

CAP Meeting Agenda

Presiding Member: Mr Brenton Burman

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 23 January 2024 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Don Donaldson

Assessment Manager

Dated: 10/01/2024

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

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ITEM 4.1**DEVELOPMENT APPLICATION – 23015618 – 86A EAST AVENUE, CLARENCE PARK SA 5034**

DEVELOPMENT NO.:	23015618
APPLICANT:	Rossdale Homes
ADDRESS:	86A EAST AV CLARENCE PARK SA 5034
NATURE OF DEVELOPMENT:	Construction of a two-storey detached dwelling and combined retaining wall and fence to a height of 2.2m
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Suburban Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Building Near Airfields • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 9m) • Minimum Frontage (Minimum frontage for a detached dwelling is 9m; semi-detached dwelling is 7.5m; row dwelling is 7m; group dwelling is 22m; residential flat building is 22m) • Minimum Site Area (Minimum site area for a detached dwelling is 350 sqm; semi-detached dwelling is 350 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE:	26 Oct 2023
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.14 - 12/10/2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia De Ruvo Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Arboriculture
RECOMMENDATION	Support with conditions
ATTACHMENTS	Attachment 1 - Plan Set & Supporting Documentation Attachment 2 - Representations Attachment 3 – Response to representations Attachment 4 – Plan of Division

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DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks to construct a two-storey detached dwelling and combined retaining wall and fence to a maximum height of 2.2m. The contemporary style dwelling will be constructed using a variety of materials including masonry elements such as face brick and stone as well as lightweight rendered panel and metal roof sheeting. The proposed plans are contained within **Attachment 1**.

The proposed dwelling will be sited on the northern allotment, Lot 742, as approved under the land division application 22017964, approved 30 June 2022. The dwelling will be comprised of four bedrooms, three bathrooms (one being an en-suite), open plan kitchen (with pantry), living, dining and study area, study, laundry, double garage and alfresco under the main roof.

Vehicular access to the dwellings will remain through the existing vehicular crossover from the north side of the allotment.

The proposal also seeks to construct a combined retaining wall and fence to a maximum total height of 2.2m along the southern boundary of the subject site for a length of 11.99m. Fencing to the remaining boundaries is to be 1.8m high pre-coloured steel fencing.

SUBJECT LAND & LOCALITY:

Location reference: 86A EAST AV CLARENCE PARK SA 5034

Title ref.: CT 6277/957 **Plan Parcel:** D130844 AL742 **Council:** CITY OF UNLEY

Site Description:

The subject land is located within the **Suburban Neighbourhood Zone**. The subject land is sited on the western side of the East Avenue and is a rectangular shaped allotment with a 9.65m frontage, a depth 36.57m with an approximate site area of 352.9m². The subject land is not affected by any easements or encumbrances.

The subject land, currently cleared of vegetation and structures, falls gently from the east to the western side of the allotment with a fall of approximately 350mm.



Figure 1: View of the subject land from East Avenue.

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Locality:

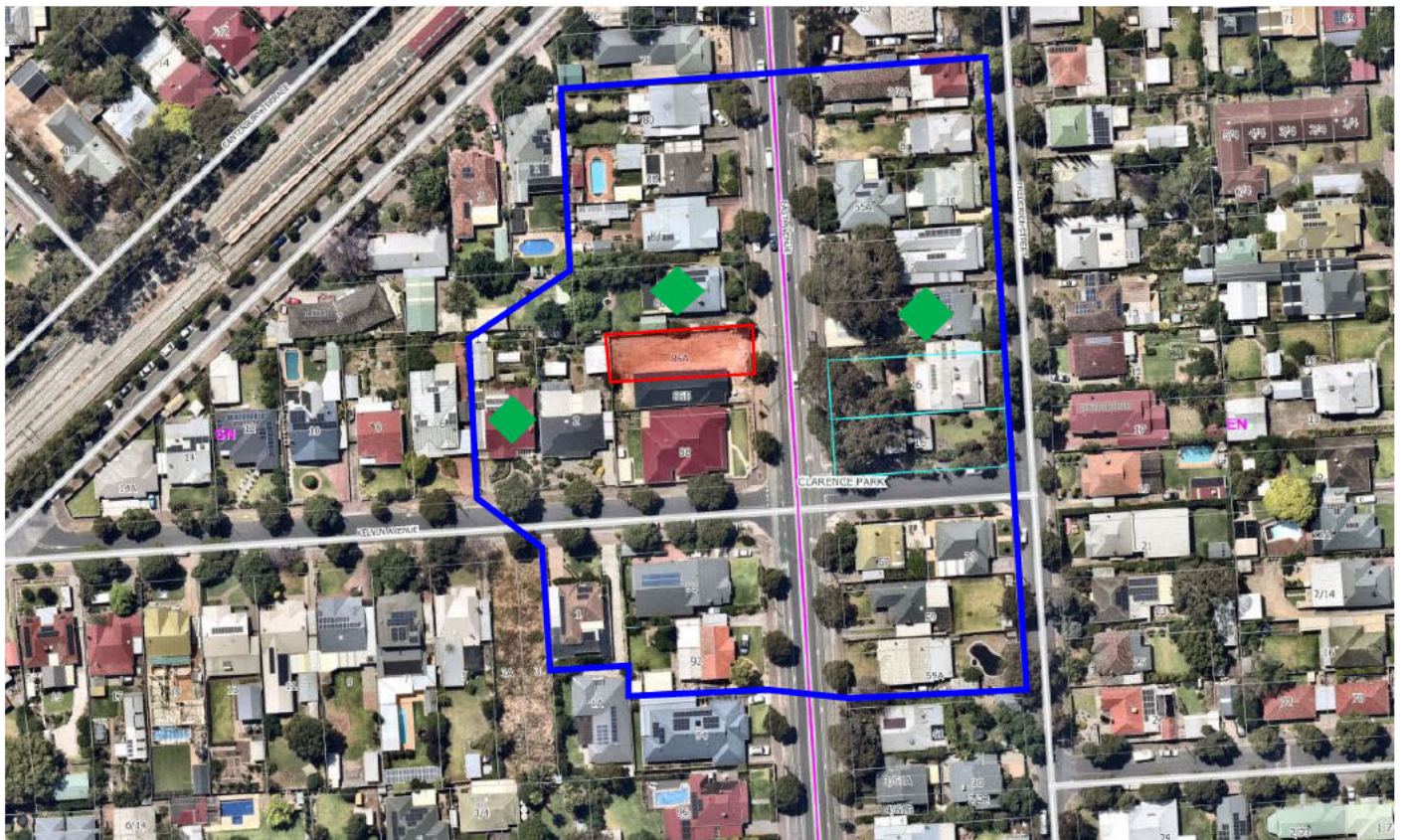
When determining the locality of the subject land the general pattern of development and the extent to which the proposed development is likely to impact surrounding occupiers and landowners was considered. The locality is located within both the **Suburban Neighbourhood Zone** and the **Established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

Residential development in the locality is comprised of single storey detached dwellings, sited predominantly on regular shaped allotments with site areas ranging between 350m² to 1500m². The locality is characterised by varying dwelling styles including original character buildings, such as cottages and bungalows, with these interspersed with conventional dwellings, contemporary dwellings and more recent infill of later eras. This results in a mixed streetscape character.

The locality is well vegetated with numerous large trees on private land and mature vegetation found within street verges and private land.

Locality Plan

All three representors live within the locality of the subject land.



Subject Land



Locality



Representor

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Figure 2: Aerial view of the zone boundaries



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
New housing
Detached Dwelling: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Suburban Neighbourhood Zone – Table 5 – Procedural Matter (PM) – Notification – Clause 3(2)(b) the dwelling results in a boundary wall exceeding 3m in height when measured from the top of the footings, therefore is not an excluded form of development and requires to be publicly notified.

As part of the public notification process 28 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 representations, two who are opposed to the development and one in support of the development. Two of the representors have sought to be heard by the Council Assessment Panel.

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Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
	I oppose the development	Yes	Self
	I support the development	No	
	I oppose the development	Yes	Self

Summary:

The two representors who do not support the development, raised the following concerns:

- Overlooking;
- Dwelling is not in keeping with the single storey nature of the locality;
- Boundary to boundary development;
- Garage dominance with small entry door; and
- No on-street vehicular parking;

The applicant provided a response to the representations which can be found in **Attachment 3**. The response to representations provided by Rossdale Homes, was emailed to the representors who did not support the development.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

- Arboriculture Officer

The proposal seeks to install a stormwater outlet within 2m of an existing street tree and therefore was referred to Councils Arboriculture Officer for comment. It was advised that the street trees species is highly susceptible to root damage so their preference would be that the don't trench any closer than 3m from the tree. A Reserved Matter seeking the alteration of the location of the stormwater outlet forms part of the recommendation and agree upon by the applicant.

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

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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](#)

Detached Dwelling

Land Use

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

***DO 1** - Low density housing is consistent with the existing local context and development pattern. Services and community facilities contribute to making the neighbourhood a convenient place to live without compromising residential amenity and character.*

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

The corresponding **DPF 1.1** lists a dwelling as an envisaged use and therefore the proposal is consistent with **DO 1**, **PO 1.1** and **DPF 1.1** of **Suburban Neighbourhood Zone**.

Building Height

Suburban Neighbourhood Zone PO 4.1 states:

***PO 4.1** - Buildings contribute to a low-rise suburban character and complement the height of nearby buildings.*

The corresponding **DPF** seeks building heights no greater than 2 levels and 9m. The two representors raised concern with the two-storey nature of the development as the proposed dwelling will result in two levels with an overall height of 7.5m when measured from natural ground. It is acknowledged that the proposed two storey dwelling will be the first incursion of a double storey dwelling within the locality. However, there are examples of two storey dwellings in the wider locality, including 102 East Avenue, 1A and 1B and 16A and 16B Lorraine Avenue.

Within the Suburban Neighbourhood Zone, two-storey dwellings are an envisaged built form. As noted above, **DPF 4.1** of **Suburban Neighbourhood Zone** seeks building heights no greater than 2 levels and 9m. The proposed dwelling satisfies DPF 4.1 and is considered to contribute to the low-rise character sought by the Suburban Neighbourhood Zone and complement the height of nearby buildings, satisfying the intent of **PO 4.1** of **Suburban Neighbourhood Zone**.

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Design and Appearance

General Development Policies – Design in Urban Areas PO 17.2 and 20.2 state:

***PO 17.2** - Dwellings incorporate entry doors within street frontages to address the street and provide a legible entry point for visitors*

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

The corresponding **DPF** states:

***DPF 20.2** - Each dwelling includes at least 3 of the following design features within the building elevation facing a primary street, and at least 2 of the following design features within the building elevation facing any other public road (other than a laneway) or a common driveway:*

- a) a minimum of 30% of the building wall is set back an additional 300mm from the building line;*
- b) a porch or portico projects at least 1m from the building wall*
- c) a balcony projects from the building wall*
- d) a verandah projects at least 1m from the building wall*
- e) eaves of a minimum 400mm width extend along the width of the front elevation*
- f) a minimum 30% of the width of the upper level projects forward from the lower level primary building line by at least 300mm*
- g) a minimum of two different materials or finishes are incorporated on the walls of the front building elevation, with a maximum of 80% of the building elevation in a single material or finish.*

The proposed dwelling provides a positive contribution to the streetscape. The dwelling has been well articulated and will use a variety of materials including brick, stone, timber, rendered panels and metal cladding to provide some visual interest to the dwelling when viewed from the public realm. It is noted that the entry door is sited behind the garage, however, as the porch extends 0.72m forward of the garage, it provides a legible entry way that addresses the street and is considered to satisfy the intent of **PO 17.2** of **Design in Urban Areas**.

General Development Policies – Design in Urban Areas PO 20.1 states:

***PO 20.1** - Garaging is designed to not detract from the streetscape or appearance of a dwelling.*

The corresponding **DPF** states:

***DPF 20.1** - Garages and carports facing a street:*

- a) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling*
- b) are set back at least 5.5m from the boundary of the primary street*
- c) have a garage door / opening width not exceeding 7m*
- d) have a garage door / opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.*

One representor raised concerns with the design and appearance of the proposed dwelling, specifically the garage dominance of the ground level. In this instance the proposal results in a two-storey dwelling that cantilevers the upper level over the ground floor (with the exception of the porch). **DPF 20.1** enables a garage to have a width exceeding 50% of the allotment frontage when there is a second building level. Notwithstanding this, due to the articulation of the dwelling, the cantilevered upper level and the use of a variety of materials to the façade, it is considered the dominance of the garage has been mitigated and will

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not detract from the streetscape character or appearance of the dwelling, satisfying the intent of **PO 20.1 of Design in Urban Areas**.

Setbacks

An overview of the quantitative measures for the proposed dwelling are in Table 1 below.

	Proposed	Planning and Design Code	Met – Yes / No
Front Setback DPF 5.1 - SBZ	6m	The average setback of the existing buildings Min. requirement: 6.5m	No
Boundary Wall Height DPF 7.1	Garage: 3.2m (H) x 6.47m (L) Study / Pantry: 3.2m (H) x 5.99m (L)	side boundary walls do not: <ul style="list-style-type: none"> • exceed 3m in wall height • exceed 11.5m in length • when combined with other walls on the boundary of the subject development site, exceed a maximum 45% of the length of the boundary; • encroach within 3 metres of any other existing or proposed boundary walls on the subject land. 	No
Side (North) DPF 8.1 - SBZ	Ground Level: 0m (garage) & 1.4m remaining Upper Level: 1.4m	<ul style="list-style-type: none"> • where the wall height does not exceed 3m - at least 900mm; • for a wall that is not south facing and the wall height exceeds 3m - at least 900mm from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the top of the footings; Min. requirement: 1.8m • for a wall that is south facing and the wall height exceeds 3m - at least 1.9m from the boundary of the site plus a distance of 1/3 of the extent to which the height of the wall exceeds 3m from the top of the footings Min. requirement: 2.7m -2.8m 	No
Side (South) DPF 8.1 - SBZ	Ground Level: 0.9m Upper Level: 2.2m		No
Rear DPF 9.1 - SBZ	5.6m (Alfresco) 8.64m (dwelling)	Allotment >301 square metres or more: <ul style="list-style-type: none"> • 4m to ground level of building • 6m to any other building level 	Yes

The relevant **Suburban Neighbourhood Zones POs** area as follows:

PO 5.1 - Buildings are setback from primary street boundaries consistent with the existing streetscape.

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

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

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

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

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

As outlined in Table 1 above, the proposal does not satisfy the quantitative measures of **DPF 5.1** and **8.1** of the **Suburban Neighbourhood Zone**, however these shortfalls are not considered to be detrimental to the adjoining allotment or locality. The proposed dwelling provides a front setback of 6m to the building line (the upper level) which is sited 1m forward of the average setback of the adjoining dwellings. The front setbacks of verandah's and porches of the existing dwellings within the locality vary between 5.5m and 7.5m. When taking this into consideration, the siting and location of the proposed dwelling from the primary road frontage will be consistent with the prevailing pattern of development of the streetscape and will not cause a conspicuous feature when viewed from the public realm.

The proposal results in two boundary walls, one to the garage and the other to the study / pantry. Both of these boundary walls will have a wall height of 3.2m from the top of the footings and will be limited in length to 6.47m and 5.99m respectively. The boundary walls will be sited adjacent the driveway and garage on 86 East Avenue and sited on the northern boundary of the subject land. Considering that the boundary walls abutting a non-habitable area of the adjoining allotment, are limited in length and height and no shadows will be cast to the north, the proposal is considered to satisfy the intent of **PO 7.1** of **Suburban Neighbourhood Zone** and will not unreasonably impact the adjoining properties.

A concern regarding the boundary to boundary nature of the development was raised by a representor. It should be clarified that the proposed dwelling provides a 0.9m offset from the southern boundary and only has boundary walls on the northern boundary..

Excluding the boundary walls, the ground level provides a setback of 1.4m from the northern boundary and 0.9m from the southern boundary, satisfying the quantitative measures of **DPF 8.1(a)**. The upper level has provided a reduced setback of 1.4m from the northern boundary (shortfall of 0.4m) and a varying setback of 2.21m – 3.21m from the southern boundary. It should be noted that the proposed dwelling has a predominant upper storey setback of 3.21m from the southern boundary, which exceeds the quantitative measures of **DPF 8.1(c)**. The reduced setback of 2.21m from the southern boundary, will be for a minimum length of 5.5m or 25% of the upper level.

Although the quantitative requirements have not been fully satisfied for the proposed dwelling, it is not considered to negatively impact the subject site, adjoining allotments or the locality. The shadow impacts from the reduced southern setback are considered to be minimal (discussed further below) and the detached dwelling maintains the sense of separation between buildings in a manner that complements the established character of the locality without lessening the adjoining properties access to natural light and ventilation. This is therefore considered to satisfy the intent of **PO 8.1** of **Suburban Neighbourhood Zone**.

Site Coverage

Suburban Neighbourhood Zone PO 3.1 states:

PO 3.1 - Building footprints consistent with the character and pattern of a low density suburban 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** states:

The development does not result in site coverage exceeding 50%.

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The proposal results in 54.2% of site coverage, exceeding the minimum quantitative requirement by 4.2% or 14.8m². It would be possible for the applicant to remove the alfresco to satisfy the quantitative measures of DPF 3.1, however it would result in an undesirable outcome for the future residents as it would remove the shade to the western elevation of the building. Although the proposal exceeds the site coverage limit, it provides an over provision of both private open space and soft landscaping (discussed below). Additionally, the dwelling has provided sufficient setbacks from boundaries to maintain adequate access to light and ventilation to neighbouring dwellings, and has been designed with numerous articulations, fenestrations and material changes to limit the visual impact to the adjoining buildings.

Given this, the proposed site coverage, whilst a departure from **DPF 3.1**, is consistent with the prevailing and emerging pattern of the low-density area and is considered to satisfy the intent of **PO 3.1** of the **Suburban Neighbourhood Zone**.

Overshadowing

Due to the east-west orientation of the subject land, overshadowing to the adjoining allotment to the south is likely. Notwithstanding this, the shadows cast by the proposed dwelling are not considered to unreasonably impact the adjoining dwelling to the south.

PO 3.1 - General Development Polices – Interface between Land Uses

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 – General Development Policies – Interface between Land Uses

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*

The applicant provided a series of overshadowing diagrams for 9am, 12pm and 3pm during the winter solstice, which take into consideration the vertical height of the adjoining dwelling at 86B East Avenue. The adjacent land contains a single storey detached dwelling, with the master bedroom, ensuite, study, laundry, bathroom and dining area provided with north facing windows.

The **Suburban Neighbourhood Zone PO 2.1** and **PO 8.1** generally seek one - two storey dwellings, with the proposed dwelling requiring an upper-level setback between 2.7-2.8m from the southern boundary to manage bulk, scale and shadow impacts to adjoining sensitive receivers. The diagrams show that on the winter solstice, the north facing windows to the study of the adjoining dwelling will be shadowed for the entirety of the day.

As discussed above in *Rules of Interpretation*, when there is a conflict between provisions there is a hierarchy. This is where Overlays take precedence over Zonal provisions which in turn take precedence over the General Section. Whilst increasing the 2.2m setback of the 5.5m long stairwell of the upper level to 2.7m would have had resulted in satisfying the **DPF 8.1** quantitative measures, there would be little change to the shadows cast over the adjoining dwelling and overshadowing of the study window would be unavoidable. Had this larger setback been achieved the proposal would have been deemed acceptable regardless of shadowing as the zoning setback provisions would have been met.

Notwithstanding the above, the proposed dwelling will maintain at least 3 hours of direct winter sunlight to the master bedroom and dining area of the adjoining dwelling. The dwelling provides sufficient side setbacks to maintain access to natural light and ventilation through to the adjoining dwelling.

Lastly, **DPF 3.2 of Interface between Land Uses** seeks for 35m² of ground level private open space to be provided with two hours of direct sunlight between 9am and 3pm during the winter solstice. From 12pm

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almost the entirety of the POS will be provided with direct winter sunlight satisfying the **PO 3.2 of Interface between Land Uses**.

Overlooking

One of the main concerns raised by a representor was that of overlooking. The representor stated that the upper-level window to Bed 1 will overlook their private open space and habitable rooms impeding on their privacy.

General Development Policies – Interface between Land Uses PO 10.1 states:

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

The corresponding **DPF 10.1** states:

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

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

The upper-level windows of the dwelling facing side and rear boundaries shared with a residential land use will have sill heights 1.8m above the upper-level Finish Floor Level (FFL) to mitigate the potential for direct overlooking to habitable rooms and private open space of adjoining residential allotments meeting the corresponding **DPF**.

Notwithstanding the above, the representor raising concerns with overlooking resides in a property that fronts to Frederick Street with its private open space sited to the rear, that abuts East Avenue. The upper-level window from Bed 1 will primarily overlook the public realm and the window is sited in excess of 25m from the rear boundary of the representors property. This distance falls outside of the definition of direct overlooking (as per the Planning and Design Code) which states that direct overlooking from a window, is limited to an area that falls within a horizontal distance of 15 metres measured from the centre line of the overlooking window. Additionally, mature landscaping located both within the verge of East Avenue and on the representors property and the large ancillary structure in the representors allotment will further reduce the potential for overlooking from Bed 1 window to their private open space and habitable areas. The proposal is considered to satisfy the intent of **PO 10.1 of Design in Urban Areas**.

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 between 200-450m² should provide a minimum of 20% of soft landscaping on site, including a minimum 30% of the land between the

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primary street boundary and the primary building line with soft landscaping. The proposed development has provided 23% of the site with areas for soft landscaping, with 35.9% 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 dwelling will plant one Ornamental Pear 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 83.5m² of private open space, sited to the rear of the proposed dwelling and will be directly accessible from a habitable room, specifically the Kitchen, dine, living and study area. The private open space is of a size that it is considered functional and useable for the residents of the dwellings and satisfies the intent of **PO 21.1 and PO 21.2 of General Development Policies – Design in Urban Areas**.

Traffic, Access and Parking

General Development Policies – Design in Urban Areas PO 23.1 and 23.2 states:

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

PO 23.2 - Uncovered car parking space 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*

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d) *the adaptive reuse of a State or Local Heritage Place.*

As per Table 1 – General Off-Street Car Parking Requirements a detached dwelling with two or more bedrooms requires to provide two car parking spaces, one being covered, satisfying **PO 5.1 of Transport, Access and Parking**. The proposal results in a minimum of three on-site car parks, two that are covered. Both the enclosed and uncovered car parking spaces satisfy the corresponding quantitative requirements of **DPF 23.1 and 23.2 of Design in Urban Areas** and are of a size to be functional and accessible to the residents.

General Development Policies – Design in Urban Areas PO 23.1, 23.2, 23.4 and PO 23.6 states:

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

The corresponding **DPF 23.6** states:

Where on-street parking is available abutting the site's street frontage, on-street parking is retained in accordance with the following requirements:

- a) minimum 0.33 on-street spaces per dwelling on the site (rounded up to the nearest whole number)*
- b) minimum car park length of 5.4m where a vehicle can enter or exit a space directly*
- c) minimum carpark length of 6m for an intermediate space located between two other parking spaces or to an end obstruction where the parking is indented.*

One representor raised concerns regarding the lack of on-street car parking resulting in a garage dominate frontage (discussed previously). As the subject land forms part of a previously approved land division (22017964), in terms of on-street car parking, it is appropriate to consider both 86A and 86B East Avenue in the assessment. The subject land seeks vehicular access from an existing crossover, with 86B East Avenue seeking a 3m wide crossover, resulting in a 10.1m separation. The separation allows for one on-street visitor carpark to be maintained satisfying **PO 23.6 of Design in Urban Areas**.

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. Each dwelling will be connected to a 3000L rainwater tank (2000L 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 20-5mm 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

PO 9.1 of General Development Policies – Design in Urban Areas states:

ITEM 4.1

DEVELOPMENT APPLICATION – 23015618 – 86A EAST AVENUE, CLARENCE PARK SA 5034

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

The subject land natural grades in an east - west direction resulting in a retaining wall to a height of 400mm along the southern boundary. When combined with a 1.8m fence, the retaining wall and fence will have a combined height of 2.2m, which is only marginally higher (100mm) than a standard fence, or the trigger for the fence to be considered development as per Schedule 4 of the Planning, Development and Infrastructure (General) Regulations 2017. The combined retaining wall and fence will have a height of 2.2m for a length of 11.99m of the southern boundary. Due to the minimal length of the structure, it is not considered that it will cause unreasonable visual impacts to the adjoining property, nor is the structure considered to inhibit the adjoining dwellings access to natural light and ventilation. Lastly, the structure is of a height that will maintain the occupant's privacy. As such, the proposal is considered to meet **PO 9.1 of General Development Policies – Design in Urban Areas**.

CONCLUSION

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

- The proposed development is considered to satisfy the relevant Performance Outcomes of the Suburban Neighbourhood Zone, Overlays and General Development Policies;
- The proposed two storey detached dwelling, although will be the first occurrence within the locality, will contribute to the low-rise suburban character and will not unreasonably impact upon the adjacent properties;
- The proposed dwelling has been articulated, with the upper level cantilevered and used a variety of materials to provide a visually interesting dwelling when viewed from the public realm; and
- Direct overlooking from upper-level habitable rooms windows is minimised.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23015618, by Rossdale Homes is GRANTED Planning Consent subject to the following conditions:

RESERVED MATTER

Reserve Matter 1

Pursuant to Section 102 (3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment, to the satisfaction of the relevant authority, prior to the granting of Development Approval:

ITEM 4.1

DEVELOPMENT APPLICATION – 23015618 – 86A EAST AVENUE, CLARENCE PARK SA 5034

- An amended Siteworks and Drainage Plan showing the stormwater outlet located a minimum of 3m from the trunk of the street tree, and 0.5m from any street furniture, street pole, infrastructure service pit or other stormwater or utility infrastructure.

Note - Further conditions may be imposed on the Planning Consent in respect of the above matters.

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.

Condition 3

A rainwater tank 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 4

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 5

A small tree, 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 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.

ADVISORY NOTES

Planning Consent

Advisory Note 1

ITEM 4.1

DEVELOPMENT APPLICATION – 23015618 – 86A EAST AVENUE, CLARENCE PARK SA 5034

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

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 6

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 7

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.

OFFICER MAKING RECOMMENDATION

Name: Amelia De Ruvo

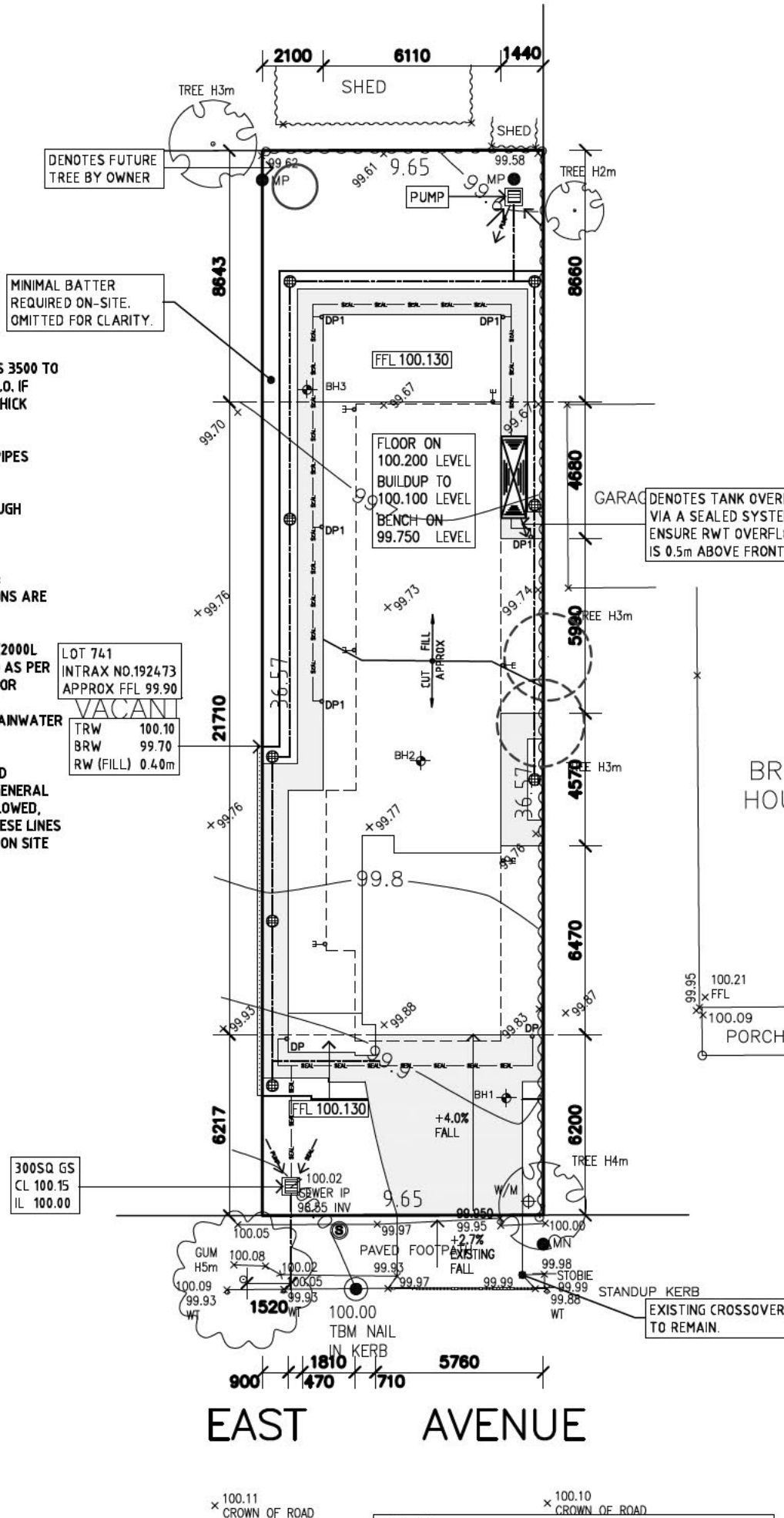
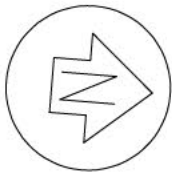
Title: Planning Officer

Date: 23 January 2024

ATTACHMENT 1



No.	AMENDMENT	DATE	BY
A	CONSTRUCTION ISSUE	10.05.23	R.C.
B	SETBACKS, SEWER & STWATER AMENDED	16.10.23	J.K



NOTES:

- ALL STORMWATER PIPES SHALL BE LAID AS PER AS 3500 TO ACHIEVE MINIMUM COVER AND GRADE (0.5% MIN) U.N.O. IF COVER CAN NOT BE ACHIEVED ENCASE PIPE IN 100 THICK CONCRETE.
- BEDDING AND BACK-FILLING AROUND STORMWATER PIPES SHALL CONFORM TO AS 3725-1989.
- PROVIDE LAGGING TO ALL PIPE PENETRATIONS THROUGH FOOTING BEAMS.
H2-D - E-D CLASS SITE: 40MM THICK LAGGING
- SEWER & STORMWATER CONNECTIONS FOR THIS SITE:
H1-D, H2-D & E-D CLASS SITE: FLEXIBLE CONNECTIONS ARE REQUIRED
- DENOTES 3000L RAINWATER TANK (2000L RETENTION & 1000L DETENTION WITH 25mm ORIFICE) AS PER PLAN SA CODE DTS/DPF 1.1. REFER TO SHEET C02 FOR DETAILS.
(a) MINIMUM 60% ROOF AREA TO BE DIVERTED TO RAINWATER TANK.
- ALL SERVICE LINES ARE SHOWN APPROXIMATELY AND OFFSET ACCORDINGLY FOR DRAFTING PURPOSES. GENERAL LAYOUTS OF THESE SERVICE LINES ARE TO BE FOLLOWED, HOWEVER SPECIFIC OFFSET AND POSITIONING OF THESE LINES IS TO BE DETERMINED BY THE LICENSED INSTALLER ON SITE AT THE TIME OF CONSTRUCTION.

MINIMAL BATTER REQUIRED ON-SITE. OMITTED FOR CLARITY.

DENOTES TANK OVERFLOW & ORIFICE FLOW VIA A SEALED SYSTEM TO FRONT SUMP. ENSURE RWT OVERFLOW & ORIFICE OUTLET IS 0.5m ABOVE FRONT WATER TABLE

PUMP DENOTES PUMP/SUMP TO SATISFY:
 1. PUMP RATE: 15L/S @ 0.6m HEAD + CHAMBER DEPTH.
 2. MIN 100 UNDERGROUND DETENTION REQUIRED. OUTLET TO BE INSTALLED WITH A NON-RETURN VALVE.
 3. PUMP/SUMP TO BE INSTALLED AS PER AS 3500 AND MANUFACTURERS SPECIFICATION.
 4. PROVIDE AUDIBLE AND VISUAL ALARM INCASE OF PUMP FAILURE
 5. PUMP LINE OMITTED FOR CLARITY
 6. BACKUP POWER SUPPLY TO BE INSTALLED.
 7. WATER TO BE PUMPED TO FRONT WATER TABLE

LEGEND

- #90 uPVC STORMWATER PIPE
- - - #90 uPVC STORMWATER SEALED SYSTEM
- - - PUMP CHAMBER DISCHARGE PIPE
- 90 AGRICULTURAL DRAINAGE PIPE. CONNECT TO 90 PVC PIPE AT IP
- 90 PVC PIPE CONNECTED TO CUT OFF DRAIN AT IP OR AG DRAIN AT IP. ALLOW TO FREELY DRAIN ON TO SITE SURFACE
- - - RETAINING WALL (MAX. HT SHOWN)
- 250 SQ MIN GRATED SUMP (U.N.O)
- DP DOWNPIPE (AS PER ARCHITECT/BUILDER)
- DP1 #90 uPVC DOWNPIPE (SEALED SYSTEM)
- - - SPREADER DRAIN (AS PER ARCHITECT/BUILDER)
- - - GRATED TRENCH (STORMWATER)
- METER BOX
- IP STORMWATER INSPECTION POINT
- ⊕ STORMWATER #100 PVC GRATE
- ▲ MAXIMUM 1 IN 2 BATTER
- ⊕ DENOTES APPROXIMATE BOREHOLE LOCATIONS.
- PAVING (AS PER ARCHITECT/BUILDER)

- KEY**
- XX EXISTING
 - XX DESIGN
 - TK TOP OF KERB
 - WT WATER TABLE
 - TPL TOP OF PLINTH
 - BPL BOTTOM OF PLINTH
 - TRW TOP OF RETAINING WALL
 - BRW BOTTOM OF RETAINING WALL
 - P PAVING LEVEL
 - BL BENCH LEVEL
 - FL FLOOR LEVEL

- A PLINTH OF A MAX 300mm UNDER FENCE MAY BE REQUIRED ALONG THE BOUNDARY.
- NOTE: MINIMAL BATTER REQUIRED. OMITTED FOR CLARITY.
- DOWNPIPES TO BE CONFIRMED WITH ARCHITECTURAL PLANS
- ALL STORMWATER PIPES DISCHARGING TO KERB & GUTTER ARE TO BE IN ACCORDANCE WITH COUNCIL STANDARD. (TYPICAL)
- NOTE: THIS IS AN ENGINEERING DETAIL SURVEY BOUNDARIES ARE INDICATIVE ONLY, ALL TREE SIZES ARE APPROXIMATE ONLY. REFER TO CERTIFICATE OF TITLE FOR EASEMENT DETAILS.
- AS PER PLAN SA CODE DTS/DPF 1.1, SITE AREA < 450sqm, REQUIRE ONE SMALL TREE (4m MATURE HEIGHT & 2m SPREAD) TO BE PLANTED BY OWNER WITHIN THE SOFT LANDSCAPING AREA. HOME OWNER TO CONFIRM LOCATION OF PROPOSED TREE.

REFER TO RECOMMENDATIONS & SITE INVESTIGATIONS:

COMPANY:	INTRAX CONSULTING ENGINEERS
REF. No.:	199814
DATED:	10.05.2023
SITE CLASS:	P (DUE TO TREES INFLUENCE)
DESIGN CLASS:	H2-D

REFER TO ARCHITECTURAL WORKING DRAWINGS:

COMPANY:	ROSSDALE HOMES
REF. No.:	22342
DATED:	08.05.2023

REFER TO STRUCTURAL DESIGN DRAWINGS:

COMPANY:	INTRAX CONSULTING ENGINEERS
REF. No.:	199814
DATED:	10.05.2023

THE DESIGN SHOULD BE READ IN CONJUNCTION WITH THE DOCUMENTATION REFERENCED ABOVE.

NOTE:
 ALL ROOF DOWNPIPES (DP1) TO BE DISCHARGED TO RAINWATER TANKS (3000L) VIA A SEALED SYSTEM. ALLOW TANK OVERFLOW TO STREET WATERTABLE VIA A SEALED SYSTEM. ALL SURFACE STORMWATER TO BE DISCHARGED TO STREET WATERTABLE VIA A PUMP SYSTEM. ALL DOWNPIPES (DP) TO BE DISCHARGED TO STREET WATER TABLE VIA A SEALED SYSTEM.

CONTOUR SURVEY SITE DETAILS:
LOT 742 EAST AVENUE
CLARENCE PARK

THIS IS NOT A BOUNDARY SURVEY, THEREFORE THE RELATIONSHIP BETWEEN OCCUPATION & THE PLOTTED BOUNDARY IS INDICATIVE ONLY. WHILE EVERY PRECAUTION IS TAKEN BY MATTSSON & MARTYN TO ENSURE TREE POSITIONS & DIMENSIONS ARE SHOWN ACCURATELY, THESE MEASUREMENTS ARE ESTIMATES & SHOULD BE USED AS A GUIDE ONLY.
 TREE DIMENSIONS ARE NOTED AS: H: TREE HEIGHT S: TREE CANOPY SPREAD
 B: TRUNK DIAMETER C: TRUNK CIRCUMFERENCE

PROJECT REF: 17919/12/22 DATE DRAWN: 13/12/22 DRAWN BY: BIM A3

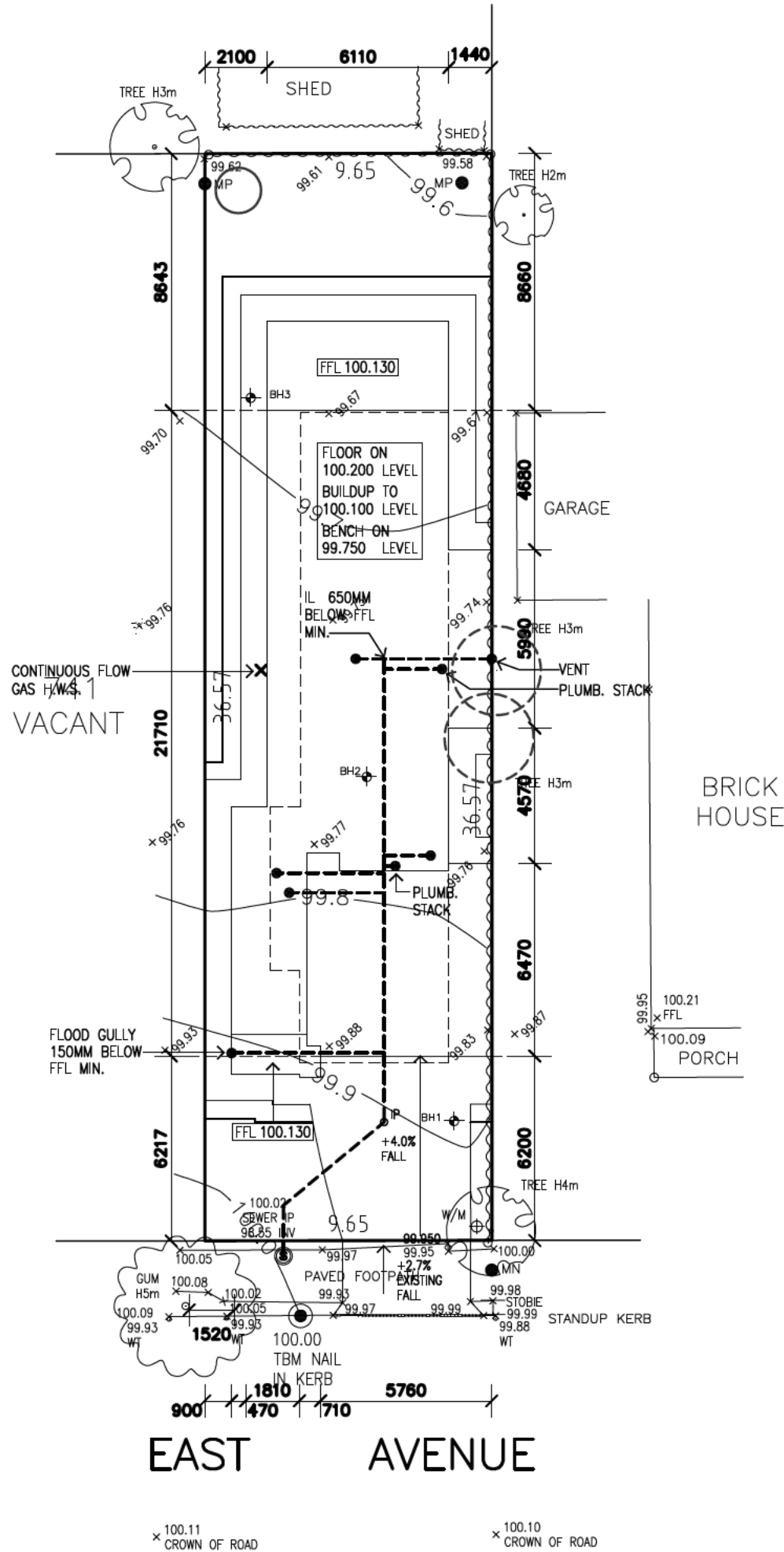
TBM: NAIL IN STANDUP KERB RL 100.00 CONTOUR INTERVAL: 0.100

○ TEMPORARY BENCH MARK	□ CABLE PIT	~ GI FENCE	○○○○○○○○○○ BRUSH FENCE
⊕ STOBIE	● PIN/SPIKE/NAIL	- - - TF FENCE	XXXXXXXXXXXX RETAINING WALL
⊕ WATER METER	■ PEG FOUND		
⊕ SEWER IP	■ PSM		
⊕ ELECTRICITY	⊕ GAS		

0 2 4 6 8 10
SCALE: 1:200 m



No.	AMENDMENT	DATE	BY
A	CONSTRUCTION ISSUE	10.05.23	R.C.
B	SETBACKS, SEWER & STWATER AMENDED	16.10.23	J.K.



100mm UPVC SEWER
 DRAIN @1:50 FALL MIN.

DESIGN SEWER DRAIN LAYOUT

NOTE -MAY BE MODIFIED ON SITE AT BUILDERS DISCRETION

NOTE: SEWER DRAIN IS TO BE A MINIMUM OF 500MM AWAY FROM ELECTRICAL EARTH STAKE ADJACENT ELECTRIC METER BOX. STORMWATER DRAINS & DOWNPIPES ARE TO BE A MINIMUM OF 600MM AWAY.

DRAIN SIZES:		
KITCHEN	TRAP	50mm
	WASTE	65mm
LAUNDRY	TRAP	80x65mm
	WASTE	50mm
	RISER	80mm
BATHROOM	TRAP	80x65mm
	WASTE	50mm
	RISER	80mm
BASINS	TRAP	40mm
	WASTE	65mm
W/C	SIZE	100mm
F/GULLY	SIZE	100mm
VENT	SIZE	50mm

CONTOUR SURVEY SITE DETAILS: LOT 742 EAST AVENUE CLARENCE PARK

THIS IS NOT A BOUNDARY SURVEY, THEREFORE THE RELATIONSHIP BETWEEN OCCUPATION & THE PLOTTED BOUNDARY IS INDICATIVE ONLY. WHILE EVERY PRECAUTION IS TAKEN BY MATTSSON & MARTYN TO ENSURE TREE POSITIONS & DIMENSIONS ARE SHOWN ACCURATELY, THESE MEASUREMENTS ARE ESTIMATES & SHOULD BE USED AS A GUIDE ONLY. TREE DIMENSIONS ARE NOTED AS: H: TREE HEIGHT S: TREE CANOPY SPREAD B: TRUNK DIAMETER C: TRUNK CIRCUMFERENCE

PROJECT REF: 17919/12/22 DATE DRAWN: 13/12/22 DRAWN BY: BIM A3

TBM: NAIL IN STANDUP KERB RL 100.00 CONTOUR INTERVAL: 0.100

● TEMPORARY BENCH MARK	□ CABLE PIT	~ GI FENCE	○○○○○○○○ BRUSH FENCE
⊥ STOBIE	● PIN/SPIKE/NAIL	- - - TF FENCE	XXXXXXXXXX RETAINING WALL
⊕ WATER METER	■ PEG FOUND		
Ⓢ SEWER IP	■ PSM		
ⓔ ELECTRICITY	Ⓞ GAS		

0 2 4 6 8 10
 SCALE: 1:200 m

CONTRACT PLAN

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DATE:

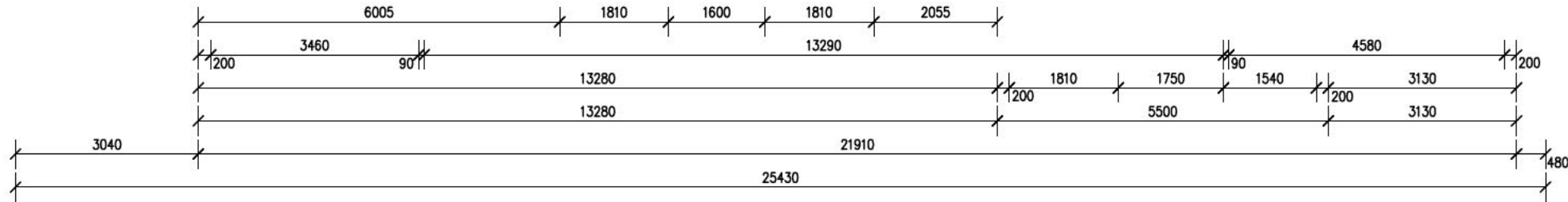
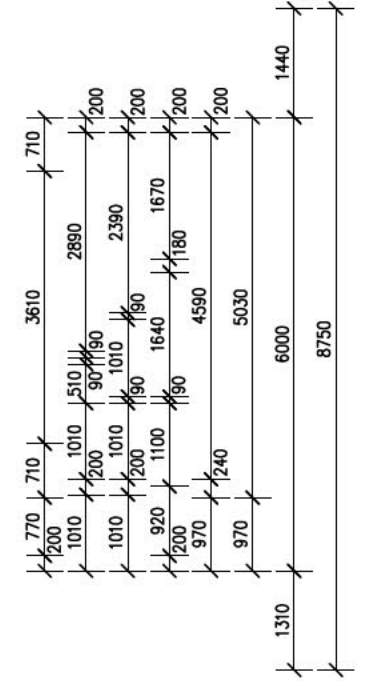
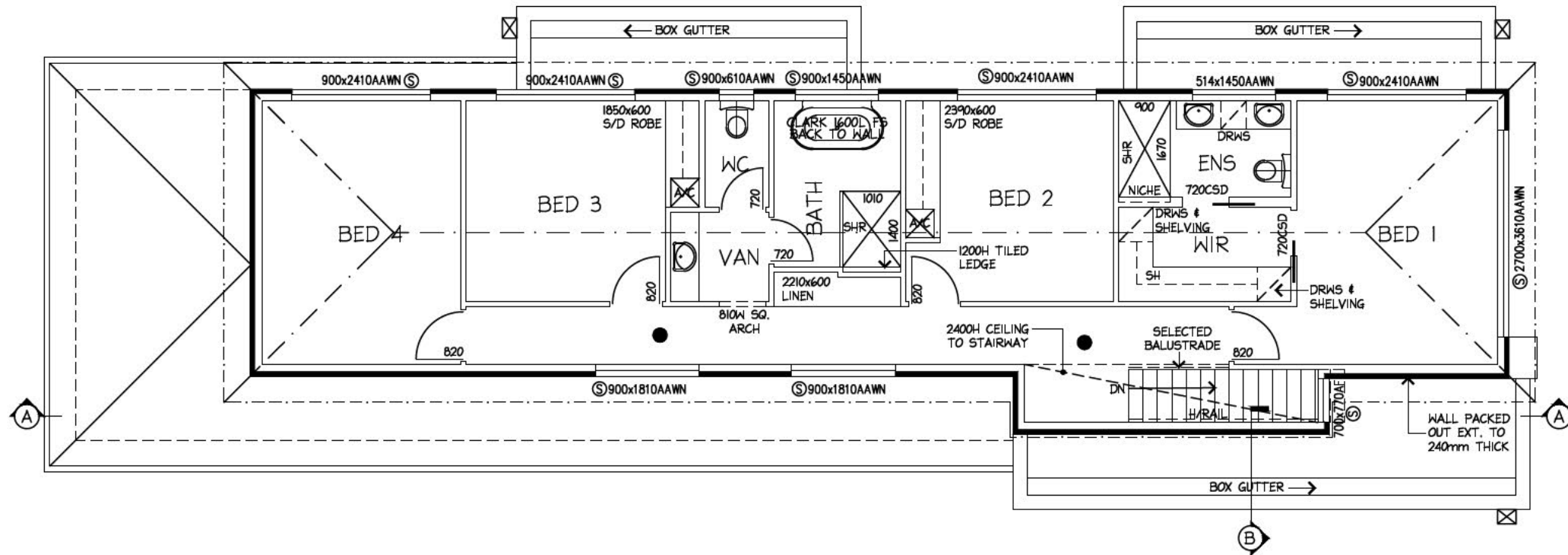
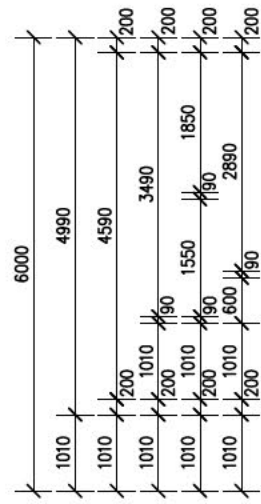
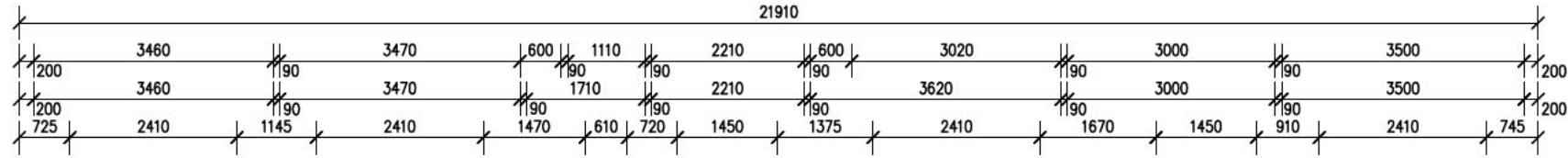
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DATE:

OWNER:

DATE:

OWNER:



SHEET 2 OF 6
WORKING DRAWINGS

Job No. 22342WD

DATE: 24.04.23 SCALE: 1:100

DRAWN: LT JOB TYPE: 3.3

MASTER UPDATE:
TYPE:

PROPOSED RESIDENCE FOR
J. HOLDEN-DONAGHEY
S. MADIGAN
AT
LOT 742
EAST AVENUE
CLARENCE GARDENS

AMENDMENT DATES
08.05.23 - OG

- DENOTES DIRECT WIRED SMOKE ALARM
- ⓐ DENOTES FULL HT BRICK CONTROL JOINT. -REFER TO ENGINEERS REPORT

AREAS m²

SPECIAL NOTES

WINDOW LEGEND

- AS ALUM. HORIZONTAL SLIDING
- AAWN ALUM. AWNING
- TAWN TIMBER AWNING
- ASH ALUM. SINGLE HUNG
- TSH TIMBER SINGLE HUNG
- ADH ALUM. DOUBLE HUNG
- TDH TIMBER DOUBLE HUNG
- AF ALUM. FIXED SASH
- TF TIMBER FIXED SASH
- * BRICKWORK OVER OPENING

- STANDARD ROSSDALE HOMES WINDOW SIZES ONLY NOTED ON PLAN. NOMINAL STANDARD WINDOW SIZES MAY CHANGE.
- THIS DRAWING IS TO BE READ STRICTLY IN CONJUNCTION WITH BUILDING & SELECTION SCHEDULES

FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS.

NOTE: VARIATIONS MAY OCCUR FROM DISPLAY HOMES DUE TO STRUCTURAL IMPROVEMENTS.

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Rossdale Homes Pty. Ltd
ACN 007 936 727
Builders Licence No. G8104
300 GLEN OSMOND RD,
FULLARTON, SA 5063
Phone: 08 8433 2000
Fax: 08 8433 2099



DATE:

BUILDER:

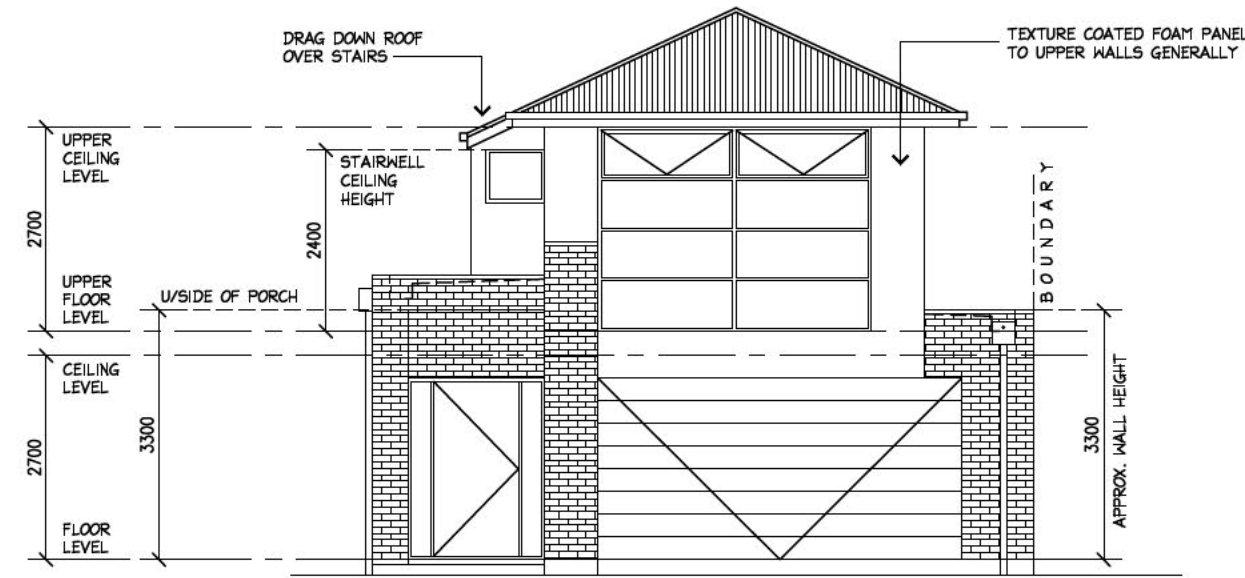
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OWNER:

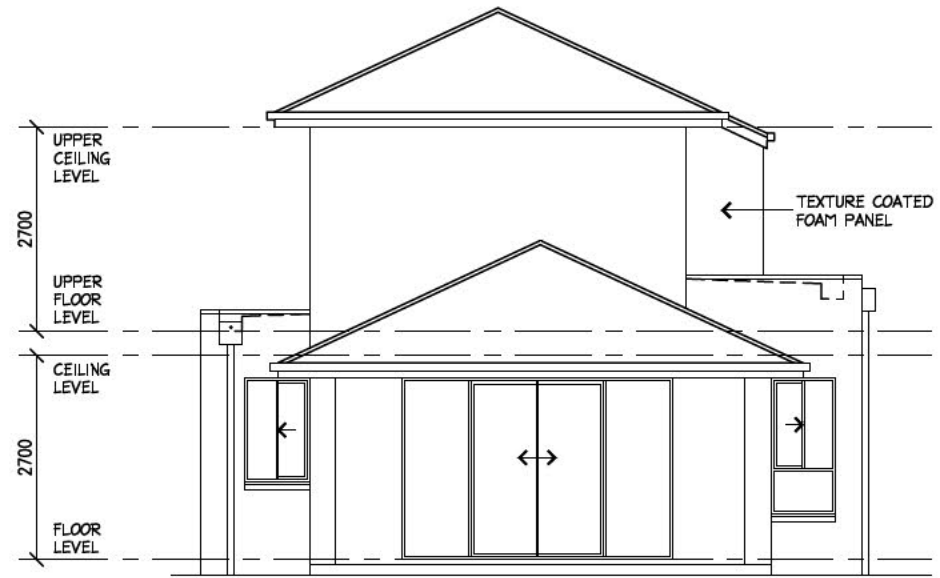
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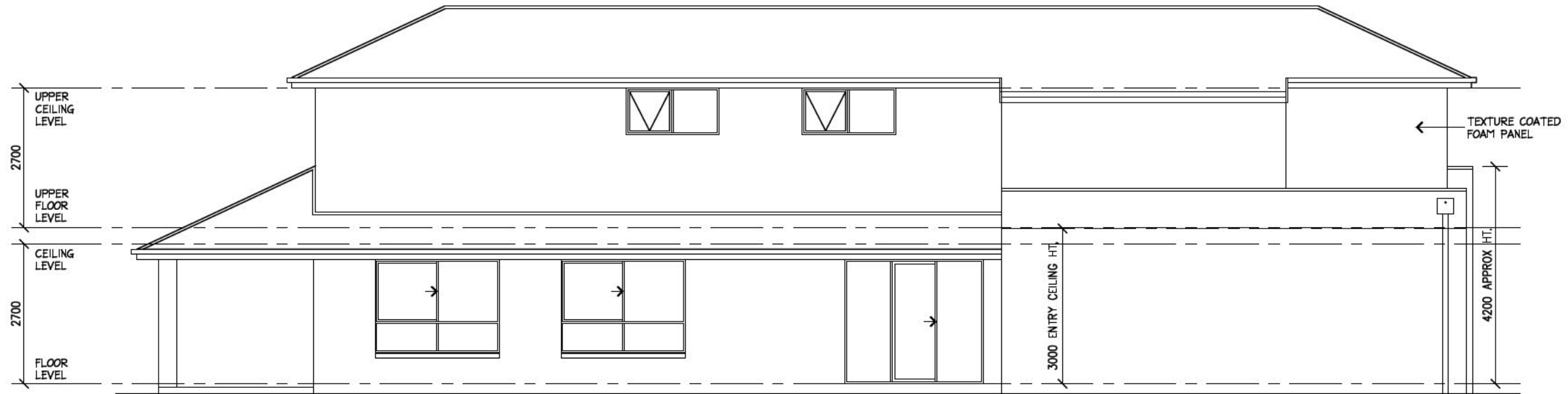
COLORBOND ROOF ON 25° PITCH
420mm EAVES TO GROUND LEVEL
460mm EAVES TO UPPER LEVEL




FRONT ELEVATION
-TO BE FACE BRICK



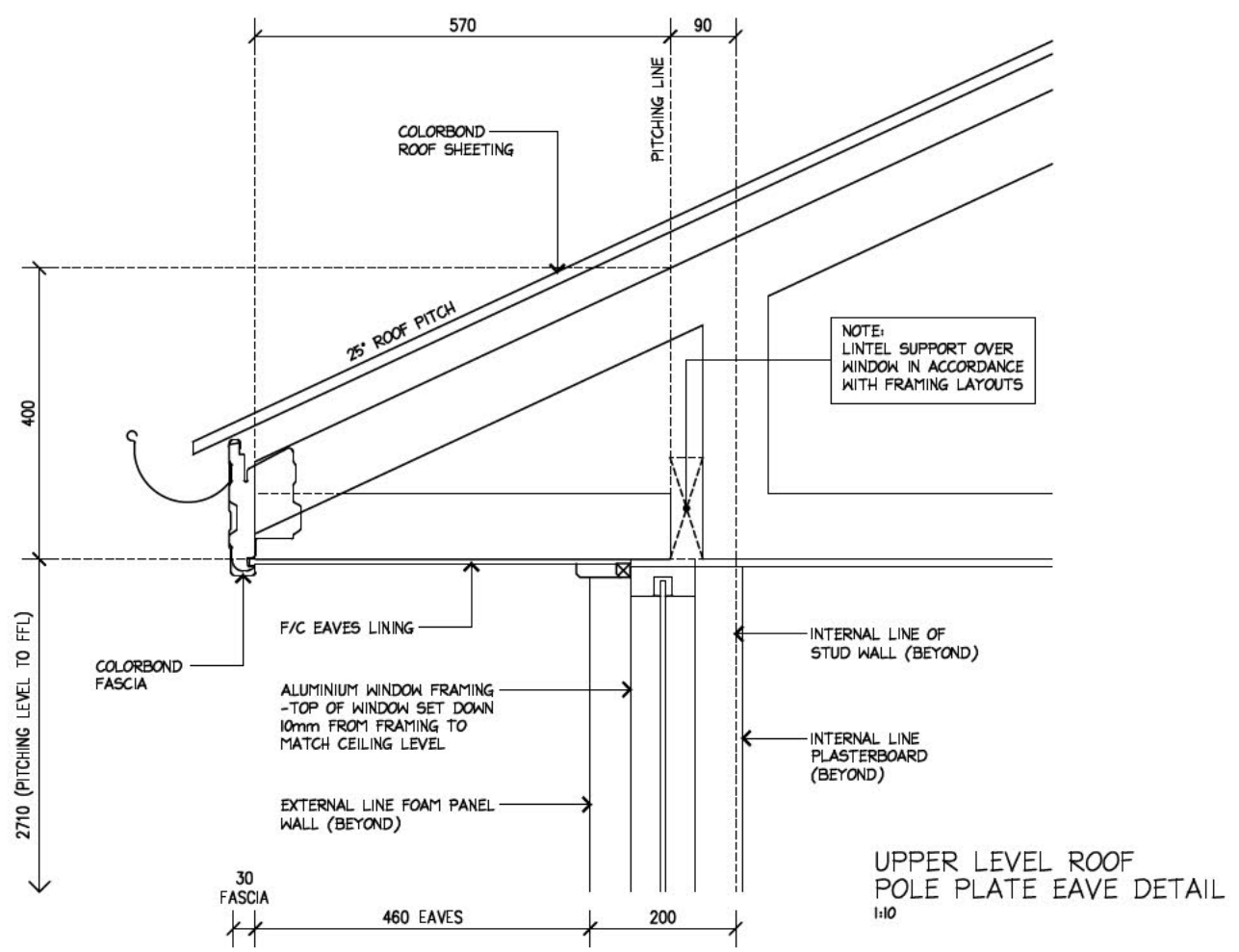
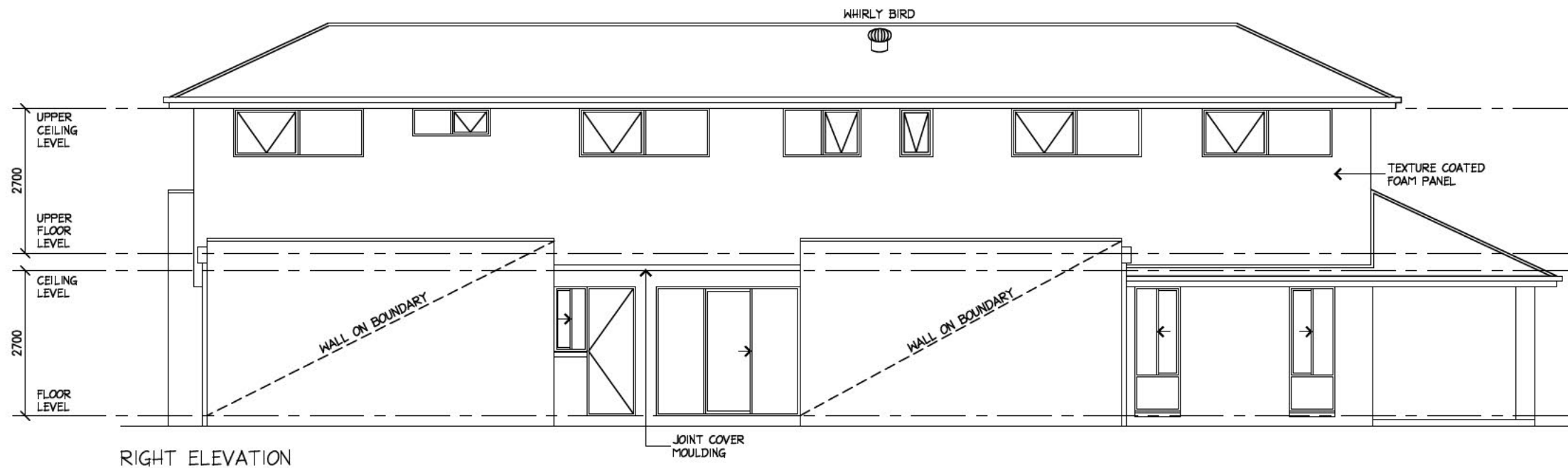
REAR ELEVATION





LEFT ELEVATION

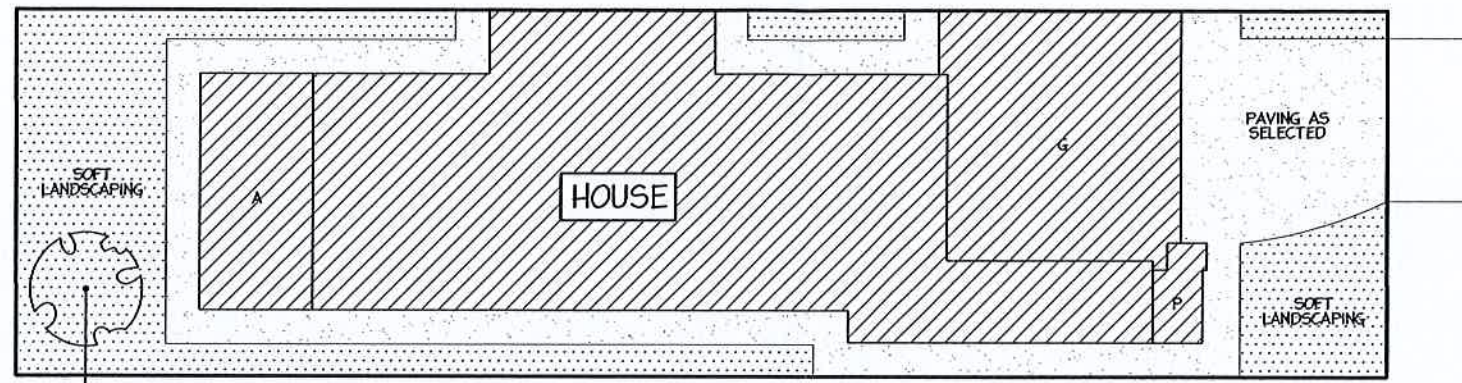
SHEET 3 OF 6 WORKING DRAWINGS		PROPOSED RESIDENCE FOR J. HOLDEN-DONAGHEY S. MADIGAN AT LOT 742 EAST AVENUE CLARENCE GARDENS	AMENDMENT DATES 08.05.23 - OG	● DENOTES DIRECT WIRED SMOKE ALARM Ⓢ DENOTES FULL HT BRICK CONTROL JOINT. -REFER TO ENGINEERS REPORT	SPECIAL NOTES - STANDARD ROSSDALE HOMES WINDOW SIZES ONLY NOTED ON PLAN. NOMINAL STANDARD WINDOW SIZES MAY CHANGE. - THIS DRAWING IS TO BE READ STRICTLY IN CONJUNCTION WITH BUILDING & SELECTION SCHEDULES FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS. NOTE: VARIATIONS MAY OCCUR FROM DISPLAY HOMES DUE TO STRUCTURAL IMPROVEMENTS. ©COPYRIGHT THESE DRAWINGS ARE SUBJECT TO COPYRIGHT. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT IN WHOLE OR PART, UNLESS WRITTEN AUTHORITY IS GIVEN BY ROSSDALE HOMES PTY LTD.	 Rossdale Homes Pty. Ltd ACN 007 936 727 Builders Licence No. G8104 300 GLEN OSMOND RD, FULLARTON, SA 5063 Phone: 08 8433 2000 Fax: 08 8433 2099
Job No. 22342WD	DATE: 24.04.23 SCALE: 1:100					

DATE: _____ BUILDER: _____ DATE: _____ OWNER: _____ DATE: _____ OWNER: _____



SHEET 4 OF 6 WORKING DRAWINGS		PROPOSED RESIDENCE FOR J. HOLDEN-DONAGHEY S. MADIGAN AT LOT 742 EAST AVENUE CLARENCE GARDENS	AMENDMENT DATES 08.05.23 - OG	● DENOTES DIRECT WIRED SMOKE ALARM Ⓢ DENOTES FULL HT BRICK CONTROL JOINT. -REFER TO ENGINEERS REPORT	SPECIAL NOTES WINDOW LEGEND AS ALUM. HORIZONTAL SLIDING AAWN ALUM. AWNING TAWN TIMBER AWNING ASH ALUM. SINGLE HUNG TSH TIMBER SINGLE HUNG ADH ALUM. DOUBLE HUNG TDH TIMBER DOUBLE HUNG AF ALUM. FIXED SASH TF TIMBER FIXED SASH * BRICKWORK OVER OPENING	- STANDARD ROSSDALE HOMES WINDOW SIZES ONLY NOTED ON PLAN. NOMINAL STANDARD WINDOW SIZES MAY CHANGE. - THIS DRAWING IS TO BE READ STRICTLY IN CONJUNCTION WITH BUILDING & SELECTION SCHEDULES FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS. NOTE: VARIATIONS MAY OCCUR FROM DISPLAY HOMES DUE TO STRUCTURAL IMPROVEMENTS. ©COPYRIGHT THESE DRAWINGS ARE SUBJECT TO COPYRIGHT. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT IN WHOLE OR PART, UNLESS WRITTEN AUTHORITY IS GIVEN BY ROSSDALE HOMES PTY LTD.	 Rossdale Homes Pty. Ltd ACN 007 936 727 Builders Licence No. G8104 300 GLEN OSMOND RD, FULLARTON, SA 5063 Phone: 08 8433 2000 Fax: 08 8433 2099  Plans prepared by Goostrey Smith Design ABN 18 092 583 232 302 GLEN OSMOND RD, FULLARTON, SA 5063 p+61 8 8338 6888 www.goostreysmith.com.au
Job No. 22342WD	DATE: 24.04.23 SCALE: AS SHOWN						
DRAWN: LT	JOB TYPE: 3.3	MASTER UPDATE:	TYPE:				



CONTRACT PLAN
 OWNER: _____ DATE: _____
 BUILDER: _____ DATE: _____



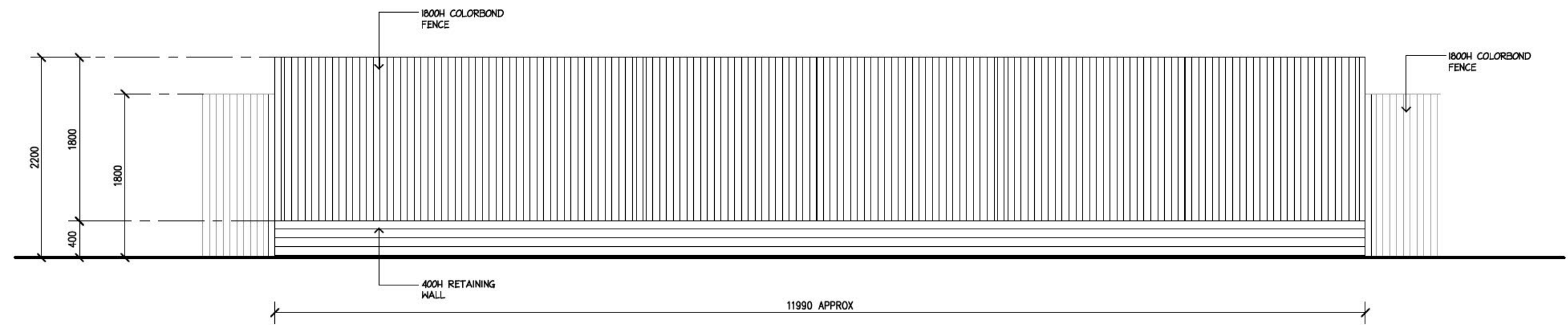
SMALL TREE
 PYRUS CALLERYANA 'CAPITAL'
 ORNAMENTAL PEAR TREE
 - 2.0m MATURE SPREAD
 - 4.0m MATURE HEIGHT


EAST AVENUE

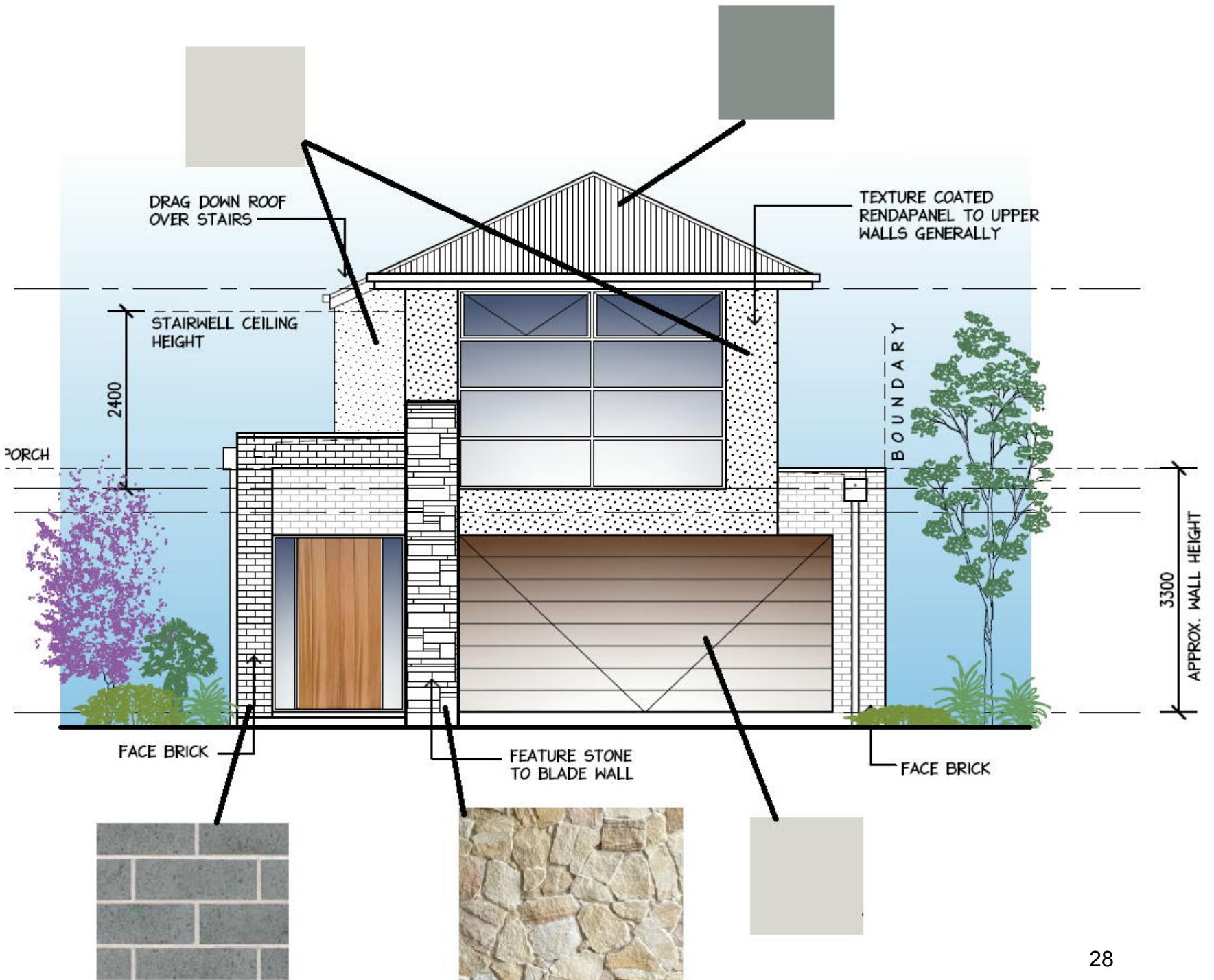
TOTAL SITE AREA:	352.89 m ²
TOTAL SITE SOFT LANDSCAPING:	81.00m ² (23%)
SOFT LANDSCAPING FRONT OF DNELLING:	18.30m ² (5.2%)

SHEET 1 OF 1 LANDSCAPE PLAN		PROPOSED RESIDENCE FOR J. HOLDEN-DONAGHEY S. MADIGAN AT LOT 742 EAST AVENUE CLARENCE GARDENS		AMENDMENT DATES		● DENOTES DIRECT WIRED SMOKE ALARM (CJ) DENOTES FULL HT BRICK CONTROL JOINT. -REFER TO ENGINEERS REPORT		SPECIAL NOTES - STANDARD ROSSDALE HOMES WINDOW SIZES ONLY NOTED ON PLAN. NOMINAL STANDARD WINDOW SIZES MAY CHANGE. - THIS DRAWING IS TO BE READ STRICTLY IN CONJUNCTION WITH BUILDING & SELECTION SCHEDULES FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS. NOTE: VARIATIONS MAY OCCUR FROM DISPLAY HOMES DUE TO STRUCTURAL IMPROVEMENTS. © COPYRIGHT THESE DRAWINGS ARE SUBJECT TO COPYRIGHT. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT IN WHOLE OR PART, UNLESS WRITTEN AUTHORITY IS GIVEN BY ROSSDALE HOMES PTY LTD.		 Rossdale Homes Pty. Ltd ACN 007 936 727 Builders Licence No. G8104 300 GLEN OSMOND RD, FULLARTON, SA 5063 Phone: 08 8433 2000 Fax: 08 8433 2099	
Job No. 22342		DATE: 25.01.23		SCALE: 1: 200		AREAS m ²		WINDOW LEGEND AS ALUM. HORIZONTAL SLIDING AAWN ALUM. AWNING TAWN TIMBER AWNING ASH ALUM. SINGLE HUNG TSH TIMBER SINGLE HUNG ADH ALUM. DOUBLE HUNG TDH TIMBER DOUBLE HUNG AF ALUM. FIXED SASH TF TIMBER FIXED SASH * BRICKWORK OVER OPENING		 GOSTREYSMITH DESIGN Plans prepared by Gostrey Smith Design ASN 16 092 583 232 302 GLEN OSMOND RD, FULLARTON, SA 5063 p+61 8 8338 6888 www.gostrey-smith.com.au	

CONTRACT PLAN
 OWNER: _____ DATE: _____
 BUILDER: _____ DATE: _____
 DATE: _____



SHEET 1 OF 1 FENCE ELEVATION		PROPOSED RESIDENCE FOR J. HOLDEN-DONAGHEY S. MADIGAN AT LOT 742 EAST AVENUE CLARENCE PARK	AMENDMENT DATES	● DENOTES DIRECT WIRED SMOKE ALARM Ⓢ DENOTES FULL HT BRICK CONTROL JOINT. -REFER TO ENGINEERS REPORT	SPECIAL NOTES - STANDARD ROSSDALE HOMES WINDOW SIZES ONLY NOTED ON PLAN. NOMINAL STANDARD WINDOW SIZES MAY CHANGE. - THIS DRAWING IS TO BE READ STRICTLY IN CONJUNCTION WITH BUILDING & SELECTION SCHEDULES FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS. NOTE: VARIATIONS MAY OCCUR FROM DISPLAY HOMES DUE TO STRUCTURAL IMPROVEMENTS. ©COPYRIGHT THESE DRAWINGS ARE SUBJECT TO COPYRIGHT. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT IN WHOLE OR PART, UNLESS WRITTEN AUTHORITY IS GIVEN BY ROSSDALE HOMES PTY LTD.	 Rossdale Homes Pty. Ltd ACN 007 936 727 Builders Licence No. G8104 300 GLEN OSMOND RD, FULLARTON, SA 5063 Phone: 08 8433 2000 Fax: 08 8433 2099	
Job No. 22342WD				AREAS m²			WINDOW LEGEND AS ALUM. HORIZONTAL SLIDING AAWN ALUM. AWNING TAWN TIMBER AWNING ASH ALUM. SINGLE HUNG TSH TIMBER SINGLE HUNG ADH ALUM. DOUBLE HUNG TDH TIMBER DOUBLE HUNG AF ALUM. FIXED SASH TF TIMBER FIXED SASH * BRICKWORK OVER OPENING
DATE: 29.08.23 SCALE: 1:50	DRAWN: JK JOB TYPE: 6.4						
MASTER UPDATE: TYPE:							



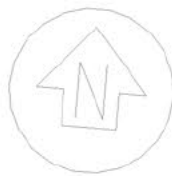
DATE: _____

BUILDER: _____

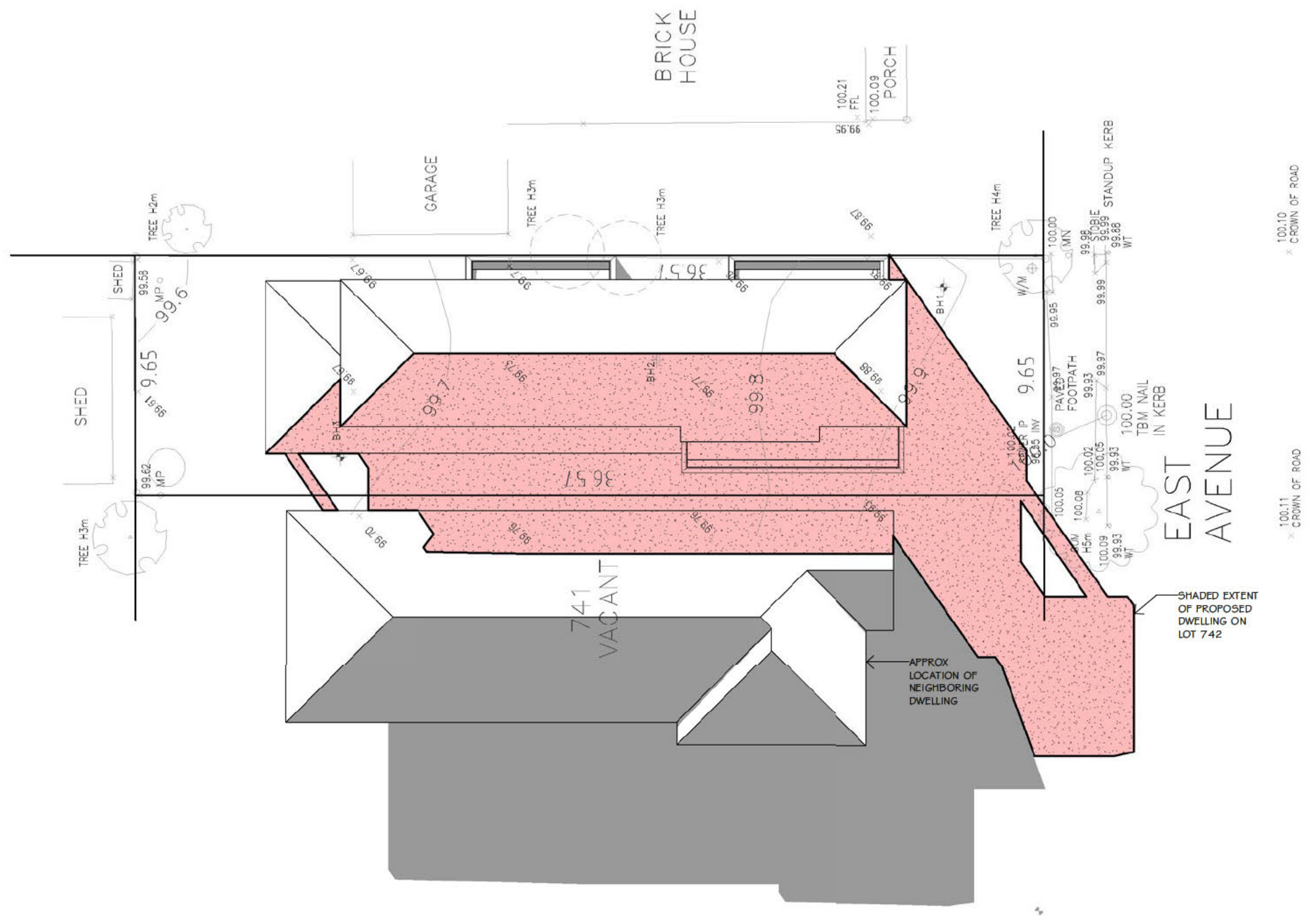
DATE: _____

OWNER: _____

DATE: _____



WINTER SOLSTICE - JUNE 21ST AT 3PM



NOTE: APPROX LOCATION OF NEIGHBORING DWELLING ON LOT 741 BASED OFF APPROX SETBACKS SUPPLIED AND SOURCED IMAGES

SHEET 3 OF 3 SHADOW DIAGRAMS Job No. 22342WD DATE: 27.10.23 SCALE: 1 : 200 DRAWN: JK JOB TYPE: 6.4 MASTER UPDATE: TYPE:	PROPOSED RESIDENCE FOR J. HOLDEN-DONAGHEY & S. MADIGAN AT LOT 742 EAST AVENUE CLARENCE PARK	AMENDMENT DATES	● DENOTES DIRECT WIRED SMOKE ALARM (C.J.) DENOTES FULL HT BRICK CONTROL JOINT. -REFER TO ENGINEERS REPORT	SPECIAL NOTES WINDOW LEGEND AS ALUM. HORIZONTAL SLIDING AAWN ALUM. AWNING TAWN TIMBER AWNING ASH ALUM. SINGLE HUNG TSH TIMBER SINGLE HUNG ADH ALUM. DOUBLE HUNG. TDH TIMBER DOUBLE HUNG AF ALUM. FIXED SASH TF TIMBER FIXED SASH * BRICKWORK OVER OPENING	- STANDARD ROSSDALE HOMES WINDOW SIZES ONLY NOTED ON PLAN. NOMINAL STANDARD WINDOW SIZES MAY CHANGE - THIS DRAWING IS TO BE READ STRICTLY IN CONJUNCTION WITH BUILDING & SELECTION SCHEDULES. ALL FIGURED DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS. © COPYRIGHT THESE DRAWINGS ARE SUBJECT TO COPYRIGHT. LEGAL ACTION WILL BE TAKEN AGAINST ANY INFRINGEMENT IN WHOLE OR PART, UNLESS WRITTEN AUTHORITY IS GIVEN BY GOOSTREY SMITH DESIGN PTY. LTD.	 Rossdale Homes Pty. Ltd ACN 007 936 727 Builders Licence No. CB104 300 GLEN OSMOND RD, FULLARTON, SA 5063 Phone: 08 8433 2000 Fax: 08 8433 2099
	AREAS M ²		Plans prepared by: Goostrey Smith Design ABN 14 092 583 232 202 GLEN OSMOND RD, FULLARTON, SA 5063 PH: 08 8433 2000 WWW.GOOSTREYSMITH.COM.AU			
			 GOOSTREYSMITH DESIGN			
			31			

ATTACHMENT 2

Details of Representations

Application Summary

Application ID	23015618
Proposal	Construction of a two storey detached dwelling
Location	86A EAST AV CLARENCE PARK SA 5034

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	19/11/2023 07:39 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

I do not support the development of the proposal: Construction of a two Storey dwelling application ID23015618 due to the following: %Impede on privacy - top Storey/main bedroom overlooks our rear yard and living space. %Does not keep with size and appearance of other dwellings within the immediate area - no other 2 Storey dwellings nearby.

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	26/11/2023 12:02 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development
Reasons	
Our initial concerns about the possibility of second-level windows closer to the rear of the house overlooking our backyard on the northern side have been eased after seeing the plans. They appear to be high enough to limit direct views.	

Attached Documents

Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2023 08:55 AM
Submission Source	Email
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons see attached	

Attached Documents

2301561886aEastAvenueClarencePark-7019779.pdf

From: [REDACTED]
To: [Development Services](#)
Subject: 23015618 86A East Avenue, Clarence Park
Date: Sunday, 26 November 2023 8:27:28 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

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

Dear Sir/Madam,

I wish to provide some feedback about the application for a residence at 86A East Avenue, Clarence Park, SA 5034.

Application number 23015618.

[REDACTED]

I am happy to speak at any hearing.

The diagram on the property fence show a house from boundary to boundary with two garages and a small door as the frontage.

We object to a house near the minimum width land looking like a garage with extras and no on-street parking.

We understand that with no front on-street parking to be available, the owners would like more parking on-property, however most of the dwellings we have seen in other suburbs with similar frontages have used the garages as storage area(s) and then use the space in front of the residence as parking spaces.

We would suggest the house be modified to have one garage with another garage/area behind the frontage garage to allow for two car storage, or if used as per normal use, or how the vast majority of owners use them, one garage and one storage area.

The frontage would look like a house with only one huge frontage garage.

As far as I am aware, this would be the only local house with such a percentage of the width of the block taken up by garaging.

Having Unley looking like garages with add-ons isn't a useful look and confronting.

A comment on the advertising/display for the property is that they have trees shown on the plan outside of the proposed site boundaries and with properties like this, the chances of that happening with boundary to boundary properties is almost unimaginable and untrue. False advertising.

We would suggest they be removed from all proposed plans unless they are on the property itself.

Yours sincerely,

[REDACTED]

ATTACHMENT 3

Response to Representatives

Application: ID 23015618

Proposal: Construction of a two storey detached dwelling

Location: 86A EAST AV CLARENCE PARK SA 5034

In response to Representor 1, from [REDACTED] comments, the concern about the proposal being a double story should not be of concern to council as the development plan allows a double story up to 9m in total height.

The representor has raised concerns about overlooking in to their rear yard. Their rear yard has a street frontage along East Avenue, directly opposite my clients' property at 86A East Ave, and their neighbour of no. 86. Built along the rear boundary of [REDACTED], the boundary along East Ave, has a double garage and larger than double carport spanning over 10.5m in depth. Therefore meaning the private open space of concern, is over 37m away from the windows at the front of our proposed dwelling. The heights of the garage and carport are between 2.1m and 3m which therefore creates visual coverage to their entire POS between the house and the garage and carport. There is also two significant trees and two street trees, all with huge canopies completely covering any view of the property.

Also it should be noted that the windows are from a bedroom, not a main living room or any type of room that would be continuously used throughout the day. The main bedroom would just be used as such and therefore used at night, with curtains closed.

With regards to Representor 3, from [REDACTED], they have not read the plans correctly as they have commented about the house being boundary to boundary, which it clearly is not. They have also made comments about the garage being used as a storage room and therefore cars will be parked in front of the garage, along the driveway. This is a huge assumption without knowing that my clients fully intend on using their garage as that. The development also states that a double width garage door is allowed on a double story and therefore all of the comments of this representor is uneducated and council should not be taking it into their consideration.

Unley council have recently approved another development of ours, namely 8A Riverdale Rd, Myrtle Bank with a very similar façade, but a bit more basic, and the planning department did not have any concerns with the items that have been raised by the representors. I believe this is because the representors have not checked that development plan as this would clarify that we do in fact meet the requirements.

Kind Regards,

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

ATTACHMENT 4

PURPOSE:	DIVISION	AREA NAME:	CLARENCE PARK	APPROVED:	
MAP REF:	6628/50/D	COUNCIL:	THE CORPORATION OF THE CITY OF UNLEY	DEPOSITED/FILED:	
LAST PLAN:		DEVELOPMENT NO:	090/D414/22/001		SHEET 1 OF 2
					114880_text_01_v01

AGENT DETAILS:		SURVEYORS CERTIFICATION:	
AGENT CODE:	PLS6P		
REFERENCE:	PL12515		

SUBJECT TITLE DETAILS:

PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5557	353		ALLOTMENT(S)	79	F	14387 ADELAIDE		

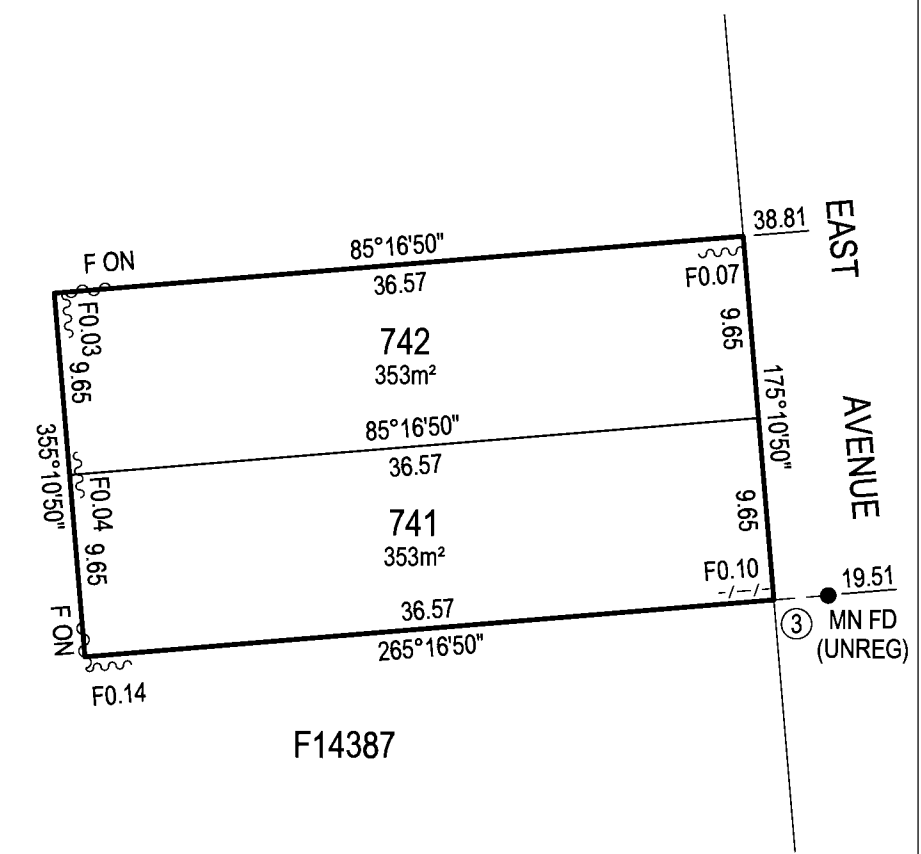
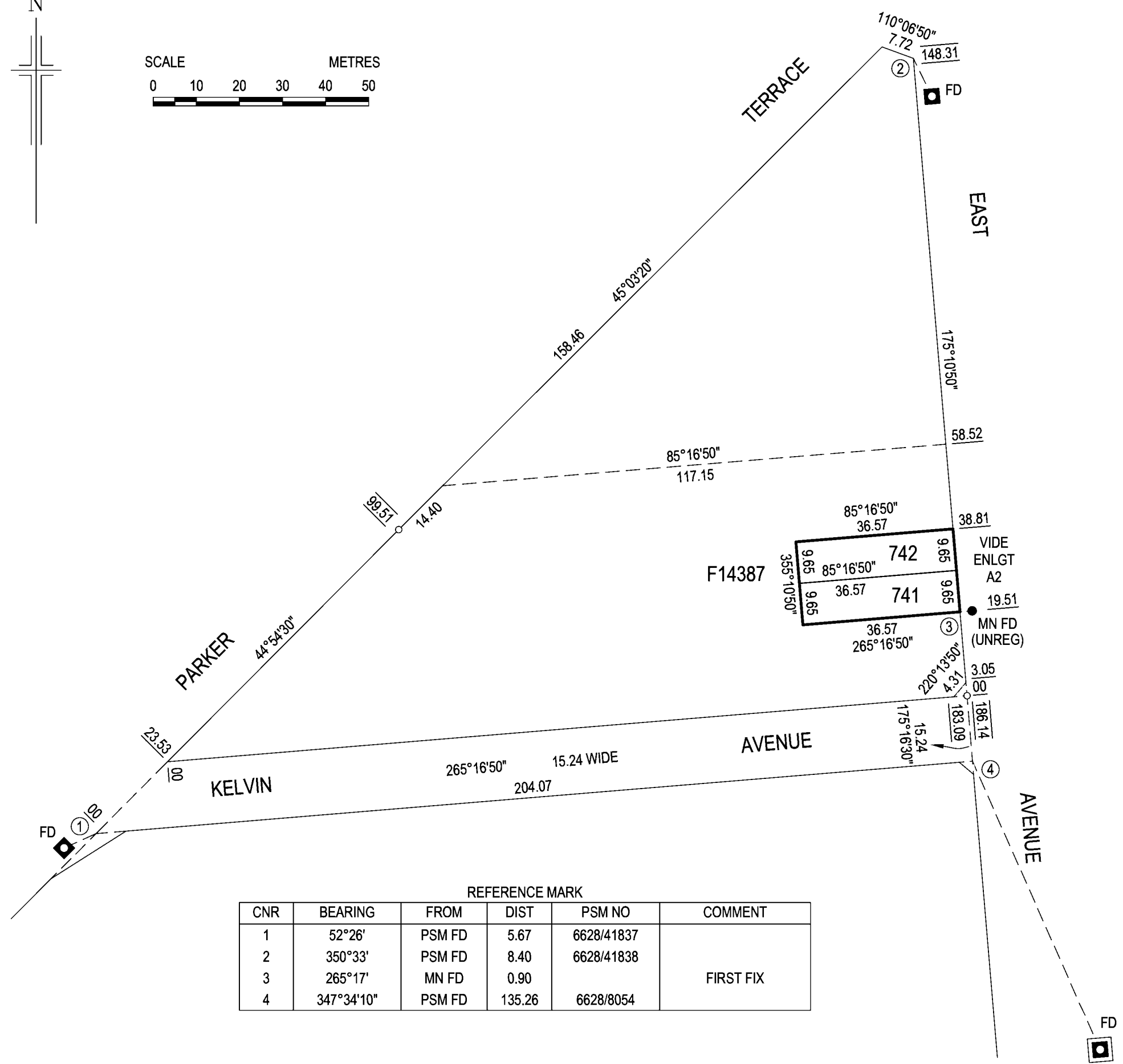
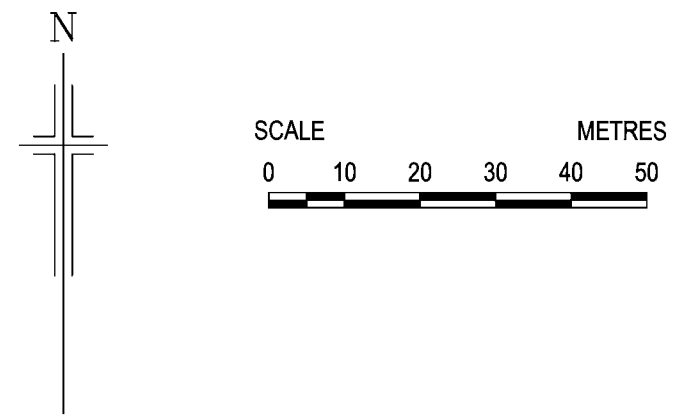
OTHER TITLES AFFECTED:

EASEMENT DETAILS:

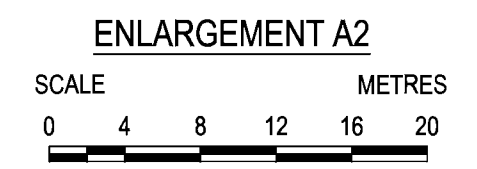
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION

ANNOTATIONS: NO OCCUPATION UNLESS OTHERWISE SHOWN

BEARING DATUM:	MGA 2020 ZONE 54
DERIVATION:	PSM 6628/41838 TO 6628/8054
DRAWING SCALE FACTOR:	1.0
ORIGIN POINT:	6628/41838
TOTAL AREA:	



REFERENCE MARK					
CNR	BEARING	FROM	DIST	PSM NO	COMMENT
1	52°26'	PSM FD	5.67	6628/41837	
2	350°33'	PSM FD	8.40	6628/41838	
3	265°17'	MN FD	0.90		FIRST FIX
4	347°34'10"	PSM FD	135.26	6628/8054	



PYPER LEAKER Surveying Services Pty Ltd
 78 GOODWOOD ROAD, WAYVILLE, SA 5034
 Email - info@plsurvey.com.au
 ABN 70 718 006 161 REF: PL12515 Date: 25/08/2022 SEM

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: January 23rd 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 March 14 th 2024