



Development Assessment Panel of City of Prospect

(Presiding Member: Mr David Blaikie)

The meeting of the Development Assessment Panel will be held in the Civic Centre,
128 Prospect Road, Prospect at **5.30pm Monday 12 January 2015**.

A handwritten signature in black ink, appearing to read 'Nathan Cunningham'.

Nathan Cunningham
Director Community, Planning & Communications

Members: Mr David Blaikie, Ms Alison Bowman, Mr David Cooke,
Ms Cherie Gill, Mr Mark Groote, Ms Monica Lee,
Mr Simon Weidenhofer

A G E N D A

1. **On Leave – Nil**
2. **Apologies – Nil**
3. **Confirmation of the Minutes of the Development Assessment Panel held on 8 December 2014.**
4. **Protocol**
 - 4.1 The Panel has adopted the protocol that only those agenda items on the Panel reports reserved by Members on a callover by the Presiding Member will be debated and the recommendations of all other items will be adopted without further discussion.

5. Development Applications

- 5.1 32 Hampstead Road Broadview – Two, Two Storey Residential Flat Buildings comprising Seven Dwellings with associated Carports, Driveway and Landscaping (DA 050/323/2014)

Representors: Margaret Jeffries of 31 Brooke Street Broadview (to be heard)
Michelina Parente of 33 Brooke Street Broadview

Respondent: Chris Vounasis from Connor Holmes to respond on behalf of the applicant

(Pages 1 - 41, Recommendation pages 12 - 17)

6. Other Reports

- 6.1 Summary of Development Assessment Commission (DAC) Decisions and Proposals Greater than \$3 Million called in by the Coordinator-General

(Pages 42 - 43, Recommendation page 43)

7. Summary of Court Appeals

- 7.1 Summary of Court Appeals

(Page 46, Recommendation page 46)

8. Time, date and place of next meeting

5.30pm Monday 9 February 2015 - Civic Centre, 128 Prospect Road, Prospect

9. Closure

AGENDA ITEM: 5.1

To: Development Assessment Panel (DAP) on 12 January 2015

From: Scott McLuskey, Senior Development Officer, Planning

Proposal: Two, Two Storey Residential Flat Buildings comprising Seven Dwellings with associated Carports, Driveway and Landscaping (DA 050/323/2014)

Address: 32 Hampstead Road Broadview (CT 5314/328)

SUMMARY:

Applicant:	Willalo Holdings	
Planning Authority:	Council	
Referrals (Schedule 8):	Department for Planning, Transport and Infrastructure (DPTI)	
Public Notification:	Category 2	
Representations:	Margaret Jeffries Michelina Parente	31 Brooke Street Broadview (to be heard) 33 Brooke Street Broadview
Submissions:	Louise Spark	7 Brooke Street Broadview
Respondent:	Chris Vounasis	Connor Holmes
Development Plan Version:	Consolidated 31 st October 2013	
Zone and Policy Area:	Residential Zone (Policy Area B200)	
Issues:	Density, Scale, Visual Privacy, Private Open Space	
Recommendation:	Approval, Subject to conditions	

1. LOCALITY AND SUBJECT LAND

1.1 Locality

- 1.1.1 The locality of a development is generally recognised as the area that defines the context of a proposed development, and the area that would in turn be influenced by the proposal. As such, the locality will vary according to the nature of the proposed use and/or form of the proposed building works.
- 1.1.2 While potentially difficult to define, for the purpose of assessment of the proposal currently before the Panel the locality is considered to extend approximately 90m to the north and 100m south of the subject land. The locality is defined to this extent due to the consistency of allotment sizes, presentation of dwellings to the street and configuration of the nearby road network, in combination with the extent of visibility of the proposed development within the streetscape.

- 1.1.3 The locality principally comprises older, low density dwellings in a variety of styles that are typically single storey in nature. Three low-medium density residential sites are present within the locality, with construction dates varying between the 1960s and 2000. It is noted that development on these sites is single storey in nature.
- 1.1.4 The broader locality, indicating the location of the subject land within the relevant Zone and Policy Area as described in Council's Development Plan, as well as the location of owners/occupiers who lodged representations, is described in **Attachment 1**. Photographs of nearby properties are included at **Attachments 2-4**.

1.2 Subject Land

- 1.2.1 The subject land is located 85m north of Ascot Avenue and 85m south of Collingrove Avenue. The land comprises one allotment with a total area of 1,510m², with a frontage of 25m to Hampstead Road and a depth of 60m. The land is relatively flat, with a marginal slope from east to west.
- 1.2.2 Existing site improvements include a single-storey detached dwelling located centrally on the allotment, with a freestanding garage to the north-western corner. Existing vegetation is comprised of ground covers with a small plantation of flowering bushes. No significant trees are on the subject land or within close proximity on adjoining allotments. The subject land is illustrated on **Attachment 5**. A photograph of the subject land is also included for the DAP's reference (refer **Attachment 6**).

2. **PROPOSAL**

- 2.1 The applicant proposes the demolition of three existing single storey dwellings and associated outbuildings, and the construction of two, two storey residential flat buildings comprising seven self-contained dwellings with three associated carports, landscaping and a common driveway providing seven visitor parking spaces and vehicle manoeuvring areas.
- 2.2 The rear residential flat building would provide 4 two-storey townhouses with ground floor parking, laundry facilities and living areas complemented by first floor living areas, with three bedrooms located on the first floor of each dwelling.
- 2.3 The front residential flat building would comprise three self-contained dwellings, two of which would be at ground level. Each would provide separate living and dining areas, a separated laundry facility and two bedrooms.
- 2.4 No other works are proposed. The proposal plans, prepared by zummo design, are attached (refer **Attachments 16-24**).

3. **REFERRALS**

3.1 External (Legislated) Referrals

- 3.1.1 The proposal was referred to the Department for Planning, Transport and Infrastructure as required by Schedule 8 of the Development Regulations 2008. Pursuant to this Schedule, DPTI has the ability to direct Council in relation to some elements and the ability to make comment in regard to other elements. Their response is attached (**Attachments 7-9**).

- 3.1.2 As the proposal is within a prescribed distance of an area possibly required for road widening purposes, the DPTI has the power of direction in relation to building works within the prescribed distance. To this end, the DPTI has commented that the building setback provided will allow sufficient land for the potential future widening of Churchill Road.
- 3.1.3 Council must also have regard to the comments of the DPTI in relation to the proposed access point, as all access would be from a DPTI owned road. To this end, the DPTI has commented that they are in support of the location and width of the proposed access. The DPTI have further commented that the parking and manoeuvring areas provided within the common driveway appear to satisfy the relevant Australian Standard.
- 3.1.4 For the above reasons, the DPTI ultimately concludes that it is supportive of the proposal. The DPTI recommends the inclusion of 4 conditions in any consent granted by Council and directs the similar inclusion of one advisory note.
- 3.1.5 No other consultation with agencies was required.

4. PUBLIC NOTIFICATION

- 4.1 The application is a Category 2 form of development pursuant to Section 38 of the *Development Act 1993* and Schedule 9 of the *Development Regulations 2008*, as it involves the construction of a building of 2 storeys comprising dwellings (refer Schedule 9, Clause 18).
- 4.2 The public notification period ended with 2 representations and one submission received. It is noted that the submission has been received from a resident who was not directly notified through the Category 2 process, but who is within the broader locality of the subject land. It is noted that while Section 38(17) of the *Development Act 1993* does not require the Panel to take into account this submission, it also does not restrict the Panel from taking it into account.
- 4.3 The representors and submitter raised the following concerns (refer **Attachments 10-13**):
- The density of development proposed,
 - The two storey scale of the proposed development, including associated concerns of visual privacy and loss of residential amenity.
 - Loss of property value, and
 - Safe access and egress of vehicles to and from the subject site given the close proximity of the site to the Hampstead Road/Ascot Avenue intersection.
- 4.4 One representor further expressed that if the Panel were of a mind to support the proposal; further privacy measures including the provision of higher fencing and fully fixed and obscured rear-facing windows were requested.
- 4.5 The representations were forwarded to the applicant for consideration. In response, the applicant identified the following (refer **Attachments 14-15**):
- There is a desire for a variety of medium density dwelling types within increased densities in areas adjacent to arterial roads within the Policy Area,
 - Both two and three storey developments are envisaged by the B200 Policy Area in respect of the subject site, further noting that:
 - The rear upper level windows of the rear dwellings (i.e. the west elevation) will be fixed and obscured to a height of 1.7m above floor level in accordance with Council Wide PDC 90 and would be amenable to these treatments being reinforced by condition, and

- The rear dwellings would be setback between 5.2m and 5.5m from the rear boundary, satisfying the building envelope criteria of the Policy Area described in PDC 7 and is one type of dwelling explicitly sought within the Policy Area.
- Property values should not be considered in the development assessment process,
- The Transport Services Division of the DPTI have reviewed the proposal and indicated their support subject to conditions, and,

5. PLANNING COMMENTARY

- 5.1 The application involves building work and therefore an application to Council is required. The proposal is neither a complying nor a non-complying development with reference to Principle of Development Control 11 of the Residential Zone and is therefore to be considered on its merits against the relevant provisions of Council's Development Plan.
- 5.2 Pursuant to Section 35(2) of the *Development Act 1993*, a development that is assessed by the Council as being seriously at variance with the Development Plan must not be granted consent. To this end, the Panel must determine whether the proposal is seriously at variance with the Development Plan prior to making a decision on the application.
- 5.3 The potential for a proposal to impact upon property values was raised as a concern during the notification process. It is worthy of note that this concern has been the subject of numerous reviews and comments by the Environment, Resources and Development Court and Supreme Court. For various reasons the Courts have indicated that it is inappropriate to consider the effect of development on property values, but entirely appropriate that consideration of the effect of development on the amenity enjoyed within a locality should occur.

6. PLANNING ASSESSMENT

6.1 Land Use

- 6.1.1 It is anticipated that development within the B200 Policy Area would enable an attractive residential environment and would provide for a diverse mix of medium density housing. A mix of semi-detached dwellings, row and group dwellings and residential flat buildings with increasing densities adjacent to arterial roads and railway corridors is desirable. Buildings of up to three storeys in height may be appropriate on larger sites (RPA B200 Desired Character Statement).
- 6.1.2 Realising this desired future character can be achieved through a combination of upgrading and redevelopment of the existing housing stock, as well as new development incorporating the following:
- (a) *single storey dwellings set on individual allotments within garden settings;*
 - (b) *medium density development in the form of semi-detached dwellings, row dwellings, group dwellings with residential flat buildings to occur in strategic locations including corner sites, larger sites and amalgamated sites that seek more efficient use of the sites in these infill locations and under-utilised commercial sites;*
 - (c) *existing buildings of low amenity and streetscape value are to be upgraded or replaced with more appropriate medium density housing to meet a variety of accommodation needs;*

- (d) *vacant land or low-scale buildings on intersections of main roads should be re-developed with substantial landmark buildings that define entrances and reinforce the edges of the city;*
 - (e) *housing development that is complementary to the design elements and streetscape characteristics of the area (RPA B200 Desired Character Statement).*
- 6.1.3 A residential flat building is one of the types of development anticipated to be constructed within the Policy Area, but only in relation to particular sites. Given the substantial size of the allotment and its location adjacent an arterial road, the subject land represents one such allotment. In a broad sense therefore, the proposal is considered to be an appropriate type of development.
- ## 6.2 Site Area/Density
- 6.2.1 It is desired that residential allotments should be of varying sizes to encourage housing diversity (Council-wide PDC 18). Within the Residential Zone, each of the four Policy Areas specifies minimum allotment sizes for residential development. While allowing for a range of housing types, minimum site area requirements are a quantitative measure to guide increases in density that would be consistent with the existing and/or desired character of each Policy Area.
 - 6.2.2 It is anticipated that dwellings in Policy Area B200 will be located on allotments with a minimum area of 200m² (RPA B200 PDC 12). Unlike other Policy Areas, no minimum frontage width is specified for new allotments in RPA B200. Generally, higher density development within the Policy Area should occur on larger sites adjacent arterial roads (RPA B200 Desired Character Statement).
 - 6.2.3 It is noted that residential flat buildings often, as is the case in this application, do not include an exclusive allotment or area at ground level on the site. It is further noted that the RPA Desired Character Statement expresses anticipation that development of a higher density than that appropriate elsewhere in the zone is appropriate on sites adjacent arterial roads or on larger sites. RPA B200 PDC 13 provides quantitative guidance as to when a site is of sufficient size to enliven this desired outcome; that being sites greater than 1,000m² in size.
 - 6.2.4 Given the above, it is appropriate to consider the proposal with relation to its overall site density. At 1,500m² in approximate size, the provision of seven dwellings would provide a net site density commensurate with the gross site areas desirable elsewhere within the Policy Area.
 - 6.2.5 The proposal would provide an average net site density of 216m² per dwelling. The site area associated with dwellings that feature ground level private open space would be appropriately larger than the dwelling entirely above ground level. Ground level dwellings at the front of the site would have an average site area of approximately 208m², while dwellings at the rear would have an average site area of approximately 138m². It is noted that these calculations do not incorporate visitor parking or landscaping adjacent common areas.
 - 6.2.6 While the dwellings would not be provided with the site areas of 200m² each referred to by RPA B200 PDC 12, such provision would run contrary to the desirable outcome for this particular site with regard to the RPA B200 Desired Character Statement and RPA B200 PDC 13. To this end, the proposal would be of an appropriate dwelling density, providing a mix of dwelling configurations at a similar overall site density to that anticipated generally within the Policy Area.

6.3 Design and Appearance

- 6.3.1 Within Policy Area B200 it is anticipated that building design will make a positive contribution to the streetscape and locality, improving the amenity and appearance of arterial road corridors through quality landscaping and medium density development. Development should incorporate materials, finishes and design elements complementary to its locality, while balancing the dual aims of presenting attractive, new building facades to street frontages and satisfying noise attenuation requirements (RPA B200 Desired Character Statement, Obj 1, PDC 5).
- 6.3.2 The two residential flat buildings would provide differing housing configurations, with four, three bedroom dwellings in the rear building and three, two bedroom dwellings in the front building. This would provide a commendable mix of accommodation outcomes on the site. Each would be provided with living areas of minimum 4m dimension and bedrooms of minimum 2.7m dimension. Main bedrooms would feature a minimum 3m dimension. Living areas and habitable rooms would be zoned from each other, variably by internal walls or ground/first floor separation.
- 6.3.3 The front building would have a mix of single and two storey proportions. The two storey component would feature an articulated two storey wall with gable end, similar in form to the dwelling opposite the subject land at 29 Hampstead Road. A flat roof verandah/portico would break the vertical lines of the building, presenting a single storey element to the street which defines a building entry. The single storey component would be of a more modern form, featuring a central, gable roofed portico above the height of the front wall with hipped roof behind. The hip roof would form its ridge adjacent the wall of the two storey component, visually connecting the two as one building.
- 6.3.4 The rear building would be two storeys in scale, presenting to the internal driveway with mirrored facade designs incorporating projected parapet walling and gable ends above balcony and entry areas, with two hip roof forms behind. The rear wall of the building would be articulated, introducing a smaller hip roof form to the north and south western corners of the building. The building would use principally modern design elements and roof forms to give the appearance to a casual observer that it would contain two larger dwellings rather than the four proposed.
- 6.3.5 Building materials would vary throughout the proposal, featuring a material and colour palette common of the locality to the streetscape facade, while principally using more modern materials throughout remaining facades. While the streetscape features a wide range of styles including cottage, bungalow, tudor, Spanish mission, art deco, austerity and conventional hipped roof dwellings, the use of red or cream brick, sandstone and white/off-white rendered finishes is common throughout the locality.
- 6.3.6 The street facade of the proposal would feature red brick and cream rendered front wall finishes, with raised mouldings surrounding window openings. Portico columns would be rendered in sandstone veneer to provide a lighter contrast material against the red brick facade.
- 6.3.7 The remainder of the proposal would feature a mix of fibre-cement cladding and rendered finishes, with red brick columns introduced to the gable end portico feature of the rear dwellings.
- 6.3.8 The proposal strikes an appropriate balance between the use of more traditional facade materials and roof forms, and the use of modern dwelling materials and

construction techniques. To this end the design would reasonably complement the existing locality, while providing a medium density development outcome accommodating a variety of housing needs.

6.4 Setbacks

- 6.4.1 To ensure appropriate setbacks while accommodating an increase in the density of development, the Development Plan describes a building envelope within which new development should be contained. The building envelope is defined by projecting a plane at 45 degrees from a height of 3.5 metres above natural ground level at the side, rear and front allotment boundaries to a maximum height of nine metres. Further, setbacks should respond to predominant characteristics of the locality and provide sufficient space for landscaping, including large, character trees within front yard areas (RPA B200 Desired Character Statement and PDC 7).
- 6.4.2 The locality features dwellings of varying setback distances from their respective Hampstead Road frontages. On the western side, dwellings are generally setback approximately 8-9m from the front property boundary whereas on the eastern side, dwellings vary from 3m to 9m in front setback. Notably, the substantial two storey dwelling at 29 Hampstead Road features a setback of 3m to Hampstead Road and abuts the property boundary facing Lovell Avenue.
- 6.4.3 The front building would be set back approximately 6m from the front property boundary. This would set the building forward of its neighbours, though it is acknowledged that within Policy Area B200 consideration of setback distances should incorporate the locality generally and the opportunity for substantial landscaping. The landscaping plan provided proposed the plantation of a non-native species forward of the building, though it is noted that the species commonly reaches 15-25m in height.
- 6.4.4 Given the variation in setbacks within the locality generally, the front setback of the building would appear to satisfy the relevant provisions of the development plan, particularly when the landscaping is also considered.
- 6.4.5 The proposed buildings would feature wall heights of 5.55m. The building envelope described in Policy Area B200 PDC 7 would therefore indicate a desirable side and rear setback to these walls of 2.05m. Both buildings would be setback from the southern boundary of the site by approximately 2m. The rear building would be setback from the northern boundary of the site by approximately 2m and from the western boundary of the site by a minimum of approximately 5.2m.
- 6.4.6 While the staircase to Townhouse 3 would extend out from the building, its maximum height (including privacy screening) would be 4.7m above natural ground level. The desirable side setback of this element therefore would be 1.2m at its maximum height. The stairway is proposed to be setback at approximately 1m from the side boundary. Given the limited length of the structure at this maximum height (approximately 2m) and the lower physical mass of the privacy screen, this departure is minor in nature.

6.5 Site access

- 6.5.1 It is anticipated that new developments minimise the number of access points onto arterial roads, by providing vehicle access from side streets, rear access ways, via rights of way or common vehicle parking areas. Where this is not possible, development along arterial roads should rationalise the number of access points off arterial roads and provide sufficient on-site manoeuvring area to

enable all vehicles to enter and exit the site in a forward direction (Council Wide PDC 229).

- 6.5.2 The proposal would incorporate the retention and widening of the existing crossover to provide a common access driveway for each of the 7 dwellings. It is noted that the widening of the existing crossover would not impact upon street trees or infrastructure.
- 6.5.3 The access arrangement was considered by the DPTI, who advised that they supported the use of the rationalised access point and that its dimensions were generally appropriate, recommending conditions to reinforce key elements of the access arrangement.
- 6.5.4 The access arrangement and dimensions would similarly satisfy the relevant development plan provisions. It is noted that recommended condition 3 provided by the DPTI appears to be unenforceable and is likely to be invalid. For this reason it is recommended that this condition should not be applied, but that the remaining three conditions should be applied to any consent granted.

6.6 Car Parking

- 6.6.1 Dwellings with up to 3 bedrooms should provide two on-site car parking spaces, with one undercover (Council-wide PDC 56). Where more than one car park is required for a dwelling, the car parking may be in a stacked formation (Council-wide PDC 57).
- 6.6.2 As each dwelling would feature up to 3 bedrooms, the development should provide at least 7 undercover parking spaces and a further 7 visitor spaces. The rear building would accommodate four garages under the main roof, with a further four visitor parking spaces in a stacked formation. The front building would provide three freestanding garages and a further three visitor parking spaces in a 90° formation.
- 6.6.3 Each of the visitor spaces would be at least 5.4m in length and 2.8m in width. Each would be directly accessible from an aisle of 6.1m width with a turning area provided at the southern end of the common driveway to allow vehicles to exit the site in a forward motion if all parking spaces were full.
- 6.6.4 Given its location adjacent boundary fencing, the southern carport for use by the occupants of Townhouse 3 would desirably be greater in width than that required by the relevant Australian Standard (AS/NZS 2890.1:2004). It is noted that the Standard requires parking spaces adjacent walls, fences or other barriers to be a minimum of 2.7m in width. At 3m in width and with a dedicated manoeuvring area on the opposing side of the aisle the carport does achieve compliance with the relevant Australian Standard, though is not as ideally convenient as possible.
- 6.6.5 These dimensions and provisions, as relevant, ensure compliance with the relevant Australian Standard (AS/NZS 2890.1:2004) and the relevant provisions of the development plan.

6.7 Energy Conservation Measures

- 6.7.1 It is desired that all dwellings provide adequate thermal comfort for occupants through passive design features such as orientation of windows, living areas and private open space, and cross-ventilation (Council-wide PDC 79).
- 6.7.2 The buildings would have an east-west orientation, each with the majority of its window openings facing east or west. The location of windows and doors would

enable moderate levels of natural light to most rooms, with skylights providing further natural light to the second bedroom and bathroom areas of Townhouses 4-7 (though with varying effect).

- 6.7.3 The buildings would provide reasonable opportunities for cross-ventilation, though it is noted that the ground level of Townhouses 4-7 would be limited in this capacity. Each dwelling zones living and habitable rooms effectively to maximise the efficiency of mechanical heating and cooling devices.
- 6.7.4 Given the above, the exposure of west facing windows proposed is inappropriate to address the desirable amenity and energy efficiency outcomes of the development plan. It is recommended that a condition be imposed requiring shade canopies to west facing windows and sliding doors to minimise direct sunlight penetration in summer afternoon periods.
- 6.7.5 It is anticipated that mechanical heating and cooling would be via individual gas hot water systems and air-conditioning units, which should be located on the roof of each dwelling or otherwise inconspicuously. It is recommended that a condition be attached to any authorisation confirming this.

6.8 Noise Attenuation

- 6.8.1 It is anticipated that the reasonable noise and air quality impacts caused by traffic on the adjacent arterial road are mitigated through appropriate building design and orientation (RPA B200 PDC 1). New dwellings should be insulated from traffic noise to the extent that the L10 (20 minute) noise level within habitable rooms does not exceed 40 dB(A) (RPA B200 PDC 2).
- 6.8.2 It is also desirable that attached dwellings are designed to minimise the transmission of sound between dwellings, particularly between living areas and bedrooms (Council-wide PDC 93). To this end, it is noted that the layout of each dwelling is such that no bedrooms abut the living area of an adjoining dwelling.
- 6.8.3 It is noted that the construction of the building would need to be undertaken in accordance with the recently enacted Minister's Specification SA78B – Construction requirements for the control of external sound. Compliance with the Minister's Specification is required as part of the Building Code of Australia (BCA). The Minister's Specification incorporates principles which are consistent with PDC 2 of the Policy Area.
- 6.8.4 This notwithstanding, Policy Area B200 incorporates the most prescriptive principles of development control in relation to noise attenuation and it would be inappropriate that no planning assessment of this design element take place. To this end it is recommended that consideration of noise attenuation and the provision of acoustic engineering advice be reserved for further assessment and approval by Council.

6.9 Private open space provision

- 6.9.1 Within Policy Area B200, it is anticipated that private open space should be provided at a rate of 25m² for every two bedrooms or rooms able to be used as a bedroom. These areas should feature a minimum dimension of 4 metres, where up to 20% of this area may be covered with structures such as verandahs (RPA B200 PDC 9). Dwellings without private access to a ground floor area of private open space should provide balconies or courtyards of at least 7.5m² and with a minimum dimension of 2 metres (RPA B200 PDC 10).

- 6.9.2 Each dwelling proposed would provide either 2 or 3 rooms able to be used as a bedroom. Given this, each dwelling with access to ground level private open space should provide a minimum 25m².
- 6.9.3 Townhouses 4 and 7 (as described on the site plan) would provide 35m² of ground level private open space each with a minimum 5.2m dimension. Townhouses 5 and 6 would provide 28m² of ground level private open space with a minimum 5.1m dimension. The ground level private open space would be supplemented by 4.5m² in balcony areas, though it is noted that the minimum dimension for these additional areas would be 1.5m only.
- 6.9.4 Townhouse 1 would be provided with 26m² of private open space and Townhouse 2 would be provided with 29m² of private open space, each with a minimum 3.5m dimension. Townhouse 3 would be provided with 15m² of private open space above ground level, with a minimum dimension of 3.6m.
- 6.9.5 It is worthy of note that the intent of PDC 9 of the B200 Policy Area is not expressed as clearly as similar PDCs in other residential policy areas. Where every other policy area would call for an amount of private open space to be provided for each bedroom, the B200 Policy Area calls for an amount of private open space to be provided for every two bedrooms of a dwelling. This unique policy approach appears to reflect the functional differences between the likely occupiers of three bedroom dwellings as opposed to those with four bedrooms in the policy area. Given this, staff conclude that each proposed dwelling does provide private open space in accordance with the relevant Development Plan provisions.

6.10 Stormwater Management

- 6.10.1 It is anticipated that site drainage should be designed to safely direct surplus flows to a public street without causing harm to adjoining properties and that all proposed developments should be designed to retain and re-use as much stormwater as possible, minimising the overflow to the kerb and water table (Council-wide PDC 97 and 98).
- 6.10.2 The requirements of the Building Code of Australia in relation to the capture and re-use of roof stormwater are also notable in this respect. These requirements provide that a minimum 50m² roof area must be captured within a minimum 1000L rainwater tank and plumbed directly to a laundry or toilet within each dwelling. Given the limited footprint of each dwelling and the proposed roof form; it is anticipated that this will involve the capture and re-use of a high percentage of roof stormwater.
- 6.10.3 Given that an appropriate design methodology has been provided, it is considered that the final design may be suitably guided by conditions attached to the consent.

6.11 Waste Management

- 6.11.1 It is anticipated that new development would include appropriate waste management options that provide adequate storage while screening these areas from public view. The design of driveway crossovers, parking areas, accessways and elements that interact with the public realm should also safely and efficiently accommodate the collection of waste and recycling materials.
- 6.11.2 Additionally, new developments should provide a dedicated area for the on-site storage, collection and sorting of recyclable materials and waste that is safe and convenient (Council-wide PDC 147, 169 and 170).

6.11.3 Each dwelling would be provided with a suitable area for the storage of bins, though it is recommended that the provision of food organic bins be confirmed by condition. The proposal would entail kerbside collection of bins to be managed by future occupiers themselves, in a substantially similar arrangement to nearby low-medium density developments.

6.11.4 While not ideal, the frontage width of the site would allow sufficient opportunity for kerbside collection to occur without unreasonably impacting upon the amenity of the locality.

6.12 Overshadowing

6.12.1 Generally, the design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of windows of main internal living areas, upper-level private balconies that provide the primary open space area for a dwelling, and solar collectors (Council-wide PDC 138).

6.12.2 In considering the potential implications of overshadowing to adjoining properties, Council Wide Principle of Development Control 78 along with Design Technique 78.1 provide the basis for which overshadowing should be considered in respect to new dwellings. Typically, new development should allow for adequate winter sunlight to the ground level private open space of existing adjacent properties by way of sunlight to at least 50% (or 35m² with a minimum dimension of 2.5m, whichever is the lesser area) of the ground level private open space. Additionally, this should not be reduced to less than 2 consecutive hours between 9:00am and 3:00pm on 21 June.

6.12.3 The eastern boundary of the site is a frontage to a substantial arterial road. While the buildings will undoubtedly cast shadows onto the adjacent southern property, the 21m distance between the two buildings and the relatively short length of the front building (12m) ameliorates the potential for unreasonable overshadowing to occur.

6.12.4 It is noted the 27A Brooke Street, to the south west of the subject land, features north and east facing solar collectors to the rear portion of the dwelling. The combination of side and rear setbacks, and modest ceiling heights, ameliorates the potential for unreasonable overshadowing to impact upon the efficiency of these collectors. Modelling shows that at its most severe (i.e. on June 21st) some overshadowing will occur prior to 10am (at which time the sun will reach an altitude of 23 degrees above horizon), with the collectors receiving direct sunlight thereafter.

6.12.5 Given the above, the proposal is expected to comply at all times with the provisions of the development plan in relation to overshadowing and to avoid unreasonable impact to adjoining neighbours.

6.13 Visual Privacy

6.13.1 The location of any windows should prevent overlooking to adjacent useable private open spaces or adjoining windows (Council-wide PDC 89). Any window that directly overlooks the private open space or adjoining windows of any adjoining property should be glazed in fixed opaque glass to a height of at least 1.7 metres, or have the window sill located a minimum of 1.7 metres above the floor (Council-wide PDC 90).

6.13.2 The windows on the southern and eastern elevation of the upper storey and which are within 1.7m from the floor level are nominated to be opaque glass. There are no windows proposed on the western elevation.

6.13.3 The balcony of Townhouse 3 would feature 1.7m high screens to its northern, southern and western sides. It is noted that the desirable minimum height of screening associated with decks or balconies is 1.8m in height (Council-wide PDC 90). To this end, the provision of 600mm wide benches to the northern and southern sides of the balcony is relevant. The additional setback of observers from the screens suitably diminishes the capacity for a person on the balcony to view windows or yard areas of adjacent properties.

6.13.4 It is noted however that insufficient detail is provided with respect to the privacy screen associated with the staircase to confirm that the visual privacy of the adjoining southern neighbour is sufficiently protected. It is anticipated however that this may be suitably addressed by condition of approval.

6.13.5 Accordingly, the potential for overlooking from the upper floor windows and balconies has been adequately addressed through the provision of window sills and screening devices with a height of 1.7m above floor level and/or the use of obscured glazing as necessary. As a result, the development would be consistent with privacy measures anticipated under Council's Development Plan.

7. CONCLUSION

- 7.1 The proposal seeks to establish a medium density residential land use on the subject land. The buildings would be two storeys in height, which is less than the maximum height of three storeys anticipated within the policy area.
- 7.2 The proposal would achieve desired setbacks, have adequate private open space, storage facilities, waste collection and thermal comforts in accordance with the development plan provisions. The floor plans proposed would provide functional and usable living spaces and habitable rooms. Privacy and noise impacts can be moderated through good design and noise attenuation techniques, which would be ensured through conditions, a reserved matter and compliance with the relevant Minister's Specification (as considered in the Building Rules assessment process).
- 7.3 Vehicular access would be provided with the support of the DPTI via a shared, double-width (6m) access point to Hampstead Road. Adequate manoeuvring areas are provided on-site to ensure that all access and egress can occur in a forward motion. The anticipated car parking demands of the proposal would be met entirely on-site.
- 7.4 On balance, the application is considered to be relatively consistent with the relevant provisions of the Prospect (City) Development Plan and warrants the granting of development plan consent, subject to appropriate conditions reinforcing certain aspects of the proposal.

8. RECOMMENDATION

It is recommended:

That with reference to the relevant provisions of the Prospect (City) Development Plan, the zoning of the land within which the proposed development is situated and the locality within which the land is situated, the Panel resolves that development application 050/323/2014 is not seriously at variance with the Development Plan and as such a decision shall be made on the merits of the application; and

That pursuant to the *Development Act 1993*, as amended, Development Plan Consent be approved to DA 050/323/2014 from Willalo Holdings for Two, Two Storey Residential Flat Buildings comprising Seven Dwellings with associated Carports, Driveway and Landscaping at 32 Hampstead Road, Broadview (CT 5314/328), subject to the following reserved matters, conditions and notes:

Reserved Matters:

1. A detailed design of the stormwater management system by a suitably qualified civil engineer, including appropriate provisions for rainwater capture and reuse.
2. An acoustic report from a qualified acoustic engineer shall be submitted to Council detailing any acoustic measures required to demonstrate that the proposal meets the requirements of the Development Plan with respect to Council Wide Principle of Development Control 111 and Residential Zone Policy Area B200 Principle of Development Control 2.

Conditions:

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/323/2014, except as modified by any conditions detailed herein. All works detailed in the approved plans and required by conditions are to be completed prior to the occupation of the approved development.
2. All driveways, parking and manoeuvring areas must be formed, surfaced with concrete, bitumen or paving, and be properly drained. The surfacing of the driveway and drainage shall be maintained to the reasonable satisfaction of Council thereafter.
3. The drainage system shall be designed, installed and maintained at all times thereafter to ensure that water from the site does not:
 - a) Flow or discharge onto adjoining properties;
 - b) Flow across the surface of footpaths or public ways;
 - c) Affect the stability of any building; or
 - d) Create unhealthy or dangerous conditions on the site or within any building.
4. Air-conditioning units and solar hot water heaters shall be provided with screening devices designed to complement the colours, materials and finishes of the building approved herein, and shall be sited to adequately screen the units from view to the reasonable satisfaction of Council.
5. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of materials or goods including waste products and refuse.
6. The 'bench seat' areas described on the 'Terrace' of Townhouse 3 may include cooking, landscaping or seating facilities; which must be fixed to the balcony and a minimum width of 600mm.
7. To maximise the efficiency of waste recycling:
 - a) Provision shall be made for the separation of recyclable materials for collection and recycling, including paper, cardboard, glass and plastic containers, tins, and any other plastic that 'holds its shape';
 - b) Separate provision shall be made for the collection of food waste (food organics) and food-contaminated cardboard, paper or paper products, which are to be collected for composting; and

- c) Paper attached to plastic, wax paper or chemically-treated/gloss cardboard will not be included with the materials collected for composting.
8. The building must be maintained, kept tidy, free of graffiti and in good repair and condition at all times.
 9. All car parking spaces must be line-marked in accordance with the approved plans and to comply with the Australian/New Zealand Standard for Parking Facilities (Part 1: Off-street Car Parking (AS/NZS 2890.1:2004) prior to occupation.
 10. Manoeuvring areas shall be clearly marked 'No Parking' via line-marking or signage consistent with that described in Clause 4.4 of AS/NZS 2890.1:2004. Such marking shall occur prior to occupation.
 11. The surfacing of the car park, line marking, directional arrows and/or signage, as relevant, shall be maintained to the reasonable satisfaction of Council at all times.
 12. Driveways, parking and manoeuvring areas shall be lit in accordance with the Australian Standard for Lighting for Roads and Public Spaces (AS1158.1 and AS1158.3) during the hours of darkness that they are in use and accessible by the general public.
 13. Landscaping shall be provided in the areas described by the herein endorsed Landscape Plan. Landscaping shall include low-lying shrubs and medium height trees (growing to minimum 4-6m height).
 14. All landscaping areas shall be established and maintained at all times to the reasonable satisfaction of Council. The applicant or the persons for the time being making use of the subject land shall cultivate, tend and nurture the landscaping, and shall replace any landscaping that becomes diseased or dies. An automated drip irrigation or similar watering system shall be established and maintained to ensure that sufficient water is available to satisfy the needs of the landscaping species selected.
 15. During construction of the development approved herein, measures will be implemented to ensure that the construction works do not result in an unreasonable impact on occupiers of adjacent properties or pollution of existing infrastructure through drag-out or stormwater runoff. Measures shall include as necessary:
 - a) A hard surface and controlled washing zone at the entry/exit points to the site, designed to reduce the potential for mud and material dragged out by construction vehicles; and
 - b) Containment of stormwater run-off within the site, which if being discharged into the stormwater system will be filtered to the satisfaction of Council; and
 - c) Reduction of the potential for dust and other airborne particles by the use of water sprinklers and/or other means of containment; and
 - d) The establishment of an appropriate storage compound for waste materials and litter. No building waste material shall be stored outside of the storage compound or similar industrial bin; and
 - e) All mechanical equipment shall be used in a manner to minimise the potential for noise pollution and ensure compliance with the requirements of the Environment Protection (Noise) Policy.
 16. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths traversed by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.

No obstruction of the footpath or roadway may occur without the prior permission of Council. For further advice, please contact Council's Infrastructure and Environment Department on 8269 5355.

17. To ensure compliance with applicable standards as described in the Environment Protection (Noise) Policy established under the Environment Protection Act, construction activities shall only take place between the hours of 7:00am and 7:00pm, Monday to Saturday inclusive, and not on Sundays or public holidays.

The following conditions are applied at the recommendation of DPTI:

18. The access shall be a minimum of 6.0 metres in width at the property boundary and appropriately flared to the road to facilitate unimpeded ingress/egress and minimise disruption to the free flow of traffic on the arterial road.
19. The access shall have a clear area of a minimum of 6.0 metres by 6.0 metres inbound into the property to allow vehicles to store off-street while waiting for another vehicle to enter or exit the property.
20. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the arterial road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Advisory Notes:

- (1) Pursuant to Section 86(1)(a) of the Development Act, 1993, you have the right of appeal to the Environment, Resources and Development Court against either 1) a refusal of consent or 2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period as may be allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (Postal Address: GPO Box 2465, Adelaide SA 5001).

- (2) The development plan consent granted herein is effective for a period of twelve (12) months from the date of the decision. Unless Council extends this period, building rules consent is required within this time or the consent will lapse.

Any request for an extension of the operative period of the consent must be submitted to Council in writing, accompanied by the applicable fee.

- (3) Further application pursuant to the Local Government Act shall be made to the Infrastructure Assets and Environment Department for the proposed crossover prior to construction activities occurring.

Road/Kerbing/Footpath Works will need to be inspected by an Assets and Infrastructure Officer to determine they have met all relevant requirements. All work including line marking will be the responsibility of the applicant as will the reinstatement of any damaged Infrastructure / Services related to these works. All works will be carried out at the cost to the applicant.

- (4) Prior to the commencement of construction of the development herein approved, it is strongly recommended that you employ the services of a licensed Land Surveyor to carry out an identification survey of the subject land and to peg the true boundaries, to ensure that building work will be either on the true boundaries or the specified distance from the true boundaries of the subject land, as the case may be.

Failure to correctly site the development on the land in accordance with the plans approved herein would constitute a breach of the *Development Act 1993*. Any amendments required to the approved plans as a result of the survey are to be submitted to Council for approval prior to works commencing.

- (5) You are encouraged to consult with adjoining property owners before commencing any work, to assist in minimising nuisance or inconvenience caused during construction.
- (6) You are required to give formal notification to, and consult with, the adjoining property owner if you are removing, replacing or altering an existing fence or building a freestanding wall along the common boundary that would, for all purposes, be a dividing fence (Section 5 of the *Fences Act 1975*).
- (7) If you (the building owner) are undertaking building work that affects the stability of other land or premises, namely:
 - an excavation which intersects a notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point 600mm below natural ground level at a boundary with an adjoining site (as depicted in figure 1); or
 - an excavation which intersects any notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point at natural ground level at any boundary between 2 sites (not being a boundary with the site of the excavation), where the boundary is within a distance equal to twice the depth of the excavation (as depicted in figure 2); or
 - any fill which is within 600mm of an adjoining site, other than where the fill is not greater than 200 millimetres in depth (or height) and is for landscaping, gardening or other similar purposes;

Then you (the building owner) must, at least 28 days before the building work is commenced:

- a) serve on the owner of the affected land or premises a notice of intention to perform the building work and describing the nature of that work; and
- b) you must take such precautions as may be prescribed to protect the affected land or premises and must, at the request of the owner of the affected land or premises, carry out such other building work in relation to that land or premises as that adjoining owner is authorised by the regulations to require.

If you fail to comply with these notification requirements, then you are guilty of an offence with a maximum penalty of \$10 000.

You may apply to the Court for a determination of what proportion (if any) of the expense incurred by you in the performance of the building work requested by the owner of affected land or premises (under subsection (b) above) should be borne by the owner of that land or premises, and you may recover an amount determined by the Court from the owner of the affected land or premises as a debt.

FIGURE 1

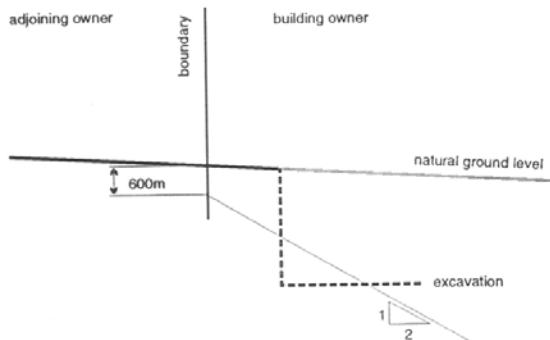
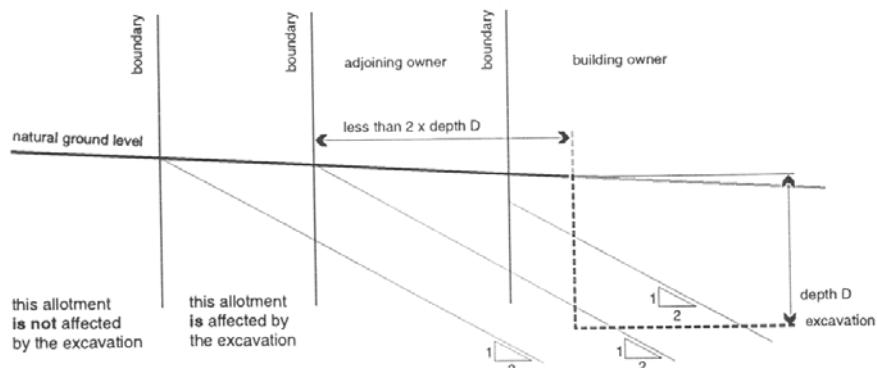


FIGURE 2

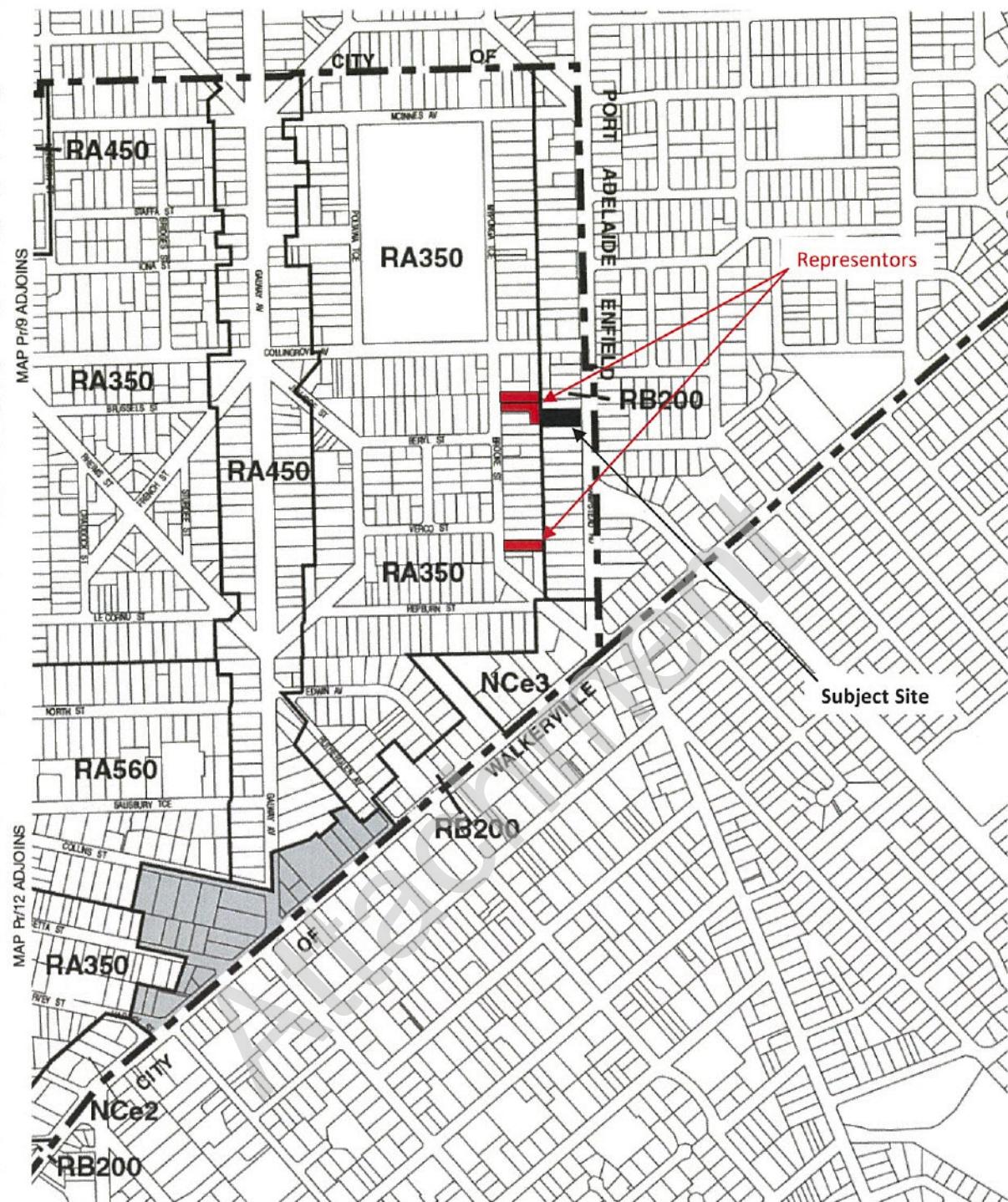


- (8) The Metropolitan Adelaide Road Widening Plan (MARWP) shows a possible requirement for a strip of land up to 2.13 metres in width from the Hampstead Road frontage of this site for future road purposes. Although it is considered unlikely that any land would be required from this property, the consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirement.

Subsequently, the applicant should fill out the attached consent form and return it to DPTI with 3 copies of the approved plans. Consent can be anticipated.

Scott McLuskey
Senior Development Officer Planning

Locality Map



RA560	Residential Policy Area A560
RA450	Residential Policy Area A450
RA350	Residential Policy Area A350
RB200	Residential Policy Area B200
NCe2	Collinswood Policy Area
NCe3	Hampstead Policy Area

— Policy Area Boundary
 - - - Development Plan Boundary
 ■ Area not covered by Policy

Scale 1:8000
 0 500metres

**PROSPECT (CITY)
POLICY AREAS
MAP Pr/10**



(Photo depicting existing dwellings immediately north of subject land, facing Hampstead Rd)



(Photo depicting existing dwellings immediately south of subject land, facing Hampstead Rd)



(Photo depicting existing dwellings opposite and south of subject land, facing Hampstead Rd and arterial road intersection)



Photo depicting existing dwellings opposite and north of subject land, facing Hampstead Rd)



(Photographs depicting existing dwellings to rear of subject land, facing Brooke St)



Civic Centre
128 Prospect Road
Prospect SA 5082 AUSTRALIA
Telephone: 08 8269 5355
Email: admin@prospect.sa.gov.au

Subject Site and Locality - 32 Hampstead Road Broadview



Notes

Disclaimer

This map is a representation of the information currently held by the City of Prospect. While every effort has been made to ensure the accuracy of the product, Council accepts no responsibility for any errors or omissions. Any feedback on omissions or errors would be appreciated.



(Photograph depicting existing dwelling on subject land)

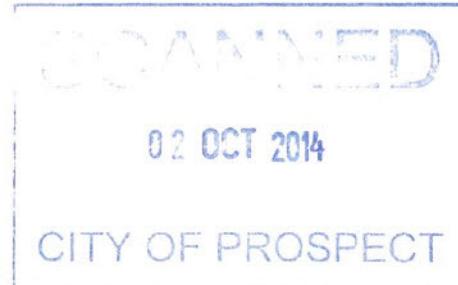
In reply please quote 2014/01922/01, Process ID: 298729
 Enquiries to Paul Silvestri
 Telephone (08) 8343 2744
 Facsimile (08) 8343 2725
 E-mail dpti.luc@sa.gov.au



Government of South Australia
 Department of Planning,
 Transport and Infrastructure

29/09/2014

Mr Scott McLuskey
 City of Prospect
 PO Box 171
 PROSPECT SA 5082



Dear Mr McLuskey,

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	050/323/14
Applicant	Willalo Holdings C/o Zummo Design
Location	32 Hampstead Road, Broadview
Proposal	Two flat buildings comprising seven dwellings

I refer to the above development application forwarded to the Transport Services Division of the Department of Planning, Transport and Infrastructure (DPTI) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

THE PROPOSAL

The application proposes the construction of two residential flat buildings comprising seven dwellings.

CONSIDERATION

Road Safety

It is DPTI policy to minimise the number of access points on the arterial road network in the interests of road safety therefore the use of a single shared access point to serve all of the proposed dwellings is supported.

The access should be a minimum of 6.0 metres in width at the property boundary with appropriate flaring to the road to facilitate unimpeded access/egress. The access should further have a clear area of a minimum of 6.0 metres by 6.0 metres inbound into the property to allow vehicles to store off-street while waiting for another vehicle to enter or exit the property. It is noted that a minor amendment to the access width is necessary to meet these requirements.

With regard to the shared driveway and manoeuvring area, it appears that sufficient space has been incorporated for B85 vehicles utilising the carport and visitor spaces to manoeuvre on site and exit in a forward direction. The manoeuvring areas should be dedicated to purpose and not have vehicles parked within them.

TRANSPORT SERVICES DIVISION

77 Grenfell Street
 Adelaide SA 5001

GPO Box 1533
 Adelaide SA 5001

Telephone: 61 8 8343 2222
 Facsimile: 61 8 8343 2585

Metropolitan Adelaide Road Widening Plan

The Metropolitan Adelaide Road Widening Plan (MARWP) shows that a 2.13 metre strip may be required from the Hampstead Road frontage of the site for possible future road purposes. Although it is considered unlikely that any land would be required from this property, the consent of the Commissioner of Highways under the MARWP Act is required to all building works on or within 6.0 metres of the possible requirement.

It is noted that Townhouse 1, 2 and 3 fall within the consent area. Subsequently, should Council approve the development in its current form, the applicant should fill out the attached consent form and return it to DPTI with 3 copies of the approved plans. Consent can be anticipated.

CONCLUSION

In light of the above, DPTI does not object in principle to the development, subject to the following conditions.

ADVICE

The planning authority is advised to attach the following conditions to any approval:

1. The access shall be a minimum of 6.0 metres in width at the property boundary and appropriately flared to the road to facilitate unimpeded ingress/egress and minimise disruption to the free flow of traffic on the arterial road.
2. The access shall have a clear area of a minimum of 6.0 metres by 6.0 metres inbound into the property to allow vehicles to store off-street while waiting for another vehicle to enter or exit the property.
3. All vehicles shall enter and exit the site in a forward direction.
4. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the arterial road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

The following note provides important information for the benefit of the applicant and is required to be included in any approval:

- The Metropolitan Adelaide Road Widening Plan (MARWP) shows that a 2.13 metre strip may be required from the Hampstead Road frontage of the site for possible future road purposes. Although it is considered unlikely that any land would be required from this property, the consent of the Commissioner of Highways under the MARWP Act is required to all building works on or within 6.0 metres of the possible requirement. Subsequently, the applicant should fill out the attached consent form and return it to DPTI with 3 copies of the approved plans. Consent can be anticipated.

Yours sincerely,



**MANAGER, TRAFFIC AND ACCESS STANDARDS
for COMMISSIONER OF HIGHWAYS**

Encl: MARWP consent form

A copy of the decision notification form should be forwarded to would be appreciated.

KNet 8896214

METROPOLITAN ADELAIDE ROAD WIDENING PLAN ACT, 1972**APPLICATION FOR CONSENT OF THE COMMISSIONER OF HIGHWAYS
FOR BUILDING WORK**

Government of South Australia

Department of Planning,
Transport and Infrastructure

Owner's Name _____

Applicant's Name _____
(If not owner)

Relationship to Owner (Lessee, Prospective Purchaser, Etc.) _____

Postal Address _____

Postcode _____

Location of Proposed Building Works (Full Details Required):

L.T.O. Plan No.: _____

Allotment No.: _____

Section: _____

Hundred: _____

House No.: _____

Street Name _____

Suburb: _____

Certificate of Title _____

Volume _____

Folio _____

Nature of Proposed Building Work _____

Proposed Location of Building Work on Land:

Distance from existing front road boundary to nearest point of building _____

Distance from existing side boundary (if on corner) to nearest point of building _____

Total estimated cost of proposed building work \$ _____

Estimated cost of proposed building work on land to which the Act applies \$ _____

Signature(s): _____

(Applicant)

Date

(Owner or Authorised Agent)

Notes:

1. *Three (3) copies of the approved site plan describing fully the nature and extent of the proposal must be forwarded with this application form together with one copy of the notification of the relevant authority's decision to approve the development under the Development Act 1993.*
2. *The Act requires that the consent of the Commissioner of Highways must be obtained for any building work on land to which the Act applies.*
3. *The Act applies to all land shown on the Metropolitan Adelaide Road Widening Plan as possibly required for road widening and all land within six metres of the boundary of that land.*

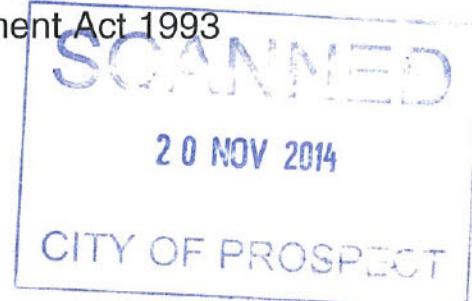
PLEASE RETURN TO:

COMMISSIONER OF HIGHWAYS
 TRANSPORT SERVICES DIVISION
 DEPARTMENT OF PLANNING, TRANSPORT AND INFRASTRUCTURE
 GPO BOX 1533
 ADELAIDE SA 5001

For further information regarding the Metropolitan Adelaide Road Widening Plan Act,
 please contact Transport Services Division, DPTI on (08) 8343 2303 or (08) 8343 2306.

STATEMENT OF REPRESENTATION
 Pursuant to Section 38 of the Development Act 1993
 Ref. 050/323/2014

TO: City of Prospect
 128 Prospect Road
 PROSPECT SA 5082



NAME OF REPRESENTOR(S): MRS. MARGARET JEFFRIES

RESIDENTIAL/BUSINESS ADDRESS: 31 Brooke St Broadview 5083

POSTAL ADDRESS: AS ABOVE

MY REPRESENTATION IS IN REGARD TO THE PROPOSED DEVELOPMENT AT:

32 Hampstead Road BROADVIEW

THIS REPRESENTATION IS (please tick one of the following):

- In favour of the application
 Against the application
 Neither for nor against the application

MY COMMENTS ARE AS FOLLOWS (if space is insufficient, attach additional pages):

No sheet.

my comments are included on No 2 sheet pml

Please indicate below whether or not you wish to be heard by the Development Assessment Panel in support of your submission:

- I do not wish to be heard
 I wish to be heard personally
 I will be represented by.....

SIGNED: M. Jeffries DATED: 19 - 11 - 2014

For a representation to be valid, it must:

- Be submitted before the end of the notification period;
- Include your name and address;
- Set out the reasons for your representation;
- Indicate whether or not you wish to be heard by Council's Development Assessment Panel; and
- If being made by 2 or more persons, nominate a person who will be taken to be making the representation.

City of Prospect

19 NOV 2014

Received

SCANNED

City of Prospect

19 NOV 2014

20 NOV 2014

Received

CITY OF PROSPECT

Margaret Jeffries

31 Brooke St

Broadview 5083

9-11-2014

① Having lived at above address for 35 yrs and rearing a family I have become accustomed to a very high standard of peaceful family living here in Brooke St.

I strongly feel that this double storey development will be an invasion on my privacy and lifestyle and will no doubt affect the high standard and quality of life many of us enjoy in Brooke St

② If the Proposal goes ahead it would set a precedent for further developments of adjacent properties on Hampstead Rd, and further adversely affect my property values & our high standard of living in Brooke St, while also affecting many other established family homes.

③ It is a concern that instead of one family at No 32 Hampstead Rd there will be seven different households.

④ If this proposal is approved I request that the dividing fence be no less than 2.5 metres high and that over looking windows be fixed & of frosted glass.

⑤ I have no objection to single storey homes,

M Jeffries

Statement of Representation

Pursuant to Section 38 of the Development Act 1993

To: City of Prospect

128 Prospect Rd

Prospect SA 5082



Name of representors: Louise Spark

7 Brooke St., Broadview 5083

My representation is in regard to the proposed development at 32 Hampstead Road, Broadview.

I feel a development of this type in our neighbourhood would be detrimental to the family environment we hold dear. Two story apartments would also devalue our properties.

I feel very strongly about my objection and would appreciate a reply and any further discussion regarding this kind of development in our area.

Yours sincerely,

Louise Spark

STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act 1993

Ref. 050/323/2014

SCANNED

19 NOV 2014

CITY OF PROSPECT

TO: City of Prospect
128 Prospect Road
PROSPECT SA 5082

NAME OF REPRESENTOR(S): *Michelina Parente*

RESIDENTIAL/BUSINESS ADDRESS: *33 Brooke St. BROADVIEW*

POSTAL ADDRESS: *AS ABOVE* *5083*

MY REPRESENTATION IS IN REGARD TO THE PROPOSED DEVELOPMENT AT:

32 Hampstead Road BROADVIEW

THIS REPRESENTATION IS (please tick one of the following):

- In favour of the application
 Against the application
 Neither for nor against the application

MY COMMENTS ARE AS FOLLOWS (if space is insufficient, attach additional pages):

TOO MANY in AREA OF THAT SIZE.

*AUDIENT WAITING TO HAPPEN WITH
HOW CLOSE TO TRAFFIC LIGHTS*

*WHY DO WE NEED TO GO TWO
STOREYS?*

Please indicate below whether or not you wish to be heard by the Development Assessment Panel in support of your submission:

- I do not wish to be heard
 I wish to be heard personally
 I will be represented by

SIGNED: *M. Parente*

DATED: *17/11/14*

For a representation to be valid, it must:

- Be submitted before the end of the notification period;
- Include your name and address;
- Set out the reasons for your representation;
- Indicate whether or not you wish to be heard by Council's Development Assessment Panel; and
- If being made by 2 or more persons, nominate a person who will be taken to be making the representation.

REF NO: 21839-001

24 November 2014

Mr Scott McLuskey
Senior Development Officer, Planning
City of Prospect
PO Box 171
Prospect SA 5082

Via email: scott.mcluskey@prospect.sa.gov.au

Dear Scott

RESPONSE TO REPRESENTATIONS (DA/050/323/2014)

We have been engaged by Willalo Holdings to review and respond to representations received by Council for the abovementioned development application at 32 Hampstead Road, Broadview.

A total of three representations have been received by Council from:

- L. Spark (7 Brook Street, Broadview)
- M. Jeffries (31 Brooke Street, Broadview)
- M. Parente (33 Brooke Street, Broadview)

We have reviewed the representations and the key issues can be summarised as follows:

- Impact of two storey development;
- Privacy; and,
- Potential for traffic accidents.

We will respond to each of the concerns raised in turn.

Two Storey Development

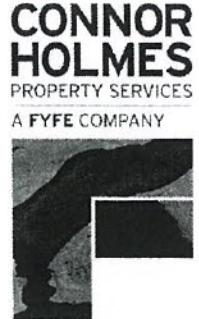
The representors are concerned that the proposed two storey development and future similar development along Hampstead Road will detrimentally affect existing residential amenity and devalue properties.

We wish to remind Council that the issue relating to property values is not a planning consideration.

With respect to the two storey form of the proposal we note that Residential Policy Area B200 seeks a mix of semi-detached dwellings, row and group dwellings and residential flat buildings with increasing densities in areas adjacent to arterial roads. In addition, buildings up to two storeys in height are clearly envisaged.

It is also important to note that a three storey development could in fact occur on the subject site provided height and bulk impacts are appropriately managed. In our opinion, the subject site by virtue of its size and orientation could accommodate a three storey development.

Notwithstanding, the proposed development is setback between 5.2m and 5.5m from the rear boundary (which is shared or common with only one representor – M. Jeffries) with the height of the proposed development satisfying the building envelope criteria of Policy Area PDC 7.



Level 3, 80 Flinders Street
Adelaide SA 5000

GPO Box 2450
Adelaide SA 5001
Telephone 61 8 8201 9600
Facsimile 61 8 8201 9650
www.fyfe.com.au

FYFE PTY LTD
ABN 57 008 116 130



In consideration of all the above, we have formed the opinion that the height of the proposal is appropriate for the site and locality and well within the realms of the type of development envisaged along this part of Hampstead Road.

Privacy

The representation made by M. Jeffries raises a concern in relation to potential overlooking.

We can confirm that the rear upper level windows to the rear dwellings (i.e. west elevation) will be treated with fixed obscure glass to a height of 1.7m above floor level in accordance with Council Wide PDC 90.

The applicant is amenable to an appropriately worded condition of consent to reinforce this treatment.

With the above in place, we do not consider it necessary for any boundary fencing to be increased in height to 2.5m.

Potential for Traffic Accidents

The representation made by M. Parente implies that the proposal will cause or contribute to traffic accidents by being close to traffic lights.

We understand that the Council has referred the application to the Transport Services Division of the Department of Planning, Transport and Infrastructure ('DPTI'). DPTI support the proposed development subject to standard conditions of consent.

We trust the above satisfactorily responds to the representations made.

We confirm our attendance at the Development Assessment Panel meeting to respond to any submissions made. Please confirm the time and date of the meeting.

If you require any further information please do not hesitate to contact me on 0447 029 088.

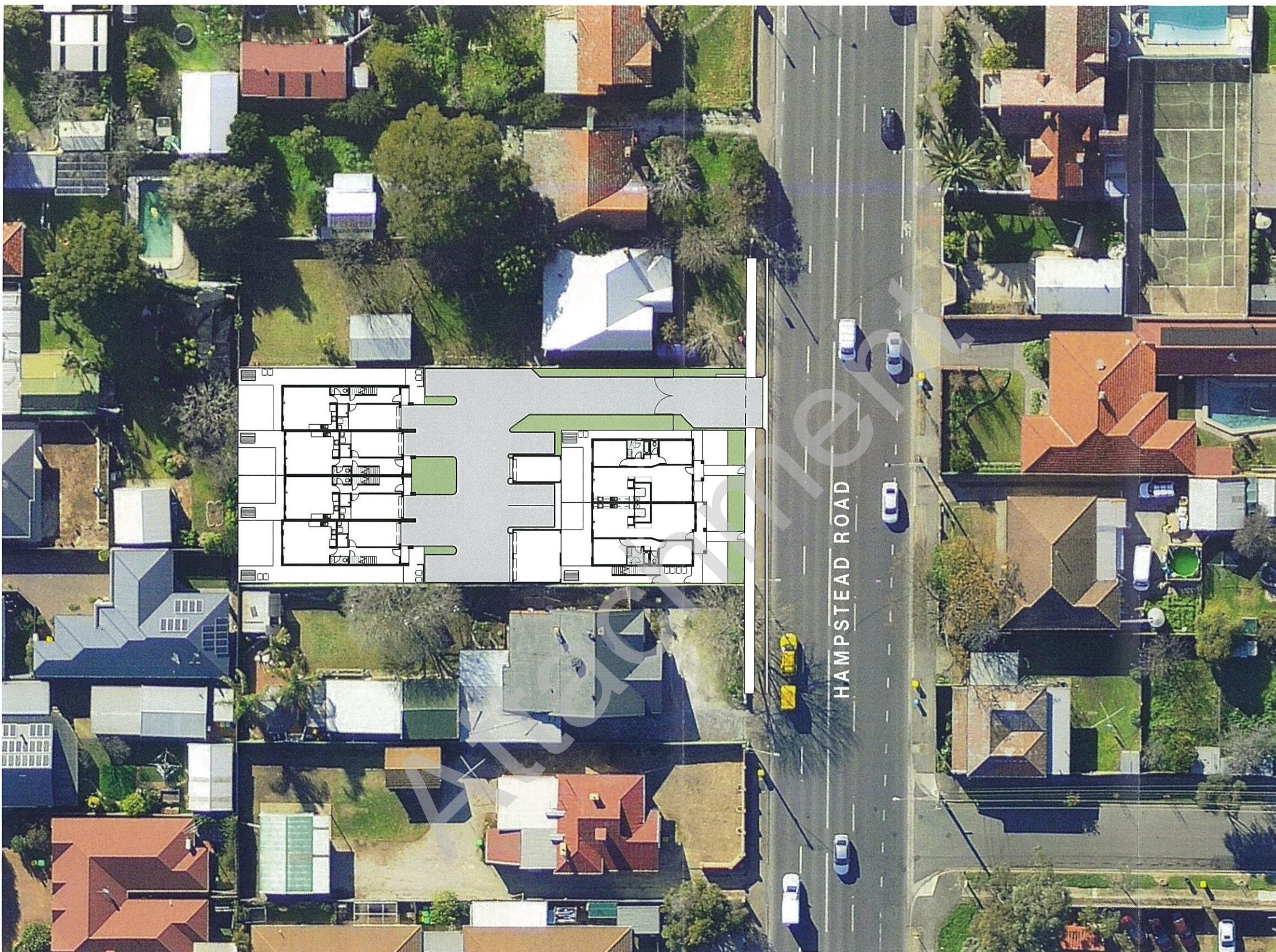
Yours sincerely

A handwritten signature in black ink, appearing to read "Chris Vounasis".

CHRIS VOUNASIS

PRINCIPAL

Cc Zummo Design
 Nathan Grainger



LOCATION PLAN

LOCATION PLAN

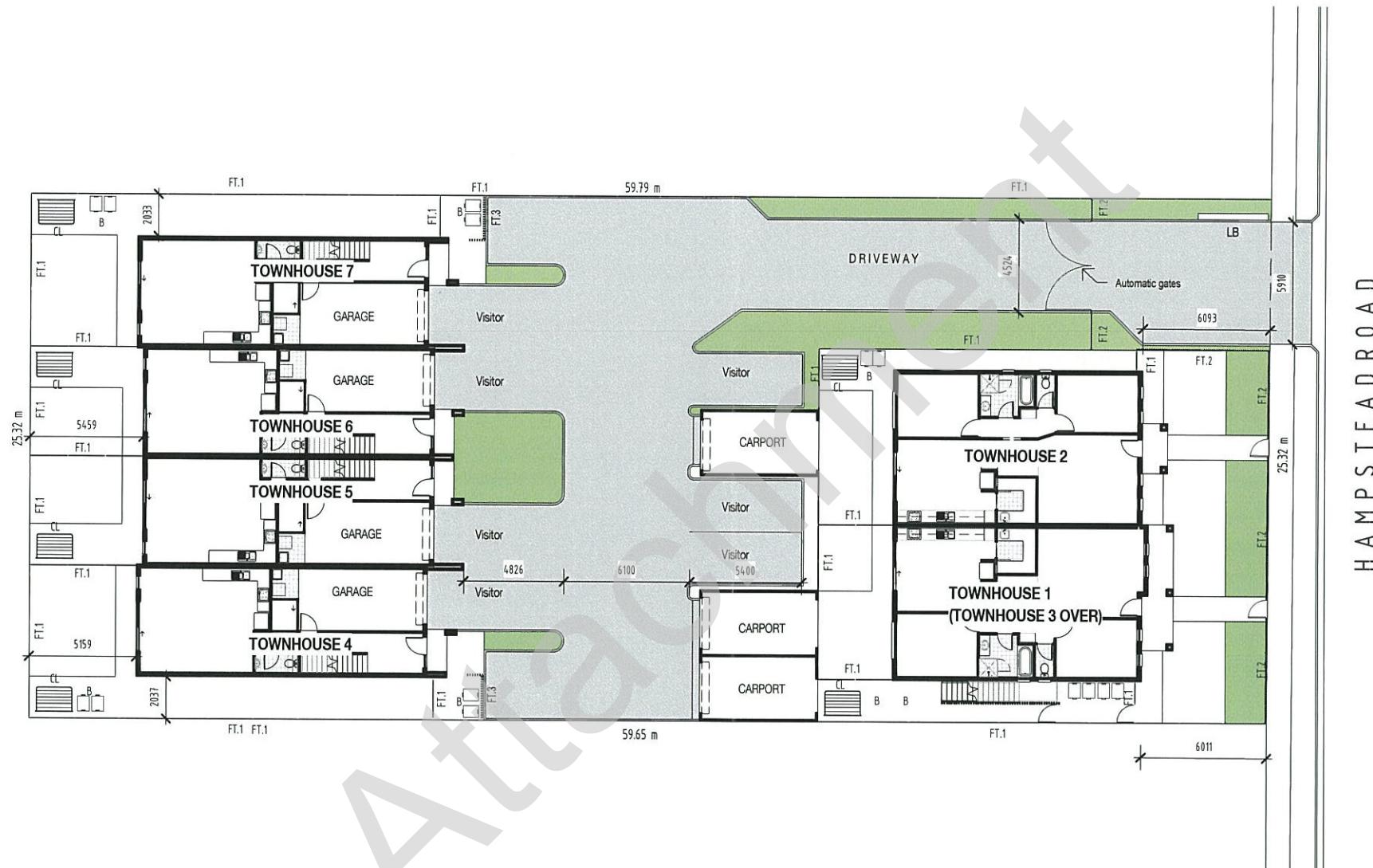
PROPOSED TOWNHOUSES

zummo design
building designers

32a Mary St (cnr Park Toe), Salisbury 5108.
ph : 8250 0066
mob : 0411 411 492
fax : 8285 6967

client: WILLALO HOLDINGS
at: LOT 78 HAMPSTEAD ROAD,
BROADVIEW

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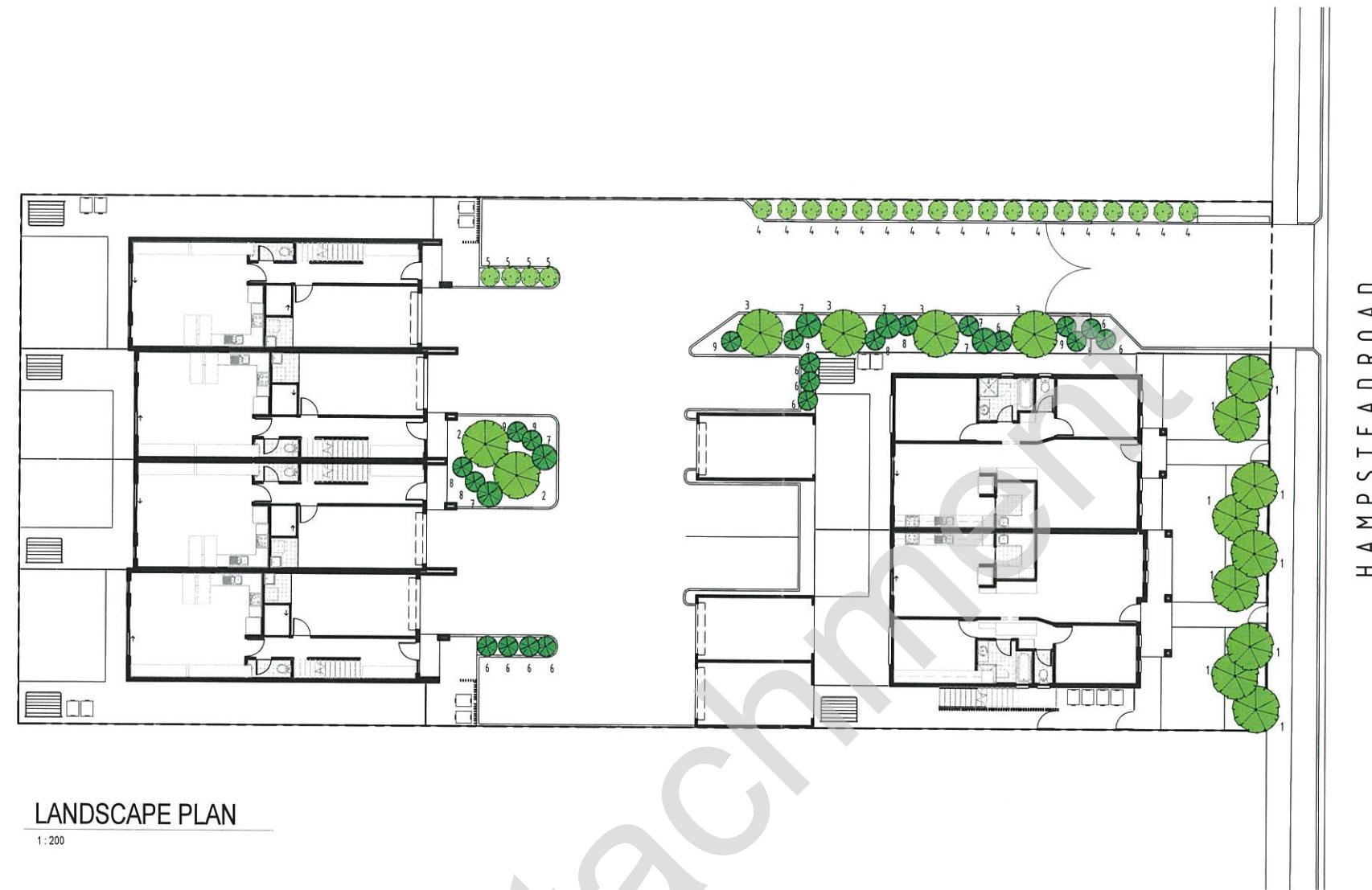


SITE PLAN

PROPOSED TOWNHOUSES

zummo design
building designers
32a Mary St (cnr Park Toe), Salisbury 5108.
ph : 8250 0066
mob : 0411 411 492
fax : 8285 6967

client: WILLALO HOLDINGS
at: LOT 78 HAMPSTEAD ROAD,
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LANDSCAPE PLAN

1:200

FEATURE TREES



1

2

3

4

5

CONIFERS



4

5

SHRUBS



6

7

8

9

GROUND COVER



A

B

FEATURE TREES

- 1. Betula pendula 'Silver Birch'
- 2. Lagerstroemia indica 'Crepe Myrtle'
- 3. Eucalyptus leucoxylon 'eucaly dwarf' 'Dwarf Yellow Gum'

CONIFERS

- 4. Juniperus scopulorum 'blue arrow' 'Blue Arrow conifer'
- 5. Cupressus sempervirens 'glaucia' 'Pencil pine'

SHRUBS

- 6. Dodonaea viscosa purpurea 'Sticky Hop Bush'
- 7. Arenga engleri 'Dwarf sugar palm'
- 8. Dietes grandiflora 'Wild Iris'
- 9. Lomondia longifolia 'Spiny Head Matt Rush'

GROUND COVER

- A. Diachondra micrantha 'Diachondra'
- B. Trachelospermum 'star jasmine' 'Jasmine'



NORTH

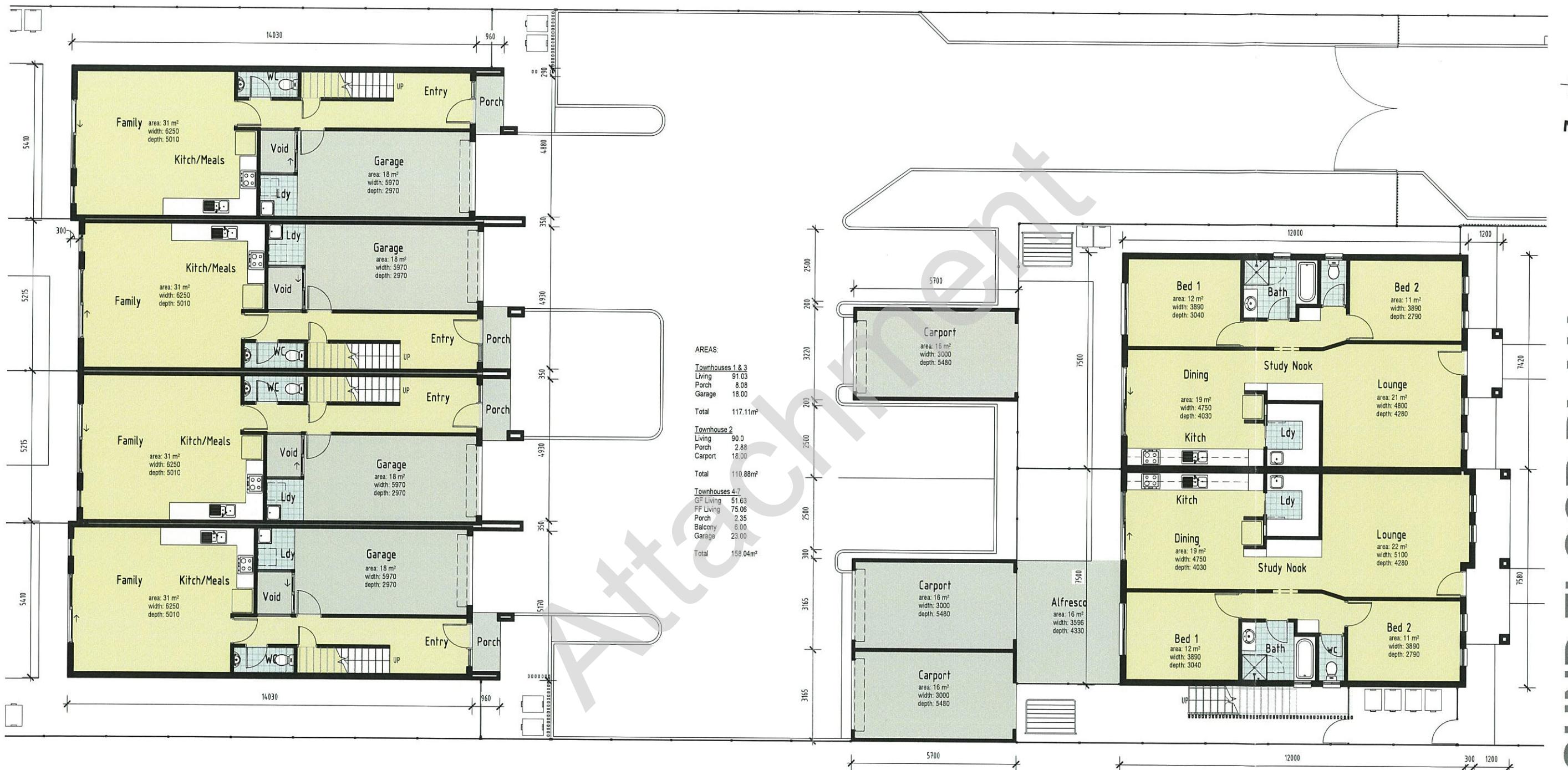
PROPOSED TOWNHOUSES

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building designers
32a Mary St (cnr Park Toe), Salisbury 5108.
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client: WILLALO HOLDINGS
at: LOT 78 HAMPSTEAD ROAD,
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GROUND FLOOR PLAN

GROUND FLOOR PLAN

1:100

PROPOSED TOWNHOUSES

zummo design
building designers
32a Mary St (cnr Park Toe), Salisbury 5108.
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mob : 0411 411 492
fax : 8285 6967

client: WILLALO HOLDINGS
at: LOT 78 HAMPSTEAD ROAD,
BROADVIEW

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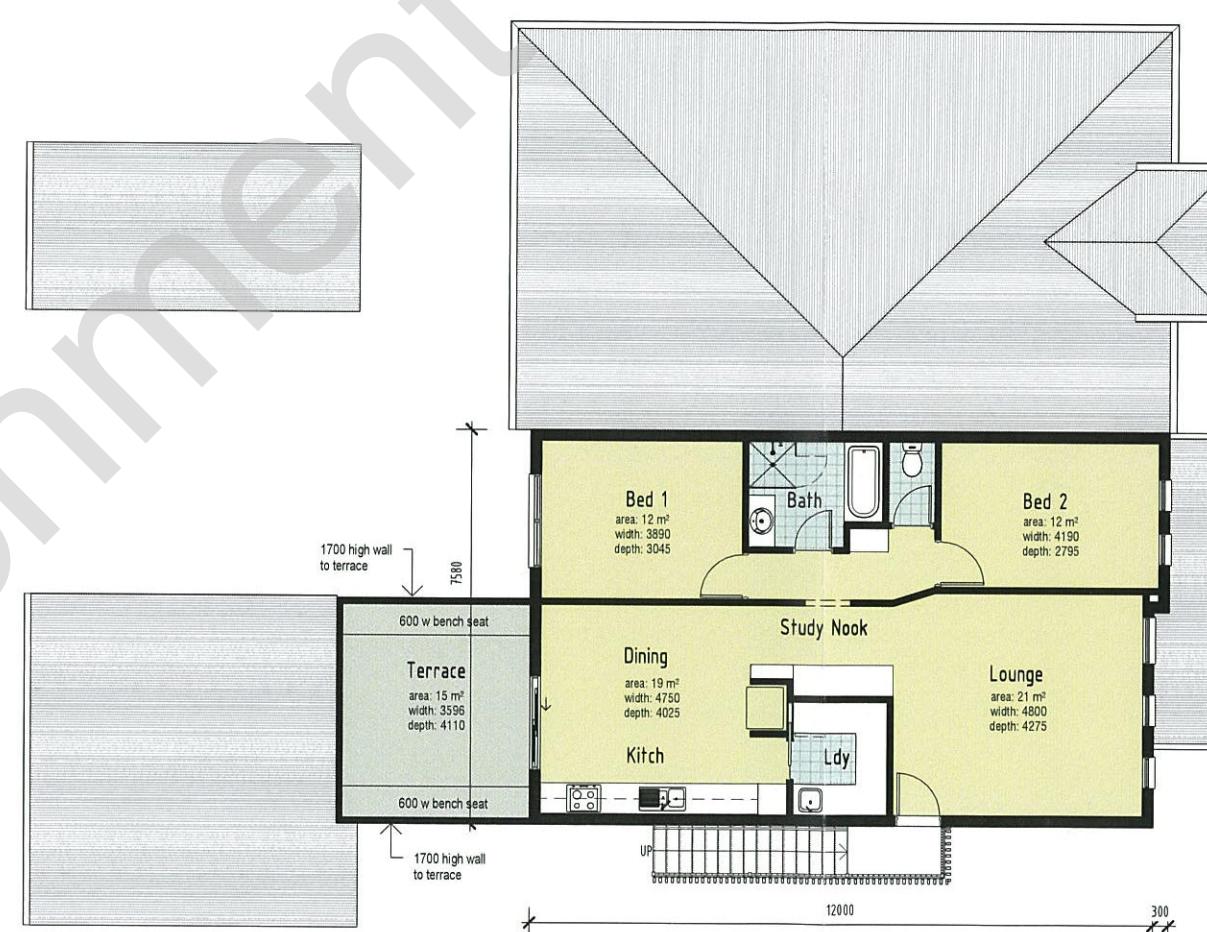
Attachment

AREAS:

Townhouses 1 & 3
Living 91.03
Porch 8.08
Garage 18.00
Total 117.11m ²

Townhouse 2
Living 90.0
Porch 2.88
Carport 18.00
Total 110.88m ²

Townhouses 4-7
GF Living 51.63
FF Living 75.06
Porch 2.35
Balcony 6.00
Garage 23.00
Total 158.04m ²



FIRST FLOOR PLAN

FIRST FLOOR PLAN

1:100

zummo design
 building designers
 32a Mary St (cnr Park Toe), Salisbury 5108.
 ph : 8250 0066
 mob : 0411 411492
 fax : 8285 6967

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PROPOSED TOWNHOUSES



Attachment 21



EAST ELEVATION - HAMPSTEAD ROAD

1:100



SOUTH ELEVATION

1:100



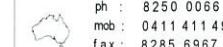
WEST ELEVATION

1:100

PROPOSED TOWNHOUSES

zummo design

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32a Mary St (cnr Park Tce), Salisbury 5108.
ph : 8250 0066
mob : 0411 411 492
fax : 8285 6967



client: WILLALO HOLDINGS
at: LOT 78 HAMPSTEAD ROAD,
BROADVIEW

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ELEVATIONS



NORTH ELEVATION



EAST ELEVATIONS - TOWNHOUSES 4-7



WEST ELEVATION - TOWNHOUSES 1-3

MATERIALS & FINISHES: 1-3

Exterior Walls:	Ground Floor - Boral Melbourne Red First Floor - Rendered 'Paperbark'
Verandah Posts:	Sandstone veneer piers
Roof:	Custom Orb Colorbond 'Windspray'
Gutters:	Quad gutter Colorbond 'Windspray'
Downpipes:	90 dia Colorbond 'Windspray'
Fascias:	Colorbond Steel - 'Windspray'
Front Door:	Solid core Entrance Door painted Dulux 'Windspray'
Windows & Sliding Doors:	Aluminium double hung & sliding windows, and Sliding doors powder coated Dulux 'Windspray'
Window surrounds:	Rendered moulding double strength 'Paperbark'
Garage Roller Door:	Steel Colorbond 'Windspray'
Stair surround:	Timber WRC battens on powdercoated steel frame

MATERIALS & FINISHES: 4-5

Exterior Walls:	Render - 'Paperbark' First floor metal cladding, Nailstrip 'Jasper'
Verandah Posts:	Brick piers, Boral Expresso
Roof:	Custom Orb Colorbond 'Jasper'
Gutters:	Quad gutter Colorbond 'Jasper'
Downpipes:	90 dia Colorbond 'Jasper'
Fascias:	Colorbond Steel - 'Jasper'
Front Door:	Solid core Entrance Door painted Dulux 'Paperbark'
Windows & Sliding Doors:	Aluminium double hung & sliding windows, and Sliding doors powder coated Dulux 'Jasper'
Garage Roller Door:	Steel Colorbond 'Paperbark'

MATERIALS & FINISHES: 6-7

Exterior Walls:	Render - 'Shale Grey' First Floor metal cladding - Nailstrip 'woodland Grey'
Verandah Posts:	Brick piers - Boral Domino
Roof:	Custom Orb Colorbond 'Woodland Grey'
Gutters:	Quad gutter Colorbond 'Woodland Grey'
Downpipes:	90 dia Colorbond 'Woodland grey'
Fascias:	Colorbond Steel - 'Woodland Grey'
Front Door:	Solid core Entrance Door painted Dulux 'Shale Grey'
Windows & Sliding Doors:	Aluminium double hung & sliding windows, and Sliding doors powder coated Dulux 'Shale Grey'
Garage Roller Door:	Steel Colorbond 'Woodland Grey'

PROPOSED TOWNHOUSES





ITEM NO.: 6.1

TO: Development Assessment Panel (DAP) on 12 January 2015

FROM: Director Community, Planning and Communications

SUBJECT: Summary of Development Assessment Commission (DAC) Decisions and Proposals Greater than \$3 Million called in by the Coordinator-General

The summary of matters before and decisions by DAC together with proposals called in by the Coordinator-General is provided to the DAP for information purposes.

For the purpose of this report, the tables below also include matters before, considered or determined by the Inner Metropolitan Development Assessment Commission.

1. MATTERS BEFORE DAC

Development Application / Address	Nature of development	Process update
DA 050/0284/14 44 Churchill Road, Ovingham	A four-five storey mixed use building comprising a restaurant, 16 two-bedroom apartments and associated rooftop terrace. (Images/ Plans provided in Attachments 1-2 for information)	Plans provided are those from time of lodgement and it is not known as to whether amendments have occurred. DAC have provided no advice on likely timing of decision. Council staff were given an opportunity to provide informal commentary to the DAC relating to technical, servicing or encroachment matters. The response primarily addressed the Churchill Road upgrade works, waste management (including provision of Kitchen Organics Baskets) and Council's desire that solar energy and rainwater capture be utilised.

2. RELEVANT DECISIONS BY DAC

No determinations made since last DAP meeting.

3. MATTERS CALLED IN BY THE CO-ORDINATOR GENERAL

Address	Nature of development	Process update
20A Main North Road, Thorngate	Integrated Service Station	As at 5 January 2015 the application is yet to be lodged with the DAC. Council will be provided 6 weeks to report to DAC on matters such as this once forwarded to Council.

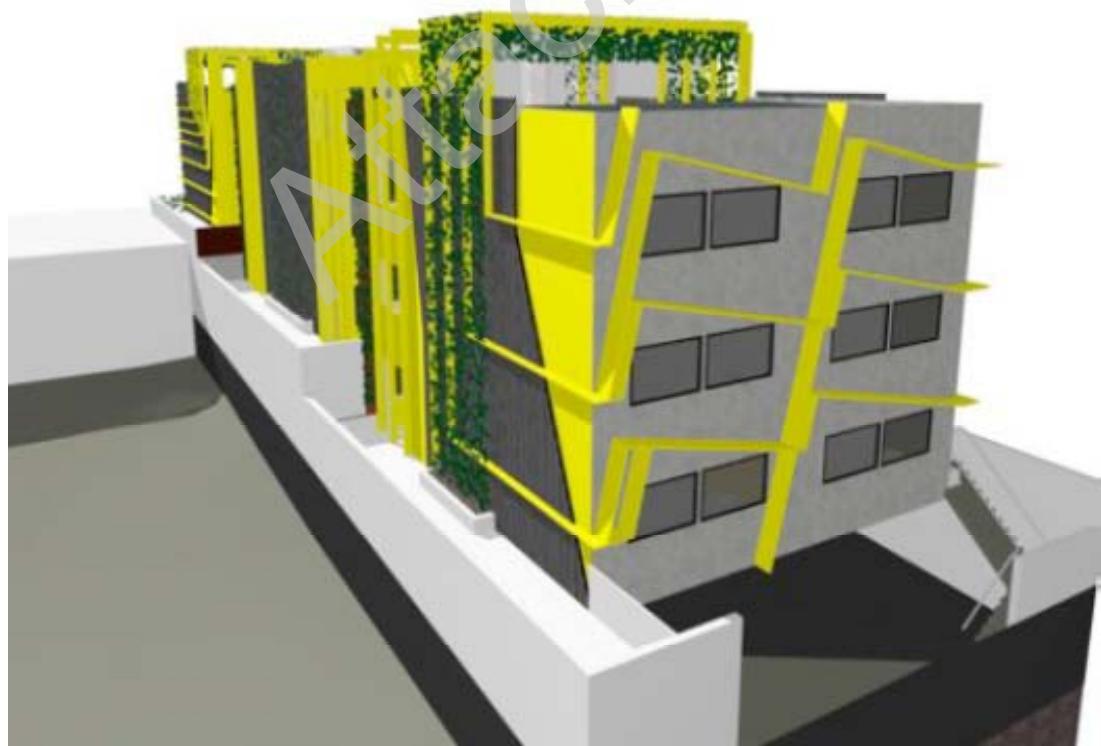
		Referral timing unknown but March 2015 review by DAP considered likely.
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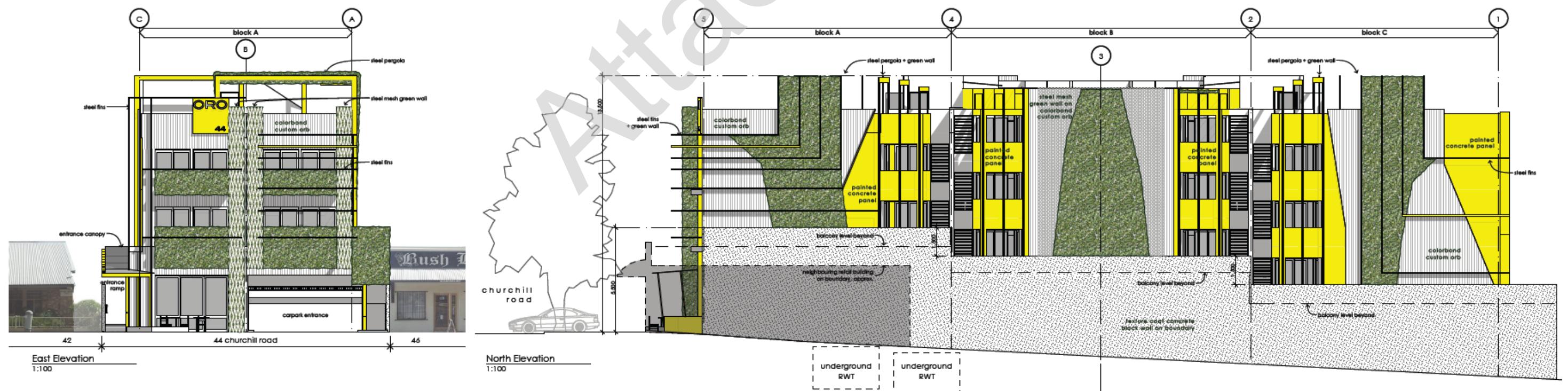
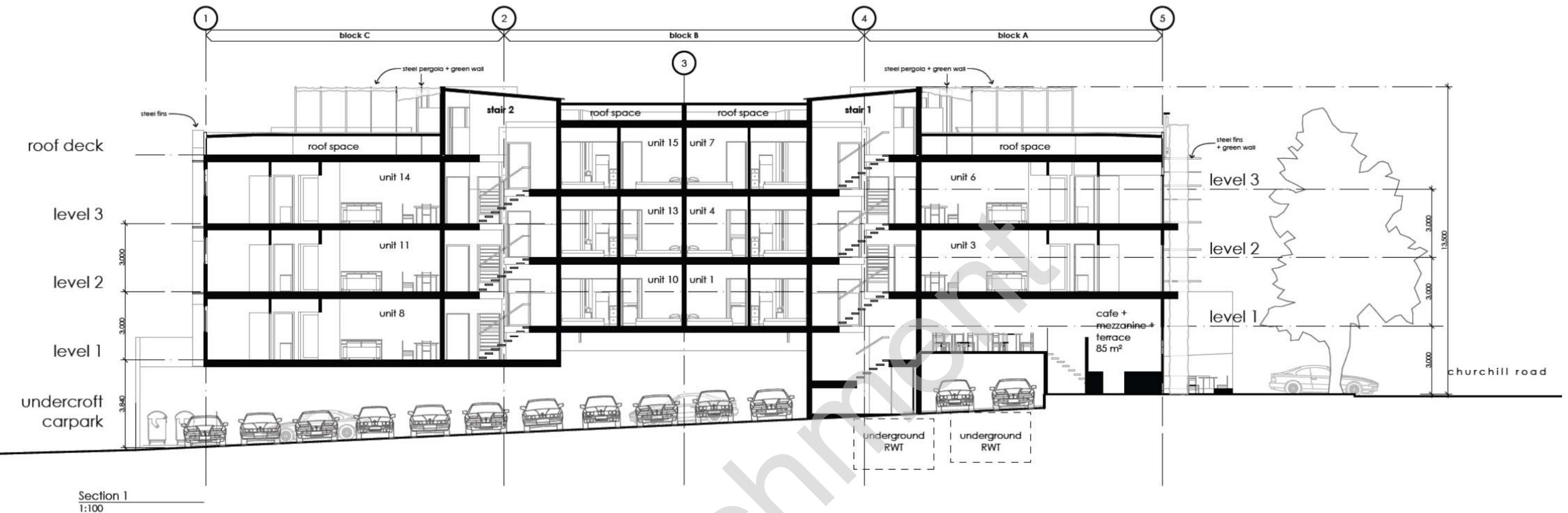
4. RECOMMENDATION

- (1) The Development Assessment Panel receives and notes the information.



Nathan Cunningham
Director Community, Planning and Communications





ITEM NO.: 7.1

TO: Development Assessment Panel (DAP) on 12 January 2015

FROM: Director Community, Planning and Communications

SUBJECT: Summary of Court Appeals

The status of appeals is provided to the DAP for information purposes.

APPEALS

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status
DA 050/290/2014 125 Devonport Terrace, Prospect	Single Storey Detached Dwelling	22 October 2014 By Staff Under Delegation	<p>Appeal lodged by land owner (on behalf of applicant).</p> <p>Appealing against a condition of approval relating to a requirement to construct in accordance with approved plans.</p> <p><i>A preliminary conference has been set for Monday, 12th January 2015.</i></p>

RECOMMENDATION

- (1) The Development Assessment Panel receives and notes the information.



Nathan Cunningham
Director Community, Planning and Communications