



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 2 March 2015**.

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 9 February 2015.**
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 – Compromise Proposal: Two, Two Storey Residential Flat Buildings comprising Seven Dwellings with associated Carports, Driveway and Landscaping (DA 050/323/2014)

(Pages 1 - 60, Recommendation pages 5 - 8)

- 5.2 20A Main North Road and 45 Carter Street Thorngate – Integrated Service Station Complex (comprising demolition of existing petrol filling station and dwelling, and construction of a two storey petrol filling station, shop and restaurant building with associated underground fuel tanks, canopies, freestanding pylon sign, boundary wall and landscaping) (DA 050/52/2015)

(Pages 61 - 99, Recommendation page 66)

- 5.3 172 Churchill Road, Prospect – Three Storey Residential Flat Building comprising 6 dwellings (DA 050/466/2014)

(Pages 100 - 141, Recommendation pages 113 - 115)

6. **Other Reports**

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

(Page 142, Recommendation page 142)

7. **Summary of Court Appeals**

- 7.1 Summary of Court Appeals

(Page 143, Recommendation page 143)

8. **Time, date and place of next meeting**

5.30pm Monday 13 April 2015 – Civic Centre, 128 Prospect Road, Prospect

9. **Closure**

AGENDA ITEM: 5.1

To: Development Assessment Panel (DAP) on 2 March 2015

From: Scott McLuskey, Senior Development Officer, Planning

Proposal: Compromise 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): Nil

Public Notification: Not applicable

Development Plan Version: Consolidated 31 October 2013

Zone and Policy Area: Residential Zone (Policy Area B200)

Issues: Occupant amenity, Energy efficiency, Size and configuration of allotments

Recommendation: That the DAP advises the Environment, Resources and Development Court that the compromise proposal is accepted

1. BACKGROUND

1.1 The DAP considered a proposal for the construction of two, two storey residential flat buildings comprising seven dwellings with associated carports, driveway and landscaping at their meeting of 12 January 2015. The application was refused as it was considered that the proposal would:

- Provide unsatisfactory levels of occupant amenity,
- Insufficiently address natural energy efficiency and thermal comfort,
- Establish a pattern of allotments at odds with the prevailing character of the locality, and
- Result in site areas of insufficient size and width, particularly in relation to the dwellings proposed to the rear of the land.

1.2 The applicant lodged an appeal against the decision with the Environment, Resources and Development Court. The applicant has provided Council with a revised proposal for the site, which is an approach commonly taken through the appeal process in an attempt to address the concerns of Council without proceeding to a hearing on the appeal.

2. PROPOSAL

- 2.1 The compromise proposal is relatively similar to the previous application considered by the DAP, with minor variations proposed in response to the reasons for refusal.
- 2.2 The configuration and quantity of bedrooms associated with the rear residential flat building would vary. Townhouses 5 and 6 would incorporate two bedrooms and Townhouses 4 and 7 would incorporate three bedrooms. Each of these bedrooms, and the study of Townhouses 5 and 6, would achieve direct natural light and ventilation through west facing windows.
- 2.3 Common areas would vary by way of an altered car parking configuration associated with Townhouses 1-3 that would provide visitor access to Townhouse 3 and improve vehicular manoeuvring associated with the adjacent carport. Bin storage for Townhouses 5 and 6 would be located to the side of Townhouses 4 and 7.
- 2.4 Details of the compromise proposal are attached, including a supporting submission from Mr Paul Emes (refer **Attachments 1-12**), proposal plans (refer **Attachments 13-19**) and an energy efficiency report submitted by the applicant are attached (refer **Attachment 20-26**).
- 2.5 Briefly, Mr Emes considers that the amended proposal satisfactorily responds to all relevant planning matters, particular in relation to height, density, setbacks, car parking, open space, energy efficiency, amenity and appearance, and therefore concludes that there is compelling merit for the amended proposal to be supported by the DAP.

3. REFERRALS

No independent consultant's advice or further consultation with external agencies was required.

4. PUBLIC NOTIFICATION

- 4.1 The original application was a Category 2 form of development and notified accordingly. The public notification period ended with two representations and one submission received.
- 4.2 The compromise proposal is being considered as part of the appeal process, which does not involve an additional public consultation process. As such, no further notification is able to be undertaken by Council, but representors have been notified that a compromise proposal is being considered by the DAP and would be again notified if the compromise proposal is accepted.

5. PLANNING COMMENTARY

- 5.1 The compromise proposal has been submitted in an attempt to address the concerns previously raised by the DAP in refusing the application. If supported by the DAP, then the appeal potentially proceeds no further, assuming that the appellant agrees to any conditions recommended by the DAP.
- 5.2 Alternatively, if the compromise proposal is not supported, then the appellant has the right to proceed to a hearing on the matter.
- 5.3 The report originally considered by the DAP is included in its entirety for reference purposes (refer **Attachments 27-43**), as are copies of the original proposal plans (refer **Attachments 44-52**). The following assessment focuses on the extent of change in occupant amenity, while highlighting the key elements of the compromise proposal and providing some insight into previous decisions of the Court that may be relevant.

- 5.4 It is not considered necessary to revisit discussion concerning matters which were adequately addressed in the previous report to the DAP and which are not affected by the changes to the proposal.

6. PLANNING ASSESSMENT

6.1 Site Area/Density

- 6.1.1 For the benefit of the DAP it is noted that previous decisions of the Environment, Resources and Development Court and the Supreme Court have expressed that it is inappropriate to determine the outcome of a land division proposal on the basis that one particular form of land use outcome does not respond appropriately to the relevant policies of the Development Plan.

- 6.1.2 Most recently Commissioner Nolan commented in *Cabsof Pty Ltd v City of Charles Sturt* [2015] SAERDC 2 on the assessment approach taken by the Council:

6.1.2.1 Mr Lieschke considered that it was the failure of the proposed group dwellings to satisfy various design, siting and built form provisions of the Development Plan as much, if not more so, than the intention to create five allotments nearly 30 per cent less than average set out in Policy Area Principle 3 which resulted in his conclusion that the development did not merit consent. As has been said on numerous occasions now by this Court, and of particular note in the matter of Moseley in the Supreme Court, this is not the correct approach.

- 6.1.3 An application has been lodged for the division of the land, which will either be determined in accordance with this land use application if supported, or which would need to be determined on its own merits if this land use application is not supported. To this end, it is recommended that the Panel consider the concerns that led to the third and fourth reasons for refusal in relation to the appropriate application.

- 6.1.4 It is anticipated that the site areas and density outcome may be considered appropriate, unless it can be demonstrated that they represent a substantial departure from the provisions of the Development Plan relevant to land division. Briefly, the lot sizes and configuration are considered generally consistent the relevant provisions of the RB200 Policy Area, as an average site density of 216m² would be achieved per dwelling.

6.2 Design and Appearance

- 6.2.1 The compromise proposal comprises five, two-bedroom dwellings of varied form and two, three-bedroom dwellings. The previous minimum dimensions of bedrooms and living areas would be maintained despite alterations to the internal layout of such rooms.

- 6.2.2 The compromise proposal would reconfigure the upper storey layout of Townhouses 4-7, principally for the purpose of improving occupant amenity within habitable rooms. It is noted that the reconfiguration also improves the functionality of living and study areas within the upper storey, with study areas now more substantial and directly accessible from a living area of minimum 2.5m dimension.

- 6.2.3 The external appearance of the rear building would vary as a result of alterations to the balcony depth at the front of the building and increased articulation at the rear of the building through recessed and cantilevered elements. These

alterations would be emphasised by variation in materials and colours, and low-pitched verandahs below recessed upper storey wall components.

- 6.2.4 The compromise proposal continues to strike an appropriate balance between the use of more traditional facade materials and roof forms, and the use of modern dwelling materials and construction techniques. While variations to the rear building principally improve occupant amenity, they would also provide greater visual relief in relation to the massing of the upper storey.

6.3 Setbacks

- 6.3.1 With reference to the proposal previously considered, Townhouses 4 and 7 substantially complied with the building envelope prescribed by PDC 7 of RPA B200. Specifically, the desirable minimum side setback distance is 2.05m, with the original proposal maintaining a minimum side setback of 2.03m in relation to this building.
- 6.3.2 The amended proposal would not substantially alter setback distances, but would incorporate bedrooms to Townhouses 4 and 7 that protrude 400mm out from the remainder of the wall for a length of 3.6m. Thus for this length it is noted that the side setback would now be 1.61m, which is a departure from the desirable minimum of 420mm.
- 6.3.3 Given the relatively short length of this component of the building and the absence of any variation to the previously proposed roof form to the northern and southern sides of the building, it is anticipated that this departure would have minimal impact on adjoining residents. Further, the introduction of an articulated element and the associated variation in materials and colours provides visual relief to the massing of these walls of the building.

6.4 Car Parking

- 6.4.1 The parking configuration remains relatively unchanged from the previous proposal, which was generally consistent with the Australian Standard. It is briefly noted that the introduction of a visitor access gate from the common area to Townhouse 3 improves the convenience of access and egress to the adjacent southernmost carport.

6.5 Energy Conservation Measures

- 6.5.1 The proposed reconfiguration of upper storey habitable rooms to Townhouses 4-7 substantially improves the availability of natural light and ventilation to habitable rooms, with skylights maintained for the benefit of bathroom areas. It is also noted that cross-ventilation opportunities within the upper storey of each Townhouse would be improved.
- 6.5.2 The modifications to the design would increase the extent of west facing windows. This remains undesirable from an energy efficiency perspective, but potentially unavoidable due to the orientation of the proposed building. It is recommended that a condition be applied requiring shade canopies to all west facing upper storey windows.
- 6.5.3 It is noted that the addition of verandahs will provide effective shading to the ground level sliding doors of the living area that are also west facing.

6.6 Private open space provision

6.6.1 It is briefly noted that the reduction in the number of bedrooms proposed within Townhouses 5 and 6 is anticipated to limit the demand upon their associated areas of private open space. Each dwelling would comply with the minimum desired area of 25m² for every two bedrooms.

7. CONCLUSION

- 7.1 The compromise proposal seeks to establish a medium density residential land use of a form and scale anticipated within the relevant policy area. Alterations to the original proposal improve access to natural light and ventilation for habitable rooms and improve the efficiency and functionality of first floor living areas within Townhouses 4-7.
- 7.2 While these alterations are facilitated by building elements that protrude from the original building, therefore departing from desirable setback distances, these elements are of minimal length and their impacts are ameliorated by a more considered approach to articulation and material variation.
- 7.3 While the revised proposal does not address all previously identified reasons for refusal, particularly in relation to allotment size and density, it is considered that the compromise proposal has sufficiently addressed the other reasons for refusal. It is therefore recommended that the compromise proposal be supported.

8. RECOMMENDATION

It is recommended:

That the Environment, Resources and Development Court be advised that Council is supportive of the compromise proposal for Two, Two Storey Residential Flat Buildings comprising Seven Dwellings with associated Carports, Driveway and Landscaping (DA 050/323/2014) at 32 Hampstead Road Broadview (CT 5314/328), and recommends the following reserved matters and conditions:

Reserved Matters:

1. A detailed design of the stormwater management system by a suitably qualified civil engineer be provided to Council for assessment, 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 screening located on the 'Terrace' of Townhouse 3 shall be a minimum of 1.8m in height above the finished floor level of the balcony.
7. The east-facing balconies of Townhouses 4-7 shall be provided with screening to an effective minimum height of 1.8m above the finished floor level of the balcony, which prevents views into neighbouring properties to the reasonable satisfaction of Council. The materials and finishes used on the screens shall complement those of the building. All screening devices shall be constructed prior to occupation of the dwellings and maintained at all times thereafter to the reasonable satisfaction of Council.
8. The timber slat screening proposed to the stairway of Townhouse 3 shall be constructed to a minimum height of 1.7m above the level of each adjacent stair in accordance with the approved plan. The spacing between slats shall be no more than 5mm. All screening devices shall be constructed prior to occupation of the dwellings and maintained at all times thereafter to the reasonable satisfaction of Council.
9. The west-facing upper storey windows of Townhouses 3, 4, 5, 6 and 7 shall have:
 - a) Minimum window sill heights of 1.7m above finished floor level; or
 - b) Fixed and obscured glass to a minimum height of 1.7m above floor level; or
 - c) An awning window with obscured glass to a minimum height of 1.7m above floor level, with an opening restricted to no more than 100mm; or
 - d) Permanently fixed external screens that provide an effective screening height of 1.7m above the upper floor level and complement the external appearance of the dwelling.

The screening solution(s) shall be established prior to occupation of the dwellings and maintained to the reasonable satisfaction of Council at all times thereafter.
10. 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.

11. The building must be maintained, kept tidy, free of graffiti and in good repair and condition at all times.
12. 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.
13. 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.
14. 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.
15. 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.
16. 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).
17. 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.
18. 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.
19. 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.

20. 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:

21. 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.
22. 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.
23. 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.



Scott McLuskey

Senior Development Officer, Planning



18 February 2015

Chief Executive Officer
City of Prospect
128 Prospect Road, Prospect
SA 5082

Atten: Scott McLusky

Dear Scott,

RE: Development Application DA No. 050/323/2014

Subject Land: 32 Hampstead Road, Broadview South Australia (CT 5314/328)

I have been engaged by Mr. Nick Pearce on behalf of the applicant Willalo Holdings to assist in all relevant urban planning matters pertaining to the subject development Application.

The subject Development Application was put to the Council's development Assessment Panel (CDAP) for decision whereby the application was refused at meeting held on the 12th of January 2015. Following on from this decision the applicant lodged an appeal against the decision with the Environment, Resources and Development (ERD) Court on the 24th of January 2015.

The first conciliatory ERD Court conference was held on the 9th of February 2015 with the matter being adjourned with proceedings scheduled to recommence on the 12th of March 2015.

In an effort to avoid a full hearing of the ERD Court on the matter, Council staff and proponents have come together and worked through a number of amendments that on behalf of the applicant, I now respectfully ask be put back before the CDAP for a resolution aimed at entering into Consent Orders on the basis of these amendments.

To assist in reaching a favourable outcome, I also hereby tender the following independent Planning Statement in support of the amended application.

Yours sincerely,

Paul Emes. BA App Sci.(Env Planning). CPIA (Environment, Urban and Regional Planning)
Managing Director - Environmental and Urban Planning Consultant

Integral - Property Development Solutions Pty Ltd.

Integral

Property Development Solutions
Planning + Design + Land Division



Nature of Development

Whilst the subject application has since been amended in an effort to overcome the concerns of the CDAP, the amendments are not of such scale or significance that the fundamental nature of the application has change.

The nature of development remains as –

Two (2) Two (2) Storey Residential Flat Buildings comprising Seven Dwellings with associated Carports, Driveway and Landscaping,

The amendments represent positive yet minor variations to the existing application with the matter therefore being seen as a lawful continuance of the current Development Application – DA No. 050/323/2014

These amendments include;

- additional articulation, colour and material variations to the upper level western elevation
- inclusion of verandah's over portions of the western orientated private open space areas
- revised floor plans for dwellings No.4-7
- inclusion of an Energy Efficiency Report

Subject Land

The subject land is identified as No. 32 Hampstead Road Broadview (CT 5314/328) comprising one allotment with a total area of 1,510sqm. The subject land exhibits an unrestricted frontage to Hampstead Road of 25 metres and depth of 60 metres with an east / west orientation.

Topographically the land appears benign, with a nominal slope to the rear of the allotment from east to west. There are no regulated trees apparent on or within proximity to the land, and no obvious site constraints. The subject land currently retains a large single detached dwelling and associated outbuilding.

Locality

The locality comprises long standing, low density housing stock in addition to a number of medium residential developments of varying age and standards, with evidence of progressive gentrification particularly along and within relative proximity to Hampstead Road.

External Referrals

The Department of Planning, Transport and Infrastructure, (DPTI) were notified in accordance with Schedule 8 of the Development Regulations and have provided qualified support for the proposal.

Relevant Development Plan

The Prospect City Council - Development Plan - Consolidated 31 October 2013 is the relevant document for assessment purposes.



Applicable Zoning

Residential Zone – B200 Policy Area

PLANNING ASSESSMENT

Residential Development

Council wide provisions of development control (PDC's) pertaining to residential development generally, as highlighted in Council wide Objective 16 encourages development that provides;

Objective 16 – Residential areas which;

- a/ safe, pleasant convenient neighbourhoods and residential development with fully utilised facilities and services', and*
- b/ ... a range of housing types to meet the needs and preferences of the community;*

Further to this, per Council wide Objectives 17 and 18, medium density and high rise residential development that serves to provide housing choice and high standards of amenity is contemplated.

Notably; in respect to the proposed development the subject land is held entirely within the Residential Zone and Policy Area B200 which provides for the highest level of residential density permissible within the City of Prospect.

In this regard, the subject proposal is entirely consistent with general intentions of the Council Development Plan pertaining to the residential development.

Appearance of Land and Buildings

Council's Development Plan provides substantial guidance for new residential housing and how this should appear and integrate with existing development.

Principle 45: Building appearance should be compatible with the desired character of the locality, in accordance with the relevant Zone or Policy Area, in terms of built form elements such as;

- a/ Building mass and proportion*
- b/ Materials, pattern, textures, colours, and decorative elements*
- c/ Ground floor height above natural ground level*
- d/ Roof form and pitch*
- e/ Façade articulation and detailing and window and door proportions*
- f/ Verandahs, eaves and parapets, and*
- g/ Driveway crossovers fence style and alignment*

Whilst the applicable zone and policy area framework is discussed in more detail later in this report, it is noteworthy to highlight the intentions of the applicable desired character of the subject locality in the context of Council wide PDC 45, as expressed in the applicable Policy Area.

B200 Policy Area - Desired Character:



"The **Desired Character** of the Policy Area is of an attractive residential environment containing a **diverse mix of medium density housing**. A mix of semi-detached dwellings, row and group dwellings and **residential flat buildings** is desired **with increasing densities in areas adjacent to arterial roads** and railway corridors".

"**Buildings of up to two storeys in height are appropriate** within the Policy Area". (My underlining for emphasis).

In view of the aforementioned, I find the subject proposal being two for (2) residential flat buildings held on an large underutilised parcel of land fronting an arterial road corridor, in close proximity to shops, services and public transport is overwhelmingly consistent with the locality's desired future character.

In respect to the subject proposals appearance the development coupled with a number of recent architectural improvements, exhibits a proven range of contemporary architectural elements that successfully achieves a high standard in appearance and form consistent with key PDC 54 by including;

- Approx. 16° hip and valley roof design
- Façade articulation, including side and rear vertical and horizontal relief elements in the form of balconies, verandas, eaves and parapets
- Variable setbacks increasing proportionate to the increase in building height
- Variation in materials, pattern, textures and colour.

Notably, the amended plans now include considerable additional architectural treatments to the rear western elevation, in the form of colour and material variation, articulation and protrusions successfully aimed at reducing the perceived bulk and mass when viewed from neighbouring property.

Principle 54 Large residential developments should incorporate architectural features which reduce their bulky appearance and add visual interest such as;

- a/ variation in height, roof style and pitch, colours and buildings materials
- b/ the provision of balconies and porches
- c/ variations in the setback of different portions of the buildings
- d/ inclusion of murals, architectural relief or sculptured forms on blank walls
- e/ incorporation of architectural elements of adjoining buildings

Principle 46: The floor space and bulk of a residential building and the space around the building should be appropriate to the locality in which the building is to be erected.

Each of the two (2) proposed residential flat buildings appear to exhibit sufficient setbacks and space in around the building envelopes, to achieve the necessary provision of opens space, functionality and residential amenity.

The landscaping concept plan provided also reinforces the provision of space and the subject proposals ability to achieve a suitably pleasant residential micro climate when fully developed.



Neither building is likely to unduly overshadow internal open space areas or neighbouring property, is sufficiently setback from front, side and rear property boundaries to allow for the movement of residence in and around the buildings and discreet siting of utilities, services and waste reciprocals.

Onsite vehicle movement and parking also appears commensurate with Development Plan requirements and capable of achieving compliance with relevant Australian Standards applicable to on site vehicle movement and parking.

In essence, given the scale, functionality and space surrounding the proposed buildings, the development will take on a residential form sufficiently consistent with the surrounding locality as not to be deemed offensive, and is commensurate with the applicable Policy Area's desired character.

Principle 47: Dwellings adjacent to streets should include doorways or fenestration facing towards the primary street frontage.

Principle 48: The frontage of buildings should address the street.

Principle 49: Entries to dwellings should be clearly visible from streets which they front so that visitors can easily identify a particular dwelling.

Principle 50: The visual bulk of buildings adjacent to street frontages and adjoining allotments private open space should be reduced through design techniques such as colour, building materials, detailing and articulation.

In accordance with the aforementioned provisions, the proposed building comprising dwellings 1-3 that addresses Hampstead Road, and when viewed from the street takes on the appearance of a substantial single detached dwelling, exhibiting excellent street surveillance and presentation offering a legible and proportionate arrangement of windows, doors and openings overlooking the public realm.

The proposed building to the rear is also clearly legible with well detailed fenestration and inclusion of both angled gables and horizontal edging encapsulating and delineating each individual dwelling without undue extravagance.

On-site Car Parking

Principle 56: Except where varied by zone and/or policy area provision, dwellings with up to 3 bedrooms or rooms able to be used as bedrooms should be provided with two onsite car parking spaces, at least one of which is undercover.

Principle 59: Car parking facilities should be designed to conveniently efficiently and appropriately serve users by;

- a/ being reasonably close and convenient*
- b/ being secure and allowing surveillance from dwellings*
- c/ not obscuring the view of the street from main windows of dwellings*
- d/ minimising the impact of car headlights onto windows of adjacent dwellings*
- e/ clearly defining any visitor parking, including parking for disabled drivers*



Car parking provisions proposed are consistent with Development Plan requirements, comprising seven (7) undercover car parks and a further four (4) visitor car parking spaces.

The proposed layout of parking and vehicle manoeuvring areas appear to be dimensionally capable of complying with AS2890.6 and in practical terms readily meets the anticipated needs of the residents.

Daylight and Solar Access

Principle 77: Adequate daylight should be available within habitable rooms located to neighbouring properties.

Principle 78: new buildings should allow for access to adequate winter sunlight to ground level private open space of existing dwellings.

As previously indicated, given the proposed buildings siting, length, height and roof pitch it is highly unlikely to result in any adverse overshadowing of neighbouring properties.

Due to the east/west orientation and siting of private open space to west and east including balconies, in accordance with PDC 78, access to winter sunlight will exceed accepted minimums of at least 2 hours of direct sunlight between 9.am and 3.00pm on the 21 June.

Energy Conservation and Comfort

Principle 79: Dwellings (and dwelling additions incorporating a day living area - where such additions have a floor area equal to or greater than 50 percent of the existing dwelling), should provide adequate thermal comfort for occupants while minimising the need for mechanical heating and cooling by:

- (a) providing an internal day living area with north-facing window.*
- (b) zoning house layout to enable main living areas to be separately heated and cooled.*
- (c) locating, sizing and shading windows to reduce summer heat load and permit entry of winter sun.*
- (d) allowing for cross ventilation to enable cooling breezes to reduce internal temperatures in summer.*
- (e) avoidance of large windows on south and west facing building surfaces.*
- (f) avoidance of overshadowing of windows on the north and east faces of neighbouring buildings and surfaces used for the collection of solar energy.*
- (g) location of principal living space to the north.*
- (h) use of deciduous trees, pergolas, verandahs and awnings on east and west walls to allow penetration of heat from the sun in winter yet provide shade in summer.*
- (i) use of deciduous canopy trees to shade hard paved surfaces.*
- (j) provision of verandahs to outdoor living areas.*



As acknowledged by the likes of the late Dr Chris Reardon preeminent - sustainable building design and architectural educator "*it is not always possible to achieve optimum orientation in urban, higher density environments*".¹

As highlighted in PDC 79 orientation is only one of many contributing factors towards achieving energy conservation and comfort.

As highlighted in numerous state and federal government publications, many of which were authored by the late Dr Chris Reardon, sustainability is the coming together of numerous design elements and construction techniques.

Including, but not limited to;

- Thermal performance- High Thermal Mass building materials
- Windows and glazing
- Daylight penetration
- Natural ventilation
- Floor plan and building shape
- Insulation
- Shading
- Energy Use and Renewable Energy Offsets

Sustainable housing design can be achieved through any combination of these measures, and as highlighted in Council's Development Plan – suggested design techniques are NOT prescriptive, but an example of "ONE WAY" of meeting the likes of PDC 79, but NOT the only way.

As established by the Courts and reaffirmed time and time again, the Development Plan is a guide with its provisions of development control drafted in "advisory" terms.²

The amended proposal as already highlighted, includes re-orientated upper floor living areas and bedrooms to dwellings No. 4-7 as well increased balcony areas, substantially improving access to natural light and cross flow ventilation.

Additionally, verandah's have been proposed for the western elevation to assist in shading downstairs living areas.

As demonstrated by the "6 Star" Energy Efficiency Report through a combination of design and building elements, the amended plans now meet the requisite industry standard "6 Star" energy rating.

To this end, whilst always open for debate and not necessarily a leading example of sustainable housing, the proposal meets the requisite industry standards and as a result achieves adequate compliance with relevant PDC 79 to warrant Council support in this respect.

¹ *Passive Design – 2- (4DEC13) Principal Author: Chris Reardon*

² *SAHT –v- DAC & CC Marion (1994) 63 SASR 35*



Moreover, the proposed buildings with pitched, hip and valley roof lines can easily accommodate the efficient use of solar collectors and photovoltaic cells as called for by Council wide PDC 80.

Principle 80: Roof orientation and pitch should facilitate the efficient use of solar collectors and photovoltaic cells.

Privacy

Council's Development Plan through PDC's 89 and 90 aims to minimise the direct overlooking of habitable rooms and private open spaces.

Principle 89: Direct overlooking from upper level habitable room windows and external balconies, terraces and decks to habitable room windows and useable private open spaces of other dwellings should be minimised.

Principle 90: Except for buildings of 3 or more storeys in the Urban Corridor Zone, the location of any windows, balconies or decks shall be such as to prevent overlooking to adjacent useable private open spaces or adjoining windows.

(a) Any window that directly overlooks the private open space or adjoining windows of any adjoining property:

- (i) Is to 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; or
- (ii) Is to have external solid (screen(s) permanently fixed to the building, to achieve the same result.

(b) Any balcony or decks are more than 300 mm above natural ground level and which directly overlooks the private open space of any adjoining properties or adjoining window is to have durable solid, durable screens permanently fixed, to a height of 1.8 metres and located in such a way as to prevent overlooking to any adjacent private useable open spaces or adjoining window.

Upon careful inspection of the plans and locality, I find the retention of privacy has been met with the potential for overlooking largely mitigated through a number of measures including:

- the strategic placement of rear carports servicing dwellings No. 1-3
- fencing to the rear of dwellings no.1 -3
- screening of the upper floor Terrace
- parapet walls to the side of balconies servicing dwellings No. 4-7
- obscure glazing to upper windows and fencing

Residential Zone

Objective 1: Safe, pleasant, convenient and distinctive living environment for all residents provided by a range of housing together with local community facilities that complement the living environment.



Principle 1: Development should conform to the desired future character identified in the relevant Policy Area.

Principle 2: Residential development should comprise a range of housing types and styles to meet the diversity of needs of the population in accordance with the more detailed policies applying in the specific policy areas within the zone.

In accordance with the aforementioned zone provisions, the subject proposal will further contribute to the variety of housing choices within the area, and should result in a functional well-presented residential development of relatively modest proportions, consistent with the desired character for the locality.

Policy Area B200 - Desired Character Statement and Assessment

As already discussed the applicable Policy Area B200 - Desired Character encourages a **"diverse mix of medium density housing"**, including **"residential flat buildings"**.

Importantly, the Policy B200 does not seek to retain the existing character.

To the contrary, Policy Area 200 is seeking a progressive, sympathetic shift from the long established low density housing stock and underutilised land resources, to the more economic and orderly form of medium density housing development identified through the State Governments 30 year plan for Adelaide, and now reflected in Council's Development Plan.

Irrespective of individual strategic planning opinion, it is not the role of Council's Development Assessment Panel to enter into the strategic debate, or make policy on the run on behalf of Council, but to remain focussed on current Development Plan policy only, and assess each development application on its individual merits.

Objective 1: Provision of housing that is appropriate for transport corridors and which improves the amenity and appearance of these corridors with plantings and quality medium density residential development.

In accordance with key policy Objective 1, the subject proposal is a medium density housing development with a modestly scaled building facing out to a major transit corridor, namely Hampstead Road. As indicated in the Landscape Concept Plans, and with the support of the Department of Planning, Transport and Infrastructure, the development will be adequately setback at approximately 6.0 metres from the front property boundary.

The proposed building nearest to Hampstead Road will suitably address the street and with the inclusion of landscaped gardens including large character tree plantings, in time will positively contribute to the visual amenity of the streetscape.

Building Height and Mass

Principle 6 Buildings should generally be two-storeys in height, but may be up to a maximum of three storeys in height on large sites.



Whilst the Policy Area contemplates three (3) storey developments, the subject proposal seeks to construct only two (2) storey buildings, more in keeping with the locality, whilst still achieving the level of medium density called for in the desired character statement.

The maximum wall height of the proposed buildings is a conservative 5.55 metres. The larger of the two buildings exhibits a maximum floor plate of just under 300sqm, the scale of which is relatively modest for a residential flat building and overall well within the expectations of the applicable Policy Area.

Both proposed buildings are comparable in scale to other attached housing and some of the larger executive detached dwellings found within the broader locality encompassing the suburbs of Broadview and Manningham.

In a positive light, taking into account both the scale and design of the two (2) proposed residential flat buildings, these buildings are more likely to take on the appearance of two executive free standing dwellings sharing common property as opposed to the seven (7) dwellings as intended.

Setbacks

The subject development proposes minimum side setbacks of approximately 2.0 metres, with rear setbacks in the order of 5.0 metres.

Principle 7 Two and three-storey buildings should be sited within a building envelope determined by the following method. Planes are to be projected at 45 degrees from a height of 3.5 metres above natural ground level at the side, rear and front boundaries to a maximum height of nine metres for two-storey and twelve metres for three-storeys. In the case of two-storey buildings these set-back requirements may be reduced to side and rear boundaries, only where it can be clearly demonstrated that the impact upon solar access and/or privacy is not significant.

In accordance with PDC 7 which is expressed through a rather convoluted equation, I believe the setbacks proposed by in large, meet both quantitative and qualitative requirements of the Development Plan.

Private Open Space

The amended Plans now indicate that Dwellings 4 and 7 will be afforded 38sqm of ground level private open space each with a minimum 5.4 metres in dimension.

Dwellings 5 and 6 will be afforded 29sqm of ground level private open space with a minimum 5.2 metre dimension. In addition, this open space will be accompanied by an 8.91sqm balcony area, with useable dimensions of 2.1m x 2.8m

Dwelling 1 would be afforded 26sqm of private open space and Dwelling 2 afforded with 29sqm of private open space, each with a minimum 3.5 metre dimension.

Dwelling 3 would be afforded with 15sqm of private open space above ground level, with a minimum dimension of 3.6 metres.



Principle 9: For all dwellings, ground level private open space should be provided with a minimum useable open space of 25 square metres for every two bedrooms (or room able to be used as a bedroom), with a minimum dimension of 4 metres. The useable open space shall not be on the primary street frontage and shall be directly accessible from the internal living areas of the dwelling.

Principle 10: For residential development comprising multi-level accommodation, all dwelling units without direct private access to the ground floor should provide:

(a) adequate private usable open space for each dwelling unit in the form of balconies or courtyards (minimum area of 7.5 square metres, minimum width or length of 2 metres) or on roof/terrace courts or gardens; and

(b) adequate enclosed storage areas for each dwelling unit not including the private open space area.

The above PDC's are applicable and in respect to PDC 9, it is open for interpretation due to its unique reference to a minimum of 25sqm of open space per every two (2) bedrooms.

Taking cues from previous comments made by Council's planning staff it would suggest the 25sqm "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".

To this end, not only do I find the amount of private open space consistent with the relevant policy framework, but also in practical terms, functional in its dimensions, suitably aligned with internal living areas and sufficient in area to accommodate the likely demands of those residing within the dwellings it serves.

Site Area and Street Frontages

The subject land is in the order of 1500sqm in area and on account of the seven (7) proposed dwellings, the net density of 216sqm is in my opinion consistent with the intent of the Policy Area and desired character.

The fact that the proposed dwellings with areas ranging from 110sqm to a 163sqm can rest comfortably within the subject land, whilst affording sufficient space in and around the proposed buildings for landscaping, car parking and private open space, strongly suggest the density proposed is commensurate with the overall available land area being developed.

Notwithstanding, this variability in building area does not neatly align with the strict application of PDC 12 which simplistically calls for a minimum site area of 200sqm per dwelling.

Principle 12: Dwellings site areas should be no less than 200 square metres per dwelling.

Principle 13: Sites accommodating three-storey dwellings should have a minimum site area of 1000 square metres.



Further supporting the subject proposal is aforementioned PDC 13 which given the subject land is significantly larger than 1000sqm, suggesting the subject site could accommodate Three-storey dwellings.

In summary; the subject development proposal appears entirely consistent with the applicable zone and applicable B200 Policy Area and with average site areas of 216sqm is appropriate in scale and density.

The B200 policy area strongly encourage medium density housing, I can find no tangible concerns surrounding the development when assessed against the key provisions of development control contained in either the zone or policy area provisions.

CONCLUSION

In view of the aforementioned , I find the subject proposal being two (2) residential flat buildings held on a large underutilised parcel of land fronting an arterial road corridor, in close proximity to shops, services and public transport is overwhelmingly consistent with both Council wide and control.

In weighing up equally both relevant qualitative and quantitative planning considerations, I find the subject proposal meets the vast majority of both Council wide and zone/policy area provisions of development control.

As established in this report, the subject application sufficiently complies with all key relevant planning matters pertaining to –

- Height
- Density
- Setbacks
- Car parking
- Open space
- Energy efficiency
- Amenity and appearance

In view of the aforementioned findings there is compelling merit for this application to be supported by Council's Development Assessment Panel without needing for the matter to proceed to a full ERD Court Hearing for its determination.

Any questions regrading the content of this report please contact me Paul Emes.
Yours sincerely,

Paul Emes. BA App Sci.(Env Planning). CPIA (Environment, Urban and Regional Planning)
Managing Director - Environmental and Urban Planning Consultant



AMENDED PLAN

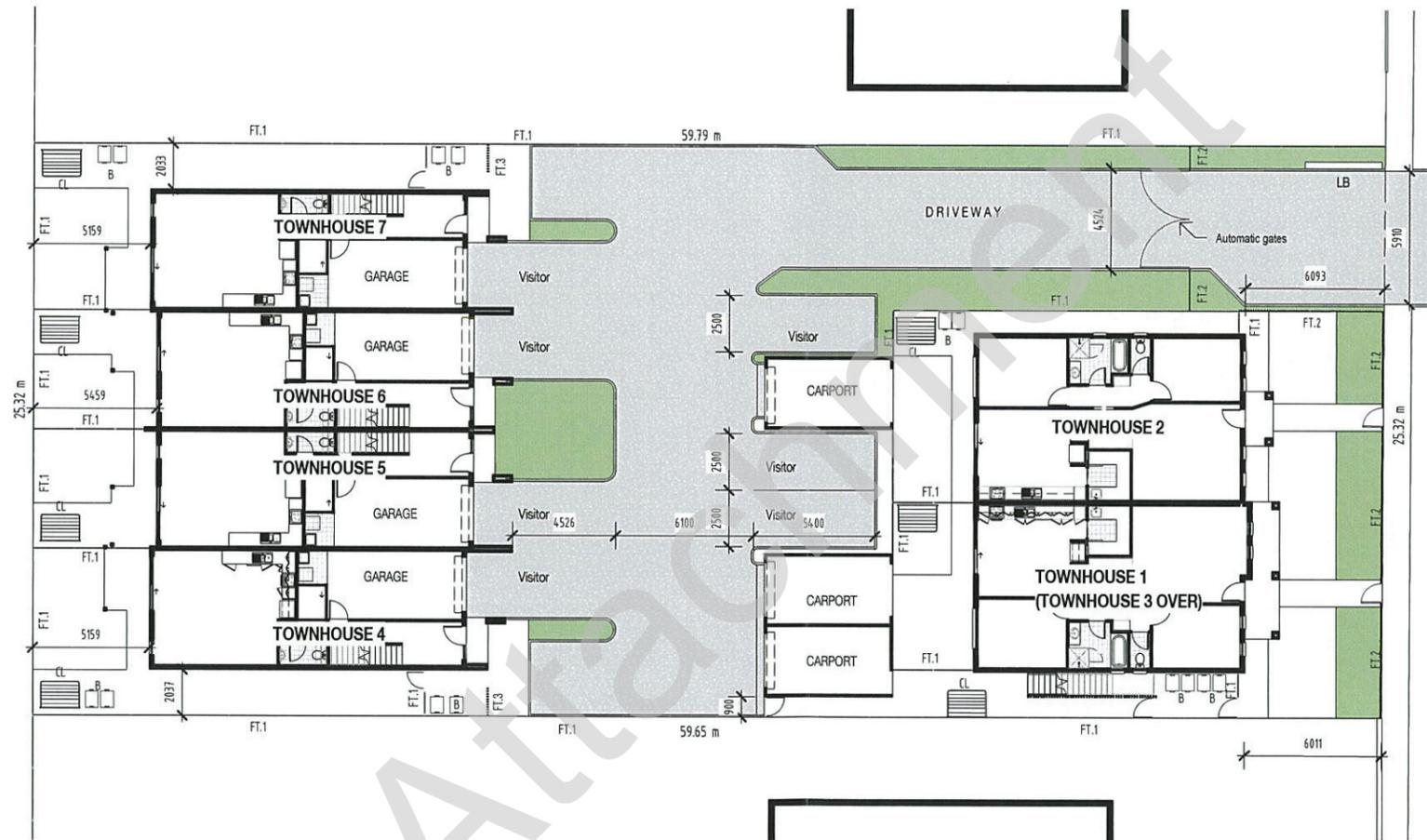
LOCATION PLAN

LOCATION PLAN

PROPOSED TOWNHOUSES

zummo design building designers 32a Mary St (nr Park Toe), Salisbury 5108. ph : 8250 0066 mob : 0411 411 492 fax : 8285 6967	client : WILLALO HOLDINGS
	at : LOT 78 HAMPSTEAD ROAD, BROADVIEW
© copyright Job No: 1599/07/14 Scale: 1:350 Date: 17/02/2015 7:12:01 AM Paper size: A2	SK00

AMENDED PLAN



HAMPSTEAD ROAD



SITE PLAN
1:200

LEGEND

- FT.1 1800mm high Good neighbour colorbond fence
- FT.2 1500mm high tubular steel fence, powdercoat finish
- LB Letter box
- CL Fold-a-line clothes line. 2.2 x 1.2m
- B Wheelie bin
- RWT Min 1000 litre rainwater tank, plumbed to WC
- AC Air conditioner condensor unit

- Concrete paving
- Landscaping. Refer to landscape plan

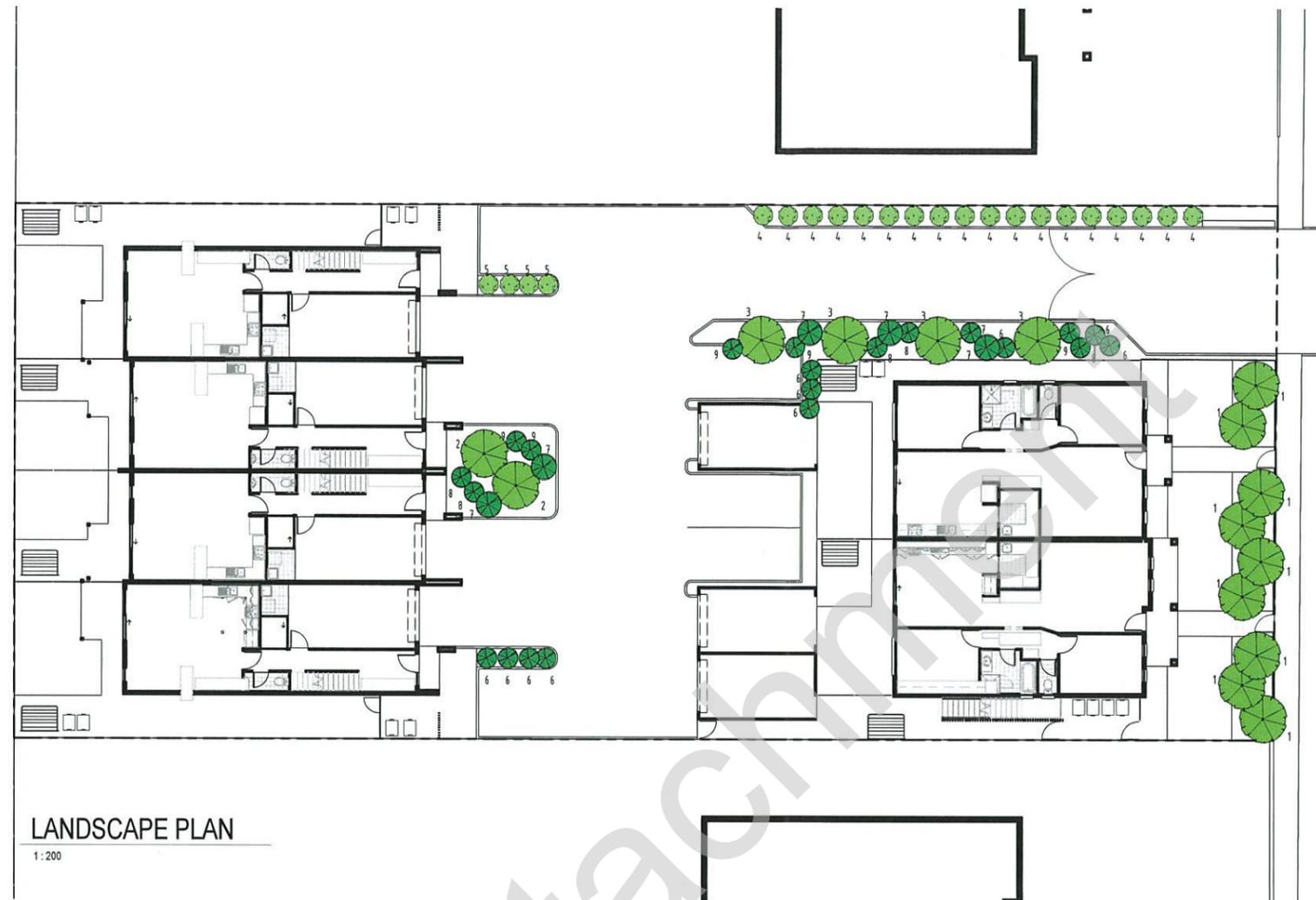
STORMWATER
Rainwater retention / detention tanks to Council requirements, connected to stormwater disposal system, with overflow pipes draining to street watertable

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, BROADVIEW				
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AMENDED PLAN



HAMPSTEAD ROAD

LANDSCAPE PLAN

1:200

FEATURE TREES



1 2 3 4

CONIFERS



5 6

SHRUBS



7 8 9 10

GROUND COVER



A B

FEATURE TREES

- 1. Betula pendula 'Silver Birch'
- 2. Lagerstromia indica 'Crepe Myrtle'
- 3. Eucalyptus leucocylon 'lucky dwarf' 'Dwarf Yellow Gum'

CONIFERS

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

SHRUBS

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

GROUND COVER

- A. Diachandra micratha 'Diachandra'
- B. Trachelospermum 'star jasmine' 'Jasmine'

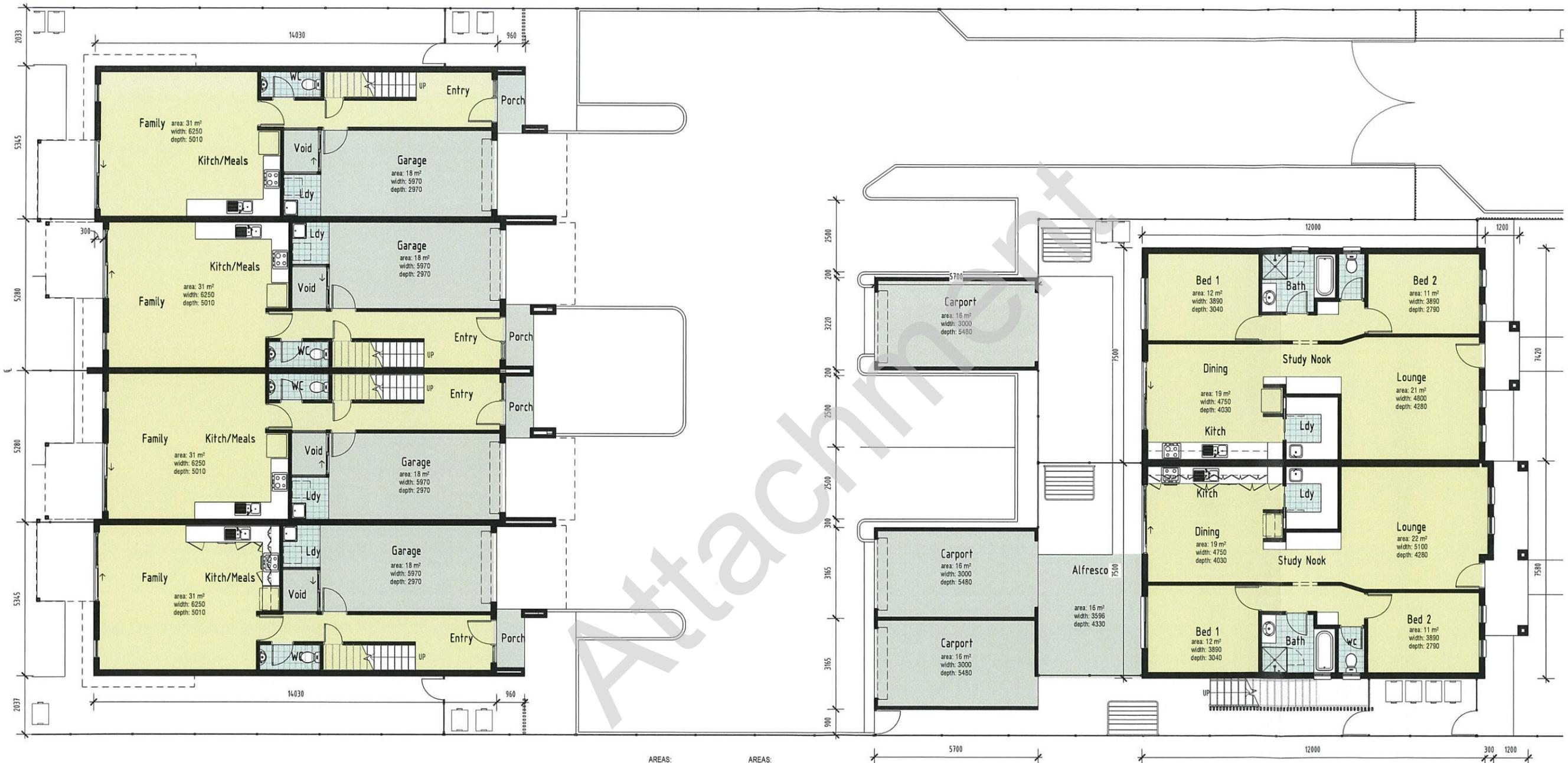


LANDSCAPE PLAN

PROPOSED TOWNHOUSES

zummo design building designers 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	Job No: 1599/07/14 Scale: As indicated Date: 17/02/2015 Time: 7:12:05 AM	Paper size: A2
	© copyright	SK02	Date: 17/02/2015 Time: 7:12:05 AM

AMENDED PLAN



GROUND FLOOR PLAN

AREAS:

Townhouses 1 & 3	
Living	91.03
Porch	8.08
Garage	18.00
Total	117.11m²
Townhouse 2	
Living	90.0
Porch	2.88
Carport	18.00
Total	110.88m²

AREAS:

Townhouses 4 & 7	
GF Living	51.63
FF Living	77.54
Porch	2.35
Balcony	8.91
Garage	23.00
Total	163.43m²
Townhouses 5 & 6	
GF Living	51.63
FF Living	75.84
Porch	2.35
Balcony	8.91
Garage	23.00
Total	161.73m²

GROUND FLOOR PLAN

1:100

PROPOSED TOWNHOUSES

<p>zummo design building designers 32a Mary St (cnr Park, Toe), Salisbury 5108. ph : 8250 0066 mob : 0411 411 492 fax : 8285 6967</p>	client:	WILLALO HOLDINGS
	at:	LOT 78 HAMPSTEAD ROAD, BROADVIEW
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	Scale: 1:100	Date: 17/02/2015 7:12:08 AM
		Paper size: A2

AMENDED PLAN

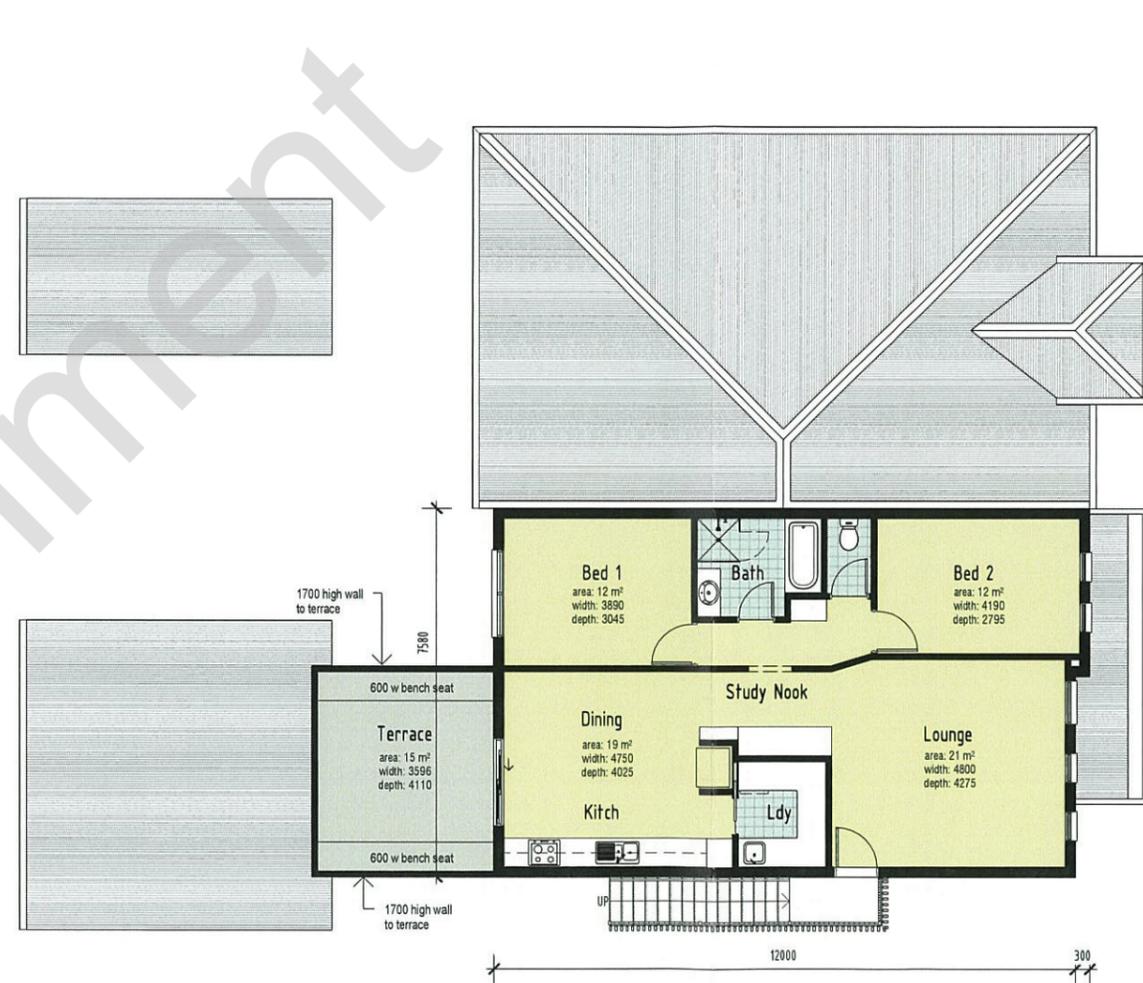


AREAS:

Townhouses 1 & 3	
Living	91.03
Porch	8.08
Garage	18.00
Total	117.11m²
Townhouse 2	
Living	90.0
Porch	2.88
Carport	18.00
Total	110.88m²

AREAS:

Townhouses 4 & 7	
GF Living	51.63
FF Living	77.54
Porch	2.35
Balcony	8.91
Garage	23.00
Total	163.43m²
Townhouses 5 & 6	
GF Living	51.63
FF Living	75.64
Porch	2.35
Balcony	8.91
Garage	23.00
Total	161.73m²



FIRST FLOOR PLAN

FIRST FLOOR PLAN

1:100

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
	Job No:	1599/07/14
	Scale:	SK11 1:100
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	Paper size:	A2

AMENDED PLAN



CL. 5.550
First Floor ceiling Level

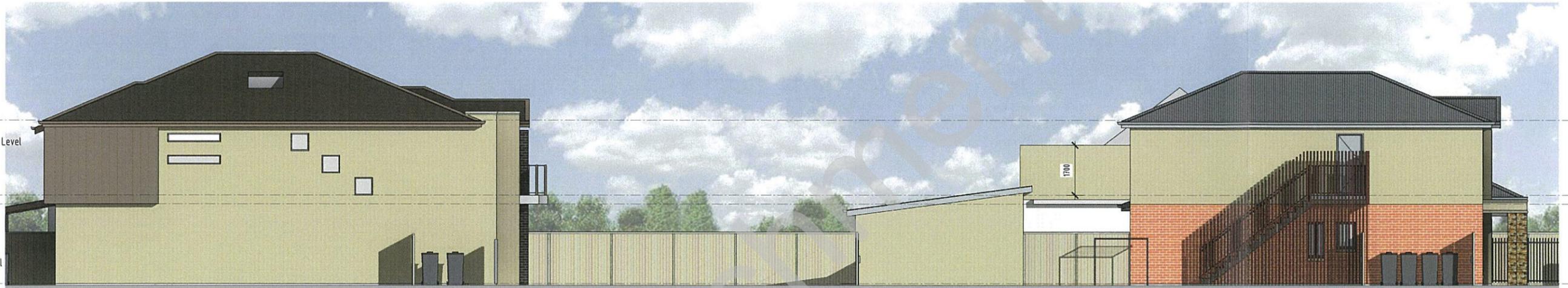
First Floor Level
FFL. 3.000

CL. 2.700
Ceiling Level

Ground Floor Level
FFL. 0.000

EAST ELEVATION - HAMPSTEAD ROAD

1:100



CL. 5.550
First Floor ceiling Level

First Floor Level
FFL. 3.000

CL. 2.700
Ceiling Level

Ground Floor Level
FFL. 0.000

SOUTH ELEVATION

1:100



CL. 5.550
First Floor ceiling Level

First Floor Level
FFL. 3.000

CL. 2.700
Ceiling Level

Ground Floor Level
FFL. 0.000

WEST ELEVATION

1:100



VIEW TO REAR TOWNHOUSE 4-7

ELEVATIONS

PROPOSED TOWNHOUSES

zummo design building designers 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	Job No: 1599/07/14 SK20	Scale: 1:100	Date: 17/02/2015 7:13:14 AM	Paper size: A2
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NORTH ELEVATION

1:100

AMENDED PLAN



EAST ELEVATIONS - TOWNHOUSES 4-7

1:100



WEST ELEVATION - TOWNHOUSES 1-3

1:100

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'

ELEVATIONS

PROPOSED TOWNHOUSES

zummo design building designers 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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New Home

Certificate ID: S128IW0F5J



Accreditation Number

-

Assessor Email

-

Assessor Reference Number

EOD-887 Townhouse 1

Assessor Name

Stephen Cramond HE # 136

Assessor Phone

0434395762

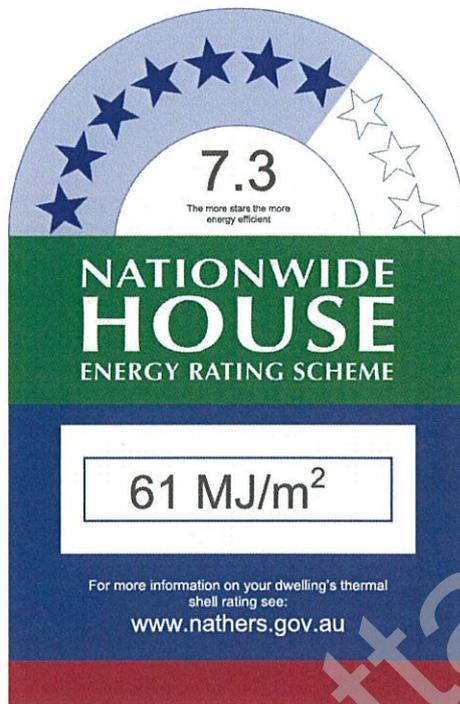
Organisation Name

Energy and Outdoor Design

Date of Upload

Thursday, February 19, 2015

1. OVERVIEW



Star rating

7.3

Dwelling address

Townhouse 1, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
45.1	15.9	61

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
75.9	6.3	82.2	0

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NATHERS Accredited Assessor's Stamp

New Home

Certificate ID: QCQ6D2SCCX



Accreditation Number

-

Assessor Name

Stephen Cramond HE # 136

Organisation Name

Energy and Outdoor Design

Assessor Email

-

Assessor Phone

0434395762

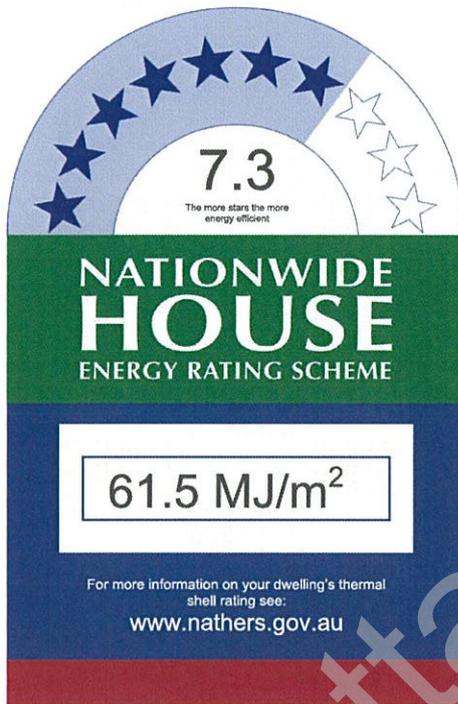
Date of Upload

Thursday, February 19, 2015

Assessor Reference Number

EOD-887 Townhouse 2

1. OVERVIEW



Star rating

7.3

Dwelling address

Townhouse 2, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
32.6	28.9	61.5

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
74.6	6.3	80.9	0

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New Home

Certificate ID: JS77SX70Y4



Accreditation Number

-

Assessor Name

Stephen Cramond HE # 136

Organisation Name

Energy and Outdoor Design

Assessor Email

-

Assessor Phone

0434395762

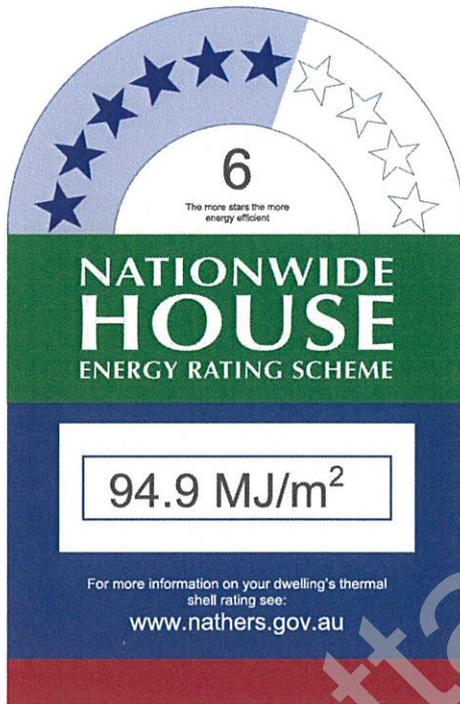
Date of Upload

Thursday, February 19, 2015

Assessor Reference Number

EOD-887 Townhouse 3

1. OVERVIEW



Star rating

6

Dwelling address

Townhouse 3, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
36.7	58.2	94.9

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
80	1.3	81.3	0

Scan the QR code below to view the online certificate


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NatHERS Accredited Assessor's Stamp

New Home

Certificate ID: LCTDCGARTZ



Accreditation Number

-

Assessor Name

Stephen Cramond HE # 136

Organisation Name

Energy and Outdoor Design

Assessor Email

-

Assessor Phone

0434395762

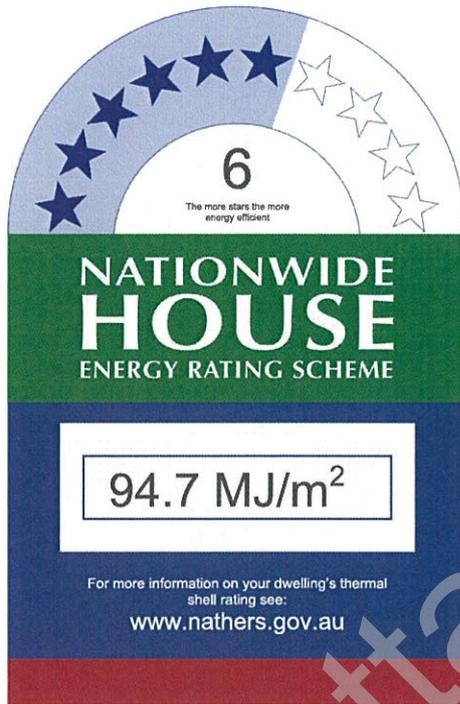
Date of Upload

Thursday, February 19, 2015

Assessor Reference Number

EOD-887 Townhouse 4

1. OVERVIEW



Star rating

6

Dwelling address

Townhouse 4, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
60.8	33.9	94.7

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
108.5	3.3	131.3	19.5

Scan the QR code below to view the online certificate


<https://www.fr5.com.au/QRCodeLanding?PublicId=LCTDCGARTZ>

NATHERS Accredited Assessor's Stamp

New Home

Certificate ID: YX7R0ZZTVE



Accreditation Number

-

Assessor Name

Stephen Cramond HE # 136

Organisation Name

Energy and Outdoor Design

Assessor Email

-

Assessor Phone

0434395762

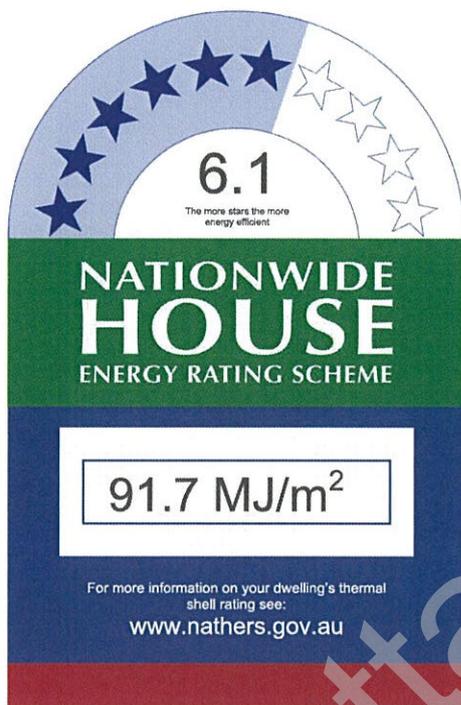
Date of Upload

Thursday, February 19, 2015

Assessor Reference Number

EOD-887 Townhouse 5

1. OVERVIEW



Star rating

6.1

Dwelling address

Townhouse 5, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
49.5	42.2	91.7

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
109.1	3.2	132.3	20

Scan the QR code below to view the online certificate


<https://www.fr5.com.au/QRCodeLanding?PublicId=YX7R0ZZTVE>

NatHERS Accredited Assessor's Stamp

New Home

Certificate ID: 156RZDU5PF



Accreditation Number

-

Assessor Name

Stephen Cramond HE # 136

Organisation Name

Energy and Outdoor Design

Assessor Email

-

Assessor Phone

0434395762

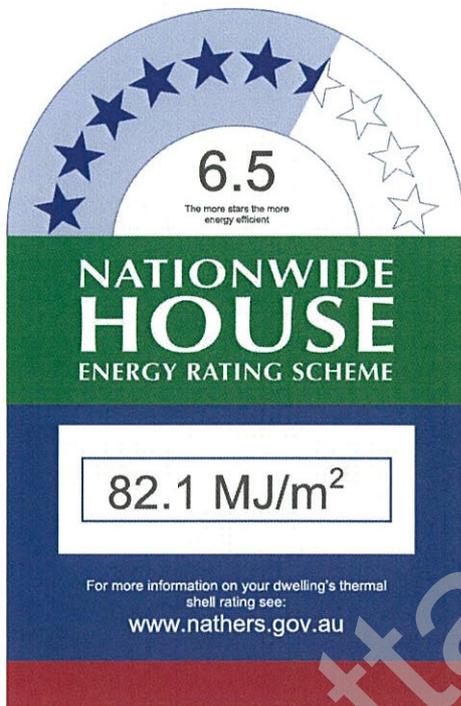
Date of Upload

Thursday, February 19, 2015

Assessor Reference Number

EOD-887 Townhouse 6

1. OVERVIEW



Star rating

6.5

Dwelling address

Townhouse 6, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
38.6	43.5	82.1

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
109	3.2	132.2	20

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Certificate ID: 9MTQJLKODY



Accreditation Number

-

Assessor Name

Stephen Cramond HE # 136

Organisation Name

Energy and Outdoor Design

Assessor Email

-

Assessor Phone

0434395762

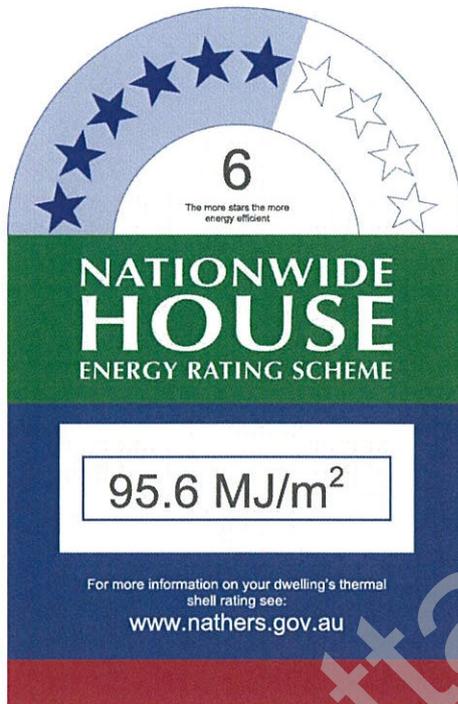
Date of Upload

Thursday, February 19, 2015

Assessor Reference Number

EOD-887 Townhouse 7

1. OVERVIEW



Star rating

6

Dwelling address

Townhouse 7, Lot 78 Hampstead Road, BROADVIEW SA

Postcode

5083

Climate zone

16

Thermal performance loads (area adjusted) MJ/m²

Heating	Cooling	Total
57.2	38.4	95.6

Floor Area (m²)

Conditioned	Unconditioned	Total	Garage
108.3	3.3	131.1	19.5

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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 31 Brooke Street Broadview (to be heard)
 Michelina Parente 33 Brooke Street Broadview

Submissions: Louise Spark 7 Brooke Street Broadview

Respondent: Chris Vounasis Connor Holmes

Development Plan Version: Consolidated 31st 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.

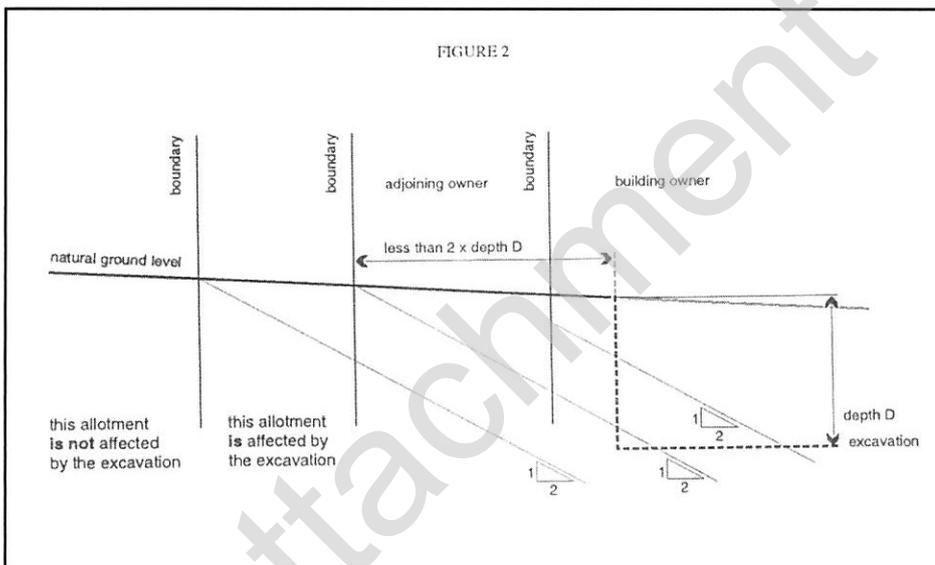
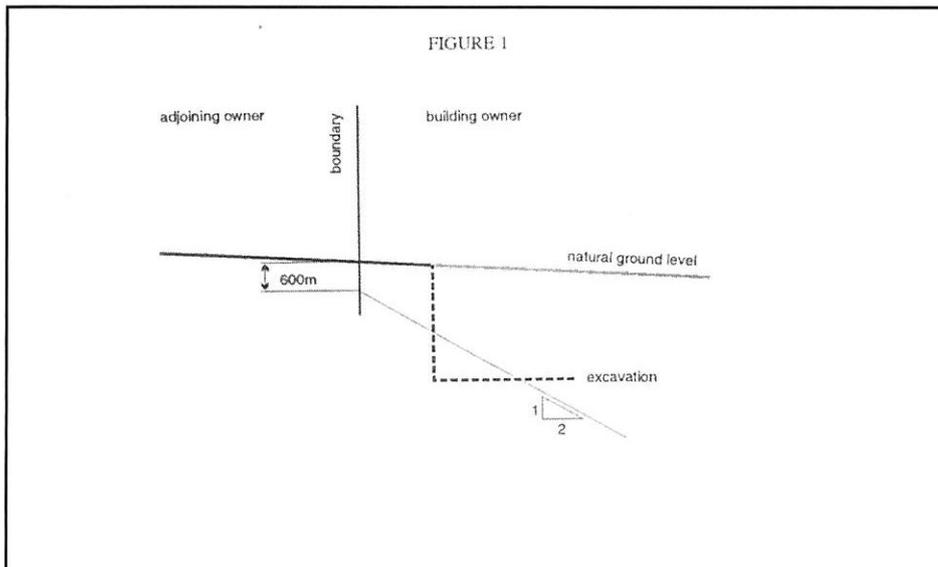
- (5) You are encouraged to consult with adjoining property owners before commencing any work, to assist in minimising nuisance or inconvenience caused during construction.
- (6) You are required to give formal notification to, and consult with, the adjoining property owner if you are removing, replacing 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.



- (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



SUPERSEDED

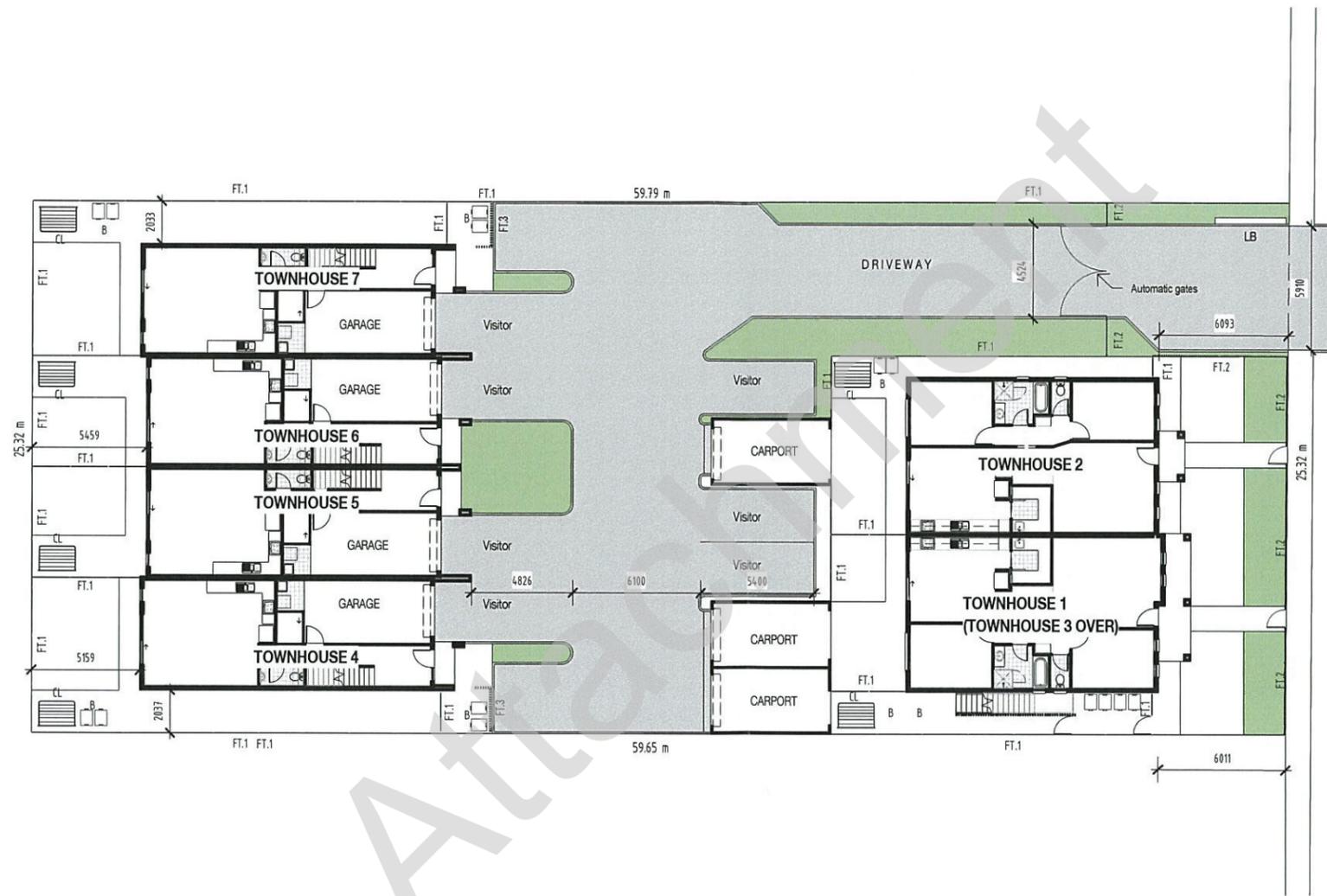
LOCATION PLAN

LOCATION PLAN

PROPOSED TOWNHOUSES

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SUPERSEDED



HAMPSTEAD ROAD

SITE PLAN
1:200

LEGEND

- FT.1 1800mm high Good neighbour colorbond fence
- FT.2 1500mm high tubular steel fence, powdercoat finish
- LB Letter box
- CL Fold-a-line clothes line. 2.2 x 1.2m
- B Wheelie bin
- RWT Min 1000 litre rainwater tank, plumbed to WC
- AC Air conditioner condensor unit

- Concrete paving
- Landscaping. Refer to landscape plan

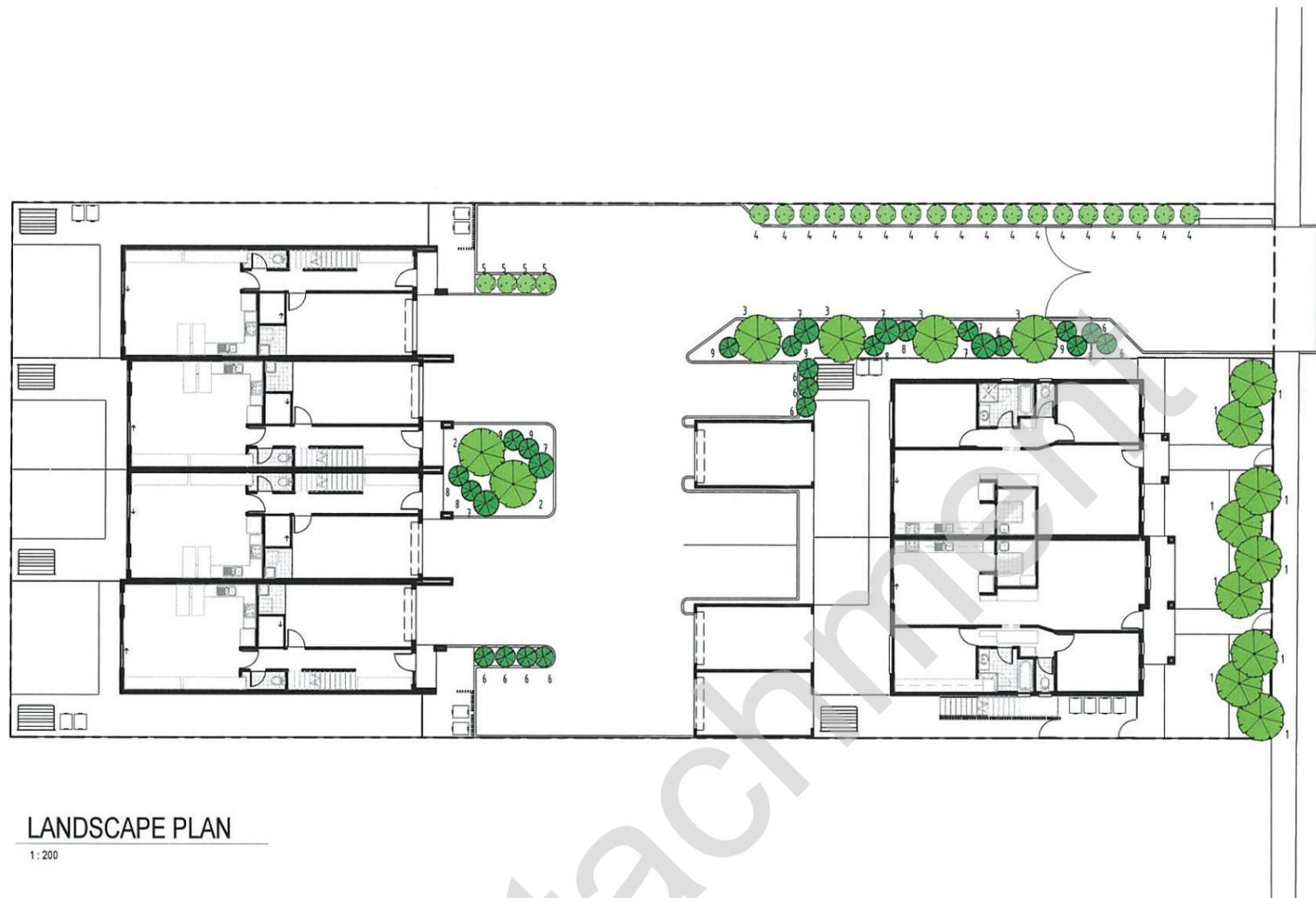
STORMWATER
Rainwater retention / detention tanks to Council requirements, connected to stormwater disposal system, with overflow pipes draining to street watertable

SITE PLAN

PROPOSED TOWNHOUSES

zummo design building designers 32a Mary St (cnr Park Tox), Salisbury 5108. ph : 8250 0066 mob : 0411 411 492 fax : 8285 6967		client: WILLALO HOLDINGS at: LOT 78 HAMPSTEAD ROAD, BROADVIEW	Job No: 1599/07/14 SK01	Scale: As indicated Date: 16/12/2014 4:39:31 PM Paper size: A2
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SUPERSEDED



HAMPSTEAD ROAD

LANDSCAPE PLAN

1:200

FEATURE TREES



1 2 3 4

CONIFERS



4 5

SHRUBS



6 7 8 9

GROUND COVER



A B

FEATURE TREES

- 1. *Betula pendula* 'Silver Birch'
- 2. *Lagerstromia indica* 'Crepe Myrtle'
- 3. *Eucalyptus leucoxyton* 'lucky dwarf' 'Dwarf Yellow Gum'

CONIFERS

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

SHRUBS

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

GROUND COVER

- A. *Diachondra micratha* 'Diachondra'
- B. *Trachelospermum* 'star jasmine' 'Jasmine'

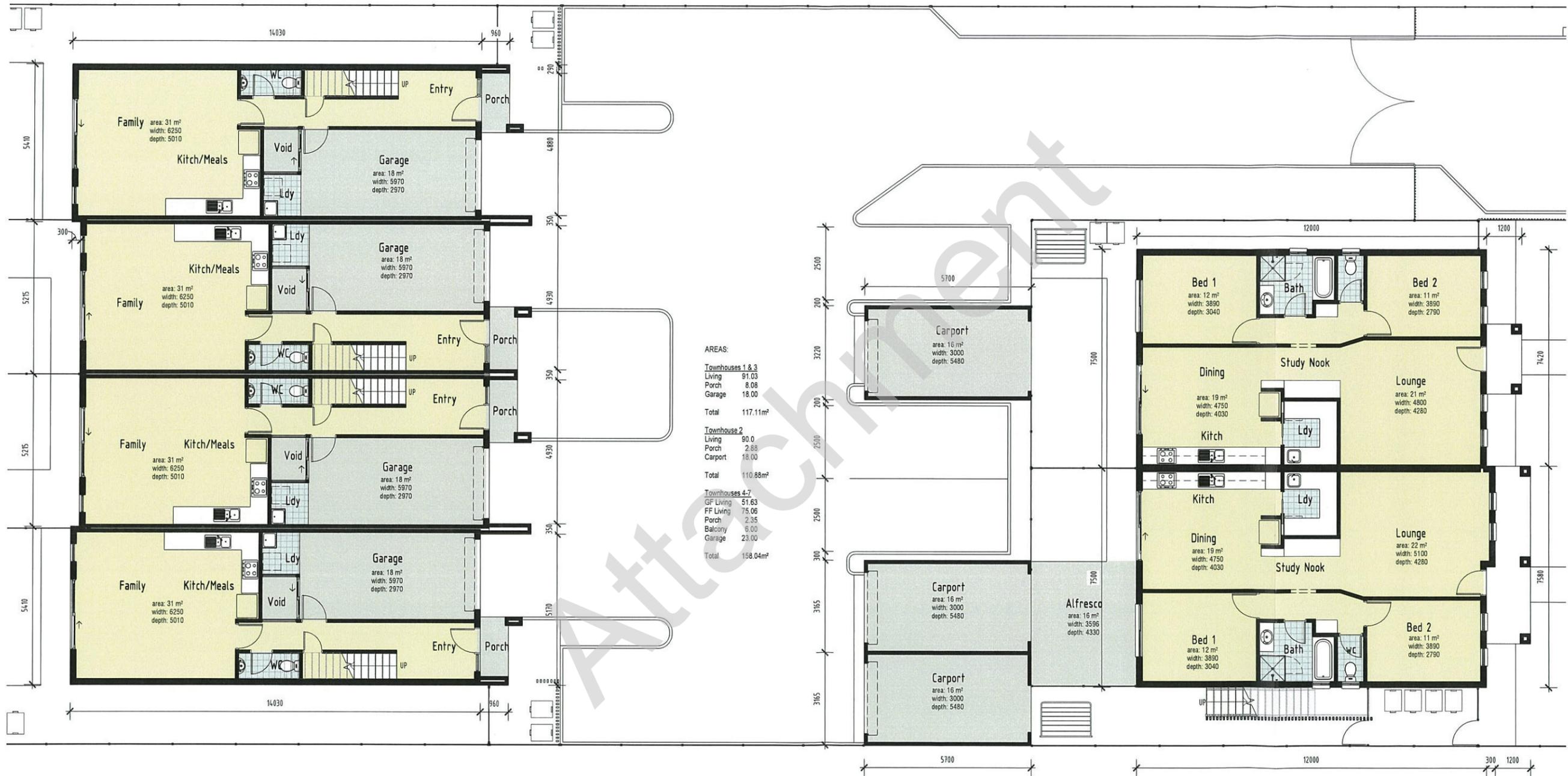


LANDSCAPE PLAN

PROPOSED TOWNHOUSES

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SUPERSEDED



AREAS:

Townhouses 1 & 3	
Living	91.03
Porch	8.08
Garage	18.00
Total	117.11m²
Townhouse 2	
Living	90.0
Porch	2.88
Carport	18.00
Total	110.88m²
Townhouses 4-7	
GF Living	51.63
FF Living	75.06
Porch	2.35
Balcony	6.00
Garage	23.00
Total	158.04m²



GROUND FLOOR PLAN

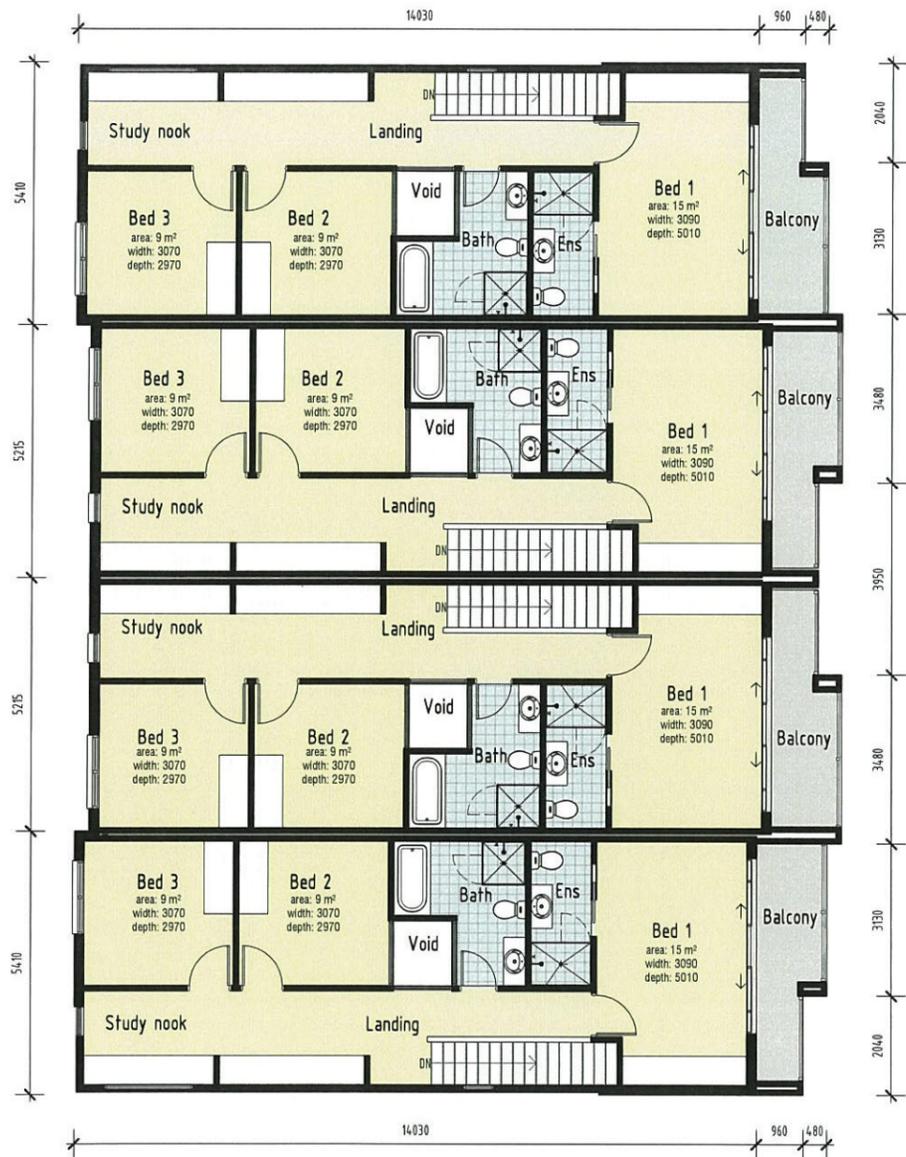
GROUND FLOOR PLAN

1:100

PROPOSED TOWNHOUSES

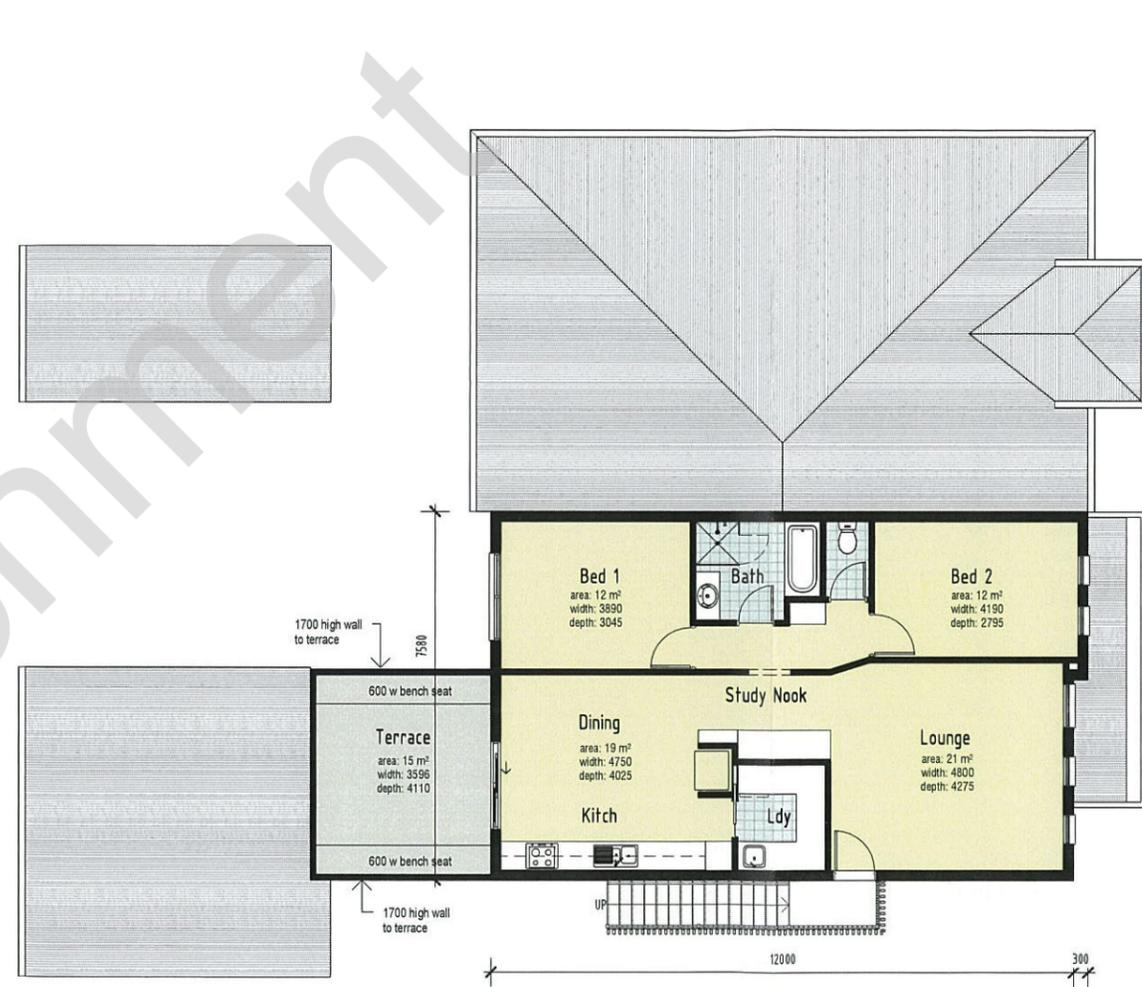
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SUPERSEDED



AREAS:

Townhouses 1 & 3	
Living	91.03
Porch	8.08
Garage	18.00
Total	117.11m²
Townhouse 2	
Living	90.0
Porch	2.88
Carport	18.00
Total	110.88m²
Townhouses 4-7	
GF Living	51.63
FF Living	75.06
Porch	2.35
Balcony	6.00
Garage	23.00
Total	158.04m²



FIRST FLOOR PLAN

FIRST FLOOR PLAN

1:100

PROPOSED TOWNHOUSES

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



EAST ELEVATION - HAMPSTEAD ROAD

1:100



SOUTH ELEVATION

1:100



WEST ELEVATION

1:100

ELEVATIONS

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	Scale: 1:100	Date: 16/12/2014	Paper size: A2
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NORTH ELEVATION

1:100

SUPERSEDED



EAST ELEVATIONS - TOWNHOUSES 4-7

1:100

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 Espresso
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'



WEST ELEVATION - TOWNHOUSES 1-3

1:100

ELEVATIONS

PROPOSED TOWNHOUSES

zummo design building designers 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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SUPERSEDED



SUPERSEDED

Attachment



AGENDA ITEM: 5.2

To: Development Assessment Panel (DAP) on 2 March 2015

From: Scott McLuskey, Senior Development Officer, Planning

Proposal: Integrated Service Station Complex (comprising demolition of existing petrol filling station and dwelling, and construction of a two storey petrol filling station, shop and restaurant building with associated underground fuel tanks, canopies, freestanding pylon sign, boundary wall and landscaping) (DA 050/52/2015)

Address: 20A Main North Road and 45 Carter Street Thorngate (CT 5611/448, 5611/449 and 5449/857)

SUMMARY:

Applicant: Peregrine Corporation

Planning Authority: **Development Assessment Commission (DAC)**

Referrals (Schedule 8): Department for Planning, Transport and Infrastructure (DPTI)
Environment Protection Authority (EPA)

Public Notification: Category 2

Representations: Not applicable

Respondent: Not applicable

Development Plan Version: Consolidated 31 October 2013

Zone and Policy Area: Urban Corridor Zone (Business Policy Area)

Issues: Car parking, Impact to amenity of locality, Bulk and scale

Recommendation: Advise the Development Assessment Commission of concerns regarding the proposed boundary wall, location and orientation of drive-through bay and sales window, provision of on-site car parking and traffic generation within local street network

1. PLANNING COMMENTARY

- 1.1 Pursuant to Section 34 of the *Development Act 1993*, Regulation 38 and Schedule 10 Clause 20 of the *Development Regulations 2008*; the Development Assessment Commission is the relevant authority with respect to the determination of development plan consent in relation to the subject proposal.
- 1.2 As the DAC is the relevant authority in relation to the subject proposal, many tasks for which the DAP is ordinarily responsible must be undertaken instead by the DAC. These tasks include, but are not limited to; determining the nature of the application (pursuant to Regulation 16), determining the category of development (pursuant to Section 38) and

determining whether the proposal is seriously at variance with the Development Plan (Pursuant to Section 35(2)).

- 1.3 Regulation 38(2)(b) requires that Council be given a period of six weeks to provide a report to the DAC on matters relating to the assessment of the development plan consent.
- 1.4 It should be noted that as Council is not the relevant authority, neither the DAP nor staff have the authority to request additional or amended plans or details in respect of the proposal. While Council may seek internal advice, it must do so and provide the report within 6 weeks of receipt of the application details and does so in the absence of receiving any application fees. If Council does not provide such a report within that time, Regulation 38 prescribes that the DAC will conclusively presume that Council has no comment to make. In this case, the report must be provided to the DAC on or before 20 March 2015 and this is why it is presented to the March meeting of the DAP.
- 1.5 The report, and by extension Council's role in the assessment process, is not to conduct an assessment of the proposal against the Development Plan and provide a recommendation for or against the proposal to the DAC. Rather, Council and the DAP should utilise its increased local knowledge to provide information or key points of concern to best inform the full assessment of the proposal by the DAC. This can extend to recommendations for conditions that might be imposed if the proposal were to be supported.
- 1.6 It is noted that the proposal is neither a complying nor a non-complying development with reference to Principles of Development Control 20 and 21 of the Urban Corridor Zone, and will therefore be considered by the DAC on its merits against the relevant provisions of Council's Development Plan.

2. LOCALITY AND SUBJECT LAND

2.1 Locality

2.1.1 The locality comprises a portion of Main North Road and a portion of Carter Street and includes properties within the Residential Zone, Historic Conservation Zone and Urban Corridor Zone. Within the locality a mix of residential properties, typically featuring older, well maintained dwellings and commercial properties, commonly consisting of service trade premises (car yards) and associated uses fronting Main North Road, are present.

2.1.2 The broader locality, indicating the location of the subject land within the relevant Zone and Policy Area as described in Council's Development Plan is described in **Attachment 1**. Photographs of nearby properties are included at **Attachments 2-6**.

2.2 Subject Land

2.2.1 The subject land is located at the intersection of Main North Road and Carter Street, approximately 300m north-east of the intersection of Main North Road and Fitzroy Terrace. The land is roughly triangular in shape and comprises three allotments with a total area of 1,704m², with a frontage of 60m to Main North Road, a frontage of 65m to Carter Street and a depth varying between 4m and 43m.

2.2.2 Existing site improvements include a single-storey detached dwelling at 45 Carter Street and of significant note is the existing petrol filling station with associated canopy and freestanding pylon sign at 20A Main North Road. Existing vegetation is limited to ground cover on the site of 45 Carter Street. The subject land is

illustrated on **Attachment 7**. Photographs of the subject land are also included for the DAP's reference (refer **Attachments 8-10**).

3. BACKGROUND

- 3.1 The DAP was advised at its meeting on 8 December 2014 that Council had received advice from the Coordinator-General that the DAC had been assigned as the planning authority for an Integrated Service Station application at 20A Main North Road, Thorngate pursuant to Schedule 10 Clause 20 of the *Development Regulations 2008*. The application has now been lodged with the DAC and referred on 6 February 2015 to Council for comment.

4. PROPOSAL

- 4.1 The proposal comprises the construction of a two storey building towards the north-western corner of the land, which would incorporate shop and restaurant uses on the ground floor with a centrally located first floor dining area. A drive-through bay for the restaurant would be located abutting the western boundary of the site, featuring a south facing order station and west facing food collection window. The building would be approximately 340m² in floor area, 7.5m in maximum height and with ground floor walls of approximately 5m height.
- 4.2 A canopy of approximately 78m² roof area and 5m height would be located towards the Main North Road frontage and would cover four fuelling pumps allowing for simultaneous use by up to 8 vehicles. Two new underground fuel tanks, each of 70,000L capacity, would be located south-west of the canopy.
- 4.3 A refuse storage area is proposed abutting the Carter Street frontage, with an existing street tree and stobie pole adjacent the north-western corner of the site proposed to be removed and relocated respectively. A 4m high acoustic treated boundary fence is proposed to be constructed along the full length of the southern and western boundaries of 45 Carter Street.
- 4.4 A new freestanding pylon sign of 3.3m height and 2.5m width would be constructed to the southern corner of the land abutting Main North Road for the display of fuel prices. This sign would be in addition to the existing pylon sign of approximately 8m height, which would be re-clad. 13 parking spaces are proposed in various locations on the site, with landscaping proposed at the southern and eastern corners of the land. Two crossovers to Carter Street would be reverted to kerb and gutter, with one new crossover proposed at the north-western corner of the land.
- 4.5 No other works are proposed. The proposal plans are attached (refer **Attachments 11-13**). Supporting documentation including a description of the proposal from the applicant (refer **Attachment 14-18**), an acoustic engineer's report (refer **Attachment 19-27**) and a traffic and parking report (refer **Attachment 28-33**) are attached.

5. REFERRALS

- 5.1 While referrals to both the DPTI and the EPA are required pursuant to Schedule 8, these responses will be provided directly to the DAC for their consideration. The responses of these agencies are not available at the time of preparation of the report to the DAP.

6. PUBLIC NOTIFICATION

- 6.1 The application is a Category 2 form of development pursuant to Section 38 of the *Development Act 1993*, Schedule 9 of the *Development Regulations 2008* and the relevant provisions of Council's Development Plan, as it involves a form of development not listed as Category 1 by PDC 22 of the Urban Corridor Zone.

- 6.2 The public notification period (undertaken by the DAC) commenced on Monday 16 February 2015 and will end on Monday 2 March 2015. Any representations must be made directly to the DAC for their consideration.

7. PLANNING CONSIDERATIONS

- 7.1 The proposal incorporates three land uses, namely petrol filling station, shop and restaurant, within one mixed use building of two storeys in height. Each of these proposed uses is consistent with the types of uses anticipated within the zone, while the construction of mixed use buildings is also encouraged by the Development Plan. At two storeys in height the building would meet the minimum anticipated building height within the policy area.
- 7.2 Due to its familiarity with the local area, Council is well positioned to highlight to the DAC key areas of consideration or concern, such as the external appearance of the building, Residential and Historic Conservation Zone interfaces, landscaping, traffic generation, parking provision and other elements of the proposal. To this end, it is recommended that the DAP give consideration to a number of planning matters to ensure appropriate feedback is provided.

Interface with Residential Zone:

- 7.3 The proposed 4m acoustic fence to the western and southern boundaries of the land appears to be an overly simplistic response to noise attenuation and is a structure of substantial bulk and scale which would have flow-on impacts to neighbouring residential properties. Particularly to the southern boundary, the wall is of such bulk that it would negatively impact the presentation of the site to its Main North Road frontage.
- 7.4 The acoustic response appears premised on a building design orienting noise intensive activities towards neighbouring residential properties. A more holistic response to the findings of the Sonus report might suggest an alternative site layout that responds to issues of residential amenity without requiring the use of such significant acoustic screening.
- 7.5 The EPA has prepared and maintains two guiding documents that relate to commercial and industrial odour management. It is recommended that the applicant pay careful attention to the location of exhaust flues and the impact on residential amenity that can be caused by odours or fumes from fast food restaurants.
- 7.6 The north facing wall of the building appears to offer little visual relief in its design or materiality, with the building's limited setback eroding opportunities for landscaping to soften its visual mass to Carter Street. It would be anticipated that a higher quality design solution would be provided where such a building is adjacent to a predominantly residential streetscape, and particularly where a substantial number of Contributory Items are present within an adjoining Historic Conservation Zone.

Traffic Generation:

- 7.7 The limited assessment of traffic generation presently provided anticipates substantial increases in traffic flows through Carter Street by comparison to existing flows. Peak flows are presently in the order of 40-60 vehicles per hour as measured in November 2014. An additional generation of up to 180 vehicles in peak periods is anticipated and while still representing a reasonably low total number, is a significant increase beyond present flows. The resulting impacts upon residential amenity warrant meaningful analysis, noting that reorientation of activities on the land may also assist to ameliorate this potential impact.

Desired Character:

- 7.8 While the layout and form of petrol filling stations is common within Adelaide and well-known, particular reference is made within the Desired Character Statement of the Business Policy Area to the need for high quality on-site landscaping. This is in part due to the narrow road verge that offers limited opportunities for street trees. On-site plantings should include medium to tall trees as well as ground covers, but no substantial landscaping is proposed.

On-site Parking:

- 7.9 While the proposal plans do not provide dimensions that allow exact determination of the gross leasable floor area (GLFA), Council may draw to DAC's attention the determination of the Supreme Court in *Parabanks Shopping Centre Pty Ltd vs The City of Salisbury & Anor [2013] SASC 168* (with particular attention drawn to paragraphs 75 and 77 of that judgement) regarding the correct calculation of GLFA, which should include receiving areas or other associated roofed areas forming part of the building. This will be important in setting the context for the DAC's assessment.
- 7.10 The above is suggested to assist in considering the departure from the minimum car parking requirements provided by Table Pr/5 of the Development Plan. The GHD report provided on behalf of the applicant appears to erroneously suggest that provisions "discounting" this minimum rate exist in the Development Plan and apply to the subject land. Seven circumstances are described by the Plan in which a lesser parking rate may be appropriate, none of which would be met by the proposal in its present form.

8. RECOMMENDED CONDITIONS

- 8.1 While Council understands that the DAC has a number of conditions that it is likely to apply to any authorisation granted in relation to the proposal, the following additional conditions are recommended:
1. 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.
 2. Service and delivery vehicle movements for any and all tenancies within the development shall occur outside of the peak periods associated with the use approved herein and in any event shall not occur before 6am or after 9pm on any day.
 3. 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

Paper attached to plastic, wax paper or chemically-treated/gloss cardboard will not be included with the materials collected for composting.

4. 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.

5. 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.
6. Any works that are to be undertaken on Council land, including but not limited to the construction of driveways, crossovers, footpath reconstruction, laying of stormwater pipes, relocation of infrastructure, removal or relocation of street trees, and/or the temporary obstruction of the road or footpath, shall not be undertaken without the prior permission of Council.

The cost of rectifying any conflict with or damage to existing Council infrastructure arising out of this development will be borne by either the developer or the owner of the subject land. Further information and/or specific details can be obtained by contacting Council's Infrastructure and Environment Department on 8269 5355.

9. CONCLUSION AND RECOMMENDATION

9.1 That the DAC be provided with a copy of this report and that it be advised:

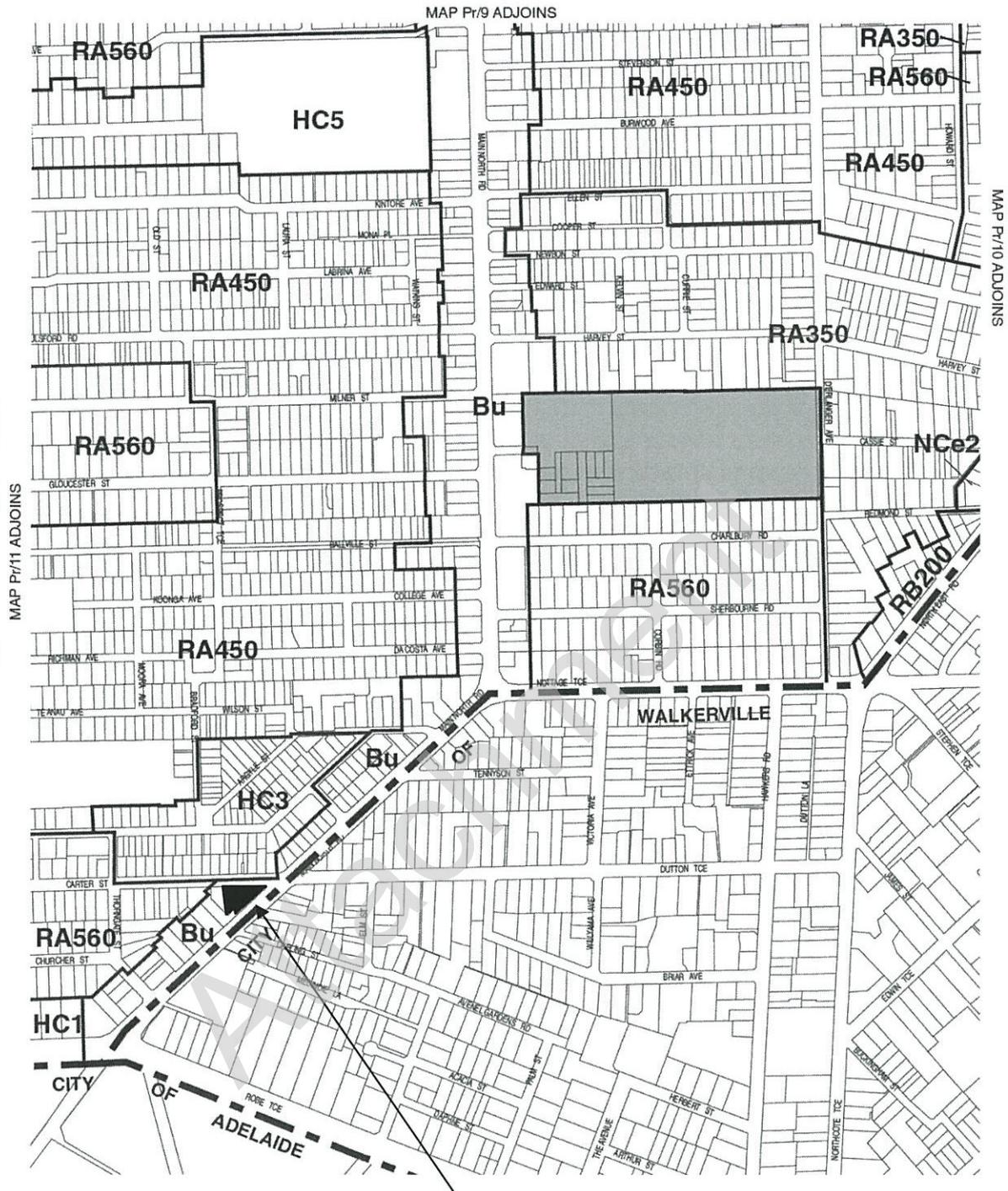
9.1.1 The proposal in its current form would likely result in an undesirable impact on the adjacent residential properties. The impacts are anticipated to be primarily related to:

- Traffic generation, which would increase markedly over current conditions and no provision is made to minimise such impacts
- Visual amenity, which would be reduced through the introduction of a substantial acoustic fence (as currently proposed) that is inconsistent with existing development and not in accordance with the desired character of the Policy Area.
- Additionally, there would appear to be insufficient landscaping areas to ensure consistency with the desired future character of the Business Policy Area of the Urban Corridor Zone.

It is suggested that a reconfiguration of the proposal would improve its consistency with the desired character of the Urban Corridor Zone and minimise amenity impacts to adjacent residential properties.



Scott McLuskey
Senior Development Officer, Planning



Subject Site

- RA560 Residential Policy Area A560
- RA450 Residential Policy Area A450
- RA350 Residential Policy Area A350
- RB200 Residential Policy Area B200
- HC1 Historic Conservation Area 1 Policy Area
- HC3 Historic Conservation Area 3 Policy Area
- HC5 Historic Conservation Area 5 Policy Area
- NCE2 Collinswood Policy Area
- Bu Business

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

Scale 1:8000



PROSPECT COUNCIL POLICY AREAS MAP Pr/12



Consolidated - 31 October 2013



Dwelling adjacent the western boundary of the subject site at 43 Carter St, Thorngate



Contributory Items within adjacent Historic Conservation Zone at 36 and 38 Carter St, Thorngate



Photos of streetscape within Historic Conservation Zone adjacent northern boundary of subject site, containing Contributory Items from 40 to 48 Carter St, Thorngate



Carter St streetscape facing west from subject site



Main North Rd streetscape facing north-east from subject site



Adjacent Service Trade Premises on south-eastern side of Main North Rd, opposite subject site



Property adjacent south-western boundary of subject site including dwelling and associated landscaping of 20 Main North Rd, Thorngate. It is worthy of note that this landscaping is owned and maintained by the residents of the dwelling shown.



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





Existing dwelling at 45 Carter St, Thorngate that would be demolished and replaced by control building and drive-through bay. The stobie pole and street tree proposed to be relocated/removed is depicted to the right of picture.



Rear of existing petrol filling station control building facing Carter St, Thorngate



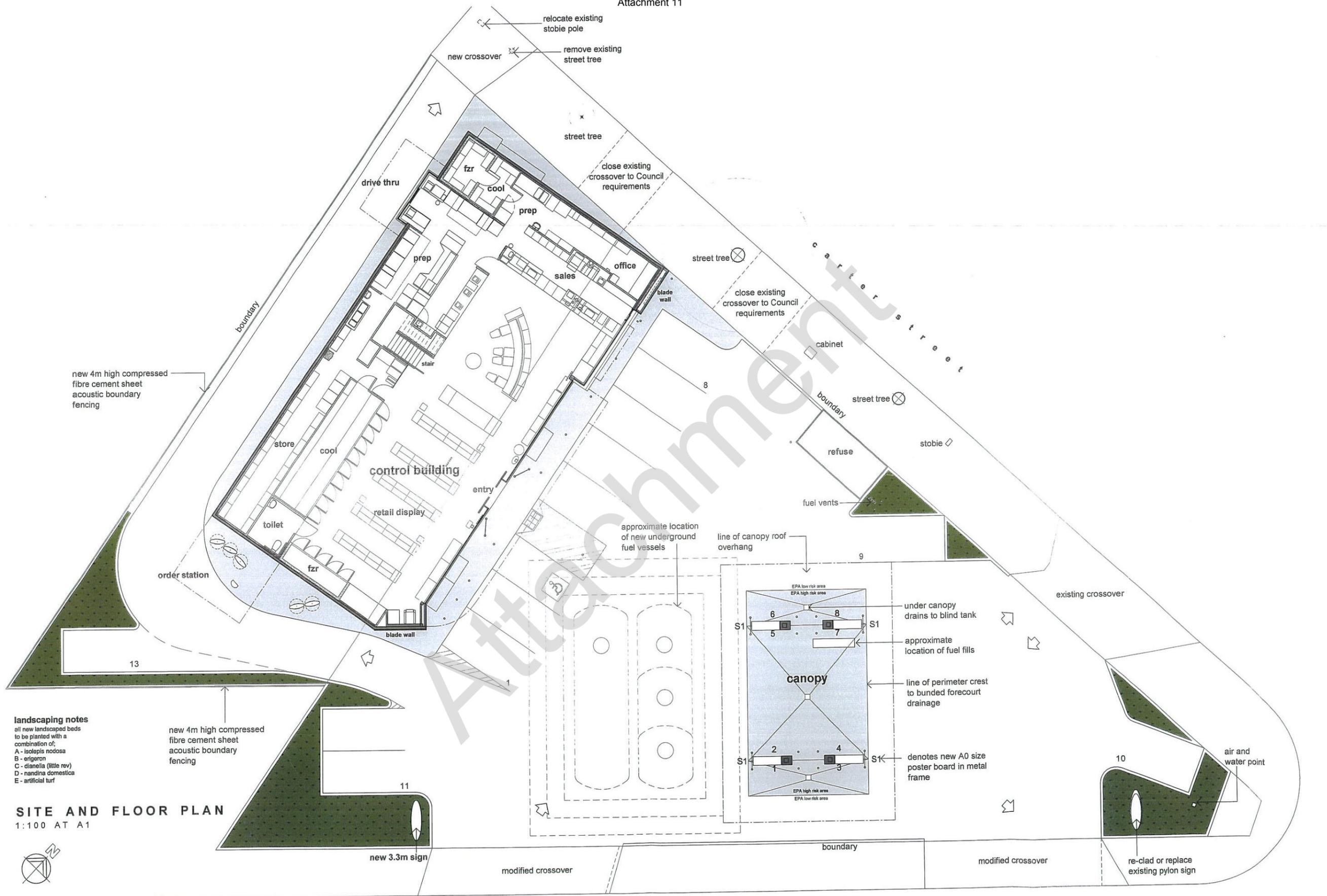
Existing petrol filling station viewed from south of the subject site facing north



Subject site and associated freestanding pylon sign within context of Main North Rd streetscape.



Photo depicting western boundary of the subject site viewed from Main North Rd, displaying proposed location of 4m h acoustic boundary fencing.



landscaping notes
 all new landscaped beds to be planted with a combination of;
 A - *Isotria medeoloides*
 B - *origanon*
 C - *dianella (little rev)*
 D - *nandina domestica*
 E - artificial turf

SITE AND FLOOR PLAN
 1:100 AT A1

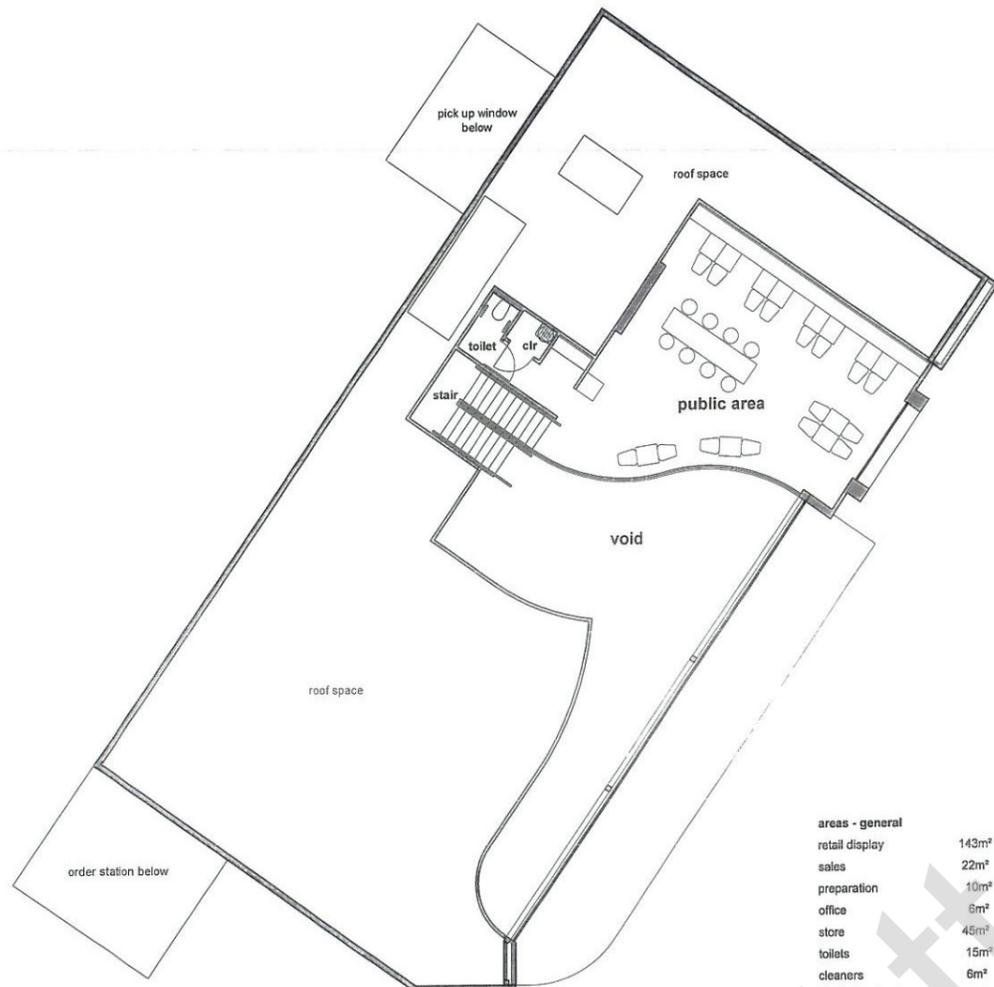
BP FITZROY
 20a Main North Road Thorngate SA

PLANNING APPLICATION

Date: 23/01/15
 14/JN1216sk01f

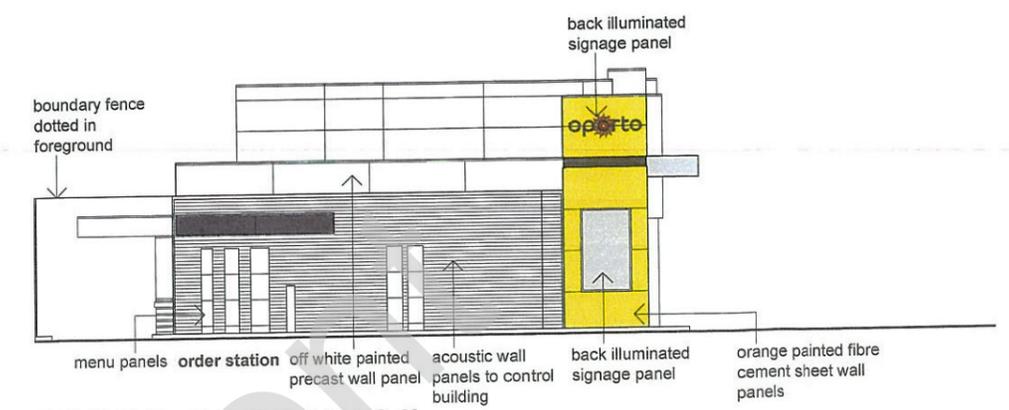
Scale 1:100 at A1

ADS Architects
 93 Giltner Street Adelaide SA 5000 T 8223 2244

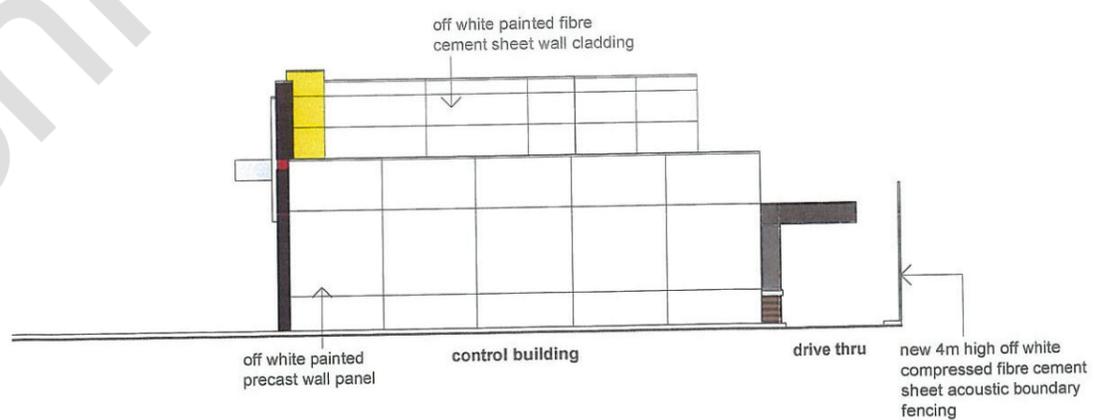


areas - general	
retail display	143m ²
sales	22m ²
preparation	10m ²
office	6m ²
store	45m ²
toilets	15m ²
cleaners	6m ²
circulation / stairs	10m ²
public area	87m ²
co-brand	79m ²
total	423m²

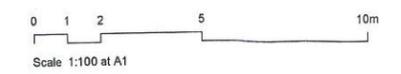
MEZZANINE PLAN
1:100 AT A1



SOUTH ELEVATION
1:100 AT A1



NORTH ELEVATION
1:100 AT A1

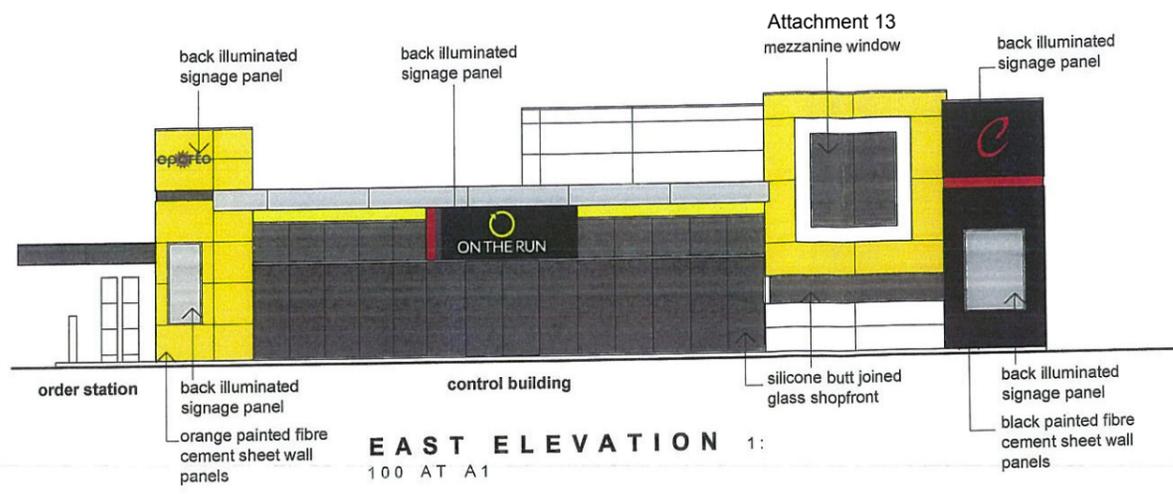


BP FITZROY
20a Main North Road Thorngate SA

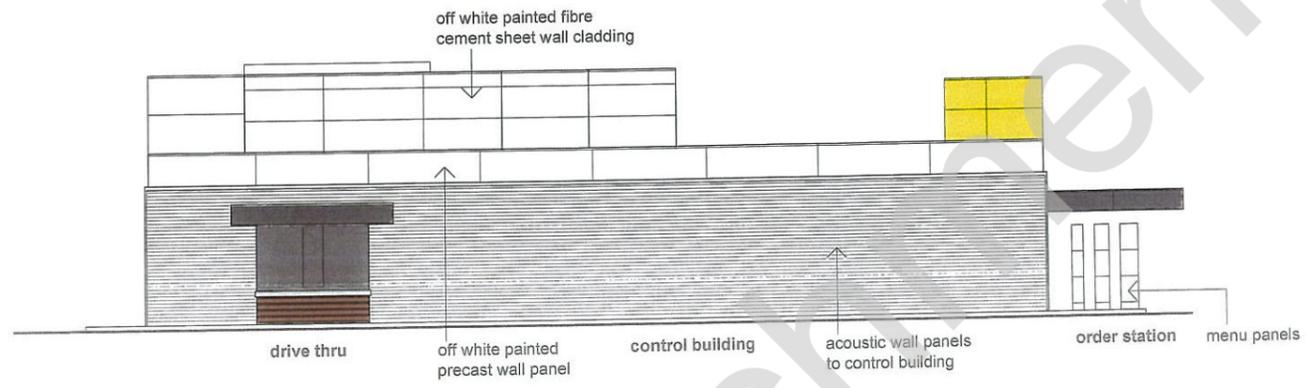
PLANNING APPLICATION

Date: 23/01/15
14/JN1216sk02b

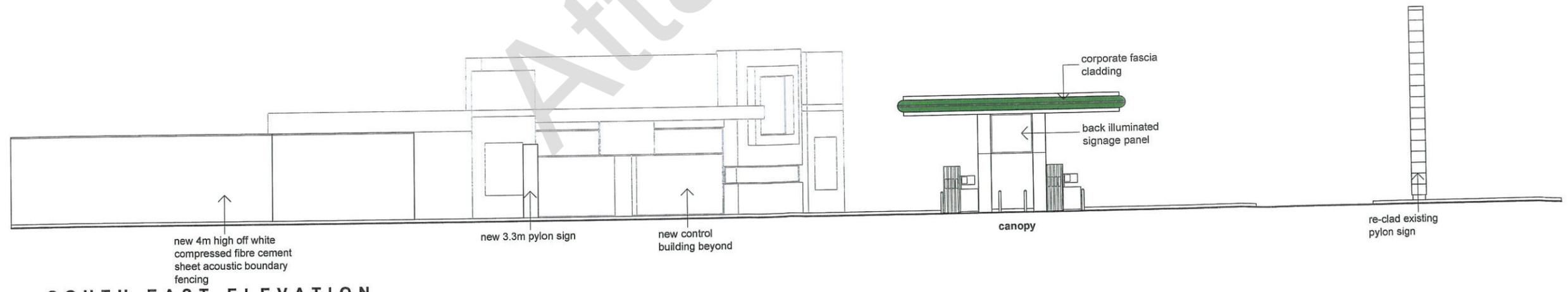
ADS Architects
33 Gillell Street Adelaide SA 5000 T 8223 2244



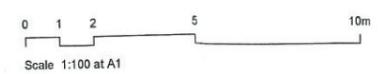
EAST ELEVATION 1:100 AT A1



WEST ELEVATION 1:100 AT A1



SOUTH EAST ELEVATION 1:100 AT A1



BP FITZROY
20a Main North Road Thorngate SA

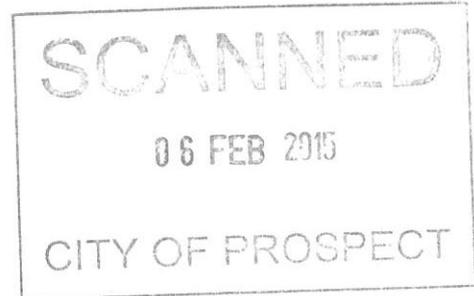
ADS Architects
93 Gillies Street Adelaide SA 5000 T 8222 2744



PEREGRINE CORPORATION

23 January 2015

Mr Jeremy Wood
Project Leader
Planning Reform and Projects
Department of Planning, Transport and Infrastructure
Level 6, 136 North Terrace
Adelaide SA 5000



Dear Jeremy

**Development Application – 20 A Main North Road and 45 Carter Street, Thorngate
OTR Integrated Service Station Complex (OTR Fitzroy)**

1. We refer to the letter from the Office of the Co-ordinator General to Peregrine Corporation dated 20 November 2014 granting approval for this proposed development to be lodged with the Development Assessment Commission.

EXECUTIVE SUMMARY OF SITE AND PROJECT DETAILS

Site Address:	20A Main North Road and 45 Carter Street, Thorngate SA 5082
Certificate of Title:	Certificate of Title Register Book Volume 5611 Folios 448 & 449 and Volume 5499 Folio 857
Site Area:	1884 square metres
Local Government:	City of Prospect
Development Plan:	Prospect City Development Plan (Consolidated 31 October 2013)
Zoning:	Urban Corridor Zone, Business Policy Area
Existing Use:	Service Station complex and residential premises
Proposal Description:	Demolition of existing improvements and construction of new 'On the Run' integrated service station complex including associated car parking, signage and co-branded food offer with associated drive thru facilities.

APPLICATION

2. Please find enclosed the following documents which together, constitute our development application (**Application**):
 - Development Application Form;
 - Electricity Declaration Form;
 - Site, Locality and Floor plans and elevations prepared by ADS Architects (**Drawings**);
 - Copy of Certificate of Title Register Book Volume 5611 Folios 448-449 and Volume 5499 Folio 857;
 - Traffic Assessment by GHD dated 16 January 2015(**Traffic Report**);
 - GHD Turn Path drawing SK007 (**Tanker Path**);
 - Acoustic Assessment by Sonus dated January 2015 (**Noise Report**).

3. Lodgement fees will be paid via credit card (or otherwise, if required) upon receipt of this application by the development Assessment Commission. Can you please forward us a tax invoice for the applicable fees and we will attend to immediate payment.

Locality

4. The Site is located on the corner of Main North Road and Carter Street, Thorngate. The Site is adjacent to residential premises situated at 43 Carter Street and 20 Main North Road.
5. To the north of the site (separated by Carter Street) is a car dealership (Stillwell Ford). To the east and south of the site are (separated by Main North Road) are numerous car dealerships including Jarvis Subaru and Krause Motors.

Project Description

6. The Project comprises the demolition of the existing service station and the construction of a new integrated service station complex comprising:

Control Building:	A new "control building" comprising of areas designated for retail, sales, cool room, office, preparation, bathroom facilities, a cleaning room and storage with a co-branded food offer and associated drive thru facilities.
Fuel Canopy & Refuelling:	A new canopy and vehicle fuelling facilities (which will include petrol, diesel and LPG dispensing) directly underneath the canopy.
Fuel Tanks:	New underground fuel tanks as noted on the Drawings. The fuel storage capacity will be 140,000L (2 x 70,000L fuel tanks).
Signage:	Installation of a new 3.3m price board together with

	replacing (or recladding) an existing pylon.
Road Access:	<p>Access to the Site off Main North Road will be via two existing access points off Main North Road (with modifications to existing cross-overs).</p> <p>Access to the Site off Carter Street will be via one existing access point (with no modification to existing cross-overs) and one new drive thru exit point to Carter Street. The access configuration will involve the closure of two existing cross-overs to Council's specifications.</p>
Fencing:	In accordance with the recommendations contained in the Noise Report, we propose to construct a 4m solid acoustic boundary fence along the boundary noted in Appendix A of the Noise Report.
Car parking:	<p>The site will offer 13 car park spaces.</p> <p>An additional 8 car spaces are offered under the fuel canopy as refuelling and standing positions. The filling positions under the fuel canopy therefore act as de facto car parking spaces.</p>
Hours of Operation:	24 hours per day, 7 days per week.

Planning and Site Arrangement

7. The Site is situated in a mixed used zone that envisages non-residential and commercial developments. Main North Road functions as a major transport corridor.
8. Both petrol filling stations and stores are envisaged in the zone and the Site has a long history of being used as a service station complex, first by Caltex and now by Peregrine. Peregrine acquired the Site in December 2014. We submit that the present proposal is a reasonable expansion of the existing use of the site that ought to be assessed on its merits.
9. We submit the following in relation to the merits of the proposal:
 - a. Visual Impact: The service station complex will incorporate the latest "On the Run" architectural design standards. All signage is professionally designed, built and themed appropriately to advertise goods and services available that will result in a visual improvement for the area.
 - b. Services to the locality: The Site will improve services available to the locality by offering a range of different day to day goods and services (including a quick service food offer) from a single location, benefiting those who reside or work within the locality. There are no convenience stores or food offers along this section of Main North Road (between Robe Terrace and Nottage Terrace) to service residents and employees of local businesses.

- c. Retail Employment: The proposal will result in an increase to retail employment in the area.
- d. Long Term Viability: The Site is expected to remain a viable development in the future. This encourages, amongst other things, continued opportunities for employment and continued capital reinvestment in the Site by Peregrine.

PROJECT REQUIREMENTS

- 10. The construction and operation of the site will take into account and address the below considerations:

<p>Noise:</p>	<p>In the operation of the site we will comply with the <i>Environment Protection (Noise) Policy 2007</i> and the recommendations in the Noise Report.</p> <p>We confirm that the design has incorporated the acoustic measures as recommended in the Noise Report, including a 4m solid acoustic boundary fence and acoustic absorption material to the control building as recommended in Appendix A of the Noise Report. These features have been incorporated into ADS Drawing 14/JN1216sk/01f.</p>
<p>Food Odour:</p>	<p>We do not anticipate that the proposal will generate any nuisance for neighbours by way of food odour or other air pollution on account of the co-branded food offer. At present, Peregrine operates 34 Subway, 7 Oporto and 4 Hungry Jacks outlets in South Australia. To date we have not received any complaints from the EPA in connection with food odour.</p> <p>The mechanical design of canopies and kitchen extraction systems will be designed by a qualified engineer and will comply with the Building Code of Australia and the Australian Standard AS 1668.2:2012 (which is a building rules certification requirement). We adopt best industry practices in this regard to maintain the integrity of our franchises brands.</p> <p>Having regard to the EPA Guidelines for Separation Distances (December 2007), we note that this proposal will not generate the volume of deep frying and other food processing activities set by the Guidelines (30 kgs of deep frying per hour), such that any air separation distances apply.</p>
<p>Environmental Practices:</p>	<p>The proposal incorporates best environmental practices with respect to vehicle refuelling facilities. Fuel storage tanks will be fitted with vapour recovery systems that ensure air quality is not comprised. The fuel infrastructure</p>

	<p>will consist of double-walled fibreglass tanks and double-wall lines that feed fuel from tanks to pump. The underground fuel and LPG tanks are sited to comply with AS/NZ S1596 and AS1940. These tanks carry a manufacturer warranty against internal and external corrosion of 40 years.</p> <p>Fuel variances are carefully monitored for signs of leakage. We utilise automatic tank gauging (ATG) which automatically detects discrepancies in the levels in the tanks, thereby allowing the operator to respond proactively to any anomalies.</p>
<p>Traffic – Queuing, Parking and Access:</p>	<p>We have obtained the attached Traffic Report, which is supportive of the site design.</p> <p>We have incorporated the recommendations in section 3 of the Traffic Report, including minor modification of the Main North Road crossovers and minor relocation of bowers 5-8 to improve the safe manoeuvring of vehicles at the Site. These changes are reflected in ADS Drawing 14/JN1216sk/01f.</p>
<p>Traffic – Tanker Path:</p>	<p>The site has been designed to accommodate the safe movement of 19m fuel tankers as depicted in the attached Tanker Turn Path.</p>
<p>Stormwater:</p>	<p>The site will be constructed in accordance with the attached Stormwater Plan. Any high risk stormwater under the canopy will be banded and sent to a blind tank with an alarm. This tank will be emptied by contractors when required. Water outside this area (forecourt) and other impervious areas (including roof) will be captured on site and sent to the council infrastructure via a Gross Pollutant Trap.</p> <p>We submit that stormwater management ought to be dealt with by the DAC as a condition of approval with engineering details to be submitted as part of Building Rules Consent.</p>

11. We hope that the above adequately addresses your requirements. If you require any further information, please do not hesitate to contact me at your convenience.

Yours Sincerely



Thuy Luu-Nguyen
Peregrine Corporation

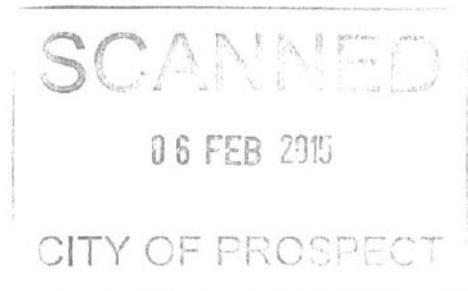
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BP Fitzroy
20a Main South Road, Thorngate SA

Environmental Noise Assessment

Attachment



S4547C1
January 2015

**BP Fitzroy
Environmental Noise Assessment
S4547C1
21 January 2015**

Page 2



INTRODUCTION

An environmental noise assessment has been made of the proposed re-development of the BP facility at 20a Main North Road (corner of Main North Road and Carter Street), Thorngate.

The assessment has been based upon:

- ADS Architects drawings "14/JN1216sk01e", dated 17 September, 2014;
- continuous noise measurements conducted from 19 to 20 January, 2014, at a location equivalent to the closest residence to the site at 43 Carter Street; and,
- previous noise measurements of drive-through activity and mechanical plant at other similar facilities.

The closest residences to the subject site are located at 43 Carter Street, 20 Main North Road and on the northern side of Carter Street.

The existing acoustic environment of the locality is dominated by noise from traffic on Main North Road. Vehicles at the petrol filling stations and parking on the site already occurs; and the proposed re-positioning of these elements will not unreasonably interfere with the amenity of the locality as traffic on public roads occurs at significantly higher volumes, speeds and noise levels at the closest residences.

This assessment therefore considers noise levels at residences in the vicinity from the following modifications to the site:

- drive-through activity; and
- mechanical plant serving the new control building.



CRITERIA

Development Plan

The subject land and closest residences to the west (43 Carter Street and 20 Main North Road) are located within an Urban Corridor zone of the Prospect Council Development Plan. The residences to the north on the opposite side of Carter Street are located within a Historic Conservation zone, also with the Prospect Council Development Plan.

The Development Plan has been reviewed and particular regard has been given to the following relevant provisions:

COUNCIL WIDE

PRINCIPLES OF DEVELOPMENT CONTROL

263 Development should not materially impair amenity or cause unreasonable nuisance to the community by way of:

...(b) the creation of noise or vibration;

269 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant Environment Protection (Noise) Policy criteria when assessed at the nearest existing noise sensitive premises.

270 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.

URBAN CORRIDOR ZONE

OBJECTIVE

7 Noise and air quality impacts mitigated through appropriate building design and orientation.

PRINCIPLES OF DEVELOPMENT CONTROL

12 Vehicle access points on side streets and rear access ways should be located and designed to:

(a) minimise the impacts of ... noise on nearby residents

BP Fitzroy
 Environmental Noise Assessment
 S4547C1
 21 January 2015

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Environment Protection (Noise) Policy 2007

Council Wide Principle of Development Control 269 references the *Environment Protection (Noise) Policy*. The current version is the *Environment Protection (Noise) Policy 2007* (the Policy).

The Policy provides a means to objectively assess the noise impacts of a development at nearby noise sensitive receivers by providing goal noise levels based on the existing noise environment and the land use principally promoted by the Development Plan in the zone in which the noise source (redeveloped BP facility) and noise sensitive receivers (residences) are located. The goal noise levels were established as a conservative objective measure below which a locality would not be subject to unreasonable interference. Therefore, compliance with the goal noise levels will secure compliance with all of the relevant provisions of the Development Plan.

Based on the understanding that the Urban Corridor zone “principally promotes”¹ commercial land use and the Historic Conservation zone principally promotes residential land use, the Policy recommends the following compliance noise levels to be achieved at the residences:

- in the Urban Corridor zone:
 - an average (L_{eq}) noise level of 62 dB(A) during the day (7am to 10pm); and
 - an average (L_{eq}) noise level of 55 dB(A) at night (10pm to 7am).
- in the Historic Conservation zone:
 - an average (L_{eq}) noise level of 57 dB(A) during the day (7am to 10pm); and
 - an average (L_{eq}) noise level of 50 dB(A) at night (10pm to 7am).

The above levels are established to assist in the assessment of an existing approved noise source. The Policy applies a more onerous goal noise level (by 5 dB(A)) for new noise sources in recognition of the increased sensitivity to the introduction of a new noise source on an existing site.

¹ The test required by the Policy when considering the Development Plan

**BP Fitzroy
Environmental Noise Assessment
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For comparison with the goal noise levels of the Policy, penalties may be applied for each characteristic of tone, impulse, low frequency and modulation of the noise source when considered within the context of the existing ambient environment.

Whilst it is questionable that a drive through should be subject to a penalty when in the vicinity of a major road corridor, the continuous noise monitoring indicates that there can be short periods of limited activity on Main North Road in the early morning hours. Therefore, a 5 dB(A) penalty has been conservatively applied to this aspect of the proposal.

Based on the above, the relevant noise criteria for the drive through when accounting for its new nature and a 5 dB(A) penalty become:

- at residences in the Urban Corridor zone:
 - an average (L_{eq}) noise level of 52 dB(A) during the day (7am to 10pm); and
 - an average (L_{eq}) noise level of 45 dB(A) at night (10pm to 7am).
- at residences in the Historic Conservation zone:
 - an average (L_{eq}) noise level of 47 dB(A) during the day (7am to 10pm); and
 - an average (L_{eq}) noise level of 40 dB(A) at night (10pm to 7am).

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ASSESSMENT

Noise from Mechanical Plant

At the Development Application stage of a project, the mechanical plant is not yet designed or selected. Therefore, the assessment has considered typical air conditioning and refrigeration equipment operating at other similar facilities to provide an indicative selection for the proposed facility.

Noise predictions have been made based on manufacturer's data and previous noise measurements of the indicative air conditioning and refrigeration equipment.

Based on the predictions, the following acoustic measures are likely to be recommended in order to achieve the requirements of the Policy:

- incorporate a proprietary in-line attenuator to the discharge side of the kitchen exhaust fan.
- construct a solid screen between the units and the closest residences to the north and west. The screen should extend at least 0.5m above the highest unit and be sealed airtight at all junctions between each screen panel. The screen can be constructed from 'Colorbond' sheet steel or any other material having an equivalent or greater surface density.

These measures should be reviewed during the detailed design phase, once the final equipment selection has been made.

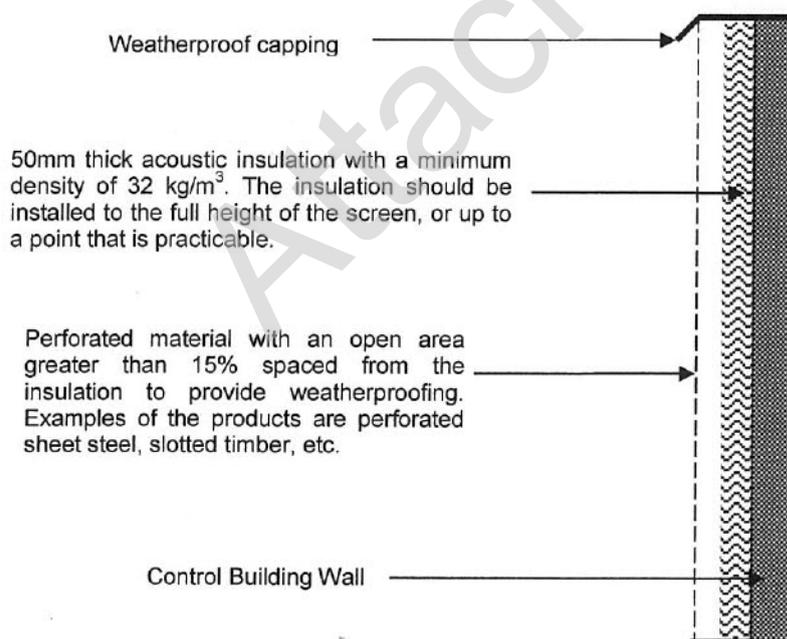


Noise from Drive-Through

The noise levels at the nearest residences from the proposed drive-through facility has been predicted based on a range of previous noise measurements and observations at similar facilities and continuous use of the drive-through.

Based on the predictions, the following acoustic measures are recommended for the site to achieve the requirements of the Policy:

- construct a 4m high solid "fibre cement" or equivalent (i.e. material with similar or higher surface density) fence along the boundary for the extent shown as red in Appendix A. The fence should be sealed airtight at all junctions, including with the ground;
- install 50mm thick acoustic insulation with a minimum density of 32 kg/m^3 to the side of the control building for the extent shown as blue in Appendix A. The insulation should extend for the full practicable extent and generally 4m above the ground. The installation should be in accordance with Detail 1 shown below.



- install 50mm thick acoustic insulation with a minimum density of 32 kg/m^3 to the underside of the drive-through canopies. The insulation may be covered with perforated material (such as perforated sheet steel) with an open area greater than 15%.

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CONCLUSION

An environmental noise assessment has been made of the proposed re-developed BP facility at 20a Main South Road, Thorngate.

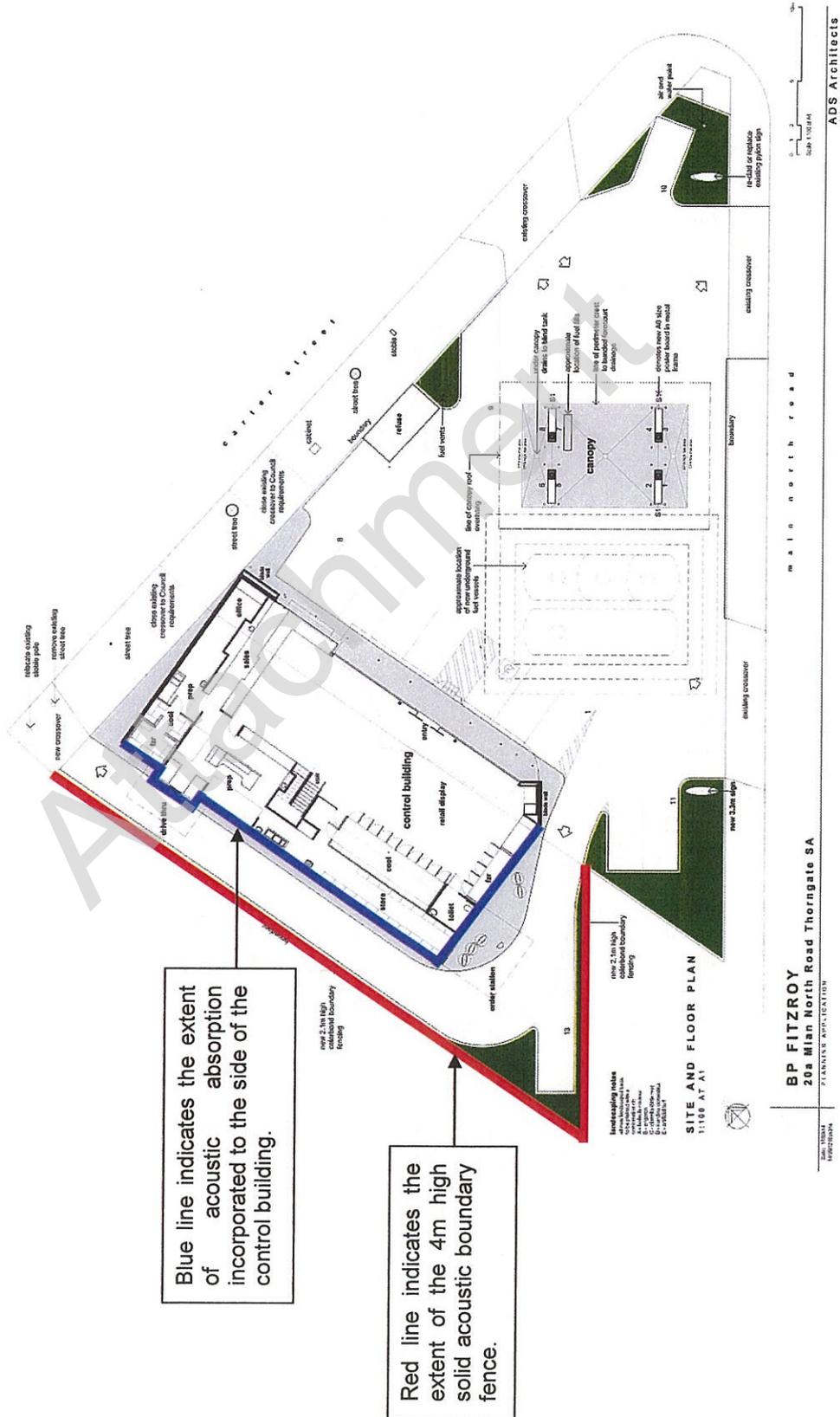
The assessment considers noise levels at residences in the vicinity of the site from the new drive-through and mechanical plant serving the control building.

With the following recommended acoustic measures in place, the predicted noise level from the new drive-through component and the mechanical services plant on the new control building will achieve the relevant requirements of the *Environment Protection (Noise) Policy 2007* for typical use of the facility:

- construction of a solid screen to the north and west of the mechanical plant;
- specific construction of boundary fences; and
- acoustic absorption on specific portions of the control building.

In doing so, it is considered that the development will not cause unreasonable nuisance or interference in the way of noise, thereby achieving the relevant provisions of the Prospect Council Development Plan.

APPENDIX A: RECOMMENDED ACOUSTIC TREATMENT MARKUP



TRAFFIC COMPLIANCE STATEMENT



Proposed "On the Run" Development at 20A Main North Road, Thorngate

BACKGROUND

The following information is supplied as a site specific supplement to previous GHD findings, detailed in a report provided to Peregrine Corporation in December 2014, referenced as "On the Run" Petrol Stations Traffic Management Report, herein after referred to as the "TM Report".

This particular statement is an indication from GHD that the queuing and parking issues related to this site have been assessed against the findings of the above report and that access points to/from site have also been assessed against the requirements of applicable Australian Standards, Guidelines, DPTI requirements and best practice.

This information is based upon instructions received from Peregrine Corporation regarding the proposed development of a redevelopment of the existing service at the above site in accordance with ADS Architect Drawing No. 14/JN1216sk01e and SK007 attached. GHD staff visited the site on 16 January 2015 to assess existing conditions.

EXISTING SITE DETAILS

Located at 20A Main North Road Thorngate, this "On the Run" (OTR) property includes a four (4) Pump Starter Gate configuration providing eight petrol filling positions under the canopy area. The site also includes diesel dispensers under the canopy area and a single auto gas outlet at the northern end of the control building.

Access and egress to the site can be gained via existing commercial crossover areas to Main North Road, which according to DPTI records (4 January 2015) carries annual average daily traffic volumes of 52,900 within three traffic lanes in each direction separated by a central median and governed by a 60 km/h speed limit.

Carter Street, a local road under the care and control of the City of Prospect offers connection to the local residential area and presently carries two way traffic volumes measured at 538 vehicles/day, in November 2014 with a single traffic lane in each direction and governed by the 50km/h general urban speed limit.

Left turns into and out of Carter Street are possible at Main North Road; however right turns are prohibited.



Figure 1 Site Location Thorngate

TRAFFIC COMPLIANCE STATEMENT

PROPOSAL

The attached design plan provides information of the proposed new egress driveway connection to Carter Street and closure of two existing crossovers, together with continued use of existing Main North Road access /egress features.

It is proposed (by the developer) that:

1. *A new quick service restaurant will be included as part of the new control building*
2. *A single lane one way driveway is developed as the primary threshold to the quick service restaurant addition, planned to be located within the western side of the redeveloped building.*
3. *The property crossovers forming the connection to Carter Street are proposed to be reconfigured to cater for the quick service restaurant customer exit movements, which includes the closure of two existing inverts and creation of a new invert and crossover to the western end of the site.*
4. *The property crossovers forming the connection to Main North Road have been retained to accommodate the swept path requirements of 19 metre semi-trailers, making fuel deliveries.*

TRAFFIC ASSESSMENT

1. Queuing

The proposed development as detailed on Plan 14/JN1216sk01e has been assessed and found to be in accordance with the requirements of the TM Plan with adequate storage within the property provided for motorist waiting to use bowlers. A minimum of 10m separation from the property boundary to the closest pump outlet to the access driveway is available, (approximately 15m is available) providing queuing capacity of two passenger vehicles and potential to avoid congestion on the public road.

2. Parking

Based upon the site investigations and analysis conducted by GHD as set out in the TM Report, the retail parking generation rate which is likely to be created by this proposed development and other similar "On the Run" sites are as follows;

- 2.5 spaces / 100m² GFA for sites < 300m² without quick service restaurant
- 3.3 spaces / 100m² GFA for sites between 300m² and 400m² with quick service restaurant
- 1.8 spaces / 100m² GFA for sites > 400m² with quick service restaurant.

(excludes staff carparking requirements)

The proposed development as detailed on Plan 14/JN1216sk01e has been assessed and found to be in accordance with the minimum car parking rate of 1.8 spaces/100 m² of GFA for a control building of 423m² (actual rate 2.8 spaces/100 m² GFA i.e. 12 + 1 staff parking space), thereby complying with the requirements of the TM Report.

A review of the City of Prospect Development Plan (consolidated 31 October 2013) indicates a minimum statutory parking rate of 3 spaces per 100m² up to a maximum of 5 spaces per 100m². However, the plan notes that local circumstances of the development can warrant a lower parking rate.

TRAFFIC COMPLIANCE STATEMENT

The site proposes to supply 1 disabled parking space. A review of The Building Code of Australia indicates the provision of 1 disabled parking space for every 50 parking spaces or part therefore for a service station development. On this basis, the proposed supply of 1 disabled parking space is considered satisfactory.

3. Access/Egress

Commercial grade driveway crossovers have been retained on the Main North Road frontage and are to be provided to Carter Street as part of the proposed development detailed on Plan 4/JN1216sk01e. These features together with the locations of fixed objects within the site have been assessed against road safety requirements and for clear unobstructed access and egress by a 19m semi-trailer. Analysis of the fuel tanker turn path (see Attachment 1 – SK007) shows that minor modifications are required to the existing Main North Road crossovers. It is also necessary to consider minor relocation of bowsers 5-8 to the northwest by no more than 0.5m to improve safety tolerances for this manoeuvre. Accommodating this modification would be further improved by minor reshaping of the landscaping island to match the alignment of the adjacent refuge bin.

The design also incorporates a clearance lane width of at least 3.5m to bypass the fuel canopy. Provided there are appropriate line markings and/or signs indicating “No Stopping” areas, this measure will assist to prevent obstructions to fuel filling points and provide safe site circulation.

These design features are consistent with the recommendations in the TM Report, appropriate Australian Standards and Local Council / DPTI requirements

4. Traffic Generation

Traffic generation rates applicable to the site have been sourced from the NSW Roads and Traffic Authority (RTA) Guide to Traffic Generating Development (2002) (herein referred to as the RTA Guide). The guide provides rates for service station and convenience stores and fast food outlets based on survey data. The following applicable rates are provided:

Service Station evening peak hour vehicle trips = greater of $0.04A(S) + 0.3A(F)$ or $0.66A(F)$

Where $A(S)$ = area of site

$A(F)$ = gross floor area of convenience store

McDonald's outlet evening peak hour vehicle trips = average of 180 veh/hr up to 230 veh/hr

It should be noted that this rate is a conservative estimate for a service station and does not account for the:

- Integrated and unique nature of OTR development offering multiple services which generate multi-purpose trips;
- Passing trade that is already on the road network i.e. linked trips as opposed to new trips generated. Queensland Department of Main Roads Guidelines for Assessment of Road Impacts of Development (2006) (there is no SA reference, accordingly this document that is available for such an analysis) indicates that up to 60% of trips for fast food developments could be linked trips including 35% which are directly passing by the site before deciding to enter.
- Existing traffic utilising the site which would further discount the new trip estimate.

Based on a site area $A(S)$ of 1,670m² and convenience store gross floor area of 423m², Table 3 show the traffic generated by the site.

TRAFFIC COMPLIANCE STATEMENT

Table 1 Traffic Generation

Service Station	Quick Service Restaurant	Total
0.04 A(S) + 0.3 A(F) = 67 + 127 = <u>194 trips</u>	180 trips	374 trips
0.66 A(F) = <u>368 trips</u>	180 trips	460 trips
Passing Trade Discount (35%)		160 trips
Total Additional Traffic Generation		300 trips

This level of traffic generated by the development could not be expected to compromise the operation or safety of the internal site access roads or external surrounding road network.

5. Road Safety

The Department of Planning, Transport and Infrastructure has provided recorded road crash data at the intersection of Carter Street and Main North Road.

A review of the crash records indicates 5 crashes occurred at the intersection of Main North Road (outbound) and Carter Street over the 5 year period between 2009 and 2014. Three of these were recorded as rear end collisions on Main North Road with the other two Right Angle collisions. On this basis, there is not considered to be any underlying crash issues surrounding the site pertaining to the proposed development amendment.

TRAFFIC COMPLIANCE STATEMENT CERTIFICATION

It is hereby certified that the proposed development installation or alteration described in this document and shown on the attached plan 14/JN1216sk01e and 33-1705721-SK007

- is in accordance with the GHD report provided to Peregrine Corporation in December 2014, referenced as "On the Run" Petrol Stations Traffic Management Report.
- is in accordance with appropriate Australian Standards and Austroads Guidelines.



Jarred Williams



Dave Murray

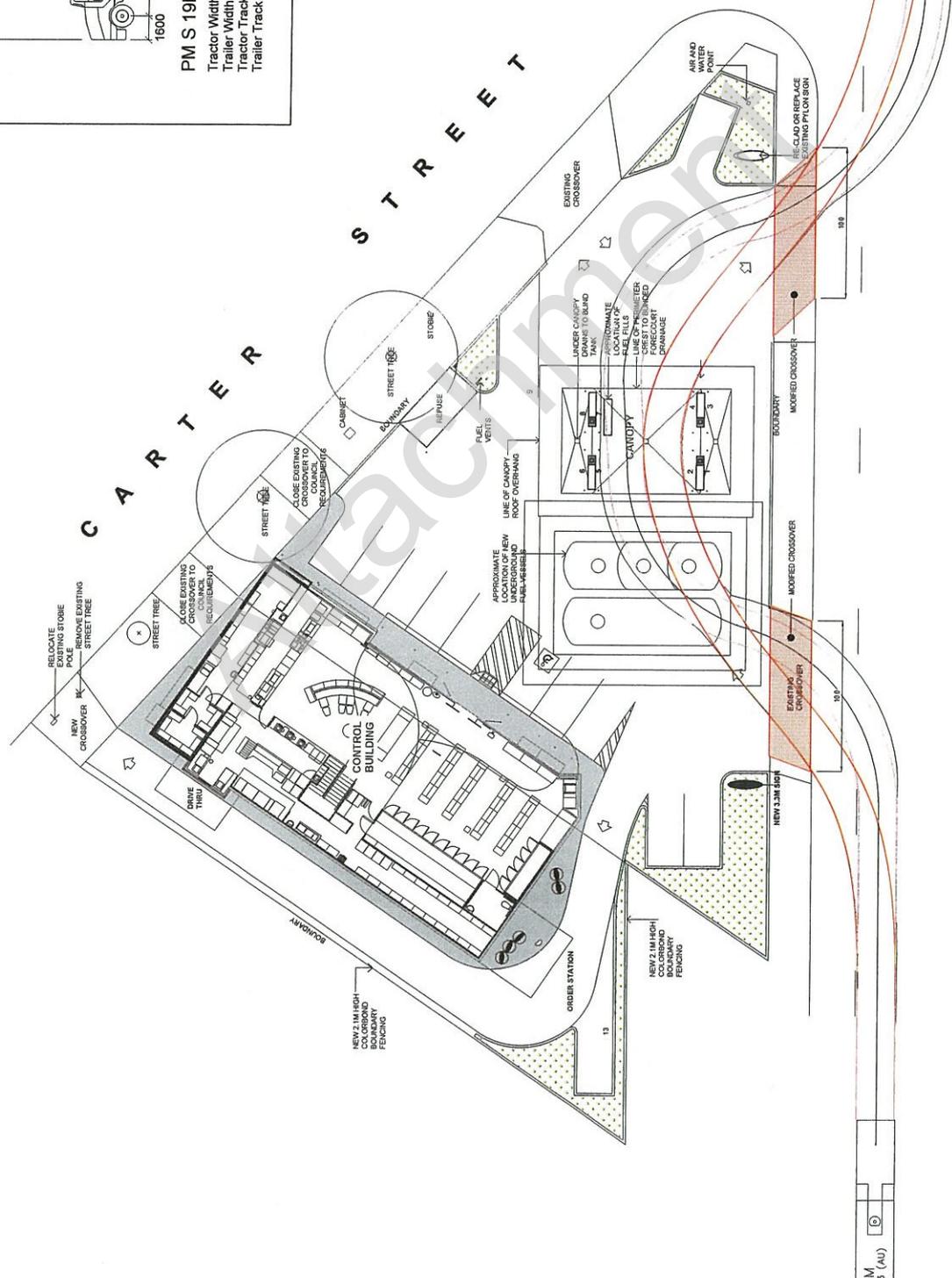
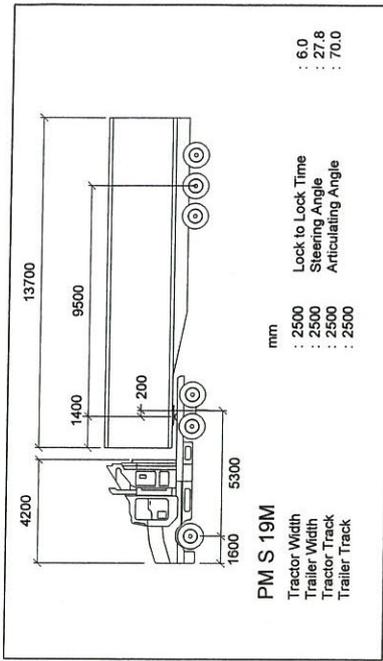
Experienced Traffic Engineering Practitioners

16/01/15



ATTACHMENT 1 – FUEL TANKER TURNING PATH

Attachment



PRELIMINARY

REV	DESCRIPTION	APP'D	DATE
A	INITIAL ISSUE		

PEREGRINE CORPORATION
 OTR FITZROY
 CONCEPT LAYOUT
 TURN PATH - 19m SEMI TRAILER



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 date | JAN 2015 rev no. | A

approved (PD) SK007

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