

CAP Meeting Agenda

Presiding Member: Mr Brenton Burman

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 17 June 2025 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Tim Bournier
Assessment Manager

Dated: 04/06/2025

Members: Mr Brenton Burman, Ms Colleen Dunn, Mr David Brown, Mr Terry Sutcliffe, Ms Yvonne Svensson

KAURNA ACKNOWLEDGEMENT

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

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

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

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

*Kurna Translation provided by Kurna Warra Karrpanthi

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ITEM 4.1**DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD**

| | |
|--|---|
| DEVELOPMENT NO.: | 24034425 |
| APPLICANT: | Bridge Urban Projects Pty Ltd |
| ADDRESS: | 59 WELLER ST GOODWOOD SA 5034 |
| NATURE OF DEVELOPMENT: | Demolition of an existing ancillary structure, partial demolition of the existing dwelling, construction of dwelling additions and alterations (including a loft, terrace and garage), construction of a masonry fence and removal of two regulated trees |
| 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 • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 5.7m) • Minimum Frontage (Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m) • Minimum Site Area (Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 500 sqm; row dwelling is 500 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent) |
| LODGEMENT DATE: | 20 Nov 2024 |
| RELEVANT AUTHORITY: | Assessment panel at City of Unley |
| PLANNING & DESIGN CODE VERSION: | P&D Code (in effect) Version 2024.20 7/11/2024 |
| CATEGORY OF DEVELOPMENT: | Code Assessed - Performance Assessed |
| NOTIFICATION: | Yes |
| RECOMMENDING OFFICER: | Lauren Cooke Planning Officer |
| REFERRALS STATUTORY: | Nil |
| REFERRALS NON-STATUTORY: | Heritage Consultant Engineering City Arborist |
| RECOMMENDATION: | Support with reserved matters and conditions |
| ATTACHMENTS: | Attachment 1 – Plan set Attachment 2 - Representations Attachment 3 – Applicant response to representations |

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DETAILED DESCRIPTION OF PROPOSAL:

The application proposes the partial demolition of the existing dwelling and ancillary structure, construction of a two-storey dwelling addition, boundary fencing and removal of two regulated trees. The proposed plans for consideration are contained within **Attachment 1**. Further details of each element are described below:

The proposal seeks to demolish the existing outbuilding within the north-eastern corner (rear) of the allotment.

The proposal seeks to partially demolish the rear lean-to of the dwelling containing the kitchen, bathroom and attached alfresco. The partial demolition of the southern lounge room wall is also proposed in order to accommodate portions of the proposed dwelling addition.

Removal of two regulated trees within the rear of the site are also proposed. The trees have been identified as a *Callistemon* (Bottlebrush) and *Cotoneaster* with the trees having circumferences of 1.4m and 1.0m respectively.

The proposed dwelling addition will consist of two portions. A walk-in-robe (WIR) and ensuite bathroom will be added to the existing 'lounge' on the southern side of the dwelling to enable its conversion to a master bedroom / suite. To the rear of the dwelling will be an open plan living / dining / kitchen, pantry, laundry, entry lobby (accessible from Kneebone Street), outdoor terrace and attached double garage. A loft space will be located above the garage, accessible from within the dwelling addition. The dwelling addition will be constructed in a combination of face brickwork, render finish, timber battens and Colorbond sheeting in 'Shale Grey'.

Consequential alterations to the existing dwelling will result in the conversion of the existing lounge to a master bedroom (as described above). The existing bedroom 3 will be converted to a standalone bathroom. As a result of these changes, closure of existing openings and creation of new openings is also proposed.

Fencing along Kneebone Street is also proposed in the form of a 1 metre high timber picket fence, extending from Weller Street for a length of 9 metres. Masonry fencing constructed of painted face brickwork with a height of 1800mm will extend to the east for a length of 20.288m, with the remainder of the boundary comprising the proposed double garage (described above).

SUBJECT LAND & LOCALITY:

Location reference: 59 WELLER ST GOODWOOD SA 5034

Title ref.: CT 5109/496 **Plan Parcel:** D34700 AL3 **Council:** CITY OF UNLEY

Site Description:

The subject land is formally described as Allotment 3 in Deposited Plan 34700 in the area named Goodwood, Hundred of Adelaide and is more commonly known as 59 Weller Street, Goodwood. The site is located on eastern side of Weller Street at its intersection with Kneebone Street.

The site is rectangular in shape with a frontage to both Weller and Kneebone Streets. The site has a frontage to Weller Street of 16.0 metres (m) and a frontage to Kneebone Street of 35.67 metres (m). The site has an overall area of approximately 572 square metres (m²).

The site currently retains a single storey symmetrical cottage built circa 1880s. No undercover on-site car parking is currently provided. A crossover provides access to the site from Kneebone Street, with Council's records suggesting that the crossover is utilised to accommodate informal car parking on the site. The site

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has a front fence constructed of timber capped pickets which wraps around into the Kneebone Street frontage. The remainder of the Kneebone Street frontage has a charcoal corrugated fence

The land is relatively flat and is not subject to any encumbrances or Land Management Agreements.

The subject land contains a variety of soft landscaping throughout the site, with two regulated trees located within the rear of the site. The verge directly in front of the subject site contains three Queensland Box Brush (*Lophostemon confertus*) street trees – one in Weller Street and the other two in Kneebone Street.



Figure 1 – View of the subject land from Weller Street

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Figure 2 – View of the subject land from Kneebone Street

Locality

The locality, taking into the account the general pattern of development and likely impacts of the proposal, is shown in Figure 3. The locality is located entirely within the Established Neighbourhood Zone.

The locality is entirely residential with a pattern of rectangular shaped allotments. Allotments have varying sizes that range between 240 – 860m².

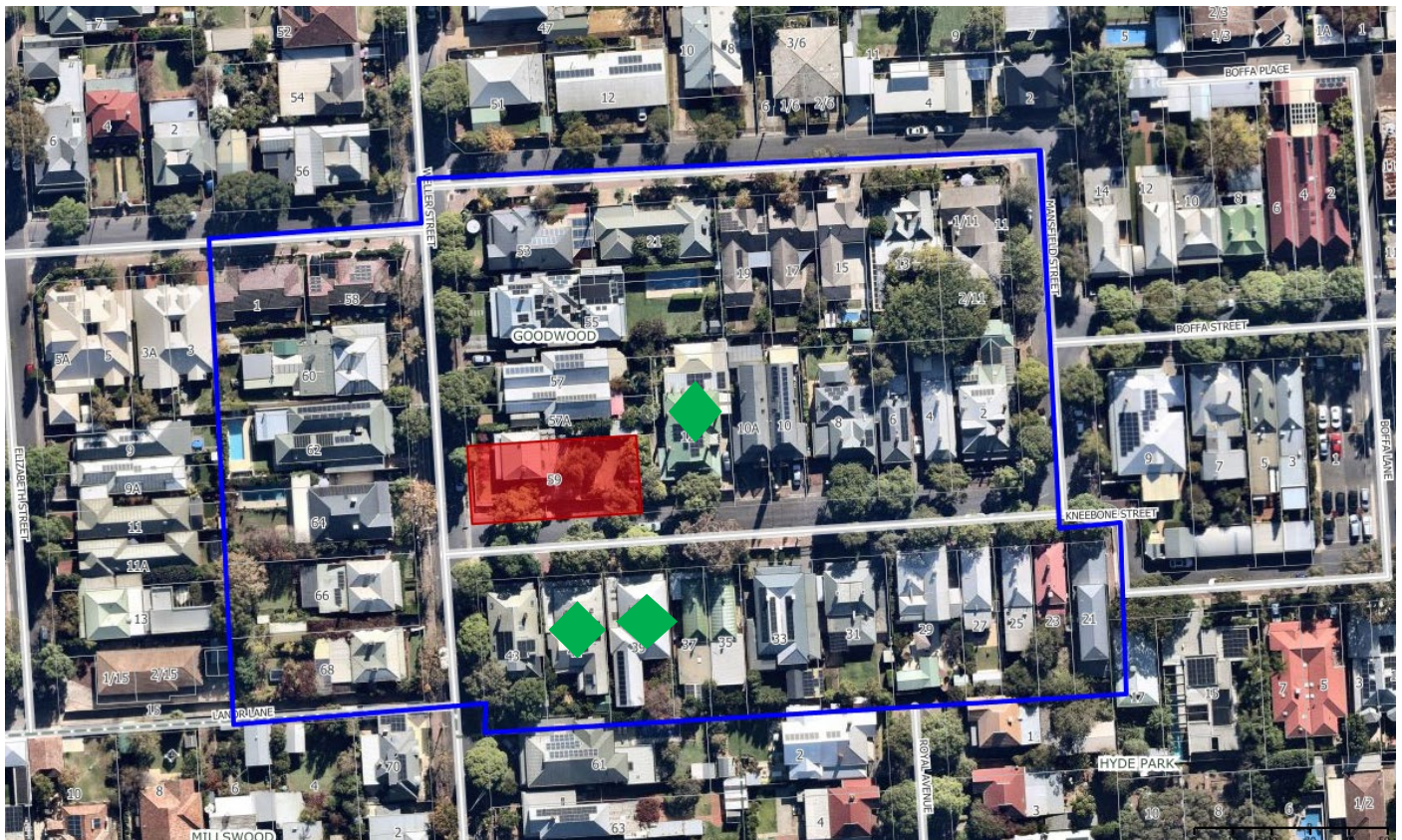
Dwellings in the locality are generally single storey in scale. Whilst not widespread within the locality, there are some second storey elements evident. Dwellings are constructed in a variety of styles with cottages being the predominant design style.


The locality is well vegetated in the public realm with mature trees on street verges, predominantly Queensland Brush Box trees. The verge within Weller Street has a narrow nature strip. There are large private trees interspersed throughout the locality.

Further to the east of the locality is King William Road, a commercial shopping strip, located within the Suburban Main Street Zone.

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Subject site


Locality


Representor

Figure 3 – Site and locality

It is noted that one of the representors does not live in the locality.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
 - Demolition
 - Fences and walls
 - Tree-damaging activity: Code Assessed - Performance Assessed
 - Partial demolition of a building or structure: Code Assessed - Performance Assessed
 - Demolition: Code Assessed – Performance Assessed
 - Building Alterations: Accepted
 - Dwelling addition: Code Assessed - Performance Assessed
 - Fence: Code Assessed - Performance Assessed
 - Dwelling alteration or addition
- **OVERALL APPLICATION CATEGORY:**
 - Code Assessed - Performance Assessed

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- **REASON**
P&D Code

SERIOUSLY AT VARIANCE ASSESSMENT

The Planning, Development and Infrastructure 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 a double storey dwelling addition 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.*

The proposal is for the construction of a dwelling addition 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, the proposal is not considered to be seriously at variance with the Planning and Design Code.

PUBLIC NOTIFICATION

- **REASON**

Established Neighbourhood Zone – Table 5 – Procedural Matters (PM) – Notification – Clause 7(2), the proposed demolition (or partial demolition) of a building in a Historic Area Overlay.

Established Neighbourhood Zone – Table 5 – Procedural Matters (PM) – Notification – Clause 3(1), the dwelling addition exceeds the maximum building height specified in DTS/DPF 4.1 of the Established Neighbourhood Zone.

Established Neighbourhood Zone – Table 5 – Procedural Matters (PM) – Notification – Clause 3(2)(b), the proposed dwelling addition incorporates a boundary wall which exceeds 3.2 metres.

As part of the public notification process, 47 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 four representations. One representation was in support of the development with some concerns and did not wish to be heard by the Council Assessment Panel. Three representations do not support the development with one of these representors requesting 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 |
|----------------------------|--|---------------------|----------------|
| [REDACTED] | I oppose the development | No | - |
| [REDACTED] | I oppose the development | Yes | [REDACTED] |
| [REDACTED] | I oppose the development | No | - |
| [REDACTED] | I support the development with some concerns | No | - |

In accordance with Regulation 50(1)(b) of the *Planning, Development and Infrastructure (General) Regulations 2017*, “a representation must include the name and address of the person (or persons) who are making the representation”. The identifying details available for the representor who lives within Mount Barker District Council are significantly lacking and therefore, little weight has been given to this representation. Notwithstanding the submission of the representation, it is noted that other representations raised similar concerns to this representor.

Summary:

The representors raised the following concerns:

- Setback of garage being inconsistent with streetscape and impact to sightlines.
- Proposed boundary development resulting in adjoining property being sandwiched between boundary development
- Impact to vegetation within adjoining property
- Regulated tree removal
- Noise impacts
- Impact to rooftop solar panels
- Impacts to traffic congestion and parking availability during construction
- Proposal does not increase net population growth and is therefore inconsistent with Council's *Economic Development Growth Strategy 2021 – 2025*
- Visual impact of two-storey scale and inconsistency with historic locality
- Destruction of soft landscaping and vegetation

The applicant provided a response to the representations which can be found in **Attachment 3**. This response was provided to the representor who wished to be heard. No changes to the proposal have been made in response to the representations.

It is noted that a number of the above concerns are not considered to be planning matters. No further discussion of these concerns will be included in this assessment report.

AGENCY REFERRALS

The application was not subject to any external referrals

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INTERNAL REFERRALS

- Heritage Consultant
- Engineering
- City Arborist

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 Outcomes (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 subject land is located within the Established Neighbourhood Zone and subject to the Historic Area Overlay. The site is located within the Residential Compact Goodwood and Hyde Park Historic Area Statement.

The application has been assessed against the relevant provisions of the **Planning & Design Code (the Code)**, which are contained in the following link:

[Planning and Design Code Extract](#)

Demolition and partial demolition

DO 1 – Historic Area Overlay

Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that response 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 7.1 – Historic Area Overlay

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

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

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PO 7.2 – Historic Area Overlay

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

PO 7.3 – Historic Area Overlay

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

In order to accommodate the proposed dwelling addition, partial demolition of the existing dwelling consisting of the existing rear lean-to and the southern wall of the original dwelling form is proposed.

The site is located within the **Residential Compact Goodwood and Hyde Park Historic Area Statement (Un5)** which includes development from 1880 to 1930 and identifies dwelling styles such as Victorian and Turn-of-the-Century cottages and villas and inter-war bungalows.

The existing outbuilding is not considered to conform with the values described in the Historic Area Statement.

The rear lean-to and alfresco are more recent additions to the dwelling and do not conform with the values described in the Historic Area Statement and are not considered to contribute to the historic character of the streetscape.

The southern wall of the dwelling (to the existing lounge) is an original portion of the dwelling and is visible from the street due to the site being a corner allotment. The structural integrity has not been called into question and as such, the proposed partial demolition is not considered to meet PO 7.1 of the Historic Area Overlay. Despite this, the partial demolition and the works that the demolition will facilitate will enable the retention of the existing dwelling and the creation of a dwelling fit for modern living. The partial demolition is considered to meet DO 1 of the Historic Area Overlay and is considered to be acceptable.

The application was referred to Council's Heritage Consultant who raised no issue with the extent of the proposed demolition in order to accommodate the proposal.

The structures proposed for demolition or partial demolition can be demolished in accordance with DO 1, PO 7.2 and 7.3 of the Historic Area Overlay.

Regulated Tree Removal

Regulation 3F of the *Planning, Development and Infrastructure (General) Regulations 2017 (the Regulations)* defines what constitutes a regulated or significant tree is.

The proposal includes the removal of two regulated trees in the rear yard to accommodate the proposed dwelling additions. Both trees have a circumference of 1 metre or greater and both trees are more than 3 metres from the existing dwelling and therefore constitute regulated trees. The features of the trees are summarised in Table 1 below.

| <i>Tree identifier</i> | <i>Species</i> | <i>Trunk circumference</i> |
|-------------------------------|-----------------------|-----------------------------------|
| T1 | Bottlebrush | 1.40 metres |
| T2 | Cotoneaster | 1.0 metres |

Table 1 – regulated trees proposed for removal

DO 1 – Regulated and Significant Tree Overlay

Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

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PO 1.1 – Regulated and Significant Tree Overlay

Regulated trees are retained where they:

- (a) make an important visual contribution to local character and amenity*
- (b) are indigenous to the local area and listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species and / or*
- (c) provide an important habitat for native fauna.*

When assessed against PO 1.1 a tree must meet one of the above criteria to justify retention. Neither tree is indigenous and rare or endangered nor are they considered to provide important habitat for native fauna. As such it must be determined if the trees make an **important** visual contribution to the character and amenity.

To understand whether a regulated or significant tree makes an **important** visual contribution, guidance can be taken from *Savoy Developments Pty Ltd V Town of Gawler [2013] SAERDC 32*, at [83], Commissioner Nolan expressed their view on how the word ‘important’ should be interpreted:

“...for habitat to be raised to the level of ‘important’ (as sought by Objective 2(d)), it must be beyond that likely to be expected in any mature tree of indigenous origins – that is, it is beyond the normal level that might be expected or that it is so unique or special that it may be considered important.”



Figure 4 – view of the subject site (taken from 41 Kneebone Street)

A site visit undertaken by Council staff observed that while the trees are visible when viewed from directly opposite within Kneebone Street (as demonstrated in Figure 4, above), the trees are not distinct from each

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other and therefore, not easily identifiable and notable within the public realm. In addition, the trees have limited visibility within the streetscape as the distance from the site increases (as demonstrated in Figure 5, below).

Neither of the two regulated trees are considered to meet the retention criteria set out in PO 1.1 of the Regulated and Significant Tree Overlay and it is recommended that their removal be supported.



Figure 5 – view of Kneebone Street, towards the subject site (taken from 10 Kneebone Street)

Notwithstanding the above assessment and conclusions, it is considered that the retention of the trees would prevent reasonable development of the land.

PO 1.4 – Regulated and Significant Tree Overlay

A tree-damaging activity in connection with other development satisfies all the following:

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- (a) *it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible*
- (b) *in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.*

The desired outcome of the Established Neighbourhood Zone is for a neighbourhood that incorporates a range of housing types that remain sympathetic to the predominant built form character and development patterns.

As will be discussed further within this report, the proposed dwelling addition broadly accords with the desired and performance outcomes of the zone, overlays and general policies applicable to the site. The built form does not exceed these policies to any notable degree. The proposal will result in a dwelling fit for modern living whilst enabling the preservation of a heritage era dwelling. The regulated trees proposed for removal are located within the centre of the subject land, limiting the area of land able to be developed.

One of the representors was concerned with the removal of the trees, suggesting that the trees proposed for removal are replacement trees from a previous tree removal approval issued by Council's DAP (as it was formerly known). Council's records suggest that the applicant planted a Meyer Lemon tree and two (2) Crepe Myrtle trees. Neither of the trees proposed for removal are of these species. As detailed below, the current application will incorporate a financial contribution in order to enable planting of canopy trees within the City of Unley. Notwithstanding this, each tree removal application must be assessed on its merits, as it is presented to Council.

Another representor was concerned with the destruction of green areas, particularly in Goodwood and Unley. It is noted that no destruction to public realm vegetation is proposed as part of the application. Street tree planting was proposed, particularly along Kneebone Street. Any street tree planting is a matter for Council's arboricultural team.

Given the above, it is recommended that the removal of two (2) regulated trees be supported in accordance with PO 1.1 and 1.4 of the Regulated and Significant Tree Overlay.

The applicant's response to representations identifies that four replacement trees will be planted in accordance with the requirements specified in Section 127(4) of the *Planning, Development and Infrastructure Act 2016* (**the Act**) and Regulation 59(1)(a) of the **Regulations**. However, during the processing of the application, it was determined that the applicant was unable to meet the re-planting requirements outlined in Regulation 59(2) of the **Regulations**.

The applicant has therefore advised that they will be making a financial contribution in accordance with Section 127(6) of the **Act**.

It is recommended that a reserved matter be included as part of any planning consent issued that requires prior to the issuing of development approval, the payment of a financial contribution for each tree not planted on site as prescribed by the *Planning, Development and Infrastructure (Fees) Notice* as set out in *The South Australian Government Gazette*.

Dwelling Additions and Alterations

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

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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, footings, front yards, and space between crossovers.

PO 1.1 – Established Neighbourhood Zone

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

The proposal seeks to construct dwelling additions and alterations to the existing dwelling located on the site. Construction of masonry fencing along the site's secondary street frontage (Kneebone Street) is also proposed. A dwelling is an envisaged use within the Established Neighbourhood Zone. The proposed works to the dwelling itself and associated ancillary works are considered to be compatible with the established development pattern of the neighbourhood and therefore, meets the desired outcomes of the Established Neighbourhood Zone.

Built Form

DO 1 – Historic Area Overlay

Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that response 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 – Historic Area Overlay

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

PO 2.1 – Historic Area Overlay

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

PO 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 3.1 – Historic Area Overlay

Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure that they do not dominate the primary façade.

PO 3.2 – Historic Area Overlay

Adaptive reuse and revitalisation of buildings to support retention consistent with the Historic Area Statement

PO 10.1 – Established Neighbourhood Zone

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

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PO 10.2 – Established Neighbourhood Zone

The appearance of development as viewed from public roads is sympathetic to the wall height, roof forms and roof pitches of the predominant housing stock in the locality.

The proposal seeks to construct a double storey dwelling addition with a gable roof form. The proposal is to be constructed in a variety of finishes, face brickwork, render finish, timber battens and Colorbond sheeting in 'Shale Grey'. The proposed finishes are to be in a neutral colour palette.

The proposed dwelling addition is located to the rear of the existing dwelling and is largely single storey in scale, with a loft to be located to the rear of the site above the proposed double garage. The first floor element is separated from the rear of the existing dwelling by 14m, with a setback from the Weller Street title boundary of 28m. The design and siting of the proposed addition with generous western boundary setbacks is such that it will not dominate the primary façade of the existing dwelling.

The corner allotment context of the subject site results in a high degree of visibility of any proposed built form. The contemporary design of the proposed dwelling addition provides a clear delineation between the character of the existing dwelling and the proposed addition, ensuring that the dwelling is distinct and can be appreciated in its own right. When viewed from Kneebone Street, the design of the two storey element presents as distinct and discernible from the existing cottage. The proposed colours and materials palette further emphasises the design delineation of the proposed addition. However, the proposed finishes are considered to be complementary to the existing dwelling, satisfying PO 2.5 of the Historic Area Overlay.

Overall the dwelling addition is considered to be sympathetic to the site and locality and satisfies PO 1.1, 2.1, 2.2 and 3.1 of the Historic Area Overlay and PO 10.1 and 10.2 of the Established Neighbourhood Zone.

Building Height, Scale and Streetscape

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.

With the corresponding **Designated Performance Feature (DPF)** seeking the following:

DPF 4.1 (a) – the following:

Maximum Building Height (Metres): 5.7m

Maximum Building Height (Levels): 1 level

PO 4.2 – Established Neighbourhood Zone

Additions and alterations do not adversely impact on the streetscape character.

The proposed dwelling addition has an overall height of 6.477m. This exceeds the maximum building height specified in the Established Neighbourhood Zone of 5.7m and one level. This second storey element is approximately 1.0m above the ridge of the existing dwelling.

The suitability of the two-storey form was raised by two of the representors. Reasons for this were overshadowing (discussed further within this report) and the visual impact on the historic architectural integrity of the Kneebone Street streetscape. The locality is predominantly single storey in scale, however there are some examples within the locality of two storey form within Kneebone Street, including at numbers 10 and 10A Kneebone Street. The applicant has provided a streetscape elevation which demonstrates that the ridge of the proposed dwelling addition will have a height that is similar to the height

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of the single storey dwelling's chimney at 12 Kneebone Street. The proposed height is therefore considered to be complementary to the height of the existing buildings within the locality.

Whilst the proposed two storey form is visible within the streetscape, the siting and design of the proposal is considered to be complementary to both the existing dwelling and the locality. The proposal is considered to satisfy the intent of PO 2.2 of the Historic Area Overlay, and PO 4.1 and 4.2 of the Established Neighbourhood Zone.

Site Coverage

PO 3.1 – Established Neighbourhood Zone

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 post-development site coverage will be 50.87%. This fails to satisfy DPF 3.1 of the Established Neighbourhood Zone which seeks a maximum site coverage of 50%. The site coverage exceedance of 0.87% equates to 5 square metres.

Whilst the site coverage exceeds the quantitative requirements specified within the Code, this is considered to be a minor deviation from the DPF. The dwelling will still be consistent with the character and pattern of the neighbourhood and provide sufficient space for light and ventilation to dwelling occupants. The proposed site coverage is considered to satisfy PO 3.1.

Setbacks and boundary development

PO 2.4 – Historic Area Overlay

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

PO 6.1 – Established Neighbourhood Zone

Buildings are set back from secondary street boundaries (not being a rear laneway) to maintain the established pattern of separation between buildings and public streets and reinforce streetscape character.

PO 7.1 – Established Neighbourhood Zone

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

PO 8.1 – Established Neighbourhood Zone

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.*

PO 9.1 – Established Neighbourhood Zone

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.*

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DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD

The proposal results in boundary development along the eastern (rear) boundary in the form of a garage. It therefore fails to satisfy the quantitative requirements of DPF 7.1 which seeks a 1 metre side setback, and DPF 9.1 which seeks a 4 metre rear setback. The eastern (rear) boundary garage will have a wall length of be sited on the boundary for a length of 7.1m, with a height of 3.3m. The proposed wall height exceeds the requirements specified in DPF 7.1. The height exceedance is limited to 100mm which is considered to be a minor deviation from the quantitative requirements. The proposed wall on boundary has a length of less than 8 metres. As the wall length does not exceed 8 metres, this is considered to limit any visual impact associated with the wall height. The proposed boundary development constitutes 44% of the site's eastern boundary which is below the desired maximum boundary development of 45%. Further, the adjoining site to the rear has established vegetation which will screen the proposed wall. For the reasons above, the garage wall height is considered reasonable to satisfy the intent of PO 7.1 of the Established Neighbourhood Zone.

One of the representors raised concerns with the fact that [REDACTED] would be “hemmed in” as a result of the proposed boundary development and existing boundary development at 10A Kneebone Street. Boundary development is not assessed based on existing boundary development that adjoining sites are subject to. Notwithstanding, the existing boundary development constructed at 10A Kneebone Street is located opposite the carport and driveway for [REDACTED] and is less than 6 metres in length. An assessment against the proposed boundary development is detailed above.

Separate from the boundary development, the proposal provides a minimum rear setback at ground floor of 1.015m (to the proposed terrace) and a first floor rear setback (to the proposed loft) of 2.009m. Both of these fail to satisfy the quantitative requirements of DPF 9.1 which seeks a rear setback of 4 metres and 6 metres at ground and first floor respectively. The proposal's failure to meet DPF 9.1 is in part, due to the linear design of the proposal along the southern boundary. The design is still considered able to provide separation between buildings and ensures access to natural light and ventilation for neighbours. The design in conjunction with the proposed side boundary setbacks, which meet DPF 8.1, provides secluded private open space with northern solar access. This is considered to be a contextual and sustainable design response, with the improved amenity for dwelling occupants anticipated. The proposed side and rear boundary setbacks are considered to meet the intent of PO 8.1 and 9.1 of the Established Neighbourhood Zone.

The proposal provides a secondary street setback at ground floor of 1 metre and a first floor setback of 2.478m. The first floor setback of the proposal fails to satisfy DPF 6.1. The shortfall of 0.522m is still considered able to provide an adequate level of separation between the dwelling and the streetscape.

One of the representors raised the proposed secondary street setback, noting that it is just 1 metre as compared to the average setbacks within Kneebone Street of 5.4m. The proposed setback of the proposal on the southern boundary, must be assessed against the secondary street setback provisions set out in PO 6.1, not the primary street setback provisions. The siting of the proposal is considered to reflect the established pattern of development within the locality for corner allotments where reduced setbacks to the secondary streets are anticipated. This is supported by the Code provisions.

The proposal incorporates setbacks of at least 1 metre to Kneebone Street and as such, no impacts to sightlines and traffic visibility are anticipated. An assessment of the proposed on-site traffic and parking arrangements is detailed further within this report.

The proposal provides adequate separation between the site's Kneebone Street frontage and does not disrupt the streetscape character and is considered to meet the intent of PO 6.1 of the Established Neighbourhood Zone.

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Off-site amenity impacts

PO 10.1 – General Development Policies – Design in Urban Areas

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

PO 3.1 – General Development Policies – 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*

PO 3.3 – General Development Policies – Interface between Land Uses

Development does not unduly reduce the generating capacity of adjacent rooftop solar energy

The proposed loft will incorporate windows along the northern and southern elevations. These windows have minimum sill heights of 1.7m. The proposed window treatments exceed the DPF of the relevant development policies and is considered to mitigate any potential overlooking from this space into adjoining private open space areas and habitable rooms.

As part of the response to representations (see **Attachment 3**), the applicant provided overshadowing diagrams that demonstrate the extent of overshadowing from the proposal on the Winter Solstice (21 June). Due to the site's east-west axis and corner location, the overshadowing impacts are limited to the directly adjoining property to the east. The diagrams were provided in response to a representor raising concerns with the potential overshadowing to the rooftop solar panels located on [REDACTED]. The shadow diagrams demonstrate that the rooftop solar panels on the adjoining property at [REDACTED] will be provided with unencumbered solar access.

Overall, the proposed development is considered to meet the performance outcomes relating to overlooking and overshadowing. The proposed development is not expected to result in significant off-site amenity impacts to adjoining properties.

Private Open Space and Landscaping

PO 21.1 – General Development Policies – Design in Urban Areas

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

PO 21.2 – General Development Policies – Design in Urban Areas

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

PO 22.1 – General Development Policies – Design in Urban Areas

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.*

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DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD

The proposal provides 135.5m² of secluded open space, located on the northern side of the dwelling. This includes a covered terrace and landscaped areas. The private open space is located behind the building line of the dwelling and is accessible from the living areas of the dwelling. This is considered to satisfy both PO 21.1 and 21.2.

The post-development soft landscaping retained on site will have an area of 190m², which constitutes 33.22% of the site area. This meets the quantitative requirements set out in DPF 22.1 of Design in Urban Areas, which seeks soft landscaping to cover 25% of the site.

Car Parking

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.

PO 23.1 – General Development Policies – Design in Urban Areas

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

PO 23.3 – General Development Policies – Design in Urban Areas

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

PO 23.4 – General Development Policies – Design in Urban Areas

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 – General Development Policies – Design in Urban Areas

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

PO 23.6 – General Development Policies – Design in Urban Areas

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

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

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 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.*

A new vehicle crossover will be provided at the eastern end of the site, providing access from Kneebone Street. The location and design of the crossover will not disrupt the rhythm of the streetscape, with no impact to the existing landscaping within the streetscape. The crossover has adequate separation from the

ITEM 4.1

DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD

tangent point of the Weller Street / Kneebone Street intersection. The design of the crossover and driveway is such that safe access and egress will be facilitated to and from the site.

Comments were sought from the City Arborist with respect to the impact to Council's street trees from the proposed crossover. They have advised that they will require a minimum setback from the eastern Queensland Brush Box street tree of 3 metres. The applicant has amended the plans to reflect this requirement, however it is recommended that a condition be included as part of any consent issued to further enshrine this requirement.

Table 1 within **Transport, Access and Parking** identifies the parking rates that apply to residential developments. Detached dwellings containing two or more bedrooms are required to provide a minimum of two car parking spaces per dwelling, one of which is required to be covered.

The proposal provides car parking in the form of an enclosed double garage. The garage has dimensions which provides car parking that is functional, accessible and convenient.

The proposed access arrangements are considered to be safe and convenient in accordance with PO 23.3 and 23.4 of General Policies (Design in Urban Areas), with on-site car parking provided at the necessary quantum.

Fencing

PO 1.1 – Historic Area Overlay

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

PO 4.4 – Historic Area Overlay

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.

PO 9.1 – General Development Policies – Design in Urban Areas

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

The proposed fencing will be located on the southern boundary. The fencing is to be constructed of either timber picket with a height of 1m or painted face brickwork masonry walls with a height of 1.8m.

The timber picket fencing serves as a continuation of the existing front fencing fronting Weller Street. The low, open-style of the fencing will continue to enable views of the dwelling from the streetscape.

The masonry fence has a simple design, with visual interest derived from the combination of paint and render finish. The 1.8m height of the fencing is consistent with the Historic Area Statement, noting the length of the site's frontage to Kneebone Street. The fencing is considered to be complementary to both the existing dwelling and the proposed dwelling addition. There are also a number of fences in the locality with heights in the order of 1.8m and solid fencing design, predominantly brush fencing.

Notwithstanding, the function of the fencing as a boundary fence necessitates a greater height in order to not only meet the provisions of the Historic Area Overlay, but also PO 9.1 of Design in Urban Areas. The proposed height of the fencing is considered sufficient to provide privacy and security to dwelling occupants. As the fence has an interface with the public realm, the proposed fencing is unlikely to have a significant impact on the visual amenity of adjoining properties.

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Both proposed fencing types are considered to complement both the existing dwelling on site and proposed dwelling addition, and are considered to achieve the intent of PO 1.1 and 4.4 of the Historic Area Overlay.

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

- On balance the proposed development satisfies the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies.
- The regulated trees identified for removal do not make an *important* contribution to the local character and amenity nor form a notable visual element to the landscape of the local area. The applicant proposes a financial contribution to Council's Urban Tree Fund in order to facilitate replacement canopy tree planting.
- The proposal has been sympathetically designed with consideration given to the predominant built form character and development pattern of the locality and is consistent with the adjacent development.
- The proposal presents a contextual and sustainable design response.
- The proposal's use of colours and materials is complementary to both the existing dwelling and the streetscape.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24034425, by Bridge Urban Projects Pty Ltd is granted Planning Consent subject to the following reasons/conditions/reserved matters:

RESERVED MATTERS

Planning Consent

Reserved 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 of the relevant stage:

- Payment of an amount calculated in accordance with the Planning, Development and Infrastructure (Fees, Charges, and Contributions) Regulations 2019 be made into the relevant urban trees fund to compensate for the loss of two (2) regulated trees.

ITEM 4.1

DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD

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

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

That the existing crossover(s) shall be closed and reinstated back to kerb and gutter in accordance with Council requirements and at the applicant's expense, prior to occupation of the development. Refer to the City of Unley website *Forms & Applications – Application to Alter Public Roads and Driveway Crossover Specifications*.

<https://www.unley.sa.gov.au/Page/Forms-Applications>

Condition 5

A minimum clearance of 3.0 metre(s) between driveway crossover(s) and existing street tree(s) is to be provided.

Condition 6

The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to the City of Unley website *Forms & Applications – Driveway Crossover Specifications*.

<https://www.unley.sa.gov.au/Page/Forms-Applications>

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.

ITEM 4.1

DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD

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

Any works undertaken on Council owned land (including but not limited to works relating to reserves, crossing places, landscaping, footpaths, street trees and stormwater connections and underground electrical connections), shall require a separate authorisation from Council. Further information and/or specific details can be obtained by contacting Council's Asset Management department on 8272 5111.

Advisory Note 8

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

Advisory Note 9

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

Advisory Note 10

Notes from Asset Engineering:

- 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.

Advisory Note 11

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

ITEM 4.1

DEVELOPMENT APPLICATION – 24034425 – 59 WELLER STREET, GOODWOOD

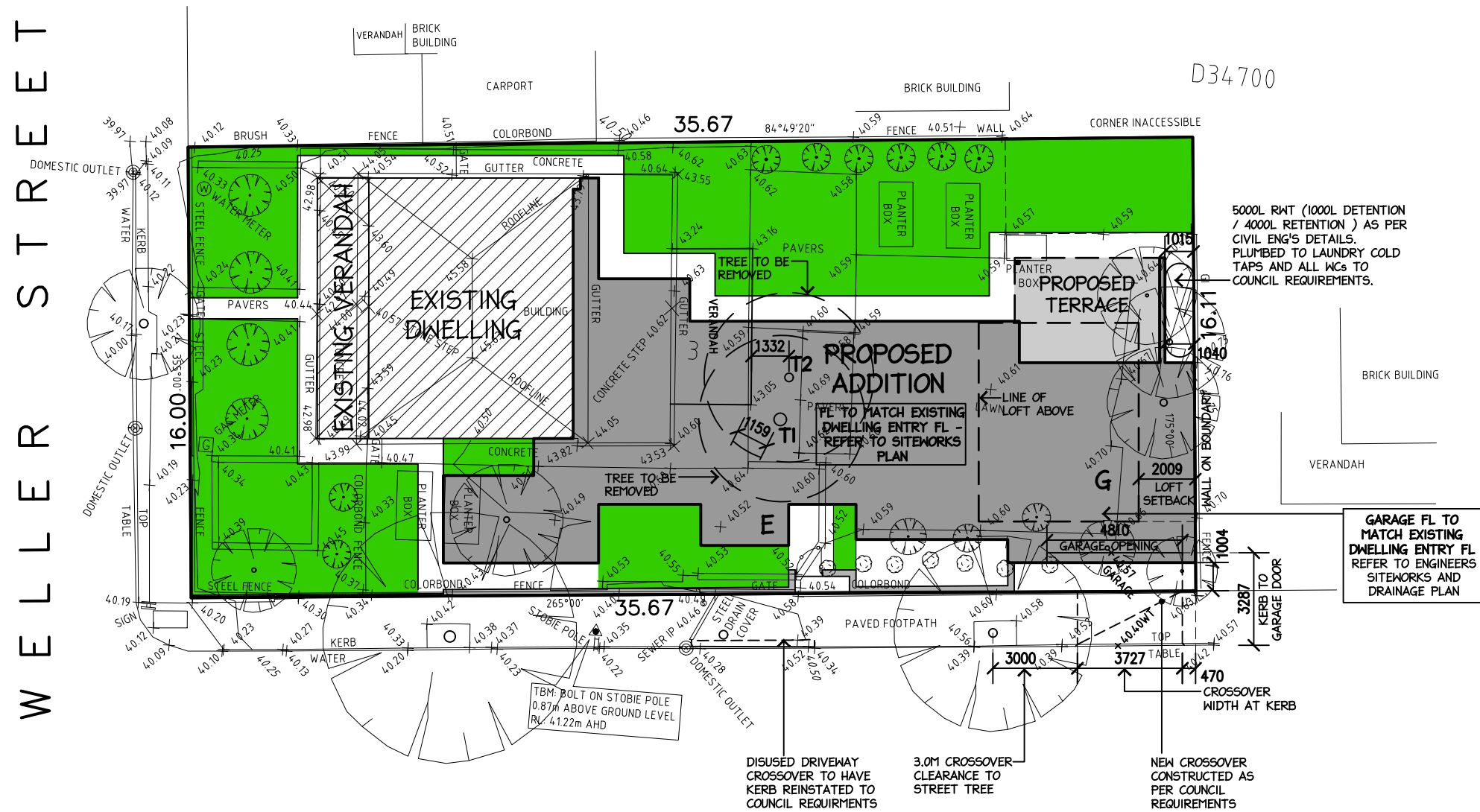
OFFICER MAKING RECOMMENDATION

Name: Lauren Cooke

Title: Planning Officer

Date: 17 June 2025

ATTACHMENT 1



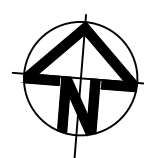
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|------------|---|----------|--------|
| I | ADDITIONAL INFORMATION PRIOR TO CAP MEETING | 02.06.25 | HH |
| H | RESPONSE TO COUNCIL REQUEST FOR INFORMATION | 28.03.25 | HH |
| G | RESPONSE TO COUNCIL REQUEST FOR INFORMATION | 13.03.25 | HH |
| F | COUNCIL REQUESTED STREET TREE CLEARANCE AMENDMENTS | 08.01.25 | HH |
| E | COUNCIL REQUESTED AMENDMENTS | 13.12.24 | HH |
| D | COUNCIL REQUESTED EXISTING TREE REMOVAL INFORMATION | 06.11.24 | HH |
| C | COUNCIL REQUESTED AMENDMENTS | 15.10.24 | HH |
| B | COLOUR SCHEDULE INCLUDED | 01.10.24 | HH |
| A | INITIAL ISSUE | 27.09.24 | HH |
| AMENDMENT: | | DATE: | DRAWN: |

PLANNING APPLICATION

CLIENT:
WALKER RESIDENCE

AT:
59 WELLER STREET,
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SITE PLAN
SCALE 1:200

AREA BREAKDOWN (m²)

| | |
|----------------------|---------------|
| TOTAL SITE | 572.69 |
| SITE COVER (%) | 290.67 (50.8) |
| SOFT LANDSCAPING (%) | 177.33 (31.0) |
| P.O.S. (%) | 169.30 (29.6) |

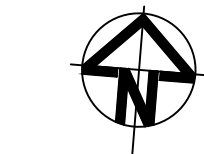
NEW DOWNPIPES TO CONNECT INTO
EXISTING STORMWATER SYSTEM - TO
COMPLY WITH COUNCIL REGULATIONS

NEW DOWNPIPES TO CONNECT INTO
EXISTING STORMWATER SYSTEM - TO
COMPLY WITH COUNCIL REGULATIONS

NOTE: OWNER TO REMOVE ANY BRUSH
FENCES WITHIN 3m OF DWELLING.

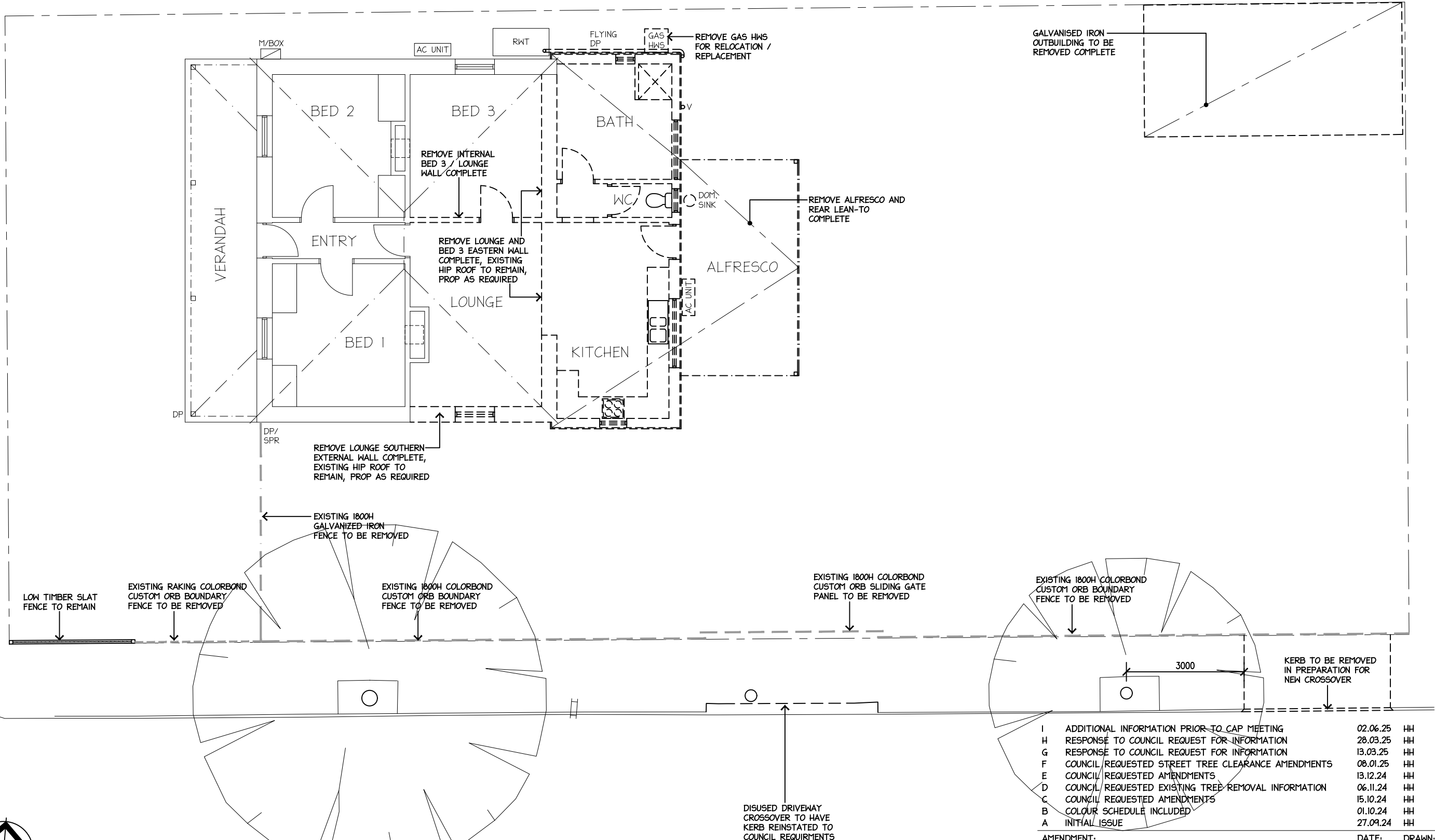
| EXISTING SITE TREE REMOVAL | | | |
|---|-------------|---------------------|----------------------------------|
| TREE MARK | SPECIES | TRUNK CIRCUMFERENCE | DISTANCE FROM EXISTING STRUCTURE |
| T1 | BOTTLEBRUSH | 1.40M | 1.332M |
| T2 | COTONEASTER | 1.00M | 1.159M |
| CONTRIBUTION TO BE MADE TO THE URBAN TREE FUND IN LIEU OF PLANTING FOUR REPLACEMENT TREES ON SITE | | | |

W E L L E R S T R E E T



DEMOLITION PLAN
SCALE 1:100

K N E E B O N E S T R E E T



| | | | |
|------------|---|----------|--------|
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| AMENDMENT: | | DATE: | DRAWN: |

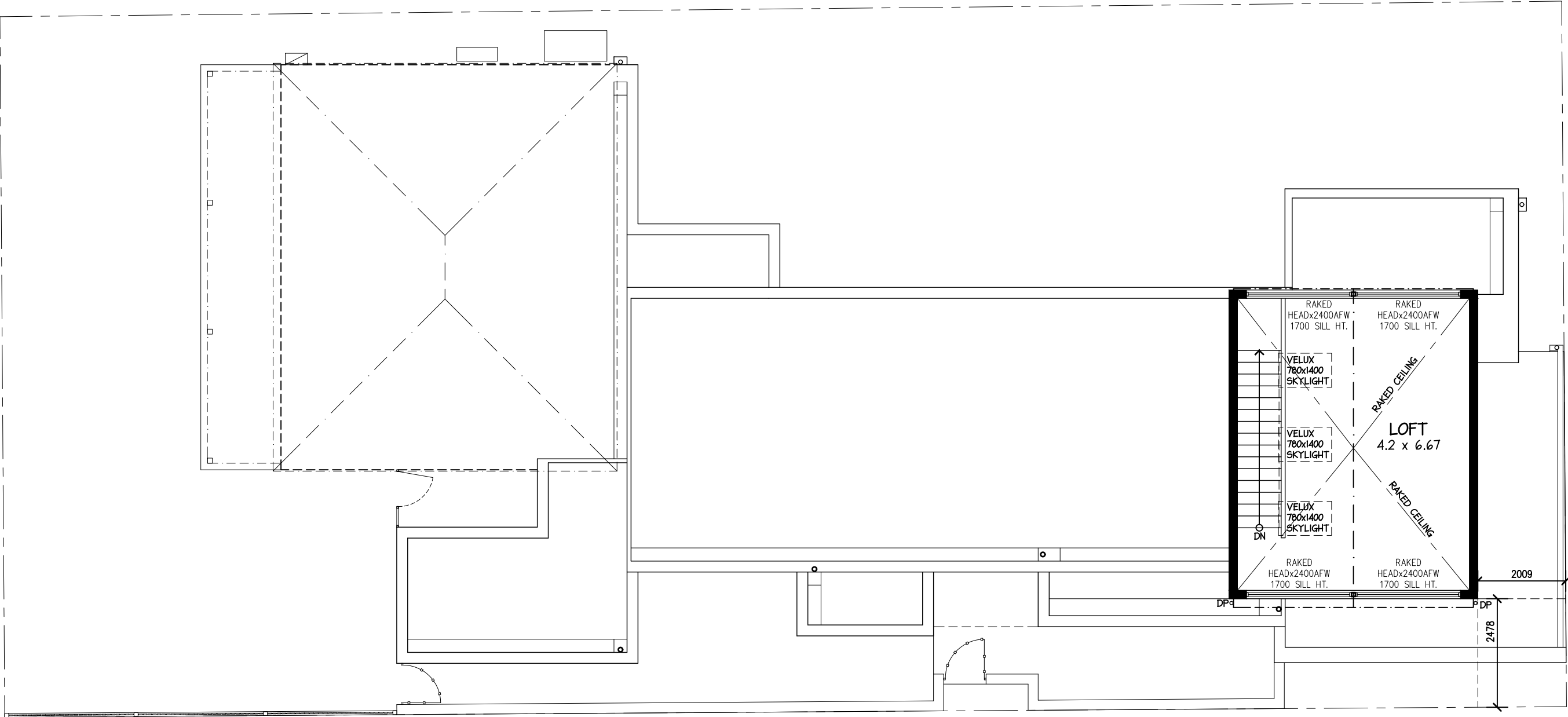
PLANNING APPLICATION

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PROPOSED LOFT FLOOR PLAN
SCALE 1:100

| | | | |
|------------|---|----------|--------|
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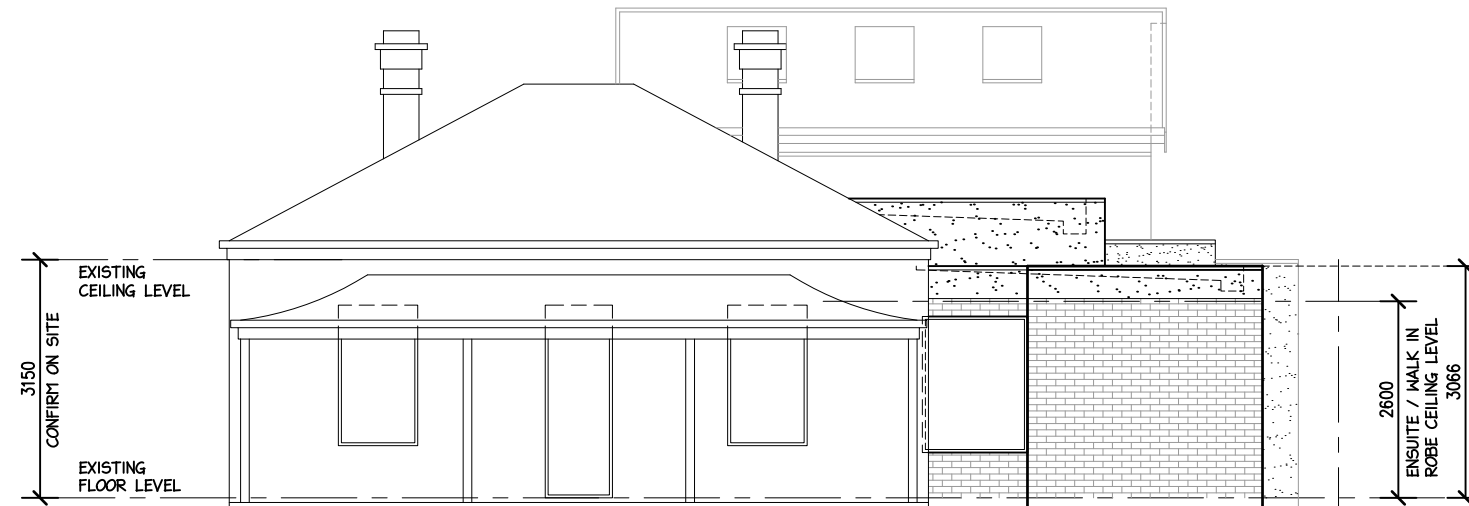
PLANNING APPLICATION

CLIENT:
WALKER RESIDENCE

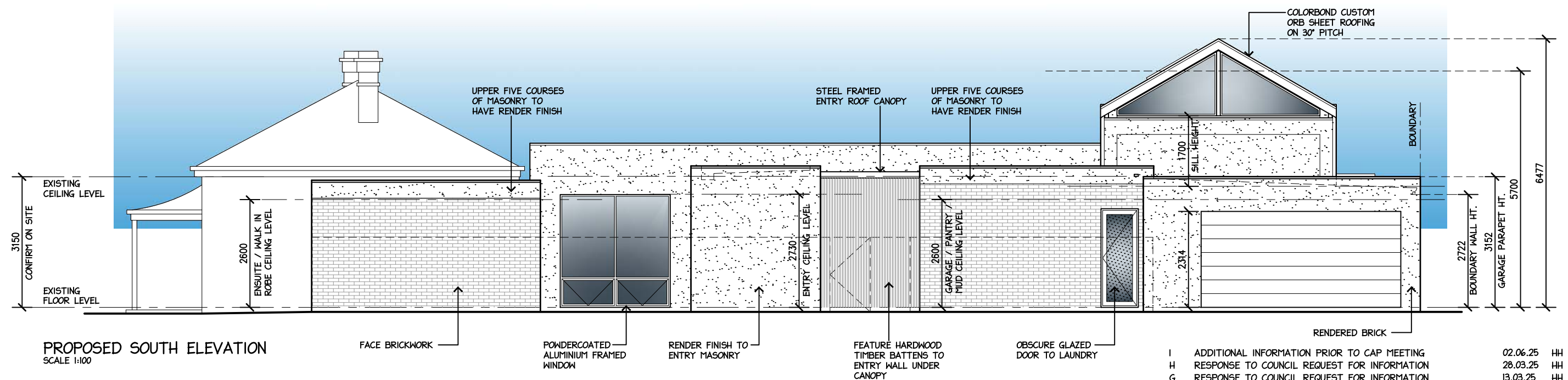
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PROPOSED WEST ELEVATION
SCALE 1:100



PROPOSED SOUTH ELEVATION
SCALE 1:100

| | | | |
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PLANNING APPLICATION

CLIENT:
WALKER RESIDENCE

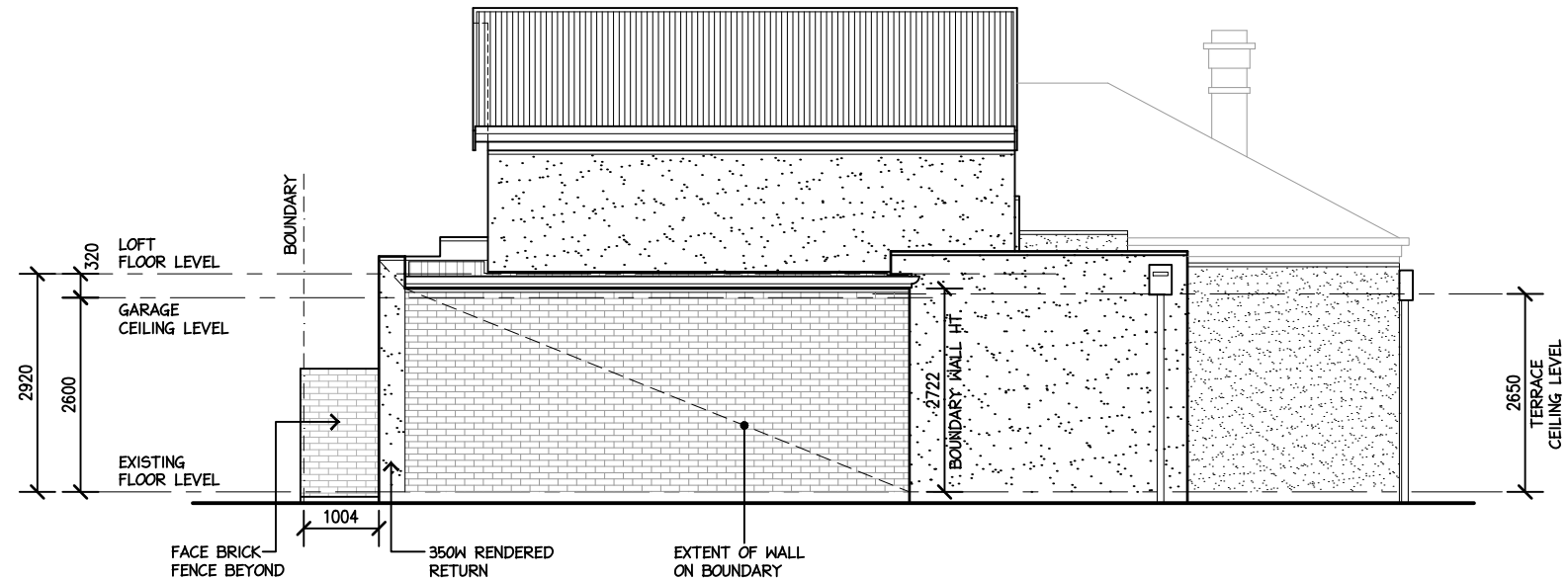
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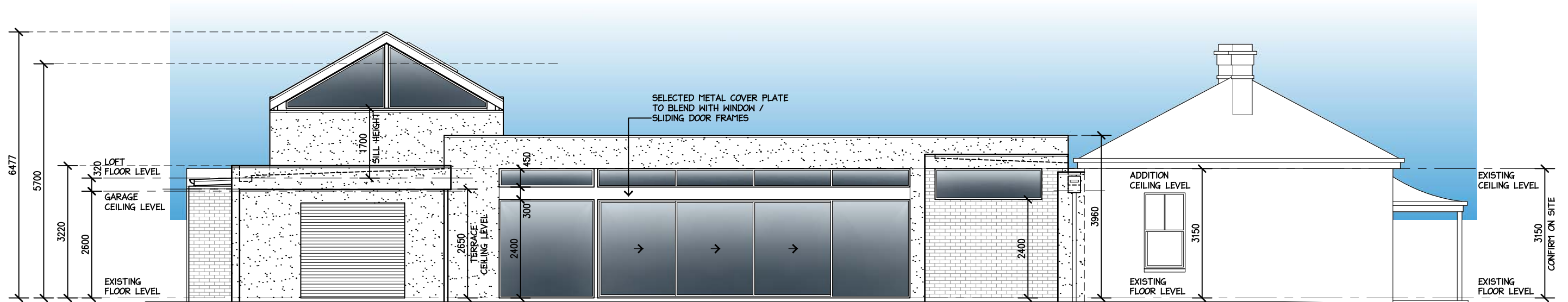
**BRIDGE
URBAN**
CUSTOM BUILDER

COLOUR SCHEDULE

| | |
|------------------------------|---|
| LOFT ROOF SHEETING: | COLORBOND CUSTOM ORB SHALE GREY OR SIMILAR |
| LOFT ROOF GUTTER / CAPPINGS: | COLORBOND SHALE GREY OR SIMILAR |
| RENDERED MASONRY: | COLORBOND SHALE GREY OR SIMILAR |
| ADDITION FACE BRICK: | PGH BRICKS - WEATHERED BRICK RANGE - CHELSEA |
| GARAGE DOOR: | COLORBOND SHALE GREY OR SIMILAR |
| ADDITION WINDOW FRAMES: | WHITE |
| SOUTHERN MASONRY FENCE: | COMBINATION OF PAINTED AND FACE BRICKWORK, PAINTED BRICKWORK CLOSER TO THE HOUSE, FACEBRICK TO MASONRY FENCE ADJACENT THE GARAGE DOOR |



PROPOSED SOUTH ELEVATION
SCALE 1:100



PROPOSED NORTH ELEVATION
SCALE 1:100

| | | | |
|------------|---|----------|--------|
| I | ADDITIONAL INFORMATION PRIOR TO CAP MEETING | 02.06.25 | HH |
| H | RESPONSE TO COUNCIL REQUEST FOR INFORMATION | 28.03.25 | HH |
| G | RESPONSE TO COUNCIL REQUEST FOR INFORMATION | 13.03.25 | HH |
| F | COUNCIL REQUESTED STREET TREE CLEARANCE AMENDMENTS | 08.01.25 | HH |
| E | COUNCIL REQUESTED AMENDMENTS | 13.12.24 | HH |
| D | COUNCIL REQUESTED EXISTING TREE REMOVAL INFORMATION | 06.11.24 | HH |
| C | COUNCIL REQUESTED AMENDMENTS | 15.10.24 | HH |
| B | COLOUR SCHEDULE INCLUDED | 01.10.24 | HH |
| A | INITIAL ISSUE | 27.09.24 | HH |
| AMENDMENT: | | DATE: | DRAWN: |

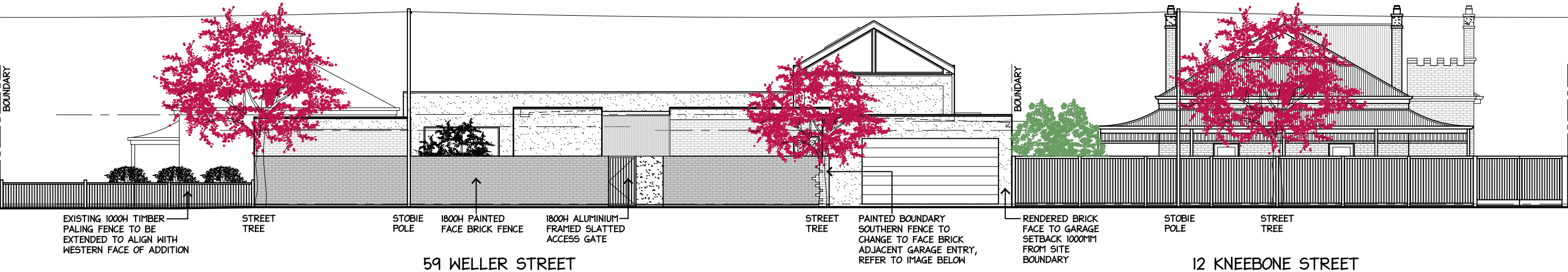
PLANNING APPLICATION

CLIENT:
WALKER RESIDENCE

AT:
59 WELLER STREET,
GOODWOOD SA

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WHOLE OR PART, UNLESS WRITTEN AUTHORITY IS GIVEN
BY GOOSTREYSMITH DESIGN PTY LTD.





PROPOSED SOUTHERN BOUNDARY FENCE ELEVATION / KNEEBONE STREET STREETScape
SCALE 1:150



EXAMPLE OF MASONRY BOUNDARY FENCE TRANSITION FROM FACE BRICK TO PAINTED
PROPOSAL FOR SOUTHERN FENCE AT 59 WELLER STREET WILL TRANSITION FROM PAINTED BRICK
FENCE TO FACE BRICK AT EXTERNAL CORNER NEAR GARAGE EXTERNAL SOUTH FACING WALL
(REFER TO STREETScape)

| SOUTHERN MASONRY FENCE COLOUR SCHEDULE | | |
|--|--|--|
| FACE BRICK: | PGH BRICKS - WEATHERED BRICK RANGE - CHELSEA | |
| PAINTED BRICK PAINT COLOUR: | COLORBOND SHALE GREY OR SIMILAR | |



MASONRY BOUNDARY FENCE FACE BRICK
PGH BRICKS - WEATHERED BRICK RANGE - CHELSEA

| | | | |
|------------|---|----------|--------|
| I | ADDITIONAL INFORMATION PRIOR TO CAP MEETING | 02.06.25 | HH |
| H | RESPONSE TO COUNCIL REQUEST FOR INFORMATION | 28.03.25 | HH |
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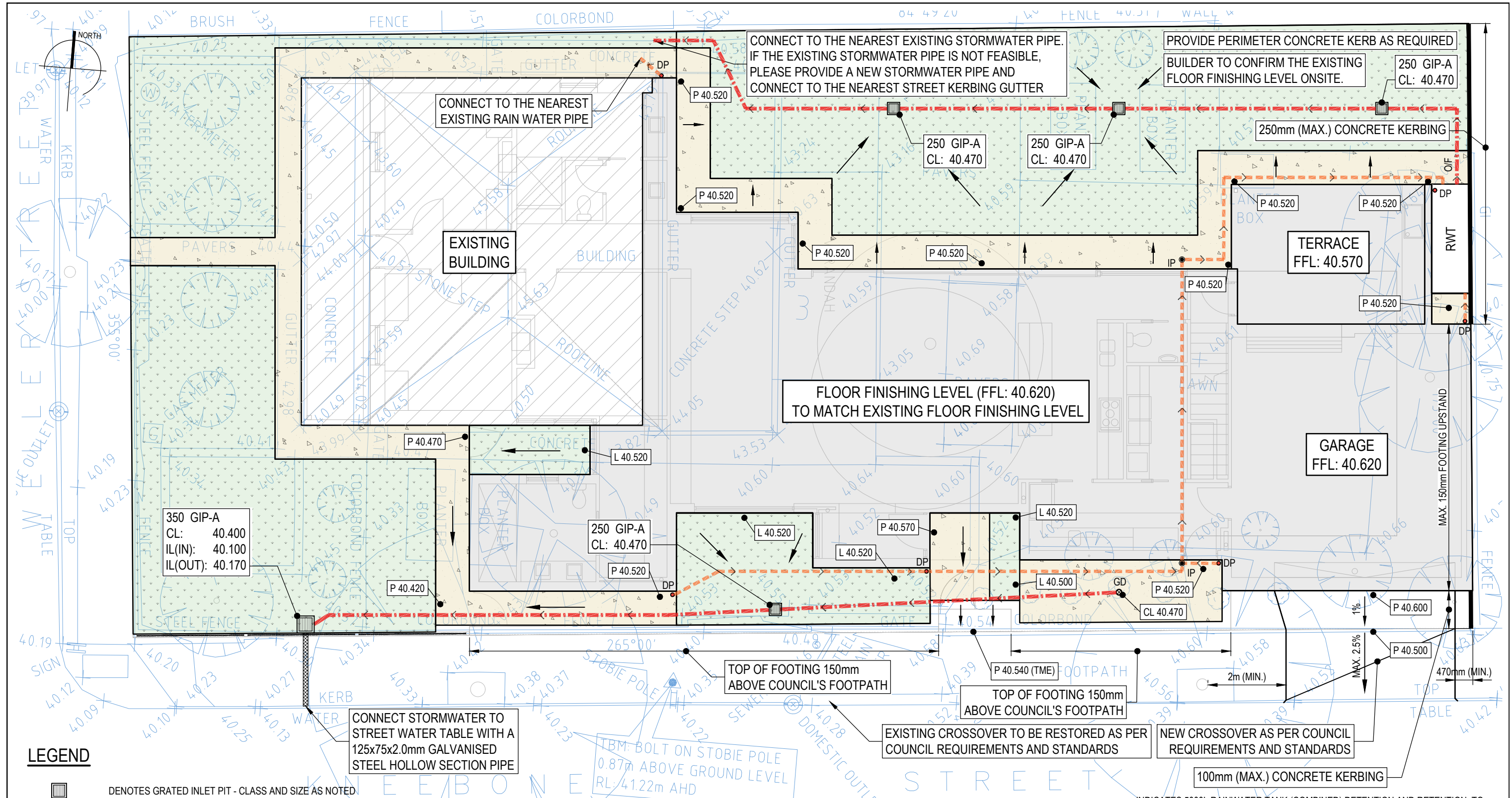
PLANNING APPLICATION

CLIENT:
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AT:
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GOODWOOD SA

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LEGEND

- DENOTES GRATED INLET PIT - CLASS AND SIZE AS NOTED
- DENOTES DIRECTION OF SURFACE FALL
- GD DENOTES GRATED DRAIN - 90 PVC RISER + GRATE
- IP DENOTES INSPECTION POINT
- DP DENOTES DOWNPIPE (TO ARCHITECTS SELECTION) TO FULLY SEALED SYSTEM. ENSURE COMPATIBILITY. LOCATIONS INDICATIVE ONLY, REFER ARCHITECTS DRAWINGS
- XXØ DENOTES 100mm DIA. UPVC STORMWATER PIPE WITH 1:200 (MIN.) SLOPE TYP. U.N.O
- O/F DENOTES OVERFLOW FROM RAINWATER TANK
- XXØ DENOTES 100mm DIA. UNDERGROUND SEALED SYSTEM PIPE

× 106.07

- × 106.07 DENOTES EXISTING SPOT LEVEL
- DENOTES LIGHT DUTY CONCRETE PAVEMENT, REFER FUTURE DETAILS
- DENOTES LANDSCAPING AREA, REFER ARCHITECTS DRAWINGS

● P XX.XX

- DENOTES PROPOSED DESIGN LEVELS:
- FFL - FINISHED FLOOR LEVEL
- BL - BENCHED LEVEL
- EX - EXISTING LEVEL
- IL - INVERT LEVEL
- RL - RAISED LEVEL
- L - LANDSCAPING LEVEL
- P - PAVING LEVEL
- TME - TO MATCH EXISTING

SITWORKS AND DRAINAGE PLAN

SCALE 1:100

RWT

INDICATES 5000L RAINWATER TANK (COMBINED) DETENTION AND RETENTION TO CAPTURE MINIMUM 80% AREA OF ROOF STORMWATER RUNOFF. 1000L ACT AS DETENTION TANK WITH Ø20mm SLOW RELEASE OFFICE AT THE BOTTOM OF THE DETENTION TANK COMPONENT. ALLOW OVERFLOW TO STREET WATER TABLE VIA UNDERGROUND PIPE SYSTEM. 4000L USABLE STORAGE RETENTION TANK PUMPED TO 100% TOILETS & LAUNDRY COLD WATER OUTLET TO COUNCIL REQUIREMENTS. REFER TO SERVICE ENGINEER FOR STORMWATER PIPES CONNECT TO TANKS. PUMPS AND FILTER SYSTEM TO BE COMPLIED WITH SA WATER REQUIREMENTS AND AS 3500.1 SECTION 8. REFER TO ARCHITECT FOR TANK SELECTION. ALL PIPES CONNECTING TO DETENTION TANK TO BE SEALED SYSTEM WITH FLEXIBLE JOINT AT BOTH INLETS, OUTLET AND OVERFLOW OUTLETS. PROVIDE MOSQUITO PROOF, NON DE-GRADABLE SCREENS FOR ALL RAINWATER TANK OPENING TO HEALTH SA GUIDELINES.

THIS DRAWING HAS BEEN PRODUCED IN COLOUR
AND MUST ONLY BE VIEWED IN COLOUR

APPROVAL ISSUE
NOT FOR CONSTRUCTION

| | | | |
|-------|------------|--------------------|---------|
| A | 07-03-2025 | ISSUE FOR APPROVAL | - |
| ISSUE | DATE | DETAILS | CHECKED |



JACK ADCOCK CONSULTING PTY. LTD.
STRUCTURAL & CIVIL ENGINEERING
TELEPHONE: +61 8 7226 2868
WEBSITE: jackadcock.com.au
EMAIL: admin@jackadcock.com.au

SHEET TITLE: SITWORKS AND DRAINAGE PLAN
PROJECT: WALKER RESIDENCE
ADDRESS: 59 WELLER STREET,
GOODWOOD SA
CLIENT: WALKER RESIDENCE

| | |
|-------------------|--------------------|
| PROJECT No: | JAC250031-DRG-C002 |
| DESIGNED: B.O | DRAWN: L.L |
| SHEET: 02 of 02 | |
| SCALE: 1:100 @ A3 | ISSUE 34 |
| | A |

ATTACHMENT 2

Details of Representations

Application Summary

| | |
|----------------|---|
| Application ID | 24034425 |
| Proposal | Partial demolition of the existing dwelling, construction of dwelling additions and alterations (including a loft, terrace and garage), construction of a masonry fence greater than 1 metre in height and removal of two regulated trees |
| Location | 59 WELLER ST GOODWOOD SA 5034 |

Representations

Representor 1 - [REDACTED]

| | |
|--|--------------------------|
| Name | [REDACTED] |
| Address | [REDACTED] |
| Submission Date | 11/04/2025 06:43 PM |
| Submission Source | Online |
| Late Submission | No |
| Would you like to talk to your representation at the decision-making hearing for this development? | No |
| My position is | I oppose the development |

Reasons
There is absolutely no reason these trees should be removed. The applicant should design this AROUND the trees and stop removing trees for convenience. We are in a climate disaster, it's time to take this seriously.

Attached Documents

Representations

Representor 2 - [REDACTED]

| | |
|--|--------------------------|
| Name | [REDACTED] |
| Address | [REDACTED] |
| Submission Date | 26/04/2025 07:07 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 | |

Attached Documents

| |
|-------------------------------------|
| Representation-Document-1494334.pdf |
|-------------------------------------|

We oppose the application. We wish to be provided the opportunity to be heard should the application proceed to a hearing.

The outcomes sought are:

- the application be refused or
- if the application is not refused, that the loft, terrace area, bbq and water tank be moved from their current location to a location away from the boundary of [REDACTED]. This could be achieved by the loft being constructed in the roof space of the existing dwelling, the terrace, bbq and water tank being constructed adjacent the proposed new bathroom, and the garage location being moved away from the boundary to [REDACTED]

Our reasons are:

- the development would have a significant impact on the sight lines in Kneebone St. Houses on the northern side of Kneebone St have an average set back from the front boundary of 5.4m; the proposed development's set back is significantly less. This will impact upon the streetscape and the consistency of the proposed development to other nearby dwellings
- the development would have the effect of [REDACTED] being 'hemmed in' by structures built to the boundary on the eastern and western sides. The development at 10 Kneebone St was opposed by Council when it was assessed and ultimately proceeded following a decision of the ERD Court
- within [REDACTED], and close to the boundary to 59 Weller St, are 6 trees, several garden beds and an irrigation system. Some of the trees are quite old and have grown to a large size for their variety. These provide habitat for birds, bees and insects. The proposed development activity would almost certainly have an impact on the root system of the trees (which could result in some or all of the trees dying), and damage may be caused to the garden beds and garden infrastructure. Setting any development further back from the boundary would reduce these risks
- on 15 October 2012, Council gave permission to [REDACTED] (then owner of 59 Weller St) for a significant tree to be removed (a *Eucalyptus bicostata* Victorian Blue Gum). At the time [REDACTED] was directed to replace the tree with smaller native trees, which she did. Those trees in the 12 years since have grown to be mature trees, providing habitat for birds and insects. The proposed development would require removal of those replacement trees. The proposed development shows only 1 additional tree proposed (a street tree, and not a replacement of the trees that were planted to replace the significant tree initially removed). This outcome, if permitted, would provide precedent for others to remove significant trees, comply with any requirement to replace the significant tree for a short period and then ignore the order going forward

- the proposed loft and terrace areas would (we expect) be intended for use as entertaining areas. There is no detail in the proposal about a sound or entertainment system, but we assume that the applicant intends for such a system to be installed. The proposed location of each is very close to the boundary of [REDACTED], and in the case of the terrace area is around 6m from the master bedroom of [REDACTED] (as opposed to approx 20m from the proposed master bedroom of 59 Weller St, noting that there is proposed to be a building between the terrace and that master bedroom). The proposed development places entertaining and noisy areas of the development very close to the main sleeping area in [REDACTED] which has the potential to impose significant negative impacts on [REDACTED] residents
- similarly it is not clear from the plans whether the rain water tank to be placed on the boundary to [REDACTED] will require an electric pump to be able to provide water to the taps/toilets in the development - we assume it will. This has the potential to cause nuisance given its location very close to the bedroom of [REDACTED] and the unpredictable nature of when the pump might activate (for example, throughout the night thereby introducing a new artificial source of noise which may prevent residents' sleep)
- the loft structure (at approx 7 metres in height) has the potential to impact solar panels at [REDACTED], particularly late in the day. We note that Google Earth images of [REDACTED] are out of date - currently on Google Earth the images show a 4.6kWh system which was replaced in April 2024 with a 13.2kWh system (with 2 batteries) that supply almost all electricity to [REDACTED]
- the development would have significant impacts on the traffic and safety of [REDACTED] during construction. There are 6 properties in Kneebone St which do not have driveways. These residents require street parking to access their dwellings. Kneebone St is widely used for parking for people visiting King William Rd, and the modifications to Weller St in recent years have exacerbated the issue
- the proposed development does not contribute to net population growth, which is a key influence for economic growth as set out in Council's Economic Development Growth Strategy (see p27)

Representations

Representor 3 - [REDACTED]

| | |
|--|--------------------------|
| Name | [REDACTED] |
| Address | [REDACTED] |
| Submission Date | 27/04/2025 01:34 PM |
| Submission Source | Online |
| Late Submission | No |
| Would you like to talk to your representation at the decision-making hearing for this development? | No |
| My position is | I oppose the development |

Reasons

Thank you for providing me with the opportunity to voice my position regarding the proposed renovation/construction at 59 Weller Street, Goodwood. I would like to register that I oppose aspects of this proposal. My opposition lay primarily with the construction of the second story over the garage, not only in visual impact that this might have on the historic architectural integrity (i.e., scale) of Kneebone Street but also in the environmental impact (i.e., noise) on surrounding properties, most notably the adjacent [REDACTED]. The proposal has, in fact, given little consideration to the consequences of (reverberating) noise from such an enclosed structure, not to mention the potential noise that will be created by concentrating all communal outdoor space principally to one area away from the house. I would like to suggest that this second story over the garage be removed from the plan and that the communal areas moved closer to the house and away from adjacent properties. Residents on Kneebone Street already greatly suffer from traffic congestion due to the unrestricted parking by the numerous visitors to King William Road, and for our older residents, it can prove at times difficult to back out from driveways. This is particularly concerning if a resident must drive another resident to medical appointments, and so forth. The scale of the proposed construction will only exacerbate this situation. And therefore guarantees must be put in place to secure that the road is not blocked by construction vehicles, perhaps by blocking off the street during peak construction times. A final point concerns the further and ongoing destruction of green areas, which is an increasing problem in Goodwood/Unley. To offset this, I would like to propose the planting of more trees on Kneebone Street in front of (along) the property. This will assist as a noise/visual break from the new construction and will add to the beauty of Kneebone Street.

Attached Documents

Representations

Representor 4 - [REDACTED]

| | |
|--|--|
| Name | [REDACTED] |
| Address | [REDACTED] |
| Submission Date | 28/04/2025 11:03 AM |
| Submission Source | Over Counter |
| Late Submission | No |
| Would you like to talk to your representation at the decision-making hearing for this development? | No |
| My position is | I support the development with some concerns |
| Reasons see attached | |

Attached Documents

28042025105929-0001-10996531.pdf

REPRESENTATION ON APPLICATION –
PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Applicant:

APPLICATION ID: 240344-25

Development Number:

Nature of Development:

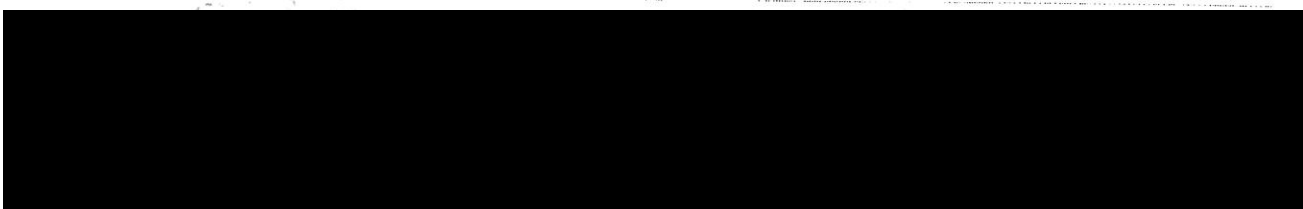
Zone/Sub-zone/Overlay:

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]



Government of South Australia
Attorney-General's Department

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*

Our concern is not with the build but with traffic issues during the build.

Kneebone Street is narrow and already experiencing traffic congestion creating a safety issue for pedestrians and residents exiting their driveways.

There are two problems: **traffic flow and parking.**

Traffic flows from Weller Street through Kneebone and Boffa to reach King William Road or to service the businesses on King William Road. Traffic exiting the Boffa Street car park [*southern exit in particular*] adds to the problem.. Given the amount of pedestrian traffic in Kneebone, we fear that significantly more traffic associated with the build will create a safety issue.

Parking is also a problem in Kneebone Street. Some residents have no off-street parking and so have no choice but to park on the street. However this situation is exacerbated by Weller Street residents and city-bound people using Kneebone St. as a parking lot. The upgrade of Weller Street has significantly increased this problem. Parking by tradies and delivery vehicles during the proposed build will make this situation significantly worse.

Yellow lines around the Kneebone/Weller Street corners would ease the safety issues by preventing people parking close to the corner - as now happens

Is there some reason why these yellow road lines don't already exist?

ATTACHMENT 3



Town Planning
Development Advice
Strategic Management

8 May 2025

Presiding Member
Unley Council Assessment Panel
Via the Plan SA Portal

Attention: Ms Lauren Cooke, Assessment Planner

Dear Mr Burman & Members,

DEVELOPMENT APPLICATION 24034425

I refer to the abovementioned Development Application by Bridge Urban Projects that seeks Planning Consent for the partial demolition of an existing dwelling, construction of additions and alterations, a masonry fence and the removal of two regulated trees on land located at 59 Weller Street, Goodwood.

I have more recently been engaged by the Applicant to provide my town planning opinion in relation to this proposal having regard to the existing condition of the land, the character of the surrounding locality and relevant provisions of the Planning & Design Code. I also respond to matters raised as a result of public notification.

1. Proposal

The proposal is comprised of the following elements or components:

- demotion of 'lean to' additions to the rear of an existing double fronted cottage;
- internal works to convert a bedroom to a family bathroom and guest powder room;
- removal of two (2) regulated trees immediately to the rear of this cottage;
- a 206 m² ground floor addition to the rear and side of this cottage providing:
 - walk in robe and ensuite bathroom to master bedroom;
 - living area;
 - dining area;
 - entry lobby;
 - kitchen and pantry;
 - laundry and toilet;
 - north facing covered terrace area; and
 - double garage (accessed from Kneebone Street)
- a 40 m² 'loft' above the garage accessed from the living area below; and
- a 1.8 m high painted brick fence to the Kneebone Street frontage

I also note the arrangement of the driveway to Kneebone Street to the proposed garage and is separation away from an existing street tree by 3 m, the planting of a new street tree within the council road verge, and the intention to plant four (4) trees as replacements for the regulated trees to be removed.

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

2. Context

The land is more particularly described as Allotment 3 in Deposited Plan 34700, within the Hundred of Adelaide as recorded in Certificate of Title Volume 5109 Folio 496. The land has an area of some 572.69m², with a frontage of 16 m to Weller Street and a secondary frontage of 35.67 m to Kneebone Street.

The land is presently developed within a single storey, double fronted blue stone cottage (circa 1880s) with later additions to the rear (to be removed as part of this proposal). An existing single width driveway provides vehicle access to the rear of the property form Kneebone Street.



As can be seen in the aerial photograph provided above, several trees are found in the back yard of this dwelling, two of which are regulated (identified by A yellow arrow) and are to be removed to make way for the proposed additions. Various outbuildings located in this rear yard are also to be removed.



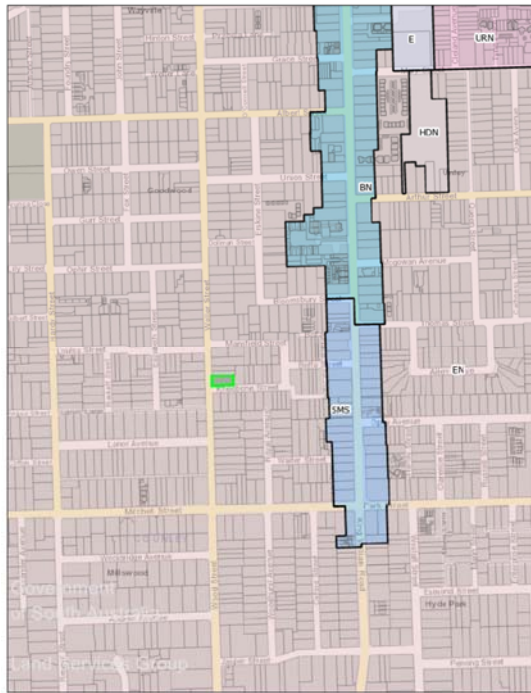
VIEW FROM WELLER STREET



VIEW FROM KNEEBONE STREET

3. Planning & Design Code

The land is located within the Established Neighbourhood Zone of the Code.



ZONE MAP



HERITAGE PLACES & REPRESENTATIVE BUILDINGS

The following Overlays apply to this location:

- Airport Building Heights (Regulated) (*All structures over 45 metres*)
- Building Near Airfields
- Historic Area (*Un5*)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Urban Tree Canopy

The following Technical Numerical Variations apply to this location:

- Maximum Building Height (Metres) (*Maximum building height is 5.7m*)
- Minimum Frontage (*Minimum frontage for a detached dwelling is 15m; semi-detached dwelling is 15m; row dwelling is 15m*)
- Minimum Site Area (*Minimum site area for a detached dwelling is 500 sqm; semi-detached dwelling is 500 sqm; row dwelling is 500 sqm*)
- Maximum Building Height (Levels) (*Maximum building height is 1 level*)
- Minimum Side Boundary Setback (*Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher*)
- Site Coverage (*Maximum site coverage is 50 per cent*)

As Table 4 – Procedural Matters for the Established Neighbourhood Zone does not afford an exemption for greater than 1 level, this development application has been publicly notified with a total of 4 representations made, of which three are in opposition with the other in support but with some concern.

I understand that the proposal has been referred to Council's Heritage Advisor.

4. Assessment Considerations

The following matters are most relevant in the assessment of this proposal.

4.1 Regulated Trees

The removal of any mature tree in the urban area is regrettable. That said, Code provides specific guidance with respect to proposals for removal of regulated trees, mindful of the balance that must be struck between the contribution that such trees make to the locality, and the reasonable development of land.

As I understand it, the trees to be removed are not rare or endangered, nor do they provide important habitat for native fauna. In so far as they make a contribution to character and amenity, this may not objectively be described as important in the context of Performance Outcome 1.1

Performance Outcome 1.4 clarifies that a tree damaging activity may occur where it accommodates the reasonable development of land in accordance with the relevant zone where such development might not otherwise be possible. I consider that the proposal is reasonable in this context and the removal is necessary.

4.2 Building Height

Whereas the Code identifies, by way of a Technical Numerical Variation, a maximum building height of 1 level and 5.7 m, this is of course not a mandatory requirement such that the planning authority may reasonably exercise its discretion depending on the extent of depart and the particular nature of the circumstance.

The 'over height' component of this proposal is limited to the 40 m² 'loft' area over the garage to the rear of the land. This loft is configured in a manner such that the maximum height to the ridge line of the gable roof form is 6.477 m (less than a metre higher than the measure provided), with the wall height limited to 4.62 m.

I note the ridge line of the adjoining dwelling at [REDACTED] is 6.5 m.

This arrangement is not expected to have significant effect on the otherwise single storey nature of this locality in so far as it will not be visually prominent from Weller Street, and to the extent it will be visible from Kneebone Street, not so visually obtrusive as to seriously compromise the character of this area.

4.3 Site Coverage & Open Space

Designed Performance Feature 3.1 identify a measure of 50% for site coverage. The proposal displays a site coverage of 50.8% being marginally greater than this measure which is of course advisory, not mandatory in nature, and is provided by the Code as one way of achieving the associated Performance Outcome.

The overarching test is whether the proposal provides sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation. Allied to this consideration is the provision of suitable private open space for the enjoyment of occupants, which will be the case in this instance.

I also invite you to observe and consider the pattern and form of development in the surrounding locality which displays a considerably greater site coverage than that of the proposal. In comparative terms, that which is now proposed on this land is less intensive than that which surrounds it.

4.4 Set Backs

The Code provides the following guidance with respect to building set backs:

- secondary street boundary 1 m for ground floor & 3 m of any second level
- side boundary 1 m for ground floor & 3 m of any second level
- rear boundary 4 m for ground floor & 6 m of any second level

The ground floor of the proposed building is in conformity with the set back sought for the secondary street frontage, and for that matter the northern side property boundary. Where the proposal departs from the above is in relation to the set back to the rear property boundary, at both ground and first level.

In considering the acceptability of this departure, I invite you to consider:

- the desire to provide north facing private open space;
- the highly modulated and articulated form of the building; and
- the relative size and recessed nature of the loft level above the garage.

I am of the view that the proposed arrangement is acceptable in the circumstance.

4.5 Design & Character

Mindful that this locality is within the Historic Area Overlay, it is appropriate to pursue contextually responsive design that has suitable regard to characteristics and attributes displayed by existing development, as outlined in the Residential Compact Goodwood and Hyde Park Historic Area Statement (Un5).

The approach taken by the designer in this instance is to maintain the prominence of the existing cottage as it presents to its primary frontage to Weller Street, with additions to the rear of a substantively lesser scale and therefore subservient to the original building form.

As I understand it, Council's Heritage Advisor raises no fundamental concern with the form and arrangement of the proposal, with commentary generally limited to the use of appropriate materials and finishes, details of which may of course be addressed via conditions and/or reserved matters in the usual way.

4.5 Access & Parking

As I understand it, the position of the access driveway to the proposed garage has been agreed with Council Engineers, having been adjusted to provide sufficient clearance to an existing street tree. The proposed arrangement is considered to provide safe and convenient vehicle movement.

Table 1 – General Off-Street Car Parking Requirements seek provision of spaces per dwelling one of which is to be under cover. A specific parking requirement for visitors is not sought by the Cide for detached dwellings as is the case for group dwellings and residential flat buildings.

The proposal satisfies this car parking requirement.

5. Response to Representations

In so far as I have not addressed matters raised by representors in my assessment outlined above, I provide the following response to the substantive planning issues for your consideration in determining this application. I will also be in attendance at the Panel meeting to speak further to matters raised by representors.

Removal of Trees

It is necessary to remove two regulated trees immediately to the rear of the dwelling to provide for the proposed additions, a form of development that is reasonably expected in this context.

As I read the Code, policy seeks the retention of regulated trees where they make an important visual contribution, are rare or endangered, and/or provide important habitat for fauna.

I would not go so far as to say that the contribution these trees make to the visual character and amenity of this locality is important, nor are they endangered or provide important habitat.

The Applicant proposes 4 replacement trees.

Site Coverage & Set Backs

As discussed above, the proposal displays a site coverage commensurate with that provided for in this location being marginally over 50%, and in many instances less than surrounding development.

Suitable space is retained for private open space and landscape plantings. Equally, opportunity is provided for landscaping in the set back area to Kneebone Street behind the garden wall.

In so far as the wall of the garage is on the rear property boundary, its length does not exceed that otherwise provided for with wall height limited to less than the requisite 3 m.

Streetscape Character & Design

The scale of the proposed addition is relatively low in comparison with that of the existing dwelling and surrounding buildings, other than for the 40 m² loft area which projects above this.

The arrangement of this loft is not dissimilar to traditional outbuildings such a barn or stable, with a raked ceiling to the underside of the gable roof form to minimise its overall height.

The composition of the proposed addition would not in my opinion detract from the streetscape character of Kneebone Street, nor unreasonably impact the amenity to be enjoyed on the neighbouring property to the east.

Shadowing &
Solar Panels

As can be seen from the shadow diagrams prepared (attached) shadow arising would fall primarily over Kneebone Street and not significantly impact the neighbour to the east.

The extent of additional shadow would be limited to a small portion side yard of this adjoining property and would not diminish the efficiency of solar PV panels on the roof of this adjoining dwelling.

Traffic & Parking

In so far as this locality may experience traffic volumes and on-street parking congestion beyond the tolerance of some residents, the proposed additions to this dwelling would not exacerbate this current situation.

The proposal would not in my expectation give rise to an increase in traffic movements over and above that already arising from this dwelling, and not greater than the capacity of the adjacent road network.

The proposal satisfies Code requirements for parking.

Noise Nuisance

Noise arising from the use of residential properties, and any disturbance or nuisance arising, is typically not a town planning matter. If unreasonable impact does occur, this may be dealt with under other legislation.

Construction
Disruption

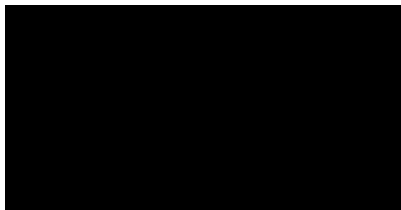
Similarly with respect to disruption arising during construction, this strictly speaking is not a relevant town planning consideration. Once again, this may be dealt with under other legislation.

6. Conclusion

In conclusion, the proposal is in substantive conformity with Code policy and therefore warrants planning consent. To the extent that it does depart from certain provisions, I do not anticipate unreasonable planning impacts. The design is well considered and will make a positive contribution to this locality.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



PHILLIP BRUNNING RPIA

Registered Planner
Accredited Professional – Planning Level 1

Shadow analysis

59 Weller Street, Goodwood, SA

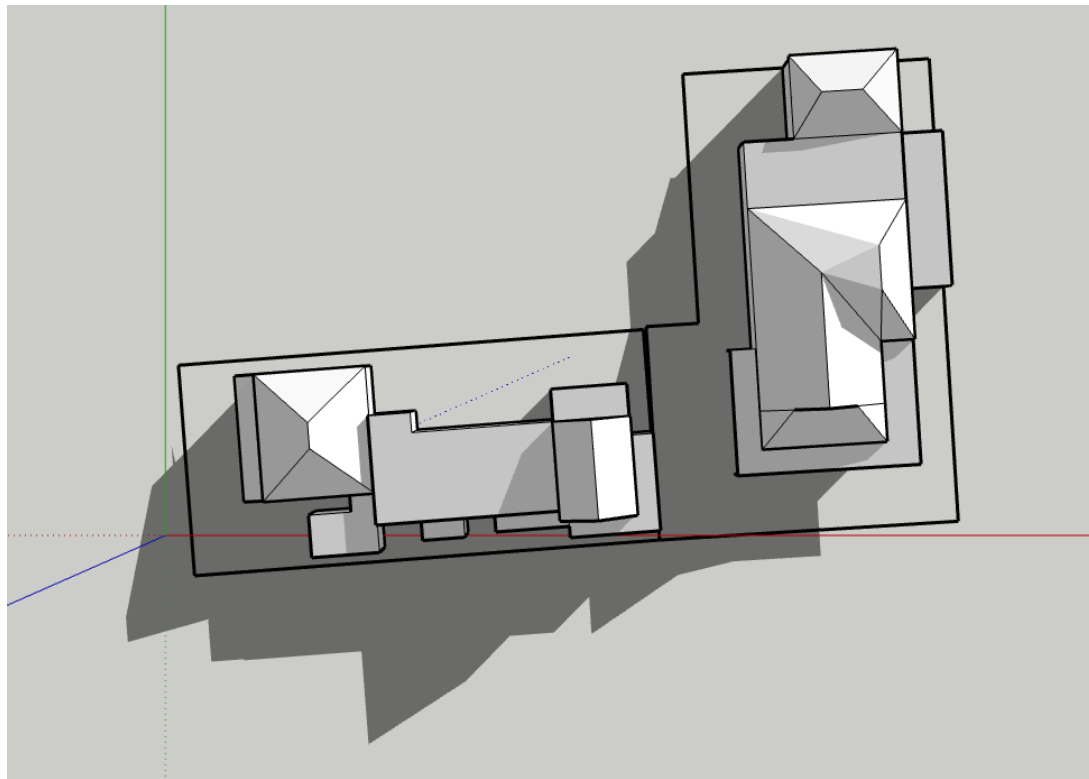


Image 1: 21 June, 9am (Winter Solstice)

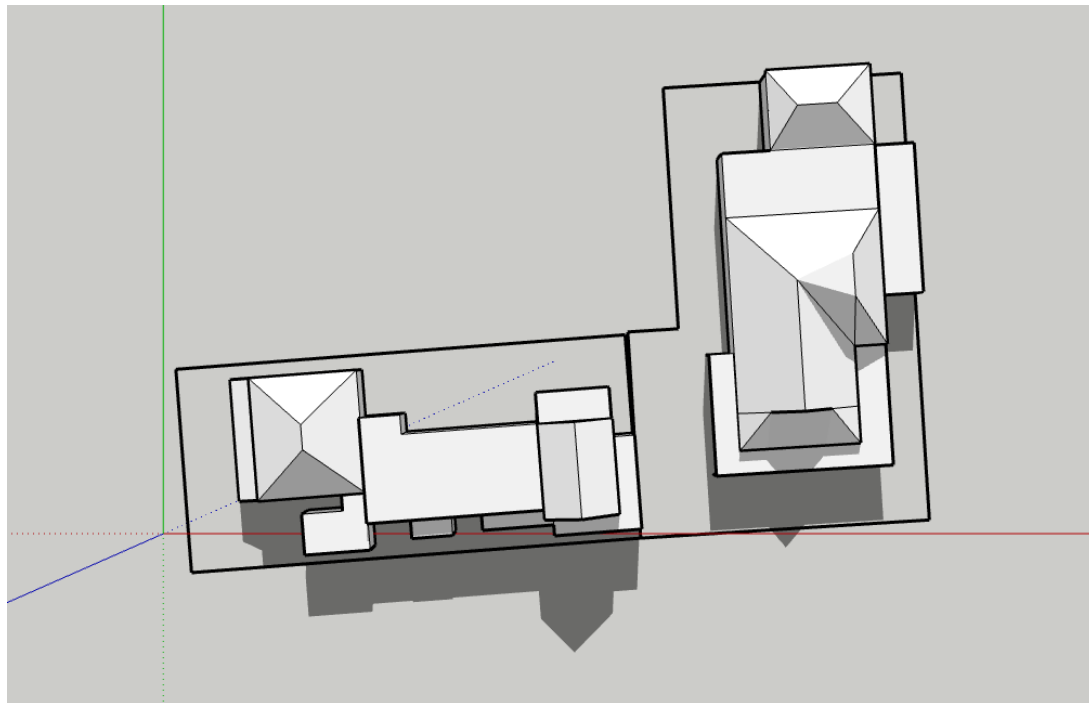


Image 2: 21 June, 12pm (Winter Solstice)

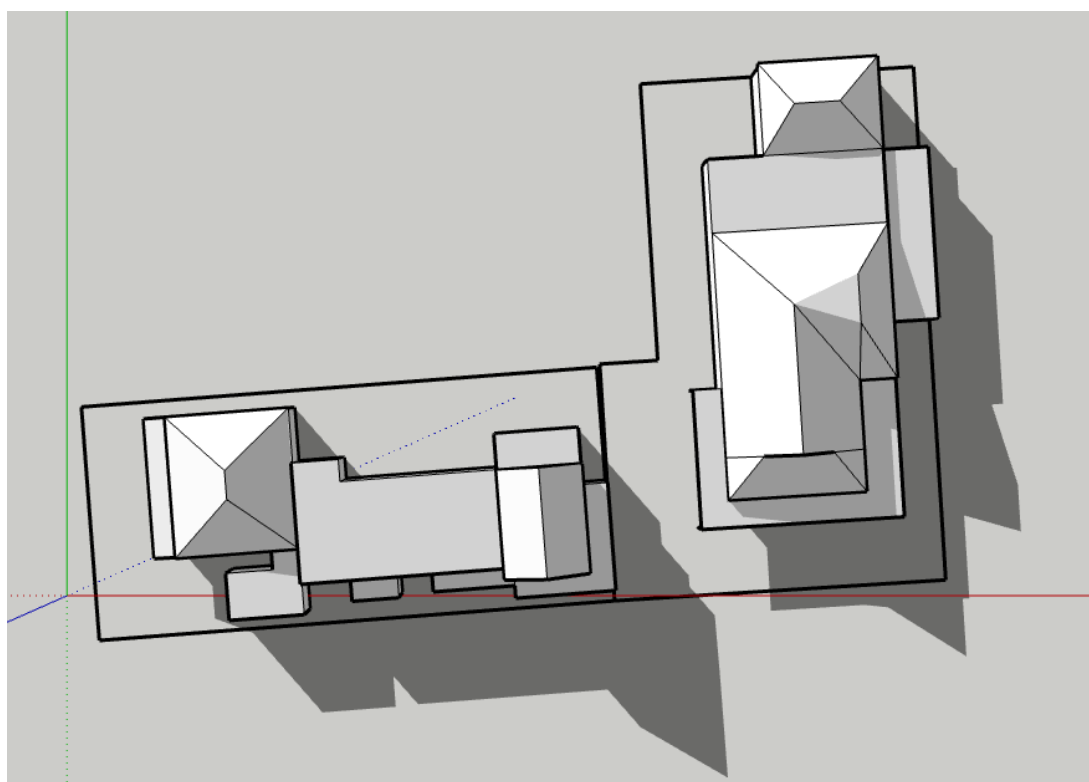


Image 3: 21 June, 3pm (Winter Solstice)

ITEM 5.1

DEVELOPMENT APPLICATION – 25011856 – 4 ADDISCOMBE PL UNLEY PARK

| | |
|--------------------------|--|
| DEVELOPMENT NUMBER: | 25011856 |
| APPLICANT: | Darren & Lisa Foreman |
| ADDRESS: | 4 ADDISCOMBE PLACE UNLEY PARK SA 5061 |
| NATURE OF DEVELOPMENT: | Removal of a significant tree (Eucalyptus camaldulensis) |
| RELEVANT AUTHORITY: | Council Assessment Panel |
| CATEGORY OF DEVELOPMENT: | Review of a Decision by the Assessment Manager (Code Assessed – Performance Assessed) |
| RECOMMENDING OFFICER: | Assessment Manager |
| ATTACHMENTS: | Attachment 1: Tertiary Tree Consulting Report Attachment 2: Delegated assessment report Attachment 3: Council's consultant arborist report Attachment 4: Decision notification form Attachment 5: Application for review |

REQUEST FOR REVIEW

Decision to be Reviewed

An application for the removal of a significant River Red Gum (*Eucalyptus camaldulensis*) at 4 Addiscombe Place Unley Park was refused under delegated authority of the Assessment Manager.

The tree was determined as being significant pursuant to Regulation 3F (2), having a circumference (measured 1 metre from natural ground level) of greater than 2 metres.

The application was determined within the statutory timeframes. The request to review the decision was received in accordance with the Panel's policy for such matters.

Description of the Development:

This development proposed the removal of a significant River Red Gum located in the front yard of the subject site, abutting the boundary with the primary street. It is located approximately 42m from the dwelling on the subject site.

Refusal reasons:

The application was refused on the following grounds:

- The Significant Tree makes an important contribution to the character and amenity of the local area and is considered to be a notable visual element of the landscape of the local area, and therefore should be retained in accordance with **Regulated and Significant Tree Overlay PO 1.2 (a) and (f)**.
- It has not been demonstrated that the Significant Tree is diseased, that its life expectancy is short, that it represents an unacceptable risk to public or that it has or threatens to cause damage to a substantial building of value, and insufficient evidence that all remedial treatments will be ineffective. As such it does not satisfy **Regulated and Significant Tree Overlay Assessment Provision PO 1.3**.

Reason for Review

The applicant has lodged a Request for the Council Assessment Panel (CAP) to review the decision of the Assessment Manager in accordance with provisions of the Planning, Development, and Infrastructure (PDI) Act and adopted policies of the CAP.

ITEM 5.1

DEVELOPMENT APPLICATION – 25011856 – 4 ADDISCOMBE PL UNLEY PARK

An application to the assessment panel has been provided (Attachment 5) detailing the reasons for the review, the applicants' primary reasons for the appeal are below:

- *We engaged an Arborist and were informed that this tree posed a significant risk and recommended complete tree removal. The structure of tree was rated as poor, and it exhibits multiple indicators of structural instability including a pronounced lean and visible signs of root plate failure.*
- *We are concerned that the Council have not recognised the clear evidence of the tree's recent movement, which is outlined in the Arborist report. We would like to appeal this refusal and ensure the panel gives proper consideration to the risks to the public, and possible outcome if this tree fails*

The applicant has nominated to be heard by the Panel in support of this review.

DISCUSSION

Review Documentation

Attached to the report are copies of:

Attachment 1: Applicant submitted report from Tertiary Tree Consulting Pty Ltd

Attachment 2: Delegated Assessment Report

Attachment 3: Council's Consultant Arborist Report

Attachment 4: Decision Notification Form

Attachment 5: Application for Review

Assessment Considerations

The application was assessed against the relevant criteria as set out in the Planning and Design Code.

The application was submitted with an arborist report from Tertiary Tree Consulting, which was referred to Council's consultant arborist for assessment and review. The Tertiary report identified the tree as being in average health with a poor structure. It stated that the tree had visible signs of root plate failure and has a low safe useful life expectancy. The report concluded that it therefore poses an unacceptable risk to people and property.

The Symatree report provided an independent assessment of the subject tree. It was concluded that the tree is in good health and displays a good to fair structure.

Symatree also confirmed the following:

- No specific disease or affliction has been identified within the tree that would pertain to a short life expectancy.
- The tree has a low level of assessed risk when utilising the ISA TRAQ risk assessment methodology with no significant history of branch failure observed
- The level of risk is not expected to change within the short to medium term.

In summary, Symatree's assessment of the tree does not align with the applicant's arborists findings.

When faced with differing expert opinions, one opinion must be preferred to draw a conclusion. In this instance, the conclusions and opinions reached in the Symatree report were preferred in the assessment of the application to those in the Tertiary report as:

- Both the assessing officer and the Symatree arborist determined that the tree is a notable visual element of the landscape and an important contributor to the character of the area.

ITEM 5.1

DEVELOPMENT APPLICATION – 25011856 – 4 ADDISCOMBE PL UNLEY PARK

- identified issues in the Tertiary report regarding the health and structure of the tree that were disputed by the Symatree report.

Given the Code provisions seek the retention of significant trees and the Symatree report stated the tree was in good health and posed a low risk, the removal of the significant tree is not justified under the Planning and Design Code.

The performance outcomes are discussed in the Assessment Report (Attachment 2) with the relevant provisions of the Code are found in the below link:

[Planning and Design Code Extract](#)

DETERMINATION

The Council Assessment Panel confirms that pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken a review of the decision of the Assessment Manager, the application is NOT seriously at variance with the provisions of the Planning and Design Code and resolves to

1. **affirm** the decision of the Assessment Manager for DA 25011856 to refuse the application for the reasons set out in the Assessment Manager's decision

OR

2. **vary** the decision of the Assessment Manager for DA 25011856 in a manner to be determined by the Panel.

OR

3. **set aside** the decision of the Assessment Manager to refuse Development Approval for DA 25011856 and replace with an alternate decision.

ATTACHMENT 1



TERTIARY TREE CONSULTING PTY LTD

Forming Relationships - Delivering Solutions

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DYLAN TEMPEST – ARBORICULTURAL CONSULTANT

MSc Master of Arboriculture and Urban Forestry, 'Class Dux' and recipient of the Top Student Award for the Masters Degree in Arboriculture and Urban Forestry, The University of Central Lancashire (MSc Arb)

AQF Level 8 Graduate Certificate of Arboriculture 1st class honours The University of Melbourne (Grad Cert Arb)

AQF Level 5 Diploma of Arboriculture (Dip Arb)

AQF Level 3 Certificate 3 of Arboriculture (Cert III Arb)

QTRA Advanced Quantified Tree Risk Assessor User 5637

QTRA Quantified Tree Risk Assessor User 5637

ISA TRAQ International Society of Arboriculture Tree Risk Assessment Qualification

VALID Tree Risk-Benefits Assessor

Gold Australian Arborist Industry License No: AL2360

JESSIE TEMPEST – ARBORICULTURAL CONSULTANT

AQF Level 5 Diploma of Arboriculture (Dip Arb)

QTRA Quantified Tree Risk Assessor 6987

ISA TRAQ International Society of Arboriculture Tree Risk Assessment Qualification

5 Million Professional Indemnity Insurance

20 Million Public Liability Insurance

Date:

24 April 2025

Arboricultural Report

Client:

Darren and Lisa Foreman



Site Address:

4 Addiscombe Place

Unley Park

SA 5061



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2. INTRODUCTION:

The client brief is to provide an assessment and report on the condition of the *Eucalyptus camaldulensis* located in the front yard of 4 Addiscombe Place, Unley Park SA 5061. This assessment will consider the health, structure, safe useful life expectancy, landscape significance of the tree and the risk the tree may pose to people and property. This report is to include management recommendations for the nominated tree.

The nominated tree is indicated below by the green circle with the number 1.



Figure 1: Overhead site map showing the nominated tree indicated by the green circle with the number 1.

3. METHODOLOGY:

This ground-based level 2 Visual Tree Assessment (VTA) was conducted with a sounding mallet, diameter tape, trowel, probe, binoculars, laser and smart phone on 17 April 2025. The height of the tree and spread of the canopy were estimated.

The health of the tree was assessed and rated within the following parameters,

1. **Good:** The tree / vegetation demonstrates a full canopy of foliage or living tissue for the species. The tree/ vegetation should be free of or exhibit only minor signs of decline or pest or disease signs and symptoms.
2. **Average:** The tree / vegetation demonstrates a moderate canopy of foliage or living tissue for the species. The canopy may contain dead branches and may exhibit minor to moderate signs of decline or pest or disease signs or symptoms.
3. **Below Average:** The tree/ vegetation demonstrates a declining canopy of foliage or failing tissue for the species. The canopy may contain multiple dead or dying sections and may display moderate to significant signs of decline or pest or disease signs or symptoms.
4. **Poor:** The tree/ vegetation shows signs of extreme stress and or decline. A high percentage of the canopy foliage may be made up of declining epicormic growth. A high percentage of the canopy foliage may be chlorotic or necrotic. A high percentage of the canopy foliage and tissue may be dead. Or the tree has declined and is not producing defenses sufficient to stop secondary insect and or pathogen attack.
5. **Dead:** The tree / vegetation shows no signs of life

The structure of the tree was assessed and rated within the following parameters,

1. **Good:** The approximate structural root zone appears unaffected; the trunk exhibits proportional buttressing and taper. Stem and branch unions are free of recognisable flaws, few if any insect or fungal signs or symptoms are visible.
The tree is considered a good example of the species.
2. **Average:** Minor impacts may have occurred in the approximate structural root zone, the trunk exhibits proportional buttressing and taper, some second or third order branch unions may contain minor recognisable flaws, insect or fungal signs or symptoms may be visible. The tree could be retained with some corrective pruning.
3. **Below Average:** Moderate impacts may have occurred in the approximate structural root zone, the trunk may exhibit moderate disproportional buttressing and taper, some second or third order branch unions may contain recognisable flaws, minor branch over extension may be occurring, minor to moderate inappropriate pruning may have occurred, the tree may have a moderate lean, insect or

fungal signs or symptoms may be visible. The tree may not be able to be reasonably retained with some corrective pruning.'

4. **Poor:** Damage to the structural root zone may be likely, damage to the trunk may be likely, the tree may exhibit multiple branch failures, trunk buttressing and taper may be disproportionate, the main union has recognisable flaws, first, second and/or third order branch unions may contain recognisable flaws, moderate to major branch over extension may be occurring, major inappropriate pruning may have occurred, the tree may have a lean near or above 25°, insect or fungal signs or symptoms are visible and have progressed to beyond moderate levels, the tree is unlikely to be reasonably retained with corrective pruning.

The Barrell Safe Useful Life Expectancy (SULE) method was used to determine the tree's SULE.

The landscape/retention rating of the tree was assessed using the Legend for S.T.A.R.S Footprint Green Matrix Assessment System.

Quantified Tree Risk Assessment Method (QTRA) was used to calculate the risk the tree poses to people and property.

The results of this tree assessment are addressed and scientifically referenced using peer reviewed literature and the Harvard Referencing System throughout this Arboricultural Report.

4. DISCUSSION:

| | |
|---|---------------------------------|
| Family | Myrtaceae |
| Scientific Name | <i>Eucalyptus camaldulensis</i> |
| Common Name | River Red Gum |
| Approximate Tree Height | 24 m |
| Approximate Canopy Spread Diameter | 16 m |
| Circumference at 1m above ground level (South Australian Planning Development and Infrastructure Act 2016 and the South Australian Planning Development and Infrastructure (General) Regulations 2017) | >2000 mm |
| Legal Status (South Australian Planning Development and Infrastructure Act 2016 and the South Australian Planning Development and Infrastructure (General) Regulations 2017) | Significant Tree |
| <ul style="list-style-type: none"> The health of the tree is rated as average. The structure of the tree is rated as poor. The subject tree is a bow-formed <i>Eucalyptus camaldulensis</i> (River Red Gum), currently exhibiting an approximate 15° lean toward the adjacent Heywood Park carparking area. <ul style="list-style-type: none"> Trees may lean because of a partial failure of the lower stem or roots, or soil conditions that allow excessive root movement. Lifting of the soil on the tension of the tree may indicate that the roots or soil are failing (Dunster <i>et al.</i>, 2017). Leaning trees are difficult to defend objectively. Trees with leans >25° are an immediate priority for full removal. The larger the lean the more difficult it is to project dynamic loading and the greater the complexity in defending leaving the tree standing (Coder 2000). Trees with leans of 30-40° or more are a high risk of failure (Hayes 2014). Significant ground subsidence is observed on the tension side of the tree, including visible depressions in the front lawn. <ul style="list-style-type: none"> The tree appears to be undergoing structural root failure. In mature trees, leaning can be symptomatic of root plate instability or asymmetrical root development, which may be aggravated by root decay or soil-borne pathogens (Mattheck & Breloer, 1994). The presence of subsidence opposite the lean suggests possible decay and collapse of roots on that side, potentially leading to soil decompaction and subsoil voids. These conditions may be attributed to fungal pathogens such as <i>Armillaria</i> spp. or <i>Phytophthora cinnamomi</i>, both of which are known to affect <i>Eucalyptus</i> species, particularly in urban environments (Burgess <i>et al.</i>, 2006). The front gate has become increasingly misaligned over recent weeks, requiring repeated shaving to allow closure. As of the most recent inspection, the gate no longer shuts properly. This suggests progressive and active ground movement, likely linked to root plate disturbance. The garden bed edging has also recently begun cracking and lifting with more damage appearing over the last 2 days. | |

- This cracking and lifting, in combination with ground movement and the progressively misaligned gate, supports the likelihood of subsurface instability due to decaying or collapsing root structures. These symptoms are consistent with foundational shifting caused by structural root failure (Harris, Clark & Matheny, 2004).
- No signs of water pooling or active drainage issues were identified during the inspection. The ground conditions appear dry and well-drained at the time of assessment.
- A neighbouring leaning River Red Gum reportedly failed several years ago without warning. Fortunately, no injuries were sustained in that event. This local precedent reinforces the potential for failure in similar trees within this area particularly if pathogenic factors are involved.

Barrell Safe Useful Life Expectancy (SULE):

When the nominated tree was assessed for its SULE the tree is within the following category.

4: Remove: Trees that should be removed within the next 5 years.

- (a) Dead, dying, suppressed or declining trees because of disease or inhospitable conditions.
- (b) Dangerous trees because of instability or recent loss of adjacent trees.
- (c) **Dangerous trees because of structural defects including cavities, decay, included bark, wounds or poor form.**
- (d) Damaged trees that are clearly not safe to retain.
- (e) Trees that could live for more than 5 years but may be removed to prevent interference with more suitable individuals or to provide space for new planting.
- (f) Trees that are damaging or may cause damage to existing structures within 5 years.
- (g) Trees that will become dangerous after removal of other trees for the reasons given in (a) to (f).
- (h) Trees in categories (a) to (g) that have a high wildlife habitat value and, with appropriate treatment, could be retained subject to regular review.

View appendix 2 of this arboricultural report for further details.

Legend for S.T.A.R.S Matrix Assessment:

When the nominated tree is assessed within the Legend for S.T.A.R.S Matrix Assessment, the tree is within the following category.

Hazardous/Irreversible Decline - The tree is structurally unsound and/or unstable and is considered potentially dangerous, - The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short term.

When the nominated tree's landscape significance and Safe Useful Life Expectancy are considered within the Legend for S.T.A.R.S Matrix Assessment, the retention value is determined as,

Priority for Removal - These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development.

View appendix 3 of this arboricultural report for further details.

QTRA Tree Risk Assessment:

The level of risk the nominated tree poses has been calculated using the Quantified Tree Risk Assessment Method (QTRA user number 6987).

Risk becomes unacceptable at 1:10,000 (Ellison 2018).

The methods and outcome of this risk assessment are outlined below.

Part: Whole tree failure

Risk to people

- Target Range (2) 2.4 hours/day – 15 minutes/ day
- Size of Part (1) > 450 mm diameter
- Probability of Failure (3)
- Level of Risk (Risk of Harm) RoH = 1/4,000

Risk to property (parked cars)

- Target Range (2) , \$400,000 -> \$40,000
- Probability of Failure (3)
- Level of Risk (Risk of Harm) RoH = 1/3,000

As risk becomes unacceptable at 1/10,000, the risk to people and property are at a level deemed unacceptable.

Legislation (Sections Relevant to This Tree):

South Australian Planning Development and Infrastructure (General) Regulations 2017 under the South Australian Planning Development and Infrastructure Act 2016

Regulated and Significant Tree Overlay

Desired Outcome (DO)

Performance Outcomes (PO)

Tree Retention and Health

PO 1.2

Significant trees are retained where they:

- a) **make an important contribution to the character or amenity of the local area:** Yes, while the tree contributes to the character and amenity of the area, its impact is not considered 'important'. Its removal would not substantially alter the overall landscape or diminish the natural appeal of the surroundings, especially given the presence of abundant, similar vegetation nearby.
- b) **are indigenous to the local area and are listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species:** No, the tree is not indigenous to the local area and listed under the *National Parks and Wildlife Act 1972* as a rare or endangered native species.
- c) **represent an important habitat for native fauna:** No, no nests or dreys were in the tree at the time of inspection, nor were there any fauna scratch marks faeces or odors to indicate its use in this way.
- d) **are part of a wildlife corridor of a remnant area of native vegetation:** No, the tree is not part of a wildlife corridor of a remnant area of native vegetation. The locality of the tree is that of habitat fragmentation due to human development.
- e) **are important to the maintenance of biodiversity in the local environment:** Yes, the tree is important to the maintenance of biodiversity in the local environment.

and / or

- f) **form a notable visual element to the landscape of the local area:** No, the nominated tree does not constitute a notable visual element within the landscape. This is due to the prevalence of other significant Eucalyptus species in the area, which collectively contribute to the visual character, thereby reducing the individual visual prominence of the subject tree.

PO 1.3

A tree damaging activity not in connection with other development satisfies (a) and (b):

- (a) **tree damaging activity is only undertaken to:**
 - (i) **remove a diseased tree where its life expectancy is short:** Yes, the safe useful life expectancy (SULE) of the nominated tree is 0 – 5 years.

(ii) **mitigate an unacceptable risk to public or private safety due to limb drop or the like:** Yes, refer the QTRA risk assessment.

(iii) **rectify or prevent extensive damage to a building of value as comprising any of the following:**

A. **a Local Heritage Place:** Not applicable

B. **a State Heritage Place:** Not applicable

C. **a substantial building of value:** Not applicable

and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity: Not applicable

(iv) **reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire:** Not applicable.

(v) **treat disease or otherwise in the general interests of the health of the tree:** Not applicable.
and / or

(vi) **maintain the aesthetic appearance and structural integrity of the tree:** Not applicable.

(b) **in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.** Yes, the tree appears to be actively failing, and tree-damaging activity is required as the tree poses an unacceptable risk to people and property.

5. CONCLUSION:

The nominated tree does not meet the Performance Outcome (PO) 1.2 (a), (b), (c), (d) and (f) to demonstrate it is a tree possessing attributes worthy of a significant tree under the *South Australian Planning, Development and Infrastructure Act 2016* and the *South Australian Planning Development and Infrastructure (General) Regulations 2017*. The tree meets the Performance Outcome (PO) 1.3 (a) (i), (ii) and (b) in support of tree-damaging activity.

The subject *Eucalyptus camaldulensis* (River Red Gum) exhibits multiple indicators of structural instability, including a pronounced lean, poor structural condition, and visible signs of root plate failure such as ground subsidence and shifting infrastructure. These factors, when considered alongside the local history of similar failures, indicate a heightened risk of whole tree failure.

Given the tree's safe useful life expectancy, landscape/retention value and the risk it poses to people and property. **Complete tree removal is recommended.** This will require planning approval as the tree is a significant tree as defined by the *South Australian Planning, Development and Infrastructure Act 2016* and the *South Australian Planning Development and Infrastructure (General) Regulations 2017*.

Kind regards



Jessie Tempest Dip Arb, QTRA, ISA TRAQ

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DISCLAIMER:

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

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

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

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

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- South Australian Planning Development and Infrastructure (General) Regulations 2017*.

6. APPENDICES:

Appendix 1 Tree and Site Photos:



Figure 2: Nominated tree 1.







Figures 3 - 8: Lifting and cracking to raised garden bed edging.



Figures 9 - 10: The gate pillar has been chiselled multiple times to allow gate to shut.

Appendix 2, Safe Useful Life Expectancy Categories

Barrell Safe Useful Life Expectancy (SULE)

1: Long SULE: Trees that appeared to be retainable at the time of assessment for more than 40 years with an acceptable level of risk.

- (a) Structurally sound trees located in positions that can accommodate future growth.
- (b) Trees that could be made suitable for retention in the long term by remedial tree care.
- (c) Trees of special significance for historical, commemorative or rarity reasons that would warrant extraordinary efforts to secure their long-term retention.

2: Medium SULE: Trees that appeared to be retainable at the time of assessment for 15–40 years with an acceptable level of risk.

- (a) Trees that may only live between 15 and 40 more years.
- (b) Trees that could live for more than 40 years but may be removed for safety or nuisance reasons.
- (c) Trees that could live for more than 40 years but may be removed to prevent interference with more suitable individuals or to provide space for new planting.
- (d) Trees that could be made suitable for retention in the medium term by remedial tree care.

3: Short SULE: Trees that appeared to be retainable at the time of assessment for 5–15 years with an acceptable level of risk.

- (a) Trees that may only live between 5 and 15 more years.
- (b) Trees that could live for more than 15 years but may be removed for safety or nuisance reasons.
- (c) Trees that could live for more than 15 years but may be removed to prevent interference with more suitable individuals or to provide space for new planting.
- (d) Trees that require substantial remedial tree care and are only suitable for retention in the short term.

4: Remove: Trees that should be removed within the next 5 years.

- (a) Dead, dying, suppressed or declining trees because of disease or inhospitable conditions.
- (b) Dangerous trees because of instability or recent loss of adjacent trees.
- (c) Dangerous trees because of structural defects including cavities, decay, included bark, wounds or poor form.
- (d) Damaged trees that are clearly not safe to retain.
- (e) Trees that could live for more than 5 years but may be removed to prevent interference with more suitable individuals or to provide space for new planting.
- (f) Trees that are damaging or may cause damage to existing structures within 5 years.
- (g) Trees that will become dangerous after removal of other trees for the reasons given in (a) to (f).
- (h) Trees in categories (a) to (g) that have a high wildlife habitat value and, with appropriate treatment, could be retained subject to regular review.

5: Small, young, or regularly pruned: Trees that can be reliably moved or replaced.

- (a) Small trees less than 5m in height.
- (b) Young trees less than 15 years old but over 5m in height.
- (c) Formal hedges and trees intended for regular pruning to artificially control growth.

Appendix 3, Legend for S.T.A.R.S Matrix Assessment:

IACA Significance of a Tree, Assessment Rating System (STARS) © (IACA 2010) ©

In the development of this document IACA acknowledges the contribution and original concept of the Footprint Green Tree Significance & Retention Value Matrix, developed by Footprint Green Pty Ltd in June 2001.

The landscape significance of a tree is an essential criterion to establish the importance that a particular tree may have on a site. However, rating the significance of a tree becomes subjective and difficult to ascertain in a consistent and repetitive fashion due to assessor bias. It is therefore necessary to have a rating system utilising structured qualitative criteria to assist in determining the retention value for a tree. To assist this process all definitions for terms used in the Tree Significance - Assessment Criteria and Tree Retention Value - Priority Matrix, are taken from the IACA Dictionary for Managing Trees in Urban Environments 2009.

This rating system will assist in the planning processes for proposed works, above and below ground where trees are to be retained on or adjacent a development site. The system uses a scale of High, Medium and Low significance in the landscape. Once the landscape significance of an individual tree has been defined, the retention value can be determined.

Table 1.0 Tree Retention Value - Priority Matrix

| | | Significance | | | | |
|---------------------------|--------------------|---|---|--|--|--|
| Estimated life expectancy | | 1. High Significance in Landscape | 2. Medium Significance in Landscape | 3. Low Significance in Landscape | 4. Environmental Pest / Noxious Weed Species | 5. Hazardous / Irreversible Decline |
| | Long >40 years | | | | | |
| | Medium 15-40 Years | | | | | |
| | Short <1-15 Years | | | | | |
| | Dead | | | | | |

| Legend for Matrix Assessment | |
|------------------------------|--|
| | Priority for Retention (High) - These trees are considered important for retention and should be retained and protected. Design modification or re-location of building/s should be considered to accommodate the setbacks as prescribed by the Australian Standard AS4970 Protection of trees on development sites. Tree sensitive construction measures must be implemented e.g. pier and beam etc if works are to proceed within the Tree Protection Zone. |
| | Consider for Retention (Medium) - These trees may be retained and protected. These are considered less critical; however, their retention should remain priority with removal considered only if adversely affecting the proposed building/works and all other alternatives have been considered and exhausted. |
| | Consider for Removal (Low) - These trees are not considered important for retention, nor require special works or design modification to be implemented for their retention. |
| | Priority for Removal - These trees are considered hazardous, or in irreversible decline, or weeds and should be removed irrespective of development. |

Tree Significance - Assessment Criteria:

1. High Significance in landscape:

- The tree is in good condition and good vigour; - The tree has a form typical for the species; - The tree is a remnant or is a planted locally indigenous specimen and/or is rare or uncommon in the local area or of botanical interest or of substantial age; - The tree is listed as a Heritage Item, Threatened Species or part of an Endangered ecological community or listed on Councils significant Tree Register; - The tree is visually prominent and visible from a considerable distance when viewed from most directions within the landscape due to its size and scale and makes a positive contribution to the local amenity; - The tree supports social and cultural sentiments or spiritual associations, reflected by the broader population or community group or has commemorative values; - The tree's growth is unrestricted by above and below ground influences, supporting its ability to reach dimensions typical for the taxa in situ - tree is appropriate to the site conditions.

2. Medium Significance in landscape

- The tree is in fair-good condition and good or low vigour; - The tree has form typical or atypical of the species; - The tree is a planted locally indigenous or a common species with its taxa commonly planted in the local area - The tree is visible from surrounding properties, although not visually prominent as partially obstructed by other vegetation or buildings when viewed from the street, - The tree provides a fair contribution to the visual character and amenity of the local area, - The tree's growth is moderately restricted by above or below ground influences, reducing its ability to reach dimensions typical for the taxa in situ.

3. Low Significance in landscape

- The tree is in fair-poor condition and good or low vigour; - The tree has form atypical of the species; - The tree is not visible or is partly visible from surrounding properties as obstructed by other vegetation or

buildings, - The tree provides a minor contribution or has a negative impact on the visual character and amenity of the local area, - The tree is a young specimen which may or may not have reached dimension to be protected by local Tree Preservation orders or similar protection mechanisms and can easily be replaced with a suitable specimen, - The tree's growth is severely restricted by above or below ground influences, unlikely to reach dimensions typical for the taxa in situ - tree is inappropriate to the site conditions, - The tree is listed as exempt under the provisions of the local Council Tree Preservation Order or similar protection mechanisms, - The tree has a wound or defect that has potential to become structurally unsound.

Environmental Pest / Noxious Weed Species - The tree is an Environmental Pest Species due to its invasiveness or poisonous/ allergenic properties, - The tree is a declared noxious weed by legislation.

Hazardous/Irreversible Decline - The tree is structurally unsound and/or unstable and is considered potentially dangerous, - The tree is dead, or is in irreversible decline, or has the potential to fail or collapse in full or part in the immediate to short term.

The tree is to have a minimum of three (3) criteria in a category to be classified in that group.

Note: The assessment criteria are for individual trees only, however, can be applied to a monocultural stand in its entirety e.g. hedge.

ATTACHMENT 2

ASSESSMENT REPORT

| | |
|--|--|
| DEVELOPMENT NO.: | 25011856 |
| APPLICANT: | Darren Foreman Lisa Foreman |
| NATURE OF DEVELOPMENT: | Removal of a significant tree (<i>Eucalyptus camaldulensis</i>). |
| ZONING INFORMATION: | <p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Historic Area • Heritage Adjacency • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy • Airport Building Heights (Regulated) • Building Near Airfields <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 30m) • Minimum Site Area (Minimum site area for a detached dwelling is 1,500 sqm) • Maximum Building Height (Levels) (Maximum building height is 2 levels) • Minimum Side Boundary Setback (Minimum side boundary setback is 4m for the first building level; 8m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent) |
| LODGEMENT DATE: | 30 Apr 2025 |
| RELEVANT AUTHORITY: | Assessment panel/Assessment manager at City of Unley |
| PLANNING & DESIGN CODE VERSION: | P&D Code (in effect) Version 2025.7 10/04/2025 |

DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks the removal of a significant tree (*Eucalyptus camaldulensis*). The tree is sited in the front yard of the allotment, abutting the street boundary and sited in between a section of the front fencing.

LOCATION OF DEVELOPMENT:

Location reference: 4 ADDISCOMBE PL UNLEY PARK SA 5061

Title ref.: CT 5909/511 **Plan Parcel:** D63484 AL701 **Council:** CITY OF UNLEY

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Tree-damaging activity: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

No

- **REASON**
N/A

AGENCY REFERRALS

None

INTERNAL REFERRALS

Symatree –

The tree is suitably healthy with a stable crown absent of notable structural afflictions of concern.

Despite concerns regarding the stability of the tree, no evidence was provided or observed to indicate the tree is in the process of failing.

The International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ) methodology found the tree attained a Low risk rating. This level of risk is considered tolerable and does not warrant arboricultural intervention

This assessment has determined the removal of the significant tree is not justified under the Codes of Development Control. This is based on the range of important contributions the tree offers to the area and the low risk rating.

PLANNING & DESIGN CODE POLICIES

The application has been assessed against the relevant policies of the Planning and Design Code and is considered to sufficiently satisfy.

| |
|---|
| Relevant Policies |
| ZONE |
| Established Neighbourhood Zone |
| DO 1, DO 2 |
| OVERLAYS |
| Regulated and Significant Tree Overlay |
| DO 1 |
| PO 1.1, PO 1.2, PO 1.3, PO 1.4, PO 2.1 |
| Policy Appendix |
| Refer to document – <i>P&D Code Rules - at Assessment Start</i> |

Discussion:

Regulated and Significant Trees Overlay PO 1.2 -

Significant trees are retained where they:

- a. make an important contribution to the character or amenity of the local area*
- b. are indigenous to the local area and are listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species*
- c. represent an important habitat for native fauna*
- d. are part of a wildlife corridor of a remnant area of native vegetation*
- e. are important to the maintenance of biodiversity in the local environment and / or*
- f. form a notable visual element to the landscape of the local area.*

The locality is comprised of residential allotments of mixed sizes and depths, and a large public park (Heywood Park) which is located on the north side of Addiscombe Place.

Heywood Park is well vegetated, containing large mature native trees - primarily species of Eucalyptus trees. Residential allotments are generally well vegetated and contain medium and large trees in front yards. The locality therefore is one of high amenity for residents and the public – largely a result of the well established and large tree canopy.

The subject site is rectangular in shape with a significant depth (83m) containing a two storey dwelling setback approximately 42m from the street frontage.

The subject tree is a large, prominent specimen located within the front yard of the property abutting the primary street boundary. Its sitting means the tree is the primary landscape feature of the subject site and can be viewed at various points in the locality. The species is in keeping with dominant character of the locality which contains many mature Eucalyptus trees. Being

located on private land, it serves as an important link from the trees on Heywood park to private land south of Addiscombe Place.

The tree therefore is a notable visual element in the local area, and makes an important contribution to the character and amenity of the local area. It satisfies PO 1.2 of the *Regulated and Significant Trees Overlay*.

Regulated and Significant Trees PO 1.3 states:

A tree damaging activity not in connection with other development satisfies (a) and (b):

- a. tree damaging activity is only undertaken to:*
 - i. remove a diseased tree where its life expectancy is short*
 - ii. mitigate an unacceptable risk to public or private safety due to limb drop or the like*
 - iii. rectify or prevent extensive damage to a building of value as comprising any of the following:*
 - A. a Local Heritage Place*
 - B. a State Heritage Place*
 - C. a substantial building of value**and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity*
 - iv. reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire*
 - v. treat disease or otherwise in the general interests of the health of the tree, and/or*
 - vi. maintain the aesthetic appearance and structural integrity of the tree*
- b. in relation to a significant, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.*

The application was submitted with an arborist report from Tertiary Tree Consulting, which was referred to Council's consultant arborist for assessment. The report identified the tree as being in average health with a poor structure. It stated that the tree had visible signs of root plate failure and has a low safe useful life expectancy. The report concluded that it therefore poses an unacceptable risk to people and property.

Council's arborist advised that the tree is in good health and has a good to fair structure. Furthermore, they confirmed the following:

- No specific disease or affliction has been identified within the tree that would pertain to a short life expectancy.
- The tree has a low level of assessed risk when utilising the ISA TRAQ risk assessment methodology with no significant history of branch failure observed
- The level of risk is not expected to change within the short to medium term.

Evidence of extensive damage to a building of value was not provided.

Given the above, the tree does not satisfy PO 1.3 for removal and consent is not warranted.

PLANNING ASSESSMENT

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

The application to remove a significant tree at 4 Addiscombe Place, Unley Park is not considered to meet the following provisions for removal:

- The Significant Tree makes an important contribution to the character and amenity of the local area and is considered to be a notable visual element of the landscape of the local area, and therefore should be retained in accordance with Regulated and Significant Tree Overlay PO 1.2 (a) and (f).
- It has not been demonstrated that the Significant Tree is diseased, that its life expectancy is short, that it represents an unacceptable risk to public or that it has or threatens to cause damage to a substantial building of value, and insufficient evidence that all remedial treatments will be ineffective. As such does not satisfy Regulated and Significant Tree Overlay Assessment Provision PO 1.3.

RECOMMENDATION

ADVISORY NOTES

Planning Consent

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

An application to the Council Assessment Panel to review a decision by the Assessment Manager must be made within 1 month of applicant receiving this notice of decision.

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

OFFICER MAKING RECOMMENDATION

Name: Nicholas Bolton

Title: Planning Officer

Date: 23/05/2025

DECISION AUTHORITY

Relevant Authority: Assessment panel/Assessment manager at City of Unley

Consent: Planning Consent

Date: 23/05/2025

Delegation Policy: Instrument D

Delegate Name: Tim Bournier

Delegate Title: Assessment Manager

ATTACHMENT 3

SYMATREE



Tree Assessment – 4 Addiscombe Place, Unley Park

Report prepared for
City of Unley
May 2025

Report prepared by

Simon Martin
ATQF 5 Arboriculture
ATQF 5 Horticulture
Certified ISA Tree Risk Assessor (TRAQ)

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Introduction

Instructions

Symatree was engaged by the City of Unley to conduct a comprehensive assessment of one mature tree identified as *Eucalyptus camaldulensis* – River Red Gum, located within the front garden of the private property of 4 Addiscombe Place, Unley Park. An application for tree removal has been submitted in conjunction with an arborist report and the council has requested an independent assessment.

My brief was to provide the following information:

- Assess the general health and structure of the tree.
- Positively identify the legislative control status under the Codes of Development Control as pertaining to regulated and significant trees.
- Assess the tree against the criteria listed within the Codes of Development Control.
- Determine the risk rating for the tree using the International Society of Arboriculture ISA Tree Risk Assessment Qualification (TRAQ).
- Provide management options to mitigate elevated levels of tree risk where relevant.
- Recommend general management for the tree where appropriate.

Site Visit

I conducted the assessment on the morning of 9 May 2025. I did not meet with the applicant or representative for Unley Council

Limitations

A Level 2 Visual Tree Assessment was conducted in accordance with the International Society of Arboriculture Tree Risk Assessment Qualification guidelines. Soil or tree tissue samples were not taken for laboratory analysis.

The weather during the assessment was sunny and visibility was clear. I had access to all aspects of the subject tree.

This report reflects the condition of the tree as found during the assessment. Changes to site conditions or surrounds may alter these findings. This report applies three months from the site visit date given current site conditions remain unchanged.

Documents Provided

Arboricultural Report by Tertiary Tree Consulting (dated 25 April 2025)

Date of Report

This report was compiled on 14 May 2025.

Observations

Location of tree

The subject tree is located in the rear garden of the residential property at 4 Addiscombe Place, Unley Park. This location is highlighted in Figure 1 below and the aerial image in Appendix A.



Figure 1: The subject tree viewed from the south.

Observations (cont)

Species

Eucalyptus camaldulensis – River Red Gum

Species Origin

Indigenous native

Crown attributes

Height: 20 metres **Average Crown Diameter:** 15 metres

Circumference at one metre above natural ground level: Greater than two metres

The subject tree is controlled as a 'significant' tree under the Codes of Planning and Design.

Maturity Classification

Mature

Structure/Condition

The subject tree displays a good to fair structure. The root buttress is suitably formed to support trunk and crown loading (Figure 2). Notable flaring is evident on the northern aspect to compensate for the moderate northern growth bias (Figure 3). The trunk grows on a notable northern bias. Reports that the tree is uprooting have been noted (Figures 4 to 10). The remaining crown structure is suitably formed without significant faults identified (Figure 11).

Health

The tree displays good health in consideration of its veteran status. Foliage is generally of good colour, size, shape and density with no significant pests or disease noted.

Form

The tree is growing on a notable northern bias.

Growing Environment

The growing environment is considered suitable for root proliferation and tree sustainability. The root zone to the south is comprised of a small, raised garden bed, pathways and open lawn. The rootzone to the north consists of the council footpath, verge and roadway.

Pruning History

There is some past evidence of pruning undertaken within the tree. The pruning generally conforms to *AS4373 – 2007 pruning of amenity trees*.

Property Damage

Minor cracking to the retaining wall around the garden bed is noted (Figures 12, 13 and 14).

Observations (cont)

Suitably developed root buttress



Figure 2. The tree has developed a suitable root buttress, which indicates a healthy and stable structural root crown.

Observations (cont)

Southern root buttressing



Figure 3. The above shows the prominent southern root flare, indicating suitable compensation for the moderate northern growth bias of the trunk.

Observations (cont)

Google Street View (2009)



Figure 4. The image above was taken from Google Street View in 2009 and shows the trunk how it appears today.

Observations (cont)

Trunk orientation (2025)



Figure 5. The above image shows the tree growing on a moderate northern bias with the fence modified around the trunk.

Observations (cont)

Overall tree bias (2025)



Figure 6. The above shows the natural bias of the tree. Branching on the southern aspect is considered a form of self-correction.

Observations (cont)

Overall growth bias (2015)



Figure 7. The above depicts the growth bias of the tree as viewed from Google Street View 2015.

Observations (cont)

Reduced southern crown density



Figure 8. In comparison with the 2015 Google Street View imagery, there is no significant difference in growth orientation.

Observations (cont)

Fence attachment into the trunk



Figure 9. The front fence is embedded into the trunk of the tree and does not show signs of sliding or movement on the trunk.

Observations (cont)

Fence attachment into the trunk



Figure 10. The fence line remains straight with no obvious signs of distortion

Observations (cont)

Branching structure



Figure 11. The crown is comprised of suitably attached branches with stable attachments. No significant structural crown faults noted.

Observations (cont)

Distorted retaining wall



Figure 12. The join between the corner of the retaining wall has separated.

Observations (cont)

Minor undulation of pavers



Figure 13. The above shows minor undulation of pavers behind the subject tree.

Observations (cont)

Hairline crack of retaining wall



Figure 14. A small hairline crack is noted on a section of the garden retaining wall.

Appraisal

Subject Tree

Symatree was engaged to conduct a comprehensive assessment of one mature tree identified as a *Eucalyptus camaldulensis*– River Red Gum. The tree has a trunk circumference of greater than 2.0 metres when measured at 1.0 metre above ground level. It is, therefore, controlled as a significant tree under the Codes of Planning and Design. An application for tree removal has been submitted in conjunction with an arborist report.

The subject tree displays a suitably healthy crown with no significant deadwood observed. No acute pests or diseases were noted, suggesting tree health is not a primary concern. Further discussion on tree health has been omitted as the main concern relates to whole tree stability.

The applicant's arborist has raised concern regarding the potential for whole tree failure; for this reason, my assessment focused mostly on the in-ground stability of the tree. The following observations were noted during my assessment:

- The overall growth bias of the tree appears to be similar if not the same to the growth bias as viewed within multiple past Google Street View Images.
- The cracking of the garden retaining wall could be attributed to the expansion of root girth beneath the garden beds.
- The fence in contact with the trunk does not show any signs of movement on the trunk it is in contact with or distortion of its alignment.
- There is no observable evidence of newly exposed, surface roots or shunted (cracked) soil around the base of the tree.
- The tree displays branching on the southern aspect, indicating the crown has self-corrected.
- It is also acknowledged that the tree has been in situ for a long period of time and in the absence of significant site changes or a change in structure, form or condition, it would be uncommon for the tree to become unstable all of a sudden.

The remaining crown is supported by suitably formed branches. Despite the broad crown spread, the branches are not assessed as over-extended, heavily weighted or vulnerable to wind-induced failures. This is demonstrated by the lack of notable branch failures within the crown. There is no major structural concern assessed within the tree at this time.

The level of risk is for the subject tree is assessed as low using the Tree Risk Assessment Qualification (TRAQ). This level of risk is generally considered acceptable and does not typically warrant arboricultural intervention. Further details on the components of the risk assessment are found on the following pages.

The tree's retention within the site is supported by the objectives outlined within the significant tree overlay of the *Planning and Design Code*. Continual assessments and management of the tree into the future will maintain a stable Useful Life Expectancy (ULE) of the tree within the site while also limiting the associated risk.

My assessment finds the subject tree does not meet the criteria for removal under The Codes of Development Control as listed below:

- The tree does not have a short life expectancy.
- The tree offers important habitat for native fauna.
- The tree offers an important contribution to the character and amenity of the area.
- The tree does not represent unacceptable levels of risk to private safety.

- The tree has not caused/is not threatening to cause extensive damage to a structure of value.

Report Compiled by the Applicant's Arborist

I have reviewed the report supplied by the applicant's arborist and provide the following findings and comments:

- My assessment regarding the health of the tree aligns with the applicant's arborist assessment.
- The applicant's arborist has estimated a 15-degree lean within the main trunk and noted it as evidence of failure potential but then goes on to cite notions related to increased risk with trees on a greater than 25-degree lean. My assessment of the 'lean' or 'bow' is it a natural growth habit of the tree, dictated by surrounding site factors and not due to structural fatigue or failure.
- Other than superficial cracking of the small retaining wall, the applicant's arborist has not provided any evidence to support the notion of whole tree failure.
- The applicant's arborist has only cited 'shaving' of the front gate as evidence of whole tree failure.
- The applicant's arborist has not provided specific evidence of the subject tree undergoing root plate failure. The applicant's arborist has provided notions of leans and bows with no specifics being applied to the subject tree and no consideration for the age, size and taper of the tree.

Overall, my assessment does not align with the applicant's arborist findings. This does not suggest that whole tree failure will or cannot occur but rather the evidence to indicate this is occurring has not been provided or observed.

If the applicant notes any further changes to the site condition a reassessment of the tree could be warranted.

Appraisal (cont)

Risk Assessment

I am qualified to use the 'International Society of Arboriculture tree risk assessment method'. More information regarding this method can be found in the American Standard ANSI A300 Part 9: - Tree Shrub and other woody plant management – Standard Practices and Tree Risk Assessment Manual by International Society of Arboriculture 2013.

The risk assessment for the subject tree has applied the *International Society of Arboriculture* Tree Risk Assessment Qualification (TRAQ) methodology. This methodology calculates risk in three steps: the likelihood of a failure occurring, the likelihood of the failure impacting a target and the potential consequences of the branch failure event.

Factors considered during a risk assessment include history of branch failure, likelihood of failure, tree age, health and vigour, level of previous maintenance performed, current defects, species characteristics, surrounding site factors, potential targets, and occupancy rates. The following assessment is based upon existing site use under normal seasonal weather conditions.

Target Assessment

The table below lists the targets, occupancy rates and distance/direction from the target to the tree considered as part of this assessment.

| Target | Occupancy Rate | Direction/Distance |
|--------------------------|----------------|--------------------|
| Front Garden | Occasional | South |
| Roadway (Addiscombe) | Frequent | North |
| Carpark for Haywood Park | Frequent | North |

Tree Factors

| Tree Part | Consideration | Part Size | Impact Force |
|---|---|-----------|--------------|
| Whole tree failure | No significant evidence of whole tree instability | Large | High |
| Secondary branch failure within the crown | More likely to fail under extreme wind loading. | Medium | Low |

Appraisal (cont)

Target Assessment

The following assessment is based upon existing site use under normal seasonal weather conditions. An approximation of the likely occupancy of the targets identified has also been considered.

Table One - Likelihood of a tree Failure, with the likelihood of Impacting a Target.

| LIKELIHOOD OF FAILURE | LIKELIHOOD OF IMPACTING TARGET | | | |
|-----------------------|--------------------------------|-----------------|-----------------|-----------------|
| | Very Low | Low | <u>Medium</u> | High |
| Imminent | Unlikely | Somewhat Likely | Likely | Very Likely |
| Probable | Unlikely | Unlikely | Somewhat Likely | Likely |
| <u>Possible</u> | Unlikely | Unlikely | <u>Unlikely</u> | Somewhat Likely |
| Improbable | Unlikely | Unlikely | Unlikely | Unlikely |

Table Two - Likelihood of failure and impact, combined with the consequence to the suggested target.

| LIKELIHOOD OF FAILURE AND IMPACT | CONSEQUENCE OF FAILURE | | | |
|----------------------------------|------------------------|----------|-------------|---------------|
| | NEGLIGIBLE | MINOR | SIGNIFICANT | <u>SEVERE</u> |
| Very Likely | Low | Moderate | High | Extreme |
| Likely | Low | Moderate | High | High |
| Somewhat Likely | Low | Low | Moderate | Moderate |
| <u>Unlikely</u> | Low | Low | Low | <u>Low</u> |

- The tree displays a suitably healthy crown.
- The upper branches are suitably attached and absent of notable structural faults.
- There is no significant history of branch failure observed.
- All branch and stem attachments appear to be stable.
- Foliage weight is generally within load-bearing capacity and evenly distributed.
- The root crown appears to be suitably formed to support crown loading.
- There are no obvious signs of instability within the root plate.
- The overall target zone is classified as occasional occupancy when considering 24 hours per day/365 days per annum.
- The likelihood of a small/medium tree part failing under normal weather conditions in the coming two years is possible.
- The likelihood of a large diameter tree part failing under normal weather conditions in the coming two years is also possible.

Risk Matrix Outcome

- This methodology found the subject tree to have a Low risk rating. This rating can be interpreted as the subject tree does not pose unacceptable levels of risk to public safety.

Codes of Development Control

The subject tree is controlled as a significant tree. The following comments pertain to the relevant Codes:

| | |
|---|--|
| PO 1.2 Significant trees are retained when they: | |
| a) make an important contribution to the character or amenity of the local area | Yes: The tree is a large, prominent specimen located within the front garden of the property. It is assessed as an eminent feature of the area. |
| b) are indigenous to the local area and are listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species | No: The tree is indigenous to the area of South Australia but is not-rare or endangered under the National parks and Wildlife Act 1972. |
| c) represent an important habitat for native fauna | Yes: The tree supports a dense crown with multiple avian and fauna-attracting attributes as well as suitable perching and nesting value. |
| d) are part of a wildlife corridor of a remnant area of native vegetation | Yes: The subject tree appears to be part of a wildlife corridor of remnant native vegetation that extends into the adjacent Haywood Park. |
| e) are important to the maintenance of biodiversity in the local environment. | Yes: The subject tree is locally indigenous and would be considered important for maintaining the biodiversity of the area. |
| f) form a notable visual element to the landscape of the local area. | Yes: The tree is a large, prominent specimen located within the front garden of the property. It is assessed as an eminent feature of the area. |
| PO 1.3 A tree damaging activity not in connection with other development satisfies (a) and (b): | |
| (a) tree damaging activity is only undertaken to: | |
| i. remove a diseased tree where its life expectancy is short | No: No specific disease or affliction has been identified within the tree that would pertain to a short life expectancy. |
| ii. mitigate an unacceptable risk to public or private safety due to limb drop or the like | No: the tree has a Low level of assessed risk when utilising the ISA TRAQ risk assessment methodology. This level of risk is not expected to change within the short to medium term. |
| iii. a rectify or prevent extensive damage to building of value as comprising any of the following: a. a Local Heritage Place b. a State Heritage Place c. a substantial building of value | Not Applicable |
| (b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective. | No pruning or arboricultural management options have been recommended. |

Conclusion

The subject tree is a mature specimen identified as *Eucalyptus camaldulensis* – River Red Gum, located within the front garden of the site.

The subject tree is protected as a significant tree under the provisions of the Planning and Design Code.

The tree is suitably healthy with a stable crown absent of notable structural afflictions of concern.

Despite concerns regarding the stability of the tree, no evidence was provided or observed to indicate the tree is in the process of failing.

Historic imagery appears to show the tree growing similarly to its current orientation.

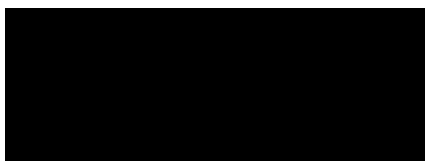
The *International Society of Arboriculture* Tree Risk Assessment Qualification (TRAQ) methodology found the tree attained a Low risk rating. This level of risk is considered tolerable and does not warrant arboricultural intervention

Re-assessment of the tree may be warranted if changes in condition are noted.

This assessment has determined the removal of the significant tree is not justified under the Codes of Development Control. This is based on the range of important contributions the tree offers to the area and the low risk rating.

Thank you for the opportunity in providing this report. Please do not hesitate to contact me for further clarification regarding this assessment.

Simon Martin



Appendix A Aerial Image



ATTACHMENT 4

DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

| |
|---|
| Name: Darren Foreman |
| Postal address: 4 ADDISCOMBE PLACE UNLEY PARK SA 5061 |
| Email: [REDACTED] |

| |
|---|
| Name: Lisa Foreman |
| Postal address: 4 ADDISCOMBE PLACE UNLEY PARK SA 5061 |
| Email: [REDACTED] |

IN REGARD TO:

| | |
|--|------------------------|
| Development application no.: 25011856 | Lodged on: 30 Apr 2025 |
| Nature of proposed development: Removal of a significant tree (<i>Eucalyptus camaldulensis</i>). | |

LOCATION OF PROPOSED DEVELOPMENT:

| | | |
|--|---------------------------|------------------------|
| Location reference: 4 ADDISCOMBE PL UNLEY PARK SA 5061 | | |
| Title ref.: CT 5909/511 | Plan Parcel: D63484 AL701 | Council: CITY OF UNLEY |

DECISION:

| Decision type | Decision (granted/refused) | Decision date | No. of conditions | No. of reserved matters | Entity responsible for decision (relevant authority) |
|---|----------------------------|---------------|-------------------|-------------------------|--|
| Planning Consent | Refused | 23 May 2025 | | | Assessment Manager at City of Unley |
| Development Approval - Planning Consent | | | | | City of Unley |

FROM THE RELEVANT AUTHORITY: Assessment Manager - Section 96 - Performance Assessed at City of Unley

Date: 23 May 2025

REFUSAL REASONS

Planning Consent

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

The application to remove a significant tree at 4 Addiscombe Place, Unley Park is not considered to meet the following provisions for removal:

- The Significant Tree makes an important contribution to the character and amenity of the local area and is considered to be a notable visual element of the landscape of the local area, and therefore should be retained in accordance with Regulated and Significant Tree Overlay PO 1.2 (a) and (f).
- It has not been demonstrated that the Significant Tree is diseased, that its life expectancy is short, that it represents an unacceptable risk to public or that it has or threatens to cause damage to a substantial building of value, and insufficient evidence that all remedial treatments will be ineffective. As such does not satisfy Regulated and Significant Tree Overlay Assessment Provision PO 1.3.

ADVISORY NOTES

Planning Consent

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

An application to the Council Assessment Panel to review a decision by the Assessment Manager must be made within 1 month of applicant receiving this notice of decision.

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

CONTACT DETAILS OF CONSENT AUTHORITIES

| | |
|---|--|
| Name: City of Unley | Type of consent: Planning |
| Telephone: 0883725111 | Email: DevelopmentServices@unley.sa.gov.au |
| Postal address: PO Box 1, Unley SA 5061 | |

ATTACHMENT 5

APPLICATION TO ASSESSMENT PANEL¹

Decision Review Request

Prescribed form pursuant to section 203(1) for review of a decision of an Assessment Manager under section 202(1)(b)(i)A of the *Planning, Development and Infrastructure Act 2016* (Act)

| | |
|---|--|
| Applicant details: | Name: Darren and Lisa Foreman Phone: [REDACTED] Email: [REDACTED] Postal address: 4 Addiscombe Place, Unley Park SA 5061 |
| Development Application Number: | 25011856 |
| Subject Land: | 4 Addiscombe Place, Unley Park SA 5061 <i>[street number, street name, suburb, postcode]</i> <i>[lot number, plan number, certificate of title number, volume and folio]</i> |
| Date of decision of the Assessment Manager: | 23/05/2025 |
| Decision (prescribed matter²) for review by Assessment Panel: | Assessment decision of the assessment manager – refusal. |
| Reason for review: | <p>Over the last 2 months we have witnessed this tree moving with increasing lean of the tree, depression of our lawn and raising/cracking of our garden bed and fence pillars. This tree has been completely stable over the previous 16 years that we have lived at this address. The tree is on our side of the boundary with the council footpath. The tree exclusively leans over the footpath, road and carparking spaces for Heywood Park. We see this recent tree movement as an indication that it is unstable and could fall over, and if this happens it will put any visitors to the park at risk. Heywood Park is a very busy park and the car parks have heavy utilisation 7 days a week. A river red gum on the neighbour's property, situated 20 metres from this tree, fell over without warning, and it was sheer luck that no one was injured. Photos supplied show the result of the neighbour's tree failure, and it can be clearly seen that the tree had green limbs. It had not exhibited any movement or concerning signs preceding. Having witnessed this we are particularly concerned about catastrophic damage and injury our tree could cause if it falls. The risk is not to our family, it is entirely to those walking past or visiting the park on Council property. We alerted Council of our concern, who told us that as it is on private land, they are not able to provide advice. We were told that we needed an Arborist to review the tree to determine any potential risk. We engaged an Arborist and were informed that this tree posed a significant risk and recommended complete tree removal. The structure of tree was rated as poor, and it exhibits multiple indicators</p> |

¹ This application must be made through the relevant facility on the SA planning portal. To the extent that the SA planning portal does not have the necessary facilities to lodge this form, the application may be lodged—

(i) by email, using the main email address of the relevant assessment panel; or
(ii) by delivering the application to the principal office or address of the relevant assessment panel.

² **Prescribed matter**, in relation to an application for a development authorisation, means—

- (a) any assessment, request, decision, direction or act of the Assessment Manager under the Act that is relevant to any aspect of the determination of the application; or
- (b) a decision to refuse to grant the authorisation; or
- (c) the imposition of conditions in relation to the authorisation; or
- (d) subject to any exclusion prescribed by the regulations, any other assessment, request, decision, direction or act of the assessment manager under the Act in relation to the authorisation.

| | |
|--|---|
| | <p>of structural instability including a pronounced lean and visible signs of root plate failure. The Arborist assisted submitting a request to have the tree removed. The feedback from the Council in the Decision Notification Form states that this Significant Tree does not represent an unacceptable risk to public. This is against our observations and the professional advice we received, and we are concerned that the Council have not recognised the clear evidence of the tree's recent movement, which is outlined in the Arborist report. We would like to appeal this refusal and ensure the panel gives proper consideration to the risks to the public, and possible outcome if this tree fails.</p> |
| <p>Do you wish to be heard by the Assessment Panel?</p> | <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No</p> |
| <p>Date:</p> | <p>24/5/25</p> |
| <p>Signature:</p> | <div data-bbox="464 663 738 788" style="background-color: black; width: 172px; height: 56px; margin-bottom: 10px;"></div> <p><input checked="" type="checkbox"/> <i>If being lodged electronically please tick to indicate agreement to this declaration.</i></p> |

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

TO: City of Unley Council Assessment Panel

FROM: Tim Bournier, Assessment Manager

SUBJECT: Summary of ERD Court Appeals

MEETING DATE: June 17th 2025

APPEALS - 1

| Development Application / Subject Site | Nature of Development | Decision authority and date | Current status |
|---|---|---|---|
| DA25005852 – 169 Goodwood Road, Millswood | Removal of Significant Tree (River Red Gum) | Refused under delegation, April 14 th 2025 | Appealed to ERD, no dates currently set |