

**AGENDA ITEM: 6.3 PREVIOUSLY DEFERRED****To:** Development Assessment Panel (DAP) on 14 November 2016**From:** Susan Giles, Development Officer, Planning**Proposal:** Variation to Development Application 050/248/2015 (Four Storey Residential Flat Building comprising 18 dwellings (DA 050/403/2016))**Address:** 130 Churchill Road, Prospect (CT 5176/284)

Applicant: Nelson Architects Pty Ltd

Owner: Bright Valley Pty Ltd

Planning Authority: Council

Mandatory Referrals: Nil

Independent Advice: Nil

Public Notification: Category 1

Representations: Nil

Representors to be heard: Nil

Respondent: Nil

Development Plan Version: Consolidated 21 April 2016

Zone and Policy Area: Urban Corridor Zone, Boulevard Policy Area

Key Considerations: Design and Appearance, Setbacks

**Recommendation: Approval****ATTACHMENTS:**Attachment 1 Development Application FormAttachment 2 Correspondence from ApplicantAttachments 3-5 Revised Proposal PlansAttachment 6 Revised Perspective PlanAttachments 7-8 Approved Floor Plan and Perspective Plan provided by Applicant for comparisonAttachments 9-13 Proposal Plans considered at DAP meeting of 8 August 2015Attachments 14-18 Proposal Plans considered at DAP meeting of 14 December 2015

## **1. EXECUTIVE SUMMARY**

- 1.1 This proposal has previously been considered by the Development Assessment Panel (DAP) in November and again in December 2015, after it was deferred at the November meeting.
- 1.2 The applicant has provided revised plans and supporting documentation in order to comply with the Building Code and improve on the internal amenity for the dwellings adjacent Churchill Road.
- 1.3 The amendments include changes to the materials and finishes, building setback, presentation of the building to Churchill Road, and the internal layout and occupant amenity. A revised perspective drawing has also been prepared which references the changes made. The proposal remains for the construction of a four storey residential flat building comprising 18 dwellings.
- 1.4 The amendments made do not warrant further mandatory referrals or independent advice, nor was public notification required. The amendments and additional information are considered reasonable, and the proposal therefore warrants development plan consent.

## **2. BACKGROUND**

- 2.1 The DAP previously considered the proposal at its meeting of 9 November 2015. At that meeting the DAP resolved to defer the application to allow the applicant an opportunity to integrate a higher diversity of quality materials into the design, improve the presentation of the building to Churchill Road and improve the quality and functionality of private open space.
- 2.2 Revised documentation was provided to the DAP at its meeting of 14 December 2015, which included modified materials and finishes to the Churchill Road façade. The revisions comprised timber batten screens and planter boxes to the balconies. The DAP resolved to support the proposal.
- 2.3 The reports from previous DAP meetings are available for viewing on the City of Prospect website ([www.prospect.sa.gov.au](http://www.prospect.sa.gov.au)). The plans previously considered by the DAP at its 8 August 2015 meeting (refer **Attachments 9-13**) and 14 December 2015 (refer **Attachments 14-18**), are attached for the DAP's reference.

## **3. DISCUSSION**

### **3.1 Building Setback**

- 3.1.1 Within their supporting correspondence, the applicant advises that in order to satisfy the Building Code requirements for the exit paths, the rear stairs need to be fire isolated (refer **Attachment 2**). To achieve the required circulation space, the stair well has been extended by 1.43m (refer **Attachments 3-4**).
- 3.1.2 Previously, the stairs were proposed to be in line with the rear wall of the building, setback 3m from the rear boundary. The revised layout would result in the stairs having a setback 1.57m from the rear boundary. While the setback would be less than the minimum of 3m desired (UCZ PDC 18), the departure would not have an unreasonable impact to the locality or adjoining allotments.

### 3.2 Materials and Finishes

- 3.2.1 The proposal plans have been revised to improve the internal amenity for three apartments. It is proposed to remove the 400mm wide balconies that front Churchill Road, and widen the living area. The north facing balconies would remain the same, with sliding screens, as per the original proposal.
- 3.2.2 The front facade would comprise precast concrete panels, Hebel Powerpanel with 3 layer Acratex finish and colorbond longline cladding and alucobond panelling. Feature panelling comprising colorbond longline cladding, is proposed to the façade incorporating the living area windows. The building materials would consist of light and dark shades of grey and the windows fronting Churchill Road would feature red sunshades, with the colour being repeated on the entry canopy.
- 3.2.3 The boundary walls at ground level and for the rear stair well would comprise painted concrete panels, to match the remainder of the building.
- 3.2.4 The applicant has provided supporting correspondence outlining the amendments (refer **Attachment 3**) and revised elevations which reflect the proposal (refer **Attachment 5**).
- 3.2.5 The design relies on the variation in materials to articulate the building and modulation of solid elements with the window and door openings, yet overall the features would provide an appropriate level of visual interest and built form, and the proposal would be a satisfactory design response to the desired future character of the Urban Corridor Zone.

## 4. **CONCLUSION AND RECOMMENDATION**

4.1 Summarised briefly, the applicant has amended the proposal by:

1. *Reducing the setback of the stair well to the rear boundary to provide the required circulation space to the apartment doors;*
2. *Amending the materials and finishes proposed to the Churchill Road façade, boundary walls and rear stairwell;*
3. *Revised the front façade, with the removal of the balconies, timber screens and planter boxes, and increasing the internal living space for three apartments;*

4.2 In line with the earlier discussion in this report, the application is considered to be sufficiently consistent with the relevant provisions of the Prospect (City) Development Plan and it is thus 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 050/403/2016 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 050/403/2016 from Nelson Architects Pty Ltd for a Variation to Development Application 050/248/2015 - Four Storey Residential Flat Building comprising 18 dwellings, at 130 Churchill Road Prospect (CT5176/284), subject to the following conditions and notes:

1. The development shall take place in accordance with plans and details stamped by Council relating to Development Application Number 050/406/2016, 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. The conditions, where pertinent, of the original development plan consent numbered 050/248/2015 (Four Storey Residential Flat Building comprising 18 dwellings at 130 Churchill Road Prospect (CT5176/284) shall be complied with to the reasonable satisfaction of Council at all times particularly conditions 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24.

**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) The consent of the Commissioner of Highways is required under the Metropolitan Adelaide Road Widening Plan Act to all building work on or within 6.0 metres of the possible requirement. The applicant is to complete the 'Metropolitan Adelaide Road Widening Plan Act, 1972', and submit to the Department of Transport, Energy and Infrastructure, together with three copies of the approved plans


**CITY OF PROSPECT  
Development Services**

 128 Prospect Road, Prospect SA 5082  
 Telephone (08) 8269 5355 Facsimile (08) 8269 5834

**Development Application Form**

Application No.: 050 / <del>248</del> 403 / 2016			(Office Use Only)
<b>1. Application Type (select one)</b>			
<input checked="" type="checkbox"/> <b>Development Plan Consent only</b> (Planning Only)	<input type="checkbox"/> <b>Building Rules Consent only</b> (Building Only)	<input type="checkbox"/> <b>Development Approval</b> (Planning and Building)	
<b>2. Location of Proposed Development</b>			
Unit #:	House #: 130	Street: Churchill Road	
Suburb: Prospect		Postcode: 5082	CT Volume and Folio:
<b>3. Details of Parties</b>			
<b>Applicant</b>			
Name: Nelson Architects Pty Ltd		Address: 11 Eliza Street, Adelaide, SA 5000	
Contact No.:		Email:	
<b>Owner</b> <input type="checkbox"/> as applicant			
Name: Bright Valley Pty Ltd		Address: 57 Windermere Crescent, Mawson Lakes, SA 5095	
Contact No.:		Email:	
<b>Builder</b> <input type="checkbox"/> owner builder <input type="checkbox"/> as applicant <input checked="" type="checkbox"/> to be advised <input type="checkbox"/> other			
Name:		Address:	
Contact No.:		Email:	
Builders Licence No.			
<b>4. Proposal Details</b>			
Description of Proposal: Variation to existing Development Plan Approval DA 050/248/2015			
Existing Use of Property: Vacant land			
Estimated Cost of Development: \$ NIL Variation			
<b>5. Declarations</b>			
• Building Rules Classification sought: 2		Present Class: 1	
• Proposed number of employees (for Class 5, 6, 7, 8 or 9): NA			
• Proposed number of persons for whom accommodation is provided (Class 9a only): NA			
• Proposed number of occupants on the premises (Class 9b only): NA			
• Does Schedule 21 or Schedule 22 of the Development Regulations 2008 apply (activities of environmental or major environmental significance)? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
• Has the Construction Industry Training Board (CITB) levy been paid? <input type="checkbox"/> yes <input checked="" type="checkbox"/> no			
I acknowledge that Council may make copies of this application and documentation in accordance with the <i>Development Regulations 2008</i> and <i>Development Act 1993</i> . Details forming part of the application may be included in a Development Assessment Panel agenda published on Council's website.			
If published, I request that Council obscures my telephone number and email address. <input checked="" type="checkbox"/> yes <input type="checkbox"/> no			
I have sought permission from the architect/engineer to allow reproduction of the application documents for provision to third parties. <input type="checkbox"/> yes <input type="checkbox"/> no			
Name: John Nelson		Signature:	Date: 14 October, 2016
<input checked="" type="checkbox"/> Applicant <input type="checkbox"/> Owner <input type="checkbox"/> Builder			

Project: 02130

Date: 9 September

The City of Prospect  
PO Box 171  
Prospect SA 5082

Att: Susan Giles  
Development Officer Planning  
Email: [susan.giles@prospect.sa.gov.au](mailto:susan.giles@prospect.sa.gov.au)



Dear Susan,

RE: DA 050 / 248 / 2015

Nelson Architects have been employed to undertake the construction documentation for this project by Bert Farina Constructions who have the contract to construct it

In undertaking this documentation there are several areas of the approved plan which the Client / Contractor wish to alter.

I have attached revised plans and 3D images of the proposal changes and would appreciate your opinion as to whether any of the changes are considered significant or whether they can be dealt with as a minor matter under delegated authority.

The proposed changes are:-

- [1] Rear Stair  
In order to comply with exit paths the Building Certifier requires this stair to be fire isolated. To achieve this additional circulation space clear of the entrance doors of apartments 6, 12 and 18 is required. As a consequence the set back off the rear boundary will be 1570 not 2900 as per the approved DA drawing.
- [2] Front Façade  
The Owners wish to remove the narrow balconies to the front apartments, which were originally approx. 400mm wide and create a feature panel to the façade incorporating the living area window. The balconies remain with sliding screens as per the original proposal. Feature red sunshades are proposed to these windows with the colour being repeated on the entry canopy.
- [3] Boundary Walls  
The boundary walls that were previously shown as colourbond are now proposed to be constructed with painted pre cast concrete.

Could you please give me a call to discuss the matters once you have had an opportunity to consider them.

Kind regards,

John Nelson  
for  
Nelson Architects Pty Ltd

cc Anthony Farina  
Carly Bunce

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South Australia 5000

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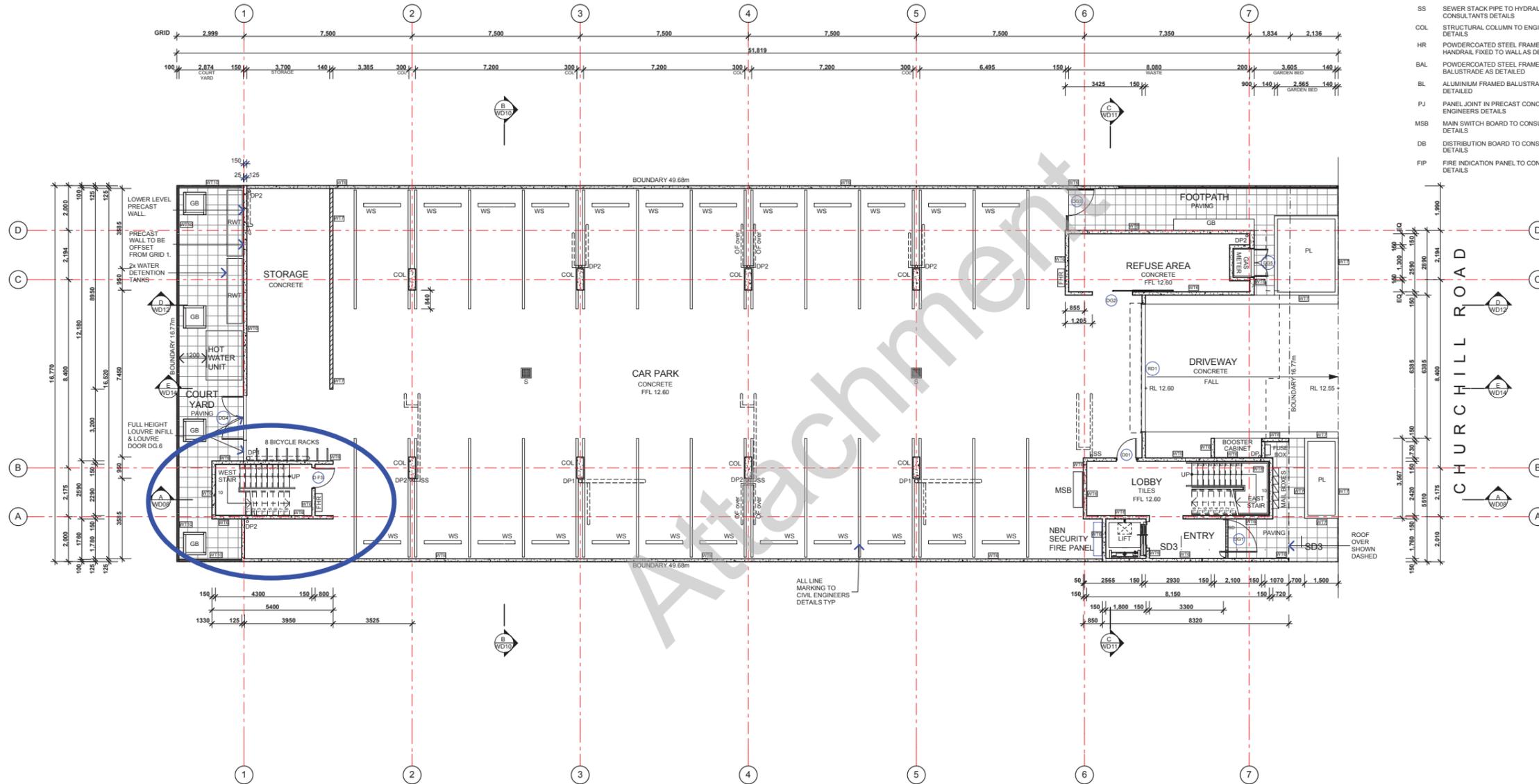
**Director**  
John Nelson

**Senior Associates**  
Sally Young  
Paul Ryszawa

**Associates**  
Janusz Strzelbicki

A.C.N 008 215 558  
A.B.N 82 008 215 558

AMENDED



**SITE/GROUND FLOOR PLAN**  
1:100

**LEGEND - FLOOR PLANS**

- REINFORCED CONCRETE SLAB TO STRUCTURAL ENGINEERS DETAILS
- FLOOR TILES TO SELECTION
- CONCRETE PAVING WITH EXPOSED AGGREGATE TO MATCH EXISTING.
- D1.6 DOOR / APARTMENT NO. / DOOR NO.  
G - GROUND LEVEL  
F - FIRST LEVEL  
S - SECOND LEVEL  
T - THIRD LEVEL
- W1.2 WINDOW / APARTMENT NO. / WIND. NO.
- GB GARDEN BED TO CIVIL ENGINEERS DETAILS
- WS CONCRETE WHEEL STOP TO CIVIL ENGINEERS DETAILS
- GS GRATED SUMP TO CIVIL ENGINEERS DETAILS
- S SUMP TO CIVIL ENGINEERS DETAILS
- SD PROPRIETARY STRIP DRAIN TO CIVIL ENGINEERS DETAILS
- FT FLOOR TRAP TO CIVIL ENGINEERS DETAILS
- SS SEWER STACK PIPE TO HYDRAULIC CONSULTANTS DETAILS
- COL STRUCTURAL COLUMN TO ENGINEERS DETAILS
- HR POWDERCOATED STEEL FRAMED HANDRAIL FIXED TO WALLS AS DETAILED.
- BAL POWDERCOATED STEEL FRAMED STAIR BALUSTRADE AS DETAILED
- BL ALUMINIUM FRAMED BALUSTRADE AS DETAILED
- PJ PANEL JOINT IN PRECAST CONCRETE TO ENGINEERS DETAILS
- MSB MAIN SWITCH BOARD TO CONSULTANTS DETAILS
- DB DISTRIBUTION BOARD TO CONSULTANTS DETAILS
- FIP FIRE INDICATION PANEL TO CONSULTANTS DETAILS

**Notes**

**WALL CONSTRUCTION SCHEDULE**

- WT.1 250MM STUD FRAMED PARTY WALL  
#9000 FRL - DOUBLE 6MM STEEL STUD FRAMING + 6MM CAVITY WITH DOUBLE LAYER OF FYRCHEK PLASTERBOARD LINING TO BOTH SIDES TO UNDERSIDE OF SLAB AS DETAILED. PAINT FINISH AS SPECIFIED.
- WT.2 200MM STUD FRAMED STANDING SEAM WALL  
COLORBOND STANDING SEAM CLADDING TO 19MM THICK PLY ON DOUBLE 92MM STEEL STUD FRAMING WITH 13MM THICK FLUSHED AND PAINTED PLASTERBOARD INTERNALLY.
- WT.3 80MM STUD FRAMED INTERNAL WALL  
64MM STEEL STUD FRAMING WITH 13MM THICK FLUSHED AND PAINTED PLASTERBOARD LINING TO BOTH SIDES AS DETAILED.
- WT.4 200MM HEBEL POWERPANEL  
#9090 FRL - 75MM THICK HEBEL PANEL WITH 3 LAYER ACRATEX FINISH EXTERNALLY ON FURRING CHANNELS TO 92MM STEEL STUD FRAMING WITH 13MM THICK FLUSHED AND PAINTED PLASTERBOARD AS DETAILED.
- WT.5 115MM STUD FRAMED EXTERNAL WALL  
#9090 FRL - 16MM THICK FYRCHEK + 9MM FIBRECEMENT TO 76MM STEEL STUD FRAMING WITH 3 LAYER ACRATEX FINISH EXTERNALLY. 13MM THICK FLUSHED AND PAINTED PLASTERBOARD LINING INTERNALLY AS DETAILED.
- WT.6 150 / 125MM PRECAST CONCRETE PANELS  
#9090 FRL - PRECAST CONCRETE PANEL TO ENGINEERS DETAILS. PAINT FINISH TO EXPOSED FACES AS SPECIFIED.
- WT.7 140MM BLOCK WALL  
140MM THICK HOLLOW CORE BLOCKWORK 3 LAYER ACRATEX FINISH EXTERNALLY AND WATERPROOF TANKING FINISH INTERNALLY AS SPECIFIED.

PRELIMINARY

Issue	Date	Amendments	By
P6	7/20/2016	Preliminary Issue	JS

**Nelson Architects**

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**Project**  
130 CHURCHILL RD APARTMENTS  
130 Churchill Road  
Prospect SA 5082

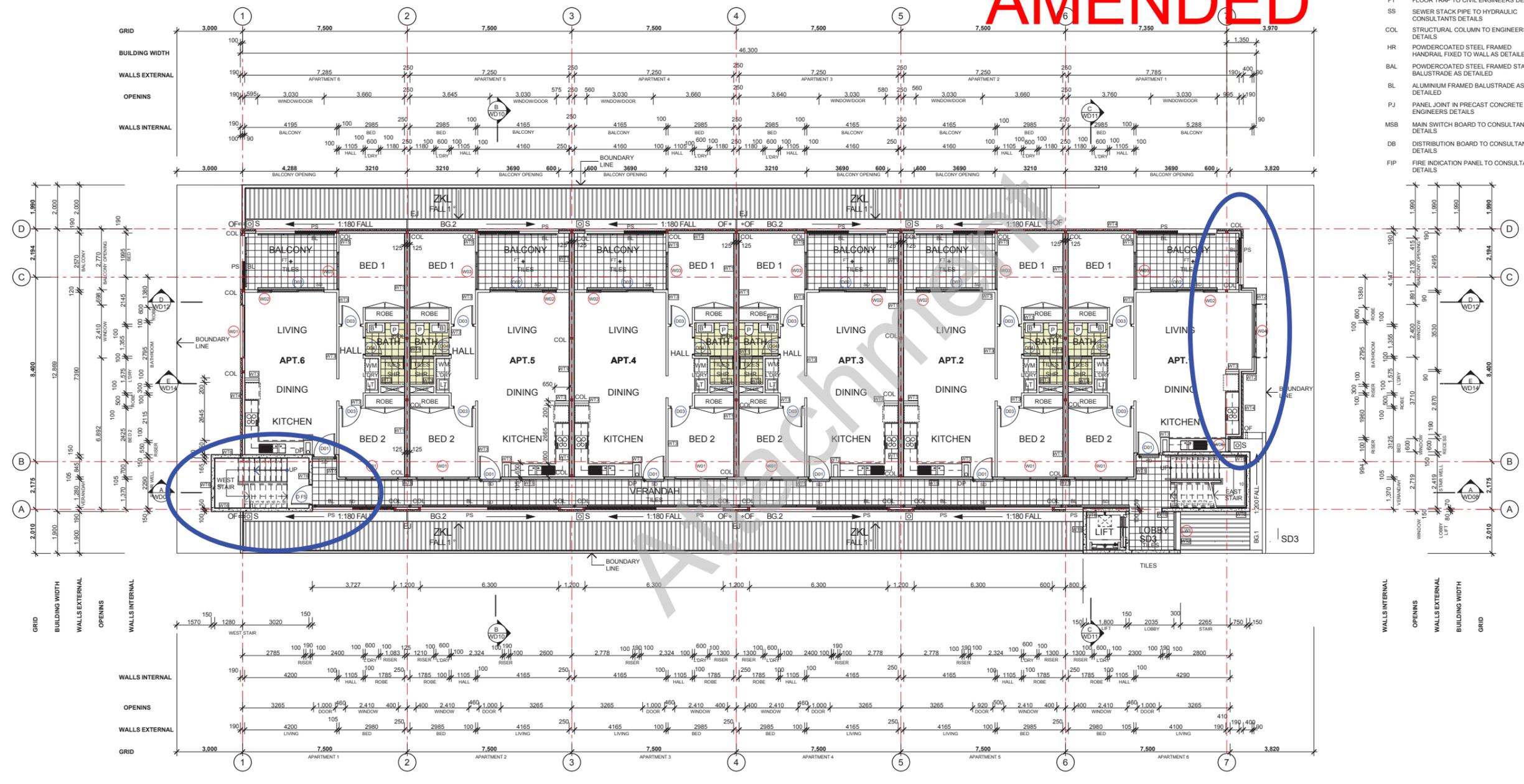
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GROUND FLOOR PLAN

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02130 WDD1	P7	

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**Nelson Architects Pty Ltd**

AMENDED



FIRST FLOOR PLAN  
1:100

LEGEND - FLOOR PLANS		WALL CONSTRUCTION SCHEDULE	
CONCRETE	REINFORCED CONCRETE SLAB TO STRUCTURAL ENGINEERS DETAILS	WT.1	250MM STUD FRAMED PARTY WALL -90/90 FRL - DOUBLE 6MM STEEL STUD FRAMING + 6MM CAVITY WITH DOUBLE LAYER OF FYRCHEK PLASTERBOARD LINING TO BOTH SIDES TO UNDERSIDE OF SLAB AS DETAILED. PAINT FINISH AS SPECIFIED.
TILES	FLOOR TILES TO SELECTION	WT.2	200MM STUD FRAMED STANDING SEAM WALL COLORBOND STANDING SEAM GLAZING TO 19MM THICK PLY ON DOUBLE 92MM STEEL STUD FRAMING WITH 13MM THICK FLUSHED AND PAINTED PLASTERBOARD INTERNALLY.
PAVING	CONCRETE PAVING WITH EXPOSED AGGREGATE TO MATCH EXISTING.	WT.3	90MM STUD FRAMED INTERNAL WALL 64MM STEEL STUD FRAMING WITH 13MM THICK FLUSHED AND PAINTED PLASTERBOARD LINING TO BOTH SIDES AS DETAILED.
D1.6	DOOR / APARTMENT NO. / DOOR NO. F - FIRST LEVEL S - SECOND LEVEL T - THIRD LEVEL	WT.4	200MM HEBEL POWERPANEL -90/90 FRL - 75MM THICK HEBEL PANEL WITH 3 LAYER ACRATEX FINISH EXTERNALLY ON FURRING CHANNELS TO 92MM STEEL STUD FRAMING WITH 13MM THICK FLUSHED AND PAINTED PLASTERBOARD AS DETAILED.
W1.2	WINDOW / APARTMENT NO. / WIND. NO.	WT.5	115MM STUD FRAMED EXTERNAL WALL -90/90 FRL - 16MM THICK FYRCHEK + 8MM FIBRECEMENT TO 76MM STEEL STUD FRAMING WITH 3 LAYER ACRATEX FINISH EXTERNALLY. 13MM THICK FLUSHED AND PAINTED PLASTERBOARD LINING INTERNALLY AS DETAILED.
GB	GARDEN BED TO CIVIL ENGINEERS DETAILS	WT.6	150 / 125MM PRECAST CONCRETE PANELS 90/90 FRL - PRECAST CONCRETE PANEL TO ENGINEER'S DETAILS. PAINT FINISH TO EXPOSED FACES AS SPECIFIED.
WS	CONCRETE WHEEL STOP TO CIVIL ENGINEERS DETAILS	WT.7	140MM BLOCK WALL 140MM THICK HOLLOW CORE BLOCKWORK. 3 LAYER ACRATEX FINISH EXTERNALLY AND WATERPROOF TANKING FINISH INTERNALLY AS SPECIFIED.
GS	GRATED SUMP TO CIVIL ENGINEERS DETAILS		
S	SUMP TO CIVIL ENGINEERS DETAILS		
SD	PROPRIETARY STRIP DRAIN TO CIVIL ENGINEERS DETAILS		
FT	FLOOR TRAP TO CIVIL ENGINEERS DETAILS		
SS	SEWER STACK PIPE TO HYDRAULIC CONSULTANTS DETAILS		
COL	STRUCTURAL COLUMN TO ENGINEERS DETAILS		
HR	POWDERCOATED STEEL FRAMED HANDRAIL FIXED TO WALLS AS DETAILED.		
BAL	POWDERCOATED STEEL FRAMED STAIR BALUSTRADE AS DETAILED		
BL	ALUMINIUM FRAMED BALUSTRADE AS DETAILED		
PJ	PANEL JOINT IN PRECAST CONCRETE TO ENGINEERS DETAILS		
MSB	MAIN SWITCH BOARD TO CONSULTANTS DETAILS		
DB	DISTRIBUTION BOARD TO CONSULTANTS DETAILS		
FIP	FIRE INDICATION PANEL TO CONSULTANTS DETAILS		

LEGEND - ROOF PLAN	
ZKL	ZINCALUME KLIP-LOK 700 HI STRENGTH 0.48 BMT ROOF SHEETING FIXED TO STEEL ROOF STRUCTURE TO MANUFACTURERS DETAILS.
DP1	1500 S/G PVC DOWNPIPE TO HYDRAULIC SERVICES CONSULTANTS DETAILS. REFER TO CIVIL ENGINEERS DRAWINGS FOR STORMWATER CONNECTION DETAILS.
DP2	1000 S/G PVC DOWNPIPE TO HYDRAULIC SERVICES CONSULTANTS DETAILS. REFER TO CIVIL ENGINEERS DRAWINGS FOR STORMWATER CONNECTION DETAILS.
DP3	500 S/G PVC DOWNPIPE CONCEALED IN WALL AND FLOOR. CONNECT TO STORMWATER SYSTEM TO HYDRAULIC SERVICES CONSULTANTS DETAILS.
BG.1	450 x 150MM ZINCALUME BOX BUTTER ON SPANDEK GUTTER BOARD AND ADJ. STRAPS @ 900MM MAX. CTS.
BG.2	450 x 120MM ZINCALUME BOX BUTTER ON SPANDEK GUTTER BOARD AND ADJ. STRAPS @ 900MM MAX. CTS.
BG.3	300 x 120MM ZINCALUME BOX BUTTER ON SPANDEK GUTTER BOARD AND ADJ. STRAPS @ 900MM MAX. CTS.
BG.4	600 x 100MM ZINCALUME BOX BUTTER ON MARINE PLY AT 1:200 MAX FALL
EJ	EXPANSION JOINT IN BOX GUTTER
OF	750 OVERFLOW PVC PIPE
GS	PROPRIETARY GUTTA SUMP WITH LEAF GUARD INSTALLED TO MANUFACTURERS SPECIFICATION. LOW PROFILE WHERE REQUIRED.
RAH	1000x800MM ROOF ACCESS HATCH WITH TWIN STRUTS COMPLETE WITH ALUMINIUM FRAMED FOLD DOWN STEP LADDER AS SPECIFIED.
RW	REINFORCED FIBRE ROOF WATERWAYS SPECIFIED.
SL	STATIC LINE FALL ARREST SYSTEM AS SPECIFIED.
SR	SLAT SCREENS AS SPECIFIED
CC	COLORBOND CARAPET CAPPING
ZF	ZINCALUME FLASHING
P	POWDERCOATED STEEL POST TO ENGINEERS DETAILS.

P6	7/09/2016	Preliminary Issue	JS
		Issue Date	Amendments
			By

PRIMA

**Nelson**  
Architects  
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Interior design  
Project Management

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Project  
**130 CHURCHILL RD APARTMENTS**  
130 Churchill Road  
Prospect SA 5082

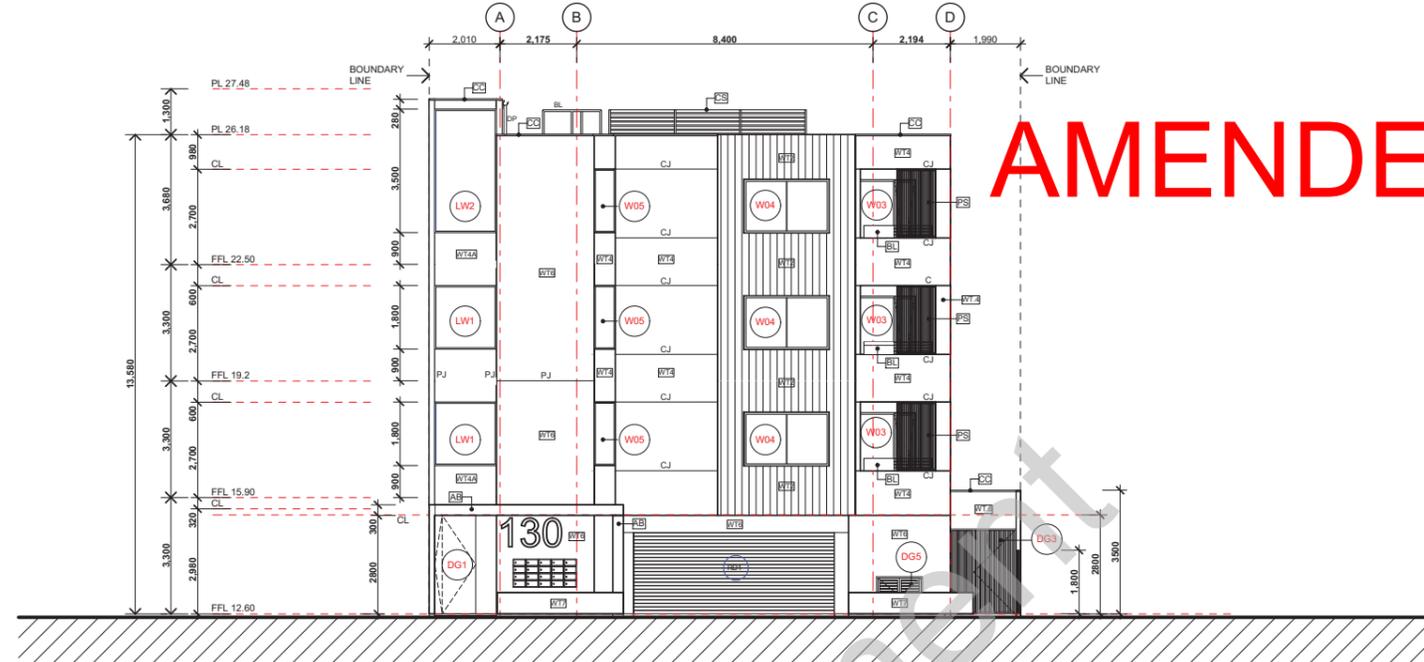
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**FIRST FLOOR PLAN**

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02130 WD02	P7	

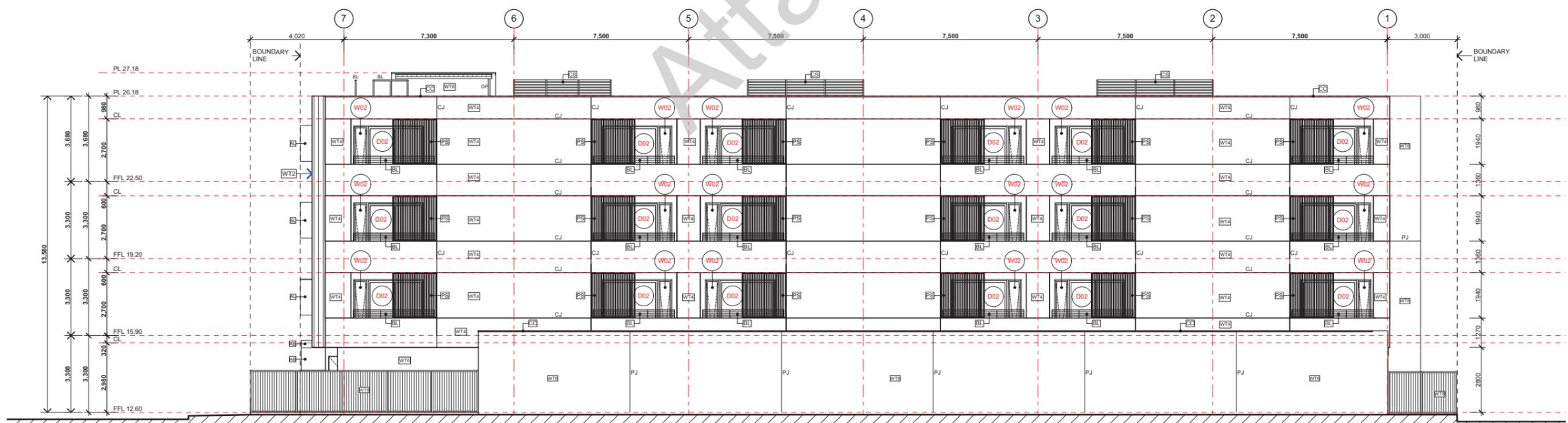
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A.C.N. 008 215 558

WALL CONSTRUCTION SCHEDULE

- WT1 **STUD FRAMED PARTY WALL**  
-90/90 FRL - DOUBLE 64MM STEEL STUD FRAMING + 64mm CAVITY WITH 1 LAYER OF 16mm FYRCHEK & 1 LAYER 13mm FLUSHED AND PAINTED PLASTERBOARD LINING TO BOTH SIDES OF PARTY WALL AND EXTENDING TO UNDERSIDE OF SLAB OVER AS DETAILED. 7.5MM BLUEBOARD WITH 3 LAYER ACRATEX FINISH EXTERNALLY AS DETAILED.
- WT2 **LONGLINE / HEBEL POWERPANEL XL WALL**  
-90/90 FRL - COLORBOND LONGLINE 305 CLADDING TO 75mm THICK HEBEL PANEL ON FURRING CHANNELS TO 92mm STEEL STUD FRAMING. 2 LAYER 13mm THICK FLUSHED AND PAINTED FIRE RATED PLASTERBOARD INTERNALLY AS DETAILED.
- WT3 **STUD FRAMED INTERNAL WALL**  
64mm STEEL STUD FRAMING WITH 13mm THICK FLUSHED AND PAINTED PLASTERBOARD LINING TO BOTH SIDES AS DETAILED.
- WT4 **HEBEL POWERPANEL XL WALL**  
-90/90 FRL - 75mm THICK HEBEL PANEL WITH 3 LAYER ACRATEX FINISH EXTERNALLY ON FURRING CHANNELS TO 92mm STEEL STUD FRAMING. 2 LAYER 13mm THICK FLUSHED AND PAINTED FIRE RATED PLASTERBOARD INTERNALLY AS DETAILED.  
A = 2 ROWS 92mm STEEL STUD FRAMING  
B = 1 LAYER 13MM PLASTERBOARD INTERNALLY
- WT5 **STUD FRAMED EXTERNAL WALL**  
-90/90 FRL - 1 LAYER 7.5mm THICK BLUEBOARD OVER 1 LAYER 16mm THICK FYRCHEK EXTERNALLY FIXED TO 92mm STEEL STUD FRAMING WITH 3 LAYER ACRATEX FINISH. 2 LAYER 13mm THICK FLUSHED AND PAINTED SOUNDCKEK LINING INTERNALLY AS DETAILED.
- WT6 **150 / 125mm PRECAST CONCRETE PANELS**  
90/90/90 FRL - PRECAST CONCRETE PANEL TO ENGINEER'S DETAILS. PAINT FINISH TO EXPOSED FACES AS SPECIFIED.  
A - DENOTES KINGSPAN K5 RIGID INSULATION BOARD
- WT7 **BLOCK WALL**  
140mm THICK HOLLOW OR CORE FILLED BLOCKWORK TO ENGINEERS DETAILS. 3 LAYER ACRATEX FINISH EXTERNALLY AND WATERPROOF TANKING FINISH AS SPECIFIED. ALSO REFER DETAILS.
- WT8 **GOOD NEIGHBOUR FENCE**  
1800mm HIGH AFL VERTICAL CUSTOM ORB COLORBOND GOOD NEIGHBOUR FENCE ON CONCRETE SLEEPERS AS REQUIRED TO ENGINEERS DETAILS. INSTALL FENCE TO MANUFACTURERS SPECIFICATION.



**EAST ELEVATION**  
1:100 A1  
1:200 A3



**NORTH + EAST ELEVATIONS**  
1:100 A1  
1:200 A3

LEGEND - ELEVATIONS / SECTIONS

- CS COLORBOND SLAT SCREENS PROPRIETARY SYSTEM AS SPECIFIED FIXED TO STEEL POSTS TO ENGINEERS DETAILS.
- CC COLORBOND CAPPING TO WALL PARAPET
- AB ALUCOBOND PANNELLING ON FURRING CHANNELS AS PER MANUF. SPECIFICATION
- AL ALUMINIUM SHADE DEVICE AS DETAILED
- PJ PRECAST CONCRETE PANEL JOINT
- CJ CONTROL JOINT TO MANUFACTURERS SPECIFICATION
- SK NOM. 100mm HIGH SPLAYED TOP PAINTED CUSTOMWOOD SKIRTING BOARD
- ST NOM. 150mm HIGH SKIRTING TILE TO MATCH FLOOR TILE
- SS NOM. 150mm HIGH BRUSHED STAINLESS STEEL SKIRTING
- PS ALUMINIUM FRAMED SLIDING PRIVACY SCREENS AS DETAILED
- BL ALUMINIUM FRAMED BALUSTRADE AS DETAILED

- C 14.10.2016 WT2 - WALL TYPE 2 ADDED
- B 12.10.2016 BALCONY AND VERANDAH BALUSTRADE JS HEIGHT REVISED. LIFT ROOF AND ASSOC. DRAINAGE REVISED.
- A 16.09.2016 ISSUED FOR BUILDING RULES CONSENT JS

Issue Date Amendments By

**Nelson Architects**  
Architecture  
Interior design  
Project Management

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P +618 8231 4434  
F +618 8211 7701  
E nelson@nelsonarchitects.com.au

Project  
**130 CHURCHILL RD APARTMENTS**  
130 Churchill Road  
Prospect SA 5082

Drawing Title  
**NORTH + EAST ELEVATIONS**

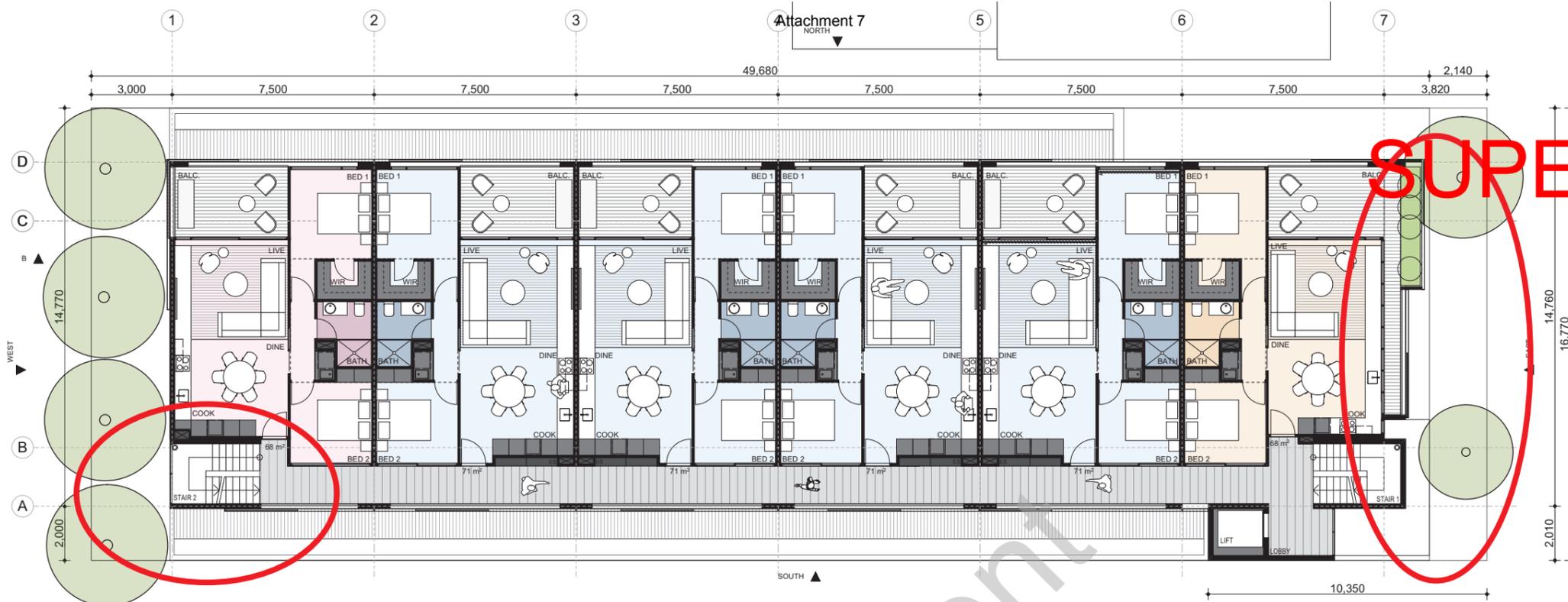
Drawn	Checked	Scale
JG JS	JN	As Shown
Date Created	CAD File Name	
22.07.16	02130 WD	
Drawing Number	Issue	
02130 WD06	C	

Copyright of design and drawings are reserved. The contractor shall verify all dimensions and levels before commencing any works or shop drawings. Refer any discrepancies to the Architect. A printed copy of this drawing may not be to scale.  
A.C.N. 008 215 558



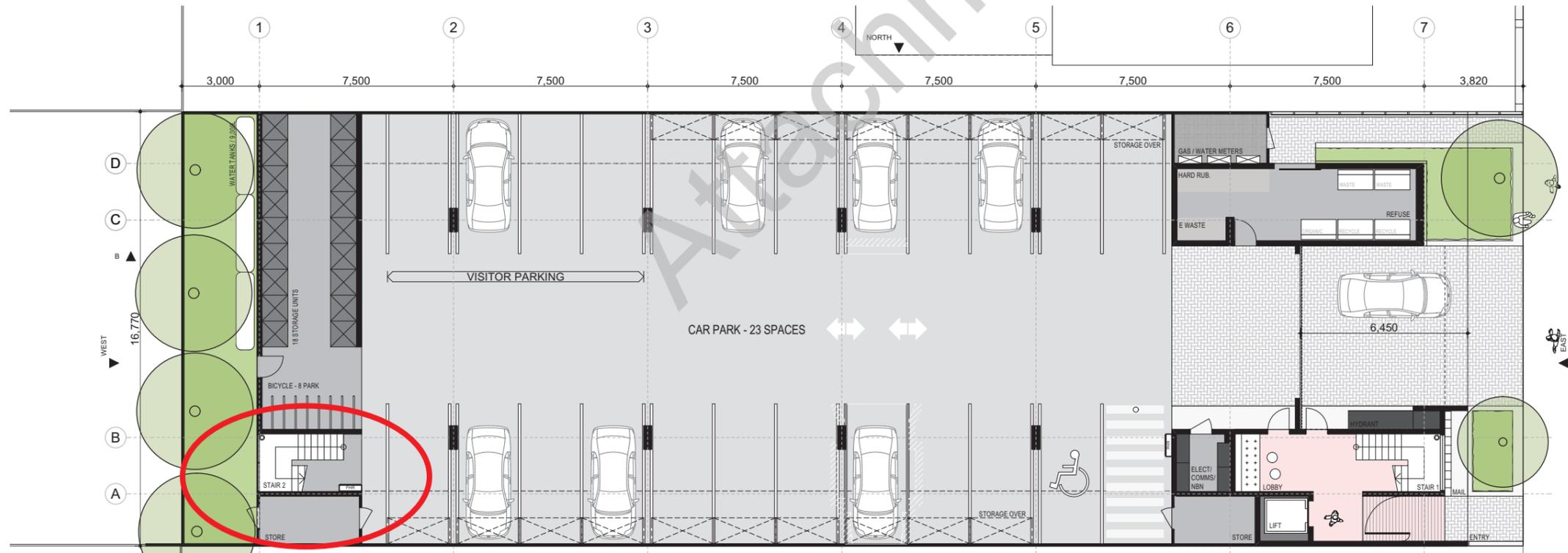
PRELIMINARY  
06.09.2016





**LEVEL 1**

AREAS	QTY.	REQ.
APARTMENTS	433	m <sup>2</sup>
BALCONIES	73	m <sup>2</sup>
LIFT STAIR	22	m <sup>2</sup>
LOBBY / TERRACE	63	m <sup>2</sup>
GROSS	591	m <sup>2</sup>



**LEVEL 0**

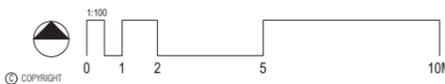
AREAS	QTY.	REQ.
SITE AREA	833	m <sup>2</sup>
STAIRS 2	11	m <sup>2</sup>
LOBBY	35	m <sup>2</sup>
REFUSE	31	m <sup>2</sup>
ELECT / COMMS	7	m <sup>2</sup>
STORAGE	49	m <sup>2</sup>

PARKING	QTY.	REQ.
APARTMENTS 2 BED	18	
PRIVATE PARKING	18	18
VISITOR PARKING	5	4.5
PARKING TOTAL	23	22.5
BICYCLE PARK	8	

WASTE MANAGEMENT	QTY.	REQ.	PROVIDED
BEDROOMS	36	-	-
WASTE	35L/BED	1260L	1540L (2@770L)
RECYCLING	30L/BED	1080L	1540L (2@770L)
ORGANIC	20L/BED	720L	770L (1@770L)
COLLECTION		WEEKLY	WEEKLY
HARD RUBBISH		-	4.3m <sup>2</sup>
COLLECTION		MONTHLY	MONTHLY

DA ISSUE

letter	Revisions/Issue	date	by
C	PROVISIONAL AMENDMENT DA - DAP RESPONSE	27.11.15	MZ
B	PROVISIONAL AMENDMENT DA - COUNCIL RESPONSE	31.08.15	MZ
A	PROVISIONAL DEVELOPMENT APPROVAL	11.06.15	MZ

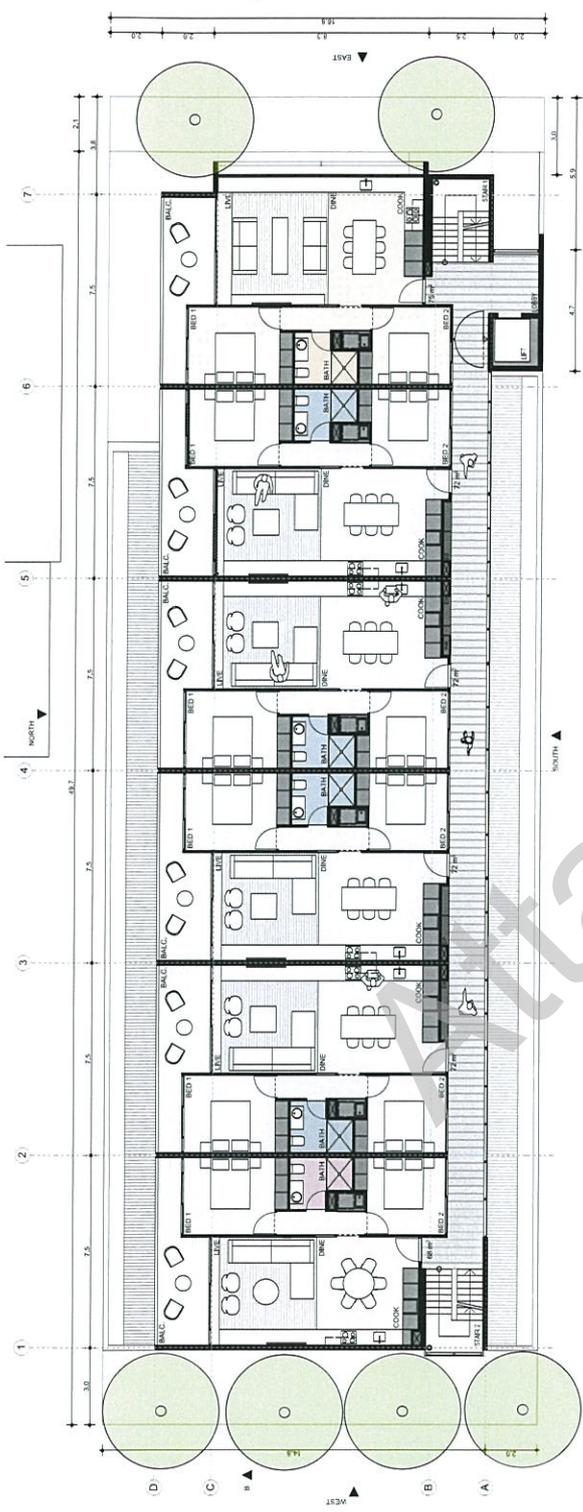


130 CHURCHILL RD  
 LEVEL 0 - LEVEL 1 / CONCEPT DESIGN  
 1/12/2015 / 14-1160 / SK0101 / C

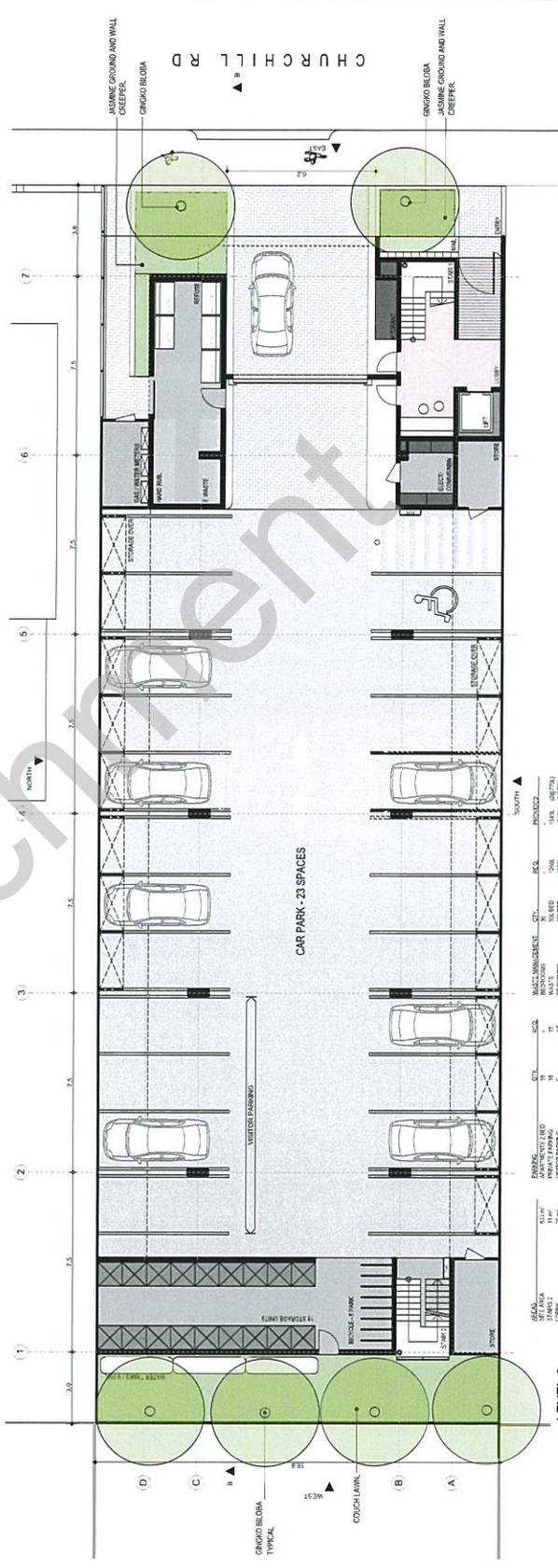
**SUPERSEDED**







LEVEL 1



LEVEL 0

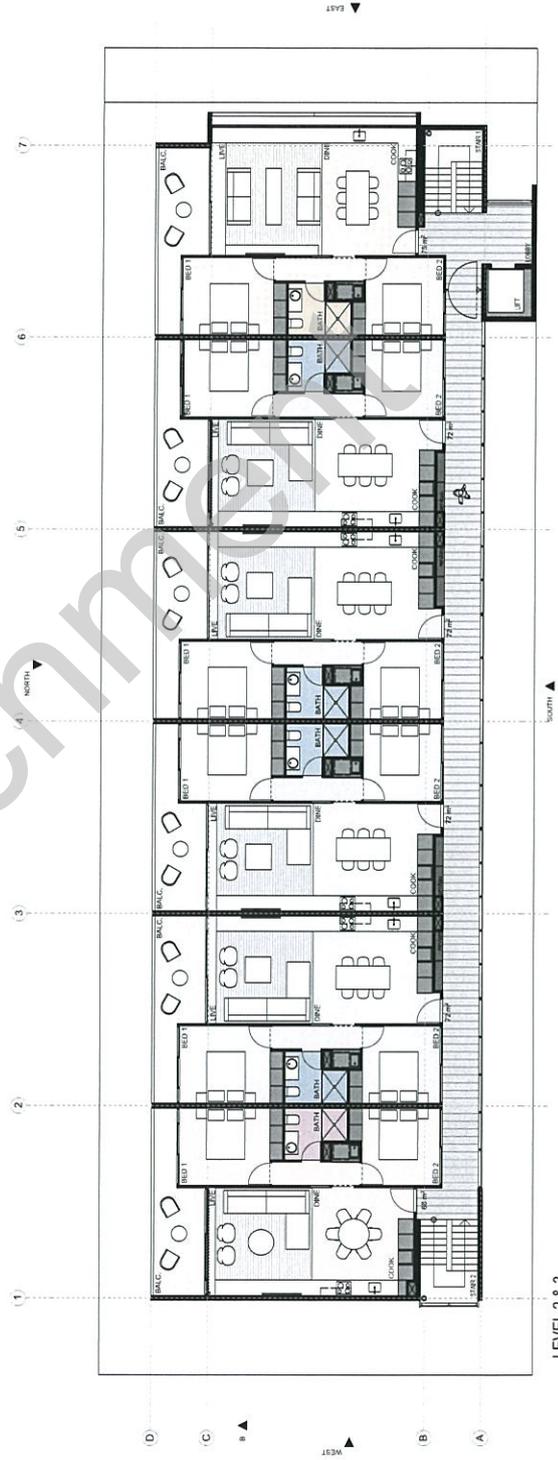
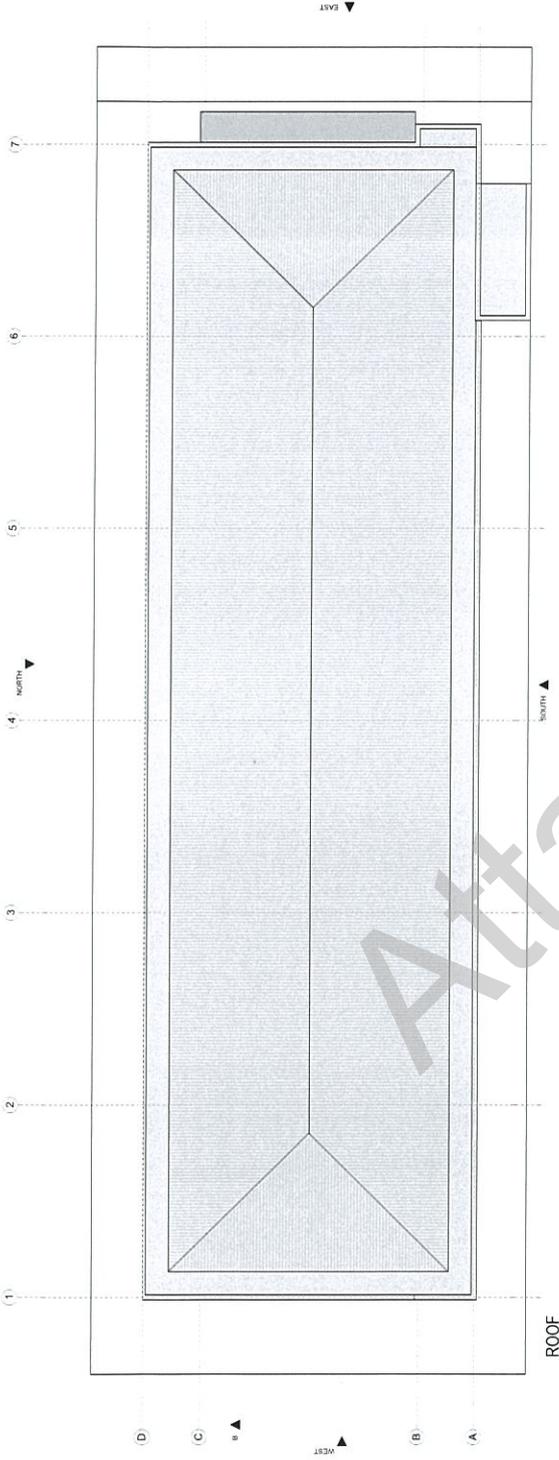
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DA ISSUE

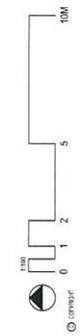
PROFESSIONAL AMENDMENT (EVALUATION RESPONSE) 31/03/15  
 PROFESSIONAL AMENDMENT (EVALUATION RESPONSE) 31/03/15  
 PROFESSIONAL AMENDMENT (EVALUATION RESPONSE) 31/03/15



DATE: 31/03/15  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 APPROVED BY: [Name]

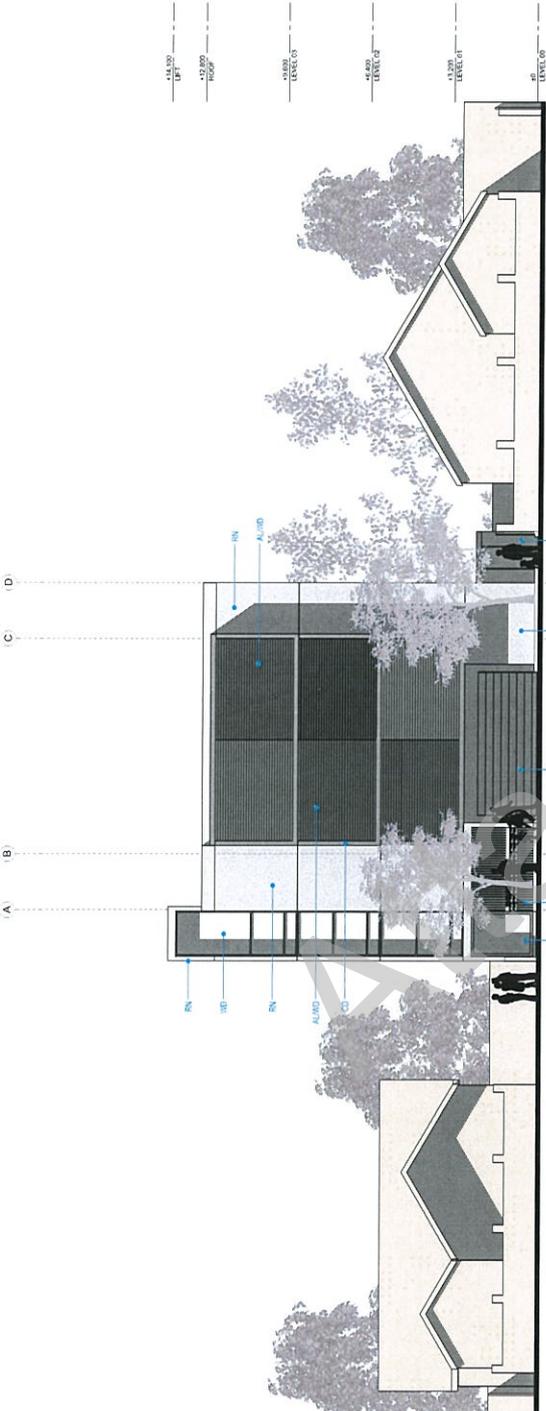


APARTMENTS	431 m <sup>2</sup>
BALCONIES	73 m <sup>2</sup>
UPPER FLOOR TERRACE	22 m <sup>2</sup>
COMMON TERRACE	591 m <sup>2</sup>
<b>GROSS</b>	

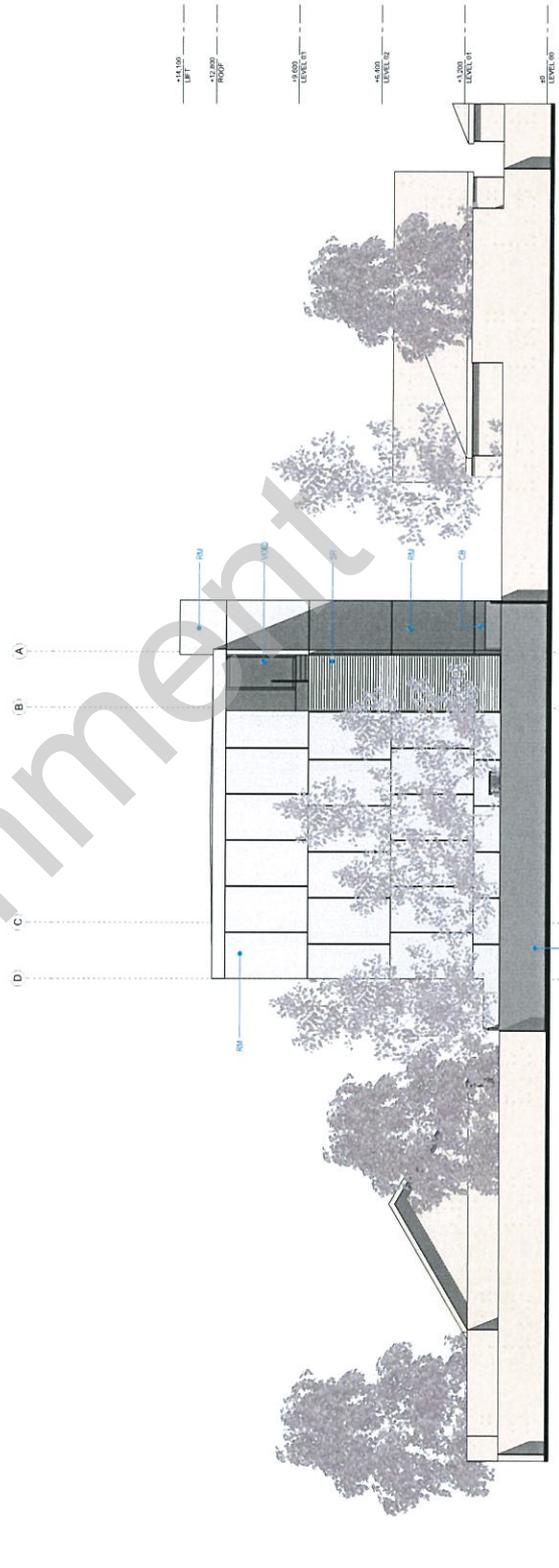


DA ISSUE  
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 PROFESSIONAL MANAGEMENT DAC-COMPRE RESPONSE - 11/03/15 MZ  
 PROFESSIONAL MANAGEMENT DAC-COMPRE RESPONSE - 08/01/15 MZ

**SUPERSEDED**



EAST ELEVATION



WEST ELEVATION

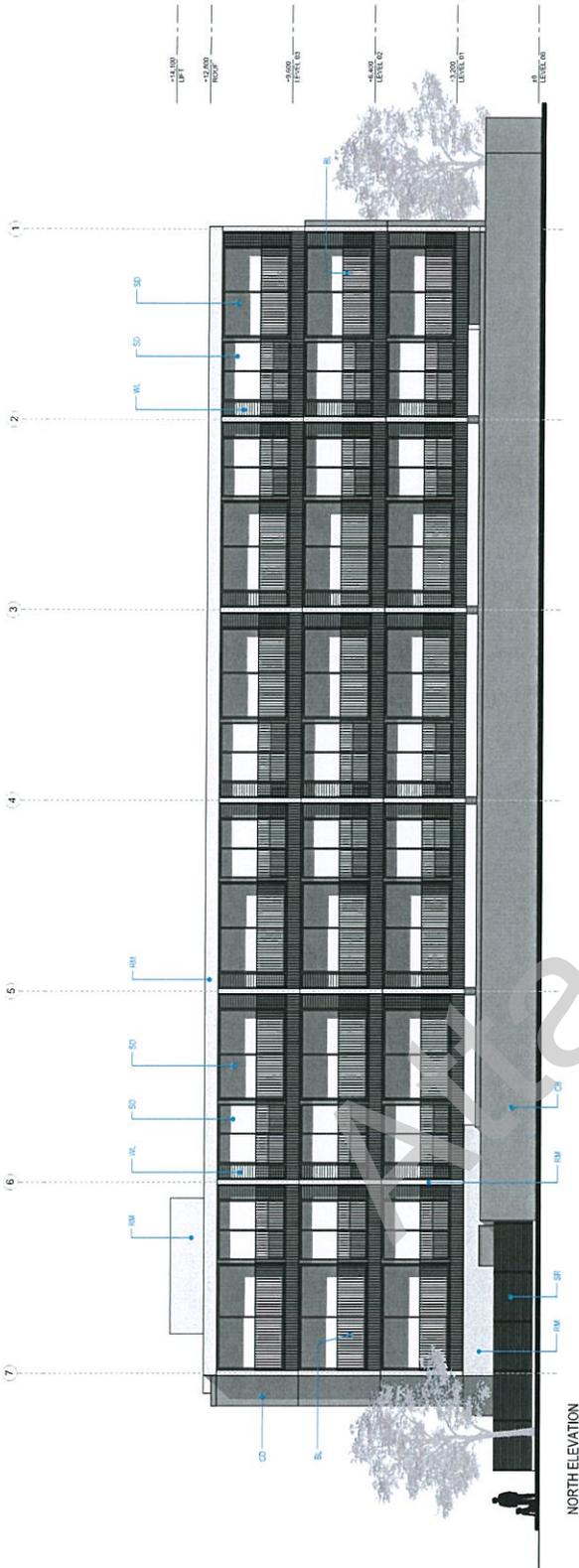
**SUPERSEDED**

- LEGEND
- AL ALUMINUM EXTERIOR FINISH
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  - CB CONCRETE BLOCK
  - CG CONCRETE GRADING
  - CH CHIMNEY
  - CL CLADDING
  - CM CONCRETE MASONRY
  - CO COLORED GLASS
  - CP CONCRETE PAVING
  - CR CONCRETE ROOF
  - CS CONCRETE SLAB
  - CT CONCRETE TILES
  - CU CUPOLA
  - CV CONCRETE VENT
  - DC DARK GRAY
  - DE DARK GREEN
  - DF DARK BLUE
  - EG EGGSHELL
  - EH ENAMEL
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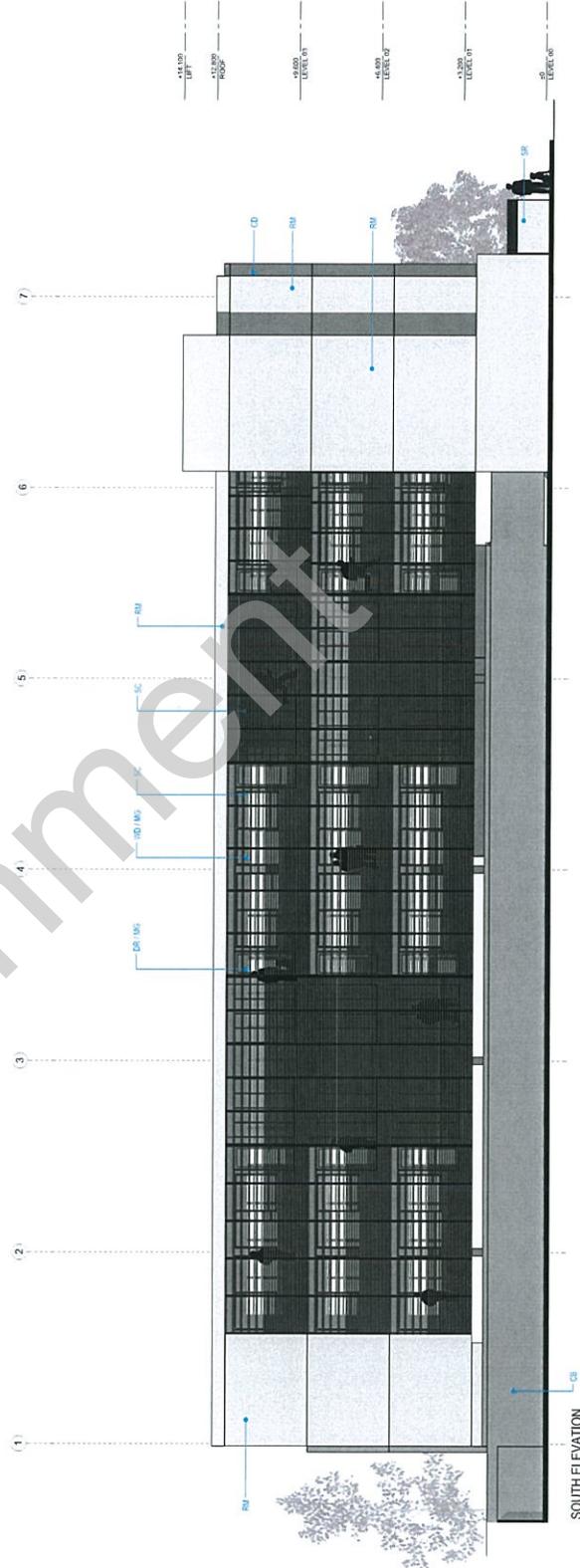
DA ISSUE

PROFESSIONAL MARKING	DATE
DATE	DATE





NORTH ELEVATION



SOUTH ELEVATION

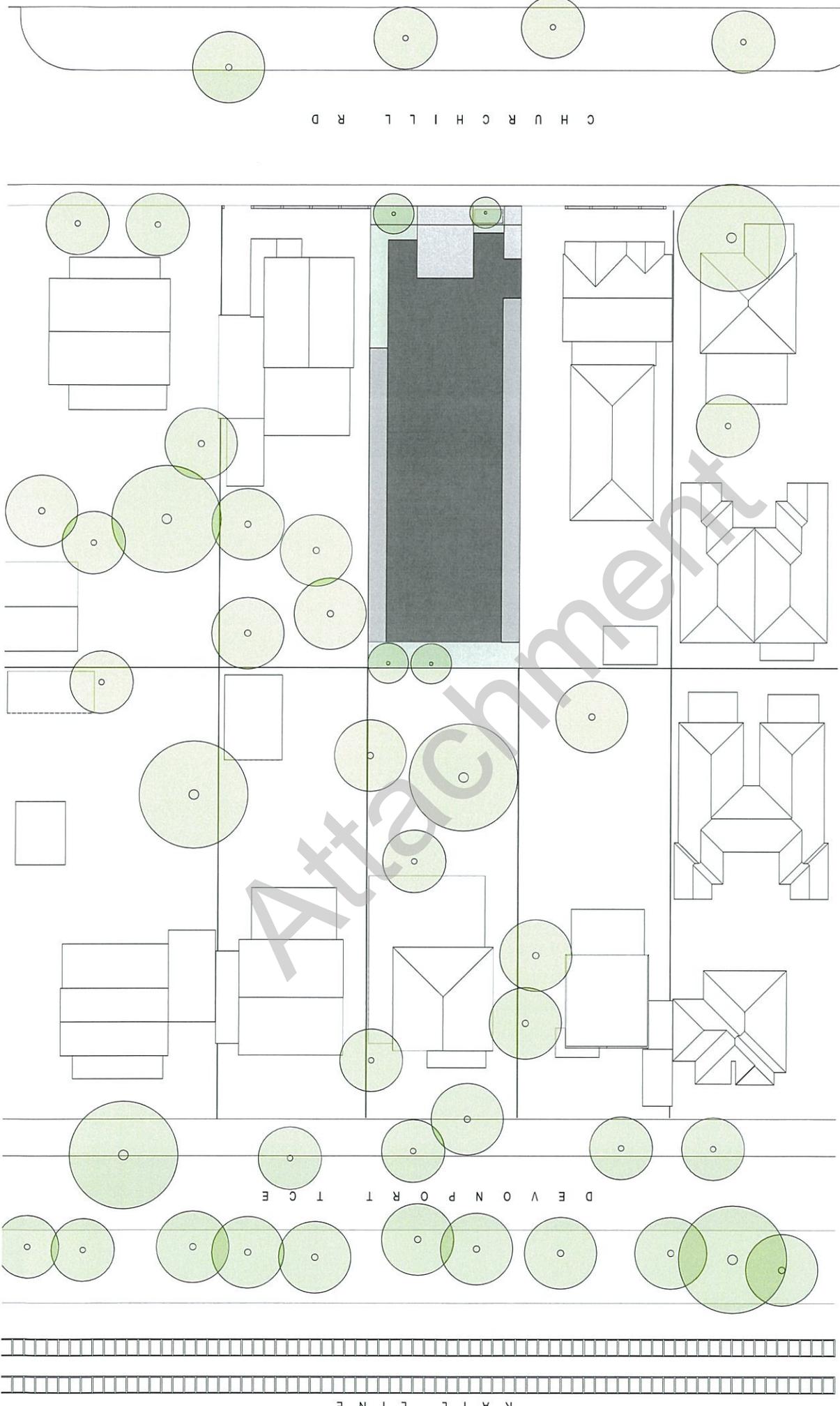
- FIGURE
- AK ALUMINUM ANODIZED POWDERCOAT FINISH
  - BL BRASS POLISH
  - CD COLORED GLAZING AND COMPRESSIVE GLAZING PANELS
  - DR ALUMINUM ANODIZED POWDERCOAT FINISH
  - GR ALUMINUM ANODIZED POWDERCOAT FINISH
  - IR IRONSTONE ALUMINUM ANODIZED POWDERCOAT FINISH
  - KE KEELER SYSTEM ALUMINUM ANODIZED POWDERCOAT FINISH
  - NS ALUMINUM ANODIZED POWDERCOAT FINISH
  - SR SYSTEMS ALUMINUM ANODIZED POWDERCOAT FINISH
  - TS TRIM SYSTEM ALUMINUM ANODIZED POWDERCOAT FINISH
  - WV WOOD FINISH
  - PP POLYPROPYLENE
  - PC POLYCARBONATE
  - PE POLYETHYLENE
  - PF POLYURETHANE
  - PK POLYURETHANE
  - PL POLYURETHANE
  - PS POLYURETHANE
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**SUPERSEDED**



DA ISSUE

NO.	DESCRIPTION	DATE
1	PROVISIONAL ARCHITECTURAL RESPONSE	2014.12
2	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
3	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
4	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
5	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
6	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
7	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
8	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
9	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02
10	PROVISIONAL ARCHITECTURAL RESPONSE	2015.02



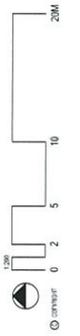
C H U R C H I L L R D

D E V O N P O R T T C E

R A I L L I N E

SITE PLAN

AREAS	AREA
SITE AREAS	633 m <sup>2</sup>
BALCONIES	219 m <sup>2</sup>
LOBBY/LIFT STAIR	101 m <sup>2</sup>
PUBLIC TERRACE	189 m <sup>2</sup>
REFUSE STORE SERVICES	87 m <sup>2</sup>

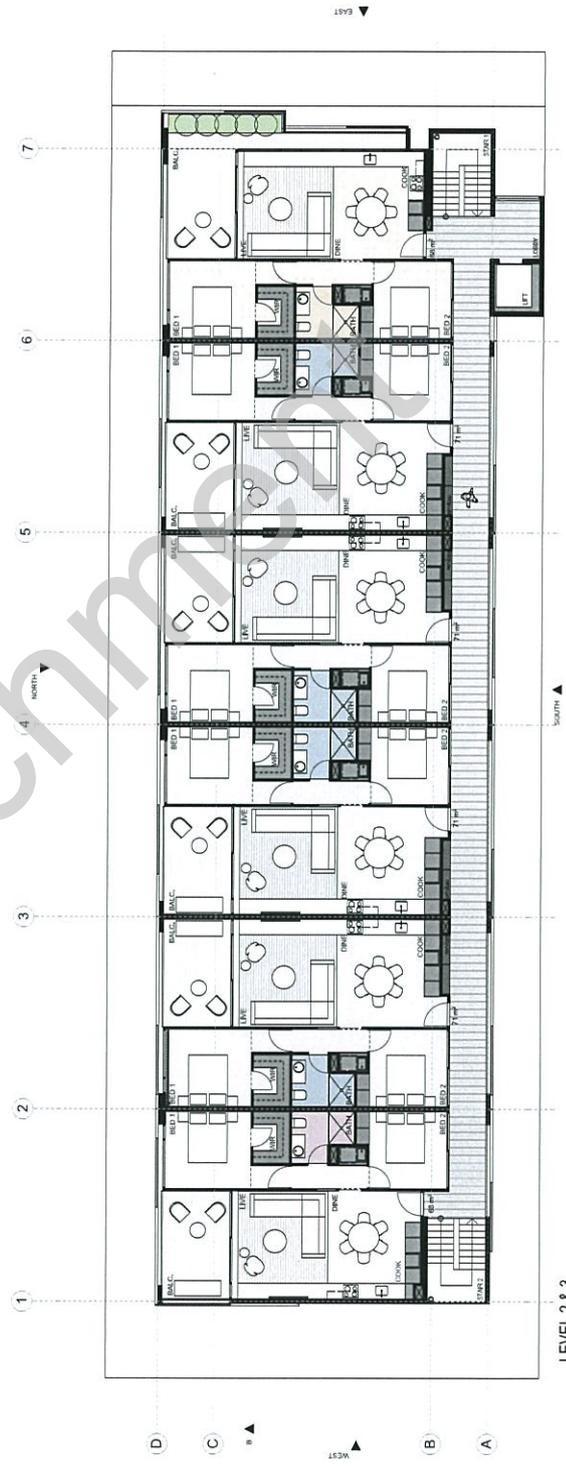
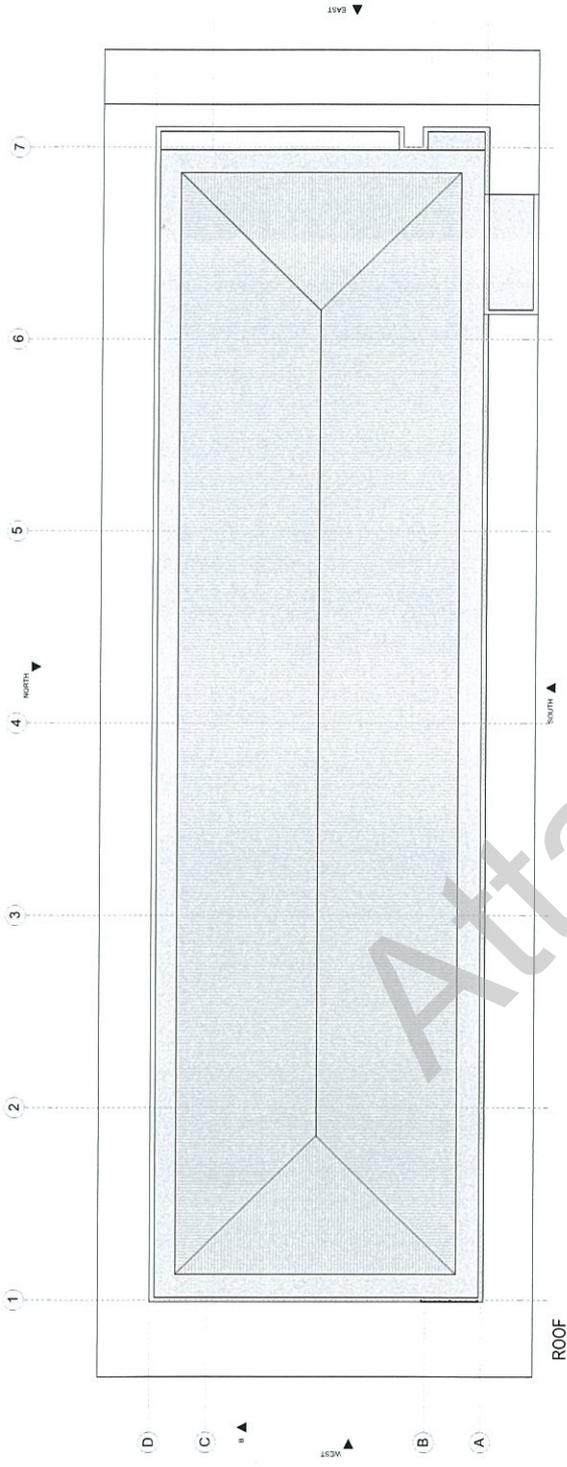


DA ISSUE

C PROFESSIONAL AMENDMENT ENVIRONMENTAL RESPONSE 27.11.15 NZ  
 B PROFESSIONAL AMENDMENT ENVIRONMENTAL RESPONSE 13.08.15 NZ  
 A PROFESSIONAL ENVIRONMENTAL RESPONSE 11.02.15 NZ  
 1/2015 14-1160 01

**SUPERSEDED**





AREAS

APARTMENTS	433 m <sup>2</sup>
BALCONIES	71 m <sup>2</sup>
LIFT STAIRS	22 m <sup>2</sup>
LOBBY / TERRACE	63 m <sup>2</sup>
GROSS	591 m <sup>2</sup>



DA ISSUE

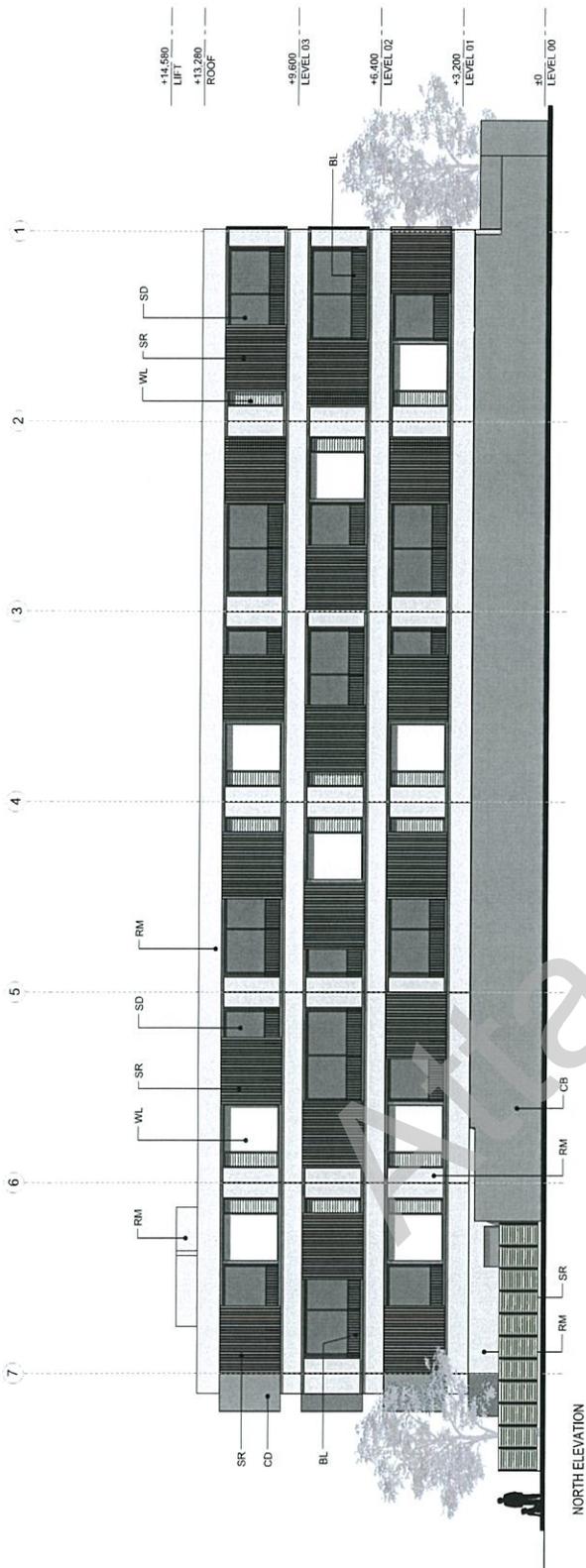
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B - PROFESSIONAL AMENDMENT IN LUMP RESPONSE 27.11.15 10'

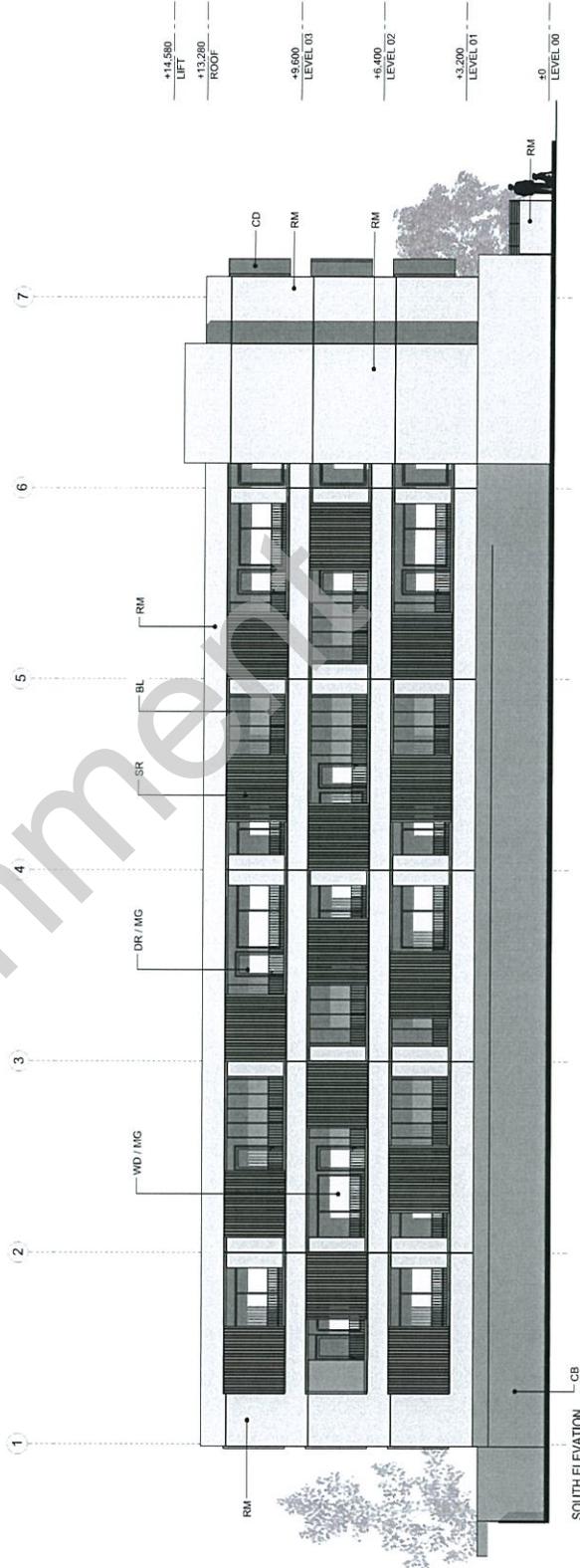
A - PROFESSIONAL AMENDMENT IN LUMP RESPONSE 27.11.15 10'

100% RESPONSE 27.11.15 10'

**SUPERSEDED**



NORTH ELEVATION

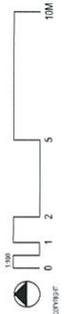


SOUTH ELEVATION

- LEGEND
- AL ALUMINIUM LOUVER POWDERCOAT FINISH
  - BL BALLUSTRADE STEEL FIN PLATE 100MM PAINT FINISH.
  - CB COLONNAD GLAZING AND CAPPINGS MONUMENT FINISH.
  - CD ALUMINIUM COMPOSITE GLAZING CHARCOAL FINISH.
  - DR ALUMINIUM FRAMED ENTRY DOOR TRANSLUCENT GLAZING.
  - GD GARAGE TILT DOOR POWDERCOAT FINISH. MODOOD BATTEN FINISH. 40% VISION JOINTS.
  - LB ALUMINIUM LETTER BOXES AND SIGNAGE CHARCOAL FINISH.
  - MG MIRROR GLAZING TO WALKWAY GLAZING.
  - PD ALUMINIUM FRAMED PIVOT DOOR CLEAR GLAZING.
  - PV HERRINGBONE DRIVEWAY PAVING.
  - RC RENDERCOAT PRECAST CONCRETE WALLS. BRIGHTON LITE FINISH.
  - SD SLIDING DOOR ALUMINIUM FRAME POWDERCOAT FINISH HIGH PERFORMANCE GLAZING.
  - SR SCREENING MODOOD BATTENS SCREENING MODOOD BATTENS INTERFRAME. MANUAL SLIDING TO WINDOWS & BALCONIES.
  - TS TIMBER SILING 100MM V-JOINTED. BLACK PAINT FINISH.
  - WD WINDOWS ALUMINIUM FRAME POWDERCOAT FINISH. HIGH PERFORMANCE GLAZING.

130 CHURCHILL RD  
NORTH SOUTH ELEVATIONS / CONCEPT DESIGN  
1/12/2015 / 14-1160 / SK0104 / C

**SUPERSEDED**



DA ISSUE

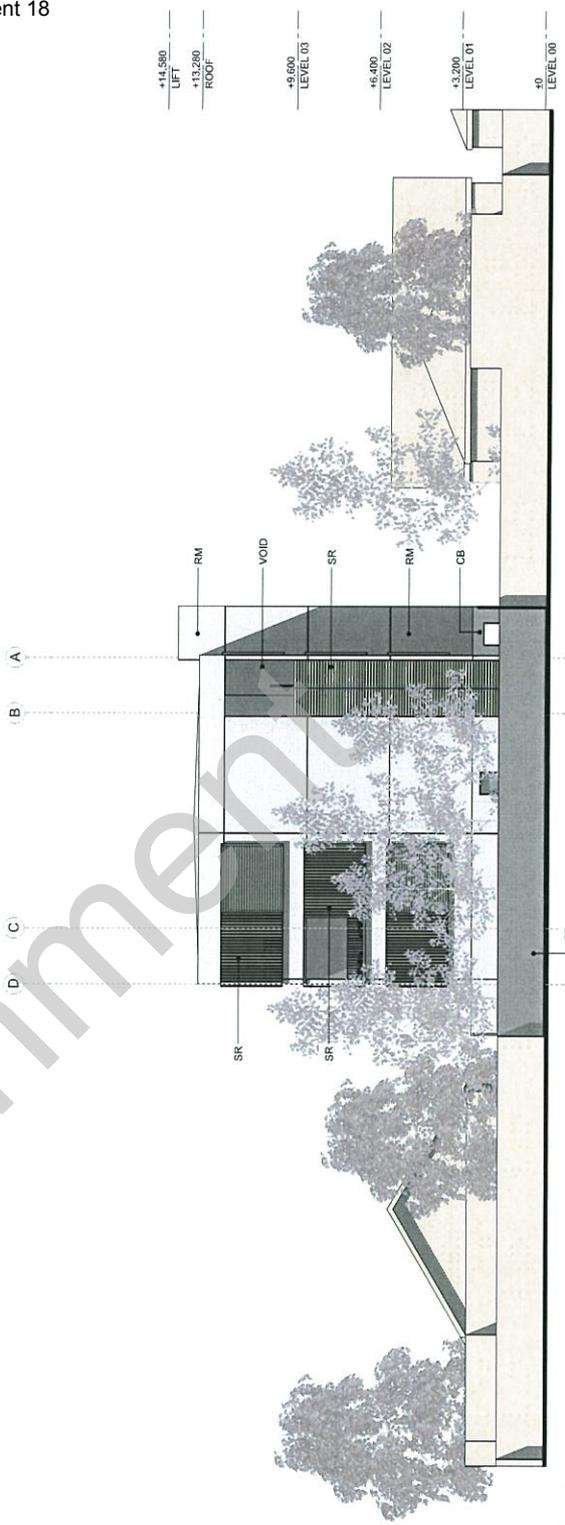
C	PROVISIONAL AGREEMENT EX-DVP RESPONSE	27.11.15	A2
B	PROVISIONAL AGREEMENT EX-CONTRACT RESPONSE	23.04.15	A2
A	PROVISIONAL ELEVATIONS APPROVAL	15.03.15	A2

DATE: 15/03/2015

**SUPERSEDED**



EAST ELEVATION



WEST ELEVATION

- LEGEND**
- AL ALUMINIUM LOUVER POWDERCOAT FINISH.
  - BL BALUSTRADE STEEL FIN PLATE 10MM PAINT FINISH.
  - CB COLOURBOND CLADDING AND CAPPING MONUMENT FINISH.
  - CD ALUMINIUM COMPOSITE CLADDING CHARCOAL FINISH.
  - DR ALUMINIUM FRAMED ENTRY DOOR TRANSLUCENT GLAZING.
  - GD GARAGE TILT DOOR POWDERCOAT FINISH. MODOOD BATTEN FINISH. 40% VISION JOINTS.
  - LB ALUMINIUM LETTER BOXES AND STORAGE CHARCOAL FINISH.
  - MG MIRROR GLAZING TO WALKWAY GLAZING.
  - PD ALUMINIUM FRAMED PIVOT DOOR CLEAR GLAZING.
  - PV HERRINGBONE DRIVEWAY PAVING.
  - RC RENDERCOAT PRECAST CONCRETE WALLS. BRIGHTON LITE FINISH.
  - SD SLIDING DOOR ALUMINIUM FRAME POWDERCOAT FINISH. HIGH PERFORMANCE GLAZING.
  - SR SCREENING MODOOD BATTENS 40% VISION JOINTS. ALUMINIUM SUBFRAME. MANUAL SLIDING TO WINDOWS & BALCONIES.
  - TS TIMBER SPRING 10MM V-JOINTED. BLACK PAINT FINISH.
  - WD WINDOWS ALUMINIUM FRAME POWDERCOAT FINISH. HIGH PERFORMANCE GLAZING.



**DA ISSUE**

S.	PROVISIONAL MEASUREMENT ENCLAVE RESPONSE	27.11.15	02
B.	PROVISIONAL MEASUREMENT ENCLAVE RESPONSE	15.04.15	02
E.	PROVISIONAL OCCUPANCY APPROVAL	15.04.15	02
DA	PROVISIONAL	27.11.15	02

**AGENDA ITEM:** 7.1

**To:** Development Assessment Panel (DAP) on 14 November 2016

**From:** Scott McLuskey, Acting Manager Development Services

**Proposal:** Removal of Significant Tree (DA 050/373/2016)

**Address:** 2-12 Balfour Street Nailsworth (CT 5846/35)

---

**SUMMARY:**

**Applicant:** Department of Education and Child Development

**Owner:** Minister for Education & Children's Services

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

**Mandatory Referrals:** Council

**Public Notification:** Category 1

**Representations:** Not applicable

**Respondent:** Not applicable

**Development Plan Version:** Consolidated 21 April 2016

**Zone and Policy Area:** Residential Zone (A350 Policy Area)

**Recommendation:** **Advise the Development Assessment Commission that Council is not supportive of the tree's removal on the basis of currently available evidence.**

---

**ATTACHMENTS:**

Attachments 1-2 Locality Plans

Attachment 3 Development Application Form

Attachments 4 Proposal Plan

Attachments 5-15 Arborist Report

Attachment 16 Supporting Submission

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## 1. **RECOMMENDATION**

- 1.1 **That the Development Assessment Commission (DAC) be provided with a copy of this report and that it be advised of Council's comments in relation to the matters described herein.**

## 2. **PLANNING COMMENTARY**

- 2.1 Pursuant to Section 49 of the *Development Act 1993*; the Development Assessment Commission (DAC) is the relevant authority with respect to the determination of development plan consent in relation to the subject proposal as the application is being proposed by a State agency in relation to public infrastructure.
- 2.2 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), determining relevant referral authorities (pursuant to Schedule 8) and determining whether the proposal is seriously at variance with the Development Plan (pursuant to Section 35(2)).
- 2.3 Sections 49(4a), 49(5) and 49(6), taken together, require that Council be given notice of the proposal and be given a period of two months within which to provide a report on any relevant matters to the DAC. Section 49(9) requires any report prepared by Council to be attached.
- 2.4 It is noted that the proposal is neither a complying nor a non-complying development with reference to Principle of Development Control 13 of the Residential Zone, and will therefore be considered by the DAC on its merits against the relevant provisions of Council's Development Plan.

## 3. **SUBJECT LAND AND LOCALITY**

- 3.1 The subject land has a frontage of 58m to Main North Road, 104m to Balfour Street and 171m to Thomas Street. The land is irregularly shaped and comprises one allotment with a total area of 17,254m<sup>2</sup>. The site currently comprises a mix of civic and educational uses, including Nailsworth Primary School, the Prospect Library, Gallery and Digital Hub, as well as detached community facilities. There are no significant trees listed in Table Pr/4 located on the subject land.
- 3.2 The site is bordered to the North, East and South by residential uses typically comprising single storey detached dwellings, and to the West by a mix of retail and commercial uses fronting Main North Road. 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 provided (refer **Attachments 1-2**).

## 4. **PROPOSAL**

- 4.1 Briefly, the application proposes the removal of a significant Eucalyptus cladocalyx (Sugar Gum) tree located adjacent one of the school's playground facilities, approximately 80m from the Main North Road and 49m from the Balfour Street site boundaries. No other works are proposed.
- 4.2 The proposal plan is attached (refer **Attachments 4**). Supporting documentation including an arborist report from Project Green (refer **Attachments 5-15**) and a supporting statement from the applicant (refer **Attachment 16**), is attached.

## 5. **BACKGROUND**

- 5.1 By way of separate application, Nailsworth Primary School recently lodged a development application with Council for a tree damaging activity relating to the excavation of soil within proximity of the tree and replacement with soft-fall mulch. It is noted briefly that a review of the works involved by two suitably qualified arborists concluded that the work was unlikely to be inappropriately detrimental to the health and stability of the tree.

## **6. PUBLIC NOTIFICATION**

- 6.1 The application is a Category 1 form of development pursuant to Section 38 of the *Development Act 1993*, Schedule 9 of the *Development Regulations 2008*. DPTI has therefore not undertaken public notification in relation to the proposal.

## **7. PLANNING CONSIDERATIONS**

### **7.1 Desirable Positive Attributes:**

- 7.1.1 The provisions of Council's Development Plan anticipate the preservation of significant trees which provide important aesthetic and environmental benefits. The circumstances by which a tree is of important aesthetic or environmental benefit is provided by Council Wide PDC 346, which states:

*Where a significant tree:*

- a) makes an important contribution to the character or amenity of the local area; or*
- b) is indigenous to the local area and its species is listed under the National Parks and Wildlife Act as a rare or endangered native species; or*
- c) represents an important habitat for native fauna; or*
- d) is part of a wildlife corridor or a remnant area of native vegetation; or*
- e) is important to the maintenance of biodiversity in the local environment; or*
- f) forms a notable visual element to the landscape of the local area.*

*development should preserve these attributes.*

- 7.1.2 It is known that the subject tree is not indigenous to the local area or an endangered native species, nor is the subject tree part of a wildlife corridor or a remnant area of native vegetation. Insufficient information is available regarding local environmental biodiversity or habitat value contributions that the subject tree may make, with this further assessment to be undertaken by the DAC.
- 7.1.3 While views of the tree are available from Thomas Street and Main North Road, it is considered that the contribution of the tree to these streetscapes would not of itself achieve the threshold level of importance provided by Council Wide PDC 346(a). The tree is however, being perhaps the tallest and broadest canopied tree within the local area and being adjacent to a substantial recreational area and community facilities, clearly a notable visual element of the local landscape.
- 7.1.4 Consistent with the process adopted by the Environment, Resources and Development Court, it is recommended that the amenity contributions of the subject tree be considered by a suitably qualified landscape architect rather than an arboricultural or planning expert. Council nonetheless indicates, from the perspective of its local knowledge regarding the use of the subject land, that

the tree is a notable visual element within adjacent local public recreation areas and community facilities notwithstanding that its streetscape contribution is relatively modest.

## 7.2 Removal Criteria:

7.2.1 Certain circumstances exist by which a tree that is of important aesthetic or environmental benefit may be removed, which are provided by Council Wide PDC 349, which states:

*Significant trees should be preserved and tree-damaging activity should not be undertaken unless:*

*(a) in the case of tree removal;*

*(1) (i) the tree is diseased and its life expectancy is short; or*

*(ii) the tree represents an unacceptable risk to public or private safety; or*

*(iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area; or*

*(iv) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value; and*

*all other reasonable remedial treatments and measures have been determined to be ineffective.*

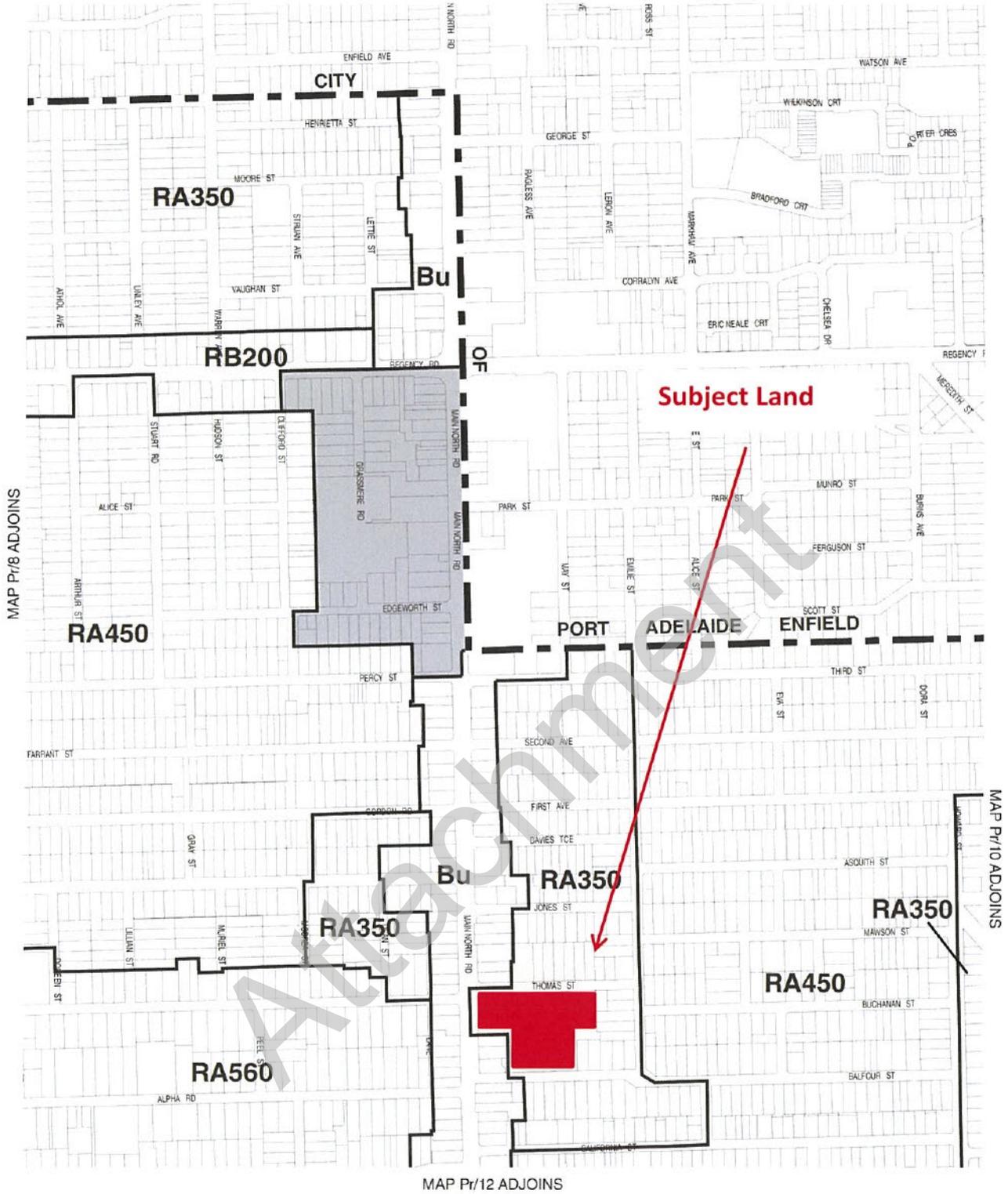
7.2.2 It is noted that neither Project Green, nor Council's arborist, identified any deficiency in the subject tree with respect to its health or structure, with both indicating that the tree was anticipated to have substantial useful life expectancy. While Council staff are not aware of any damage caused or threatening to be caused to a substantial building by the subject tree, it is noted that Council is not aware of any inspection of the tree or site by a structural or other suitably qualified engineer. It is anticipated that such advice will be sought by DPTI on behalf of the DAC if this matter is addressed further through the application process.

7.2.3 While the risk mitigation strategy adopted by the site leader of Nailsworth Primary School is readily understandable, and Council agrees that use of precautionary principles in relation to safety is appropriate in highly used areas such as school playgrounds, it is Council's understanding that current arboricultural advice is that the tree poses a low risk to the safety of students and members of the public.

## 8. CONCLUSION

8.1 A full assessment of the proposal has not been undertaken, as this is not Council's role with respect to this proposal. It is anticipated that further assistance from a landscape architect and/or structural engineer may be required to complete this assessment. Council nonetheless notes that the tree appears to have values that make it worthy of retention, intended soft-fall placement works are unlikely to result in detrimental effects to tree health and stability, and current arboricultural evidence suggests that the tree poses a low risk to public safety.

- 8.2 Council thus indicates that it is not supportive of the subject tree's removal on the basis of the currently available evidence. It is noted however that Council's advice to the DAC is provided in the absence of expert advice that may impact upon this view.



- RA560** Residential Policy Area A560
- RA450** Residential Policy Area A450
- RA350** Residential Policy Area A350
- RB200** Residential Policy Area B200
- Bu** Business

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

Scale 1:8000



## PROSPECT COUNCIL POLICY AREAS MAP Pr/9

Consolidated - 21 April 2016



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



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

# SECTION 49 & 49A – CROWN DEVELOPMENT DEVELOPMENT APPLICATION FORM

PLEASE USE BLOCK LETTERS

FOR OFFICE USE

COUNCIL: PROSPECT

APPLICANT: DECD

ADDRESS: 2 BALFORS ST

CROWN AGENCY: DECD

DEVELOPMENT No: \_\_\_\_\_

PREVIOUS DEVELOPMENT No: \_\_\_\_\_

DATE RECEIVED:     /     /

**CONTACT PERSON FOR FURTHER INFORMATION**

Name: ROBERT TRIMBOLI

Telephone: 0420058836 [work] \_\_\_\_\_ [Ah]

Fax: \_\_\_\_\_ [work] \_\_\_\_\_ [Ah]

Email: Robert.trimboli@spottles.com.au

<input type="checkbox"/> Complying	Decision: _____
<input type="checkbox"/> Merit	Type: _____
<input type="checkbox"/> Public Notification	Finalised:     /     /
<input type="checkbox"/> Referrals	

**NOTE TO APPLICANTS:**

(1) All sections of this form must be completed. The site of the development must be accurately identified and the nature of the proposal adequately described. If the expected development cost of this Section 49 or Section 49A application exceeds \$100,000 (excl. fit-out) or the development involves the division of land (with the creation of additional allotments) it will be subject to those fees as outlined in Item 1 of Schedule 6 of the *Development Regulations 2008*. Proposals over \$4 million (excl. fit-out) will be subject to public notification and advertising fees.

(2) Three copies of the application should also be provided.

	Decision required	Fees	Receipt No	Date
Planning:	_____	_____	_____	_____
Land Division:	_____	_____	_____	_____
Additional:	_____	_____	_____	_____
Minister's Approval	_____	_____	_____	_____

EXISTING USE: PRIMARY SCHOOL

DESCRIPTION OF PROPOSED DEVELOPMENT: REMOVAL OF SIGNIFICANT TREE LOCATED IN MAIN PLAYGROUND

**LOCATION OF PROPOSED DEVELOPMENT:**

House No: \_\_\_\_\_ Lot No: 2 Street: BALFORS Town/Suburb: NALSWORTHY

Section No [full/part] \_\_\_\_\_ Hundred: YATALA Volume: 5846 Folio: 35

Section No [full/part] \_\_\_\_\_ Hundred: \_\_\_\_\_ Volume: \_\_\_\_\_ Folio: \_\_\_\_\_

**LAND DIVISION:**

Site Area [m<sup>2</sup>] \_\_\_\_\_ Reserve Area [m<sup>2</sup>] \_\_\_\_\_ No of existing allotments \_\_\_\_\_

Number of additional allotments [excluding road and reserve]: \_\_\_\_\_ Lease: YES  NO

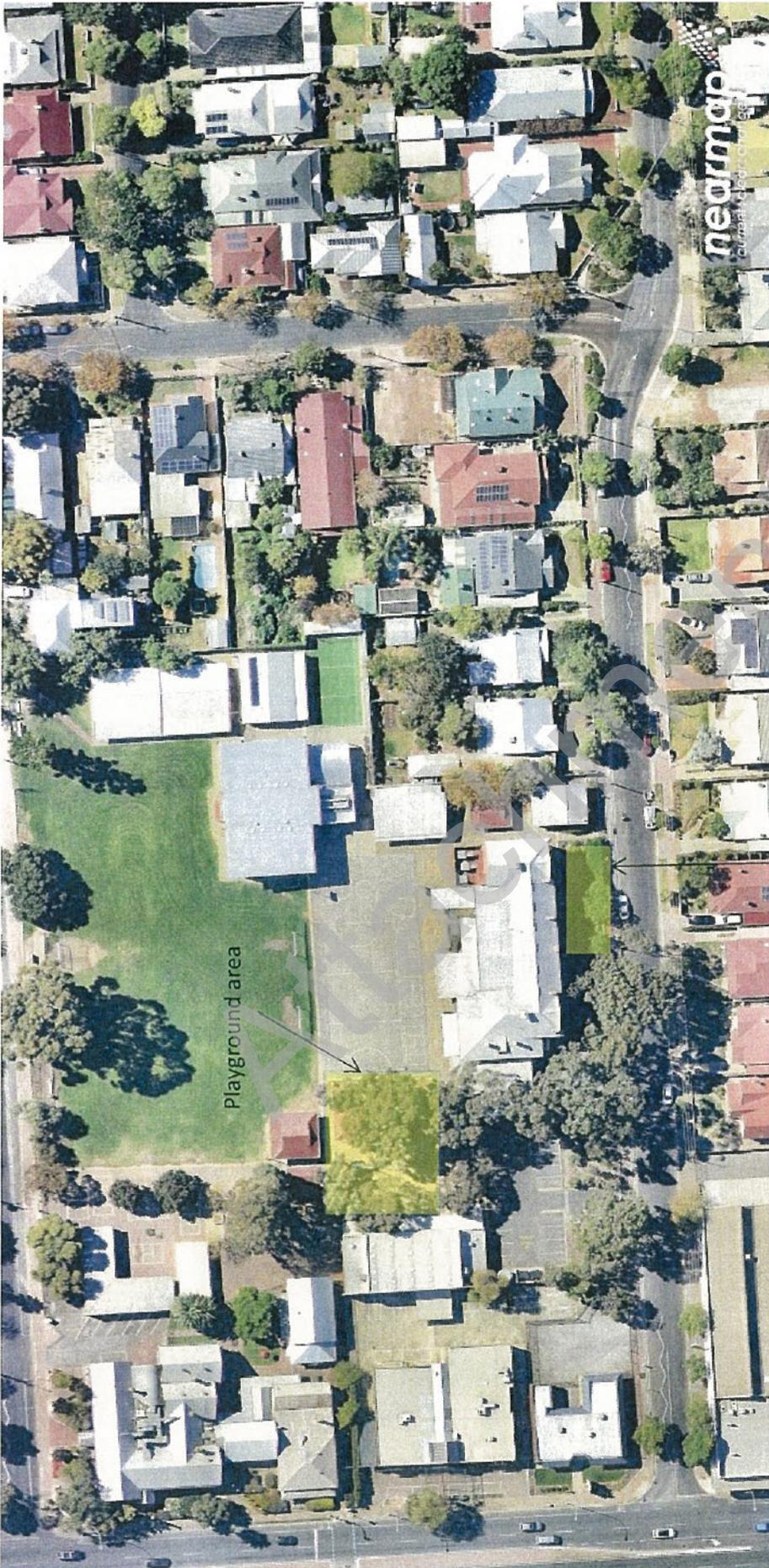
DEVELOPMENT COST [do not include any fit-out costs]: \$ 3,000

**POWERLINE SETBACKS:** Pursuant to Schedule 5 (2a)(1) of the *Development Regulations 2008*, if this application is for a building it will be forwarded to the Office of the Technical Regulator for comment unless the applicant provides a declaration to confirm that the building meets the required setback distances from existing powerlines. The declaration form and further information on electricity infrastructure and clearance distances can be downloaded from the DPLG website ([www.dac.sa.gov.au](http://www.dac.sa.gov.au)).

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the *Development Act 1993*.

SIGNATURE: [Signature]

Dated: 29/8/16



Playground area

Proposed new playground area

# project GREEN

---



## Root Investigation Report

15 August 2016

S13487

---

*Prepared for:*

**Spotless Facilities Management**

South Road

Hilton SA

*Site Details:*

**Nailsworth Primary School**

2 Balfour Street

Nailsworth SA

*Prepared by:*

**Project Green Pty Ltd**

25-27 Ceafield Road

Para Hills West SA 5096

ABN: 78 088 402 706

ACN: 088 402 706

Tel: (08) 8283 1300

Fax: (08) 8258 1933

admin@projectgreen.net.au

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## Acknowledgement

Report prepared and written by: Ross Greene  
 B. App. Sc.(Horticulture)  
 Dip. Hort.(Arboriculture)  
 Certified Tree Risk Assessor (ISA)



## 1. INTRODUCTION

Project Green was commissioned by Spotless Facilities Management to co-ordinate, observe and report on a hydro-vac excavation undertaken to expose and assess roots of two trees at Nailsworth Primary School in Nailsworth. The trees are located within a playground area that contains play equipment. The school must satisfy a requirement for the playground to contain 300mm of soft fall mulch on the ground under and within 2 metres of play equipment. Installing the mulch will necessarily involve shallow excavation within the Tree Protection Zones of the two trees. The work was undertaken to investigate the extent of root growth within the area targeted for excavation to install the mulch and establish the likelihood of causing damage to roots.

## 2. METHOD

The hydro-vac excavation was undertaken along the boundary of the area where the proposed excavation is to occur. A trench 100mm wide and a minimum of 350mm deep was exposed along the edge of the 2m buffer beyond the play equipment. Roots exposed during the work were photographed. Once complete the potential for damage to the trees was assessed. One small piece of play equipment was recommended to be removed as installing a 2m buffer around this equipment would incur right to the base of Tree 1 (refer Appendix A photo 1).

### 2.1 Limitations

This document reports on the hydrovac excavation undertaken to investigate the roots of two trees which are liable to be affected by the proposed work. No drawn plans for the proposed installation had been formulated. This report has been prepared on behalf of, and for the exclusive use of, the Project Green client.



Photo 1. Shows the 2m buffer beyond the play equipment adjacent to Tree 1. The equipment right of photo is recommended for removal.

### 3. SITE LOCATION



Figure 1. Shows the site and playground area (source Nearmap).



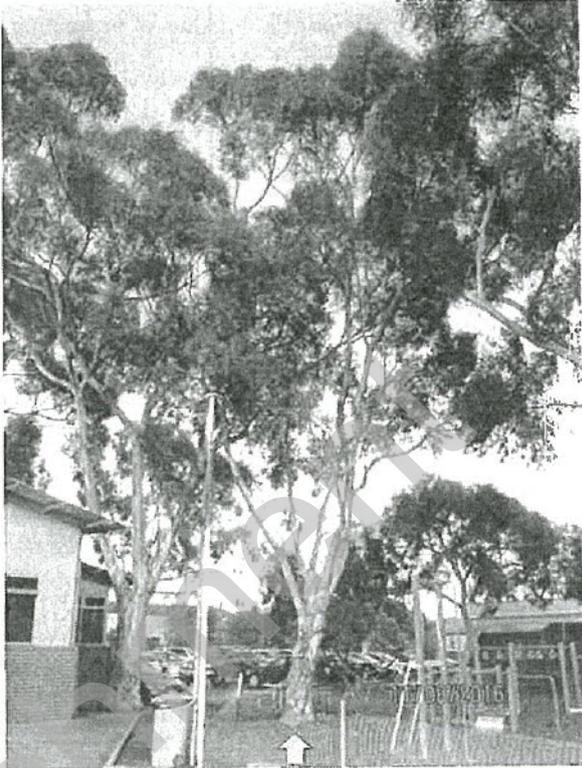
Figure 2. Shows the playground area and the location of the trees (source Nearmap).

## 4. TREE DATA

### 4.1 Tree 1

Tree Species	<i>Eucalyptus cladocalyx</i>	
Common Name	Sugar Gum	
Location	Nailsworth Primary School playground	
Date	11 <sup>th</sup> August 2016	
Size (m)	Height 20m Diameter 20m	
Age	Mature 40-60yrs	
Useful Life Expectancy	40+ yrs	
TPZ (@ 1.4m) 3.3m	12.6m	
SRZ (@ base) 3.7m	3.5m	
Trunk circum. @ 1m	3.3m	
Legislative Status	The trunk circumference measures over 3 metres at 1 metre above natural ground level. It is therefore deemed to be a 'Significant Tree' under the provisions of the SA Development Regulations 2008 under the Act.	
Environment	Located in a mulched playground within the school. One small piece of play equipment conflicts with the planned installation of mulch and the retention of the tree (refer Appendix A photo 1).	
Health	Good – healthy trunk and branching system. Crown shows good colour and density. No indicators of pests or diseases observed.	
Structure	Good – well-flared trunk base indicates good ground stability. Single trunk to around 4m where a spreading crown forms.	

## 4.2 Tree 2

<b>Tree Species</b>	<i>Eucalyptus cladocalyx</i>	
<b>Common Name</b>	Sugar Gum	
<b>Location</b>	Nailsworth Primary School playground	
<b>Date</b>	11 <sup>th</sup> August 2016	
<b>Size (m)</b>	Height 18m Diameter 14m	
<b>Age</b>	Mature 20-40yrs	
<b>Useful Life Expectancy</b>	15 - 40yrs	
<b>TPZ (@1.4m) 1.85m</b>	7m	
<b>SRZ (@ base) 2.1m</b>	2.8m	
<b>Trunk circum. @ 1m</b>	1.93m	
<b>Legislative Status</b>	The trunk circumference measures less than 2 metres at 1 metre above natural ground level. It is therefore deemed to be exempt from regulation under the provisions of the SA Development Act 1993.	
<b>Environment</b>	Located in a mulched playground within the school. A piece of play equipment that must be retained is less than 2 metres from the base of the tree (refer Appendix A photo 2). Another tree of the same species is located approx. 5 metres to the east and their crowns merge. The eastern crown overhangs a well-utilised walkway.	
<b>Health</b>	Good – common crown indicators suggest a healthy tree; leaves show good colour and density. The bark, however, has been extensively damaged by birds to the point of almost ringbarking the tree (refer Appendix A photos 3 to 6). Fresh wounds indicate this is ongoing. There is a hollow in the first union being regularly utilised for nesting.	
<b>Structure</b>	Fair – single trunk to 3m where an ascending crown forms. There is virtually no bark damage above the first union. Branch taper is poor in some sections.	

## 5. TREE PROTECTION ZONES

Australian Standard 4970-2009 *Protection of trees on development sites* established the Tree Protection Zone (TPZ) as the principal means of protecting trees during development. This is an area isolated from construction disturbance so that the tree remains viable. The TPZ relates to both the above and below ground parts of a tree. Where the tree is regulated the TPZ ensures that tree damaging activity during development is minimised and is within the tolerable limits of the tree. Damaging a regulated tree is in contravention of the SA Development Act 1993. Encroachment of construction activity into the TPZ is permitted in some instances. Where a major encroachment is proposed AS4970 Clause 3.3.3 states:

*If the proposed encroachment is greater than 10% of the TPZ or inside the SRZ the project arborist must demonstrate that the tree would remain viable. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ. This may require root investigation by non-destructive methods and consideration of factors listed in Clause 3.3.4.*

The planned encroachment for both trees is more than 10% therefore factors listed in Clauses 3.3.3 & 3.3.4 are addressed in Appendix C. The assessment of these factors shows that the root investigation should conclude the planned installation is within the tolerance limits of the regulated Tree 1. Considering that the only change to the environment will be the application of soft fall mulch the impacts are likely to be minor and temporary. Provided excavation activity is limited to the 2m buffer zone and does not extend below 350mm the proposed works assess as being within the tolerance level of this tree (refer Appendix A photo 7).

Tree 2 is not regulated and can be removed without Development Approval. The trunk base of this tree is slightly within the 2m buffer zone for play equipment therefore removal would appear as a logical solution to the incursion. It does, however, apparently support regular visitation by nesting native birds that utilise a hollow within a lower branch union. If an incursion of around 100mm is tolerable within the 2m mulched zone the trunk could be retained as habitat. The mulch would then extend to the base of the habitat tree. Removing roots exposed during the assessment would not destabilise a reduced trunk but the tree should be lopped before roots are removed and regrowth should be managed (refer Appendix A photo 8).

## 6. RESULTS

The excavation revealed the following results over the lengths investigated. A photographic depiction of the results is presented in Appendix B.

**Tree 1** – Feeder roots mostly 2-3mm in diameter were encountered in the top 350mm of soil. Although they were numerous, there will be ample opportunity to regrow new surface roots given mulch is to be reinstated within the excavated zone. Two roots around 20mm in diameter were exposed within Metre 8 and two around 10mm were within Metre 11 closest to the tree. Removal of the exposed roots was assessed as being within the tolerance limits of the tree.

**Tree 2** – The buffer zone for the play equipment extends just beyond the base of Tree 2. The root investigation undertaken at the base of Tree 2 predictably uncovered significant root activity at a shallow depth. The removal of these roots has the potential to affect tree health. An effect on stability could not be discounted unless a significant reduction of height is instated.

## 7. CONCLUSIONS AND RECOMMENDATIONS

### 7.1 Tree 1

The hydro-vac investigation established that excavating to a depth of 300mm under the play equipment and to a point 2m beyond the equipment will have only a minor impact on the tree. Given that mulch is to be re-installed in the area this impact is likely to be temporary. The following limitations apply to the proposed installation:

- (i) Remove or relocate the piece of equipment depicted in Appendix A photo 1. A low impact method such as hand excavation should be employed.
- (ii) The excavation to install mulch should not exceed 350mm in depth at any point.
- (iii) The excavation should not extend closer to the tree than the hydro-vacced trench. Ground level was reinstated with sandy loam after the hydro-vac work therefore this is easily locatable.
- (iv) No excavating machinery should be permitted on the 'tree-side' of the trench.
- (v) Any border installed to hold the mulch in place should not extend below 350mm.

### 7.2 Tree 2

The tree's trunk incurs by 100mm into the 2m buffer zone. The tree is exempt from regulation and can therefore be removed to facilitate the installation. If a 100mm incursion into the 2m buffer zone is tolerable the tree could be retained as habitat. Given significant root removal will occur the tree needs to be reduced to just above the hollow being utilised. Perches could also be installed.

## 8. GLOSSARY

<b>Crown Density</b>	The estimated % of density of foliage present in the crown compared to that idealised for the genus and species when in good condition of normal vigour and expressed as a %, considering vigour, predation, environmental condition, epicormic shoots and dormancy (Draper & Richards, 2009).
<b>Health</b>	Includes the tree's vigour exhibited by density of crown, cover, leaf colour etc.
<b>Live Crown Ratio</b>	Is the proportion of live crown to tree height used to assist in the assessment of potentially hazardous trees.
<b>Size</b>	Tree height and canopy diameter measured in metres.
<b>Structural Root Zone (SRZ)</b>	The area at the base of a tree required for root stability in the ground. The SRZ is incorporated in the Tree Protection Zone. (AS4970:2009).
<b>Tree Protection Zone (TPZ)</b>	The principal means of protecting trees on development sites. The TPZ is a combination of the root area and crown area requiring protection. It is an area isolated from construction disturbance so that the tree remains viable (AS4970:2009).

## 9. BIBLIOGRAPHY

- Draper, D.B & Richards P.A (2009) Dictionary for Managing Trees in Urban Environments, CSIRO Australia.
- Dunster, J.A. (2013) Tree Risk Assessment Manual. ISA Publications, USA.
- Government of South Australia SA Development Act 1993.
- Government of South Australia SA Development Regulations 2008.
- Matheny, N.P: & Clark, J.R (1994) Evaluation of Hazard Trees in Urban Areas. ISA Publications.
- Shigo, A.L. (1986) A New Tree Biology (9<sup>th</sup> edition) Sherwin Dodge Printers, Littleton, New Hampshire.
- Standards Australia (2009) AS4970-2009 Protection trees on development sites.
- Standards Australia (2007) AS4373-2007 Pruning of amenity trees.



## APPENDIX A – Site Photos



**Photo 1. Tree 1:** buffering this small piece of equipment would incur right to the base of Tree 1. It is the only equipment recommended to be removed or relocated.



**Photo 2. Tree 2:** this section of play equipment is the eastern extent of a larger, single installation and needs to be retained. Buffering this equipment to 2m extends just past the base of the tree.





Photo 3. Tree 2: shows the only two sections of undamaged bark on the tree.



Photos 4, 5 & 6. Tree 2: moving around the tree the extent of damage is apparent.

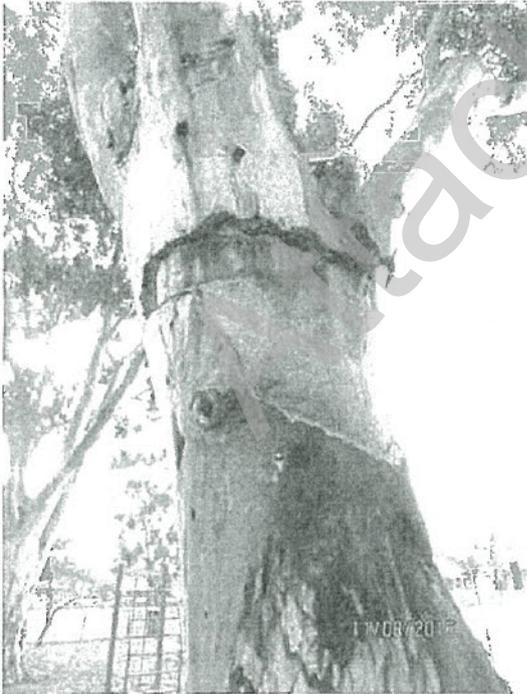


Photo 5. Tree 2.

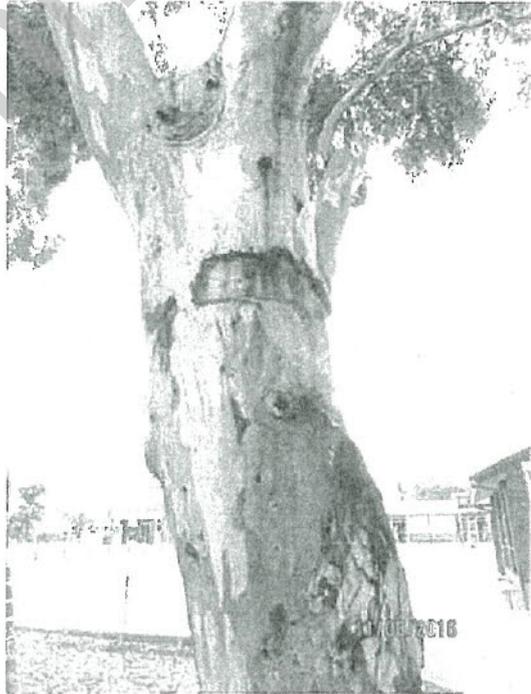


Photo 6. Tree 2.

**Philbey, Janine (DPTI)**

**From:** Trimboli, Robert <Robert.Trimboli@spotless.com.au>  
**Sent:** Tuesday, 13 September 2016 1:27 PM  
**To:** Philbey, Janine (DPTI)  
**Subject:** RE: DA050/V005/16 - significant tree removal at Nailsworth PS  
**Attachments:** nailsworth playground.docx; Nailsworth Primary School 00305.pdf

Hi Janine,

Please see attached site plan and nearmap of the tree.

The rationale is that the significant tree is located in the main playground of the school which has been placed out of bounds due to the extremely poor condition of the existing softfall installed around all sections of play equipment. We are unable to maintain the safe use of the playground due to the root system of the significant tree being so expansive and for the following reasons:

- a) We need to excavate 300mm below ground level to replace the poor quality softfall however by law we are not allowed to impact on the tree root system so any excavation within the significant trees root system will cause potential major harm to the significant tree
- b) the significant tree is located in a main thoroughfare. There are concerns of limbs dropping from the tree in the student play area and walkways which could cause extremely high damage to staff, students and buildings surrounding the playground. Due to the size of the limbs the site leader has made the playground area out of bounds until an assessment on the removal of the tree is made from DPTI.

The site is in the process of relocating the playground to a safe zone but on windy days the significant tree drop zone and surrounding areas remains out of bounds which severely restricts play and walk space which impacts on the safety of all in attendance.

I hope this suffices however if you require any further information do not hesitate to contact me.

Kind Regards

Robert Trimboli – Facility Manager - DECD  
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T 08 8354 8158 | M 0420 958 836  
E Robert.trimboli@spotless.com.au  
[www.spotless.com](http://www.spotless.com)

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**From:** Philbey, Janine (DPTI) [mailto:Janine.Philbey@sa.gov.au]  
**Sent:** Tuesday, 13 September 2016 10:07 AM  
**To:** Trimboli, Robert  
**Subject:** DA050/V005/16 - significant tree removal at Nailsworth PS

Hi Robert

Just a quick email to request a site plan for the proposed tree removal.

Also – can you please provide a rationale for the tree removal?

Many thanks



**ITEM NO.:** 7.2

**TO:** Development Assessment Panel (DAP) on 14 November 2016

**FROM:** Nathan Cunningham, Director Community & Planning

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

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

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

### 1. MATTERS BEFORE DAC

<b>Development Application / Address</b>	<b>Nature of development</b>	<b>Process update</b>
DA 050/260/2016 82-84 Churchill Road, Prospect	Five Storey Residential Flat Building comprising 51 Dwellings, and associated site works	The application is currently being considered by DAC.
DA 050/373/2016 2-12 Balfour Street, Prospect	Removal of Significant Tree	Further consideration of this matter is contained in Item 7.1 of this agenda.

### 2. RELEVANT DECISIONS BY DAC

Nil

### 3. MATTERS CALLED IN BY THE CO-ORDINATOR GENERAL

No new proposals have been called in by the Co-ordinator General.



**ITEM NO.:** 8.1  
**TO:** Development Assessment Panel (DAP) on 14 November 2016  
**FROM:** Nathan Cunningham, Director Community & Planning  
**SUBJECT:** Summary of Court Appeals

The status of appeals is provided to the DAP for information purposes. Further clarification may be sought from staff during the meeting.

#### APPEALS

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status
DA 050/225/2016 3-7 Allan Street, Prospect	Variation to Development Application 050/62/2016 – Two, Three Storey Residential Flat Buildings Comprising 22 Dwellings with associated Driveway and Landscaping	12/09/2016 By the DAP	Appeal upheld. Consent Orders issued by the ERD Court on 19 October 2016.
DA 050/333/2016 107 Churchill Road, Prospect	Two, Three Storey Residential Flat Buildings comprising 10 Dwellings with associated Waste Storage and Landscaping	12/09/2016 By the DAP	Appeal lodged by applicant. <i>Appealing against Refusal.</i> The applicant has provided additional information for consideration which forms part of this agenda (Item 6.2). A conciliation conference has been scheduled for 22 November 2016.
DA 050/120/2014 13-14 Fitzroy Terrace, Fitzroy	Change of use from Dwelling to Aged Care Facility, and two-storey additions to Aged Care Facility, and Basement Carpark	12/09/2016 By the DAP	Appeal lodged by applicant. <i>Appealing against Refusal.</i> A preliminary conference is scheduled for 21 November 2016.