance Outcome (PO)** are as follows:

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.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

The proposal seeks to construct a two-storey detached dwelling on the site. A dwelling is an envisaged form of development within the **Established Neighbourhood Zone** and will maintain the established development pattern of the neighbourhood, satisfying the intent of **DO 1** and **PO 1.1** of the zone.

Design and Appearance

The **Desired Outcomes**, outlined above, of the **Established Neighbourhood Zone** seeks for new buildings to be sympathetic to the predominant built form character and streetscape within the locality.

Malcolm Street is comprised of a variety of housing styles which have evolved over the past 60 -70 years. Through an analysis of the aerial imagery between 1949 and 1959, it was noted that the original allotments, containing Local Heritage Places, were subdivided into smaller residential allotments altering the development pattern fronting to Malcolm Street.

As a result of the 1950's division, the established pattern shifted from the original architectural styles, expressed by the Historic Area Statement, to varying architectural styles incorporating mid to late 20th century styles and modern dwellings, resulting in the mix streetscape currently seen. The subsequent character of Malcolm Street has notably mixed architectural characteristics. Whilst Council's Heritage Advisor and one representor have highlighted the opinion that the propose dwelling does not display the attributes and characteristics sought by the **Historic Area Statement**, noted that the proposed two storey dwelling has been designed to respond to the characteristics of the locality.

PO 2.2 of **Historic Area Overlay** and **PO 4.1** of **Established Neighbourhood Zone** states:

PO 2.2 – Historic Area Overlay

Development is consistent with the prevailing building and wall heights in the historic area.

PO 4.1 – Established Neighbourhood Zone

Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.

As acknowledged by Councils Heritage Advisor, the buildings within the locality are generally of high-quality design and quite grand in terms of wall and ceiling heights and overall building height. Single storey dwellings typically have tall ceilings and large roof pitches resulting in dwellings the size and scale of a two-storey dwellings. One representor raised concerns of the proposed dwelling exceeded the **Technical and Numeric Variation (TNVs)**, **DPF 4.1** and that the overall height does not contribute to the prevailing character of the neighbourhood and nearby buildings. A TNV allows for a localised variation to the policy without the need to apply for entirely new policy within a zone, subzone or overlay. As outlined in **DPF 4.1(c)** when more than one value is returned in **(a)**, you refer to the relevant building height TNVs. In this instance only one value is returned in **DPF 4.1(a)** maximum building height (metres) 6m and maximum building height (levels) 1 level. This however is only one way in which to satisfy the **Performance Outcome** which as noted above seeks that buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.

The locality is comprised of numerous two storey dwellings and original building styles with tall ceilings and large roof pitches which are of a scale of a two-storey detached dwellings. The proposed dwelling results in predominant wall heights between 2.7m – 3m in height, and an approximate building height of 7m.

As part of the architectural plans, the applicant provided a streetscape elevation plan showing the setting of the proposed dwelling within the context of the two adjoining dwellings at 36 and 40 Malcolm Street. The proposed dwelling is taller than the dwelling at 40 Malcolm Street but comparatively lower than the dwelling at 36 Malcolm Street. When considering the existing two storey dwellings fronting to Malcolm Street and the two adjoining dwellings, the proposed two storey detached dwelling is considered to be complementary in height and positivity contribute to the character of the neighbourhood satisfying the intent of **PO 2.2** of **Historic Area Overlay** and **4.1** of **Established Neighbourhood Zone**.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

Lastly, it should be noted that the upper storey of the proposal is setback from the building line of the dwelling and sufficiently setback from side and rear boundaries and reduces the bulk and scale of the building when viewed from adjoining residential properties.

The **Historic Area Overlay PO's state:**

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 2.3 - Historic Area Overlay

Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.

PO 2.5 - Historic Area Overlay

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

PO 6.1 - Historic Area Overlay

The width of driveways and other vehicle access ways are consistent with the prevailing width of existing driveways of the historic area.

PO 6.2 - Historic Area Overlay

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

The notable architectural forms and design features in the locality are:

- Allotment pattern is maintained through wide street frontages and deep allotment side boundaries, with sites predominantly rectangular in shape;
- Hip and gable roof forms, however low pitch hip or flat roofs were readily seen on the modern contemporary dwellings fronting to Malcolm Street;
- Materials are predominantly face brick and stone except for development from the previous 20-30 years having incorporating render finishes;
- While the material of the facades may differ, the finished colours are a more natural colour. Dark finishes are not readily noticeable within the locality.
- Notably, there is a mix of front fences within the locality comprising of low brick fencing and high fencing of varying of styles. The high fences incorporate brick, stone and rendered finishes to an approximate height of 1.8m with some examples of brush fencing seen. Solid elements of the fences remain forward of the façade of the dwellings with the driveway / crossover entries generally remaining open;
- The locality is considered to have high amenity with well landscaped front yards and street verges. Mature trees are sited the length of Malcolm Street

The proposed dwelling design is not considered to be at odds with the characteristics seen within the locality. The flat roof form and the use of brick and render finishes is complementary to the modern contemporary dwellings fronting to Malcolm Street. The finishes of the dwelling are also consistent with the natural finish colours of the original building stock immediately surrounding the dwelling. The front fence, to be discussed further below, is complementary to the front fences in the locality. The proposal also seeks to provide mature soft landscaping forward of the building line maintaining the high amenity currently seen within the locality.

Taking into consideration the character which has emerged over a number of decades in the locality, the architectural styles sought by **Historic Area Statement (HAS)** and **Historic Area Overlay** are weakly

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

presented in the current streetscape. Whilst the proposed dwelling has been designed with consideration to the historic forms and features of the locality, namely materials and finishes and the overall bulk and scale, the dwelling has been designed to complement the emergent pattern of development in the locality. The proposed building, is considered to satisfy the **Historic Area Overlay DO 1** and **PO's 2.1, 2.2, 2.4, 2.5, 6.1** and **6.2**. Furthermore, the proposed two storey dwelling is considered to satisfy the intent of **DO 1, DO 2** and **PO 1.1** of the **Established Neighbourhood Zone** as it responds to the predominant and established development pattern of the neighbourhood.

Established Neighbourhood Zone PO 10.1 states:

***PO 10.1** - Garages and carports are designed and sited to be discreet and not dominate the appearance of the associated dwelling when viewed from the street.*

It is acknowledged that the quantitative measures of **DPF 10.1** have been exceeded, as the garage door opening / width comprising of 41% of the allotment frontage. Notwithstanding the above, the garaging is in two distinct sections with a double opening in line with the primary façade and a single opening set 1m behind the primary building line. The single garage section also has a lower roof and wall height. These design features reduce the visual impact of the three garages subsequently reducing the potential dominance. Further, the tapering of the driveway and soft landscaping forward of the third garage softens the built form and directs the eye to the dwelling, further obscuring the third garage and reducing any potential visual dominance. Lastly, the garaging will be finished in a hardwood cladding material which is a complementary material to the style of the dwelling, rather than a traditional metal garage door. By incorporating a complementary natural material into the façade of the garage, any visual impact is further reduced. As such the proposed garaging is considered to satisfy the intent of **PO 10.1** of **Established Neighbourhood Zone**.

Setbacks

The **Historic Area Overlay PO 2.4** and the **Established Neighbourhood Zone PO 5.1** state:

PO 2.4 - Historic Area Overlay

Development is consistent with the prevailing front and side boundary setback pattern in the historic area.

PO 5.1 – Established Neighbourhood Zone

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

The corresponding **DPF 5.1** seeks for new development to provide a minimum setback from the primary street boundary the average of the adjoining existing buildings. The proposed dwelling will provide a setback of 8.56m to the building line, which is average of the two adjoining dwellings. As outlined by Councils heritage advisor, the proposed dwelling will be broadly consistent with the existing dwellings on Malcolm Street, satisfying the intent of **PO 2.4** of **Historic Area Overlay** and **PO 5.1** of **Established Neighbourhood Zone**.

Established Neighbourhood Zone PO 7.1 and **8.1** state:

***PO 7.1** – Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.*

***PO 8.1** – Buildings are set back from side boundaries to provide:*

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

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

The corresponding **DPF's 7.1** and **8.1** seeks a side boundary setback of 2m for the first level and 4m for any second building level or higher. The proposal seeks to construct on the western boundary for a length of 10.7m with an overall wall height of 3m above natural ground, with the remainder of the dwelling providing a 1m setback, and a 3.4m setback from the eastern boundary. The upper storey provides a 5m setback from both side boundaries. Although the quantitative measures have not been satisfied for the ground level setback, it is not considered to negatively impact the site and locality of the adjacent dwellings. The boundary wall will be sited abutting the driveway to 40 Malcolm Street, a non-habitable area. The boundary wall will also be limited in height and length and will not unreasonably impact on the adjoining property's visual amenity. Additionally, the proposed dwelling maintains the sense of separation between buildings in a manner that is consistent with the established character of the locality without lessening the adjoining properties access to natural light and ventilation.

For the reasons detailed above it has been considered that the proposed dwelling satisfies the intent of **PO 2.4 of Historic Area Overlay** and **PO 7.1** and **8.1 of Established Neighbourhood Zone**.

Established Neighbourhood Zone PO 9.1 states:

PO 9.1 - Buildings are set back from rear boundaries to provide:

- a) *separation between buildings in a way that complements the established character of the locality;*
- b) *access to natural light and ventilation for neighbours*
- c) *private open space*
- d) *space for landscaping and vegetation.*

The corresponding **DPF** seeks a 4m setback for the first building level and a 6m setback for any second building level from the rear boundary. The proposal results in a 1m first level setback and a 17.23m upper-level setback. The ground floor will be sited within 1m of the rear boundary for a limited length of 5.4m, which is not considered to cause unreasonable visual impact the adjoining properties. The reduced rear setback does not impede on site functions as the proposal still results in an over supply of both private open space and soft landscaping, ensuring a high level of amenity for the residents satisfying the intent of **PO 9.1 of Established Neighbourhood Zone**.

Topography

PO 8.1 of the General Development Policies – Design in Urban Areas seeks:

PO 8.1 - Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.

The subject land is relatively flat with an approximate fall of 400mm from the south-east corner to the north-western corner of the allotment. To minimise the extent of earthworks the dwelling has been designed with a 360mm step down into the kitchen, dining and living area. This minimises the need for retaining along boundaries and limits the disturbance to natural topography of the land, satisfying the intent of **PO 8.1 – Design in Urban Areas**.

Site Coverage

Established Neighbourhood Zone PO 3.1 states:

PO 3.1 - Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

The corresponding **DPF 3.1** seeks that development does not result in site coverage exceeding 50%. The proposed development results in 47% of the site being development, satisfying **DPF 3.1**. In addition to this, the development is consistent with the pattern of development within the locality and provides sufficient

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

setbacks from boundaries to maintain adequate space between dwellings and adjoining properties and access to light and ventilation. With the proposed dwelling's numerous articulations materials and finishes, any potential adverse visual impact has been minimised satisfying the intent of **PO 3.1 of Established Neighbourhood Zone**.

Soft Landscaping

PO 22.1 of the **General Development Policies – Design in Urban Areas** seek:

PO 22.1 - 'Soft landscaping is incorporated into development to:

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

The corresponding **DPF** identifies that a dwelling with an average site area exceeding 450m² should provide a minimum of 25% of soft landscaping on site, including a minimum 30% of the land between the primary street boundary and the primary building line with soft landscaping. The proposed development has provided 25% of the site with areas for soft landscaping, with 58% of the area forward of the building line. The inclusion of areas for soft landscaping will enhance the appearance of the land, minimise heat absorption and allow for stormwater infiltration satisfying the intent of **PO 22.1 of Design in Urban Areas**.

Urban Tree Canopy Overlay PO 1.1 states:

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

The corresponding **DPF** outlines the tree size and number required per dwelling with *Table 1 Tree Size* specifying the trees minimum mature height, mature spread and soil area around the tree within the development. The Landscaping Plan indicates that the owners will plant three medium trees being *Luscious Tritanopia laurina*, *acer palmatum* and a *Waterhousea floribunda* satisfying **PO & DPF 1.1 of Urban Tree Canopy Overlay**. The mandatory condition, as per *Practice Direction 12 – Conditions*, has been applied to the development.

Private Open Space

PO 21.1 and **21.2** of the **General Development Policies – Design in Urban Areas** seek:

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

PO 21.2: Private open space is positioned to provide convenient access from internal living areas.

The corresponding **DPF** states:

DPF 21.1 - Private open space is provided in accordance with Design in Urban Areas Table 1 - Private Open Space.

Table 1 seeks that sites that exceed 301m² provide a minimum of 60m² of private open space.

The proposed dwelling will be provided with approximately 280m² of private open space, sited to the rear of the proposed dwelling and will be directly accessible from a habitable room, specifically the kitchen, dining and living area. The private open space is of a size that it is considered functional and useable for the residents of the dwellings satisfying the intent of **PO 21.1** and **PO 21.2 of General Development Policies – Design in Urban Areas**.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

Overshadowing

General Development Policies – Interface between Land Uses PO 3.1, PO 3.2 and 3.3 states:

PO 3.1 - Overshadowing of habitable room windows of adjacent residential land uses in:

- a) *a neighbourhood-type zone is minimised to maintain access to direct winter sunlight;*
- b) *other zones is managed to enable access to direct winter sunlight.*

PO 3.2 – Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in

- a) *a neighbourhood type zone is minimised to maintain access to direct winter sunlight;*
- b) *other zones is managed to enable access to direct winter sunlight*

PO 3.3 – Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account:

- a) *the form of development contemplated in the zone*
- b) *the orientation of the solar energy facilities*
- a) *the extent to which the solar energy facilities are already overshadowed.*

Although no overshadowing diagrams have been provided, the proposed development is not considered to result in unreasonable overshadowing to adjoining properties private open space or reduce the generating capacity of existing solar panels. The allotment has a north-south orientation, therefore the shadows cast by the proposed two storey dwelling will over the course of June 21st move over 40, 38 and 36 Malcolm Street, Millswood. Both the POS and solar panels of adjoining properties will be provided with a minimum of 3 hours of direct winter sunlight satisfying the corresponding **DPF's 3.1, 3.2 and 3.3 – Interface between Land Uses**. The proposed development is not considered to impede on the adjoining properties access to direct winter sunlight and satisfies the intent of **PO 3.1, 3.2 and 3.3 – Interface between Land Uses**.

Overlooking

PO 10.1 and 10.2 of the **General Development Policies – Design in Urban Areas** seek:

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

PO 10.2 - Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.

All three representors raised concerns regarding the loss of privacy due to the location and potential views from the upper-level windows and the rear facing balcony. In response to the concerns raised, the applicant provided amended plans showing that the upper-level windows facing side boundaries, and are shared with a residential land use, will provide a sill height of 2m or be entirely obscured to reduce the potential for overlooking to adjoining properties habitable rooms and private open space.

The corresponding **DPF 10.2(b)** states:

DPF 10.2(b) - all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:

- i. *1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land;*
or
- ii. *1.7m above finished floor level in all other cases*

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

In addition to obscuring the upper-level windows, alternative screening of the upper-level balcony facing north was introduced in the form of a timber batten screening to a height of 1.8m above the upper-level finish floor level. The timber battens will be 40mm in width with 13mm gaps resulting in 25% transparency satisfying the quantitative measures of **DPF 10.2(b)**. The Planning and Design Code seeks to mitigate, meaning to lessen or make less severe, direct overlooking to adjoining residential uses. The applicant has surpassed the quantitative measures of the **DPF** by increasing the height of the screening of the balcony from 1.5m, as originally lodged, to 1.8m above the upper-level finish floor level.

The proposal satisfies the intent **PO 10.1** and **PO 10.2** of **Design in Urban Areas**.

Traffic, Access and Parking

General Development Policies – Design in Urban Areas PO 23.1 states:

PO 23.1 - Enclosed car parking spaces are of dimensions to be functional, accessible and convenient.

General Development Policies – Transport, Access and Parking PO 5.1 states:

PO 5.1 – Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:

- a) availability of on-street car parking*
- b) shared use of other parking areas*
- c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- d) the adaptive reuse of a State or Local Heritage Place.*

The corresponding **DPF 5.1** calculates the number of car parks required, as per As per *Table 1 – General Off-Street Car Parking Requirements*, being a minimum of two on site car parks, with one being covered. The dwelling has provided five on-site car parks, three of them being covered, and all being of a size and dimension to be functional and satisfy the requirements of **PO 23.1 - Design in Urban Areas** and **PO 5.1 – Transport, Access and Parking**.

General Development Policies – Design in Urban Areas PO's state:

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.

PO 23.4 – Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.

PO 23.5 – Driveways are designed to enable safe and convenient vehicle movements from the public road to on-site parking spaces.

PO 23.6 - Driveways and access points are designed and distributed to optimise the provision of on-street visitor parking.

With **General Development Policies – Transport, Access and Parking** stating:

PO 3.5 – 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.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

Vehicular access to the site will be obtained by a modified crossover which is 5.17m in width. The modified crossover ensures that all vehicular movements are undertaken in a safe and convenient manner without interfering with street furniture, street infrastructure or council owned street trees. Additionally, the re-location of the crossover maintains one on-street car park forward of the dwelling.

Given the above, the proposal is considered to meet the intent of **PO 23.3, PO 23.4 and PO 23.5 - Design in Urban Areas** and **PO 3.5 - Transport, Access and Parking** section.

Stormwater Management

Stormwater Management Overlay PO 1.1 states:

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

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

With the corresponding **DPF** outlining the rainwater tank storage requirements. The site area exceeds 400m², therefore the dwelling should be connected to a 5000L rainwater tank (4000L retention volume & 1000L detention volume) connected to a minimum of 60% of the roof area, connected to one toilet and either the laundry cold water outlets or hot water service and includes a 20-25mm diameter slow release orifice at the bottom of the detention component of the tank. The proposal satisfies **PO & DPF 1.1 of Stormwater Management Overlay** and the mandatory condition, as per *Practice Direction 12 – Conditions*, applied to the development.

Fencing & Retaining Walls

Historic Area Overlay PO 1.1 and PO 4.4 state:

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

PO 4.4 - Fencing and gates closer to a street boundary (other than a laneway) than the elevation of the associated building are consistent with the traditional period, style and form of the associated building.

The front fence sited along the southern boundary of the allotment will be a 1.8m in height comprised predominantly of timber pickets, with a gap of 30mm between pickets, and a solid pedestrian gate. The proposed front fence is a modern interpretation of a traditional picket fence, that will be generally open to allow for views of the proposed dwelling. The bulk of the fence will be further softened by landscaping that is to be planted between the front fence and the southern property boundary. Overall, the proposed front fence will maintain the open street-scape of the locality, and as sought by the **Historic Area Statement**, and complement the design of the proposed two storey detached dwelling, satisfying the intent of **PO 1.1 and 4.4** of the **Historic Area Statement**.

Swimming Pool

PO 19.3 of General Development Policies – Design in Urban Areas states:

PO 19.3 - Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa is positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers

With **PO 4.3 of General Development Policies – Interface between Land Uses** stating:

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

PO 4.3 - Interface between Land Uses

Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa are positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers (or lawfully approved sensitive receivers).

The corresponding **DPF's 19.3** and **4.3** seeks for the pump and / or filtration system to be enclosed in a solid acoustic structure that is located at least 5m from the nearest habitable room of an adjoining allotment. The pool pump equipment will be sited along the eastern boundary within an acoustic box and more than 5m from a habitable room of the adjoining sensitive receiver. The pool pump equipment is not considered to likely cause unreasonable noise nuisance to the adjoining allotment, satisfying the intent of **PO 19.3 of Design in Urban Areas** and **PO 4.3 of Interface between Land Uses**. A condition regarding noise emitted from the pool pump has been applied as part of the recommendation.

CONCLUSION

Whilst the development does not satisfy some of the Designated Performance Features set out within the relevant Performance Outcomes, these shortfalls are not considered to be detrimental to the established pattern of development within the locality.

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 satisfy the intent of the Desired Outcomes and Performance Outcomes of the Planning and Design Code for the following reasons:

- Although the proposed dwelling does not specifically reference the original built forms expressed in the Historic Area Statement, the proposed dwelling complements the established development pattern of the locality in terms of building height and scale;
- The dwelling has been articulated to reduce the bulk and scale when viewed from adjoining sensitive receivers;
- The dwellings use of materials and finished colours is complementary to the streetscape;
- The front fence and incorporation of soft landscaping contributes to the high amenity seen in the locality; and
- Direct overlooking from upper-level habitable rooms windows is appropriately mitigated.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Development Application Number 23036876, by Karmen & Darryl Wakelin C-/ Future Urban 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).

Condition 2

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

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

Condition 3

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

Condition 4

Rainwater tanks shall be installed with a minimum retention volume of 4000L and minimum detention volume of 1000L with the rainwater tank storage connected to at least 60% of the roof area, and connected to one toilet and either the laundry cold water outlets or hot water service and includes a 20-25mm diameter slow release orifice at the bottom of the detention component of the tank in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 5

A permanently fixed privacy screen must be erected to the northern elevation of the northern elevation balcony to a minimum height of 1.5m metres above the finished floor level, with maximum transparency of 25%, prior to the occupation of the dwelling, and must be maintained in good condition at all times.

Condition 6

The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

Condition 7

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

Condition 8

Four small trees, which has a minimum mature height of 4m, a minimum mature spread of 2m and a minimum soil area around the tree within the development site of 10m² and minimum dimension of 1.5m, shall be planted 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.

Condition 9

That the filter backwash water, water drained from the pool or overflow shall be disposed of via a direct and permanent connection to the sewer in accordance with AS 3500 Part 2. No wastewater from the pool shall be discharged to the street.

Condition 10

That the swimming pool pumps and filters shall be located and operated so as not to emit noise levels that cause unreasonable noise nuisance to adjacent sensitive receivers, to the satisfaction of Council.

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

Condition 11

No groundwater is to be discharged into Council's stormwater system.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

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

Advisory Note 3

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

Advisory Note 4

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

Advisory Note 5

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

Advisory Note 6

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

Advisory Note 7

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 8

Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either

ITEM 4.1

DEVELOPMENT APPLICATION – 23036876 – 38 MALCOLM STREET, MILLSWOOD

temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.

Advisory Note 9

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environmental (Noise) Policy 2007*.

Advisory Note 10

Driveways Crossovers are Not to be constructed from concrete over the footpath area between the kerb to boundary. Driveways and boundary levels at fence line must be between 2% and 2.5% above kerb Height. Crossover not to exceed 2.5% or 1:40 cross fall gradient from boundary to kerb invert. If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover. The redundant driveway crossover or part of, is required to be closed and returned back to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed.

OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo

Title: Planning Officer

Date: 16 April 2024

ATTACHMENT 1

December 12, 2023

Tim Bourner
City of Unley
Via PlanSA Portal

Dear Tim,

STATEMENT IN SUPPORT – TWO STOREY DWELLING (38 MALCOLM STREET, MILLSWOOD)

We ('Future Urban Pty Ltd') act on behalf of Karmen and Darryl Wakelin ('Applicant').

This statement contains our description of the site, its immediate surroundings and the proposed development, and our assessment against the Planning and Design Code ('the Code'), outlining the reasons as to why the proposed development warrants planning consent.

Proposal

The Applicant seeks planning consent from the relevant authority to construct a two-storey detached dwelling with associated swimming pool at 38 Malcolm Street, Millswood ('the site') (31 Avenue Street on SAPPAs).

Siting

The ground floor of the proposed dwelling will be setback:

- on the western boundary, albeit only for a length of 8.5 metres with a height of 2.7 metres, otherwise the remainder of the wall has a setback at least 1 metre;
- 1 metre from the rear boundary, albeit only for a single room (of 5.4 metres wide);
- 3.25 metres from the eastern boundary to the main wall of the dwelling; and
- 8.56 metres from the front boundary to the main wall of the dwelling.

The upper floor of the proposed dwelling will be setback 17 metres from the rear boundary, 5 metres from the side boundaries and 11.5 metres from the front boundary.

Site Coverage

The footprint of the proposed dwelling will occupy approximately 46.3 percent of the total site area.

Building Height

The proposed dwelling is two levels or 7 metres in total height.

External Materials

A variety of complementary materials, befitting of the locality, have been selected. The external materials proposed include, but are not necessarily limited to render, hand made face brick, cladding and aluminium.

Private Open Space

The prospective occupants of the proposed dwelling will have access to approximately 345 square metres of private open space (36 percent) which is made up of the backyard, alfresco, courtyard and eastern side of the house.

Access

Access to the site will be obtained via Malcolm Street, creating a new crossover. It is sited approximately 4 metres away from the trunk of the street tree.

Stormwater

Per the Stormwater Management Overlay in the Planning and Design Code, it is confirmed that 60 percent of the roof stormwater will be captured by the rainwater tanks proposed on site and will be plumbed to a toilet and laundry cold water outlets or hot water service. A condition can be placed stating as such.

Landscaping

Approximately 31 percent of the area of the site (with a minimum dimension of 700mm) will be landscaped with lawn and a suitable assortment of plants, including screening plants along the side boundaries and small trees forward of the dwelling and in front of the front wall.

Demolition

To facilitate the construction of the proposed dwelling, the existing structures on the site will need to be removed, however it is noted that all of the structures were once ancillary to a dwelling which will remain on the allotment to the north. The structures to be removed are a swimming pool, outbuilding and chain fencing.

Subject Site and Locality

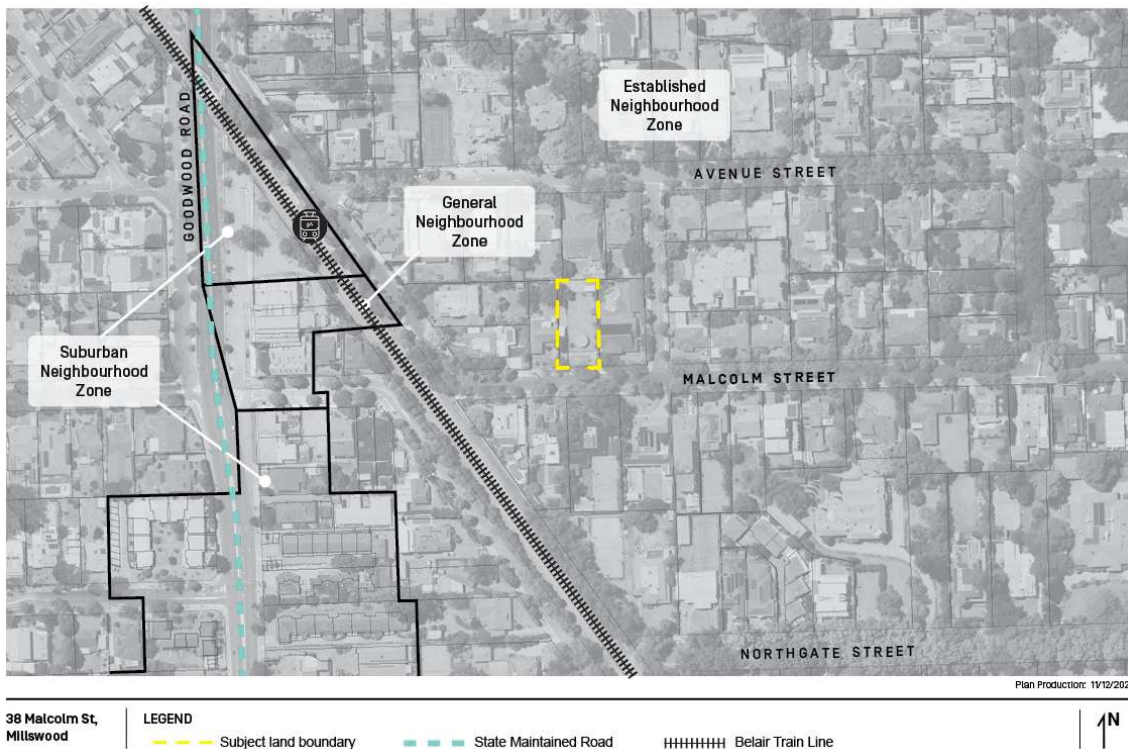
The site comprises of one allotment, described as allotment 100 of Certificate of Title 5882/859. It is otherwise known as 38 Malcolm Street, Millswood. It is not subject to any easements, land management agreements or encumbrances.

The site has been historically used by the former owners of the property to the north facing Avenue Road as an access point for that land. None of the buildings on the site are heritage listed or classed as a representative building, and there are no regulated or significant trees located on the subject site.

The subject site is rectangular in shape with a 20.73 metre frontage to Malcolm Street and a total area of 947 square metres.

The subject site is located within the Established Neighbourhood Zone ('the Zone') as shown in Figure 1 below:

Figure 1 Zoning and locality



Malcolm Street is a small connector road comprising a mix of housing typologies with many being two storey in nature either within their roof form or as a discrete upper storey element. In addition, there are many examples of garaging or carports sited on the primary street boundary.

The amenity value of the street is largely defined by the consistent mature street trees, the generally large building footprints and either a front fence of brick/masonry featured forward of the dwelling.

Some examples of two storey dwellings of varied architectural styles within Malcolm Street are below:



35 Malcolm Street – rear upper storey component with dominant garage



36 Malcolm Street – tall dwelling appearing as two storey in bulk



33 Malcolm Street – upper storey in roof space



31 Malcolm Street – modern two storey home



12 Vardon Street – triple garage on boundary (Malcolm Street)



25 Malcolm Street – triple garage on primary street boundary



19 Malcolm Street – visually dominant upper storey component



16 Malcolm Street – modern two storey dwelling



14 Malcolm Street – visually dominant garage component of two storey modern home

Procedural Matters

At the time of preparing this letter, the relevant version of the Planning and Design Code was gazetted and subsequently consolidated on V2023.17 (23 November 2023). Due to amendments, the version of the Code used to prepare this letter may not be the relevant version at the time of lodgement of the application. To the extent of any inconsistency, the version of the Code at the time of lodgement will be relevant for the processing and assessment of the application.

Verification

For the purposes of regulation 31(1)(a), (b) and (c) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the following applies:

Table 1 *Verification snapshot*

Verification matter	Comment
Nature of Development	Demolition of existing structures and construction of a two-storey detached dwelling with associated swimming pool and brick walls.
Elements	Demolition Detached dwelling Swimming Pool Wall
Category of Development	Performance Assessed
Notification	Yes – building height exceeds 1 level (6m)
Relevant Authority	City of Unley Council Assessment Panel

Assessment against Planning and Design Code

I have concluded from my assessment against the relevant policies of the Planning and Design Code, that the proposal warrants the granting of a planning consent. In support of my conclusion, I wish to highlight the following:

- The site is suitable for its intended purpose, as it is currently and exclusively used for residential purposes and located within the Established Neighbourhood Zone (see DO 1 of the Site Contamination Section of the Code).
- The proposed land use is envisaged in the Zone (DPF 1.1).
- Further to the above, the proposed dwelling is of an appropriate scale and mass, and is suitably designed and sited. In particular, we note that:
 - » The footprint of the proposed dwelling will account for less than 50 percent of the area of the site, as sought by Zone DPF 3.1.
 - » Notwithstanding the proposal is two storey and approximately 7 metres in height which is a departure from the TNV within Zone DPF 4.1, the associated PO does not refer

directly to the TNV but rather advises *“buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings”*.

In addition, PO 2.2 of the Historic Area Overlay also references that buildings are *“consistent with the prevailing building and wall heights in the historic area”*. As clearly shown and detailing within the locality section of this letter, the surrounding neighbourhood is not considered to have a strong singular character, however does have a number of two storey dwellings, including the directly adjacent dwelling with tall ceilings and a large roof pitch which from the street appears as two storey. A considerable proportion of modern dwellings have tall masonry walls fronting the street.

Whilst two levels, the floor to ceiling heights of each level at 2.7 metres are quite conservative in a modern context thereby reducing the overall height of the building to approximately 7 metres which again, is not a tall or bulky building in the immediate locality and not bulky given modern living requirements for new dwellings in the City of Unley.

- » The proposed primary street boundary setback achieves Zone DPF 5.1 and is in line with the remainder of the streetscape.
- » As with the majority of dwellings within the locality, the proposal is closer and sited on the side boundaries, complementing the established character (Zone PO 8.1(a)). Due to the large side setbacks from the upper level, there is considered to be no overshadowing concerns towards neighbouring properties, in accordance with Zone PO 7.1. The upper level side setbacks ensure space between buildings and continue to provide an open and low density residential feel in the locality.
- » The main dwelling is designed with a rear setback of approximately 17 metres with a pool house / entertainment room sited closer to the rear boundary at 1 metre, whilst still achieving more than the recommended amount of private open space and soft landscaping. The locality also presents such ancillary structures to be either located on the rear boundary or very close to. Being located close to the northern boundary, the neighbours to the north are still provided with adequate natural light. Collectively, this is considered to address Zone PO 9.1.
- » Again, as previously discussed, there is no predominant form of housing stock within the locality, with varied roof forms found (Zone PO 10.2). The proposed flat roof modern design is not considered at odds within the locality, especially noting there are other modern flat roof dwellings found within the locality. Malcolm Street has a preponderance of more modern housing stock and is not a street that has a consistent “heritage” feel. The street is more appropriately described as a mix of architectural styles, noting large and grand homes on relatively large allotments. The proposed dwelling is an outstanding addition to the architectural landscape of this street.
- » Although the garage is sited directly in line with the main building line of the dwelling, the overall dwelling design incorporates feature brick piers which extend beyond the main building line, thus offering articulation to minimise the dominance of the garage from the street. In addition, the materiality of the garage door blends in with the style of the dwelling. Zone PO 10.1 is thereby achieved.

Noting that three car parking spaces are provided there are examples of triple garaging in the immediate locality. Unlike the other examples, the proposed development recesses the third, single garage opening and is set further back than the adjacent double garage opening. This further articulates this element of the overall building design. A double width only driveway is provided to facilitate access.

- » PO 2.5 of the Historic Area Overlay advises that *“materials are consistent with or complement those within the historic area”*. The locality presents with a vast range of materials, including but not limited to brick, render and cladding, all of which are being used in the building design and aligning with the Historic Area Statement.

- » Notwithstanding the modern design of the proposed dwelling, there are many other examples of such designs found within the locality. PO 2.3 of the Historic Area Overlay advises that the “*design and architectural detailing of street-facing buildings complement the prevailing characteristics in the historic area*”. The proposal has taken design cues from curved architectural features seen at 4 Malcolm Street, for use on the front feature fence and building entrance.



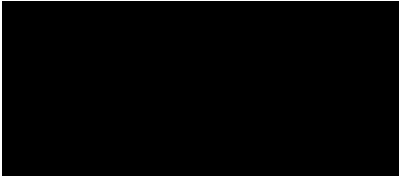
- More than the recommended amount of private open space (281 square metres) is proposed and is accessible from a habitable room.
- With regard to traffic, access and parking, the proposed development provides:
 - » an access which does not impact upon any existing street infrastructure or street trees;
 - » safe and convenient access which has been designed to accommodate the type and volume of traffic likely to be generated by the development (see PO 3.3 of the Transport, Access and Parking section);
 - » the respective occupants of the dwelling access to the recommended number of on-site car parking spaces, all of which are covered (see PO 23.1 and PO 23.2 of the Design in Urban Areas section);
 - » space capable of providing on-street vehicle parking
- More than the recommended amount of soft landscaping and vegetation is proposed with a small tree sited at the front of the dwelling, with more than enough space for the planting of more trees.
- Rainwater tanks are included within the development application and will satisfy the requirements of the Stormwater Management Overlay. As per Practice Direction 12, a condition must be placed on the consent for these requirements to be addressed anyhow.
- The site is flat, resulting in the earthworks being kept to a minimum and well within the prescribed range (see DPF 8.1 of the Design in Urban Areas section).

In conclusion, the proposed dwelling is an outstanding example of high-quality architecture complemented by a very high level of finishes and details. It is clearly presented in a modern style but design cues are taken from older buildings in the locality coupled with the use of materials commonly found in Established Neighbourhood Zones, particularly timber and brick-work masonry.

The proposed development is most meritorious and will be an incredibly valuable addition to this high amenity location.

If you have any questions or concerns regarding the proposal, please do not hesitate to contact me.

Yours sincerely,



Marc Duncan
Director

encl. Certificate of Title
Architectural Drawings
External Finishes Schedule
3D renders

March 22, 2024

Amelia De Ruvo
Planning Officer
City of Unley

Via: The PlanSA Portal

Dear Amelia,

**RESPONSE TO REQUEST FOR INFORMATION – ID 23036876 –
TWO-STOREY DETACHED DWELLING – 38 MALCOLM STREET,
MILLSWOOD**

Thank you for your correspondence dated 17 January 2024.

In response to the information requested, we provide the following documentation:

- Architectural Drawings (Revision E) prepared by Arc Two in **Appendix 1**;
- Siteworks Plan undertaken by RCI Consulting Engineers in **Appendix 2**; and
- Architectural Renders in **Appendix 3**.

We also provide the following written response. For clarity, we have copied the request, and provided our response below.

1. *Urban Tree Canopy Overlay*

In accordance with DPF 1.1 of the Urban Tree Canopy Overlay the proposal should plant a minimum of 1 large tree, 2 medium trees or 4 small trees on site. The selected trees should meet the minimum requirements set out in Table 1 (see insert below). On a plan can you clearly identify the trees, its species and the Table 1 requirements.

Landscaping has been added to the Architectural Drawings provided in **Appendix 1** which accords with the envisaged urban tree canopy targets. Further, the Proponent accepts a condition of consent in relation to this matter.

2. *Stormwater Management Overlay*

In accordance with Designated Performance Feature (DPF) 1.1 of Stormwater Management Overlay, can you confirm that the rainwater tank storage is:

- a. Connected to at least 60% of the roof area; and*
- b. where detention is required, includes a 20-25 mm diameter slow release orifice at the bottom of the detention component of the tank*

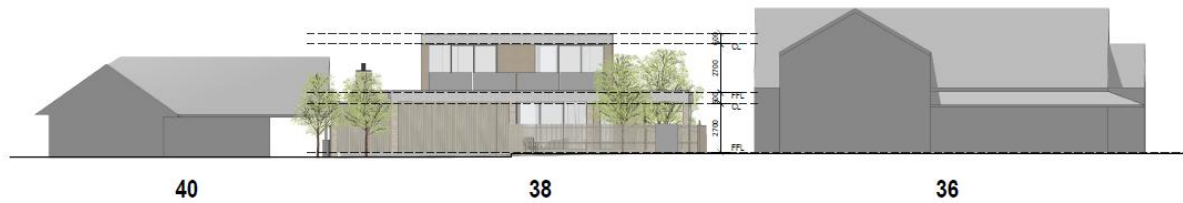
Refer to the Siteworks Plan provided in **Appendix 2** which confirms that a minimum of 60% of the roof area is connected to the water tanks and a 20mm-25mm diameter slow-release orifice at the bottom of the detention component of the tank/s will be installed.

3. Streetscape Elevation

Can you please provide a streetscape elevation to understand how the proposed dwelling will sit within the locality.

A streetscape elevation has been included in the Architectural Drawings in **Appendix 1**, and shown in **Figure 1** below.

Figure 1 Streetscape elevation



As can be seen, the proposed dwelling sits much lower than the dwelling at 36 Malcom Street, and provides a logical and sympathetic transition to the height of the dwelling at 40 Malcom Street, to appropriately blend with the proportions of built form within the streetscape.

Notwithstanding the above, we further submit that a two-storey dwelling is not inconsistent with the built form and character of the locality. As detailed in **Figure 2** below, the locality is characterised by a mix of single and two-storey built form, let alone some single-storey built form that is higher than the proposed dwelling (refer to the dwelling at 36 Malcom Avenue, detailed in **Figure 1** above)

Figure 2 Location of two-storey development in the locality



Context

LEGEND

--- Subject site boundary

■ 2 storey developments



- *Colours and Materials*

Currently the proposed dwelling has an overly white appearance which is not consistent with the streetscape. The garage doors are also in natural timber cladding which will eventually grey off. Can you please consider alterations to colours and materials used for the proposed dwelling and front fence.

Please note that the 3D renders have a haze / filter over them that may distort the finished colour of the dwelling and cause confusion

The external materials and finishes have been designed to provide a complementary neutral colour palette, providing a range of textural elements for visual interest. A sample of the facebrick will be delivered to you, so that this can be viewed “in-person” rather than relying on renders. You will see the colouration of the brick is very similar to sandstone when you view it in person. This brick has been chosen to complement the older dwellings in the neighbourhood and in accordance with the Heritage Area Statement in the Code.

Photos of another dwelling being constructed in the same materials are provided in **Figures 3 and 4** below and overleaf.

Figure 3 *Image of the proposed external materials under construction at a different site.*



Figure 4 Image of the proposed external materials under construction at a different site.



- *Front Fence*

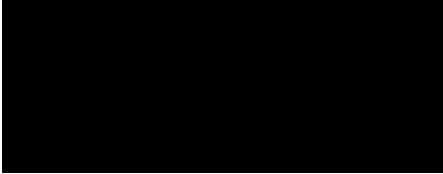
Currently there are a number of concerns with the design and appearance of the masonry front fence as it does not have any consideration for the streetscape, the proposed dwelling or the Historic Area Statement. The historic area statement seeks for front fences to include vertical elements and to be open, see-through and maintain an open streetscape presence of the streetscape. Additionally, due to the design of the front fence, it results in the garage dominating the façade of the dwelling rather than being complementary / discreet.

Alterations to the front fence should be investigated to have greater consideration to the locality and the built form expressed in the Historic Area Statement.

The front fence has been amended, as detailed in the Architectural Drawings in **Appendix 1** and Architectural Renders in **Appendix 3**. The previously proposed solid masonry fence has been amended to an open-style timber batten fence which provides visual permeability into the front garden and is a modern interpretation of a tradition “picket” fence, which is envisaged in the Historic Area Overlay.

I trust that the information provided sufficiently addresses the information requested in order for the assessment of the application to proceed. Please contact me should you have any further queries.

Yours sincerely,



Marc Duncan
Director

APPENDIX 1: ARCHITECTURAL DRAWINGS

A R C T W O

38 Malcolm Street,
MILLSWOOD, SA 5034

MILLSWOOD HOUSE

PLANNING / MARCH 2024



Drawing Schedule

PD01	NOTES
PD02	LEGENDS
PD03	DEMOLITION PLAN
PD04	SITE PLAN
PD05	GROUND FLOOR PLAN
PD06	FIRST FLOOR PLAN
PD07	ROOF PLAN
PD08	FRONT FENCE ELEVATION
PD09	ELEVATION PG1
PD10	ELEVATION PG2
PD11	ELEVATION STREETSCAPE

Revision Schedule

Revision	Date	Amendments
A	23.11.22	preliminary issue for review
B	23.11.24	update finishes schedule
C	23.11.28	update pool pump, heat pump
D	23.12.4	update as per private planners feedback
E	23.01.25	front fence updates
F	24.03.25	add privacy screen to upper floor rear balcony.
G	24.03.28	update landscape design
H	24.03.28	update notes
I	24.03.02	updated as requested

MILLSWOOD HOUSE

PLANNING / MARCH 2024



GENERAL NOTES

SITE BOUNDARIES TO BE CONFIRMED BY FINAL SURVEYORS PLAN
HOUSE PLAN AND ORIENTATION TO BE CONFIRMED BY CLIENT PRIOR TO COMMENCEMENT OF BUILDING WORK

CONSTRUCTION NOTES

EXTERNAL WALLS

GROUND
240mm BRICK VENEER CONSTRUCTION
10mm STANDARD BRICK (230x110x76)
SUPPLIED BY: ADEBI
90mm TIMBER FRAME

GROUND
240mm FACE BRICK VENEER CONSTRUCTION
HANDMADE BRICKS (400x40x110)
SUPPLIED BY: ARCHITECTURAL HANDMADE BRICK & PAVERS
90mm TIMBER FRAME

UPPER
215mm FOAM CLADDING CONSTRUCTION
100mm POLYSTYRENE FOAM CLADDING
90mm TIMBER FRAME

INTERNAL WALLS

GROUND	90mm TIMBER FRAME
UPPER	90mm TIMBER FRAME

CEILING HEIGHT

GARAGE	2470/2870mm
GROUND	2700/3060mm
FIRST	2700mm

EAVES
NIL

INSULATION NOTES

ALL INSULATION TO COMPLY WITH AS/NZS 4859.1

WINDOWS

ALL GLAZING TO WINDOWS AND DOORS MUST BE DESIGNED AND CONSTRUCTED IN ACCORDANCE TO AS1288 & BCA
THE CONTRACTOR MUST CHECK AND VERIFY ALL DOOR AND WINDOW DIMENSIONS AND LEVELS ON SITE PRIOR TO COMMENCING FABRICATION. IF ANY INCONSISTENCIES ARE FOUND THIS IS TO BE REPORTED TO THE ARCHITECT

DOORS

FRONT DOOR 2700mm HIGH x1050mm HMR MDF CLAD IN VERTICAL WESTERN RED CEDAR 133x14mm SHIPLAP. COLOUR: CUTEK COLOURTONE GREY MIST

EXTERNAL DOORS REFER TO FLOOR PLAN
INTERNAL DOORS 2760mm and 2340mm
GARAGE DOOR AS SELECTED

RAINWATER TANK NOTES

RAINWATER TANK REFER TO ENGINEERING FOR SIZE AND SPECIFICATION

JOINERY NOTE

JOINER TO PROVIDE OWNER WITH SHOP DRAWINGS FOR APPROVAL BEFORE ANY WORK STARTS ON SITE
REFER TO JOINERS SPECIFICATIONS AND DRAWINGS FOR ALL JOINERY DETAILS

STRUCTURE/ CONSULTANTS NOTE

REFER TO ENGINEERS DESIGN, DOCUMENTATION, CALCULATION AND SPECIFICATION FOR STRUCTURAL, CIVIL AND FOOTING DETAILS

STRUCTURAL SHOP DRAWINGS

STRUCTURAL SHOP DRAWINGS TO BE CHECKED BY BUILDER FOR ANY INCONSISTENCIES WITH ARCHITECTURAL AND CONSULTANTS DOCUMENTATION PRIOR TO FORWARDING TO OWNER FOR FINAL APPROVAL

TERMITE TREATMENT

TERMITE CONTROL SHALL BE PROVIDED IN ACCORDANCE WITH BCA PART 3.1.3 AND WITH AS3660.1 - 2014. PROVIDE CERTIFICATE IN ACCORDANCE WITH AS3600.1 STATING METHOD OF APPLICATION, INCLUDING CERTIFICATE OF COMPLETION

ROOFING

ROOF CONTRACTOR TO ALLOW FOR ALL NECESSARY FLASHING, CAPPING AND OTHER ITEMS REQUIRED TO COMPLY WITH BCA & RELEVANT BUILDING CODES

BUILDER TO ALLOW FOR ALL NECESSARY METAL UPSTAND FLASHING TO ALL NEW ROOF PENETRATIONS ASSOCIATED

ALL METAL ROOFING, FLASHING AND CAPPING, GUTTERS AND DOWNPIPES AS SELECTED TO BE INSTALLED AS PER MANUFACTURERS RECOMMENDATIONS

ELECTRICAL NOTE

POSITIONING OF ELECTRICAL LAYOUTS AS SHOWN ARE INDICATIVE ONLY AND SUBJECTED TO PHYSICAL CONSTRUCTION LIMITATIONS
SWITCHBOARD TO BE NON-COMBUSTIBLE CONSTRUCTION AND FITTED WITH SMOKE SEALS ACCORDINGLY
SELF-CONTAINED SMOKE ALARMS COMPLYING WITH AS3786-2014 AND CONNECTED TO THE CONSUMER MAINS POWER, WHERE THERE IS MORE THAN ONE SMOKE ALARM THEY ARE INTERCONNECTED
MAINS ELECTRICAL METER & MAINS GAS METER SERVICES TO BE LOCATED FOR EASY ACCESS FOR READING OF METERS
ALL MECHANICAL VENTILATION TO KITCHEN AND SANITARY COMPARTMENT TO BE EXHAUSTED TO OUTSIDE AND NOT TO THE ROOF SPACE. IF TO ROOF SPACE, WHIRLY BIRDS AND EAVE VENTS ARE REQUIRED
EXHAUST RATES ARE TO COMPLY WITH BCA PART 3.8.7.3

OTHER NOTES

DOWNPIPES SHOWN ON PLAN ARE NOMINAL IN LOCATION AND MAY BE MOVED IN ACCORDANCE WITH ENGINEERING PLAN OR BY THE ROOFING CONTRACTOR
REFER TO CIVIL CONSULTANTS STORMWATER LAYOUT

STAIR NOTE

STAIRS TO BE CONSTRUCTED IN STRICT ACCORDANCE WITH THE BCA AT MAXIMUM 18 RISERS TO EACH FLIGHT. STAIRS TO HAVE A NON-SLIP FINISH OR SUITABLE NON-SKID STRIP
GROUND FFL - FIRST FFL = 3300mm O/ALL




GOINGS	19 @ 250 mm / GOING
RISERS	18 @ 183.3mm / RISERS

BALUSTRADE (AS SELECTED)
HANDRAIL (AS SELECTED)

NOTES:
STAIR TREAD TO HAVE SLIP RESISTANT FINISH WITH A SLIP RESISTANT CLASSIFICATION OF AT LEAST P3 OR R10, OR SLIP RESISTANT NOSING STRIPS WITH A RESISTANCE CLASSIFICATION OF AT LEAST P3.
STAIRS AS PER 'STAIRLOCK' MANUFACTURERS SPECIFICATION
BALUSTRADES / HANDRAILS
STAIR BALUSTRADE CONSTRUCTION TO COMPLY WITH AS1170.1 OR AS/NZS 1170.1
ALL BALUSTRADES AND HANDRAILS BE ERECTED IN ACCORDANCE WITH B.C.A. PART 3.9.2
HEIGHT NO LESS THAN 885MM ABOVE STAIR TREAD NOSING AND NO LESS THAN 1000MM ABOVE FINISHED FLOOR



SITE INFORMATION

-  PROPOSED WORKS
-  PROPOSED UPPER FLOOR LEVEL
-  PPI CONCRETE AGGREGATE DRIVEWAY AS SELECTED

SITE INFORMATION

AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.

TOTAL SITE AREA	947m ² approx.
SITE COVERAGE	46.3% approx.
PRIVATE OPEN SPACE	281 m ² (30%)
SOFT LANDSCAPING	29.2% approx.

AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.

EXCLUDES VOIDS, EXTERNAL LANDSCAPING

GROUND FLOOR	
GARAGE	73.5 m ²
LIVING	242 m ²
PORCH	2.3 m ²
ALFRESCO	53.9 m ²
MULTI PURPOSE	48 m ²
FRONT SOFFIT	19.8 m ²

GROUND FLOOR TOTAL 439.3 m²

FIRST FLOOR	
LIVING	152.5 m ²
FRONT BALCONY	13.2 m ²
REAR BALCONY	13.2 m ²

FIRST FLOOR TOTAL 178.9 m²

TOTAL BUILT FORM 618.2 m²
SWIMMING POOL/SPA 40 m²

MARK Material: Description

PPI	CONCRETE AGGREGATE DRIVEWAY AS SELECTED
BC	BURNISHED CONCRETE AS SELECTED
CP	CRAZY PAVED NATURAL STONE AS SELECTED
ET	EXTERNAL TILE AS SELECTED
RWT	RAINWATER TANK AS PER ENGINEERS REQUIREMENTS
HWS	GAS INSTANT HOT WATER SYSTEM
HP	HEATPUMP OUTDOOR UNIT FOR UNDERFLOOR HEATING SYSTEM
CL	CLOTHES LINE
AC	AIR CONDITIONING OUTDOOR UNIT SIZE TBC
MBOX	ELECTRICAL AND GAS METER BOXES
DP	90mm PVC DOWNPIPE REFER DRAWINGS FOR RAIN HEADS
FENCE 01	1800mm TIMBER BATTEN FENCE SPACING BETWEEN BATTENS TO BE NO LESS THAN 30mm COLOUR: CUTEK COLOURTONE GREY MIST STAINED
FENCE 02	1800mm GOOD NEIGHBOUR COLORBOND FENCE COLOUR: WOODLAND GREY OR SIMILAR
FENCE 04	SOLID STEEL TOP AND BOTTOM RAILS WITH SOLID STEEL SUPPORTING POST. COLOUR: TO MATCH COLORBOND SHALE GREY
FENCE 05	SOLID GREY ALUMINIUM SCREEN AND ACCESS GATE

POOL NOTES

-  PROPOSED POOL FENCING / GATE AS INDICATED THUS
- 1200mm (MIN.) HIGH POOL FENCING TO COMPLY WITH AS1926.1 POOL STANDARDS. NO GAPS PERMITTING A 100mm SPHERE TO PASS THROUGH.

POOL GATE:

SELF CLOSING / SELF LATCHING pool gate to comply with AS1926.1 POOL STANDARDS LATCH RELEASE MECHANISM IS A MIN. OF 1500mm ABOVE FFL POOL GATES REQUIRE TO SWING OUTWARDS FROM POOL ENCLOSURE

RAILING POOL FENCING:

STEEL TUBULAR FENCE INCLUDING GATE AS PER MANUFACTURER'S INSTRUCTIONS.

POOL FENCING AND POOL GATE IS TO BE IN ACCORDANCE WITH AS 1926.1 LOCKS AND MECHANISMS SHALL BE IN ACCORDANCE WITH AS1926.1 PART 1: FENCING FOR SWIMMING POOLS.

PROPRIETARY SYSTEM: HARKK AQUA POOL SURROUND OR APPROVED SIMILAR INSTALL COMPLETE POOL FENCING SYSTEM INCLUDING ALL ACCESSORIES TO MANUFACTURER'S INFORMATION & RECOMMENDATIONS

BOUNDARY FENCE SURROUNDING POOL:

ENCLOSURE TO BE A MIN. HEIGHT OF 1800mm ABOVE THE PROPOSED RAISED PLANTER BOXES.

POOL SIGNAGE:

SIGNAGE TO ASSIST WITH FIRST AID WILL BE PROVIDED WITHIN POOL ENCLOSURE IN ACCORDANCE WITH BCA SA4.2 A FIRST AID AND CARDIOPULMONARY RESUSCITATION SIGN MUST:
(i) BE ATTACHED TO THE SAFETY BARRIER OF THE SWIMMING POOL, OR DISPLAYED NEAR THE SWIMMING POOL; AND
(ii) BE AT LEAST 300 MM BY 300 MM IN SIZE; AND
(iii) BE MADE OF DURABLE AND WEATHERPROOF MATERIAL; AND
(iv) SHOW INFORMATION ABOUT THE PROCEDURES FOR PROVIDING FIRST AID, INCLUDING PERFORMING CARDIOPULMONARY RESUSCITATION.

SKIMMER BOXES OUTLETS:

AND OUTLET COVERS HAVE BEEN TESTED AND MANUFACTURED TO COMPLY WITH AS1926.3 2010 SECTION 6. PROVIDE FLOOD GULLY TRAP TO POOL CONNECTED IN SEWER RUN.

WATER RETICULATION AND FILTRATION SYSTEM:

TO COMPLY WITH AS1926.3 AND TO HAVE AT LEAST 2 PUMP INTAKES NOT LESS THAN 800MM APART. CIRCULATION PUMP TO BE CONTROLLED BY A TIMER SWITCH BCA P2.6.1/P2.6.2

POOL HEATING METHOD:

SHALL COMPLY WITH BCA P2.6.1/P2.6.2 WATER HEATING VIA RECLAIMED ENERGY OR SOLAR HEATING WITHOUT THE USE OF ELECTRIC RESISTANCE HEATING OR GAS HEATER /HEAT PUMP WITH COVER AND SET TO TIME SWITCH

FILTRATION SYSTEM:

POOL PUMP EQUIPMENT CONTAINED WITHIN ENCLOSURE 900mm MIN FROM POOL FENCE







LOCATION OF FILTRATION SYSTEM FROM A DWELLING ON AN ADJOINING ALLOTMENT:

- (a) NOT LESS THAN 5M WHERE THE FILTRATION SYSTEM IS LOCATED INSIDE A SOLID STRUCTURE THAT WILL HAVE MATERIAL IMPACT ON THE TRANSMISSION OF NOISE: OR
- (b) NOT LESS THAN 12M IN ANY OTHER CASE



LANDSCAPE SCHEDULE

REFER LANDSCAPE PLAN BY EASTON DESIGN STUDIO FOR DETAILED LANDSCAPE AND PLANT SCHEDULE

ROOFING LEGEND

-  UPPER FLOOR PARAPET WALLS
-  GROUND FLOOR PARAPET WALLS
-  KLIP LOK ROOF SHEETING. ZINCALUME FINISH
-  COLORBOND FLASHING. FALL AWAY FROM ROOF
-  DIRECTION OF FALL
- DP** DOWNPIPE
- DPS** DOWNPIPE AND SPREADER
- RH** RAIN WATER HEAD AND DOWNPIPE. COLOURBOND SHALE GREY
- PC** COLORBOND PARAPET CAPPING COLOURBOND SHALE GREY
-  LOUVRETEC OPERABLE ROOF

DEMOLITION NOTES

-  DEMOLISH ALL DASHED ITEMS AS INDICATED THUS
-  EXISTING ITEMS AS INDICATED THUS
- "DEMOLISH" MEANS DEMOLISH AND REMOVE FROM SITE ALL DEMOLISHED MATERIALS (UNLESS SPECIFICALLY NOMINATED TO BE RETAINED BY OWNER).
- MATERIALS REMOVED FROM SITE MUST BE DISPOSED AS PER COUNCIL REGULATIONS.
- INVESTIGATION SHOULD BE UNDERTAKEN BEFORE ALL WORKS THAT REQUIRES EXCAVATION.
- MODIFIED BRICKWORK TO BE TOOTHED INTO EXISTING WHERE APPLICABLE AND CAVITY TO REMAIN CONTINUOUS AT ALL TIMES. REFER PLANS
- WHERE A WALL IS TO BE DEMOLISHED, REMOVE ALL ASSOCIATED SKIRTINGS, CORNICES, DOORS & FRAMES, ARCHITRAVES, LIGHT SWITCHES, GPO'S AND ASSOCIATED WIRING.
- DISCONNECT AND CAP OFF ALL REDUNDANT SERVICES WHEN REMOVING ELECTRICAL AND PLUMBING FIXTURES AND FITTINGS. CART AWAY U. O. S. ALL REDUNDANT EXISTING WIRING, CONDUITS, PIPEWORK. ETC.
- CAP ALL EXISTING SERVICES (ELECTRICAL, PLUMBING, HYDRAULIC, ETC.) TO REMAIN FOR REUSE UNLESS INDICATED OTHERWISE ON SERVICES CONSULTANTS' DRAWINGS AND SPECIFICATIONS.
- WHERE NECESSARY, ADEQUATELY PROP STRUCTURE DURING DEMOLITION TO ENSURE STRUCTURAL INTEGRITY AND SAFETY AT ALL TIMES.
- BUILDER TO ALLOW FOR REMOVAL OF ALL GRASS AND VEGETABLE MATTER, REMOVE CONCRETE PAVING & BITUMEN.
- DEMOLISH MASONRY WALLS, DOORS & FRAMES, ALL ASSOCIATED SKIRTINGS, CORNICES, CEILINGS & FIXTURES, LIGHTING, SWITCHES, GPOS & ASSOCIATED WIRING.REMOVE FOOTINGS AND BACKFILL ANY HOLES & VOIDS WITH SUITABLE FILL READY FOR COMPACTING.
- REMOVE BOUNDARY FENCE TO EXTENT SHOWN ON DRAWINGS.
- WHERE TREES, SHRUBS AND OTHER VEGETATION ARE TO BE DEMOLISHED THIS INCLUDES GRUBBING OUT ALL ROOTS AND BACKFILLING RESULTANT HOLES WITH CLEAN TOPSOIL.

DOOR AND WINDOW LEGEND


W.NO	TYPE	FRAME	HEIGHT	WIDTH	SILL HEIGHT	DETAIL
SL1	FIXED PANEL CONCEALED FRAME	ALUMINUM	2000	450	FFL	PBL REVEAL
SL2	FIXED PANEL CONCEALED FRAME	ALUMINUM	2000	450	FFL	PBL REVEAL
SL3	FIXED PANEL CONCEALED FRAME	ALUMINUM	2100	450	FFL	PBL REVEAL
SL4	FIXED PANEL CONCEALED FRAME	ALUMINUM	1830	450	FFL	PBL REVEAL
W1	EXTERNAL GRADE HINGED DOOR 1100 +390x2 SIDELIGHTS	TIMBER	2700	2000	RECESSED	EXT. JAM
W2	FIXED PANEL	ALUMINUM	2570	900	445	PBL REVEAL
W3	FIXED PANEL +STACKER PANEL x2 EQ.	ALUMINUM	3000	4850	RECESSED	PBL REVEAL+ COVER STRAP
W4	SLIDING PANEL +2WAY SLIDER+STACKER PANEL	ALUMINUM	3000	4850	RECESSED	PBL REVEAL+ COVER STRAP
W5	FIXED PANEL x2+GAS STRUT WINDOW	ALUMINUM	1470	3180	950	PBL REVEAL
W6	GLAZED SWING DOOR	ALUMINUM	3000	880	RECESSED	PBL REVEAL
W7	FIXED PANEL +SLIDING PANEL	ALUMINUM	3000	6110	RECESSED	PBL REVEAL
W8	GLAZED SWING DOOR	ALUMINUM	3000	880	RECESSED	TILED REVEAL
W9	FIXED PANEL	ALUMINUM	600	6210	2460	PBL REVEAL
W10	GLAZED SWING DOOR	ALUMINUM	3000	880	RECESSED	PBL REVEAL
W11	FIXED PANEL	ALUMINUM	2700	2000	FFL	PBL REVEAL
W12	GLAZED SWING DOOR	ALUMINUM	2700	880	RECESSED	PBL REVEAL
W13	GLAZED SWING DOOR	ALUMINUM	2470	880	RECESSED	PBL REVEAL
W14	FIXED PANEL x2 SLIDING PANEL	ALUMINUM	2700	4010	RECESSED	PBL REVEAL
W15	SASHLESS DOUBLE HUNG	ALUMINUM	2700	785	FFL	PBL REVEAL
W16	SASHLESS DOUBLE HUNG	ALUMINUM	2700	900	FFL	PBL REVEAL
W17	FIXED PANEL OBSCURE GLAZING	ALUMINUM	2580	2000	FFL	PBL REVEAL
W18	FIXED PANEL x2 +SLIDING PANEL	ALUMINUM	2700	3820	RECESSED	PBL REVEAL
W19	FIXED PANEL x2 +SLIDING	ALUMINUM	2700	3820	RECESSED	PBL REVEAL
W20	FIXED PANEL OBSCURE GLAZING	ALUMINUM	2580	2000	FFL	PBL REVEAL
W21	FIXED PANEL x2 SLIDING PANEL	ALUMINUM	2700	3900	RECESSED	PBL REVEAL
W22	FIXED PANEL x2 SLIDING PANEL	ALUMINUM	2700	3900	RECESSED	RECESSED
W23	FIXED PANEL x1 SLIDING PANEL	ALUMINUM	600	3200	2100	PBL REVEAL
W24	FIXED PANEL x1 SLIDING PANEL	ALUMINUM	600	3200	2100	PBL REVEAL

EXTERNAL FINISHES

NOTE: PROVIDE SAMPLES OF ALL FINISHES TO ARCHITECT ON SITE FOR APPROVAL

MARK	Material: Description
WF-01	WALL FINISH 01 HAND MADE FACE BRICK SUPPLIER; ARCHITECTURAL HAND MADE BRICK & PAVERS COLOUR : BERG 01 W2
WF-02	WALL FINISH 02 RENDER FINISH COLOUR: POLISHED CONCRETE FINISH
WF-03	WALL FINISH 03 RENDER FINISH COLOUR: NUTEX ROMANO FINE FINISH
WF-04	WALL FINISH 04 WESTERN RED CEDAR CLADDING HARDWOOD CLADDING COLOUR : CUTEK COLOURTONE GREY MIST STAINED.
GD-01	FLUSH TILT GARAGE DOOR WESTERN RED CEDAR CLADDING HARDWOOD CLADDING COLOUR : CUTEK COLOURTONE GREY MIST STAINED.

WINDOW & DOORS ALUMINUM SILVER GREY MATT#2021

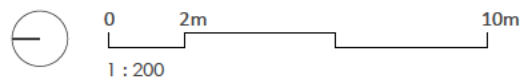
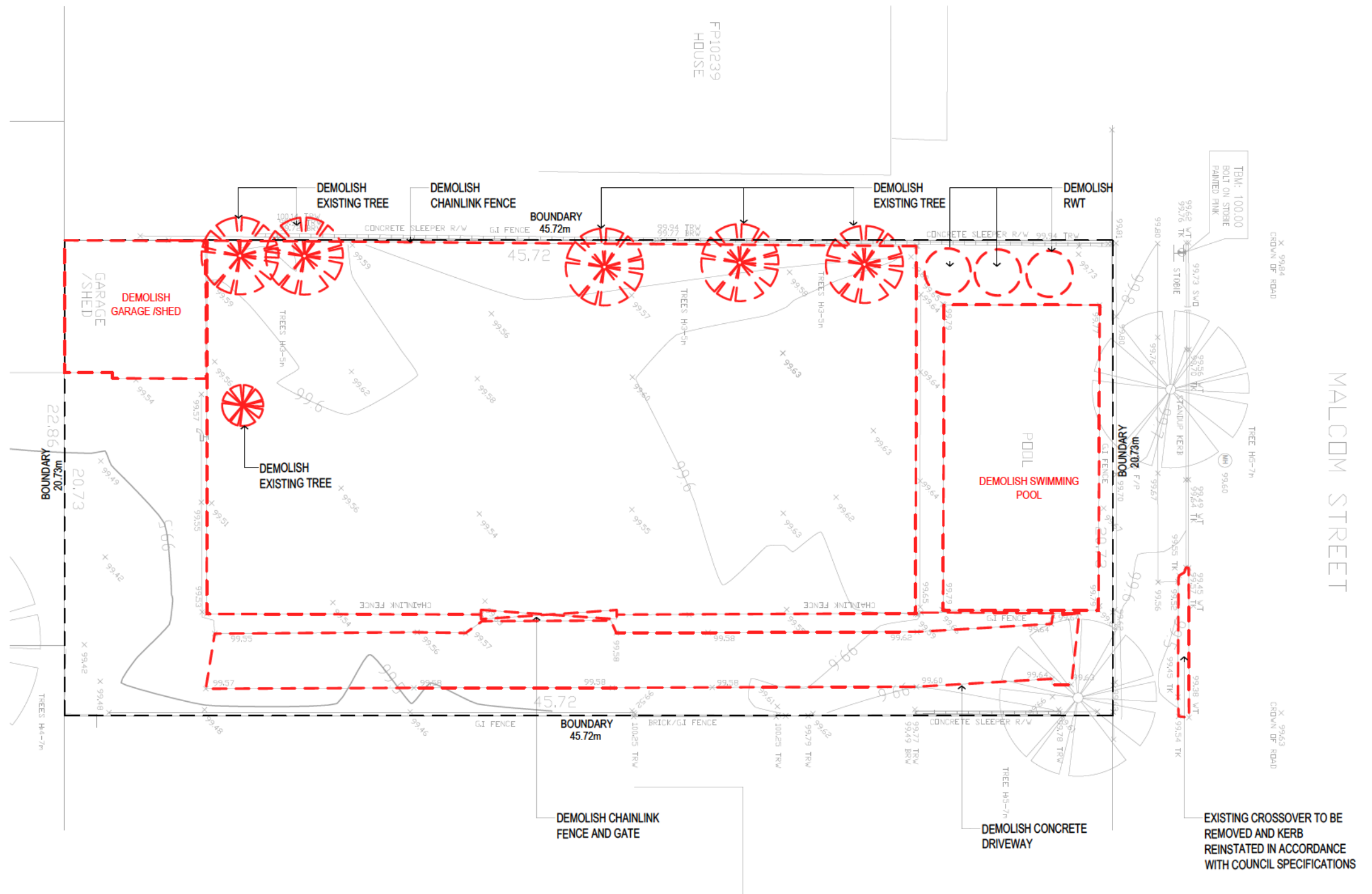
-  DENOTES OBSCURE GLAZING AS REQUIRED



DEMOLITION NOTES

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- EXISTING ITEMS AS INDICATED THUS

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FOR PLANNING

23.24 PD03
 Rev 1

DRAWING TITLE
 DEMOLITION PLAN

PROJECT
 MILLSWOOD HOUSE

38 MALCOLM STREET,
 MILLSWOOD, SA 5034




DETAILS
 Drawn JR
 Page A3
 Scale 1:200
 Date MAR 2024

CLIENT
 Karmen & Darryl Wakelin

COUNCIL ZONE
 City of Unley



SITE INFORMATION

-  PROPOSED WORKS
-  PROPOSED UPPER FLOOR LEVEL
-  PPI CONCRETE AGGREGATE DRIVEWAY AS SELECTED

SITE INFORMATION

AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.

TOTAL SITE AREA	947m ² approx.
SITE COVERAGE	48.3% approx.
PRIVATE OPEN SPACE	281 m ² (30%)
SOFT LANDSCAPING	29.2% approx.

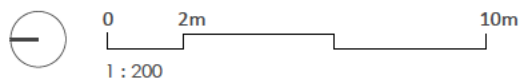
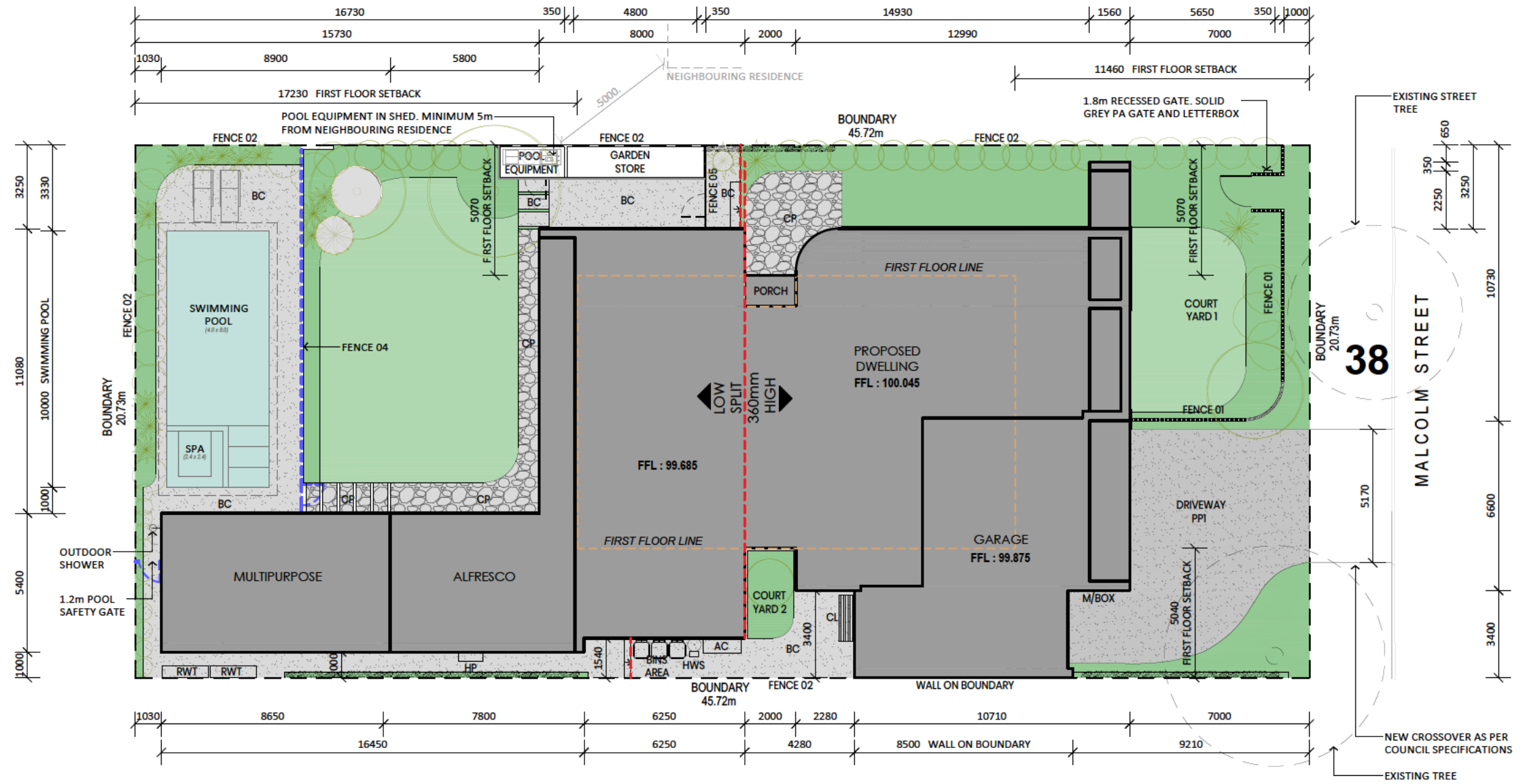
AREAS ARE TAKEN FROM EXTERNAL FACE OF EXTERNAL WALL LINE, UNLESS OTHERWISE SPECIFIED.

EXCLUDES VOIDS, EXTERNAL LANDSCAPING

GROUND FLOOR	
GARAGE	73.5 m ²
LIVING	242 m ²
PORCH	2.3 m ²
ALFRESCO	53.9 m ²
MULTI PURPOSE	48 m ²
FRONT SOFFIT	19.6 m ²
GROUND FLOOR TOTAL	439.3 m²
FIRST FLOOR	
LIVING	152.5 m ²
FRONT BALCONY	13.2 m ²
REAR BALCONY	13.2 m ²
FIRST FLOOR TOTAL	178.9 m²
TOTAL BUILT FORM	618.2 m²
SWIMMING POOL/SPA	40 m²

LANDSCAPE SCHEDULE

REFER LANDSCAPE PLAN BY EASTON DESIGN STUDIO FOR DETAILED LANDSCAPE AND PLANT SCHEDULE.



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FOR PLANNING

23.24 PD04

Rev 1

PROJECT
MILLSWOOD HOUSE

DRAWING TITLE
SITE PLAN

38 MALCOLM STREET,
MILLSWOOD, SA 5034

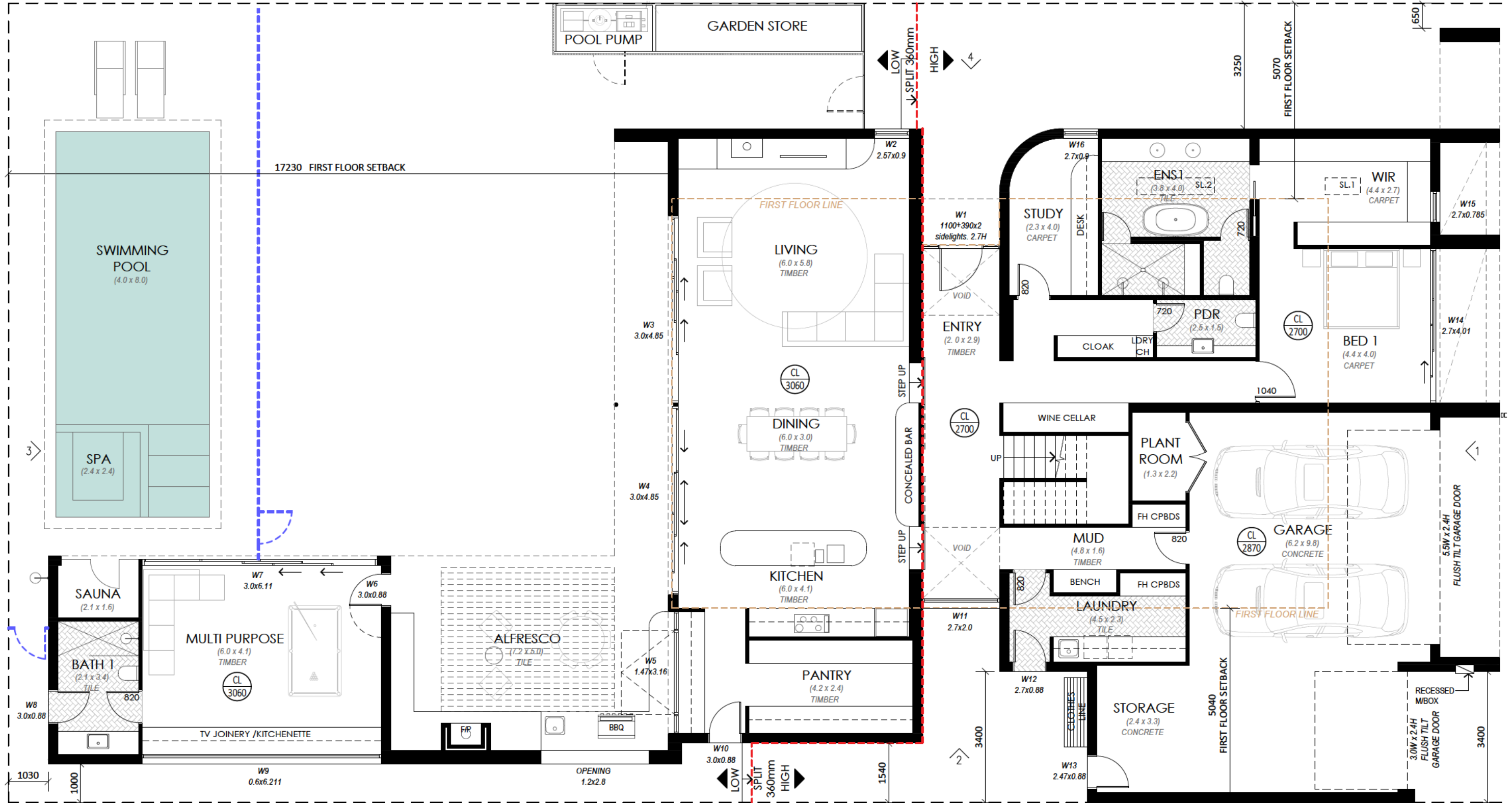
DETAILS

Drawn JR
Page A3
Scale 1:200
Date MAR 2024

CLIENT
Karmen & Darryl Wakelin

COUNCIL ZONE
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FOR PLANNING

23.24 PD05

Rev 1

PROJECT

MILLSWOOD HOUSE

DRAWING TITLE
GROUND FLOOR PLAN

38 MALCOLM STREET,
MILLSWOOD, SA 5034

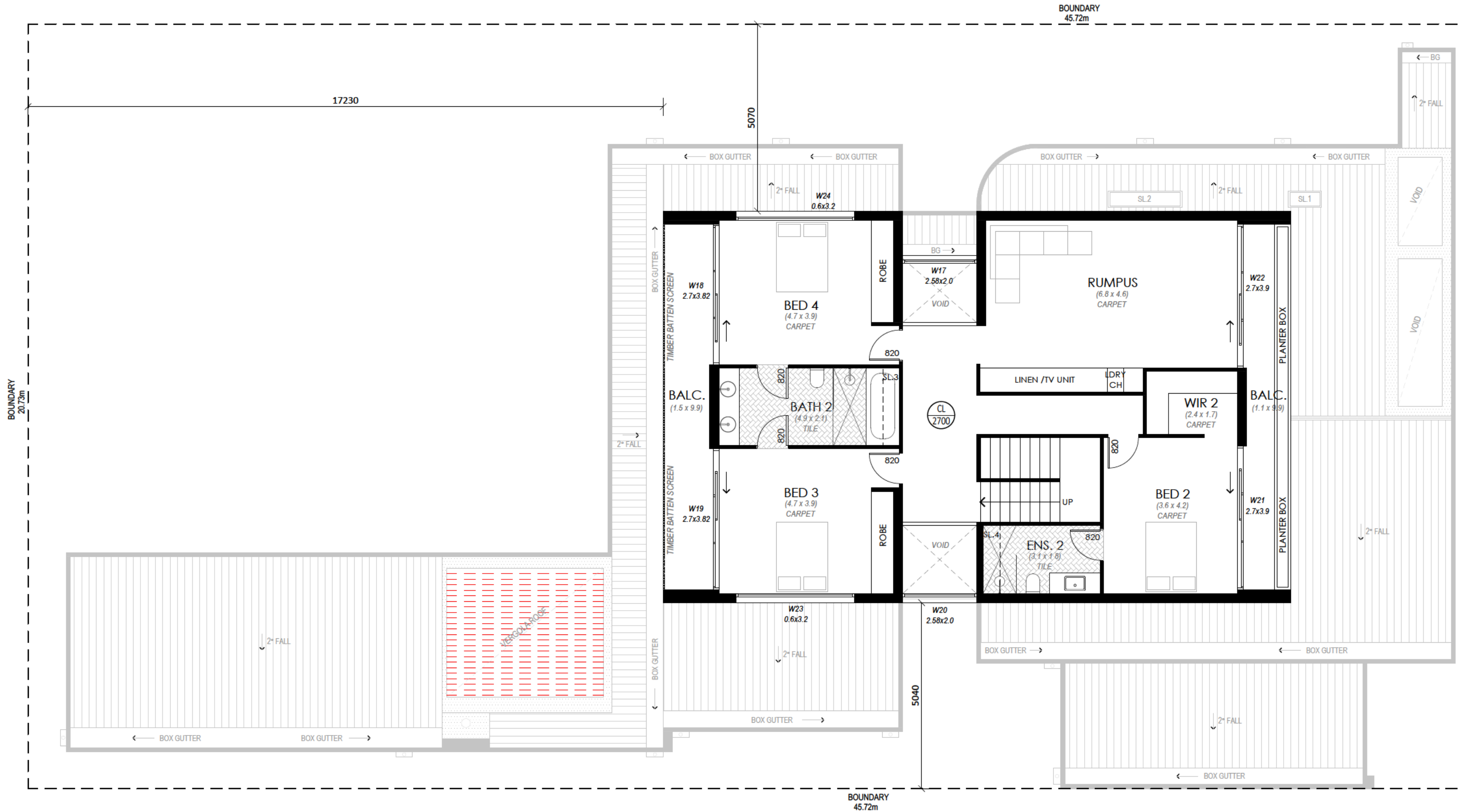
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FOR PLANNING

23.24 PD06

Rev 1

PROJECT
MILLSWOOD HOUSE

DRAWING TITLE
FIRST FLOOR PLAN

38 MALCOLM STREET,
MILLSWOOD, SA 5034

DETAILS











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Page A3
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Date MAR 2024

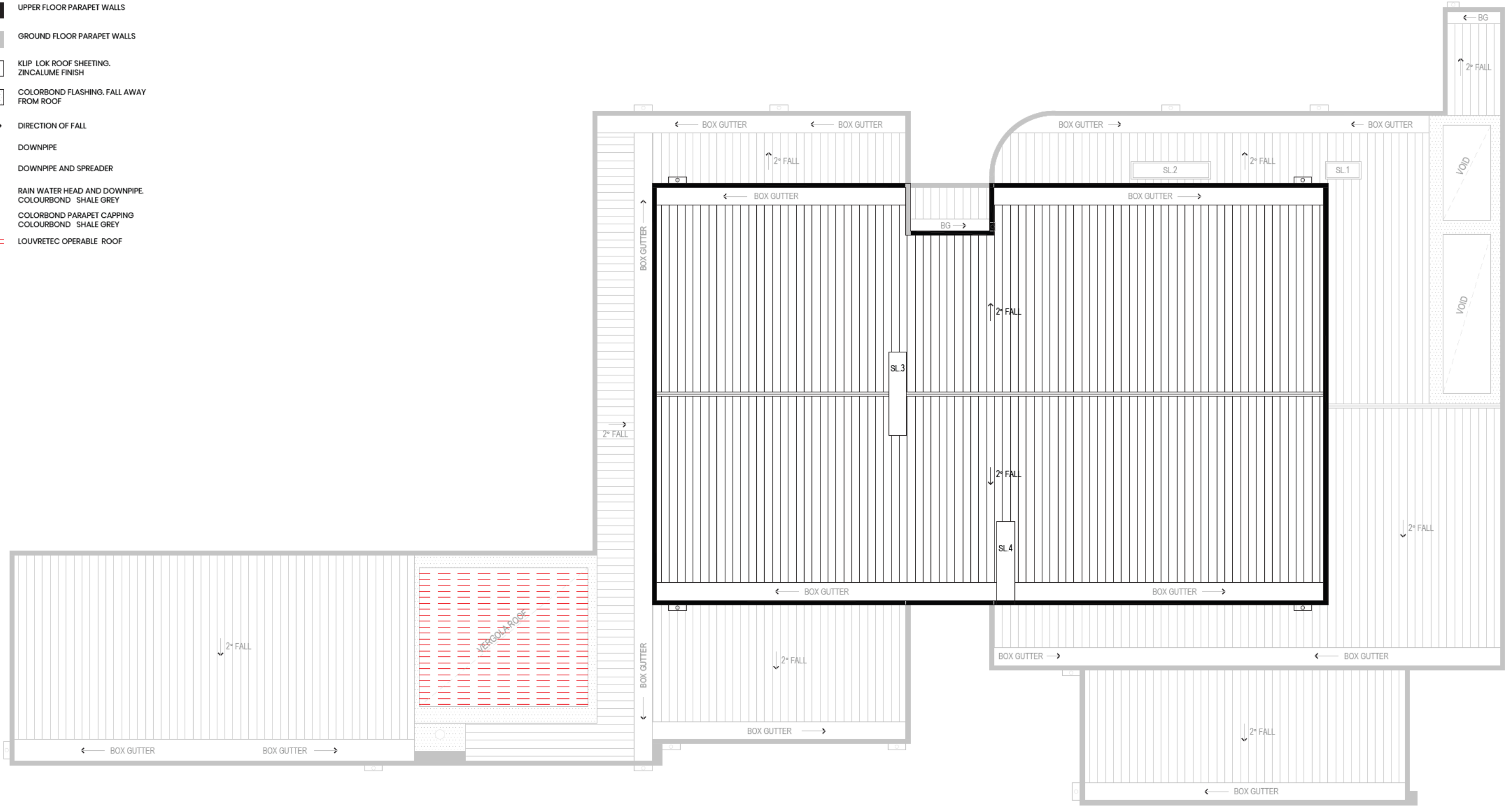
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ROOFING LEGEND

-  UPPER FLOOR PARAPET WALLS
-  GROUND FLOOR PARAPET WALLS
-  KLIP LOK ROOF SHEETING, ZINCALUME FINISH
-  COLORBOND FLASHING, FALL AWAY FROM ROOF
-  DIRECTION OF FALL
-  DOWNPIPE
-  DOWNPIPE AND SPREADER
-  RAIN WATER HEAD AND DOWNPIPE, COLOURBOND SHALE GREY
-  COLORBOND PARAPET CAPPING, COLOURBOND SHALE GREY
-  LOUVRETEC OPERABLE ROOF



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FOR PLANNING

23.24 PD07

Rev 1

PROJECT
MILLSWOOD HOUSE

DRAWING TITLE
ROOF PLAN

38 MALCOLM STREET,
MILLSWOOD, SA 5034

DETAILS

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City of Unley

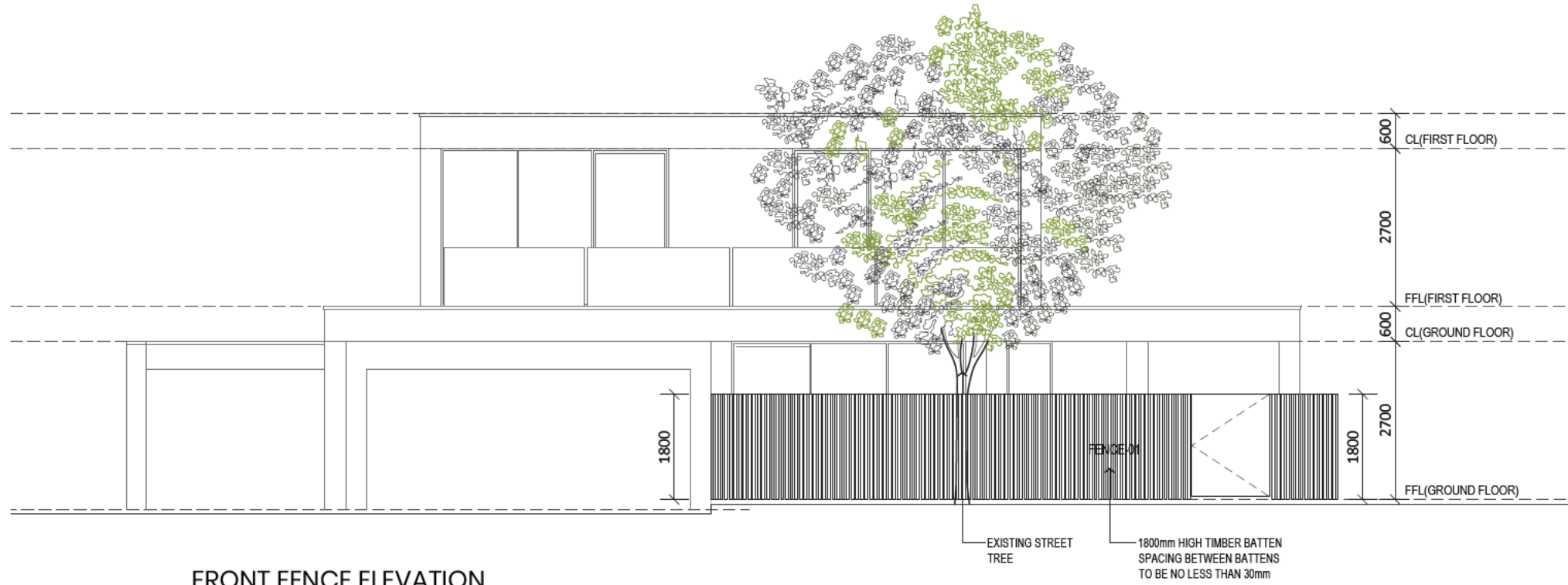


EXTERNAL FINISHES

NOTE: PROVIDE SAMPLES OF ALL FINISHES TO ARCHITECT ON SITE FOR APPROVAL

Material: Description

FENCE 01 1800mm TIMBER BATTEN FENCE
SPACING BETWEEN BATTENS TO BE NO LESS THAN 30mm
COLOUR: CUTEK COLOURTONE
GREY MIST STAINED



FRONT FENCE ELEVATION

0 1m 5m
1 : 100

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FOR PLANNING

23.24 PD08

Rev 1

PROJECT
MILLSWOOD HOUSE

DRAWING TITLE
FRONT FENCE ELEVATION
38 MALCOLM STREET,
MILLSWOOD, SA 5034

DETAILS
Drawn JR
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Date MAR 2024

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City of Unley



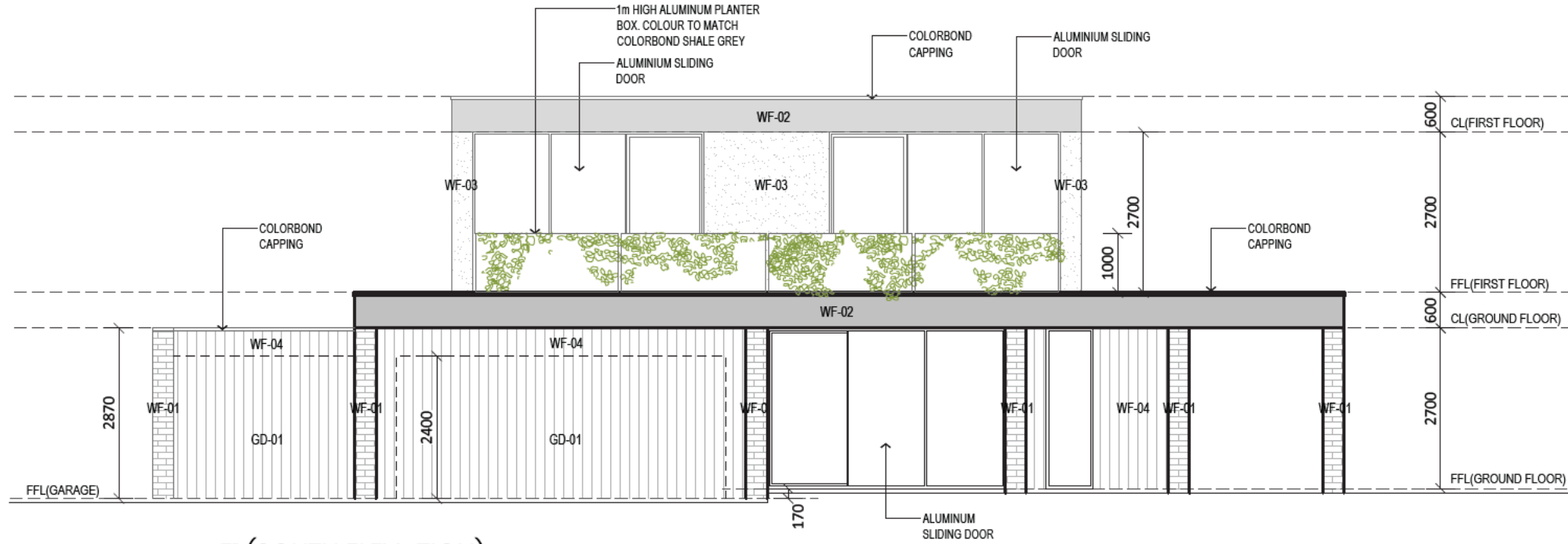
EXTERNAL FINISHES

NOTE: PROVIDE SAMPLES OF ALL FINISHES TO ARCHITECT ON SITE FOR APPROVAL

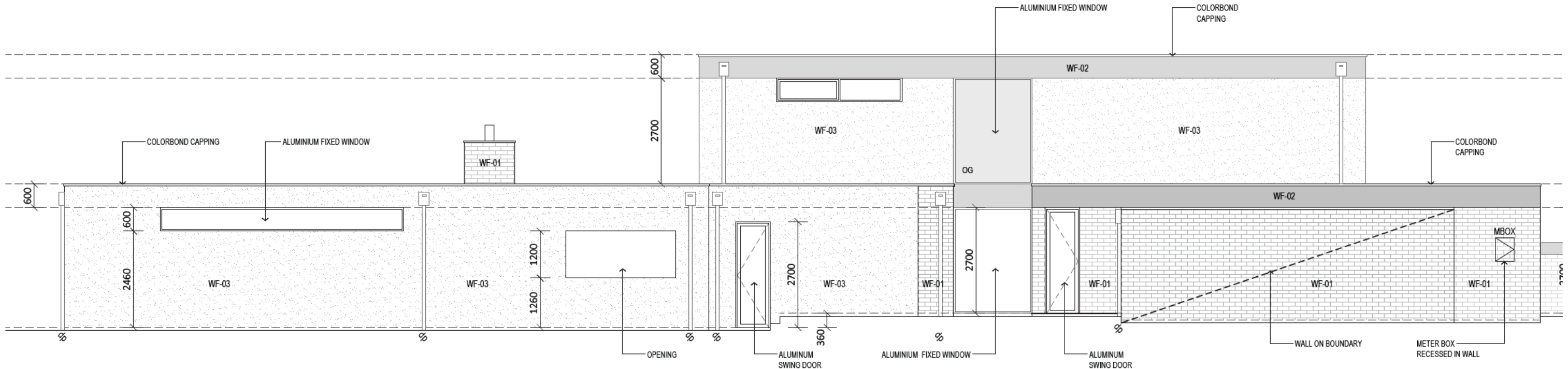
- Material: Description**
- WF-01** WALL FINISH 01
HAND MADE FACE BRICK
SUPPLIER: ARCHITECTURAL HAND MADE BRICK & PAVERS
COLOUR: BERG 01 W2
 - WF-02** WALL FINISH 02
RENDER FINISH
COLOUR: POLISHED CONCRETE FINISH
 - WF-03** WALL FINISH 03
RENDER FINISH
COLOUR: NUTEX ROMANO FINE FINISH
 - WF-04** WALL FINISH 04
WESTERN RED CEDAR CLADDING
HARDWOOD CLADDING
COLOUR: CUTEK COLOURTONE GREY MIST STAINED.
 - GD-01** FLUSH TILT GARAGE DOOR
WESTERN RED CEDAR CLADDING
HARDWOOD CLADDING
COLOUR: CUTEK COLOURTONE GREY MIST STAINED.

WINDOW & DOORS ALUMINIUM SILVER GREY MATT#2021

OG DENOTES OBSCURE GLAZING AS REQUIRED



E1 (SOUTH ELEVATION)



E2 (WEST ELEVATION)



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FOR PLANNING

23.24 PD09

Rev 1

PROJECT
MILLSWOOD HOUSE

DRAWING TITLE
ELEVATION PG1

38 MALCOLM STREET,
MILLSWOOD, SA 5034

DETAILS

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City of Unley



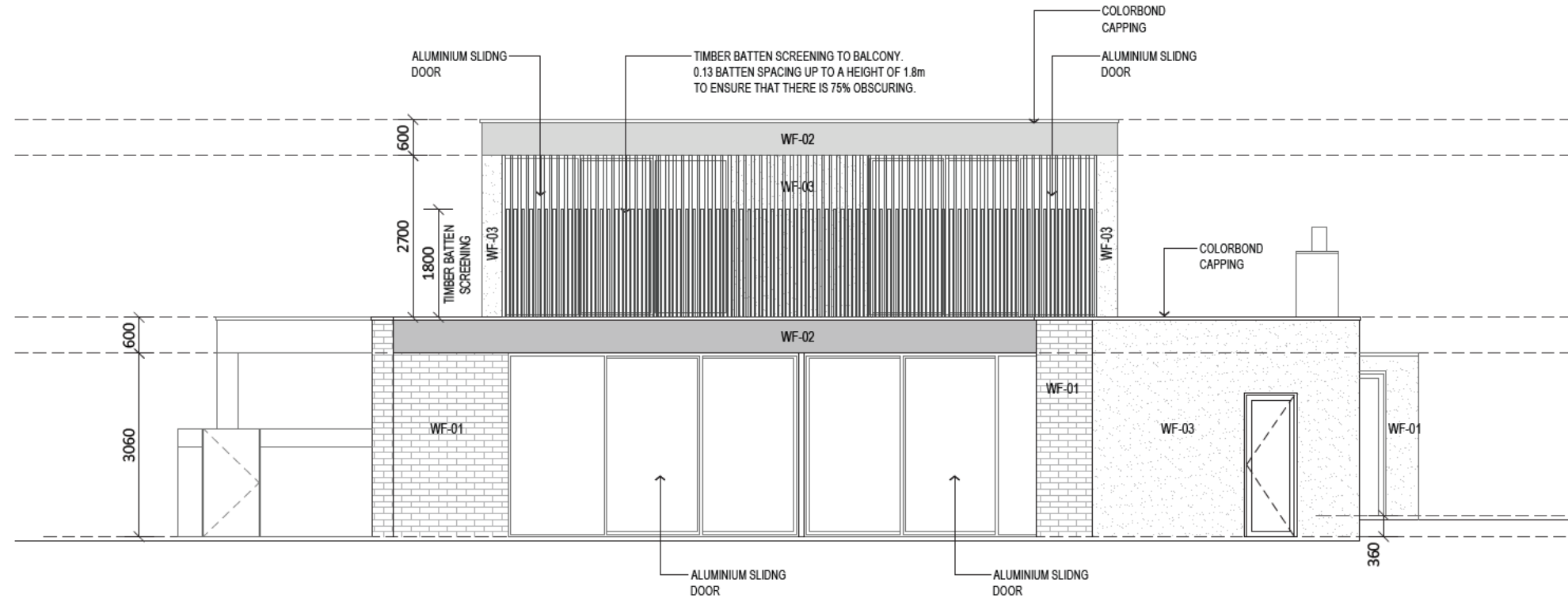
EXTERNAL FINISHES

NOTE: PROVIDE SAMPLES OF ALL FINISHES TO ARCHITECT ON SITE FOR APPROVAL

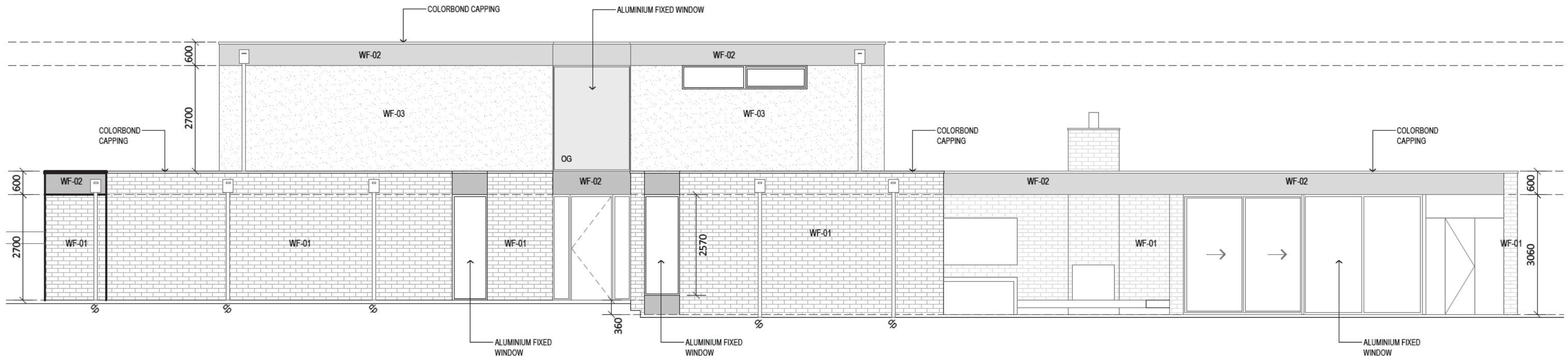
- Material: Description**
- WF-01** WALL FINISH 01
HAND MADE FACE BRICK
SUPPLIER: ARCHITECTURAL HAND MADE BRICK & PAVERS
COLOUR: BERG 01 W2
 - WF-02** WALL FINISH 02
RENDER FINISH
COLOUR: POLISHED CONCRETE FINISH
 - WF-03** WALL FINISH 03
RENDER FINISH
COLOUR: NUTEX ROMANO FINE FINISH
 - WF-04** WALL FINISH 04
WESTERN RED CEDAR CLADDING
HARDWOOD CLADDING
COLOUR: CUTEK COLOURTONE GREY MIST STAINED.
 - GD-01** FLUSH TILT GARAGE DOOR
WESTERN RED CEDAR CLADDING
HARDWOOD CLADDING
COLOUR: CUTEK COLOURTONE GREY MIST STAINED.

WINDOW & DOORS ALUMINIUM SILVER GREY MATT#2021

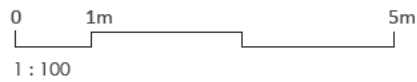
OG DENOTES OBSCURE GLAZING AS REQUIRED



E3 (NORTH ELEVATION)



E4 (EAST ELEVATION)



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FOR PLANNING

23.24 PD10

Rev 1

PROJECT
MILLSWOOD HOUSE

DRAWING TITLE
ELEVATION PG2

38 MALCOLM STREET,
MILLSWOOD, SA 5034

DETAILS

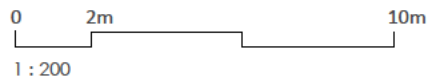
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FOR PLANNING

23.24 PD11

Rev 1

PROJECT

MILLSWOOD HOUSE

DRAWING TITLE

ELEVATION
STREETSCAPE

38 MALCOLM STREET,
MILLSWOOD, SA 5034

DETAILS

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Page A3

Scale 1:200

Date MAR 2024

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City of Unley



Thank you
Architecture for Aesthetic Pleasure



pleysier perkins


BRICKWORK		
FACE BRICKWORK		
LOCATION:	SUPPLIER: Architectural Handmade Bricks and Pavers	COLOUR: Berg 01 W2  Berg 01 W2 (available in textured & smooth)
SIZE: 400 x 40 x 110 mm	MORTAR FINISH: Raked	MORTAR COLOUR: To match Brick (TBC on Site)
SAND AND CEMENT RENDERED BRICKWORK		
LOCATION: 	SUPPLIER: Adbri	TYPE & SIZE: Render Brick (230 x 110 x 76mm)

Architect initial:	Client initial:
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MORTAR FINISH: Flush	FINISH: Fine	COLOUR / CODE: Nutex coatings ROMANO RENDER : https://www.nutex.com.au/downloads/datasheets/PDS203-V02-Romano.pdf COLOUR To match Brickwork TBC
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SLAB EDGE		
	MATERIAL: Acrylic Render	COLOUR / CODE / FINISH: Colour: To match windows

LIGHTWEIGHT CLADDING TYPE 1		
LOCATION: 	MATERIAL & SPECIES: Western Red Cedar Cladding Hardwood Cladding PROFILE & DIRECTION: 133x14mm Ship Lap #CP26C - Vertical	COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained – 2 coats TBC on site
LIGHTWEIGHT CLADDING TYPE 2		



Architect initial:	Client initial:
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<p>LOCATION: Throughout first floor</p> 	<p>MATERIAL: Polystyrene Foam Cladding</p> <p>THICKNESS: 100mm</p>	<p>COLOUR / CODE / FINISH: As per Sand and Cement Rendered – Nutex - ROMANO</p> <p>Finish: Fine</p>
<p>FASCIAS TYPE 1</p>		
<p>LOCATION: Throughout GF and FF</p> 	<p>MATERIAL: Polystyrene Foam Cladding</p> <p>THICKNESS: 100mm</p>	<p>COLOUR / CODE / FINISH: Nutex coatings – Nu CRETE - Polished concrete look</p> <p>https://www.nutex.com.au/downloads/datasheets/PDS500-V02-NuCRETE-Dry.pdf</p>


Architect initial:	Client initial:
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FASCIAS TYPE 2		
<p>LOCATION: Above second garage:</p> 	<p>MATERIAL & SPECIES: Western Red Cedar Cladding Hardwood Cladding</p> <p>PROFILE & DIRECTION: 133x14mm Ship Lap #CP26C - Vertical</p>	<p>COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained- 2 coats TBC on site</p>
SOFFITS TYPE 1		
<p>LOCATION: Outside MKL + Loggia</p> 	<p>MATERIAL: James Hardie Versilux Lining Board</p> <p>THICKNESS: 6.0mm Thick with Expressed Joints</p>	<p>COLOUR / CODE / FINISH: Haymes Marble Mist Painted – Low Sheen Acrylic</p>
SOFFITS TYPE 2		

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<p>LOCATION: At GF: Garage, Bed 1, Entry Path and Entry. At FF: outside Bed 2, Rumpus, Bed 3 and Bed 4.</p> 	<p>MATERIAL: Polystyrene Foam Cladding</p> <p>THICKNESS: 100mm</p>	<p>COLOUR / CODE / FINISH: As per Fascia Type 1: Nutex coatings – Nu CRETE - Polished concrete look</p>
--	--	--

ALUMINIUM WINDOWS		
<p>LOCATION:</p>	<p>MATERIAL: Aluminium</p> <p>FINISH: AWS Standard Powder Coated</p>	<p>COLOUR / CODE: Silver Grey Matt #2021</p>

Architect initial:	Client initial:
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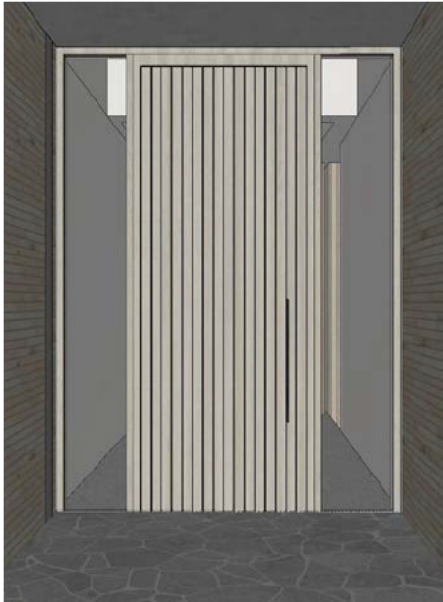
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<p>HARDWARE COLOUR: Satin Stainless steel</p> <p>AWNING WINDER COLOUR: Silver</p>	<p>ALUMINIUM FLYSCREEN FINISH: AWS Standard Powder Coated</p>	<p>COLOUR / CODE: APO Grey</p>
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GARAGE DOOR		
<p>At Main and secondary Garage:</p> 	<p>MATERIAL & SPECIES: Western Red Cedar Cladding Hardwood Cladding</p> <p>PROFILE & DIRECTION: 133x14mm Ship Lap #CP26C - Vertical</p>	<p>COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained- 2 coats TBC on site</p>
FRONT DOOR FRAME		
<p>MATERIAL: Kiln Dried Hardwood RAW for Staining</p>	<p>EXTERNAL COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained- 2 coats TBC on site</p>	<p>INTERNAL COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained- 2 coats TBC on site</p>
FRONT DOOR		

Architect initial:	Client initial:
--------------------	-----------------

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<p>MATERIAL: Nom 2700 x1050mm HMR MDF Clad in vertical Western Red Cedar 133 x14mm Shiplap NOM 425mm Glass Sidelights to each side Including timber frame:</p> 	<p>EXTERNAL COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained- 2 coats TBC on site</p>	<p>INTERNAL COLOUR / CODE / FINISH: Cutek Colourtone Grey Mist Stained- 2 coats TBC on site</p>
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FRONT DOOR HANDLE

<p>SUPPLIER: Style Finish Design MATERIAL: Stainless Steel Pull Handle</p>	<p>CODE: EHSFT06.25.B.400.VAA.SSS SIZE: 25 x 25 x 600mm</p>	<p>EXTERNAL / INTERNAL COLOUR / CODE / FINISH: Stainless Steel - Black</p>
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REAR GARAGE ACCESS DOOR FRAME

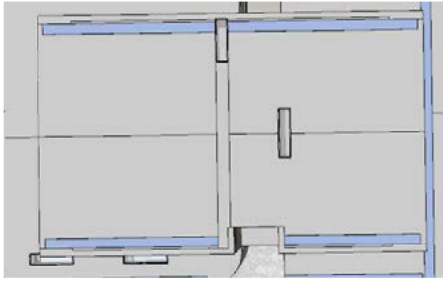
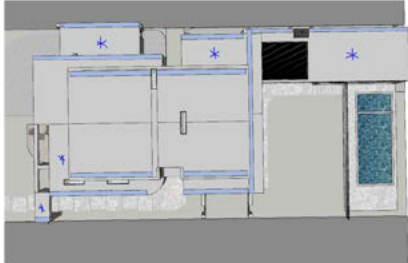
<p>MATERIAL: Aluminium frame</p>	<p>EXTERNAL COLOUR / CODE / FINISH: To match windows</p>	<p>INTERNAL COLOUR / CODE / FINISH: To match windows</p>
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REAR GARAGE ACCESS DOOR

<p>Architect initial:</p>	<p>Client initial:</p>
---------------------------	------------------------


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<p>MATERIAL: Glazed door – refer to Window schedule</p> 	<p>EXTERNAL COLOUR / CODE / FINISH: To match windows</p>	<p>INTERNAL COLOUR / CODE / FINISH: To match windows</p>
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ROOFING		
<p>LOCATION: First Floor (Flat Roof)</p> 	<p>MATERIAL: Klip-Lok Sheet Roofing</p>	<p>COLOUR: Zinalume</p>
<p>LOCATION: Ground Floor (Flat Roof)</p> 	<p>MATERIAL: Klip-Lok Sheet Roofing</p>	<p>COLOUR: Colorbond – Shale grey</p>

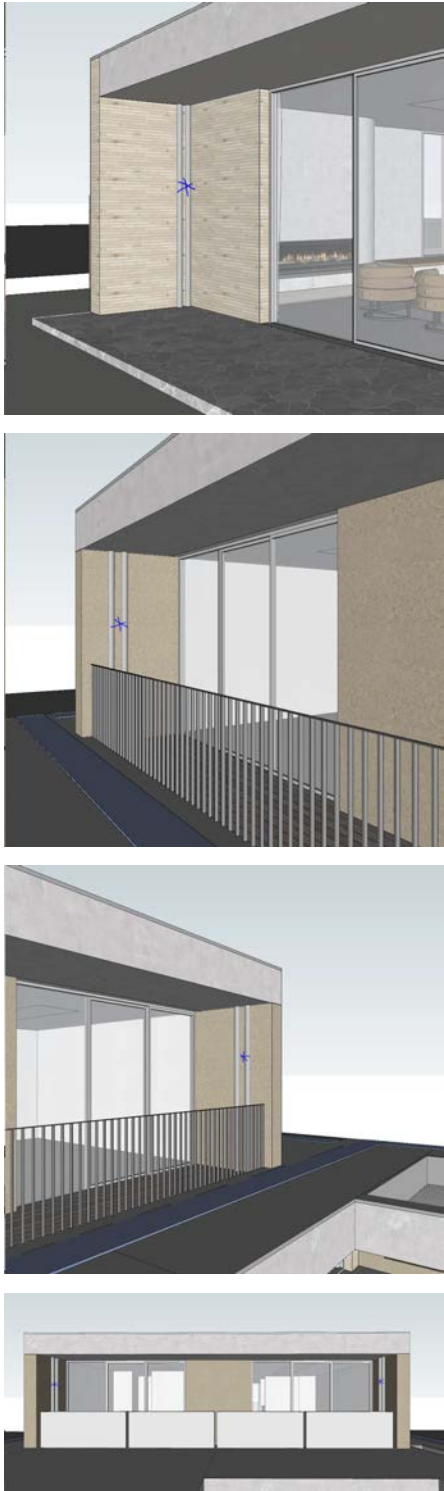
Architect initial:	Client initial:
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GUTTERING		
LOCATION: First Floor (Flat Roof)	MATERIAL: Zincalume Box Gutter	COLOUR: Natural
LOCATION: Ground Floor (Flat Roof)	MATERIAL: Colorbond Box Gutter	COLOUR: Colorbond – Shale Grey
RAINHEADS AND DOWNPIPES		
LOCATION: Entry Path & along Western Façade	MATERIAL: Colorbond	COLOUR: Colorbond – Shale Grey
<div style="display: flex;"> <div style="flex: 1;">  </div> <div style="flex: 2;"></div> </div>		

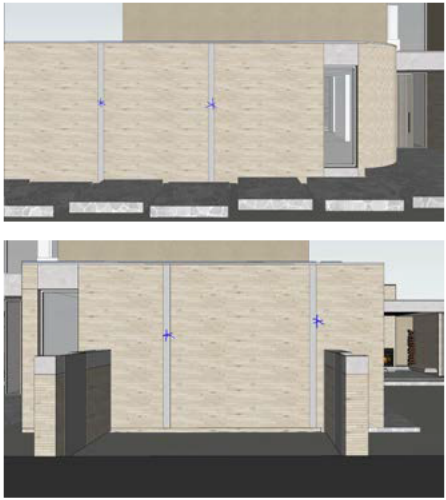

Architect initial:	Client initial:
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<p>LOCATION: Double Downpipes to Outside Living and FF</p> 	<p>MATERIAL: Colorbond</p>	<p>COLOUR: Colorbond – Shale Grey</p>
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Architect initial:	Client initial:
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COVERPLATES		
<p>LOCATION: At Eastern Wall along Entry Path:</p> 	<p>MATERIAL: Nom 150mm Aluminium Plate - powder coated</p>	<p>COLOUR: To match Shale grey Color bond</p>
PARAPET CAPPINGS		
<p>LOCATION: Throughout GF and FF:</p> 	<p>MATERIAL: Colorbond</p>	<p>COLOUR: Colorbond – Shale Grey</p>

Architect initial:	Client initial:
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ROOF VENTILATOR

LOCATION: As per plan	MATERIAL: To Match Adjoining Roof	COLOUR: To Match Adjoining Roof
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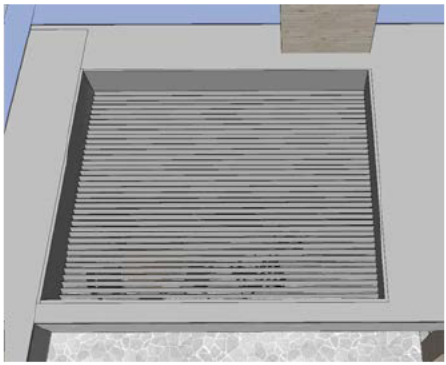
LINTELS

LOCATION: As per plan	MATERIAL: Steel	COLOUR: Generally painted to match surface
---------------------------------	---------------------------	--

METERBOX

LOCATION: As per plan	MATERIAL: Steel	COLOUR: Generally painted to match surface
---------------------------------	---------------------------	--




VERGOLA

LOCATION: At Loggia 	MATERIAL: Nom 4500mm - Louvretec – Operable roof 180 - extruded aluminium blade with interlocking leaves and dual drip lips. Includes rain sensor and remote control.	COLOUR: To match Shale Grey - Colorbond
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COLUMN

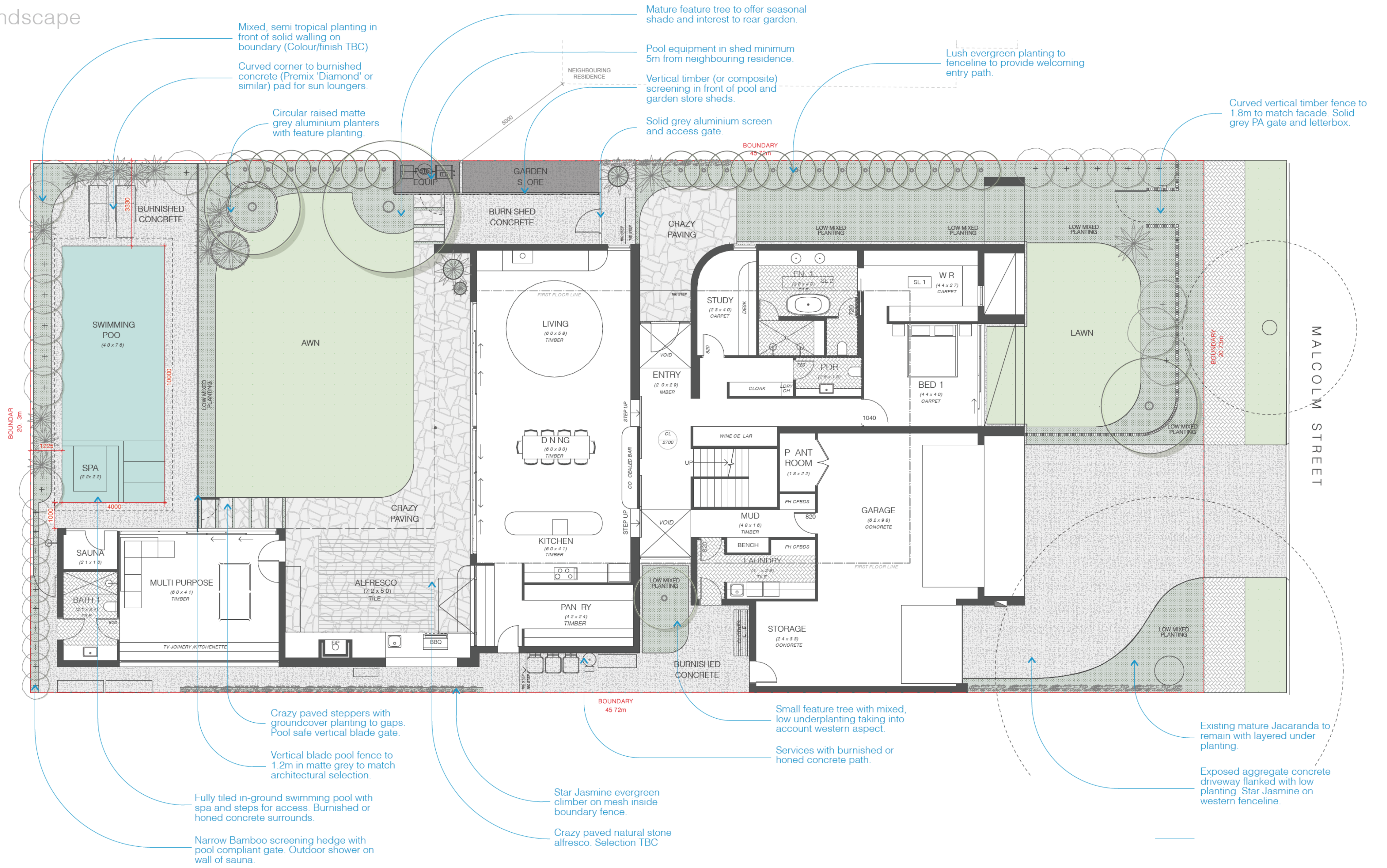
Architect initial:	Client initial:
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<p>LOCATION: Outside MKL TBC with Engineer</p> 	<p>MATERIAL: Steel Colum - Powdercoated</p>	<p>COLOUR: To match Shale Grey - Colorbond</p>
<p>PLANTERBOX</p>		
<p>LOCATION: Outside Rumpus and Bed 2:</p> 	<p>MATERIAL: Aluminium planterbox with included drainage : Botanic systems – Vivid Green 1m height x nom 300mm Depth – Powdercoated Contact Thomas Fritsch tom.fritsch@vividgreen.com.au</p>	<p>COLOUR: To match Shale Grey Colorbond</p>
<p>BALCONY BALUSTRADE</p>		
<p>LOCATION: Outside Bed 2 and Bed 3</p> 	<p>MATERIAL: Size: 50mm x 10mm solid steel top and bottom rails with 50mm x 10mm solid steel supporting posts and 16 x 16mm square tubular vertical balusters as required Steel structural supports recessed under decking (no exposed fixings) Steel supports below decking Galvanised</p>	<p>COLOUR: Powdercoated to Match Shale grey - Colorbond</p>

Architect initial:	Client initial:
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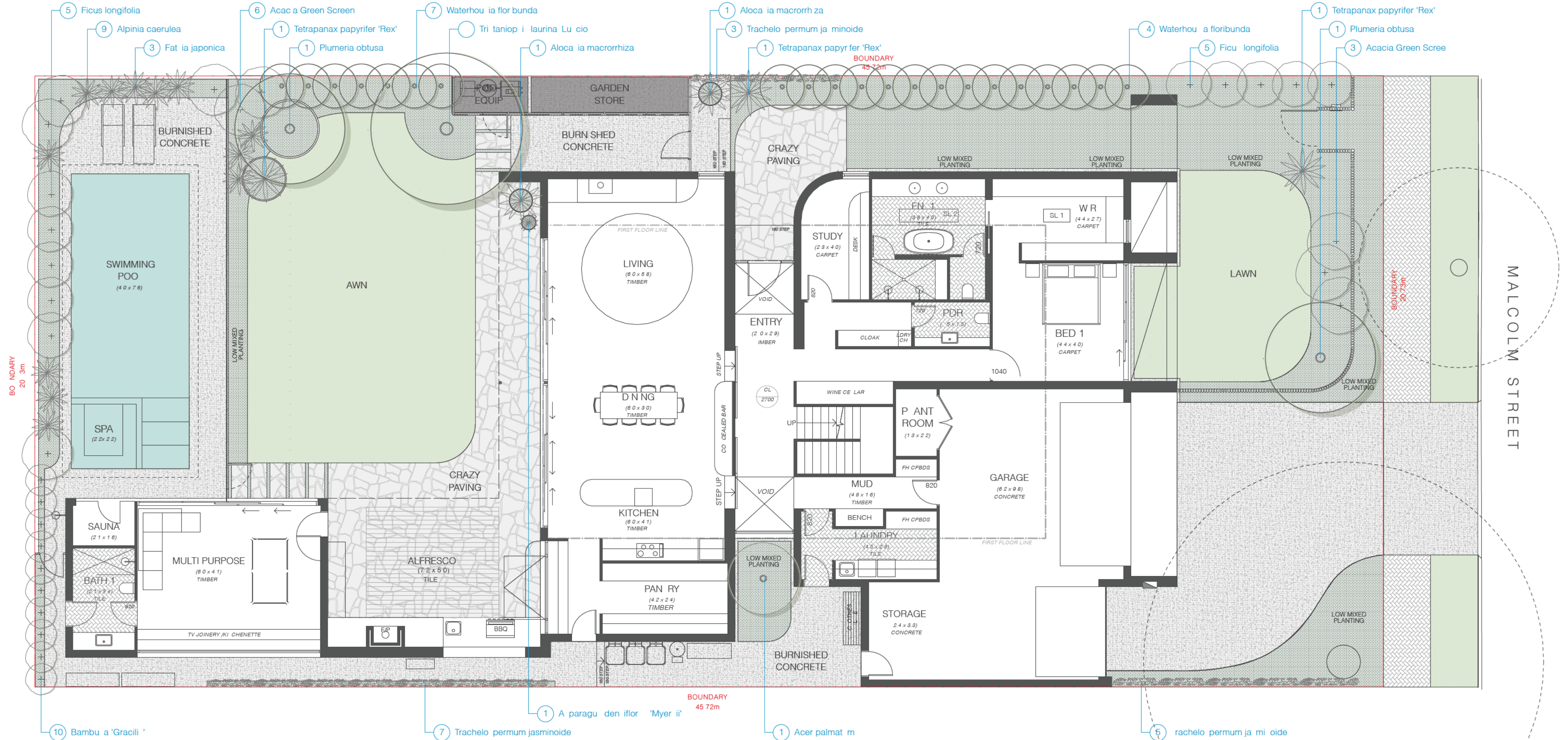
A2 landscape



Note: All pool fencing, boundary fencing and pool gates to comply with AS1926.1

1 Landscape Concept Plan Scale: 1:100

A2 planting



1 Planting Concept Plan

Scale: 1:100

Total Site Area: 947.8m²
 Soft Landscaping Area: 276.6m²
 Soft Landscaping %: 29.2%



PLANT SCHEDULE

Qty	Botanical Name	Common Name	Pot Size
9	Acacia Green Screen	Acacia Green Screen	30cm
9	Alpinia caerulea	Native Ginger	20cm
2	Alocasia macrorrhiza	Elephant's Ear	30cm
1	Acer palmatum	Japanese Maple	40cm
1	Asparagus densiflorus 'Myersii'	Foxtail Fern	20cm
10	Bambusa 'Gracilis'	Bamboo	30cm
3	Fatsia japonica	Glossy-Leaf Paper Plant	20cm
10	Ficus longifolia	Long-Leafed Fig	20cm
2	Plumeria obtusa	Frangipani	Mature
3	Tetrapanax papyrifer 'Rex'	Rice Paper Plant	30cm
15	Trachelospermum jasminoides	Star Jasmine	20cm
1	Tristanopsis laurina 'Luscious'	Kanooka, Water Gum	40cm
21	Waterhou sia floribunda	Weeping Lilly Pilly	30cm

APPENDIX 2: SITEWORKS PLAN

Table with 4 columns: No., REVISION, BY, DATE. Contains revision history.

GENERAL NOTES:
SITWORKS & STORMWATER DRAINAGE TO BE CONSTRUCTED BY THE OWNER OR THE OWNERS REPRESENTATIVE (IE. THE BUILDER WHERE STATED WITHIN THE BUILDING CONTRACT). THIS DOCUMENT IS TO BE READ IN CONJUNCTION WITH THE FOOTING CONSTRUCTION REPORT & ARCHITECTURAL DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO THIS OFFICE IMMEDIATELY PRIOR TO WORKS PROCEEDING.

SOIL CLASSIFICATION: **H2-D**
• 40mm THICK CLOSED-CELL POLYETHYLENE LAGGING AROUND STORMWATER AND SEWER DRAIN PENETRATIONS THROUGH ALL FOOTINGS.
• FLEXIBLE CONNECTIONS IN SEWER & STORMWATER DRAINS ARE REQUIRED - REFER DETAIL SHEET SD1
BENCH:
BUILDING AREA TO BE BENCHMARKED TO 200mm BELOW THE FINISHED FLOOR LEVEL.
GRADE SITE AWAY FROM HOUSE AS FOLLOWS:-
• GRADE PAVED AREAS 35mm IN 1000mm
• GRADE GRASSED AREAS 5mm IN 1000mm

IMPORTANT NOTE:
TO ASSIST IN AVOIDING A "DOWNHILL" MOVEMENT OF FILL ONCE IT HAS BEEN PLACED, A SERIES OF HORIZONTAL BENCHMARKED PLATFORMS SHOULD BE EXCAVATED INTO THE GROUND WHEN THE EXISTING SLOPE IS 1 IN 8 OR GREATER. THIS BENCHMARKING SHOULD BE UNDERTAKEN OVER THE ENTIRE AREA WHERE FILLING IS TO OCCUR.

SEWER:
THIS SEWER DESIGN IS BASED ON THE SHORTEST POSSIBLE RUN. BUILDER/PLUMBER TO CONFIRM SEWER CONNECTION INVERT LEVEL AND ASSUMED LAYOUT PROVIDED ON THIS DRAWING. CONTACT THIS OFFICE IMMEDIATELY IF ANY DISCREPANCIES EXIST AS THE FLOOR LEVEL AND/OR UNDERMINING PIER DEPTHS MAY NEED TO BE REVISED. TOP OF FLOOD GULLY AND PAVING AROUND FLOOD GULLY TO BE CONSTRUCTED 150mm BELOW THE LOWEST FIXTURE CONNECTED TO THE DRAIN.

STORMWATER:
GRAVITY FLOW STORMWATER SYSTEM IS TO BE LAID @ 1 IN 250 MIN GRADE WITH 100mm MIN COVER EXCEPT AS NOTED BELOW UNDERSIDE OF PAVING:-
• 50mm (SUBJECT TO PEDESTRIAN TRAFFIC)
• 100mm (SUBJECT TO LIGHT VEHICULAR TRAFFIC)
• 450mm (UNPAVED DRIVEWAYS)
WHERE COVER CANNOT BE ACHIEVED ENCASE DRAIN PIPE WITHIN A CHS GALV. STEEL SLEEVE OF THICKNESS:
• 3.0mm (SUBJECT TO PEDESTRIAN TRAFFIC)
• 5.0mm (SUBJECT TO LIGHT VEHICULAR TRAFFIC)

SURVEY:
THIS IS NOT A BOUNDARY SURVEY. THEREFORE THE RELATIONSHIP BETWEEN OCCUPATION AND THE PLOTTED BOUNDARY IS INDICATIVE. LEVELS ARE BASED ON A TEMPORARY DATUM (UNO). THE DATUM (SHOWN ON THIS PLAN) IS TO BE LOCATED PRIOR TO COMMENCING SITWORKS.

DESIGN LEGEND table with symbols and descriptions for stormwater pipes, manholes, and structures.

NOTES:
ANY SURPLUS SPOIL FROM SITWORKS IS THE OWNERS RESPONSIBILITY AND SHOULD BE REMOVED OR DISPERSED AS APPROPRIATE, UNLESS STATED OTHERWISE IN THE BUILDING CONTRACT. THIS SPOIL SHOULD BE STOCKPILED SUCH THAT IT DOES NOT OBSTRUCT SITE ACCESS AND CAN BE EASILY REMOVED FROM THE SITE.
ANY RETAINING WALLS SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED BY THE OWNER EXCEPT WHERE THE RETAINING WALL FORMS PART OF THE BUILDING STRUCTURE OR WHERE SPECIFIED OTHERWISE WITHIN THE BUILDING CONTRACT.
RETAINING WALLS ADJACENT EXCAVATIONS, A SERVICE TRENCH/EASEMENT (PROPOSED OR EXISTING) OR IF FOUND IN FILL SHOULD HAVE AN UNDERMINING COMPONENT INCORPORATED IN THE DESIGN OF THEIR FOOTING/PIER SUPPORT SYSTEM.
OWNER TO RETAIN ANY MINOR CUT/FILL ON THE BOUNDARIES WITH A CONCRETE PLINTH, SLEEPER OR SIMILAR.

2.50 KILOLITRE COMBINATION RETENTION/DETENTION TANK (2.0 KILOLITRES FOR RETENTION AND 0.50 KILOLITRES FOR DETENTION (TOTAL 4.0 KILOLITRES FOR RETENTION AND 1.0 KILOLITRE FOR DETENTION) - BY OWNER/BUILDER REFER BUILDING CONTRACT). RETENTION SECTION OF TANKS TO BE PLUMBED TO ONE WC AND EITHER THE WATER HEATER OR ALL LAUNDRY COLD WATER OUTLETS AND SHALL ALSO BE LOOPED INTO THE MAINS WATER SYSTEM, WHERE A RWT IS SUPPORTED ON A STAND OR OTHER STRUCTURE, THE SUPPORTING STRUCTURE MUST COMPLY WITH AS/NZ 1170.1 AND 1170.2. ROOF GUTTER HEIGHT IN RELATION TO TANKS INLET HEIGHT MAY NEED TO BE TAKEN INTO CONSIDERATION.

STORMWATER DRAIN PIPES AS A SEALED SYSTEM USED TO CONNECT (RHT) TO (RHT) TO THE TANKS (MINIMUM 60% OF ROOF AREA). REFER TO FOOTING CONSTRUCTION REPORT ATTACHMENT SHEET SS1.

STORMWATER DRAIN PIPES AS A SEALED SYSTEM USED TO CONNECT THE TANKS OVERFLOW/ORIFICE PIPE AND DP'S NOT CONNECTED TO THE TANKS TO THE STREET WATER TABLE. REFER TO FOOTING CONSTRUCTION REPORT ATTACHMENT SHEET SS1.

STORMWATER DRAIN PIPES UNDER GRAVITY FLOW USED TO CONNECT:

1) FRONT BOUNDARY SUMP OUTLET PIPES TO THE STREET WATER TABLE

2) SURFACE STORMWATER DRAIN PIPES & AGRIC. DRAIN TO THE PIT/PUMP CHAMBER
PUMP TO HAVE DISCHARGE RATE OF 3.0 L/s AND A MINIMUM PIT VOLUME OF 5.50m³. PIT VOLUME MAY NEED TO BE INCREASED TO ACCOMMODATE PUMP(S) SETUP AND HIGH/LOW LEVEL SENSORS - REFER TO THE SUPPLIER AND ALSO TO AS/NZS 3500.3:2018. COUNCIL/Private CERTIFIER TO CONFIRM THE BELOW CRITERIA AND/OR ANY ADDITIONAL REQUIREMENTS PRIOR TO ANY APPROVALS BEING ISSUED.

- PIT TO HAVE A MINIMUM OF 30 MINUTES STORAGE FOR THE 1 IN 100 YEAR STORM IN CASE OF POWER FAILURE
- TWO PUMPS SHALL BE PROVIDED, EACH CAPABLE OF THE DESIGN FLOW RATES.
- THE PUMPS SHALL BE CONFIGURED TO AUTOMATICALLY ALTERNATE AS THE DUTY PUMP.
- THE DUTY PUMP SHALL BE CONFIGURED TO AUTOMATICALLY REVERT TO THE ALTERNATE PUMP & A VISIBLE ALARM BE INITIATED IN THE EVENT THAT THE DUTY PUMP FAILS.
- IN THE EVENT THAT BOTH PUMPS FAIL TO OPERATE, AN AUDIBLE ALARM SHALL BE INITIATED.

(---) DESIGNATES RISING MAIN TO FRONT SUMP/STREET WATER TABLE WHICH EVER APPLICABLE - REFER TO PLAN.

IMPORTANT NOTE:
ALTHOUGH THE PIT HAS BEEN DESIGNED FOR A STORAGE VOLUME DURING A POWER BLACKOUT, A BACKUP POWER SUPPLY FOR THE PUMP(S) IS ALSO RECOMMENDED SO AS NOT TO CAUSE NUISANCE STORMWATER FLOWS INTO NEIGHBOURS ALLOTMENTS DURING EVENTS WHICH ARE IN EXCESS OF THE STORAGE VOLUME DESIGNED FOR.

ENSURE GRAVITY FLOW PIPES MAINTAIN SUFFICIENT GRADE TO MEET THE APPROPRIATE OUTLET AS SHOWN ON THIS PLAN. CONSTRUCT ANY SEALED SYSTEM PIPES SUCH THAT THEY DO NOT INTERFERE WITH THE GRAVITY FLOW SYSTEM.

WHERE GRATED SURFACE STORMWATER SUMPS ARE USED GRADE SOIL/PAVING IN TOWARDS SUMPS IN ACCORDANCE WITH THE "BENCH" NOTES ON THIS PAGE. ALTERNATIVELY CONSTRUCT LINED SPOON DRAINS WITH 0.30% GRADIENT AS PER THE DETAILS ON ATTACHMENT SHEET PD1.

SUMP SIZES AND QUANTITY SHOWN ARE RECOMMENDED AS A MINIMUM. LOCATIONS AND SIZES MAY BE ALTERED AT THE DRAIN AND PAVING CONTRACTORS DISCRETION DEPENDING ON AREAS THEY SERVICE AND PAVEMENT TYPE USED.

NOTE: (NOT PART OF RCI CONSULTING ENGINEERS EXTENT OF DESIGN CONSIDERATION)

- RAINHEAD/RAINWATER HEAD SPREADER LOCATIONS & DIAMETERS AS PER THE ARCHITECTURAL DRAWINGS, TO BE CONFIRMED BY THE BUILDER/BUILDING DESIGNER/ROOF PLUMBER/RELEVANT CHECKING AUTHORITY.
- FLOOR LEVELS AS PER THE ARCHITECTURAL SITE PLAN.

SURVEY LEGEND

Table with symbols and descriptions for survey markers like SWO, SW, SWR, etc.

REFER TO TANK SUPPLIER/RELEVANT CONTRACTOR FOR SET-UP (20mm-25mm SLOW RELEASE ORIFICE AT THE BOTTOM OF THE DETENTION COMPONENT OF THE TANK)

KEY table with symbols and descriptions for levels and features like TK, WT, BL, etc.

DEMOLITION NOTE:
RETAINING WALL HEIGHTS/EXTENTS IN RELATION TO PERIMETER PAVING SETUP AND FL/BL'S ARE SUBJECT TO CHANGE/ADJUSTMENT PENDING FINAL POST DEMOLITION LEVELS. RETAINING WALLS MAY BE REQUIRED WHERE NONE ARE SHOWN.

NOTE:
REFER TO DETAIL SHEET PD1 FOR RECOMMENDED MINIMUM PAVEMENT SETDOWN FROM UNDERSIDE OF REBATE FOR CLASS "H2-D" SITE SOIL CLASSIFICATION. DUE TO THE HIGHLY REACTIVE NATURE OF THE SOIL PROFILE, IT IS RECOMMENDED SEGMENTAL BRICK/BLOCK PAVING BE UTILISED FOR PERIMETER AND DRIVEWAY PAVING NOT IN SITU CONCRETE.

NOTE:
REFER TO THE CSIRO DOCUMENT FOR THE EXTENT AND WIDTH OF IMPERMEABLE TYPE PAVING RECOMMENDED TO BE PLACED AROUND THE PERIMETER OF A DWELLING. REFER ALSO TO THIS DOCUMENT IN REGARDS TO THE PLANTING OF TREES/EXISTING TREES TO BE KEPT AND SOIL MODIFICATION (DEEP SOIL ZONES) NEAR THE PROPOSED AND POSSIBLE ADJACENT FOOTING SYSTEMS.

NOTE:
REFER TO THE FOOTING CONSTRUCTION REPORT FOR BACKFILLING METHOD OF THE EXISTING POOL

NOTE:
EXISTING RETAINING WALLS ON SIDE BOUNDARIES HAVE BEEN MOVED OFF THESE BOUNDARIES ON THIS PLAN FOR CLARITY OF NEW WORKS REQUIRED. WALLS TO REMAIN IN THEIR ACTUAL LOCATIONS ON SITE UNLESS RE ALIGNMENT/LOCATION IS NECESSARY, TO BE DETERMINED BY THE BUILDER/RELEVANT CONTRACTOR.

NOTE:
PROVIDE STORMWATER SLEEVES THROUGH COURTYARD SCREEN WALL/POOL EQUIPMENT AND PUMP WALL FOOTINGS AS REQUIRED AND LAG AS PER THE SOIL CLASSIFICATION.

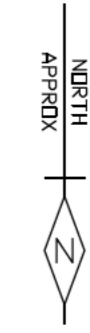
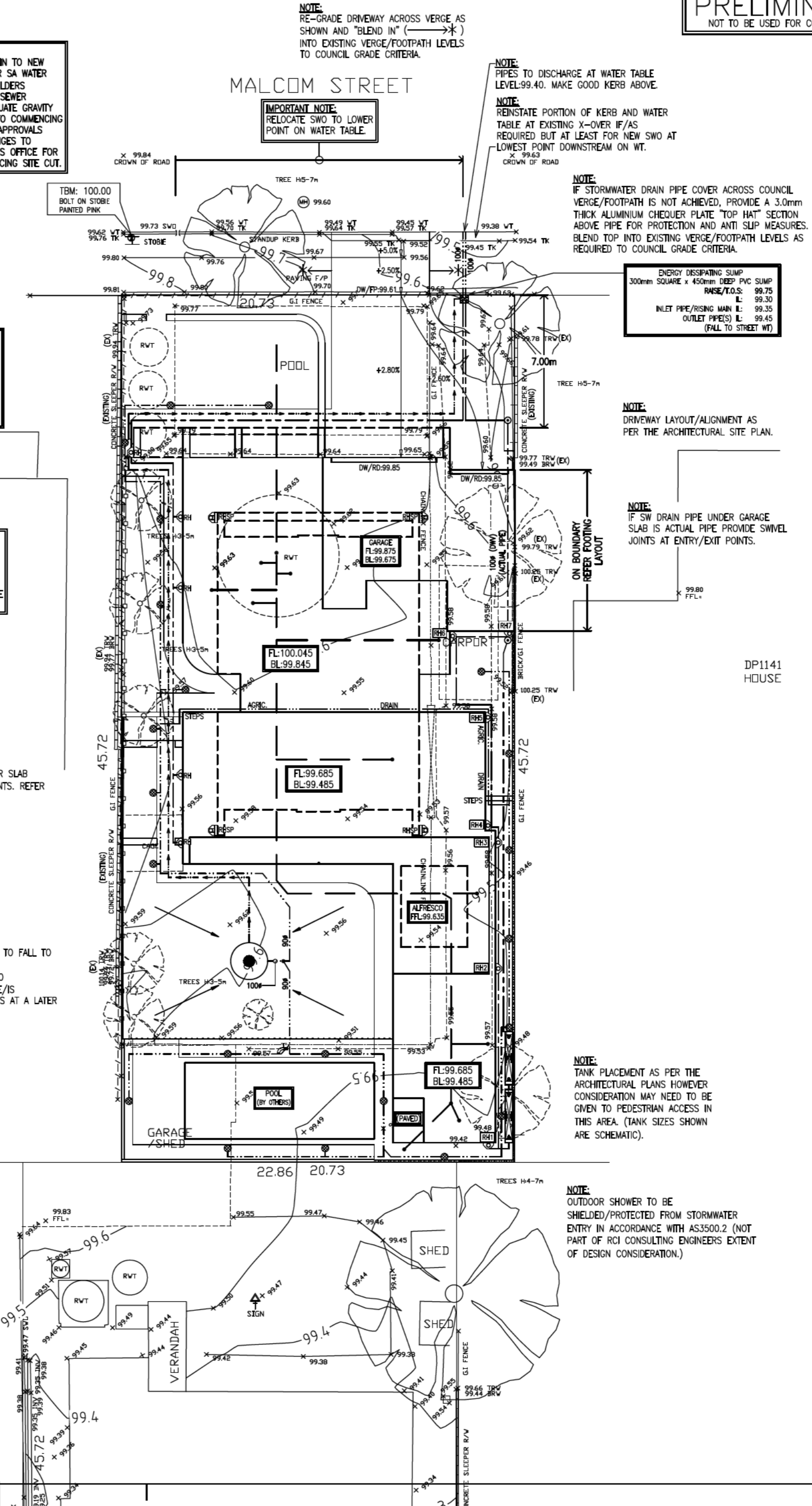
NOTE:
WHERE SEWER DRAIN PIPE ENTERS/EXITS FROM UNDER SLAB PROVIDE 2 x "SWIVEL" JOINTS. REFER DETAIL SHEET SD1.

NOTE:
• GRADE/RE-GRADE (---) GROUND TO FALL TO THE TOP OF THE PIT/PUMP GRATE.
• INSTALLATION OF PIT/PUMP PRIOR TO CONSTRUCTION OF DWELLING MAY BE/IS ADVISABLE TO AVOID ACCESS ISSUES AT A LATER DATE.

NOTE:
GULLY TRAP LOCATION FOR POOL BACKWASH AS PER THE PLUMBERS RECOMMENDATION.

NOTE:
LOCATE & CONNECT SEWER DRAIN TO NEW SIP. CONNECTION TO BE AS PER SA WATER STANDARD DETAILS. BUILDER/BUILDERS PLUMBER TO CHECK DEPTH OF SEWER CONNECTION AND ENSURE ADEQUATE GRAVITY FALL CAN BE ACHIEVED PRIOR TO COMMENCING EARTHWORKS OR ANY COUNCIL APPROVALS BEING ISSUED. REFER ANY CHANGES TO PROPOSED BENCH LEVEL TO THIS OFFICE FOR VERIFICATION PRIOR TO COMMENCING SITE CUT.

MALCOLM STREET



ENERGY DISSIPATING SUMP
300mm SQUARE x 450mm DEEP PVC SUMP
RAISE/T.O.S: 99.75
INLET PIPE/RISING MAIN L: 99.30
OUTLET PIPE(S) L: 99.45
(FALL TO STREET WT)

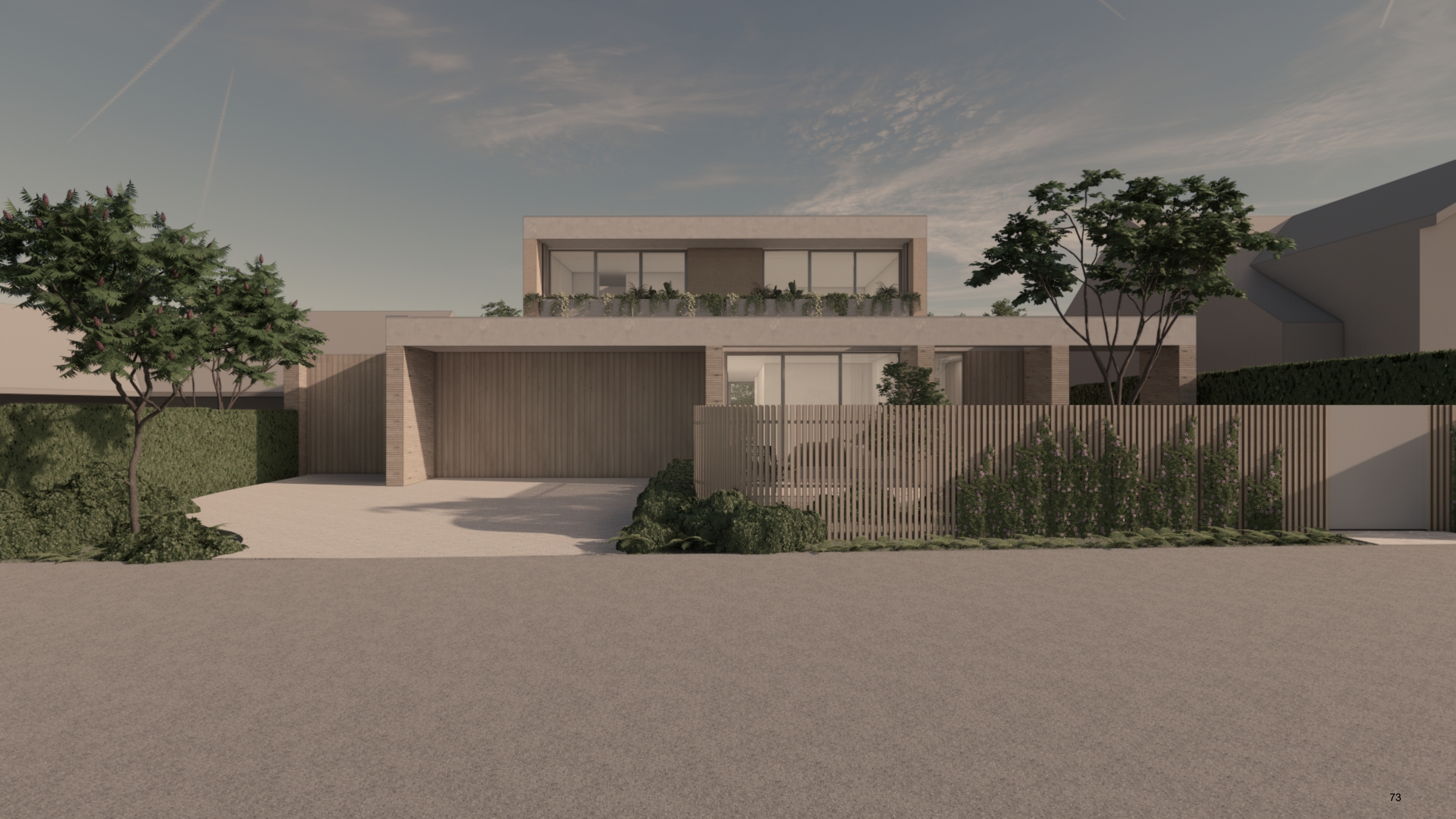
NOTE:
DRIVEWAY LAYOUT/ALIGNMENT AS PER THE ARCHITECTURAL SITE PLAN.

NOTE:
IF SW DRAIN PIPE UNDER GARAGE SLAB IS ACTUAL PIPE PROVIDE SWIVEL JOINTS AT ENTRY/EXIT POINTS.

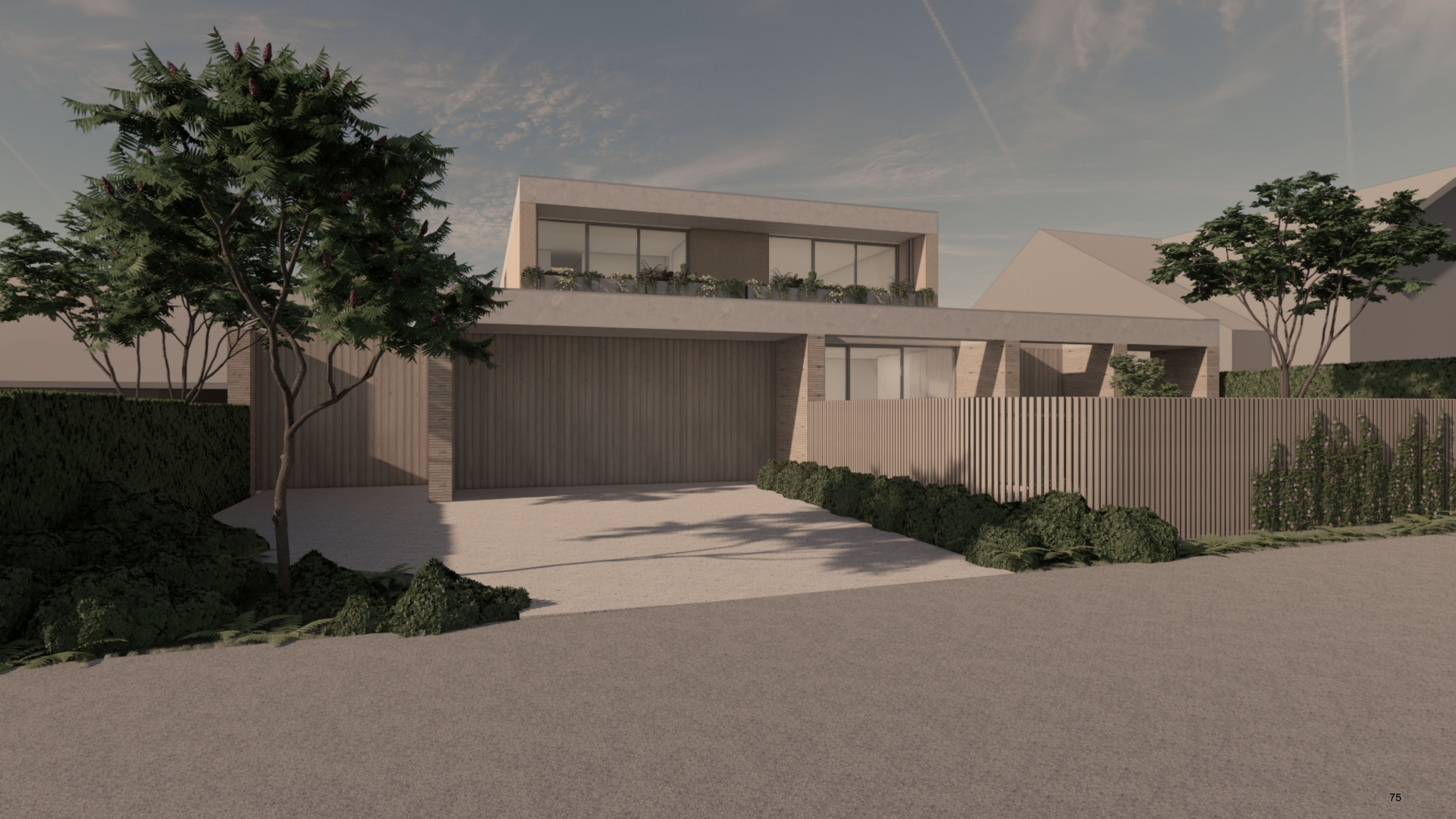
NOTE:
TANK PLACEMENT AS PER THE ARCHITECTURAL PLANS HOWEVER CONSIDERATION MAY NEED TO BE GIVEN TO PEDESTRIAN ACCESS IN THIS AREA. (TANK SIZES SHOWN ARE SCHEMATIC).

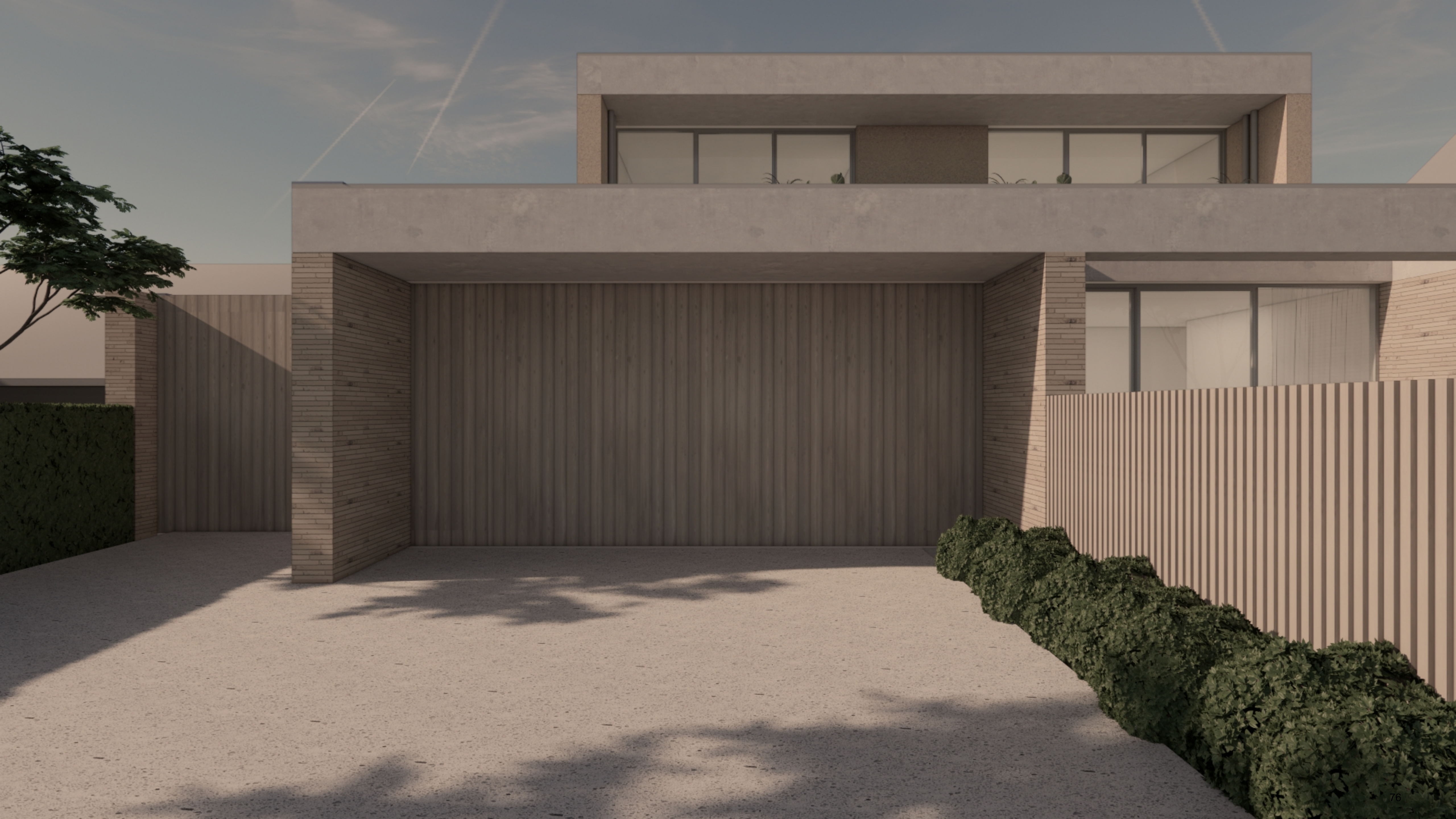
NOTE:
OUTDOOR SHOWER TO BE SHIELDED/PROTECTED FROM STORMWATER ENTRY IN ACCORDANCE WITH AS3500.2 (NOT PART OF RCI CONSULTING ENGINEERS EXTENT OF DESIGN CONSIDERATION.)

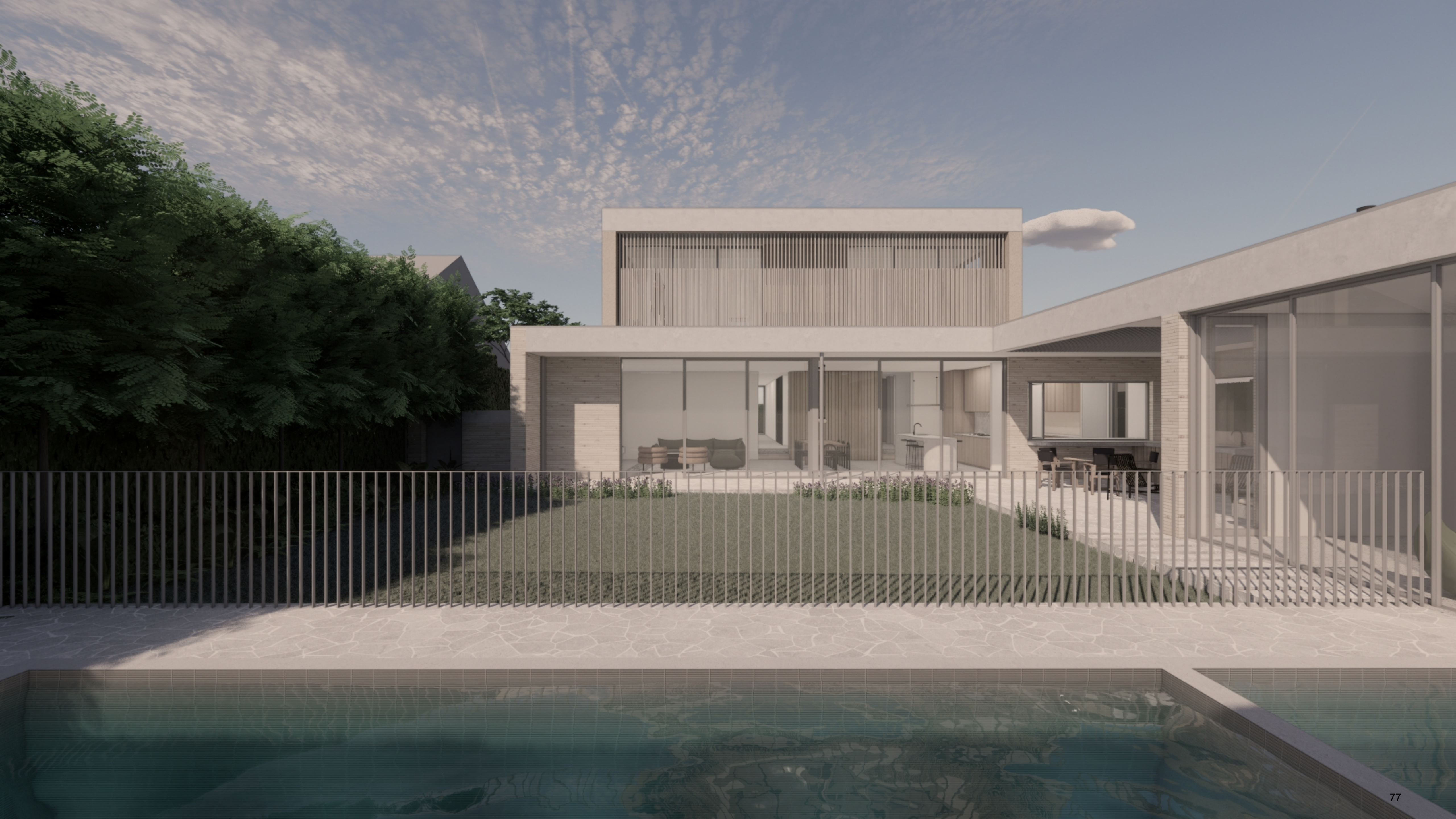
APPENDIX 3: ARCHITECTURAL RENDERS

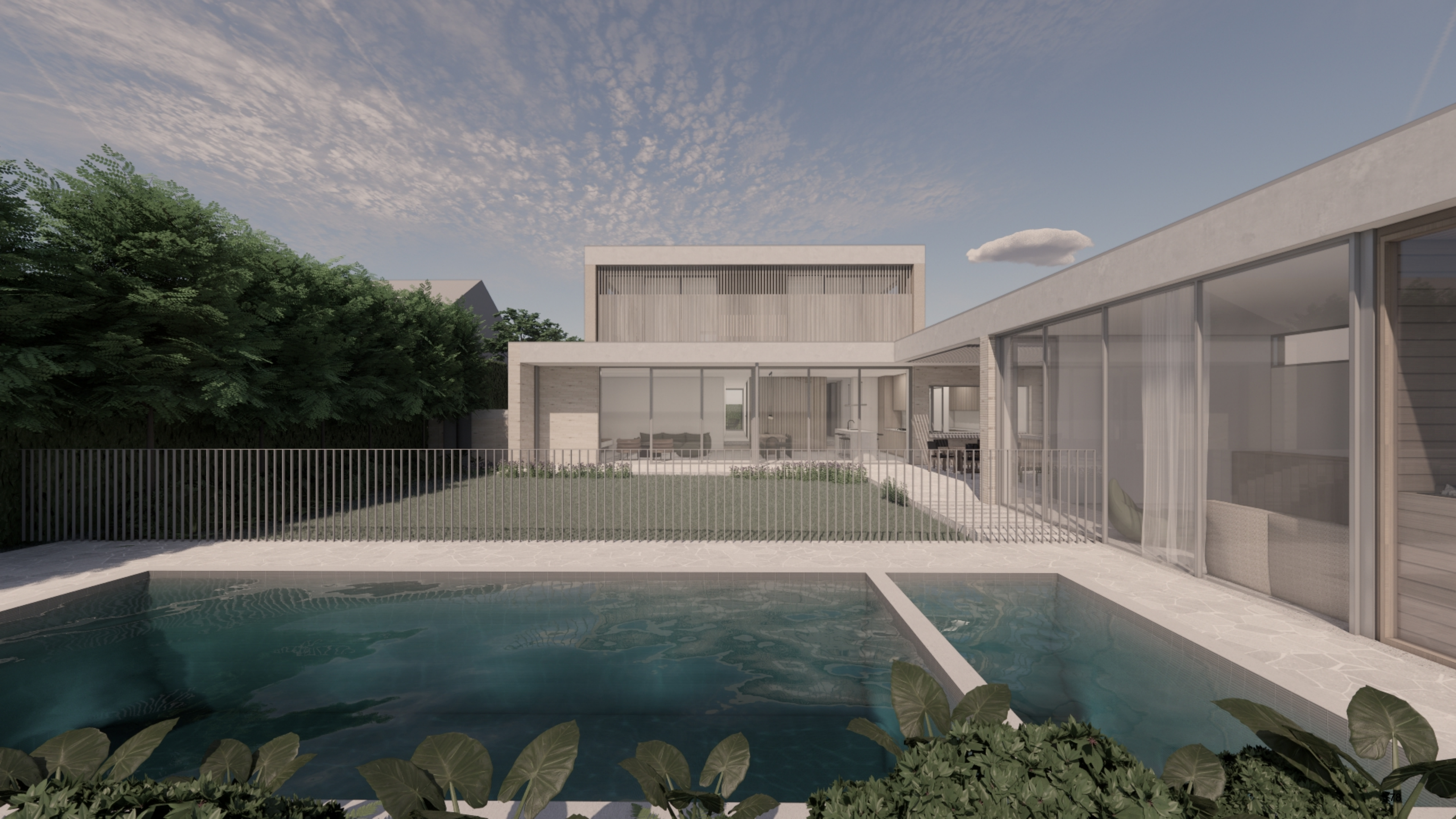


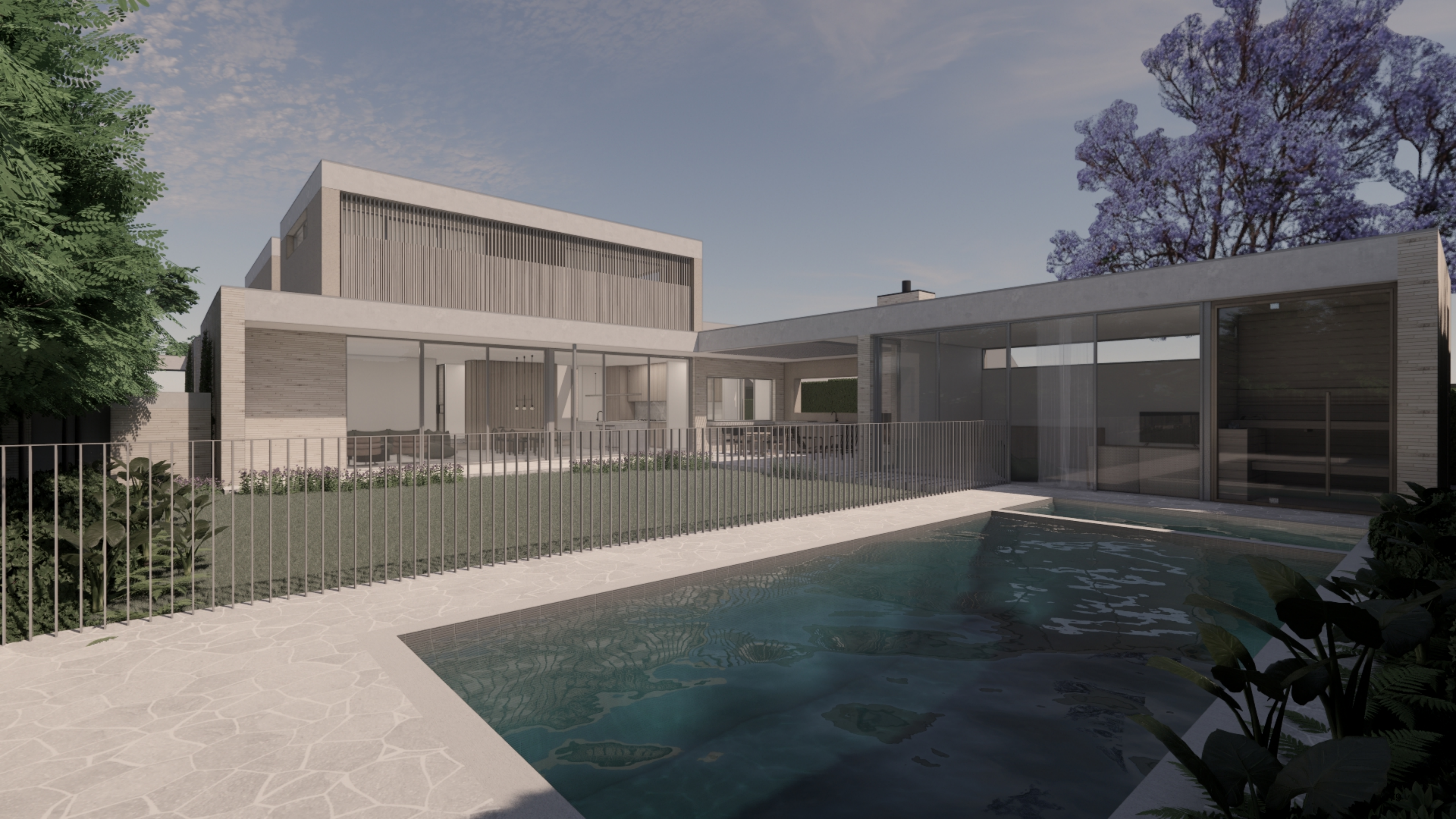


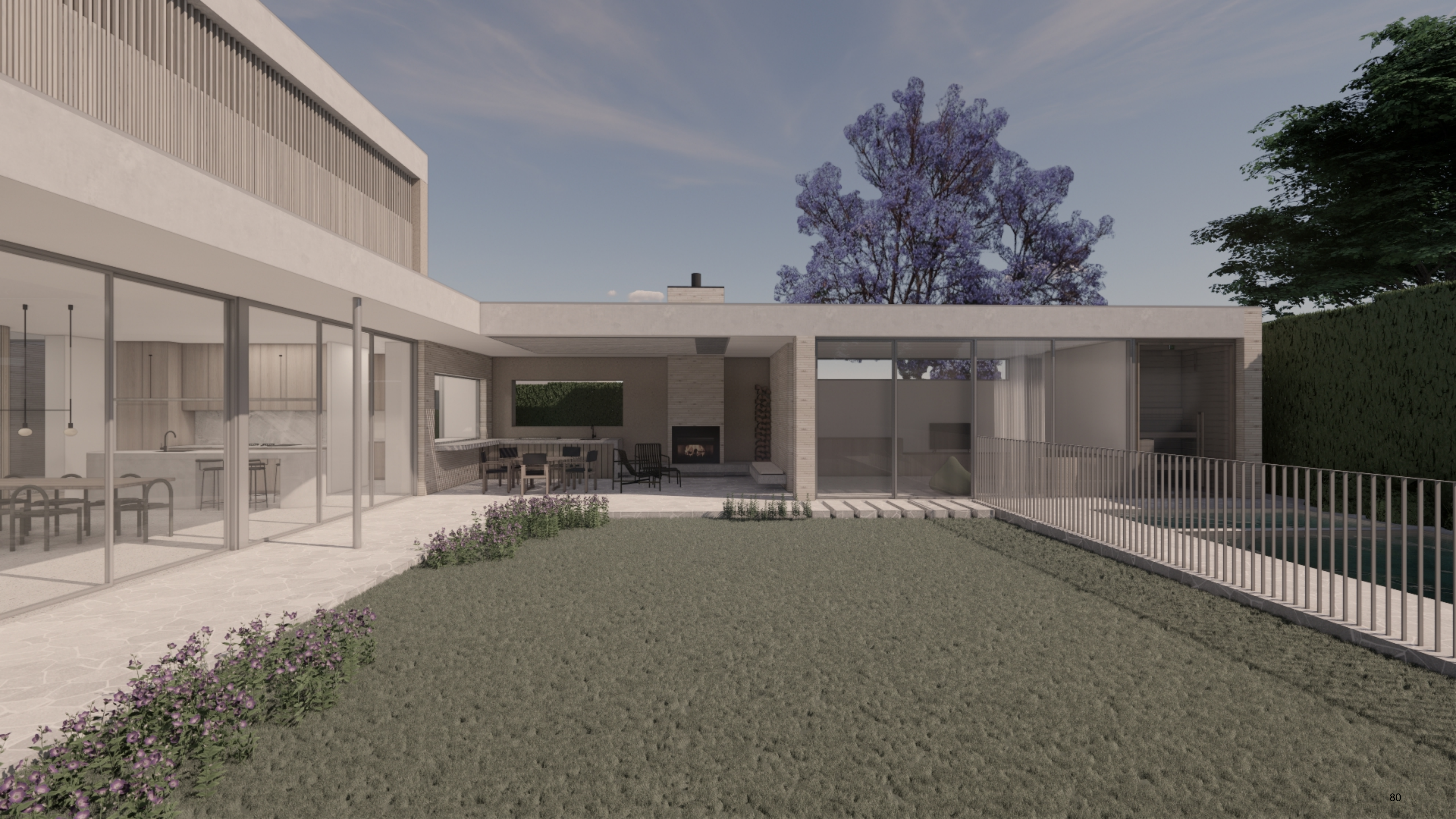


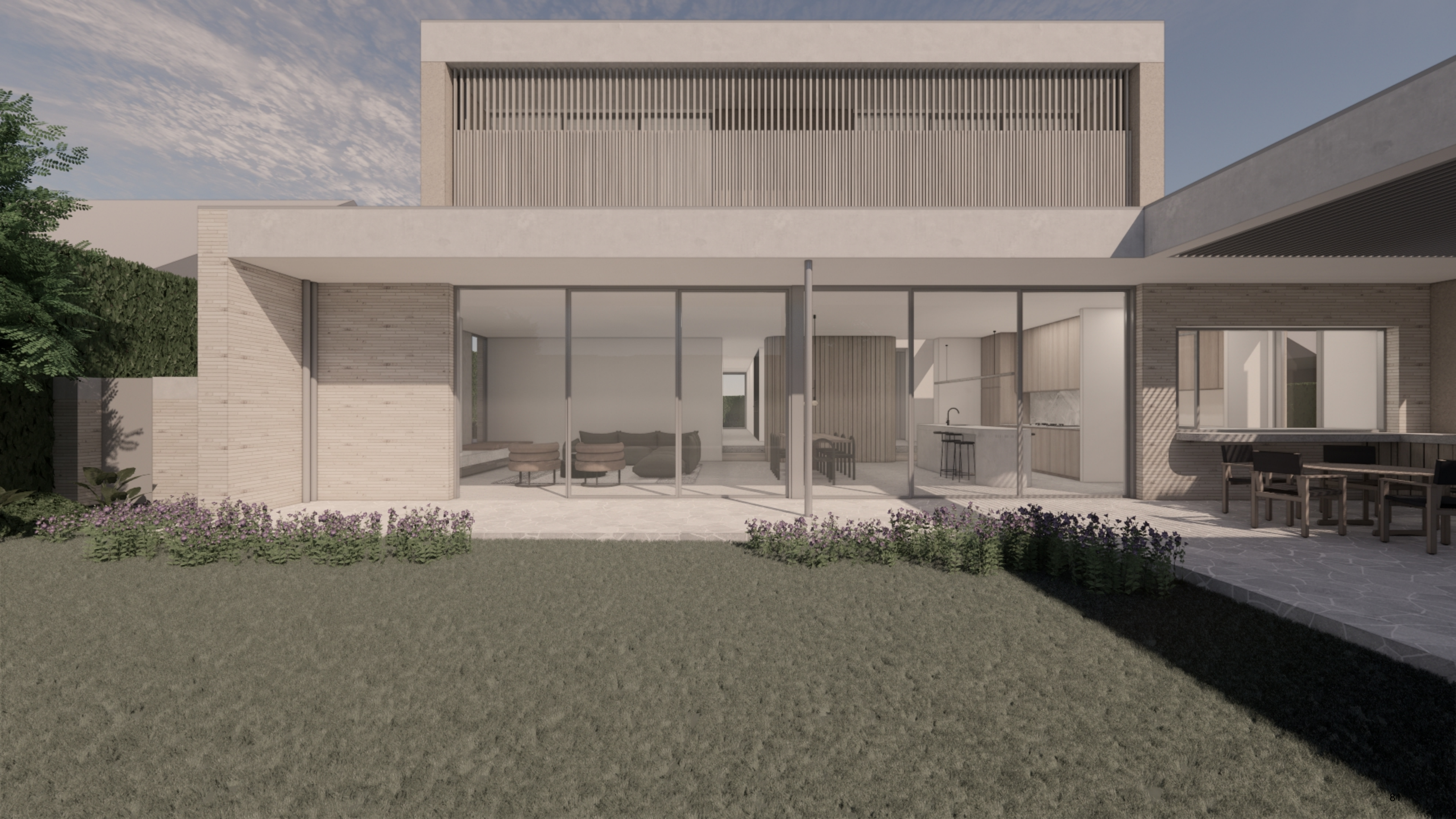


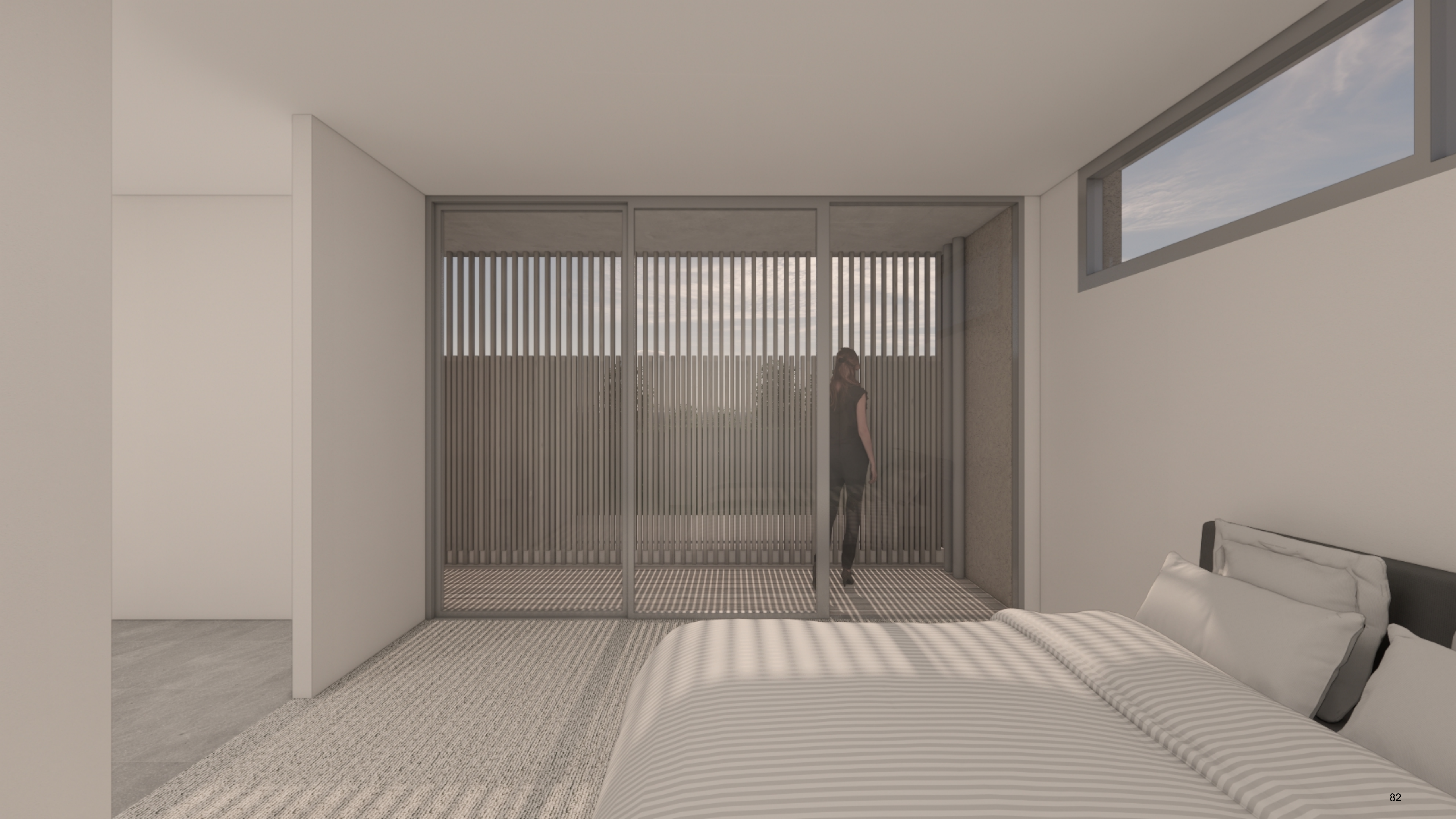






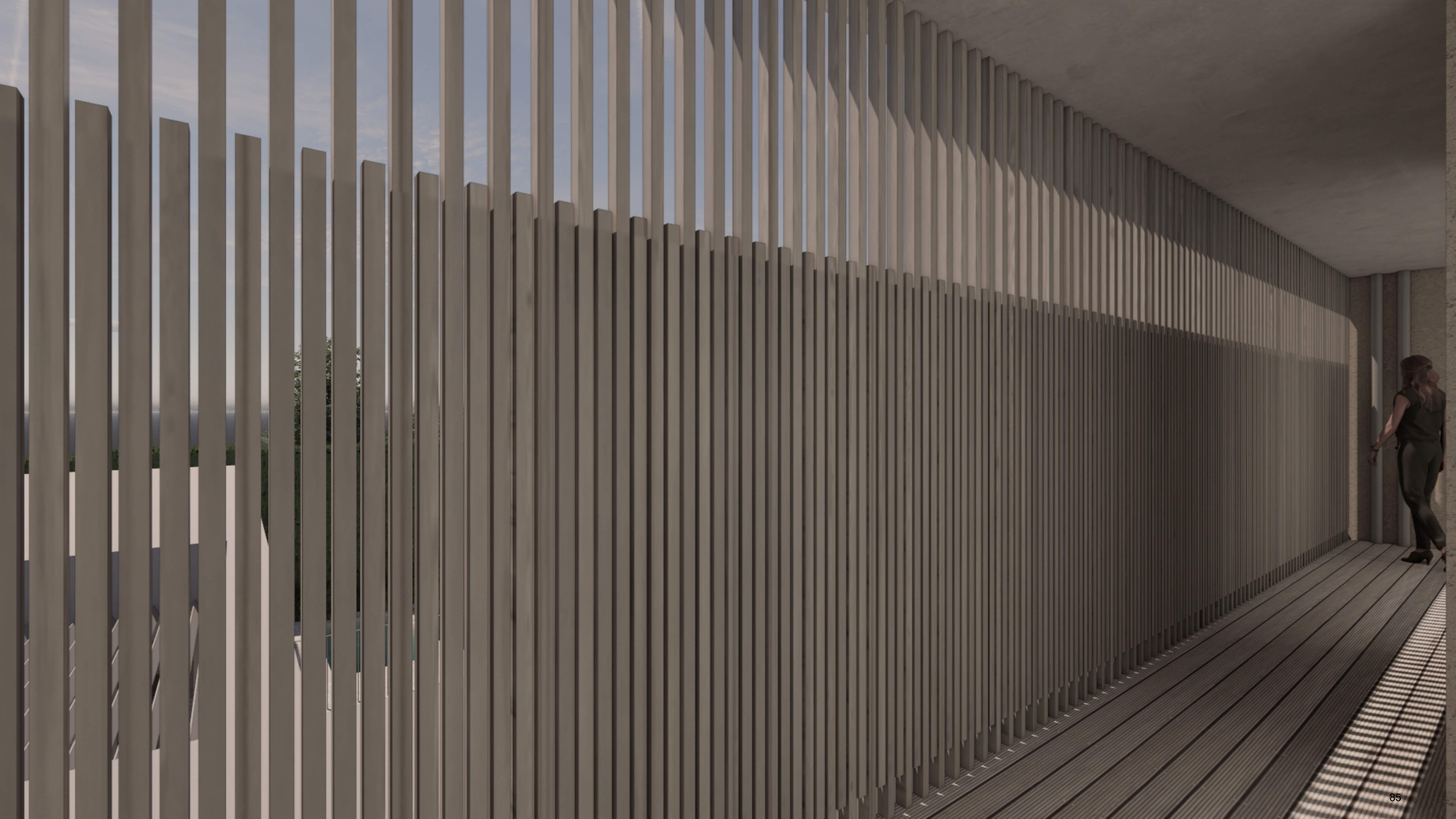


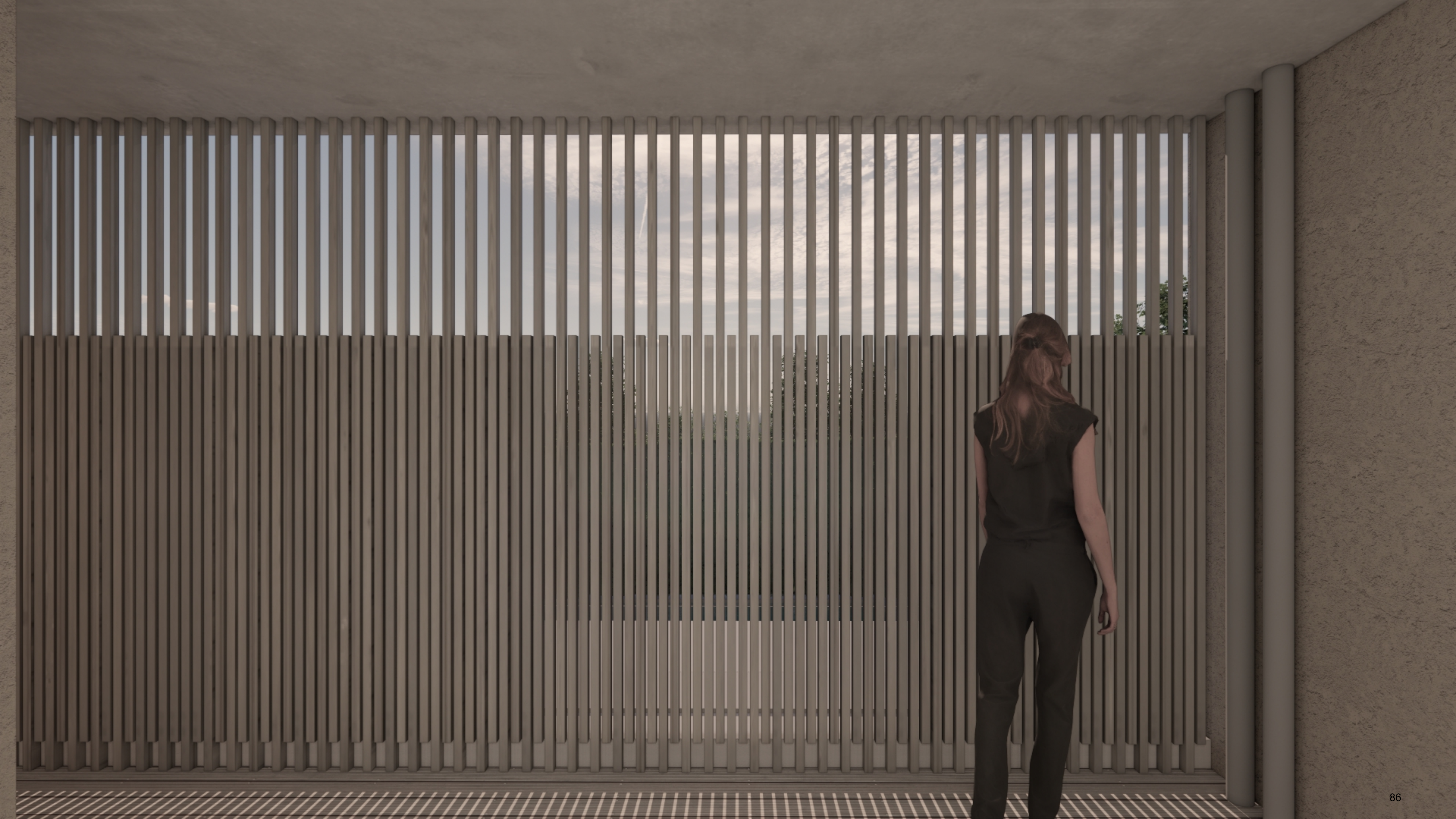


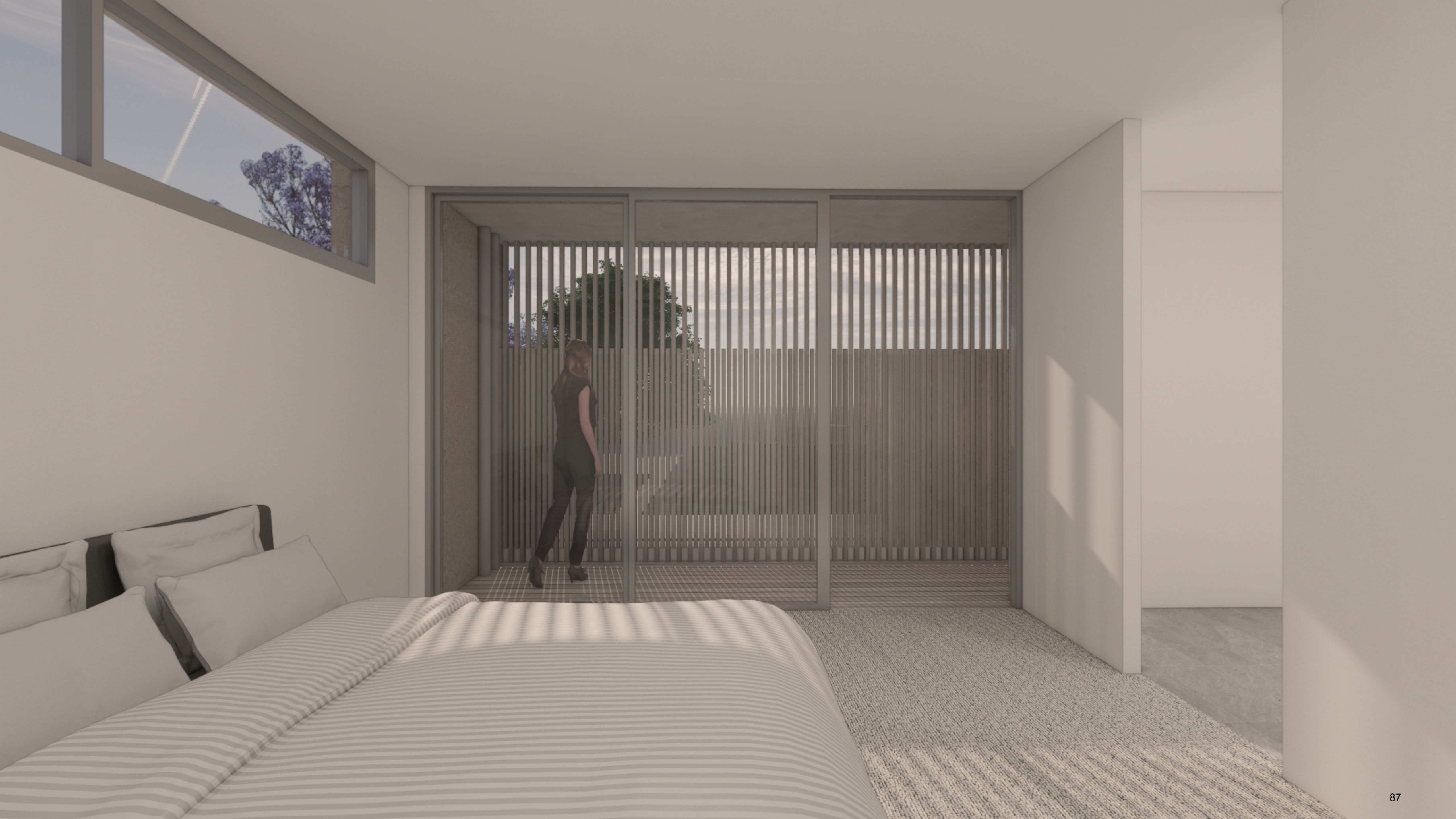


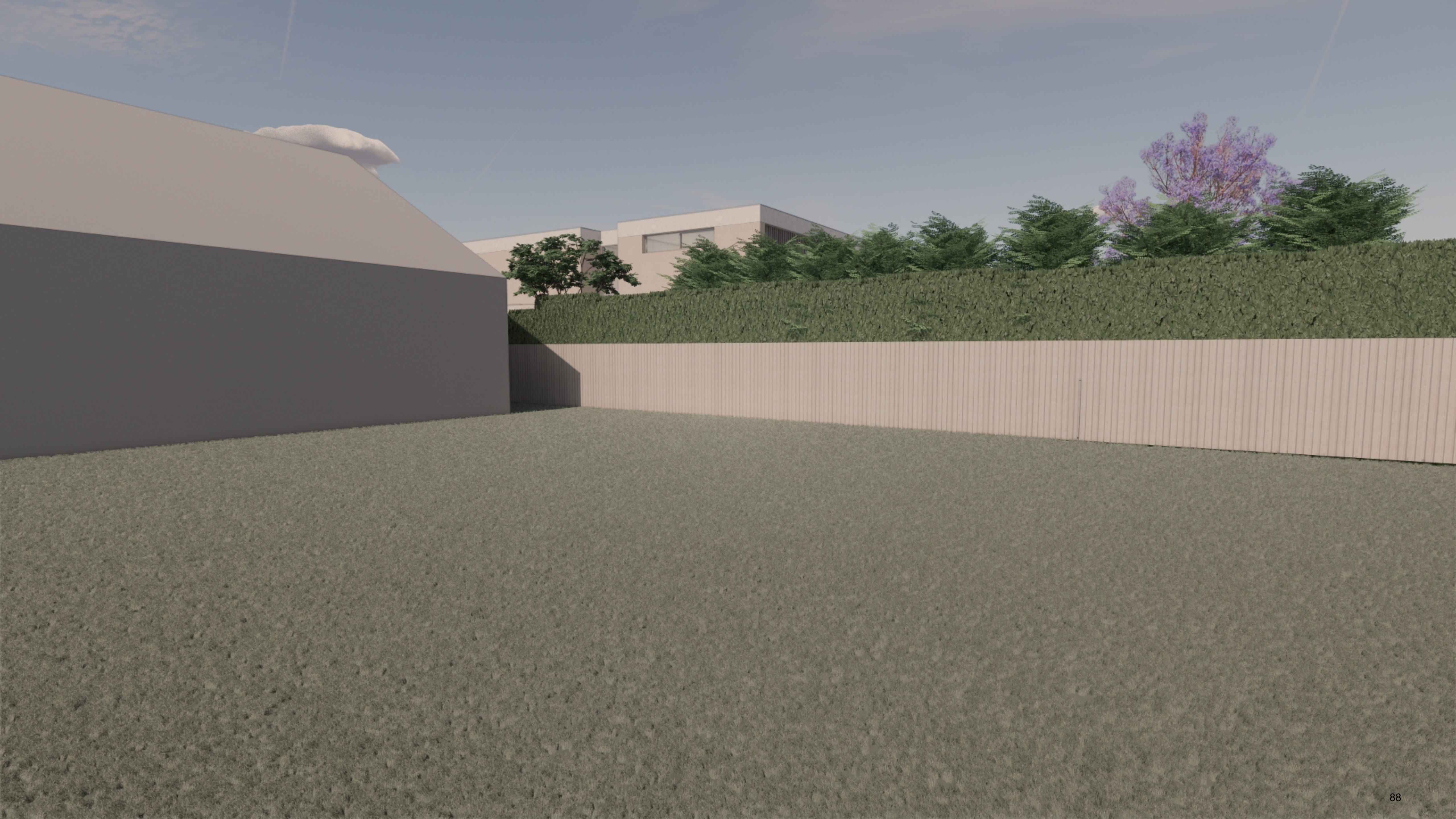


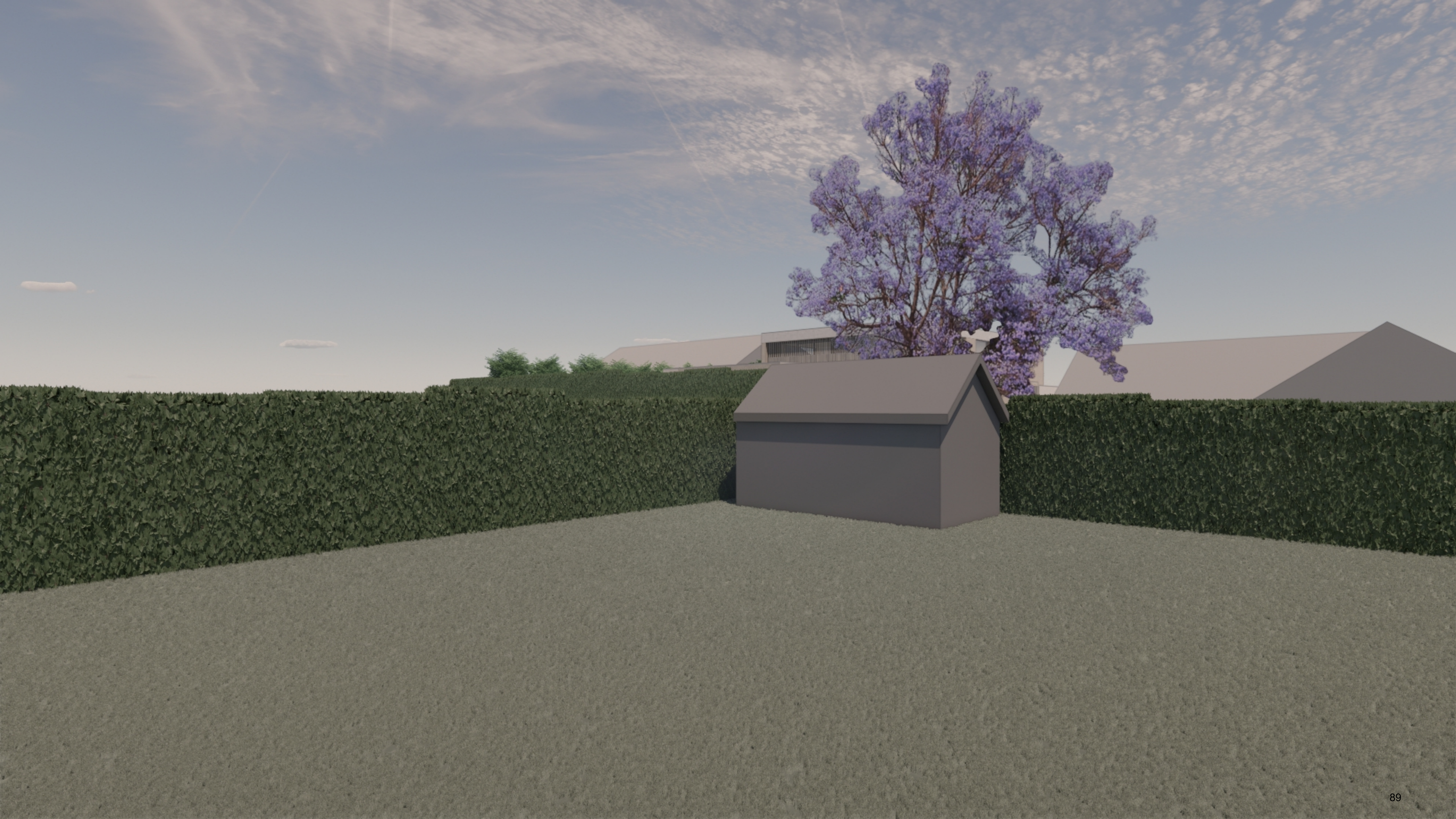












ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23036876
Proposal	Construction of a two storey detached dwelling and masonry front fence and installation of a swimming pool with associated safety barriers
Location	38 MALCOLM ST MILLSWOOD SA 5034

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	12/02/2024 12:01 PM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons height and overlooking	

Attached Documents

[REDACTED]

REPRESENTATION ON APPLICATION –
PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:

Development Number:

23036876

Nature of Development:

Zone/Sub-zone/Overlay:

Subject Land:

Contact Officer:

Phone Number:

Close Date:



My position is:

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

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

(see attached)

[attach additional pages as needed]



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

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

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

By: appearing personally
 being represented by the following person:

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




Date: 12/2/24.

Return Address:

Email:

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

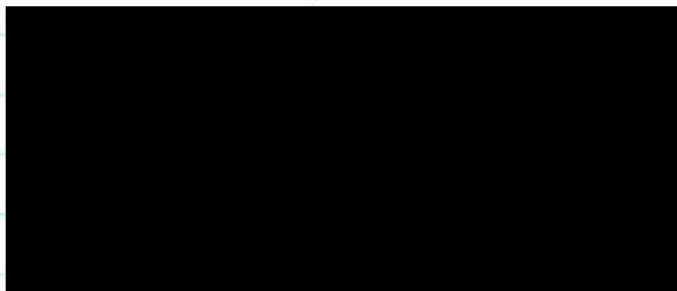


PLAN SA. Proposed Development
Application ID 23036876

We wish to comment on the proposed development
at 38 Malcolm Street, Millswood.

As an adjoining Owner, we are concerned that
our privacy could be affected by the construction of
this large two storey dwelling.

Yours sincerely



Height of building & overlooking concerns

Application to 23086871
Town of Pigeon Township

We wish to comment on the proposed development
of 23086871, 23086871

As an adjoining owner, we are concerned that
the proposed development will be a detriment to the
character of the area and the surrounding area.

Thank you for your attention to this matter.

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	13/02/2024 05:08 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	
The plan shows a balcony that overlooks and impacts the privacy of our back yard. It will devalue our property. It also affects the privacy of other adjoining neighbour properties.	

Attached Documents

Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	14/02/2024 04:49 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	
Please refer to PBA letter of 14 February 2024	

Attached Documents

[REDACTED]

14 February 2024

Presiding Member
City of Unley
Council Assessment Panel
Via the Plan SA Portal



Town Planning
Development Advice
Strategic Management

Attention: Mr Don Donaldson, Assessment Manager

Dear Mr Burman,

DEVELOPMENT APPLICATION 23036876 – REPRESENTATION

I refer to the above mentioned development application by Mr Darryl & Mrs Karmen Wakelin that seeks planning consent for the construction of a two storey detached dwelling and masonry front fence and the installation of a swimming pool with associated fencing on land located at 38 Malcolm Street, Millswood.

1. Introduction

I make the following representation on behalf of [REDACTED], the owner and occupant of the dwelling at [REDACTED] being the adjoining property to the each in relation to the proposed development. [REDACTED] have resided at this address for the past 3 years and value the character and amenity of this locality.

For reasons I discuss below, [REDACTED] call upon the Panel to refuse consent to this application in so far as it is at considerable variance to the relevant provisions of the Planning & Design Code to an extent that would have unacceptable impacts on their amenity and the character of the locality within which they reside.

In making this representation, we call upon the Applicant to reconsider certain aspects of the proposal and make appropriate amendments to the design to ameliorate these impacts. If appropriate changes are not made to the proposal, we call upon the Panel to decline planning consent.

2. Context

In assessing this development against the relevant provisions of the Code, it is necessary to have regard to the context in which it is proposed. This locality is characterised by a predominance of single storey character homes, a number of which are identified as local heritage places.

As articulated by the Code, this prevailing built form character is a valued attribute to which new development should respect and respond to in a considered manner. While acknowledging the opportunity for new housing on vacant land or that with incompatible buildings, the design response should be appropriate.

In this instance, the proposal seeks to construct a dwelling on a site used as a tennis court, swimming pool and outbuildings in conjunction with the adjoining residential property to the north at 31 Avenue Street. [REDACTED] acknowledge that development of this land for a dwelling is reasonable and expected.

Phillip Brunning & Associates

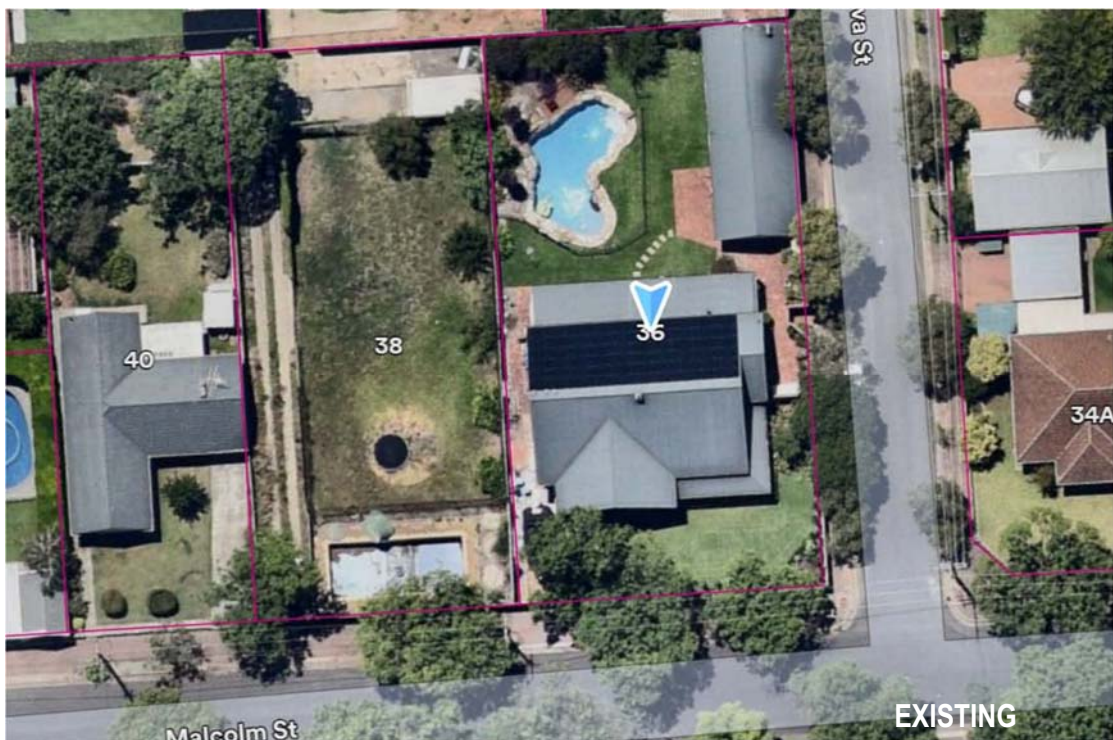
ABN 40 118 903 021

Level 1, 27 Halifax Street
Adelaide SA 5000
Mobile 0407 019 748
phil@phillipbrunning.com
www.phillipbrunning.com



Having said that, [REDACTED] seek to protect the character and amenity they current enjoy and expect that the development of this land be undertaken in a manner that is respectful of this experience and expectation. [REDACTED] trust that the Applicant may reconsider their approach in this regard.

To better understand the current and proposed arrangement I provide the following.





I also provide a photograph taken from the rear yard of [REDACTED] property showing the arrangement of the swimming pool to the rear of their dwelling enjoyed by the family, currently with absolute privacy. As you can appreciate, reduction in the level of privacy enjoyed in this area is a key concern to my client.



In addition to privacy, my client is concerned with the anticipated bulk and scale of the proposed two storey development when viewed from their property which is not only a dramatic change but very much uncharacteristic of the manner in which properties in this predominantly single storey locality relate to each other.



The above images has been prepared using 3D modelling software to represent the anticipated relationship of the proposed two storey dwelling as it would be experienced by [REDACTED]. I note more particularly the rectilinear form of the proposed building together with windows and balcony to the rear.

3. Planning & Design Code

This land is located within the Established Neighbourhood Zone. The land is also subject to a number of policy overlays including that in relation to Historic Area and Tree Canopy. Relevant General Development provisions include that in relation to Design in Urban Areas.

These policies while not mandatory in nature are nonetheless informative if not persuasive in the assessment task of the planning authority. Any departure from these provisions ought to be viewed cautiously and the implication of such thoughtfully considered and reconciled with the circumstance.

The community has a reasonable expectation that these policies are observed so as to maintain confidence in and the integrity of the planning system. Applicants ought to design within these parameters so as to respect the interest of those surrounding and maintain harmony in pleasant suburban areas such as this.

4. Assessment Considerations

I provide the following for your consideration in this regard.

4.1 Height, Bulk & Scale

The Code clearly limits building height to 1 level and 6 metres.

Local Variation (TNV) Maximum Building Height (Metres) (Maximum building height is 6m)
Maximum Building Height (Levels) (Maximum building height is 1 level)

In so far as consideration may be given to proposals that exceed these clearly articulated Technical Numerical Variations (TNV), careful consideration should be given to Performance Outcome 4.1. It is plainly apparent that this locality is predominantly single storey in nature.

PO 4.1 Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.

In so far as a second storey or additional height may be countenanced, the conventional design approach would be to accommodate this additional accommodation within the roof space either wholly or partially. This technique has not been adopted by the Applicant.

In combination with the rectilinear form adopted by the designer, the proposal would be wholly incongruent with the predominant built form character of this neighbourhood, to an extent that may not be reasonably described as sympathetic, as sought by Desired Outcome 1 for the Zone.

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

The proposal represents a dramatic contrast in the local building vernacular and one which would have consequential impacts not only to my clients and the surrounding locality, but more broadly in terms of an expectation by future applicants, if not a precedent, that may be referred to and relied upon.

4.2 Heritage Character & Design

Noting that policies for Overlays take precedence over those for the Zone, it is important to carefully consider the provisions for the Historic Area Overlay when assessing this proposal. These provisions are clear and appear to have not been appropriately considered and applied in the design of this building.

- DO 1 Historic themes and characteristics are **reinforced** through conservation and **contextually responsive development, design** and adaptive reuse that responds to existing coherent patterns of land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.
- PO 1.1 All development is undertaken **having consideration** to the historic streetscapes and built form as expressed in the Historic Area Statement.
- PO 2.1 The form and scale of new buildings and structures that are visible from the public realm are **consistent** with the prevailing historic characteristics of the historic area.
- PO 2.2 Development is **consistent** with the prevailing building and wall heights in the historic area.
- PO 2.3 Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the **prevailing** characteristics in the historic area.

The Historic Area Statement is clear that historic character of this area is derived from attributes such as hipped and gable roof forms, open verandahs, building height, façade composition, traditional architectural styling, materials and finishes, recessive garage elements, low and permeable fencing and landscape setting.

The proposal does not display these attributes and is in clear contrast.

The Code is more specific with respect to streetscape character.

- PO 6.1 The width of driveways and other vehicle access ways are **consistent** with the prevailing width of existing driveways of the historic area.
- PO 6.2 Development **maintains** the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.

The proposal presents 3 garage doors to the street, only one of which is recessed behind the main facade, and while the driveway is tapered results in an arrangement that is uncharacteristic of this locality and clearly at odds with the above provisions. I also note the high masonry fence to the street which is likewise uncharacteristic.

With respect to garage door dominance, the following Zone provision is also relevant.

- PO 10.1 Garages and carports are designed and sited to be **discreet and not dominate** the appearance of the associated dwelling when viewed from the street.

- DPF 10.1 Garages and carports facing a street (other than an access lane way):
- a) **are set back at least 0.5m behind the building line of the associated dwelling**
 - b) **are set back at least 5.5m from the boundary of the primary street**
 - c) **have a total garage door / opening width not exceeding 30% of the allotment or site frontage, to a maximum width of 7m.**

I expect that Council's heritage advisor will have more to say in this regard.

4.3 Privacy

Privacy is a key determinant of amenity. Code provisions in relation to this important consideration are expressed in two parts, firstly a Performance Outcome followed by a Designated Performance Feature provided as one way of satisfying or achieving the former. I also note the following narrative provided by the Code.

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.

I consider this clarification important when applying the policy provisions

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

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

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

PO 10.2 Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.

DPF 10.2 One of the following is satisfied:

- a) the longest side of the balcony or terrace will face a public road, public road reserve or public reserve that is at least 15m wide in all places faced by the balcony or terrace or
- b) all sides of balconies or terraces on upper building levels are permanently obscured by screening with a maximum 25% transparency/openings fixed to a minimum height of:
 - i. 1.5m above finished floor level where the balcony is located at least 15 metres from the nearest habitable window of a dwelling on adjacent land or
 - ii. 1.7m above finished floor level in all other cases

Acknowledging that *mitigate* means *make milder or less intense*, these provisions should be interpreted and applied having regard to the specific circumstance which in this instance involves a swimming pool on the adjoining property, the users of which currently enjoy a high level of privacy.

My client is seriously concerned that the rear facing balcony and upper level windows are arranged such a way that a person on this level may look into my client's property and the swimming pool area, if not purposely but certainly inadvertently. Regardless of intention, an erosion of privacy will result.

Can I say that when it comes to swimming pools, users (particularly children) have a reasonable expectation that they are not going to be overviewed from upper level windows and/or balconies. Given the predominately single storey scale of buildings in this locality, overlooking is not a common experience and rightfully so.



While the Applicant may seek to rationalise this arrangement on the basis that the balcony is to have a solid balustrade to 1.5 metres high as per the DPF, we say that the overarching Performance Outcome with respect to privacy will not be met in so far as eye level is typically somewhat higher.

Whereas the proposed arrangement may limit the potential for a person to overview my client's property from inside the building, if on the balcony there will be no meaningful or effective restriction of view to the east on an oblique angle given the limited extent of the side wall, as demonstrated by the image above.

The Applicant may then suggest an extension in the length of this side wall at the upper level to afford more screening. In addressing this privacy consideration (to some degree), the consequential effect would be to exacerbate the visual bulk of this upper level when viewed from my client's property.

The form, bulk and scale of this upper portion of the building, if not the building as a whole, is very much atypical of that which characterises this locality. I suggest that if a more nuanced approach was taken with respect to the design of the upper level (if not the building as a whole) both objectives may be satisfied.

While this dwelling may be attractive in its own right, its design is not informed by or respond positively to its surroundings. This locality has a clearly described character that differentiate it from other locations within the Neighbourhood Zone and accordingly the design of new buildings should respond positively to and reinforce such.

Council has considerable experience in dealing with proposal such as this and on any number of occasions has resolved to decline consent. A precautionary approach is entirely justified in a locality such at this which displays high levels of amenity and a valued historic character.

I believe that my client's expectations in this regard is entirely justified.

5. Conclusion

In summary, the following concerns are held with respect to the proposal:

- the building exceeds the maximum building height specified by the Code and in doing so will result in a form bulk and scale of building very much uncharacteristic of and inconsistent with this locality which is predominantly single storey;
- the design is not contextually responsive or sympathetic to the historic character of this locality, failing to display important attributes that reinforce this value character which differentiates it from other locations within the Zone more generally; and
- the opportunity for overlooking into the swimming pool area of my client's property is unreasonable in the circumstance and that appropriate measures should be taken to remedy such an adverse and otherwise avoidable outcome.

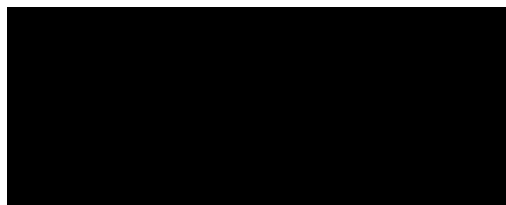
Accordingly, I say that the proposal in its current form is not worthy of consent.

Should the Applicant pursue amendments to this proposal, I seek the opportunity to review and advise my client further. Further, I would encourage the Applicant to speak directly with my client in an endeavour to find a resolution.

As provided for, I seek the opportunity to address the Panel.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



PHILLIP BRUNNING RPIA

Registered Planner

Accredited Professional – Planning Level 1

ATTACHMENT 3

March 22, 2024

Amelia De Ruvo
 Planning Officer
 City of Unley

Via: The PlanSA Portal

Dear Amelia,

RE: RESPONSE TO REPRESENTATIONS – ID 23036876
RE: 38 MALCOLM STREET, MILLSWOOD

We have been instructed by the Applicant, Karmen and Darryl Wakelin, to respond to the concerns raised by third parties during the course of the mandatory public notification period in which three (3) representations were received. On review of the representations, I note that one representor supports the development with some concerns and two representors oppose the development. All three representors have expressed a desire to be heard.

With a view of addressing the planning matters raised where valid, amended or additional information is provided to address the concerns regarding overlooking with additional screening to the rear upper level balcony.

Representations

The concerns raised in the representations are summarised in **Table 1** below.

A detailed response to each issue raised in association with the public notification of the application is provided thereafter.

Table 1 Summary of issues raised by representors

<p><u>Building Height, Appearance and Design</u></p> <ul style="list-style-type: none"> the proposed building height is less than or commensurate with adjoining dwellings and consistent with the Historic Area the proposed development provides a contemporary architectural response to the attributes observed in the Historic Area
<p><u>Overlooking</u></p> <ul style="list-style-type: none"> the amended proposal provides extensive upper-level screening
<p><u>Precedent</u></p> <ul style="list-style-type: none"> the notion of a precedent does not find voice in the Planning and Design Code

Response to Representations

A response to the key issues raised by the representations follows.

Building Height, Appearance and Design

Three representors expressed concern over the height of the proposed building, with one representor concluding that:

“the building exceeds the maximum building height specified by the Code and in doing so will result in a bulk and scale of building very much uncharacteristic of and inconsistent with this locality which is predominantly single storey”.

Our submission in response to the Councils RFI dated 17 January 2024 addressed the extent of two storey dwellings in the Historic Area and for brevity is not repeated.

It is well established that the Code does not “clearly limit building height to 1 level and 6 metres” as a result of the TNV. A TNV simply provides a variation to a policy without the need to apply an entirely new policy within a zone, subzone or overlay. Part 1 Rules of Interpretation provides the following: (my underlining for clarity)

The requirements specified or reflected in technical or numeric variations form part of the planning rules to apply to the assessment of development, as relevant, through the classification tables and other provisions that make reference to these matters in specified circumstances. In varying a particular policy, these specific provisions or policies may be spatially applied without the need for the Code to apply the specific policy through a separate zone, subzone or overlay.

In correctly applying the policies of the Code, the matter of *Garden College v City of Salisbury SAERDC* 10 (24 June 2022) provided the following guidance: (my underlining)

In this State, it has been repeatedly stated by the higher courts that the provisions of a Development Plan made under the Development Act 1993 are not to be construed like a statute,[36] and cannot be interpreted as strictly as a statute.[37] This statement of principle recognises that in order to determine the intended meaning of provisions in a planning document “couched in the language of planning objectives and principles, rather than legal obligation, ...it may be necessary to have regard to either or both the overall purpose and objectives of the relevant...Plan”.

Based on our review of the above policies, we have formed the opinion that the Zone does not preclude two-storey dwellings. One reason for why we have concluded as such is because the Technical and Numeric Variation (‘TNV’) identified in Zone DTS/DPF 4.1 is not ‘woven’ into Zone PO 4.1 in a manner that is replicated other zones within the Code.

To that end, other zones in the Code utilise building height POs that expressly reference the building height TNV in the corresponding DTS/DPF; whilst also advocating for development that responds to its local context, including site dimensions and characteristics. Conversely, Zone PO 4.1 does not expressly reference the TNV, choosing instead to advocate for development in a purely qualitative fashion i.e. development that contributes to the prevailing character and complements the height of nearby buildings.

For example, in the Urban Neighbourhood Zone, the corresponding PO with respect to building height provides:

Building height is consistent with the form expressed in the Building Height (Maximum Levels) Technical and Numeric Variation and the Building Height (Maximum Metres) Technical and Numeric Variation, and otherwise positively responds to the local context including the site's frontage, depth, and adjacent primary street width.

The effect of the omission of this wording in respect of building height in the Code means the TNV defaults to a DPF, with its primary role to determine the procedural matter of public notification.

In relation to DPFs, the Code states the following:

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.

We note the above was reinforced in the recent judgement of Her Honour Judge Thomas Commissioner Nolan and Commissioner Dyer in *Garden College v City of Salisbury [2022] SAERDC 10*.

Having confirmed that a TNV is not to be applied as a legal obligation or statute, an assessment of the “pros” and “cons” must be undertaken with regard to the relevant planning policies. An assessment of the proposal’s consistency with the Historic Area Overlay is provided as Table 2.

Table 2 Historic Area Overlay

Historic Area Overlay	Proposed
<p>PO 2.1 The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.</p>	<p>PO 2.1 seeks that form and scale are “consistent with the prevailing historic characteristics of the <u>historic area</u>” with the historic area a much broader catchment than the streetscape or locality. Apparent from the public realm in the Historic Area are a broad range of Victorian and Turn-of-the-Century double-fronted cottages and villas are observed as well as to Inter-War era housing including bungalows, Tudors, art deco and complementary dwellings. Noting the broad range of dwelling styles in the historic area, the predominant characteristics include masonry construction, buildings that are wider than they are tall, generous to very generous wall heights, windows, often with vertical elements that address the primary street and highly varied roof forms including hip, valley, gable and flat.</p> <p>It is also apparent that there are many examples of modern architecture in Malcolm Street itself and the wider “neighbourhood” as sought by the Code. The proposal is clearly consistent with some of those forms of dwellings already existing in the historic area which covers most of the City of Unley.</p>
<p>PO 2.2 Development is consistent with the prevailing building and wall heights in the historic area.</p>	<p>As a result of the broad range of dwellings observed in the historic area, wall and building heights are typically in the order of 3.2m (wall heights) and 6.0 metres or greater (building heights) with the presence of much larger two storey noted. Given the vast array of dwelling styles across the “historic area” wall heights are clearly consistent.</p>

<p>PO 2.3 Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.</p>	<p>Prevailing characteristics are broad with PO 2.3 seeking for development to be “good together”, i.e., complement/ however not the same.</p> <p>The contemporary response avoids a pastiche heritage approach, with a view of sitting within the streetscape while providing an honest architectural response. It is important to note this PO does not seek design to be “consistent” but rather, “complement”. This is an important distinction as other PO’s within the Historic Area Statement do seek consistency rather than complementary responses for new buildings meaning that hipped or pitched rooves are not sought. Any suggestion that a pitched roof is expressly sought by the Code in this Zone are refuted and is with respect, an erroneous interpretation of the Code.</p>
<p>PO 2.4 Development is consistent with the prevailing front and side boundary setback pattern in the historic area.</p>	<p>Moderate front boundary setbacks are observed and repeated by the proposed development. Likewise, side boundary setbacks include a more generous side setback to one side of the building and increased space around buildings resulting from pitched roofs and recessed upper levels are repeated by the proposal.</p>
<p>PO 2.5 Materials are either consistent with or complement those within the historic area.</p>	<p>PO 2.5 seeks for materials to be either consistent with or complement those within the historic area. The proposed face brick (sample supplied to Council) provides an honest and complementary response to the prevalence of solid materials such as sandstone, bluestone, brick and rendered brick. Likewise, the high solid to void ratio often expressed in older dwellings is repeated by the proposal. The modern interpretation of the open picket fence style is also repeated. Mimicry of historic materials is clearly not sought and this proposal represents a modern interpretation of those materials and manner in which they have been applied.</p>
<p>PO 6.1 The width of driveways and other vehicle access ways are consistent with the prevailing width of existing driveways of the historic area.</p>	<p>The 5.170 metre wide driveway comprises a width under 25% of the allotments frontage of 20.73 m and provides consistency with those observed historic area.</p>
<p>PO 6.2 Development maintains the valued landscape patterns and characteristics that contribute to the historic area, except where they compromise safety, create nuisance, or impact adversely on buildings or infrastructure.</p>	<p>The proposed development maintains the valued pattern comprising a spacious streetscape with a wide street and verges and the retention of mature street trees. The proposal will also increase canopy coverage from the existing unused tennis court adding to the landscape of the area.</p>

Consistency and complementarity with the relevant provisions of the Historic Area Overlay have been established, with planning merit displayed.

Overlooking

Three representors raise concern about a loss of amenity resulting from overlooking. The Code seeks to mitigate direct overlooking by way of the following provisions: (my underlining)

Part 4 - General Development Policies – Design in Urban Areas

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

PO 10.2 Development mitigates direct overlooking from balconies to habitable rooms and private open space of adjoining residential uses in neighbourhood type zones.

Amended architectural plans have been prepared which raise the height of the screened portion of the rear upper level to 1.8 m, while further lighter screening is provided for the remaining height of the rear upper level.

Having considered the amended proposal, the privacy screening employed not only achieves, but goes beyond the Performance Outcomes that guides overlooking and visual privacy. The applicant trusts that the amended proposal suitable resolves the representors concerns.

Precedent Effect

A concern has been raised that the grant of an approval for this application may set a precedent for other similar developments in the street.

Genuine as the concern about “precedent” and future development may be, they are irrelevant to the assessment of this application. There is no planning doctrine of precedent that has the effect that because one development has been approved so should another with Bleby J in the matter of *Gibson v Adelaide Hills Council* [2005] SASC 467, per [at 3132]).

The case authorities make it clear that the so called “precedent effect” (namely the possibility that the proposed development may establish an unwanted example) is not relevant to the assessment of a development application, which must be considered on its own merits based on the relevant facts and evidence at the time of the application (see Gibson v Adelaide Hills Council [2005] SASC 467, per Bleby J [at 31]; City of Charles Sturt v Hatch [1999] SASC 523). The assessment of this application and any future development applications must each be considered on their own merits based on the relevant facts and evidence, without regard to the possible precedent effect or developments which have been approved in other areas or zones.

As the notion of precedent does not find voice in the Code, these concerns do not alter the merit displayed.

I trust this adequately responds to the written representations received by the Council. I look forward to this matter being presented to the next available Assessment Panel meeting, and confirm I will be in attendance to answer any queries of the Panel.

Yours sincerely,



Marc Duncan
Director

ITEM 6.1**APPLICATIONS BEFORE THE ERD COURT - SUMMARY OF ERD COURT APPEALS**

TO: City of Unley Council Assessment Panel

FROM: Don Donaldson, Assessment Manager

SUBJECT: Summary of ERD Court Appeals

MEETING DATE: April 16th 2024

APPEALS - 1

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status
DA22040422 - 7 Thornber Street, Unley Park	Demolition	Refused by CAP, March 21 st 2023	Appealed to ERD, conference adjourned until June 12 th 2024