

Council Assessment Panel Meeting Agenda



Monday, 19 November 2018, at 5.30 pm, Colonel Light Room, Town Hall, Adelaide.

Presiding Member – Mr John Hodgson

Acting Presiding Member – Councillor Anne Moran

Specialist Members – Mr Ross Bateup, Mr Heath Edwards and Prof Mads Gaardboe [Apology]

1. Confirmation of Minutes – 29/10/2018 [CAP]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 29 October 2018, be taken as read and be confirmed as an accurate record of proceedings.

2. Non-Complying Applications – Nil

3. Applications for consideration on Merit

- | | | |
|-----|---------------------|--|
| 3.1 | <u>Subject Site</u> | <u>43-45 Stanley Street, North Adelaide SA 5006</u> [Page 2] |
| | Application No. | DA/565/2018 |
| | Proposal | Demolition of existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking |
| | Recommendation | Development Plan Consent be GRANTED |
| 3.2 | <u>Subject Site</u> | <u>200 Hutt Street & 290 Halifax Street, Adelaide SA 5000</u> [Page 89] |
| | Application No. | DA/3/2018 |
| | Proposal | Construct four-storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street |
| | Recommendation | Development Plan Consent be REFUSED |

4. Other Application - Nil

5. Other Business

5.1 List of Recent Lodgements for Planning Consent (2002/03378) [Page 167]

5.2 Other Business

6. Exclusion of the Public from attendance to Receive, Discuss or Consider Information/Matter on a Confidential Basis (If required)

7. Confidential Matters (If any)

8. Closure

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CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 19/11/2018

Item No	3.1
Address	43-45 Stanley Street, North Adelaide, SA 5006
Proposal	Demolition of existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking (DA/565/2018 - SG) [CAP]
Applicant	Mr Mario Civitarese
Relevant Development Plan	7 June 2018
Lodgement Date	20 July 2018
Zone / Policy Area	North Adelaide Historic (Conservation) Zone - Kentish Arms Policy Area 11 Nth Adel H(C)Z Kentish Arms Policy Area 11
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Plans and Elevations 1-10
- Planning Report prepared by URPS 11-25
- Certificate of Title 26-27

Comments from Public Notification 28-52

Applicant Responses to Representations 53-63

PERSONS SPEAKING BEFORE THE PANEL

Representors

- Mr Andrew Alston – 47 Stanley Street, North Adelaide
- Ms Chantelle Balagengadaran – 22 Sussex Street, North Adelaide
- Ms Helen Chalmers – 43 Stanley Street, North Adelaide (or Mr Simon Tonkin, MasterPlan)

Applicant

- Mr Matthew King of Urban and Regional Planning Solutions on behalf of Mr Mario Civitarese

1. DESCRIPTION OF PROPOSAL

- 1.1 Planning consent is sought for the demolition of an existing dwelling and the construction of a two storey residential flat building comprising two dwellings with basement car parking at 43-45 Stanley Street, North Adelaide.
- 1.2 The proposed building will have a height of 6.9 metres from ground level to the top of the roof. A ceiling height of approximately 6 metres above ground level is proposed.
- 1.3 A building floor area of 382m² is proposed (excluding garage and lifts).
- 1.4 The building has been designed to present as a single dwelling with a single entrance and porch fronting Stanley Street with the second entrance to the eastern side.
- 1.5 Both dwellings are to be located over three levels, basement, ground and first floor with the building divided through the centre on the ground and first floors. Dwelling 1 consists of three bedrooms and dwelling 2 is proposed to contain two bedrooms.
- 1.6 Varying building materials and finishes will be used for the construction of the building including a mix of sandstone, render, timber and metal cladding. A 1.2 metre high fence is proposed across the frontage constructed from steel slats and rendered columns. A steel 'skeletal' verandah (steel structure only, no roofing) is proposed across the lower front elevation wrapping around the eastern side.
- 1.7 Basement car parking for a total of four (4) spaces (two (2) for each dwelling) is proposed and will extend approximately 2.9 metres below ground level. This basement car parking will be accessed via an existing crossover and a new driveway/ramp to this basement level which will be located on the western side of the property.
- 1.8 The front yard and the driveway is proposed to be landscaped with a mix of ornamental trees, understorey plantings, shrubs and grasses with an arbour and creeper proposed over the driveway.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area 497m²		
Plot ratio	0.8	0.77
Dwelling Unit Factor (DUF)	350m ²	Average – 250m ²
Building height		
- Storeys	Two storey	Two storey
- Metres (ceiling height)	6 metres	5.7 metres
Private Open Space (POS)	Greater than 250m ² - 20% of the site area	Dwelling 1
- % of total site area or m ²		23%
- dimensions	Minimum dimension of 2.5 metres	7 metres
		Dwelling 2
		24%
		7.4 metres
Landscaped Open Space (LOS)		
- % of total site area	30%	35%
Street frontage width (metres)	18m	14.2m
	(total site frontage for residential flat buildings)	
Car parking and Access		
- Number of spaces	1 per dwelling	2 per dwelling
- Width of garage/carport in relation to the allotment width	No more than 50% of the allotment width	21%

3. **BACKGROUND**

3.1 The applicant sought pre-lodgement advice regarding this proposal. This advice resulted in a number of design changes prior to lodgement. Refinements to the front façade, setbacks, the ramp to the basement carparking and increased landscaping have occurred.

4. **SITE**

4.1 The subject site is located on the southern side of Stanley Street, approximately 65 metres southwest of the intersection of East Pallant Street.

4.2 The site has a frontage to Stanley Street of approximately 14.2 metres and side boundary lengths of 34.6 metres. It has an area of approximately 497m².

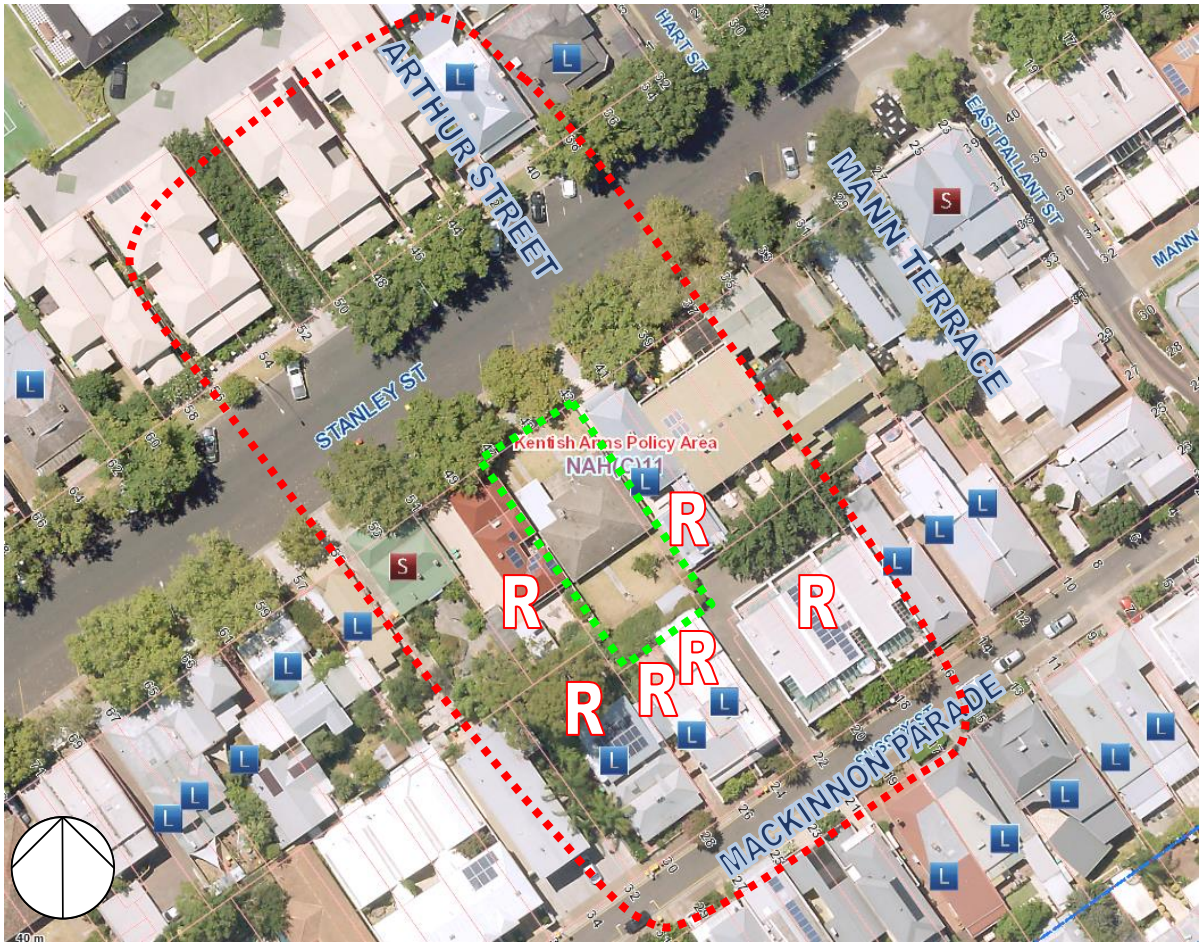
4.3 The site is not subject to any easements.

4.4 The site is occupied by a cream brick single storey detached dwelling that appears to have been constructed circa 1960s.

- 4.5 A crossover and driveway is located on the western side of the property. There is no front fencing or any noticeable landscaping and the dwelling is well setback from the Stanley Street frontage.
- 4.6 No significant or regulated trees are located on the subject land.

5. LOCALITY

- 5.1 The locality incorporates residential land uses with a mix of single and two storey buildings. A number of dwellings in the locality are State or Local Heritage Places.
- 5.2 Dwellings on the southern side of Stanley Street have varying front setbacks. Some dwellings are constructed directly abutting the street, whilst others have 3 to 7 metre setbacks.
- 5.3 On the opposite side of Stanley Street, nine (9) two (2) storey dwellings have been constructed on the former North Adelaide School of Art (DA/75/2007). Considering the scale of this site and the repetitious design of eight (8) two (2) storey dwellings fronting Stanley Street, this represents a dominant element in the locality.
- 5.4 In summary, the locality generally has a mixed residential character with a range of architectural styles and materials with minimal side and front setbacks.



KEY



Subject Site



Local Heritage Place

NAH(C)11

North Adelaide
Historic
(Conservation)
Zone/Kentish Arms
Policy Area 11



State Heritage Place



Representor



Policy Area Boundary



Locality

Photo 1 – Subject land as viewed from Stanley Street



Photo 2 – Adjacent Local Heritage place and two storey townhouses to the east



Photo 3 – Recent development on the northern side of Stanley Street opposite the site



Photo 4 – Stanley Street streetscape with subject site in the centre



6. PUBLIC NOTIFICATION

- 6.1 Please note: Category 2 representations are only 'valid' and taken into account if the representor has been directly notified in writing, by Council, of the development. Only valid Category 2 representations are afforded the opportunity to be heard by the Council Assessment Panel. This is in accordance with legislation and a resolution of Council on 27 June 2017.

Category of Notification	Category 2
Representations Received – 6	<ul style="list-style-type: none"> • Ms Balagengadaran (Chantelle) - 22 Sussex Street, North Adelaide • Ms Hanrahan (Glenys) - 24 Sussex Street, North Adelaide • Mr Alston and Ms Slatter (Andrew & Michele) - 26 Sussex Street, North Adelaide • Ms Hennessy (Rosemary) - 18 Sussex Street, North Adelaide • Dr Waseley (Dale) - 16 Sussex Street, North Adelaide • Ms Chalmers (Helen) - 41 Sussex Street, North Adelaide

Summary of Representations	Applicant Response
Overshadowing of adjoining private yards and solar panels.	Proposal satisfies the provisions of the Development Plan in relation to shadowing of adjoining dwellings, private yards and solar panels. Additional shadow diagrams provided demonstrate that 2 hours of sunlight are provided to all adjoining properties.
Overlooking into adjoining residential properties.	All upper level windows will be obscure glazed to a height of 1.8 metres above floor level.
Building height is excessive with the upper level not sufficient setback or removed from the Stanley Street frontage.	Proposal is for a two storey building as the basement floor is completely underground and not considered to be a floor level as defined in the Development Plan. Bulk and scale is considered to be appropriate with the upper level setback from Stanley Street and designed as a recessive element.
The overall bulk and scale of the building particularly adjacent private open space of adjoining dwellings.	Impact upon adjoining private yards is not considered to be unreasonable given setback of upper level from the side and front boundaries.
Proposal is an over-development of the site.	Proposal meets requirements in relation to Private Open Space, Landscape Open Space and Plot Ratio.
Fencing.	The applicant is willing to discuss the replacement of boundary fencing with the relevant neighbours at a later date.
Potential impact on or undermining of footings of adjoining dwellings.	The applicant has committed to undertake a dilapidation report prior to construction works commencing onsite and has sought for this to be added as a condition of consent.

7. **REQUIRED EXTERNAL REFERRALS**

7.1 No external referrals required.

8. **SPECIALIST ADVICE**

8.1 **Local Heritage**

The siting of the proposed development reflects and reinforces the predominant front and side boundary setbacks of the early cottages in the immediate locality. Similarly, the form, scale and composition of the proposed single-storey element are compatible with the Local Heritage Places and the desired character.

The pitched roof and eave height is consistent with the adjacent cottages and the steel frame front 'pergola' reflects the design form of the traditional cottage front verandah.

Whilst the proposed eave width is greater than the traditional minimal eave overhang, I do not consider this incompatible within the context of this section of Stanley Street.

The two-storey rear section is further set back from Stanley Street and the side boundaries. I note that some screening effect of the upper storey is provided by the roof form of the front single-storey section and the flat roof and parapet will also assist with reducing the visual impact of the upper storey, as viewed from Stanley Street. Articulation of the upper storey and the variety of cladding materials will also assist in reducing the impact of the upper storey.

The selected building materials reference the traditional building materials of the North Adelaide Historic (Conservation) Zone without specifically replicating historic detail.

The proposed front fence (nominated at 1.3 metres high) reinforces the traditional picket fencing of the early cottages within the locality. The front picket fence of the Local Heritage Place to the east is nominally 1.25 metres high.

I note the proposal for basement level carparking. Whilst this is not typical for the locality, nor necessarily satisfies the undercroft provisions of Council Wide PDC 159, it does alleviate the potential intrusive impact of ground level, multiple carports or garages. The requisite driveway ramp however will be visible from the street.

Notwithstanding some strip planting and a Glory Vine covered arbour proposed to the western boundary to visually soften this aspect, I question how effective a screen this will be given the minimal available planting width between the retaining wall and the side wall of the adjacent cottage.

I do not consider the proposed development to have any appreciable impact upon the Local Heritage Places fronting Sussex Street, nor the nearby State Heritage Place.

In my opinion, the proposed development reasonably satisfies the relevant Heritage and Conservation Objectives and Principles of Development Control from the Adelaide (City) Development Plan.

8.2 **Traffic**

There are no traffic or transport related objections to this development.

RELEVANT CITY OF ADELAIDE 2016-2020 STRATEGIC PLAN ACTIONS

Whilst an assessment against the Strategic Plan is not required, the Development Plan is informed by Council's Strategic Plan Objectives and Actions as below:

SMART	GREEN
<ul style="list-style-type: none"> • Develop and promote an international City brand that showcases the smart, liveable, green and cultural advantages of Adelaide 	<ul style="list-style-type: none"> • Improve energy performance and use of renewable energy in Council and privately-owned buildings, including consideration of solar heating, solar energy generation and battery storage • Work with private property owners and the State Government to embed better environmental performance into new and existing developments • Identify opportunities for building adaptation and re-use that supports heritage aspirations while reducing carbon emissions and waste • Work with all City stakeholders to increase public and private greening with street trees, gardens, community gardens, green walls and roofs, providing incentives where appropriate
LIVEABLE	CREATIVE
<ul style="list-style-type: none"> • Encourage growth in the full range of residential property development in a mixed-use environment in a manner that respects the human scale and different character of districts in the City • Promote and protect Adelaide's built character and heritage through our operations, incentives, policies and direct investment, while working with and advocating to Federal and State governments for an increase in City buildings protected under State or Local Heritage regulations 	<ul style="list-style-type: none"> • Increase public art and cultural expression in private development by using planning levers and requirements

9. DETAILED ASSESSMENT

9.1 Summary of the Kentish Arms Policy Area 11 Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Satisfies the desire for new residential development to be low to medium density with residential flat buildings envisaged up to two storeys in height. Achieve the desire for new two storey development on the southern side of Stanley Street to be setback behind single storey frontages and not readily visible from the street – discussed further below. 	✓
Objectives O1-2	<ul style="list-style-type: none"> Consistent with the Desired Character as discussed below. 	✓
Principles of Development Control P1- 8	<ul style="list-style-type: none"> Residential flat buildings envisaged. Satisfies maximum building height, ceiling height, plot ratio and landscaped open space requirements. Fails to achieve dwelling unit factor and site frontage as discussed further below. Upper level considered to be adequately designed and sited to not be readily visible from public streets. Access to car parking is located beside the building as desired on Stanley Street 	✓ ✓ ✗ ✓ ✓

9.2 Summary of the North Adelaide Historic (Conservation) Zone Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Objectives O1-3	<ul style="list-style-type: none"> Compatible with the heritage values and historic character of the Zone as discussed below. Increase in the number of dwellings within the Zone through the replacement of a non-heritage listed dwelling. 	✓
Principles of Development Control P1-13	<ul style="list-style-type: none"> Design, form and density considered to be consistent with the Desired Character for the Policy Area. Proposed design and materials compatible with adjacent heritage places and character of the locality as discussed below. Proposed setbacks are appropriate given minimal setbacks within the locality, the height of the development and the nature/layout of adjoining dwellings and private open space. Proposed ground floor height compatible with adjoining heritage place. Proposal has been designed to appear as a single dwelling as sought by PDC 12. 	✓
Fencing P14-16	<ul style="list-style-type: none"> Fencing is considered to be compatible with and reflective of traditional fencing styles within the locality. 	✓
Access and Car Parking P17-23	<ul style="list-style-type: none"> Existing crossover to be used with access and parking consolidated for both dwellings. Parking at basement level considered acceptable. Sufficient parking provided. Driveway appearance discussed further below. 	✓
Land Division P24-25	<ul style="list-style-type: none"> No land division proposal lodged. Proposed allotment size and arrangement discussed below. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Living Culture O1-3 P1	<ul style="list-style-type: none"> Proposal is considered to enhance the public environment and address Stanley Street 	✓
Housing choice O6-8 P5-9	<ul style="list-style-type: none"> Proposal adds to the housing mix within the locality. 	✓
Land Division O10 P14-16	<ul style="list-style-type: none"> Size, shape and orientation of the proposed sites of each dwelling is considered to be sufficient so as to allow for a suitable form of development as envisaged within the Policy Area and Zone 	✓
LOW SCALE RESIDENTIAL DEVELOPMENT		
Building Appearance & Neighbourhood Character O11-12 P17-21	<ul style="list-style-type: none"> Considered to be an appropriate and compatible design as discussed below. 	✓
Dwelling Setbacks O13 P22	<ul style="list-style-type: none"> Proposed setbacks are consistent with the range of setbacks within the locality. Proposed front setback is more appropriate than the current setback of the existing dwelling and seeks to better address Stanley Street and the adjoining heritage place. 	✓
Building Siting O14 P23-24	<ul style="list-style-type: none"> Building siting considered appropriate, further discussion relating to potential impact on adjoining dwellings below. 	✓
Daylight & Sunlight O15 P25-28	<ul style="list-style-type: none"> Consideration of overshadowing and access to sunlight outlined below. 	✓
Private Open Space O16 P29-34	<ul style="list-style-type: none"> Sufficiently dimensioned and sized private open space is provided for both dwellings at the rear of the site. 	✓
Visual & Acoustic Privacy O17 P35-38	<ul style="list-style-type: none"> Whilst the upper level windows are not located to avoid overlooking they are proposed to be obscure glazed to a height of 1.8 metres above finished floor level which is considered to be acceptable. 	✓

Adaptability P39	<ul style="list-style-type: none"> Satisfied. 	✓
Carports, Garaging & Fencing O18-19 P40-43	<ul style="list-style-type: none"> Garaging and access considered to be appropriate even though basement parking is not found within the locality. Driveway ramp is sufficiently removed from the street frontage and adequately screened by the proposed building, landscaping, fencing and adjoining cottages. Front fence considered to be of a compatible height, design and materials in relation to adjoining heritage places. 	✓
On-Site Parking & Access O20 P44-45	<ul style="list-style-type: none"> Sufficient level of car parking, access and onsite manoeuvrability is provided. 	✓
Site Facilities & Storage O21 P46-47	<ul style="list-style-type: none"> Over 50m² of POS is provided with additional storage space in the basement foyer. 	✓
ENVIRONMENTAL		
Crime prevention through urban design O24 P82-86	<ul style="list-style-type: none"> Natural surveillance of the public realm is achieved. Proposed landscaping and fencing allows for views into and out of the site. 	✓
Noise Emissions O26-27 Noise Sources P89-94 Noise Receivers P95-100	<ul style="list-style-type: none"> No noise impacts are anticipated. 	✓
Waste management O28 P101-104	<ul style="list-style-type: none"> A shared bin storage area is provided within the basement. 	✓
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Natural light and ventilation provided to all rooms. 	✓

Micro climate and sunlight O33-34 P119-125	<ul style="list-style-type: none"> Consideration of overshadowing and access to sunlight outlined below. 	✓
Stormwater management O35-39 P126-131	<ul style="list-style-type: none"> No details of stormwater management have been provided and will be addressed by Council's standard conditions should approval be granted. 	✓
Infrastructure O40-41 P132-135	<ul style="list-style-type: none"> Subject land is sufficiently serviced by existing infrastructure. 	✓
Heritage & Conservation – North Adelaide Development Adjacent a Heritage Place P162-166	<ul style="list-style-type: none"> As confirmed by Council's Heritage Advisor the proposed design, siting, detailing, ceiling heights and materials are considered to be compatible with the adjoining heritage place to the east. Further consideration given below. 	✓
Built Form & Townscape O46-48 P167	<ul style="list-style-type: none"> Satisfied as discussed below. 	✓
Height, Bulk and Scale P168-174	<ul style="list-style-type: none"> Considered to be appropriate given setback of upper level and detailing of the ground floor. Satisfies building heights as noted below. 	✓
Plot Ratio P175	<ul style="list-style-type: none"> Satisfied. 	✓
Maximum Dwelling Density & Floor Area P176	<ul style="list-style-type: none"> Dwelling unit factor for the site only allows for a single dwelling. Further discussed below. 	✗
Landscape Open Space P177	<ul style="list-style-type: none"> Satisfied. 	✓
Building Setbacks P178-179	<ul style="list-style-type: none"> Satisfied. 	✓
Composition & Proportion P180-181	<ul style="list-style-type: none"> Satisfied. 	✓
Articulation & Modelling P182-186	<ul style="list-style-type: none"> Satisfied. 	✓

Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> Satisfied. 	✓
Sky & Roof Lines O49 P192-195	<ul style="list-style-type: none"> Satisfied. 	✓
Landscaping O55 P207-210	<ul style="list-style-type: none"> Detailed landscaping plan provided. An appropriate mixture of plantings is proposed. 	✓
Access & Movement O60 P224-225	<ul style="list-style-type: none"> Safe and convenient access is considered to be provided via the existing crossover. 	✓
Pedestrian access O61-63 P226-232	<ul style="list-style-type: none"> Provided to both dwellings from Stanley Street. 	✓
Bicycle Access O64-65 P233-238	<ul style="list-style-type: none"> No designated bicycle parking facilities are noted on the plans although sufficient area exists within the rear yard, dwellings and basement for storage. 	✓
Traffic and vehicle access O68-70 P241-250	<ul style="list-style-type: none"> Satisfied. 	✓
Car parking O71-72 P251-265	<ul style="list-style-type: none"> Sufficient level of parking is provided for both dwellings. Noted that under croft parking is not supported within the Z one. Basement parking is proposed in this instance with the access ramp not considered to impact upon the streetscape or amenity of adjoining dwellings. 	✓

9.4 Detailed Discussion

Desired Character

The Desired Character for the Kentish Arms Policy Area 11 states:

The character of new residential development should be established by low and medium density detached dwellings, semi-detached or row dwellings, group dwellings or residential flat buildings, all up to a maximum of two storeys, unless a particular dwelling type(s) and/or a lower building height is prescribed for development addressing the primary street frontage, to reinforce the character of the historic built form as described below:

(a) Stanley Street (south side), East and West Pallant Streets:

These streets contain some of Adelaide's earliest residential buildings and are characterised by allotments containing closely sited single-storey buildings. New two-storey development should be set back behind single storey frontages and not readily visible from the street. The lowering of eaves may be necessary along these frontages to be consistent with adjoining buildings of heritage value.

The Desired Character Statement refers to the varied character of the Policy Area and the broad range of dwelling styles reflective of the ongoing development and re-development of sites. The proposal is considered to achieve the desire for low to medium density residential development compatible with the varied historic character and established residential amenity. The residential flat building proposed is an envisaged form of development with a height of two storeys also anticipated in the Policy Area.

The above excerpt of the Desired Character Statement expresses a desire for development on the southern side of Stanley Street, such as the subject land, to acknowledge the lower scale of single storey buildings. The setting back of the upper level behind the single storey ground floor façade and roof line is considered to achieve this intent. Whilst it is acknowledged that the upper level will be visible, it is not considered to be 'readily' visible or apparent from the public realm or broader streetscape. The use of dark materials, flat roof, articulation and landscaping all assist in the upper level being recessive within the streetscape behind the primary ground floor façade.

Land Use

Residential development in the form of residential flat buildings is envisaged within both the Zone and Policy Area. Low to medium density residential development is envisaged with Zone Objective 3 and PDC 2 seeking an increase in residential development/dwellings within the Zone.

The proposed two storey residential flat building is a form of development envisaged within the Zone. The proposed increase in dwellings upon the site from 1 to 2 is also supported and considered to be within the realm of low to medium density envisaged.

Built Form and Design

A key consideration of the proposed is the overall form, scale, bulk and design of the proposed building and its compatibility or otherwise with the established character of the locality and Policy Area and Zone more broadly.

Policy Area PDC 3 allows development up to two storeys in height with a ceiling height of 6 metres, which the proposal satisfies. The allowance of development up to this maximum height however is predicated on such developments being compatible with adjacent buildings in respect of their scale and siting and that there is no adverse impact on amenity.

The amenity of adjoining dwellings is considered further below. In terms of the compatibility of the proposal in relation to scale and siting it is considered that the proposed design has adequately addressed the desire of the Development Plan for a predominately single storey presence to the street with the upper level setback. The proposal has a front setback, fencing, ground floor ceiling height and general design/detailing at the ground level which is a compatible with the heritage place to the east and cottage to the west. Council's Heritage Advisor has confirmed support for the proposal and is satisfied with the contemporary form of the upper level as a secondary element to the more traditionally proportioned and detailed lower level.

As such, the proposal satisfies Policy Area PDC 7 which seeks to locate two storey development at the rear of sites away from the street frontage so as to not be readily visible from the street.

It is noted the proposal fails to satisfy the dwelling unit factor (DUF) and minimum frontage width for residential flat buildings. In essence, the DUF and frontage width limit the subject land to a single dwelling.

A number of representors have suggested the proposed development of two dwellings is an over-development of the site and one which leads to a number of negative impacts upon adjoining properties and the character of the locality. Whilst the proposal fails to satisfy the DUF and frontage requirements, it is recognised that it satisfies a number of key quantitative provisions. The achievement of the required private open space, landscape open space and plot ratio along with adequate side and rear setbacks of both the ground and upper level are instrumental in overcoming any failings against DUF and allotment width.

The building has been designed to present as a single dwelling from the street. The single entrance door within the front façade, combined use of the single driveway, basement car parking and design of the front façade and front fence assist in presenting a single dwelling form to Stanley Street. The proposal satisfies the desire of Zone PDC 12 for residential flat buildings to present as a detached dwelling when viewed from the street.

Overall the proposed built form and design is appropriate to the setting and compatible with the streetscape character and mixture of built form within the locality.

Residential Amenity

Consideration has been given to the impact of the siting, bulk and scale of the proposal on the adjoining cottages to the east and west of the subject land and dwellings to the rear.

Council Wide PDC 27 seeks the maintenance of *at least two hours of direct sunlight between 9.00am and 3.00pm solar time on 22 June to either the northern facade or at least one ground floor habitable room window (excluding bathroom, toilet, laundry or storage room windows), of any neighbouring residential property and to at least 20 percent of that property's private open space, private landscaped open space or communal open space*. The applicant has provided additional shadow diagrams to demonstrate the extent of shadow likely to be cast by the development.

The orientation of the site is such that the majority of the shadow cast falls over the rear yard of 47 Stanley Street to the south west and the rear yards of 22, 24 and 26 Sussex Street to the rear. The shadow diagrams provided demonstrate that the rear yards, northern facades and ground floor habitable windows achieve the requisite level of sunlight for at least two hours. The sun penetrates these spaces either early in the morning for the properties at the rear or later in the day for the dwelling at 47 Stanley Street. The applicant has specifically detailed the level of sunlight within the rear yards of 47 Stanley Street and 24 Sussex Street within the response to representations.

Council Wide PDC 28 seeks that *'sunlight to solar panels should be maintained for a minimum of 2 consecutive hours between 9.00am and 3.00pm solar time on 22 June provided it does not restrict the reasonable development of adjoining sites'*. The shadow diagrams demonstrate that sunlight falls on the solar panels on the roof at 47 Stanley Street from 12pm onwards on the 22 June thus satisfying Council Wide PDC 28.

The potential for overlooking from the upper level windows has been addressed by the applicant through the use of obscure glazing up to a height of 1.8 metres above finished floor level for all upper level windows.

Whilst it is noted the proposal will result in changes to the extent and height of built form upon the site, it is not considered to negatively impact upon the outlook or amenity of adjoining development to a significant extent. The upper level is setback 2 to 2.5 metres from the side boundaries and 7 metres from the rear boundary. The proposed setbacks and height of the development are such that they are not considered to unreasonably enclose any of the adjoining dwellings or result in an unreasonable visual impact. The setbacks are considered compatible with, and reflective of, surrounding development which has an intimate and tightknit feel.

Each of the proposed dwellings is adequately served with a rear yard which exceeds the minimum private open space requirements. The internal and external level of amenity for future residents is considered to be sufficient.

Heritage and Conservation

Zone PDC 3 states that:

Development of new buildings or building additions of innovative and contemporary design should demonstrate a compatible visual relationship with adjacent Heritage Places and other buildings prevailing in the Policy Area that reinforce the desired character by compatible:

- (a) bulk and scale;*
- (b) width of frontage and the front and side boundary building set-back patterns;*
- (c) proportions and vertical and/or horizontal emphasis, exhibiting vertical openings and a high solid to void ratio in the composition of the principal building facade and other elevations presenting to a public road; and*
- (d) form and level of visual interest as determined by length and size of unbroken walling, articulated and modulated frontages, treatment of openings and depths of reveals, roofline and silhouette, colour and texture of materials used, as well as detailing (without excessive use or mimicry of decorative elements and ornamentation) and design elements such as porches, verandahs and balconies where appropriate.*

Zone PDC 4 suggests that 'new buildings should utilise stone, brick and/or brick render as the main external finish to walls to complement the historic built form in the Zone'.

The overall design, detailing and external materials are considered to be appropriate for a site within the North Adelaide Historic (Conservation) Zone and adjacent to a Local Heritage Place. The proposed building draws from the detailing and proportions of the adjoining and nearby heritage places with a similar roof pitch, front façade width, ground floor ceiling height, front fence, setbacks and materials.

Council's Heritage Advisor has confirmed that 'the proposed development reasonably satisfies the relevant Heritage and Conservation Objectives and Principles of Development Control from the Adelaide (City) Development Plan'.

It is acknowledged that access to the basement car park is not a feature of the locality, however the setback distance and the screening afforded from the proposed building, adjoining development and front fence/landscaping is considered to adequately soften the potential visual impacts of the sunken driveway.

Overall the proposal is considered to be an appropriate contemporary building which adequately references and defers to adjoining and adjacent heritage places and character buildings within the locality.

Transport, Access and Parking

As noted above the proposal has an adequate level of car parking with 2 spaces allocated to each dwelling. The basement level locates the car parking and manoeuvring area out of view and allows for the forward entry and exit of vehicles.

The proposal utilises an existing crossover and therefore does not result in any impacts upon onsite parking. The access is considered to be safe and convenient with a marginal increase in traffic movements anticipated by the development of an additional dwelling upon the site.

9.5 Conclusion

The proposal seeks to demolish an existing single storey dwelling and develop a two storey residential flat building consisting of two dwellings on the site. Whilst it is recognised that the proposal will increase the level of development upon the site over and above that envisaged by the dwelling unit factor and minimum frontage width, additional residential development up to two storeys in height is sought within the Zone and Policy Area.

The replacement of the existing unsympathetic dwelling with a well-considered contemporary development which draws upon the existing heritage character of the locality is supported. The proposal exceeds the minimum requirements in relation to private open space and landscape

open space and satisfies the maximum plot ratio requirement. It also achieves an adequate level of onsite parking and setbacks relative to adjacent development.

The potential impacts of the development on adjoining dwellings is also considered to be acceptable with the minimum requirements in relation to sunlight and shadowing met. The level of amenity for future residents within the proposal dwellings is also considered to be acceptable.

On balance the failure of the proposal to satisfy the dwelling unit factor (which results in an additional dwelling being proposed upon the subject land) is sufficiently offset by the ability of the proposal to satisfy the broad range of quantitative and qualitative provisions within the Development Plan and to present to the street as a single dwelling.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan as it proposes a form of residential development and overall scale and intensity of development that is desired in the Zone and Policy Area.

It has been determined that, on balance, the proposal warrants Development Plan Consent.

10. **RECOMMENDATION**

That the development, the subject of the application from Mr M Civitarese for the demolition of the existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking at 43-45 Stanley Street, North Adelaide SA 5006 as shown on plans designated DA/565/2018:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the following conditions and advices:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**
 - **Floor Plans, prepared by In Design Works, DWG No. A1-PD02, dated 19 July 2018**
 - **Elevations, prepared by In Design Works, DWG No. A1-PD03, dated 19 July 2018**
 - **Streetscape/Section, prepared by In Design Works DWG No. A1-PD04, dated 19 July 2018**
 - **Landscaping Plan, prepared by LCS Landscapes, DWG No LS.050.18, dated 29 June 2018**

to the reasonable satisfaction of the Council except where varied by conditions below (if any).

Reason: *To ensure that the Development is undertaken in accordance with the plans and details submitted.*

2. **A dilapidation survey recording the condition of neighbouring dwellings adjacent the subject site boundary shall be provided to Council prior to the commencement of works, to the satisfaction of Council. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the dwellings that might be affected by the proposed works.**

Reason: *To provide a record prior to the commencement of the proposed works, as reference for the assessment of any potential subsequent damage.*

3. **External materials, surface finishes and colours of the Development shall be consistent with the descriptions hereby granted consent and shall be to the reasonable satisfaction of the Council.**

Reason: *To ensure a high standard of materials and finishes used in the finished presentation of the Development.*

4. **The obscured glazing as depicted on the plans granted consent described as Elevations DWG No. A1-PD03, dated 19 July 2018 shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council at all times.**

Reason: *To ensure that the Development does not unreasonably diminish the privacy of residents in adjoining properties.*

5. **The applicant or the person having the benefit of this consent shall ensure that all storm water run off from the development herein approved is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the storm water run off shall be installed within the property boundaries of the Land to the reasonable satisfaction of the Council.**

Reason: To ensure that stormwater runoff does not have an adverse impact upon the public realm.

6. **The noise level of any air conditioning units located on the Land when assessed at the nearest existing or envisaged future noise sensitive location in or adjacent to the Land shall not exceed 50dB(A) during daytime (7am to 10pm) and 40dB(A) during night time (10pm to 7am) when measured and adjusted in accordance with the relevant environmental noise legislation in operation and that is applicable to the Land except where it can be demonstrated that a high background noise exists in which case such noise levels shall be to the reasonable satisfaction of the Council at all times.**

Reason: To ensure that the acoustic amenity of the locality is not unduly affected by air-conditioning noise.

Advices

1. Development Approval will not be granted until Building Rules Consent has been obtained. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 under the Development Act 1993, this consent / approval will lapse at the expiration of 12 months from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 12 months, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.
3. It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

4. No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved (unless the subject site meets the relevant criteria).

Please contact Customer Centre on 8203 7203 for further information.

5. Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.
6. Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity.

The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.cityofadelaide.com.au

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
- Description of equipment to be used;

- A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

Please note: Upfront payment is required for all city works applications.

Applications can be lodged via the following:

Email: cityworks@cityofadelaide.com.au

Fax: 8203 7674

In Person: 25 Pirie Street, Adelaide

Item No. 3.1 – Attachments 1 – 63 (43-45 Stanley Street, North Adelaide, SA 5006)

Pages 26 to 88

ATTACHMENTS

Plans and Supporting Information

- Plans and Elevations 1-10
- Planning Report prepared by URPS 11-25
- Certificate of Title 26-27

Comments from Public Notification 28-52

Applicant Responses to Representations 53-63

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43 Stanley Street North Adelaide





LOCATION PLAN
N.T.S.

1	19/7/18	PLANNING ISSUE
REV.	DATE	AMENDT

DRAWING TITLE: LOCATION PLAN

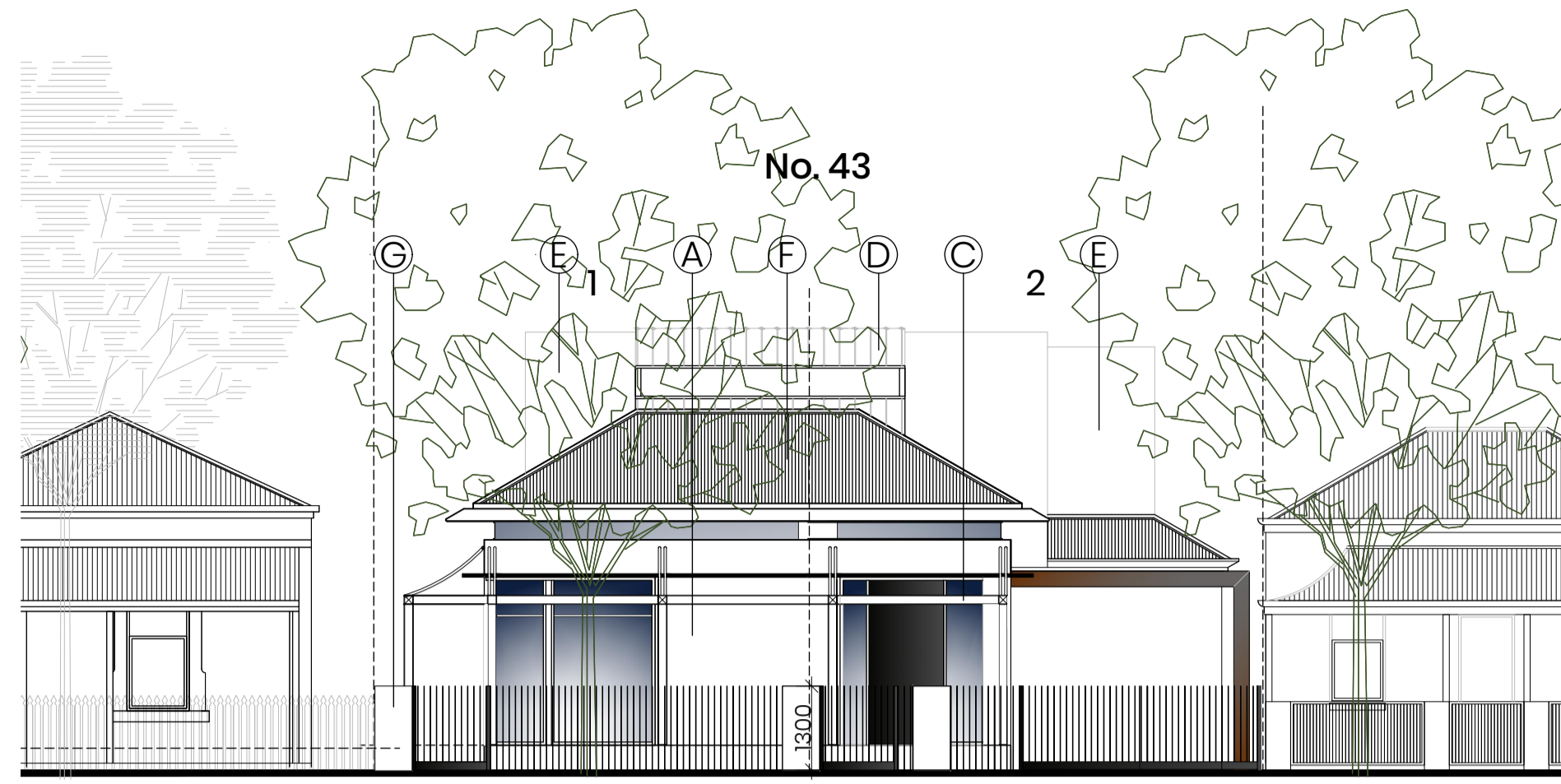
INDESIGNWORKS
 MARIO CIVITARESE
 0412 511 461
 mario@indesignworks.com.au
 125-127 PAYNEHAM RD, ST PETERS

PROJECT
 NEW 2 RESIDENTIAL DEVELOPMENT
 + UNDERCROFT GARAGING
 ADDRESS
 43 STANLEY STREET
 NORTH ADELAIDE

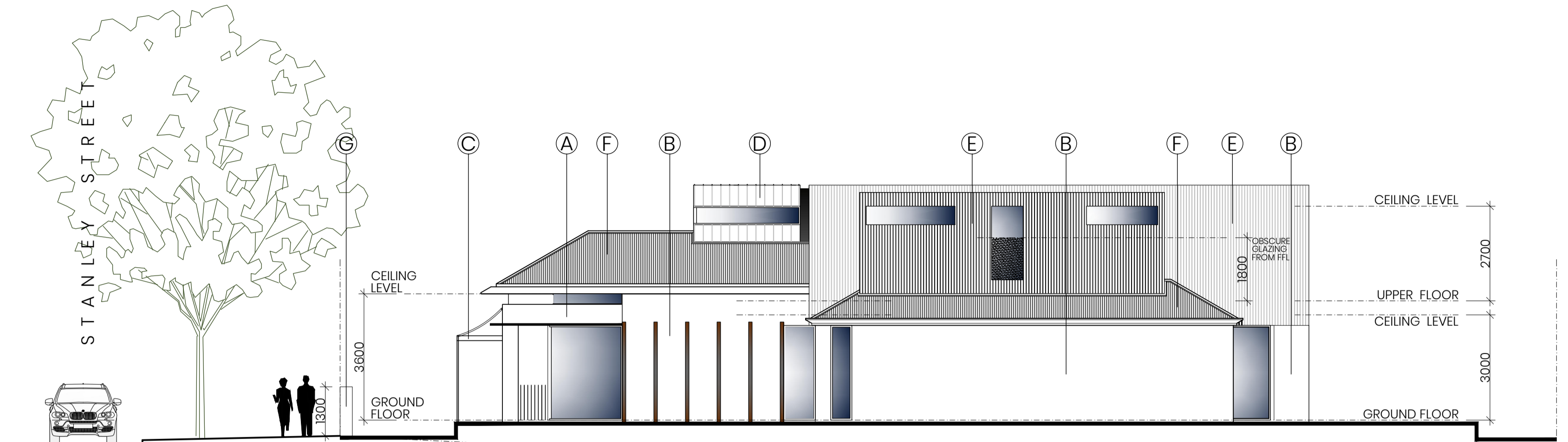
CLIENT
 MR PHIL HADDAD
 c/o DANIELJORDAN HOMES
 DRAWN: MC DATE: SEPT. 2017
 SCALE: N.T.S. SHEET: A1 - PD 01
 DRAWING NO: IDW -

CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS!

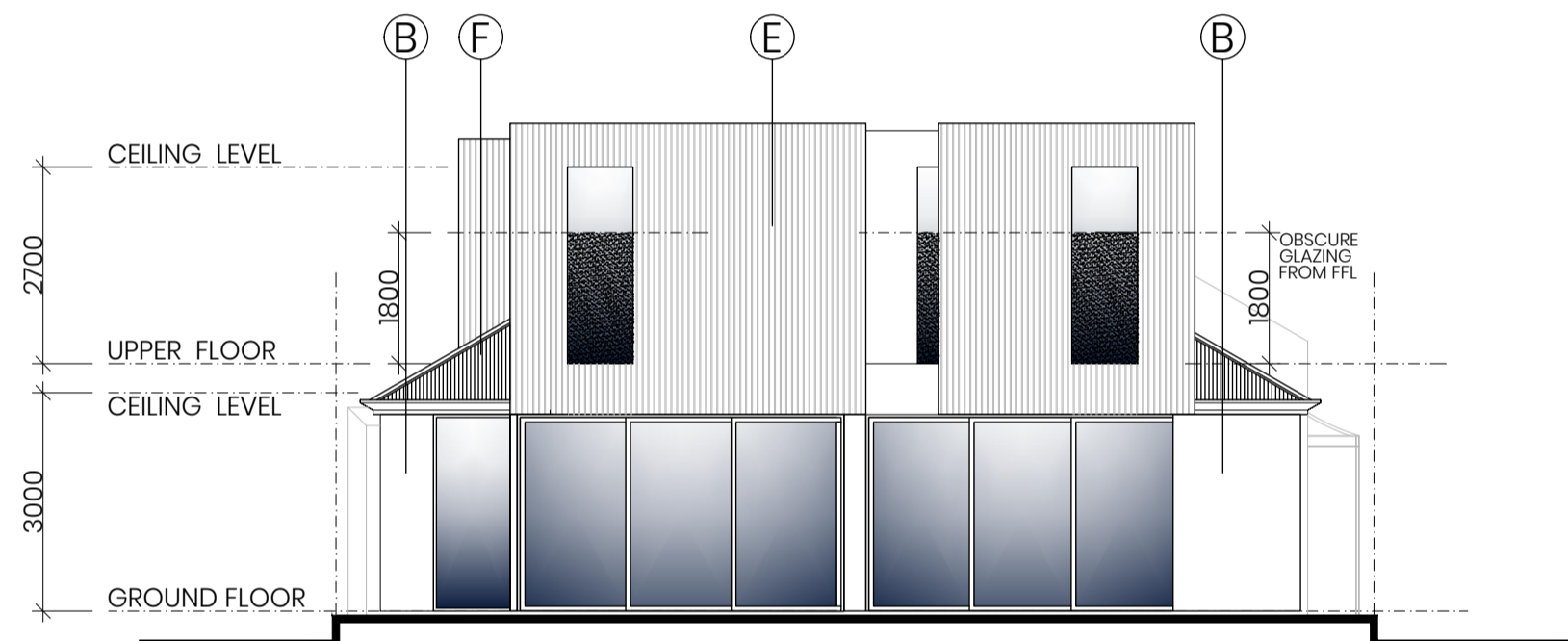
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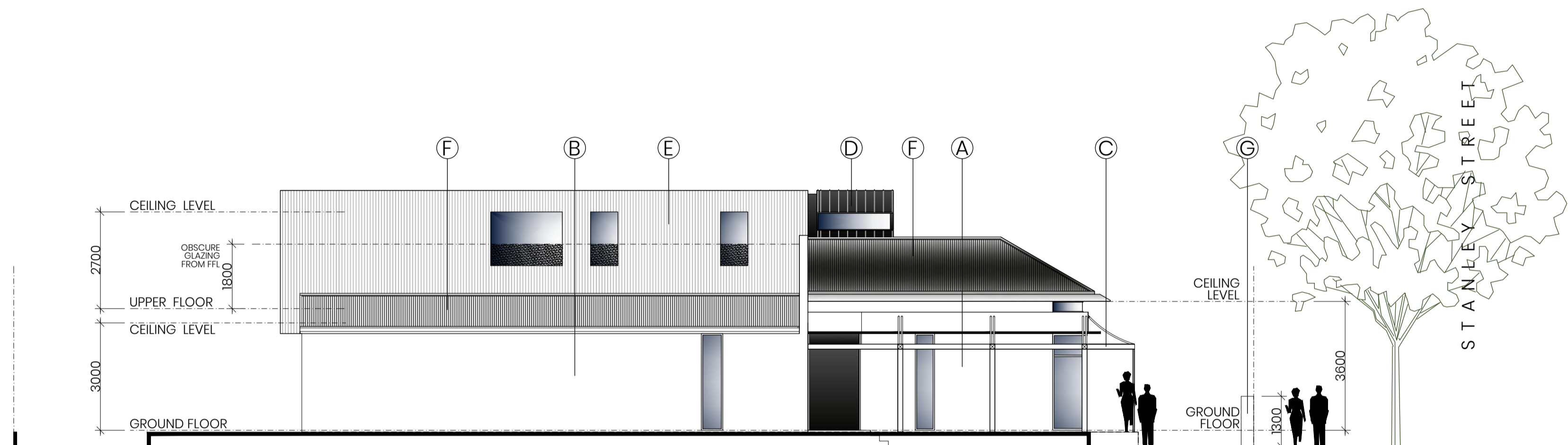
NORTH-WEST ELEVATION
(PART 'STREETSCAPE')
SCALE 1:100



SOUTH-WEST ELEVATION
SCALE 1:100



SOUTH-EAST ELEVATION
SCALE 1:100



NORTH-EAST ELEVATION
SCALE 1:100

MATERIAL SCHEDULE

WALL CONSTRUCTION

LOWER LEVEL

- ENTIRE NORTH-WEST ELEVATION INCLUDING FRONT PIERS — (A)
- SOUTH-WEST ELEVATION TO ARBOUR
- NORTH-EAST ELEVATION TO FRONT DOOR SANDSTONE SQUARE CUT & SMOOTH refer photograph
- PLASTERED WALLS INCLUDING RETAINING WALLS LIME PLASTERING (COLOUR AS PER SANDSTONE COLOUR) refer photograph — (B)
- FRONT VERANDAH (SKELETAL) HOT DIPPED GALVANISED FINISH refer photograph — (C)

UPPER LEVEL

- WALLS ABOVE STAIRS FIELDS' 'MAXLINE' OR SIMILAR BASALT COLOUR/WINDSPRAY refer photograph — (D)
- REMAINDER OF UPPER LEVEL WALLS VERTICAL TIMBER - BURNT GREY OR SIMILAR refer photograph — (E)

PITCHED ROOF

- ROOF OF SINGLE STOREY HERITAGE GALVANIZED CUSTOM ORB refer photograph — (F)

FRONT FENCE

- FRONT FENCE PIERS/INFILL LIME PLASTERED BRICKWORK + VERTICAL FLAT STEEL PLATES (75x8 ON EDGE) — (G)



REV	DATE	AMENDT
1	19/7/18	PLANNING ISSUE

DRAWING TITLE: ELEVATIONS

INDESIGNWORKS
MARIO CIVITARESE
0412 511 461
mario@indesignworks.com.au
125-127 PAYNEHAM RD, ST PETERS

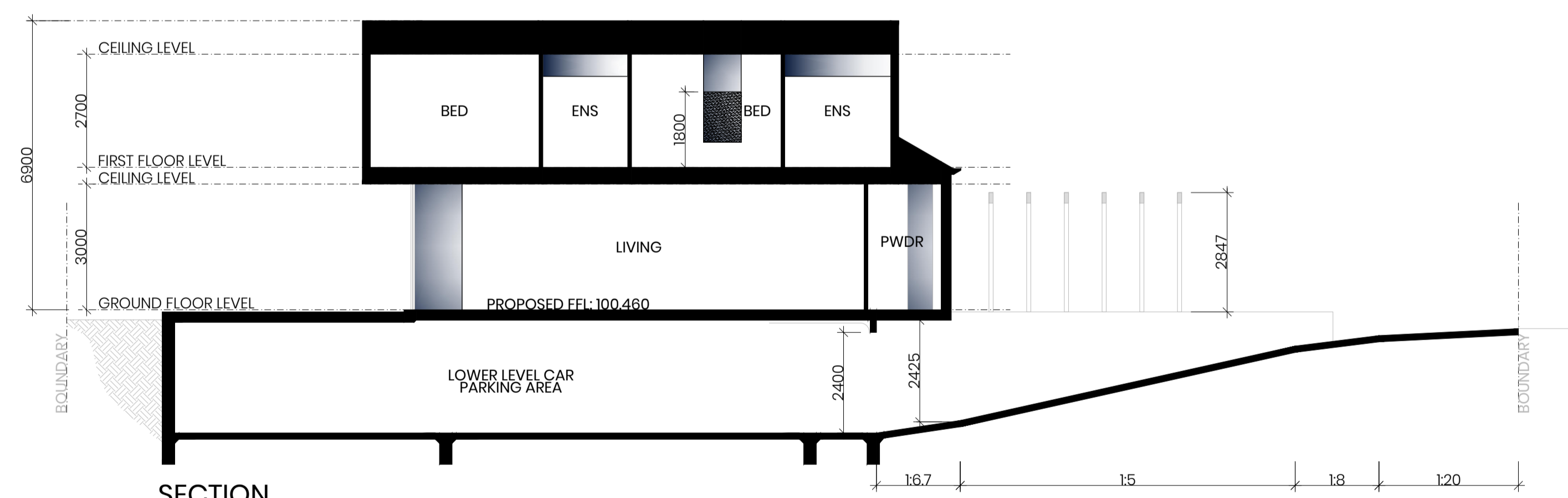
PROJECT
NEW 2 RESIDENTIAL DEVELOPMENT
+ UNDERCROFT GARAGING
ADDRESS
43 STANLEY STREET
NORTH ADELAIDE

CLIENT
MR PHIL HADDAD
c/o DANIELJORDAN HOMES
DRAWN: MC DATE: SEPT. 2017
SCALE: 1:100 SHEET: A1 - PD 03
DRAWING NO: IDW -

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PROPOSED STREETScape
SCALE 1:150



SECTION
SCALE 1:100

			DRAWING TITLE: STREET SCAPE / SECTION		
			INDESIGNWORKS	PROJECT NEW 2 RESIDENTIAL DEVELOPMENT + UNDERCROFT GARAGING	CLIENT MR PHIL HADDAD c/o DANIELJORDAN HOMES
			MARIO CIVITARESE 0412 511 461 mario@indesignworks.com.au 125-127 PAYNEHAM RD, ST PETERS	ADDRESS 43 STANLEY STREET NORTH ADELAIDE	DRAWN: MC DATE: SEPT. 2017 SCALE: 1:150 SHEET: A1 - PD 04
1	19/7/18	PLANNING ISSUE	CONTRACTORS MUST VERIFY ALL DIMENSIONS AT THE JOB BEFORE COMMENCING ANY WORK OR MAKING SHOP DRAWINGS		
REV.	DATE	AMENDT	CAD REF © COPYRIGHT		

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/565/2018
03/09/2018



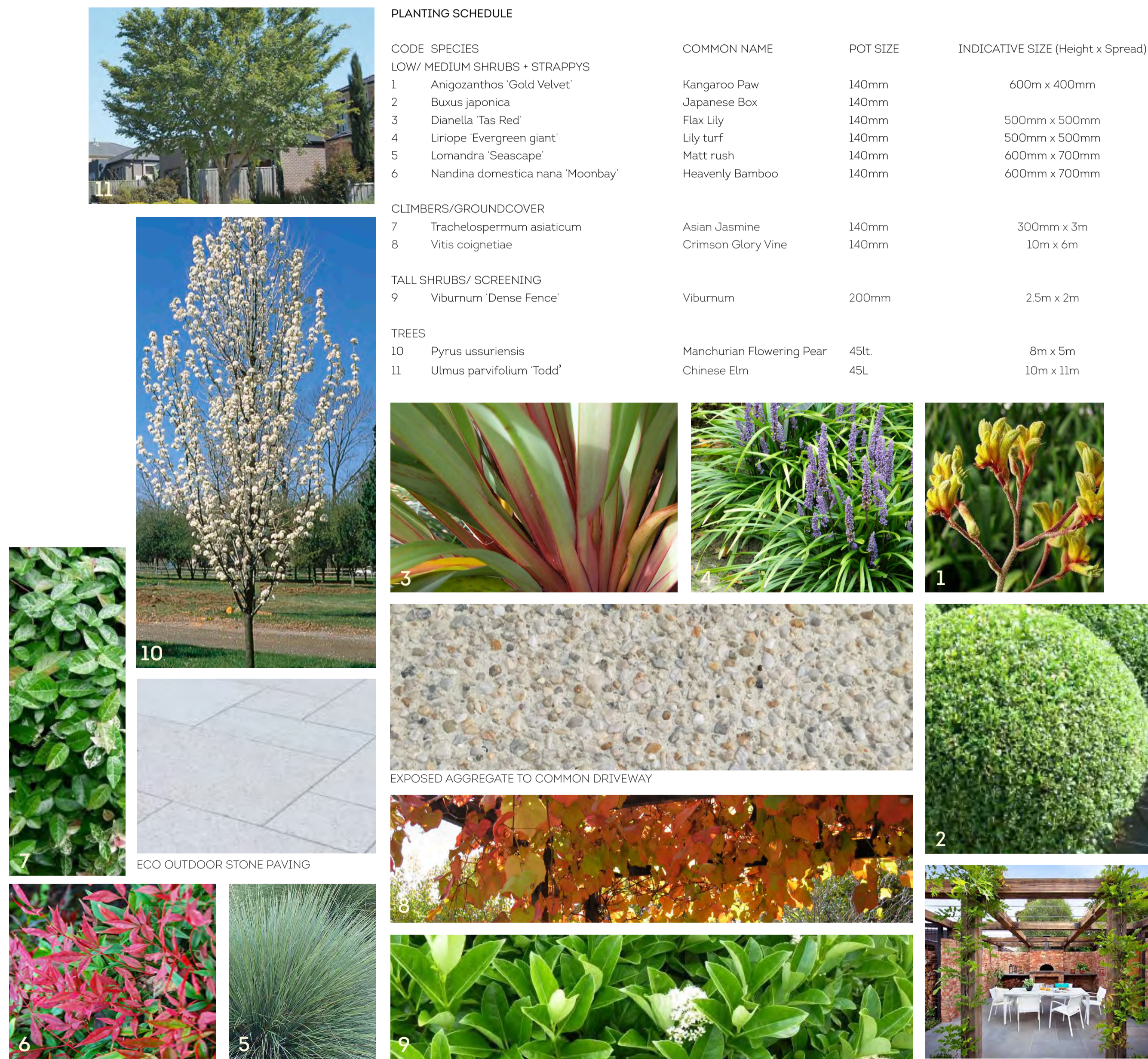
LANDSCAPE ELEVATION - STANLEY STREET
 SCALE 1:100 AT A1



LANDSCAPE ELEVATION - STANLEY STREET
 SCALE 1:100 AT A1

PLANTING SCHEDULE

CODE	SPECIES	COMMON NAME	POT SIZE	INDICATIVE SIZE (Height x Spread)
LOW/ MEDIUM SHRUBS + STRAPPYS				
1	Anigozanthos 'Gold Velvet'	Kangaroo Paw	140mm	600m x 400mm
2	Buxus japonica	Japanese Box	140mm	
3	Dianella 'Tas Red'	Flax Lily	140mm	500mm x 500mm
4	Liriope 'Evergreen giant'	Lily turf	140mm	500mm x 500mm
5	Lomandra 'Seascape'	Matt rush	140mm	600mm x 700mm
6	Nandina domestica nana 'Moonbay'	Heavenly Bamboo	140mm	600mm x 700mm
CLIMBERS/GROUNDCOVER				
7	Trachelospermum asiaticum	Asian Jasmine	140mm	300mm x 3m
8	Vitis coignetiae	Crimson Glory Vine	140mm	10m x 6m
TALL SHRUBS/ SCREENING				
9	Viburnum 'Dense Fence'	Viburnum	200mm	2.5m x 2m
TREES				
10	Pyrus ussuriensis	Manchurian Flowering Pear	45lt	8m x 5m
11	Ulmus parvifolium 'Todd'	Chinese Elm	45L	10m x 11m



ELEMENTS & PLANTS



Revision:

LCS LANDSCAPES
 Defining Spaces

Project:
 45 STANLEY STREET
 NORTH ADELAIDE

Client:
 URPS

Drawing:
 LANDSCAPE CONCEPT DESIGN

Scale: 1:100@ A1
 Drawn: KE
 Checked: SK
 Date: 29/06/2018
 Dwg no: LS.050.18
 Sheet: 1 OF 1
 Rev:

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 www.lcslandscapes.com.au
 Landscape Construction Services Pty
 Builders Licence: BLD175870 / ABN: 68 102 505 180





WINTER SOLSTICE (21 JUNE) - 9AM

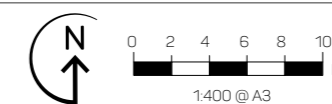


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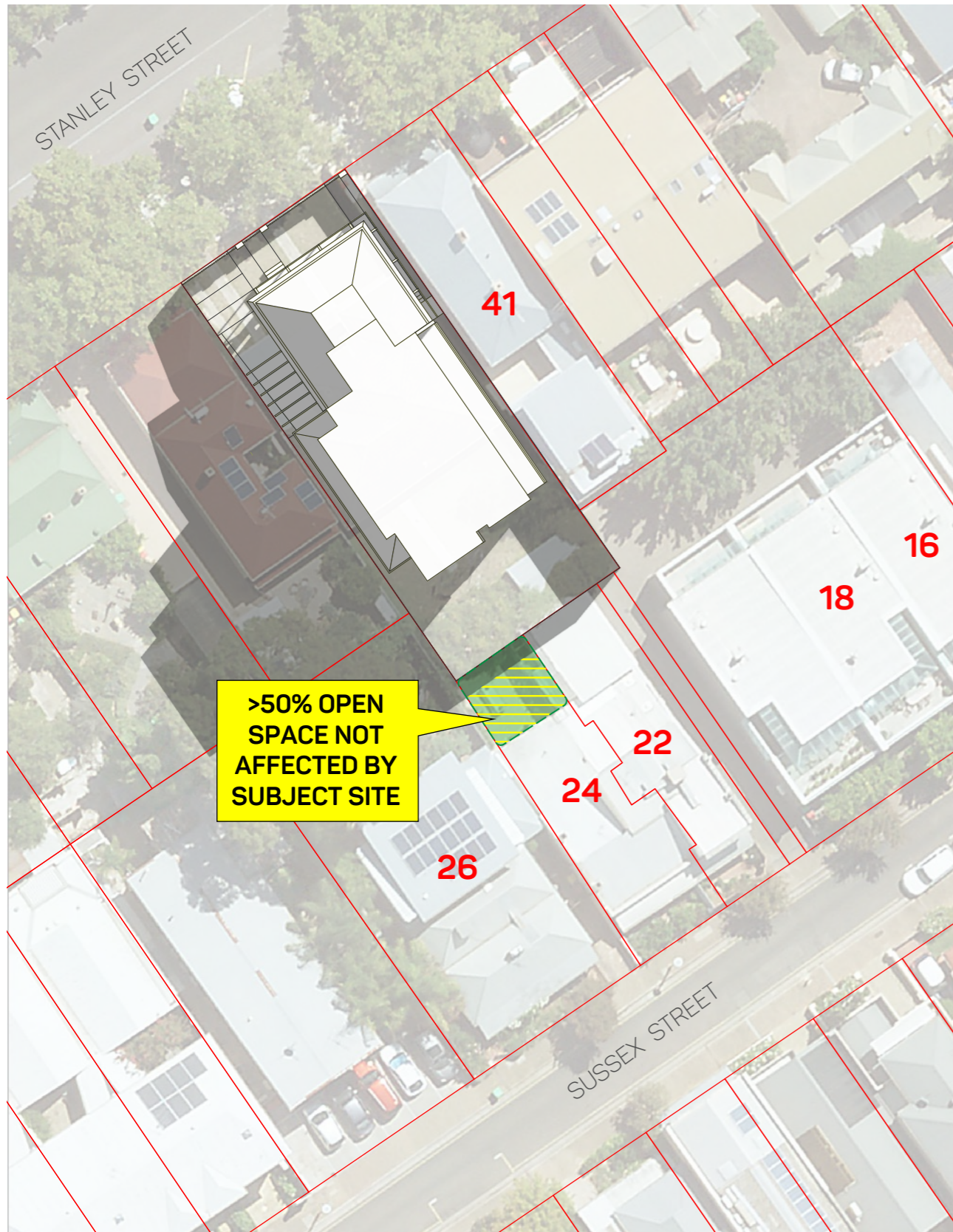


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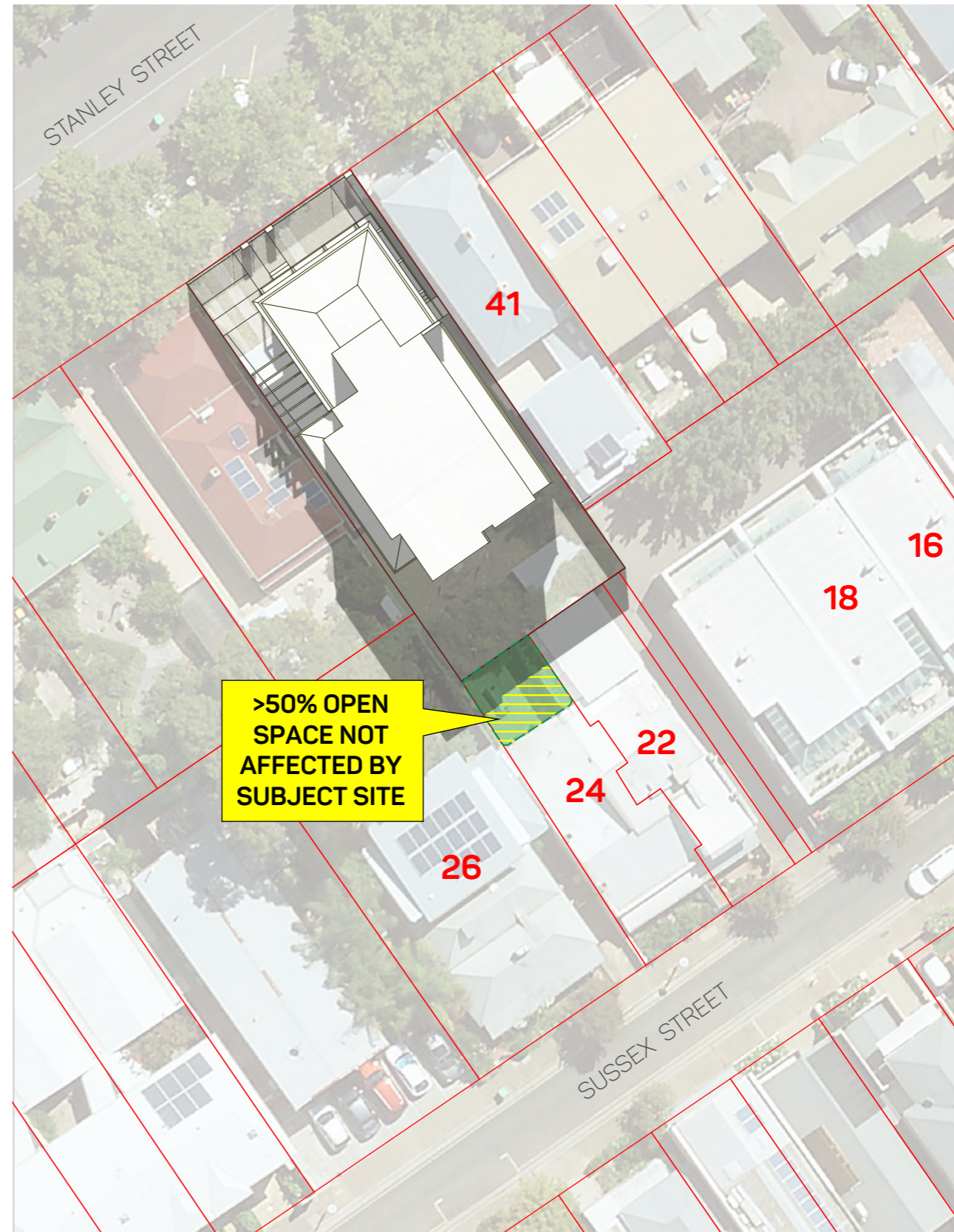
SHADOW DIAGRAMS - WINTER SOLSTICE
 43 STANLEY STREET, NORTH ADELAIDE



R2 > 09.11.2018 0430-001



WINTER SOLSTICE (21 JUNE) - 9AM

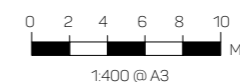


WINTER SOLSTICE (21 JUNE) - 12PM

18 REPRESENTOR STREET NUMBER

 CADASTRE

SHADOW DIAGRAMS - WINTER SOLSTICE
43 STANLEY STREET, NORTH ADELAIDE



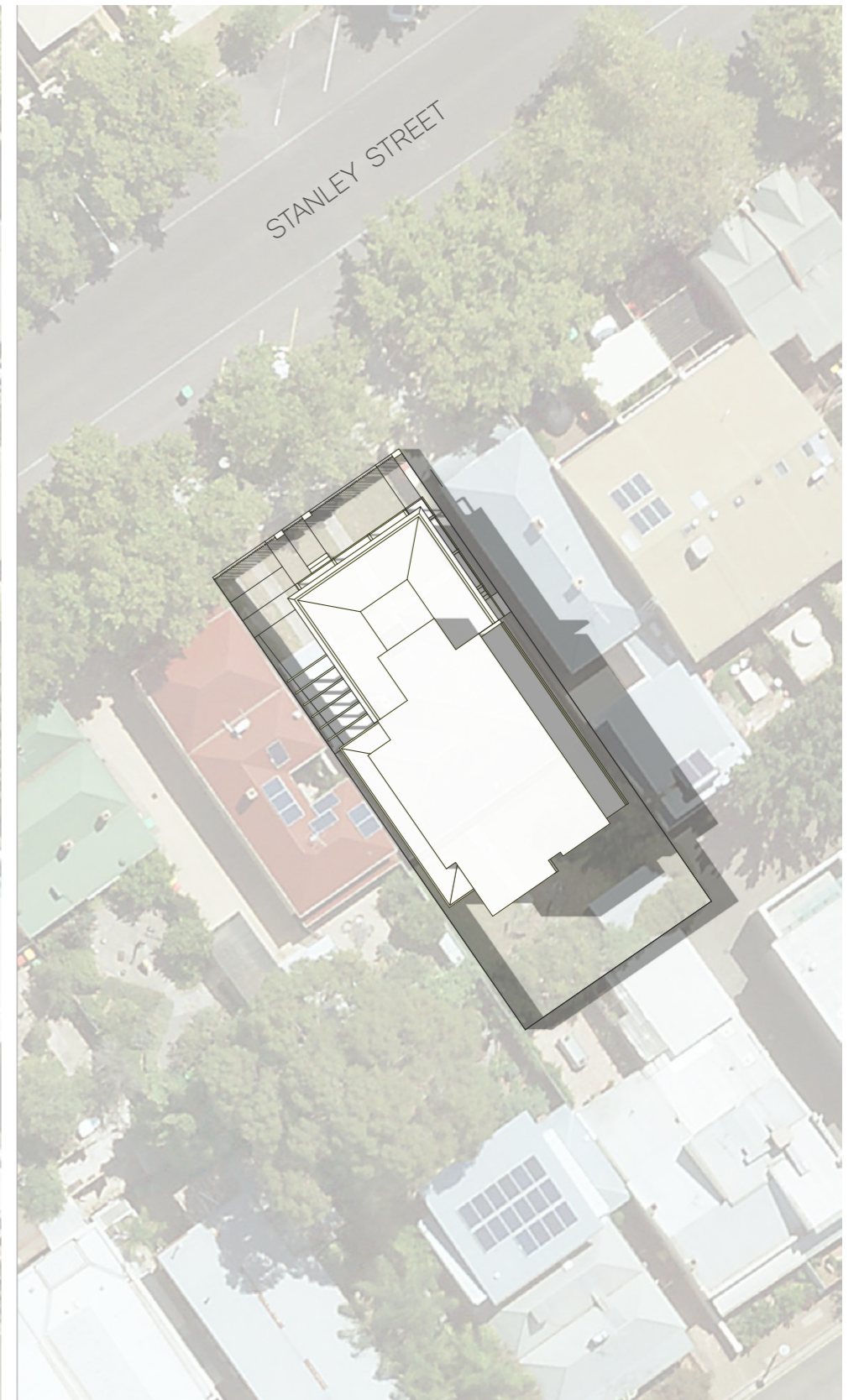
R1 > 19.10.2018 0430-003



SUMMER SOLSTICE (21 DECEMBER) - 9AM

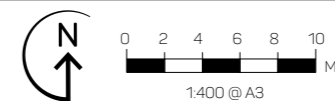


SUMMER SOLSTICE (21 DECEMBER) - 12PM



SUMMER SOLSTICE (21 DECEMBER) - 3PM

SHADOW DIAGRAMS - SUMMER SOLSTICE
 43 STANLEY STREET, NORTH ADELAIDE



R2 > 09.11.2018 0430-001

Ref: 17ADL-0339

20 July 2018

Mr Seb Grose
Planner – Development Assessment
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

Dear Seb

Demolition of Existing Dwelling and Construction of Residential Flat Building at 43 Stanley Street, North Adelaide

Introduction

URPS has been engaged by Mr Mario Civitarese of Indesign Works to provide advice and prepare a planning report in respect to the above matter.

This report accompanies the Development Application for demolition of the existing detached dwelling and construction of a residential flat building containing two dwellings at 43 Stanley Street, North Adelaide (the subject land).

This application is made following extensive pre-lodgement engagement with you and Council's Heritage Officer, Simon Weidenhofer.

The following documents are enclosed with this application:

- Completed development applications
- Certificate of title, and
- Proposal plans prepared by Indesign Works.
- Landscaping plan prepared by LCS Landscapes.

Subject Land and Locality

The subject land is 43 Gover Street, North Adelaide (FP 184066 in Certificate of Title 603/92 in the Hundred of Yatala).

The land is rectangular in shape with a frontage of 14.3 metres to Stanley Street and a depth of 34.7 metres. It has an area of approximately 497.3m².

The subject land contains an existing single storey, cream-brick, conventional-style, detached dwelling. This dwelling will be demolished as part of the proposed development.

The locality surrounding the subject site is residential in nature and contains one and two storey detached dwellings, semi-detached dwellings, row dwellings and residential flat buildings. Some of these dwellings are listed as Local Heritage Places, including an adjoining single storey detached dwelling to the east and a single storey State Heritage Place two allotments to the west. There is also more modern, two storey dwellings located directly opposite the subject site and two allotments to the east fronting Stanley Street.

Buildings in the locality are typically located on or close to site boundaries and there is typically a high proportion of site coverage. Stanley Street contains mature, deciduous street trees and includes angled parking on both sides of the street.

Proposed Development

The proposed development comprises demolition of the existing dwelling and construction of a residential flat building containing two dwellings with a basement level and two levels above ground. The dwellings are constructed within a single building which has the appearance of a single detached dwelling. The dwellings will access their basement car park via a partially modified existing crossover.

Procedural Considerations

The subject land is located within the North Adelaide Historic (Conservation) Zone and also within the Kentish Arms Policy Area 11 of the Adelaide (City) Development Plan (consolidated 7 June 2018).

Demolition of non-heritage listed dwellings is not listed as complying nor non-complying development in the North Adelaide Historic (Conservation) Zone, nor is the construction of residential flat buildings.

Principle of Development Control 27 states:

Principle 27 The following kinds of development are non-complying:...

- (c) Development which exceeds any applicable maximum plot ratio (as prescribed in each Policy Area)...
- (d) Development which exceeds both the building levels and maximum building height prescribed as follows:...
 - (ix) In Policy Area 11, development which exceeds both 2 building levels and locates a ceiling more than 6 metres above the median natural or finished ground level at any point or any part of a building. (underlining added)

Principle of Development Control 4 in the Kentish Arms Policy Area 11 states:

Principle 4 The bulk and density of development should satisfy the following:

- (a) Basic and maximum plot ratio: 0.8; and... (underlining added)

Schedule 1: Definitions includes:

building level: that portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above, that portion between the top of the floor and the ceiling above it. It does not include a floor located more than 1.5 metres below the median natural or finished ground level or the roof top location of plant and mechanical equipment. (underlining added)

The proposed development has a plot ratio of 0.77 not exceeding 0.8. It also does not exceed two building levels. Therefore, the application is subject to the on-merit assessment process.

Development Assessment

Having considered the relevant provisions of the Adelaide (City) Development Plan, we make our assessment of the merits of the application under the following headings:

- Dwelling type.
- Density and frontage.
- Building height.
- Local heritage and streetscape impact.
- Materials and finishes.
- Landscaped open space and private open space.
- Fencing.
- Overshadowing and overlooking.
- Car parking.

Dwelling Type

The Desired Character statement for the Kentish Arms Policy Area 11 and Principle of Development Control 2 anticipate different dwelling types in the following terms:

Kentish Arms Policy Area 11

Desired Character

The character of new residential development should be established by low and medium density detached dwellings, semi-detached or row dwellings, group dwellings or residential flat buildings, all up to a maximum of two storeys, unless a particular dwelling type(s) and/or a lower building height is prescribed for development addressing the primary street frontage, to reinforce the character of the historic built form as described below:...

Principle 2 Residential development should be in the form of detached, semi-detached, row or group dwellings, residential flat buildings, or alterations and additions to existing buildings... (underlining added)

The proposed residential flat building is a clearly anticipated form of development.

The re-development of the land with two dwellings and replacement of a discordant building element with a new building comprising two dwellings also satisfies Zone Principle 2:

North Adelaide Historic (Conservation) Zone

Principle 2 Development should increase the amount of residential accommodation in the Zone by:

- (a) a change in use of non-residential buildings to residential uses;**
- (b) development of vacant and under-utilised sites that can be achieved without adverse impact on the established residential amenity and the historic character of the Zone or relevant Policy Area; and**
- (c) the redevelopment of sites containing buildings that are not Heritage Places which are presently incompatible with the historic character of the Zone or the desired character of the Policy Area, particularly buildings that are visible from public roads. (underlining added)**

Density and Frontage

The Desired Character statement for the Kentish Arms Policy Area 11 and Principle of Development Control 4 anticipate the density of development being as follows:

Kentish Arms Policy Area 11

Desired Character

...The character of new residential development should be established by low and medium density detached dwellings, semi-detached or row dwellings, group dwellings or residential flat buildings, all up to a maximum of two storeys, unless a particular dwelling type(s) and/or a lower building height is prescribed for development addressing the primary street frontage, to reinforce the character of the historic built form as described below:... (underlining added)

Principle of Development Control 4 in Policy Area 11 states:

Kentish Arms Policy Area 11

Principle 4 The bulk and density of development should satisfy the following:

- (a) Basic and maximum plot ratio: 0.8...
- (b) Dwelling Unit Factor:
 - (i) 350 square metres – detached dwelling, semi-detached dwelling and group dwelling;
 - (ii) 350 square metres – row dwelling;
 - (iii) 350 square metres – residential flat building not contained within an existing building;
 - (iv) 250 square metres – residential flat building contained within an existing building;
 - (v) 300 square metres – residential redevelopment of a site occupied by a non-complying use. (underlining added)

Schedule 1: Definitions in the Adelaide Development Plan lists plot ratio and building floor area as being:

plot ratio: the ratio between the total building floor area or areas of a building or buildings, and the area of the allotment(s) upon which such building or buildings are or are intended to be erected.

building floor area: the sum of the gross horizontal areas of each and every floor of a building contained within the inner faces of the outer walls measured at a height of 1.5 metres above the floor. It includes the areas occupied by internal walls and columns, party walls between adjoining properties, staircases, lobbies, corridors and toilets, but excludes any area permanently set aside for the parking, manoeuvring, unloading or loading of vehicles together with ramps or other means of access. It also excludes the accommodation of mechanical or electrical plant or equipment servicing the building, lift shafts, vertical service ducts and space devoted to a required pedestrian link as identified in Map Adel/1 (Overlay 2A) or in any Zone or Policy Area. (underlining added)

Zone Principle 12 seeks for Residential Flat Buildings to have the appearance of a detached dwelling to the street:

North Adelaide Historic (Conservation Zone)

Principle 12 Residential flat buildings or group dwellings should be designed to have the appearance of a detached dwelling as viewed from the primary street frontage.

Council Wide Principle of Development Control 176 describes how to calculate dwelling unit factor in the following terms:

Council Wide

Principle 176 In the City Living Zone (other than in relation to sites greater than 1500 square metres in area), the Adelaide Historic (Conservation) Zone and the North Adelaide Historic (Conservation) Zone, the number of dwellings which will be appropriate on a site should not exceed the site area divided by the dwelling unit factor as set out in relevant Zone, and any fractions of the number so calculated should be disregarded. (underlining added)

Principle of Development Control 5 in Policy Area 11 states:

Kentish Arms Policy Area 11

Principle 5 The land for a dwelling should have a primary street frontage not less than the following (other than in the case of a hammerhead allotment where the frontage to a public road should be no less than five metres):

- (a) Detached dwelling: 12 metres;
- (b) Semi-detached dwelling: 10 metres;
- (c) Row dwelling: 7 metres;
- (d) Group dwelling or residential flat building: 18 metres. (underlining added)

Given that the subject site is 497.3m² in area, the average site area per dwelling as proposed is 248m². As stated previously, the subject site also has a frontage of 14.3m.

The dwelling unit factor for the proposed development (a new residential flat building) is 1.4 calculated in accordance with PDC 4 quoted above. I acknowledged that the proposed development does not satisfy the plot ratio guideline. I also acknowledge that the frontage of the site is less than the 18m guideline. I contend, however, that it is appropriately medium density and appropriate on this site given:

- The development will see the demolition of a discordant built form element in the streetscape i.e. replacement of the out-of-character single storey conventional-style detached dwelling.
- The plot ratio is 0.77, satisfying the Development Plan of guideline of 0.8 (497.3m² site area and 382.2m² building floor area).
- The average site area per dwelling is similar to the minimum site area for residential flat buildings within existing buildings (250m²) in this Policy Area.
- The building has been designed with basement level parking so that the visual impact of garaging in the streetscape is minimised.
- The form of the proposed building appears largely as a single detached dwelling.

Building Height

The Desired Character statement for the Kentish Arms Policy Area 11 and Principle of Development Control 3 anticipate two storey buildings in the following terms:

...The character of new residential development should be established by low and medium density detached dwellings, semi-detached or row dwellings, group dwellings or residential flat buildings, all up to a maximum of two storeys, unless a particular dwelling type(s) and/or a lower building height is prescribed for development addressing the primary street frontage, to reinforce the character of the historic built form as described below:

- (a) Stanley Street (south side), East and West Pallant Streets:

These streets contain some of Adelaide's earliest residential buildings and are characterised by allotments containing closely sited single-storey buildings. New two-storey development should be set back behind single storey frontages and not readily visible from the street. The lowering of eaves may be necessary along these frontages to be consistent with adjoining buildings of heritage value...

Principle 3 Development should not exceed 2 building levels or locate a ceiling more than 6 metres above the median natural or finished ground level at any point or any part of a building.

Buildings may be allowed up to the maximum height or number of levels where such buildings are compatible with adjacent buildings and their settings in respect of their scale and siting, and where there is no adverse impact on established residential amenity.

Principle 7 Along Jerningham Street, Stanley Street, MacKinnon Parade, Sussex Street, Hart Street, Arthur Street and East and West Pallant Streets, two-storey development, including additions to existing buildings, should be located at the rear of the site away from the street frontage to retain the low scale single storey character of these townscapes. Two storey development should not be readily seen from the streets in the Policy Area. (underlining added)

The proposed two storey building has been carefully designed to satisfy these provisions i.e. so that the second storey element is recessive/not readily visible in the streetscape in the following ways:

- The upper level is only 1.3m higher than the ridgeline of the ground floor level.
- The upper level is setback approximately 10m from the Stanley Street frontage, 6m further than the ground floor level.
- The most forward projecting element of the upper level is only approximately 4.2m wide and is centred on the site away from adjoining properties.
- The widest portions of the upper level are narrower than the ground floor level at approximately 9.8m wide, as well as being setback more than 14m from the Stanley Street frontage.
- The flat roofed nature of the upper level reduces its overall scale.

Heritage and Streetscape Impact

There are a limited number of listed Heritage Places in the immediate locality of the subject site compared to other parts of Stanley Street. The only nearby heritage listings in Stanley Street are the adjoining property to the east (41 Stanley Street – a Local Heritage Place), two allotments to the west (53 Stanley Street – a State Heritage Place), and diagonally opposite (40 Stanley Street – a Local Heritage Place). There are also some Local Heritage Places adjoining the subject site to the rear fronting Sussex Street.

At the same time, there are a number of one and two storey non-heritage listed dwellings in the locality including adjoining to the west, directly opposite and two allotments to the east.

In this context, I contend that the historic character of this locality is less intact than other parts of this Zone and Policy Area.

The following Council Wide Principles of Development Control relate development adjacent/adjoining Heritage Places:

Council Wide

Principle 162 Development on land adjacent to land containing a Heritage Place should demonstrate design consideration of the relationship with the Heritage Place (without necessarily replicating its historic detailing) by establishing compatible:

- (a) scale, bulk and setbacks;
- (b) proportion and composition of design elements;
- (c) form and visual interest (as determined by play of light and shade, treatments of openings and depths of reveals, roofline and silhouette, colour and texture of materials and details, landscaping and fencing);
- (d) width of frontage and boundary set-back patterns; and
- (e) vehicle access and carparking arrangements.

Principle 164 In a locality where single-storey Heritage Places prevail at or close to the primary street frontage, single storey development and a consistent building set-back should be maintained. Sympathetically designed second storey components that utilise or extend roof space to the rear of a building may be appropriate subject to scale, views from the street, overshadowing and privacy considerations.

Principle 165 Development that is visible from the street should match the building levels and storey heights of adjacent Heritage Places. (underlining added)

The proposed development has been carefully designed to be complementary to existing nearby development and particularly the heritage listed buildings in the following way:

- The front portion of the building has an eave height and roof form that is complementary to the existing adjoining dwellings either side.
- A concave return veranda has been included at the front of the site.
- The front boundary setback is similar to the existing adjoining dwellings either side.
- The most forward projecting element of the ground floor level is symmetrical when viewed from the street.
- The building appears largely as a single dwelling rather than a residential flat building.
- The front fencing and adjoining ground levels in the front yard have been carefully designed so that the driveway is only visible at the crossover. This design approach also avoids the use of garage doors that would otherwise be a discordant element in the streetscape.

Materials and Finishes

Zone Principle 4 states:

North Adelaide Historic (Conservation) Zone

Principle 4 New buildings should utilise stone, brick and/or brick render as the main external finish to walls to complement the historic built form in the Zone. Coated surfaces that are visible from the street should be finished in natural render, limewash, cement or mineral paints, not plastic coatings or renders. Buildings with brightly coloured or highly reflective surfaces should not be developed.

The key building materials and colours are as follows:

- Entire front wall & return down the left-hand side to door & right hand side to wall of arbour (including front pier) – Sandstone.
- Remainder of walls of ground floor including retaining walls – Lime Plaster (sandstone colour).
- Roof of ground floor – Heritage Galvanised Custom Orb.
- Front veranda (Skeletal) – Hot dipped galvanised steel.
- Walls above stairs – Fielders “Maxline” or (Basalt/Windspray colour).
- Remainder of upper level walls – Timber verticals (burnt grey or similar colour).
- Front fence piers/infill – Lime plastered brickwork + vertical flat steel plates.

All of the materials are complementary to the traditional materials used in many of the nearby heritage listed buildings and satisfy PDC 4 quoted above.

Landscaped Open Space and Private Open Space

Principle of Development Control 6 in Policy Area 11 states:

Kentish Arms Policy Area 11

Principle 6 A minimum of 30 percent of the total site area should be provided for landscaped open space on the site of development. Each dwelling in a development should provide as part of the landscaped open space, a private open space area in accordance with the Council Wide principles of development control. (underlining added)

Schedule 1: Definitions in the Adelaide Development Plan lists landscaped open space as being:

landscaped open space: open space at ground level having a minimum horizontal dimension of one metre which incorporates substantial landscape planting and is designed, developed, maintained and capable of being used as a garden, grassed, or paved area for pedestrian use and enjoyment, or a swimming pool. It includes a driveway within the site of a single dwelling, but does not include a parking area or any shared area for vehicles, a service area, or any area used for storage of refuse or waste. (underlining added)

The following Council Wide Principles of Development Control within the section entitled “Private Open Space” state:

Council Wide

Principle 30 Private open space should be directly accessible from a living room and in the form of:

- ground level courtyard or other private open space screened from adjacent properties and public areas (e.g. public roads, public open space); or
- balconies, terraces, roof gardens, decks or other elevated outdoor areas provided the amenity and visual privacy of adjacent properties is protected.

Principle 31 Low scale residential development should provide private open space of sufficient area, dimension and shape and be appropriately located to be functional for the occupants’ needs and should satisfy the following:

- residential dwellings with ground level habitable rooms to include private open space which satisfies the following table:

On sites greater than 250m²:

- 20 percent of site area;

- (b) minimum dimension of 2.5 metres;
- (c) balconies and roof patios etc can comprise part of this area provided the area of each balcony, roof patio, etc is 10 square metres or greater; and
- (d) one part of the space is directly accessible from a living room, has a maximum gradient of 1 in 10, an area equal to or greater than 10 percent of the site area and a minimum dimension of 3.5 metres (minimum dimension of 5 metres in the North Adelaide Historic (Conservation) Zone).
(underlining added)

The front yard of the proposed development is approximately 60m² in area including the veranda area and eastern side path/landscaping. The proposed rear yards of each dwelling at ground level are approximately 56m² in area for each dwelling. This means that the proposed development has a total of 172m² of landscaped open space or 35% of the site. This readily satisfies the Development Plan guideline of at least 30% of the site for landscaped open space.

The 56m² rear yards represent 23% of the site area, readily satisfying the Development Plan guideline for private open space.

Zone Principle 1 and Policy Area 11's Desired Character are also pertinent which state:

North Adelaide Historic (Conservation) Zone

Principle 1 Development should:

- (a) **retain and conserve Heritage Places;**
- (b) **reflect the historic built form and its visual character through residential development of complementary design, form and density consistent with the desired character for each Policy Area; and**
- (c) **contribute to the landscape character of private and public open spaces and incorporate attractive landscaping to street frontages where building set-backs permit.**

Desired Character

The Policy Area should maintain a high degree of pedestrian amenity and shelter provided by street trees, other landscaping and a high standard of paving, with pedestrian safety and ease of access to the Park Lands and Melbourne Street. (underlining added)

In respect to the above:

- The proposal features a well-considered landscape plan prepared by a Landscape Architect which demonstrates the following:
 - > The crossover location ensures the existing mature street tree in Council's road reserve will be retained with Council's grassed verge to be "top-dressed and made good".
 - > The garden area forward of the dwelling is to compromise ornamental feature trees and understorey planting providing a well landscaped attractive setting.
 - > The area lining the entry path to dwelling 1 will feature tall shrubs planted to create a dense green buffer to block views of side fencing.
 - > The opposing side fencing will also be partially screened via a mix of low strappy plants and a climber that is attached to a steel arbor that serves to integrate with the front verandah and provide a green feature that reduces the notability of the driveway.

Fencing

Zone Principle 14 states:

North Adelaide Historic (Conservation) Zone

- Principle 14** Fencing to a street frontage (including any secondary street frontage) and returning along the side boundaries to the alignment of the main face of the principal building on the land, should:
- (a) be of traditional style and detailing that is compatible with the style of the building, or in the case of a new building, its design should reflect historically sympathetic fencing styles evident in the particular streetscape;
 - (b) on the primary street frontage, comprise low fencing or fencing with an open character combined with solid pillars and plinths or other similar fencing styles that allow views of the associated building, by their height and design;
 - (c) comprise materials compatible with traditional fencing materials such as stone and cast iron, brick, stone or rendered pillars and plinths or other traditional materials such as timber or well detailed masonry, but should not include metal sheeting; and
 - (d) not include solid masonry fences on the primary street frontage other than where it is required to be consistent with fencing of identified heritage value on the development site.

The subject locality has a varied fencing character. On the southern side of Stanley Street fencing is typically low, open and comprised of timber or metal post materials some featuring rendered pillars. The proposal will be respectful of this character and satisfies Principle 14 by incorporating a similar height fence comprising steel posts and rendered pillars.

Overshadowing and Overlooking

The following Council Wide Principles of Development Control under the title “Daylight and Sunlight” state:

Council Wide

- Principle 27** Development within or adjoining the City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone should maintain at least two hours of direct sunlight between 9.00am and 3.00pm solar time on 22 June to either the northern facade or at least one ground floor habitable room window (excluding bathroom, toilet, laundry or storage room windows), of any neighbouring residential property and to at least 20 percent of that property’s private open space, private landscaped open space or communal open space, where such communal open space provides the primary private open space for any adjacent residential development. Where the existing period of direct sunlight is less than two hours per day or covers less than 20 percent of open space, development should not further reduce it.
- Principle 28** Within the City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone, sunlight to solar panels should be maintained for a minimum of 2 consecutive hours between 9.00am and 3.00pm solar time on 22 June provided it does not restrict the reasonable development of adjoining sites.

The subject site basically has and north-south orientation, with a slight tilt to the west. This means that overshadowing of the adjoining property to the east is limited to the late afternoon, while overshadowing of the property to the west will occur in the early morning. The shadow diagrams accompanying this application confirm this.

The proposed development ensures that at least 2 hours of sunlight is preserved to at least one ground floor habitable room window of neighbouring dwellings and at least 20% of their private open space in midwinter in accordance with PDC 27.

Aerial photography also indicates that the adjoining dwelling to the west has solar panels on the roof. The shadow diagrams indicate that the proposed development will preserve at least 2 hours of sunlight to these solar panels in midwinter in accordance with PDC 28.

The upper level windows on the side and rear elevations will have fixed obscure glass to 1.8m above finished floor level, meaning that they will not create any privacy impact for existing adjoining dwellings.

Car Parking

Council Wide Principle of Development Control 44 states:

Council Wide

Principle 44 On-site car parking should be provided for low scale residential development in accordance with the car parking requirements set out in Table Adel/7 (disregarding infrequent, high-visitation events, such as parties, garage sales or auctions), taking account of:

- (a) the number and size of proposed dwellings;
- (b) availability of employment and centre facilities within walking distance;
- (c) the anticipated mobility characteristics of the likely occupants; and
- (d) availability of public transport and on-street car parking in proximity to the development.

Table Adel/7 states that low scale residential development should provide 1 space per dwelling up to 200m² in building floor area and 2 spaces per dwelling greater than 200m² in building floor area. As stated previously, the total building floor area is 193.1m² for dwelling 1 and 189.1m² for dwelling 2. This means that each dwellings should provide 1 on-site parking space to satisfy Table Adel/7.

The proposed development includes four on-site car parking spaces at basement level. This satisfies the Development Plan guidelines for on-site parking.

The design of on-site parking also means that:

- vehicles will be able to enter and exit the site in a forward direction enhancing vehicle and pedestrian safety; and
- the driveway is limited in width to 4m which means that space for up to 4 angled parking spaces are preserved on-street in front of the subject site.

Principle of Development Control 8 in Policy Area 11 states:

Kentish Arms Policy Area 11

Principle 8 Car parking should be located behind buildings on the frontages to Kingston Terrace, Mann Terrace, MacKinnon Parade, Melbourne Street and Sussex Street and behind or beside buildings on the Stanley Street and Jerningham Street frontages. (underlining added)

As indicated previously, the proposed basement level parking avoids the use of garage doors that would otherwise be a discordant element in the streetscape. The fencing and ground levels in the front yard also

mean that the driveway will only be visible at the crossover. I contend that this design approach satisfied the intent of this provision.

Summary and Conclusion

The proposed development comprises demolition of the existing dwellings and construction of a two-storey residential flat building (together with basement level) containing two dwellings.

Residential flat buildings are clearly contemplated in the Kentish Arms Policy Area 11, as are two storey developments. The proposed development exceeds the dwelling unit factor and is on a narrower allotment than anticipated by the Development Plan, but I contend that this is acceptable because:

- It will see the demolition of a discordant built form element in the streetscape i.e. replacement of the out-of-character single storey conventional-style detached dwelling.
- The plot ratio, landscaped open space and private open space all satisfy the quantitative guideline, providing evidence that the bulk and scale is appropriate.
- The average site area per dwelling is similar to the minimum site area for residential flat buildings within existing buildings (250m²) in this Policy Area.
- The form of the proposed building appears largely as a single detached dwelling.

Importantly, the proposed development complements existing nearby development and particularly the heritage listed buildings in terms of eave heights, veranda treatments, front boundary setbacks, a largely symmetrical front façade and front fencing.

The incorporation of basement level parking avoids the use of garage doors that would otherwise be a discordant element in the streetscape.

A well-designed landscaping plan demonstrates the proposal will incorporate an attractive landscaping setting for the dwellings while ensuring the existing street tree and road reserve will be retained in good order.

The development will also have negligible and acceptable impact on neighbouring properties in terms of overshadowing and overlooking.

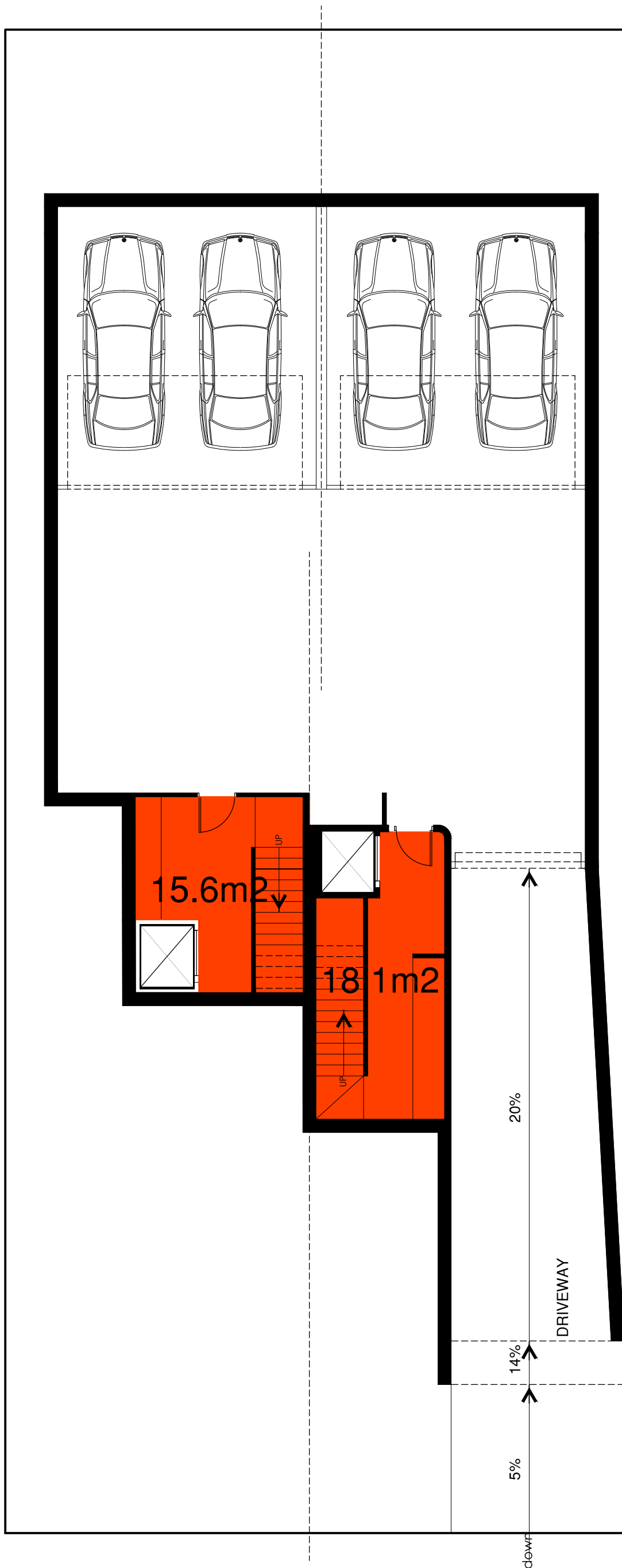
For all of these reasons, I consider that the proposed development satisfies the relevant provisions of the Development Plan and warrants Development Plan Consent.


Please call me 8333 7999 if you have any questions.

Yours sincerely

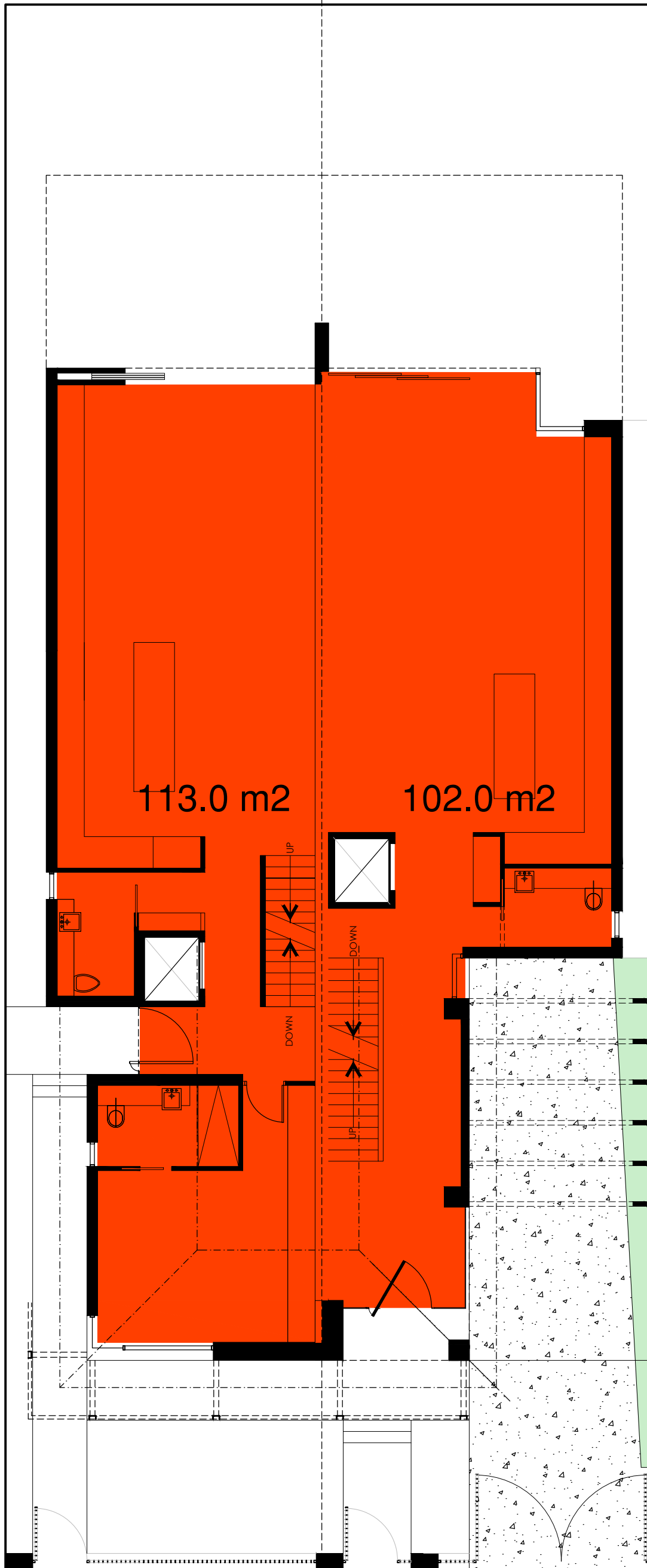


Matthew King RPIA
Director



 Indicates area as measured from Inner Faces of External Walls

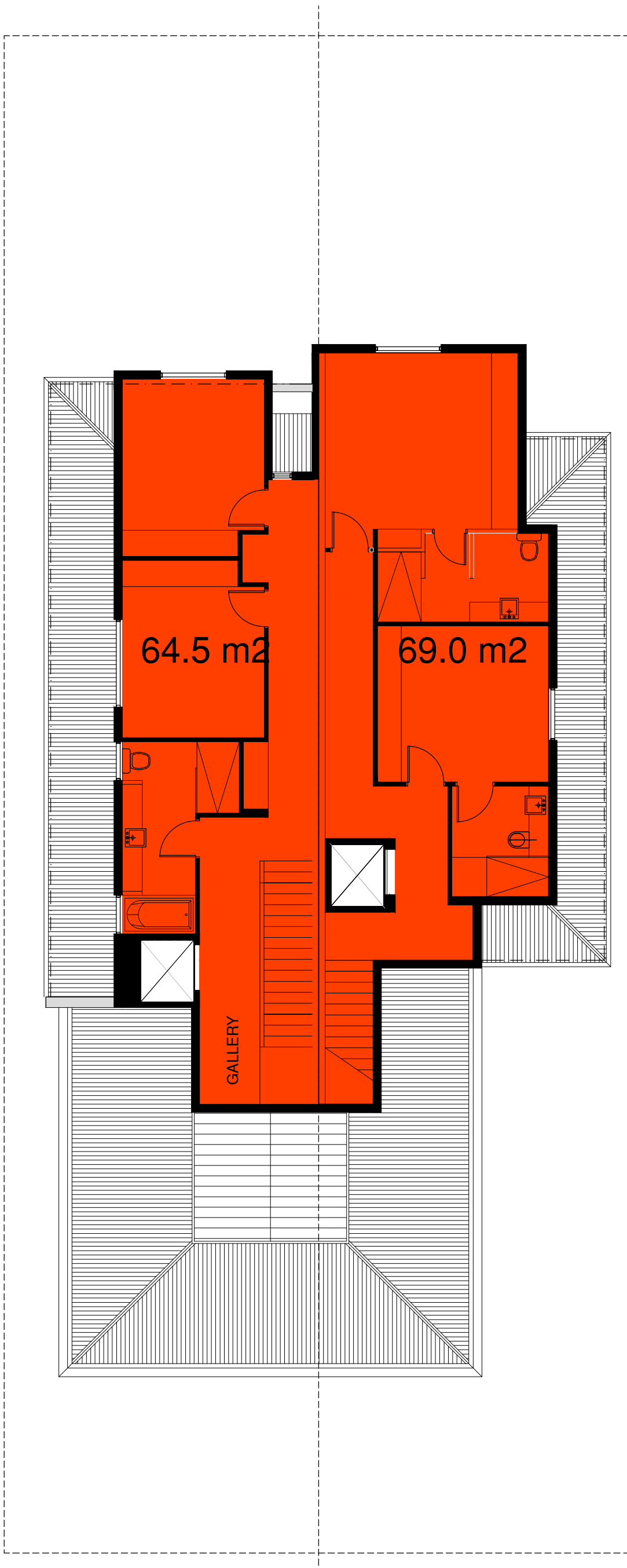
PROPOSED BASEMENT FLOOR PLAN
 1:100
43 Stanley Street - North Adelaide




PROPOSED GROUND FLOOR PLAN

1:100

43 Stanley Street - North Adelaide



 Indicates area as measured from Inner Faces of External Walls

PROPOSED UPPER FLOOR PLAN

1:100

43 Stanley Street - North Adelaide

43 Stanley St.

51

Item No 3.1 - Attachment 26



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5653/156)
Date/Time	22/08/2017 09:37AM
Customer Reference	
Order ID	20170822001926
Cost	\$39.45

REAL PROPERTY ACT, 1986



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5653 Folio 156

Parent Title(s)	CT 603/92			
Creating Dealing(s)	CONVERTED TITLE			
Title Issued	14/05/1999	Edition 7	Edition Issued	26/09/2012

Estate Type

FEE SIMPLE

Registered Proprietor

BRAMBLEY PTY. LTD. (ACN: 128 632 520)
OF 142 GRANGE ROAD FLINDERS PARK SA 5025

Description of Land

ALLOTMENT 794 FILED PLAN 184066
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11329341	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
11818943	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD.

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



S.A. LANDS TITLES OFFICE RE-IDENTIFICATION PLAN

Item No 3.1 - Plan Number

FP 184066

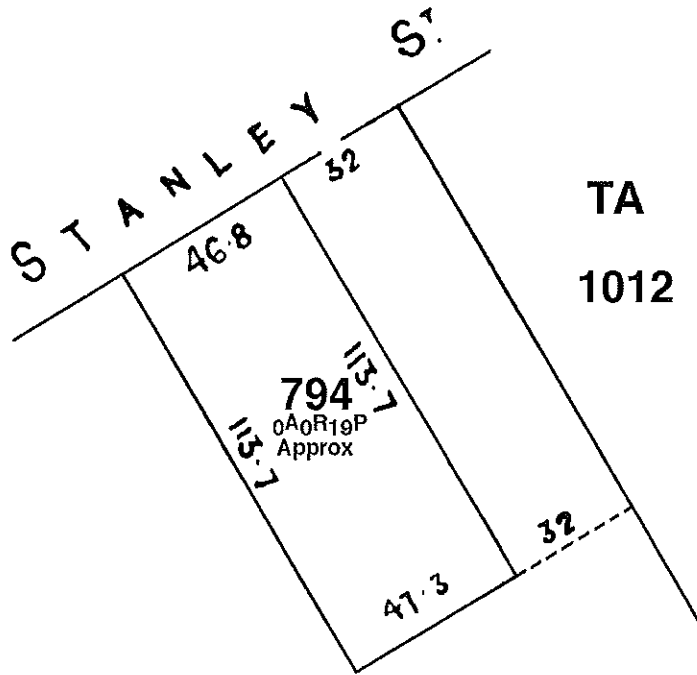
SHEET 1 OF 1

ACCEPTED FOR FILING
24/05/1996

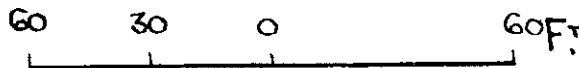
[Signature]
REGISTRAR-GENERAL

AREA : NORTH ADELAIDE
LGA : CORP OF THE CITY OF ADELAIDE
HUNDRED : YATALA
SECTION : P T 1013

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 603/92



PT TA 1013



DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

Chantelle Balagengadaran 0412018130. I want to make a verbal representation about the shadow this development creates on my property at 22 Sussex Street North Adelaide.

Surname: Balagengadaran

Given Names: Chantelle

Address Line 1: 22 Sussex Street

Suburb: North Adelaide

Postcode: 5006

Email Address: Chantelle_bala@hotmail.com

Paula Leske

From: COA Mail Services
Sent: Tuesday, 25 September 2018 9:59 AM
To: Duty Planner
Subject: Allocated: Request 2274091 Priority 3: Development & Planning (action).
Attachments: Pathway.pth

Categories: Paula

A Pathway Customer Request call has been assigned to you. Please action promptly.

*** PLEASE DO NOT REPLY TO THIS E-MAIL. THIS IS AN AUTOMATED E-MAIL ADDRESS AND IS NOT MONITORED. PLEASE CONTACT THE CUSTOMER CENTRE WITH ANY QUERIES. ***

Planning Enquiry Received:
 Call Received:
 25-September-2018
 Call Taken By:
 Jarrod Armitage
 Pathway Number:
 2274091
 Call Type:
 Development & Planning (action)
 Responsible officer:
 Jarrod Armitage
 Attached Application:
 DA/565/2018, 43-45 Stanley Street, NORTH ADELAIDE SA 5006

Attached Property:

Notes:
 25-Sep-2018 09:50:03 ARMIJARR Jarrod Armitage

-----Original Message-----

From: Glenys Gibbons [mailto:glenysgibbons@gmail.com]
 Sent: Tuesday, 25 September 2018 8:45:27 AM
 To: City Email
 Subject: DA/565/2018

Dear Seb,

I would like to formally object to the two storey development at 43-45 Stanley Street North Adelaide, as I am concerned the two units will look directly into my back yard at 24 Sussex Street North Adelaide.

This is regarding application DA/565/2018.

I have already had my window built over by my neighbor, which I complained about directly to your department and not one thing was done.

Kind regards

Glenys Hanrahan
Owner
24 Sussex Street North Adelaide

Sent from my iPhone
25-Sep-2018 09:57:09 ARMIJARR Jarrod Armitage

Good morning Glenys

Thank you for your email regarding DA/565/2018.

The objection has been forwarded on to our Development & Planning for processing.

Should you have any further enquiries regarding this request, please do not hesitate to contact us and quote reference number 2274091.

Kind regards

Jarrod
Customer Service Representative
Customer Centre
25 Pirie Street

Paula Leske

From: Glenys Gibbons <glenysgibbons@gmail.com>
Sent: Tuesday, 25 September 2018 8:51 PM
To: Duty Planner
Subject: Re: DA/565/2018

Categories: Paula

Hi Paula,

Thanks for emailing.

I'm happy for the council to represent my best interests. I have a small yard, and obviously would like any design to reflect my privacy rights. Any windows that allow direct view into my yard, affect my quality of home life.

As mention, I have had approval to build passed a few years ago, which allowed my neighbor to completely build over my bathroom window, and build one brick past my heritage window, which was incredibly shocking and a complete letdown, as you can imagine.

I would think any windows can't look directly into my yard.

I am also concerned about loss of sunlight as well, as I'm a adjoining terrace, my rear yard is a major light source.

Thanks once again.

Kind regards,

Glenys Hanrahan

Sent from my iPhone

On 25 Sep 2018, at 10:39 am, Duty Planner <D.Planner@cityofadelaide.com.au> wrote:

Glenys – do you wish to make a verbal representation to Council's Assessment Panel?

regards

Paula Leske
Administration Assistant - Application
Building Assessment & Compliance
4th Floor 25 Pirie Street
Adelaide, South Australia, 5000
TEL: +61882037103
F. +61882037575
E. P.Leske@cityofadelaide.com.au

Application DA/5652018

Address: 43-45 Stanley Street, North Adelaide SA 5006

Representation by Andrew Alston and Michele Slatter, 26 Sussex Street, North Adelaide, SA 5006

Contact phone numbers: 0438 769 848 (Andrew); 0417 889 410 Michele)

E-mail address: alston@bold.net.au

Our interests are affected as the owners and occupiers of the property located at 47 Stanley Street, North Adelaide.

Our reasons for representation are as follows:

1. Solar panels - The information provided on overshadowing of solar panels on the roof of 47 Stanley Street is insufficient. We are concerned that the overshadowing will result in considerable reduction of power generation and consequent financial loss.
2. Excavated driveway – This may affect the structural integrity of our residence.

Our representations may be overcome by:

1. Solar panels – This could be alleviated by relocating some or all of the panels at the expense of the applicant.
2. Excavated driveway – We request that the applicant prepare an existing condition report complete with a photographic record of our house prior to the commencement of construction.

In other respects, we support the proposed development.

If our concerns are not satisfactorily resolved prior to the meeting of the Development Assessment Panel, we may wish to be heard by the Panel.

AP Alston 26/09/18
Andrew Alston on behalf of Andrew Alston
and Michele Slatter



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

To: Adelaide City Council
Planning & Development
GPO Box 2252
Adelaide SA 5001

Telephone: (08) 8203 7185

All sections of this form must be completed and the form returned to Council by the due date below to allow consideration of the representation

This form provides you with the opportunity to make comments in relation to the proposed development:

Application: DA/565/2018
Address: 43-45 Stanley Street, NORTH ADELAIDE SA 5006
Description: Demolition of existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking
Contact Officer: Seb Grose
Due Date: 27 September 2018

Representation by:

Name/s: ROSEMARY ANN HENNESSY

Postal Address: 18 SUSSEX ST NORTH ADELAIDE 5006

Contact Phone No/s:

Home: Office: After Hours/Mobile: 0438 676 857

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

anna.hennessy.01@gmail.com

My interests are affected as (please tick one of the following):

The owner or the occupier of the property located at: 18 SUSSEX ST NORTH ADELAIDE

Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

OUR ADJOINING FENCE IS MADE OF BRUSH
THIS FENCE HAS BEEN DAMAGED BY TREES GROWING IN
THE PROPERTY TO BE DEVELOPED (43-45 STANLEY ST)

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

WE REQUIRE THAT THIS BRUSH FENCE BE
RESTORED (REPAIRED) OR REPLACED BY ANOTHER
BRUSH FENCE AT THE EXPENSE OF THE DEVELOPER
WE DO NOT WANT A COLOUR BOND GOOD NEIGHBOUR FENCE

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

- Wish to be heard in person in support of my representation
- Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

- Appearing personally
- Being represented by the following person:

Signature: A. Hemmings Date: 25/9/18

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Seb Grose

Date Returned:



STATEMENT OF REPRESENTATION Pursuant to Section 38 of the Development Act

To: Adelaide City Council Planning & Development GPO Box 2252 Adelaide SA 5001

Telephone: (08) 8203 7185

All sections of this form must be completed and the form returned to Council by the due date below to allow consideration of the representation

This form provides you with the opportunity to make comments in relation to the proposed development:

Application: DA/565/2018
Address: 43-45 Stanley Street, NORTH ADELAIDE SA 5006
Description: Demolition of existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking
Contact Officer: Seb Grose
Due Date: 27 September 2018

Representation by:

Name/s: DR DALE M. WASLEY

Postal Address: 16 SUSSEX STREET NORTH ADELAIDE SA 5006

Contact Phone No/s:

Home: Office: 0438 227 002 After Hours/Mobile:

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

dalewasley@hotmail.com

My interests are affected as (please tick one of the following):

[X] The owner or the occupier of the property located at: 16 SUSSEX STREET NA. 5006

[] Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

As a resident owner of 16 Sussex Street NA my shared driveway is adjacent to the backyard of 43-45 Stanley Street NA. The shared fence is brush and I want it to be maintained and not replaced by colourbond as suggested.

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

The shared brush fence be restored and maintained and not replaced by the development suggestion of colourbond metal fencing material.

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

Wish to be heard in person in support of my representation

Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

Appearing personally

Being represented by the following person:

Signature: Dee Walsh Date: 24/9/18

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Seb Grose

Date Returned:

From: Chalmers, Helen (Health) <Helen.Chalmers@sa.gov.au>
Sent: Monday, 8 October 2018 12:00 PM
To: Seb Grose
Cc: Jim James; Helen Chalmers
Subject: HPRM: DA/565/2018 - 43 Stanley Street , North Adelaide SA 5006
Attachments: 20181008071835767.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Record Number: ACC2018/175663

Correspondence attached

Regards,

Helen Chalmers
Chief Operating Officer
Central Adelaide Local Health Network

Royal Adelaide Hospital, Port Road, ADELAIDE SA 5000

Email helen.chalmers@sa.gov.au
Telephone: 08 7074 1412 | Mobile: 0488 548 021 www.health.sa.gov.au

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-----Original Message-----

From: scan@rah-printer-0553.had.sa.gov.au [<mailto:scan@rah-printer-0553.had.sa.gov.au>]
Sent: Monday, 8 October 2018 8:19 AM
To: Chalmers, Helen (Health)
Subject: Message from "SAH0052434"

This E-mail was sent from "SAH0052434" (MP C6004ex).

Scan Date: 10.08.2018 07:18:35 (+0930)
Queries to: scan@rah-printer-0553.had.sa.gov.au

10/10/2018

Adelaide City Council
Attention : Seb Grose
s.grose@cityofadelaide.com.au

Dear Sirs

Development Application : 43 Stanley Street, North Adelaide, SA 5006

We advise of our objections to the above application.

I also note that the Adelaide City Council failed to consult with us, due to a failure of your e planning system (as advised by email by Seb Grose once I made contact with the council after hearing something from a local about the plan) and that once that omission was discovered, we have only had one week to review the plans and make our views known. As the most impacted neighbour both the omission and the short time scale to respond is disappointing .

I note that we do wish to be heard when the application is presented, and that it is likely we will also retain Masterplan to represent us in addition.

Our main concerns are as follows

- The building of an underground carpark, an extensive carpark, coming to the property boundaries of 43 Stanley Street, is likely to threaten the foundations of our house. The foundations are old and an extensive excavation is of great concern. Our property is a local heritage place.
- I also note that the presence of the carpark makes 43 Stanley Street as three story property. There are no similar dwellings on the street that we are aware of
- The property development will overlook our only external seating space, a courtyard which is at the property boundary. This will be overlooked by the proposed development, encroaching on our privacy.

5 November 2018

Seb Grose
Email: s.grose@cityofadelaide.com.au

Dear Mr. Grose,

**RE: Representation Opposing Development Application 565/2018
Located at 43-45 Stanley Street, North Adelaide**

MasterPlan SA Pty. Ltd. has been engaged by Helen Chalmers and Jim James ('our clients'), who are the owners and occupiers of 41 Stanley Street, North Adelaide (the 'land').

Notice of the application was given to our clients by Council by email on 2 October 2018. The deadline for making a representation was stated to be COB on 9 October 2018 i.e seven days after the notification. Our clients lodged a written representation under Section 38 of the Development Act (Act) by email/letter on 10 October 2018 (copy **attached**). This report forms part of that written representation and it should be forwarded to the applicant by Council pursuant to Section 38(8) of the Act. Given the way in which Council gave our clients notice of the application, and the limited time (ie less than 10 business days) available for them to respond, our clients were not able to obtain our input into their representation until the present time.

We have inspected the proposal, the locality and our client's residence and have reviewed the provisions of the Development Plan.

Development Application 565/2018, proposes to *demolish the existing dwelling and construction of a two storey residential flat building comprising two dwellings with basement car parking* at 43 Stanley Street, North Adelaide ('the subject site).

For the purposes of this representation it is important to note that both the land and the subject site are located in the North Adelaide (Conservation) Zone, Policy Area 11 (Kentish Arms) of the Adelaide (City) Development Plan ('the Plan'), consolidated on 7 June 2018.

Our client advises that they oppose the proposal as presented and we have determined, having regard to the provisions of the Development Plan, that the proposal in its current form does not warrant approval. The reasons for this conclusion are set out below.

1.0 OUR CLIENT'S PROPERTY

Our client's property is located at 41 Stanley Street, North Adelaide, referred to herein as the 'land'. This land is to the immediate north-east of the development site, at 43-45 Stanley Street, North Adelaide.

The land is a narrow and relatively small allotment, housing a single-storey, detached, three-bedroom dwelling which is listed as a Local Heritage Place, as per Table Adel/2 of the Development Plan. The existing building is setback from the front boundary approximately 4.60 metres.

The building is constructed on the north-eastern and south-eastern boundaries and approximately a quarter of the south-western boundary except for a courtyard space approximately two thirds from the Stanley Street frontage. The remainder, original part of the dwelling, has a small setback from the south-western boundary. This private open space has an open aspect to the sky on the north western side of the property. Further, the living, dining and kitchen areas and one bedroom rely on light from this courtyard. Due to the small site area, its access to natural light and private open space is limited and thus, the protection of our client's amenity is essential to the continued enjoyment of their property.



Image 1: Our client's property and the subject site as viewed from opposing Side of Stanley Street.

2.0 THE SUBJECT SITE

The subject site is a relatively large allotment– in comparison to allotments in the locality. Its land area is 497.3 square metres. It has a large street frontage of 14.26 metres.

The subject site accommodates a single storey, detached dwelling, believed to have been constructed circa 1955. This dwelling is sited approximately central to the depth of the allotment, resulting in large open spaces to the front and rear of the building. This central siting has created a sizeable setback from the street frontage, which is inconsistent with the character of the streetscape and locality. Furthermore, the articulation of the dwelling – having three tiered setbacks from the street frontage – and the external building materials utilised – being orange-beige brickwork and faded-brown roof tiling – are also inconsistent with the surrounding character.

Despite the large provision of open space, there is a lack of vegetation – specifically, large trees – on the subject site. This provides the limited private open space of our client’s property greater access to natural sunlight.

3.0 NATURE OF PROPOSED DEVELOPMENT

Development Application 565/2018 seeks the ‘demolition of the existing dwelling and construction of a two-storey residential flat building comprising two dwellings with basement car-parking’. The residential flat building will be divided vertically, with both dwellings spanning two storeys.

The north-eastern dwelling most proximate to our client– herein referred to as Dwelling 1 – will have three bedrooms, with one en-suite; and a total floor area of 193.1 square metres. Whilst the south-western dwelling – herein referred as Dwelling 2 – will be smaller with a total floor area of 189.3 square metres; comprising two bedrooms, both with en-suites.

Both dwellings will have direct access to private open space areas from their respective open-plan living rooms. These spaces are to be located at the rear (or south-east) of the subject site and will be relatively equal in their area; however, the private open space of Dwelling 2 will be slightly larger.

Furthermore, the dwellings will each be provided with two basement car-parking spaces. These spaces can be independently accessed from either dwelling through private lift shafts, which will service both the ground and first floors, as well as the basement foyers. The basement car-parking area will have an entry and egress from Stanley Street through a common driveway ramp, to be located abutting the north-west corner of the subject site.

The upper level of the development is setback from the boundary 2.51 metres from our client’s boundary and 6.9 metres above the proposed new ground floor level. It is not able to be determined precisely the overall height of the building from existing ground level as the plans lack such detail.

4.0 THE LOCALITY

Stanley Street – and the surrounding locality – has a high level of amenity and an established built form, as the area comprises a significant number of colonial buildings and residences, constructed during the early development of Adelaide. The locality has 22 State Heritage Places and 50 Local Heritage Places, which result in a highly consistent and coherent streetscape from both a built form and allotment pattern perspective.

The locality is also defined by relatively small and narrow allotments. This is attributable to the late-Victorian row and single-fronted cottages that predominate.

However, despite the prevalence of late-Victorian housing within the locality, the area has a diverse supply of housing styles; with contemporary residential flat buildings and semi-detached dwellings being relatively commonplace.

Thus, despite the locality being primarily single-storey, it is largely this contemporary housing – as well as the Italianate-style Kentish Arms Hotel (constructed in 1881) – that provides two-storey elements to the area. However, these elements are dispersed throughout the streetscape and do not define the character of the locality. The broad tree lined street also contributes to the character and qualities of this locality.

5.0 SUMMARY OF ISSUES

Having regard to the above, a summary of the key concerns is provided below, and will be discussed in greater detail in **Section 6.0**.

- the bulk and scale of the proposed development, particularly the first-floor component;
- the small size (frontage and area) of the future allotments, which will result in an over-development of the subject site. The small site areas and frontages exacerbate the impacts from this development;
- the incompatibility of certain design features of the proposed development with the heritage character of the locality, as well as the Heritage and Conservation provisions of the Development Plan;
- the over-shadowing of the proposed development from our client's property, particularly their limited area of private open space and Bedroom 3; and
- lack of clarity and detail within documentation, with particular regard to impacts of overshadowing.

6.0 DEVELOPMENT PLAN ASSESSMENT

Having regard to the summary of issues highlighted above and our description of the subject land and site, we form the view the proposed development does not adequately satisfy the intent of relevant Council Wide, Zone and Policy Area Objectives, Desired Character and Principles of Development Control (PDC) associated with the Development Plan, as discussed in detail below and in its current form does not warrant the Planning Authorities approval.

6.1 Character and Heritage

The subject site is located within the North Adelaide Historic (Conservation) Zone, and sits directly adjacent our client's property, which is listed in Table Adel/2 of the Development Plan as a Local Heritage Place.

Furthermore it is important to acknowledge that whilst Stanley Street does comprise buildings which depart from the intent of the Desired Character of both the Zone and Policy Area, that the street is occupied by a total of 50 Local Heritage Places and 22 State Heritage Listed Places as listed in both Table Adel/1 and Table Adel/2 of the Development Plan. This is critical as it demonstrates the high level of integrity with regard to built form character and allotment pattern.

We have formed the view that the proposed development does not have appropriate regard to the relevant Council Wide, Zone and Policy Area Objectives, Desired Character and Principles of Development Control (PDC) relating to heritage impacts as follows:

- Objective 2 of the Policy Area seeks development that is *compatible with the distinctive but varied historic character and maintenance of residential amenity* – whilst it is acknowledged the ground level and street presentation of the proposed dwellings is relatively consistent with this approach, we contend that the upper level components are at variance to the intent of this provision and will have a substantial visual impact from street level, and significantly from our clients property, thus detrimentally impacting on their amenity and accordingly failing to comply with Objective 2;
- the proposed development is not considered to strengthen, achieve or be consistent with the desired character of the Policy Area as follows:
 - *new two storey development should be set back behind single storey frontage and not readily visible from the street*. We contend that the proposed two storey elements will be readily visible from the street, as demonstrated by **Image 2** provided later in this correspondence. Furthermore the two storey component will be readily visible from all adjacent properties, in-particular our clients property which is listed as a Local Heritage Place. This proposal is contrary to the desired character expectations.

- Objective 2 of the Zone seeks to ensure that development is *compatible with the heritage values and historic character of the Zone* by:
 - reinforcing the Desired Character for each Policy Area. The two storey components fail to achieve such compatibility; and
 - maintaining regular allotment patterns, with particular regard to the widths of frontages and bulk and scale of residential Heritage Places; the allotment widths are significantly smaller than anticipated for this area.
- Council Wide PDC 162 of the 'Heritage and Conservation – North Adelaide' module seeks to ensure development on land adjacent land containing a heritage place, such as this proposed development, demonstrates design consideration of the relationship with the Heritage Place. We contend that this has not been achieved for the following reasons:
 - the upper level component presents a substantial bulk and scale to our client's property, and from the street with little attempt to break the extensive upper level wall; and
 - having regard to the extent of upper level wall facing our client's property, the proportion and composition of the upper level does not result in a form that generates visual interest and/or differentiation, which would reduce the visual dominance of the upper level, especially when viewed from our client's main living and open space area.
- the heritage places within the immediate locality are predominantly single storey and close to the primary street frontage – having regard to this, the proposed upper level components are not contained within a roof space as per Council Wide PDC 164 of the 'Heritage and Conservation – North Adelaide' module;
- Council Wide PDC 165 states that *development that is visible from the street should match the building levels and storey heights of adjacent Heritage Places*, this is not achieved; and
- accordingly, the proposal fails to satisfy the basic expectations for character as derived from the significant contribution made by the recognised heritage buildings of the locality.

6.2 Allotment Pattern and Size

Policy Area PDC 4(b)(iii) states a site area of 350 square metres is required for residential flat buildings not contained within existing buildings. The proposed allotment sizes are a maximum 251.55 square metres, which is significant departure of 29 percent. The reduced allotment sizes result in limited opportunity to locate more built form at ground level, which would result in a reduced size and scale of any upper level component, which has flow on effects including reductions in the overall bulk and scale, shadowing and impacts on visual privacy and amenity.

Policy Area PDC 5(d) requires an 18 metre frontage for residential flat buildings, the subject site has a frontage of 14.26 metres, which is a departure of 21 percent from the required frontage. The reduced allotment width results in reductions in potential side setbacks, in-particular of the upper level component, resulting in a more prominent upper level, increased levels of shadowing, and fewer opportunities for substantial landscaping, Overall, there is a significant reduction to provide appropriate physical separation and consistency with the adjacent Local Heritage Place.

6.3 Building Bulk and Scale

The proposed development comprises the construction of two double storey dwellings and a third level for parking below in the form of a residential flat building. Whilst we acknowledge the upper level component is set behind the front façade of the proposed building, its form is at odds with several key provisions of the Development Plan, as follows:

- Desired Character Statement (a) of the Policy Area states that *new two-storey development should be set back behind single storey frontages and not readily visible from the street.*

We contend that the proposed upper level component, whilst setback from the street, will be readily visible from the street, as it sits 1.3 metres above the ridge line of the ground level component and is a height and form that will be clearly visible at ground level, as per **Image 2** below (highlighted red area is the visible two storey element). The application is also not specific as to the levels proposed in relation to the existing ground level.



Image 2: View of Upper Level at Street Level (Applicants 3D Concept Plan).

- This is further reinforced by Policy Area PDC 7 which seeks to ensure two storey development along Stanley Street (amongst others) are located to the rear of the site and retain a low scale single storey character with two storey development to not be readily seen from the streets.
- The applicant states the upper level component is *only* 1.3 metres higher than the ridgeline of the ground level component, however this is considered a substantial departure, and coupled with the overall building height, as measured from median natural ground level (N.G.L) of in excess of 7.0 metres is at odds with Policy Area PDC 3, which state development should not locate a ceiling more than 6.0 metres in height these heights are guesstimates only as the detail has not been provided in the application and the FFL for the ground floor is not known.
- Furthermore Policy Area PDC 3 states that buildings may be allowed to the maximum height where such buildings are compatible with adjacent buildings, and their settings, and where there is no adverse impact on established residential amenity. With reference to **Image 3** below, our clients enjoy an amenity that relies significantly on an outlook to the sky. This is their sole private open space. This amenity will be substantially impacted by the bulk and scale of the proposed development, and in-particular the two-storey element which also incorporates a window aligned with the courtyard.



Image 3: View towards Subject Site from our Client's Property (image taken from realestate.com.au).

- PDC 3 of the Zone states that *development of new buildings... should demonstrate a compatible visual relationship with adjacent Heritage Places*, which includes our client's property, which is listed in Table Adel/2 as a Local Heritage Place.
- The proposed bulk and scale of the proposed development as viewed from our client's property (as seen in **Image 4** below) is considered excessive and dominant, and does not have a *visual relationship* with the adjacent *Heritage Place* as illustrated by the proposed elevation below.

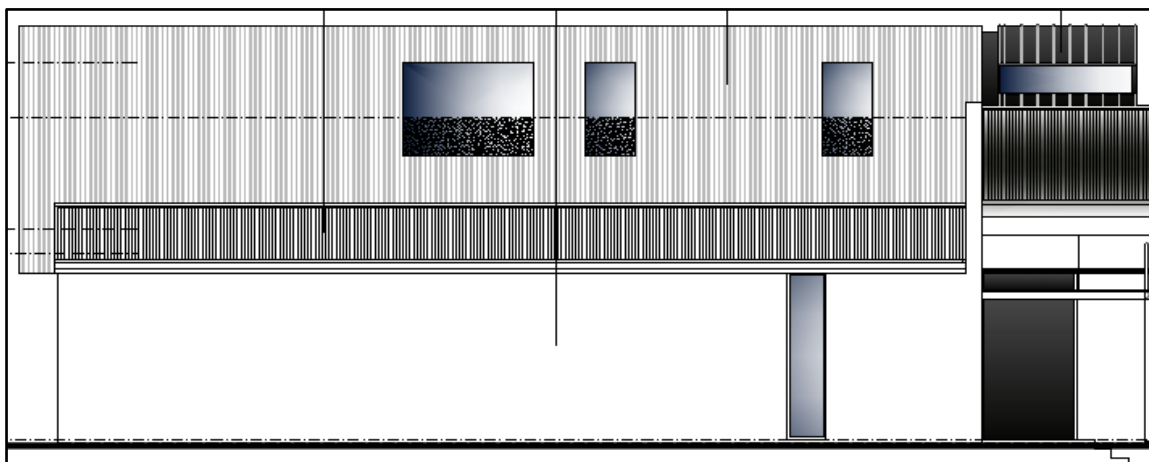


Image 4: Proposed elevation orientated towards our client's property.

- As demonstrated by the proposed elevation (as illustrated above), this proposal presents a substantial area of unbroken walling, and subsequently presents a bulk and scale, as viewed from our clients main living areas and private open space, that does not relate to this Heritage Place or Desired Character of the locality and will have a detrimental impact on the level of amenity currently enjoyed by our clients. We also note the largest window being a bedroom window aligns with our client's courtyard.
- PDC 7 of the Zone states that *development should not exceed the height prescribed for each Policy Area*, the proposed development in its current form will exceed the ceiling height of 6.0 metres when measured from the median natural ground level.

Having regard to the above, we have formed the view that the proposed development presents a substantial bulk and scale when viewed from both the street and our client's property, that is excessive and does not align with the intent of the relevant Zone and Policy Area Objectives, Desired Character and Principles of Development Control (PDC).

6.4 Over-Shadowing

Shadow plans submitted with the development application, and subsequently notified, do not delineate between existing and proposed structures, therefore making it impossible to determine the full impact of the proposed development on our client's property.

Furthermore, the shadow plans provided do not adequately illustrate the location of our client's private open space or habitable room windows, further making the task of determining the full extent and impact of the proposed development difficult and hence a proper assessment of the specific extent of overshadowing is not possible. Shadow diagrams associated should clearly depict the additional overshadowing as a result of the proposed development. We note that selective assessment of open space shadowing has been provided for the property on the other side of the development but not for our client. Refer **Image 5** below.

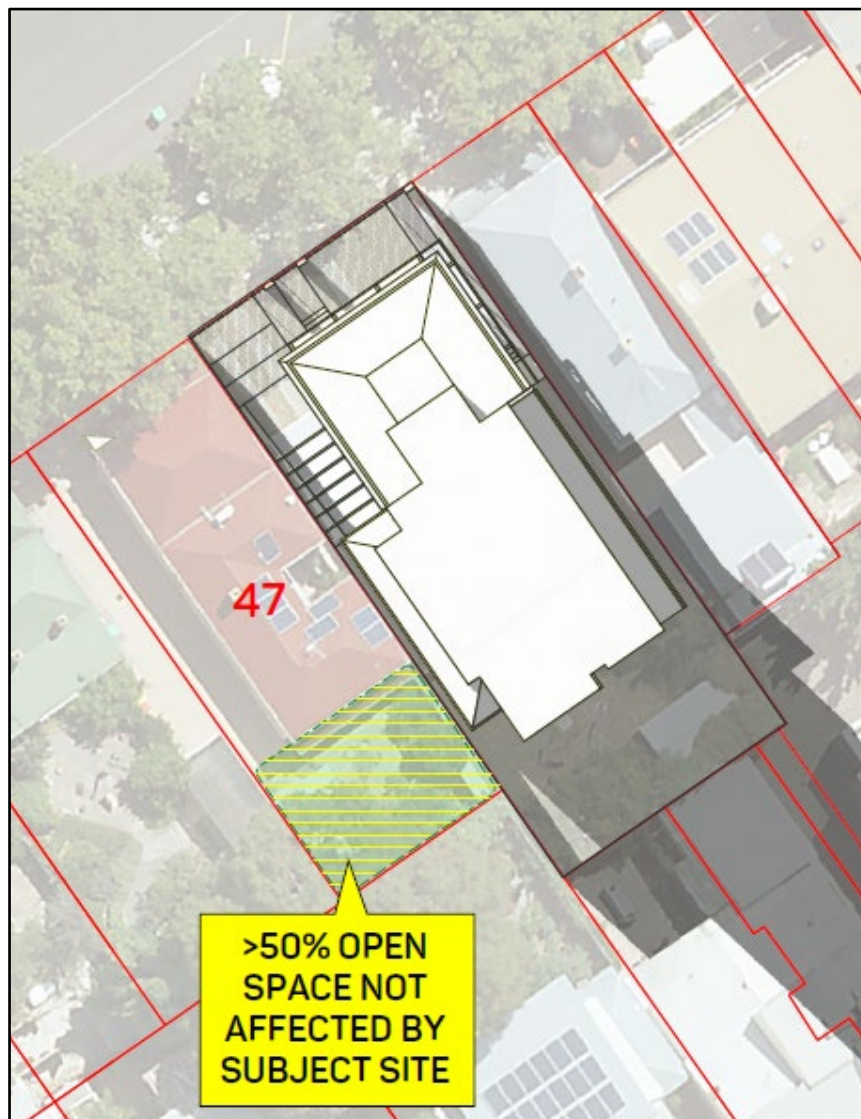


Image 5: Shadow Plans Provided by Applicant.

It is noteworthy that Bedroom 3 relies on natural light directly from the courtyard and as a consequence of the proposed development the level of light will be significantly diminished, as illustrated by the image below.



Image 6: View from Bedroom 3 towards Courtyard.

Objective 15 is most relevant as it promotes the protection of access to daylight and sunlight and the amenity of neighbours.

Objective 15 **The protection of access to daylight and sunlight and the amenity of neighbouring residential premises.**

The proposal fails to satisfy this objective. This is further supported in Principles of Development Control 25 and 26. Principle 27 reads:

PDC 27 **Development within or adjoining the City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone should maintain at least two hours of direct sunlight between 9.00am and 3.00pm solar time on 22 June to either the northern facade or at least one ground floor habitable room window (excluding bathroom, toilet, laundry or storage room windows), of any neighbouring residential property and to at least 20 percent of that property's private open space, private landscaped open space or communal open space, where such communal open space provides the primary private open space for any adjacent residential development. Where the existing period of direct sunlight is less than two hours per day or covers less than 20 percent of open space, development should not further reduce it.**

The information available is inadequate to clearly determine the outcome from the extent of the proposed development. It is anticipated however that the criteria set out in the Principle would not be satisfied. It is incumbent on the applicant to provide the necessary information to enable this assessment.

6.5 Privacy

A large bedroom window is set in the upper level with direct views into the only outdoor private open space available to the dwelling. Objective 17 states:

Objective 17 Low scale residential development sited and designed to protect visual and acoustic privacy for the occupants of the dwellings and nearby residents.

The proposal identifies obscured glazing however, the location of a large bedroom window in this location sitting over the courtyard is undesirable. Principle 36 sets out techniques to protect privacy however avoiding a large bedroom window in this position would ensure the perception of the loss of privacy. In this regard, the design should have taken account of the location of the private open space and created a significant setback without the need for a large window above the courtyard.

7.0 INFORMATION AND PLANS PROVIDED

Having regard to the above concerns, we also form the view that additional information is required in order to formulate a considered assessment of the true impacts this proposed development will have on our client's property. This information includes:

- clarity on the level of overshadowing caused by the proposed development as opposed to existing structures. Current shadow plans do not differentiate between the two, and therefore the true impact is not able to be fully determined;
- the shadow plans should clearly illustrate the location of our client's habitable room windows and private open space areas, to clearly determine the potential impact of the proposed development;
- whilst plans indicate a 1.8 metre high Colorbond fence no details regarding colour are provided, nor are details provided as to where the 1.80 metre height is measured from given the raised levels associated with the proposed development;
- both dwellings comprise lifts, which provide access from the basement car park to the upper level – traditionally lifts will require space for mechanical equipment and servicing sometimes at both the bottom and top, which extends past the roof form – this is not illustrated on the elevations;
- no details appear to have been provided with regard to stormwater management, in-particular the proposed location of retention/detention tanks;

- whilst of little consequence to our clients it appears the garaging at basement level comprises two lock up garages, no details have been provided to illustrate the turning manoeuvres of these spaces satisfy relevant Australian Standards; and
- there is inadequate detail to determine the FFL of the proposed development which is essential to determine shadowing and height.

8.0 CONCLUSION

In summary we form the view that the proposed development presents several significant departures from the intent of the relevant Objectives, Desired Character Statements and Principles of Development Control (PDC) associated with the North Adelaide Historic (Conservation) Zone and Policy Area 11 (Kentish Arms) to warrant refusal. Furthermore, the proposed development in its current form will have substantial and detrimental impacts on the character and amenity currently enjoyed by our clients, who reside in the adjacent property to the north-east, which is listed within Table Adel/2 of the Development Plan as a Local Heritage Place, in the following manner:

- the bulk and scale of the proposed development, particularly the first-floor component when viewed from our client's property, in-particular their private open space courtyard;
- the small size (frontage and area) of the future allotments, which will result in an over-development of the subject site that has flow on impacts to our client's property and the heritage character of the immediate locality which comprises a substantial number of State and Local Heritage Places, including our client's property;
- the incompatibility of certain design features of the proposed development with the heritage character of the locality, as well as the Heritage and Conservation provisions of the Development Plan;
- the over-shadowing of the proposed development from our client's property, particularly their limited area of private open space and Bedroom 3;
- lack of clarity and detail within documentation, with particular regard to impacts of overshadowing; and
- the combination of the small site area per dwelling, the narrow frontage and the extent of built form exacerbates the detrimental impacts on critical characteristics of character and heritage, bulk and scale, overshadowing and privacy and therefore fails to meet the tests in the Development Plan.

For the reasons outlined above, we respectfully request the Planning Authority accept the proposition that this proposal fails to satisfy a number of critical elements of the Development Plan and that it does not warrant the Authority's favourable consideration.

Our client wishes to reserve the right to make further submissions and present their views at Councils Assessment Panel (CAP).

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Simon Tonkin', enclosed within a blue oval shape.

Simon Tonkin
MasterPlan SA Pty Ltd

Ref: 17ADL-0339

23 October 2018

Mr Seb Grose
Planner – Development Assessment
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

Dear Seb

Demolition of Existing Dwelling and Construction of Residential Flat Building at 43 Stanley Street, North Adelaide

Introduction

URPS has been requested by the applicant to provide a response to the representations received in respect to the above proposal. A summary of the representations and their concerns, followed by our response, is provided for your consideration below.

Representations

Representations have been received from the following land owners:

- Chantelle Balagengadaran 22 Sussex Street North Adelaide
- Glenys Hanrahan 24 Sussex Street North Adelaide
- Andrew Alston and Michele Slatter 26 Sussex Street North Adelaide
- Rosemary Hennessy 18 Sussex Street North Adelaide
- Dale Waseley 16 Sussex Street North Adelaide
- Helen Chalmers 41 Stanley Street North Adelaide

The location of representors is mostly to the rear of the subject land, with 5 of the 6 representors coming from properties located within Sussex Street. Within the enclosed (additional) shadow diagram the location of each representor has been included for your convenience as well as specific information relating to the sunlight access impacts on the property at 24 Sussex Street.

Response to Representations

Chantelle Balagengadaran

The above representor has stated they wish to make a verbal representation about 'the shadow this development creates' on their property at 22 Sussex Street. It is unclear the specific concerns of the representor in this regard however.

It is noted that there do not appear any north facing windows on the ground floor windows on this representor's property – this appears due to the location of a garage within the rear of their property immediately adjoining the subject land.

In any event on review of the shadow diagrams already submitted and those enclosed it is evident that there is no impacts at 9am and midday on the rear northern façade of the representors dwelling and the only time this wall is possibly affected is at 3pm by which point the sunlight access required by CW PDC 27 is provided.

Furthermore, the dwelling at 22 Sussex Street does not appear to have any private open space on ground floor (again because of the presence of their garage) therefore the development does not contravene CW PDC 27 in respect to open space impacts.

Glenys Hanranhan

The above representor has raised concerns with matters relating to privacy and overshadowing upon their property at 24 Sussex Street.

The upper level windows on the side and, most relevant to this neighbour, rear elevation of the proposed residential building will have fixed obscure glazing to 1.8m above finished floor level, meaning that the windows will not create any privacy impact for existing adjoining dwellings including the property at 24 Sussex Street.

With respect to sunlight access:

- The representors private open space area is not affected to the point the policy is not met - the sunlight access criteria for private open space is met between 9am-12pm (3 hour window) and it is only the rear fence that overshadows (and not the building in the morning).
- The northern façade is not affected until 3pm by which point the requisite 2 hours of sunlight access between 9am and 3pm would have been received.

Andrew Alston and Michele Slatter

The above representor is located at 26 Sussex Street which is to the south-west of the subject land. They have stated concerns with respect to (i) impacts resulting from potential sunlight loss upon their solar panels and (ii) impacts on the structural integrity of their house resulting from the exaction proposed.

In response:

- The shadow diagrams submitted with the development application documents indicate that the representor at 26 Sussex Street's solar panels will not be affected at all by the proposal and CW PDC 28 is satisfied. This is highlighted also in the attached shadow diagram which shows the

address of the representor and clearly shows no impacts at 9am and 12pm during winter solstice. Therefore, the representors request to relocate the solar panels is unnecessary because the Development Plan policy is met.

- The proposal does seek excavation for the purpose of the establishing basement car parking. The applicant can provide a dilapidation report prepared by their builder prior to construction works occurring if this is deemed necessary, however, as this is not a pertinent town planning issue, we request this be nominated as a condition of consent (should the matter be authorised). We consider this satisfactory in achieving the intent of the representor to have adequate surety their house will not be affected by the excavation works.
- It is also noted that the representor has stated that “in other respects, we support the proposed development” which is pleasing and highlights the design merit of the project.

Rosemary Hennessey and Dale Wasley

The above representors are located in separate residences at 18 and 16 Sussex Street respectively, both located generally to the south-east of the subject land. They have requested an existing brush fence on the boundary with the applicant’s property (boundary not specified) be replaced with a new brush fence at the expense of the applicant.

I confirm the applicant likely intends to replace this fence with new fencing and this matter is they will discuss with adjoining land owners at a later stage. As to the associated costs this is something my client is willing to consider however this is ultimately a civil matter and should not be something which is the subject of debate/discussion during a planning assessment.

Helen Chalmers

The above representor has stated they have concerns with (i) the potential for the proposed basement car park to undermine the footings of their dwelling (ii) the height of the proposed dwellings and (iii) overlooking.

In response:

- As noted above, the proposal does involve excavation for the purpose of the basement car parking and the applicant can provide a dilapidation report prepared by their builder prior to construction works occurring if this is deemed necessary. We would request this be nominated as a condition of consent if deemed necessary.
- With respect to the height, it is proposed there is a basement car parking and then two levels of for residential use. The definition of a building level is:

building level: that portion of a building which is situated between the top of any floor and the top of the floor next above it and if there is no floor above, that portion between the top of the floor and the ceiling above it. It does not include a floor located more than 1.5 metres below the median natural or finished ground level or the roof top location of plant and mechanical equipment.

The proposal therefore comprise two building levels because the basement is more than 1.5 metres below the median natural or finished ground level (therefore this is not a three level building definition). The proposal consequently satisfies PA 11 PDC 6 which states:

Principle 3 Development should not exceed 2 building levels or locate a ceiling more than 6 metres above the median natural or finished ground level at any point or any part of a building.

Further, the following points are made in support of the height:

- > There is no sunlight impacts upon the property at 41 Stanley Street.
- > The upper level is only 1.3m higher than the ridgeline of the ground floor level.
- > The upper level is setback approximately 10m from the Stanley Street frontage, 6m further than the ground floor level.
- > The most forward projecting element of the upper level is only approximately 4.2m wide and is centred on the site away from adjoining properties.
- > The widest portions of the upper level are narrower than the ground floor level at approximately 9.8m wide, as well as being setback more than 14m from the Stanley Street frontage.
- > The flat roofed nature of the upper level reduces its overall scale.
- With respect to privacy, the upper level windows on the side and rear elevations will have fixed obscure glass to 1.8m above finished floor level, meaning that they will not create any privacy impact for existing adjoining dwellings including the property at 41 Stanley Street.

Conclusion

The proposal has attracted 6 representations of which only 1 wishes to be formally heard. The issues raised by the representors have been addressed above.

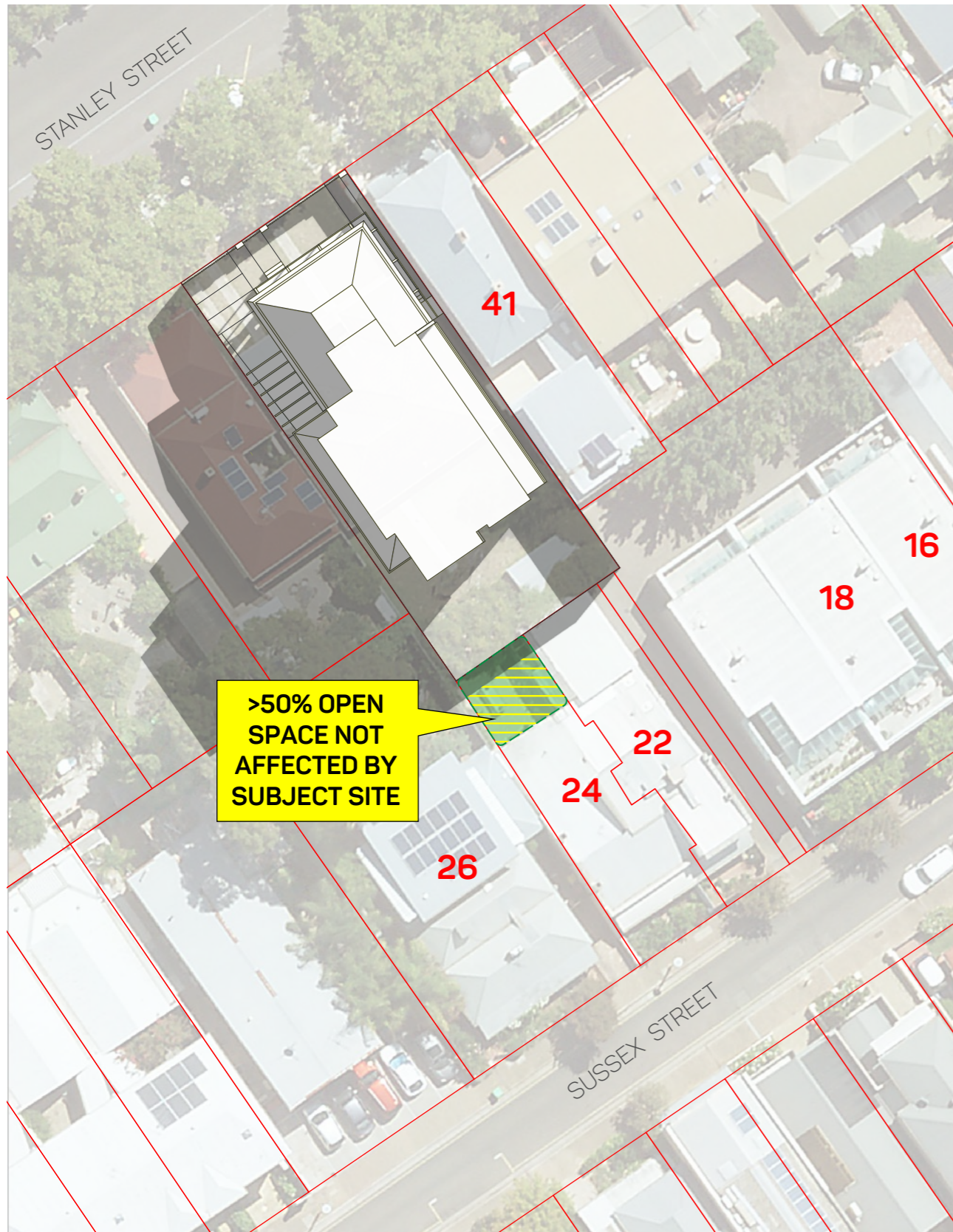
In my view, none of the issues raised alter my previous view that the proposal warrants Development Plan Consent.

Please call me 8333 7999 if you have any questions in relation to this correspondence.

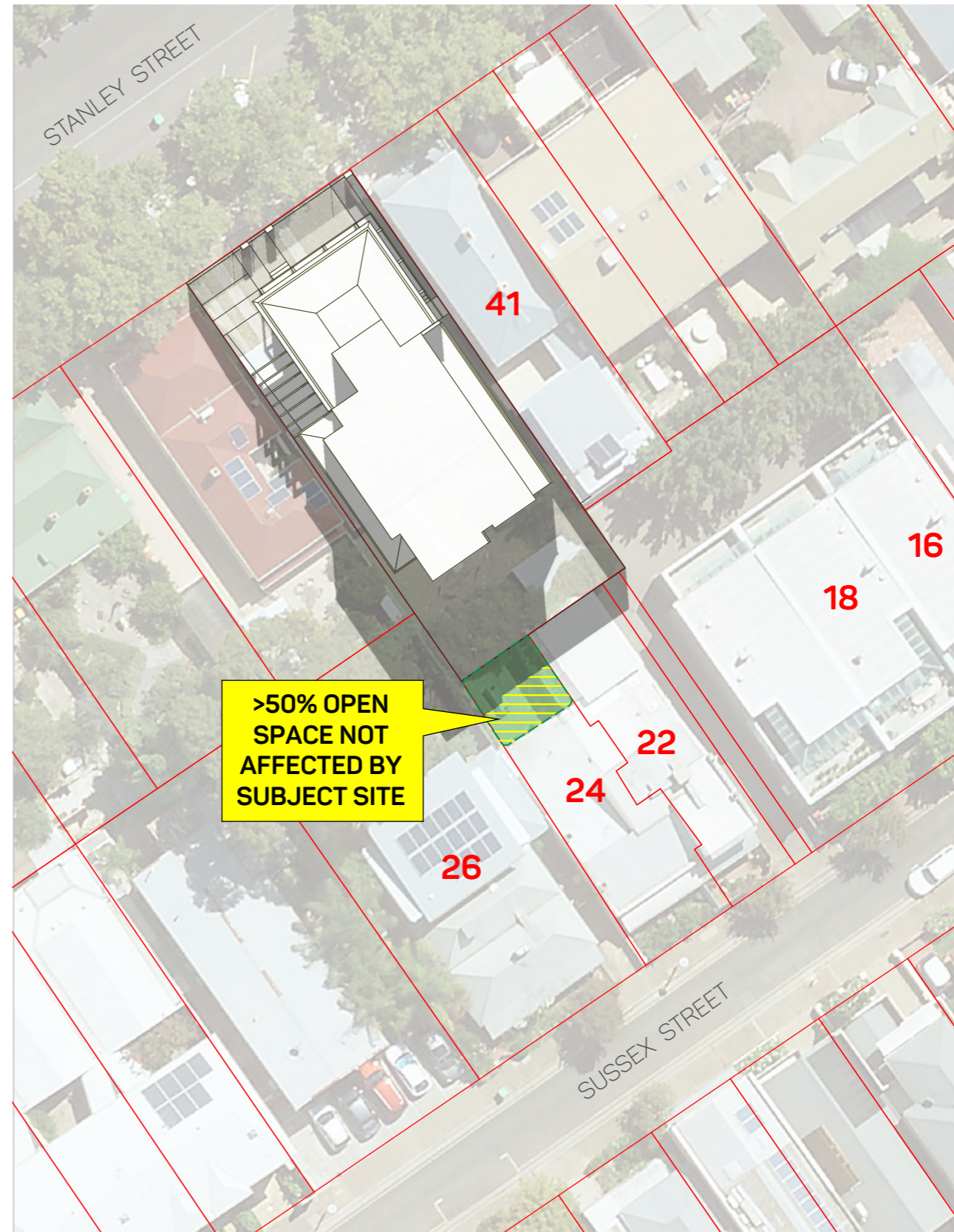
Yours sincerely



Matthew King RPIA
Director



WINTER SOLSTICE (21 JUNE) - 9AM

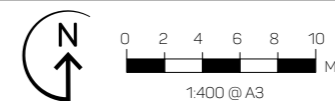


WINTER SOLSTICE (21 JUNE) - 12PM

18 REPRESENTOR STREET NUMBER

 CADASTRE

SHADOW DIAGRAMS - WINTER SOLSTICE
43 STANLEY STREET, NORTH ADELAIDE



Ref: 17ADL-0339

8 November 2018

Mr Seb Grose
Planner – Development Assessment
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

Dear Seb

Demolition of Existing Dwelling and Construction of Residential Flat Building at 43 Stanley Street, North Adelaide

Introduction

We provide this response to the additional representation provided from the property at 41 Stanley Street North Adelaide.

This follows Council's grant of an additional 5 business days to the neighbouring property owner to provide comment on the proposal (following an earlier administrative error in which denied them a full 10 business days).

I note the neighbour has been aware of the development since early October and has now submitted two representations in opposition to the proposal.

Representation

An additional representation has been provided from the property at 41 Stanley Street North Adelaide. That representation has been prepared by a planning consultant. The pertinent issues raised within that representation can be summarised as:

- Bulk and scale particularly the upper level appearance.
- Building height.
- Site area and frontage being below numeric standards.
- Non-compliance with heritage provisions of the Development Plan.
- Overshadowing.

My response to the above matters is provided as follows.

Bulk and scale particularly the upper level appearance

The representor has stated that the proposal... *"comprises the construction of two, double storey dwellings and a third level parking below in the form of a residential flat building"*.

This description, while technically accurate, does not recognise the very clear attempt to design the two dwellings such that they combine and form the appearance of a single residence. This point has

been acknowledged by council’s planning and heritage staff following our extensive pre-lodgement engagement on the design approach. The comment about there being a ‘third level’ is also inaccurate when considering the bottom level is a basement which is not defined as a separate building level by the subject Development Plan.

Further and in what appears an attempt to depict the proposal in an unsavoury manner, the image included on Page 8 of the representation has clearly been distorted. The actual image of the proposed development has different i.e. more vertical and subsequently balanced proportions. The upper level also features sympathetic materials such as timber which the highlighted red part below only seeks to disguise.

Image 1: Representors depiction of the proposal from Page 8



Image 2: Actual representation of the proposal with appropriate/proper dimensions



With respect to the matter of visibility from the street, it is clear, with reference to the Desired Character (a) and PDC 7 of the Policy Area, that new development can be two storeys provided it isn’t “readily visible”. This is distinct from other parts of the Policy Area (see Desired Character part (b)) wherein there is no suggestion that two storey development may be appropriate.

There are a variety of ways Development Plans deal with the issue of built form visibly in heritage contexts in South Australia in my experience. Language used can vary from “inconspicuous” to “discreet” to “not interrupting the single storey character”. In this case, the term “readily visible” is used. Essentially these different terms have similar objectives.

It is evident that within the subject part of Policy Area 11 it does not exclude the possibility of two storey development occurring but more simply seeks that such is designed in a manner that is respectful of nearby single storey-built form.

In my view, the intent of this policy has been achieved by the collective design features incorporated within the design which include:

- An upper level that is only 1.3m higher than the ridgeline of the ground floor level.
- An upper level is setback approximately 10m from the Stanley Street frontage, 6m further than the ground floor level.
- The most forward projecting element of the upper level is only approximately 4.2m wide and is centred on the site away from adjoining properties.
- The widest portions of the upper level are narrower than the ground floor level at approximately 9.8m wide, as well as being setback more than 14m from the Stanley Street frontage.
- The flat roofed nature of the upper level reduces its overall scale.

With respect to the comments about the visual impact upon their courtyard, the representor has suggested the proposal will be.... *“substantially impacted by the bulk and scale of the proposed development, and in particular the two-storey element which also incorporates a window align with the courtyard”*.

The window referenced features obscure glazing up to a height of 1.8 metres such that there is no overlooking therefore I fail to see how this window is giving rise to “amenity” impacts.

While it is evident the dwelling proposed will be visible:

- That courtyard already looks upon the existing dwelling / built form therefore it is not as though there is a completely unobstructed outlook at present. The side setback of that existing dwelling is approximately 1 metre by my measure which is not materially different to the proposal at 900mm at the ground floor.
- The proposed dwelling features a 2.51 metre upper level setback which assists to off-set visual impacts. This is larger than the side setback on the opposite side boundary of the subject site. The image of the proposal provided on Page 9 of the representation has been, in my view, described and depicted in a manner that is misrepresentative of the proposal and its likely impact. The side elevation is articulated by virtue of the 2.51 metre upper level setback. This progressive setback increased satisfies the intent of CW PDC 23. The entire width of the upper level as shown in the image on Page 9 is also not presented to the court which is, by comparison, far smaller in width.

Building height

Concerns have also been raised about the proposal's performance against PDC 3, which states:

- 3 Development should not exceed 2 building levels or locate a ceiling more than 6 metres above the median natural or finished ground level at any point or any part of a building.**

Buildings may be allowed up to the maximum height or number of levels where such buildings are compatible with adjacent buildings and their settings in respect of their scale and siting, and where there is no adverse impact on established residential amenity.

Arguably the proposal satisfies this policy because the development clearly does not exceed 2 building levels as defined by the Development Plan. The second part of this policy is arguably not relevant given the use of the word "or" – that is, this is to be read as an optional provision.

If I am wrong about that I consider the overall height to be acceptable in any event. On the site plan, levels vary somewhat however the level changes are fairly discreet to the eye.

There is a level in front of the existing dwelling at 100.28AHD and that level point is evident across various other parts of the site and is appropriate to be called the "median" level for the purpose of this appraisal.

This median existing ground level is to be similar to the finished ground level around the site which is consistent with existing conditions. The proposed dwelling has an FFL of 100.46 and the ceiling level will be 6.0 metres above this level meaning the ceiling height is about 6.18 metres. This is clearly a minor exceedance to the guideline and is acceptable.

Site area and frontage being below numeric standards

It is suggested that the site area and frontage shortfalls against numeric standards manifest into impacts resulting in a more prominent upper level, increased overshadowing, and fewer landscaping opportunities. The representor also says:

“Overall,(sic) there is a significant reduction to provide appropriate physical separation and consistency with the adjacent Local Heritage Place”.

This sentence is not entirely clear.

In any event, and as I have demonstrated above, the upper level extent is not unreasonable and does not impose excessive bulk and scale on the streetscape and satisfies the intent of the Desired Character. In respect to overshadowing and landscaping:

- Under the relevant heading below I identify that the overshadowing policies are achieved.
- The proposed development has a total of 172m² of landscaped open space or 35% of the site. This readily satisfies CW PDC 31 of at least 30% of the site for landscaped open space.

In respect to the Local Heritage Place, as is reflected within the submitted streetscape and 3D visitations, the proposal does provide a compatible visual relationship to the adjoining heritage place which has resulted in the proposal having the support of council's heritage advisor.

Non-compliance with heritage provisions of the Development Plan

A lot is made in the representation about the extent of heritage places in the locality. The representor states that there are 72 heritage places in the locality. I fail to see how this could be based upon a reasonable and accurate locality area and relies upon a locality being drawn far beyond what one would ordinarily consider to be a locality for the purposes of a residential development such as this.

I maintain that there are a limited number of listed Heritage Places in the immediate locality of the subject site compared to other parts of Stanley Street. The only nearby heritage listings in Stanley Street are the adjoining property to the east (41 Stanley Street – a Local Heritage Place), two allotments to the west (53 Stanley Street – a State Heritage Place), and diagonally opposite (40 Stanley Street – a Local Heritage Place).

There are also some Local Heritage Places adjoining the subject site to the rear fronting Sussex Street however these do not have any impacts upon the assessment of the proposal in the context of its street presentation.

At the same time, there are a number of one **and two storey non-heritage listed dwellings** in the locality including adjoining to the west, directly opposite and two allotments to the east.

In this context, I contend that the historic character of this locality is less intact than other parts of this Zone and Policy Area and that the information about the locality from the representor is not an accurate description of the locality.

I maintain that the pertinent heritage provisions of the Development Plan are satisfied by this proposal because:

- The proposed development has been carefully designed to be complementary to existing nearby development and particularly the heritage listed buildings in the following way:
 - > The front portion of the building has an eave height and roof form that is complementary to the existing adjoining dwellings either side.
 - > A concave return veranda has been included at the front of the site.
 - > The front boundary setback is similar to the existing adjoining dwellings either side.
 - > The most forward projecting element of the ground floor level is symmetrical when viewed from the street.
 - > The building appears largely as a single dwelling rather than a residential flat building.
 - > The front fencing and adjoining ground levels in the front yard have been carefully designed so that the driveway is only visible at the crossover. This design approach also avoids the use of garage doors that would otherwise be a discordant element in the streetscape.

Overshadowing

The representor has queried why there was selective assessment done of the land to the west and the answer is that because that property is the one mostly affected by the proposal and it was important that the impacts were clearly articulated.

It is suggested by the representor that there is inadequate detail in the plans and that *“it is anticipated however that the criteria set out in the Principle would not be satisfied”*. The principle referred to is CW PDC 27 which states:

Principle 27 Development within or adjoining the City Living Zone, the Adelaide Historic (Conservation) Zone or the North Adelaide Historic (Conservation) Zone should maintain at least two hours of direct sunlight between 9.00am and 3.00pm solar time on 22 June to either the northern facade or at least one ground floor habitable room window (excluding bathroom, toilet, laundry or storage room windows), of any neighbouring residential property and to at least 20 percent of that property’s private open space, private landscaped open space or communal open space, where such communal open space provides the primary private open space for any adjacent residential

development. Where the existing period of direct sunlight is less than two hours per day or covers less than 20 percent of open space, development should not further reduce it.

The policy intent is to ensure that development does not unreasonably overshadow neighbouring properties. It is clear the proposal has sought to minimise its impacts on nearby properties by incorporating setbacks off boundaries and maintaining a 2 level / low scale building height of 6 metres above the FFL.

Due to site orientation, the proposal casts no shadow on the representor's northern facades or north facing windows. The proposal also does not cast any shadow whatsoever on the adjoining property at 9am and midday and this is clearly shown in the attached shadow diagram.

In relation to Objective 15, as the proposal does not cast unreasonable shadow for two periods during solstice, I consider the extent of daylight and sunlight access impacts upon their dwelling to be satisfactory and in accordance with the objective.

Conclusion

My above response has addressed the additional concerns provided by 41 Stanley Street and I maintain my previous view that the proposal warrants Development Plan Consent.

I look forward to speaking in support of this proposal at the November 19 CAP hearing.

Please call me 8333 7999 if you have any questions in relation to this correspondence.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M King', with a long horizontal flourish extending to the right.

Matthew King RPIA
Director

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 19/11/2018

Item No	3.2
Address	200 Hutt Street & 290 Halifax Street, Adelaide SA 5000
Proposal	Construct four-storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street (DA/3/2018 – HD) [CAP]
Applicant	Survab Nominees P/L and Mr R P Abbott
Relevant Development Plan	20 June 2017
Lodgement Date	5 Jan 2018
Zone / Policy Area	Main Street (Hutt) Zone
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	Development Plan Consent Be REFUSED

ATTACHMENTS

Plans and Supporting Information

• Plans	1 – 14
• Planning report	15 – 24
• Addendum to report	25 – 26
• Certificates of Title	27 – 31
Comments from Public Notification	33 – 53
Applicant Response to Representations	54

PERSONS SPEAKING BEFORE THE PANEL**Representors**

- Mr Danny Milky – 200 Hutt Street, Adelaide
- Mr Alex Hyde – 198A Hutt Street, Adelaide
- Mr Alex Hyde on behalf of Ms Suzanne Barber and Mr Anthony Barber – 294-296 Halifax Street, Adelaide

Applicant

- Mr Richard Abbott – owner

1. **DESCRIPTION OF PROPOSAL**

- 1.1 Planning consent is sought for the construction of a four-storey dwelling with roof top terrace on the rear allotment of the site on the corner of Halifax Street and Corryton Streets. The proposal incorporates a steel framed structure which forms an encroachment over the boundary to Halifax Street. The encroachment is in the form of an open frame type of structure incorporating a verandah cover over the entry door and a balcony at third floor level.
- 1.2 The ground floor of the proposed dwelling comprises an entry, garaging (accessed via Corryton Street) and store area. The first floor contains a studio/study and toilet. The second floor comprises two bedrooms as well as a bathroom and storage area. The third floor is dedicated to the living areas including kitchen and lounge/living area. There is a balcony incorporated into the steel framed structure encroaching over the footpath of Halifax Street, as well as a small Juliet balcony over Corryton Street boundary. The roof structure is utilised as a roof top garden.
- 1.3 The proposal includes a lift which provides access from the ground floor through to the third floor. There is also a stair providing access from the ground through to the second floor as well as a spiral staircase providing access from the second floor through to the roof top garden.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area 33 m²		
Building height - Metres (maximum)	14 metres max – setback angles apply	13.186 metres
Private Open Space (POS) - % of total site area or m ² - dimensions	11 m ² 2 metres	26 m ² Exceeds 2 metres
Car parking and Access - Number of spaces	1 space per 200m ² of floor area	1 space
Bicycle Parking	1 space per dwelling	No dedicated space but storage area considered adequate

3. **BACKGROUND**

- 3.1 In January 2004, consent to construct a 3-storey dwelling on the rear of an existing single allotment was granted under delegation (DA/646/2003). This allotment was bound by Hutt, Halifax and Corryton Streets. A further 12-month extension of time was subsequently granted which expired on 14 January 2006.

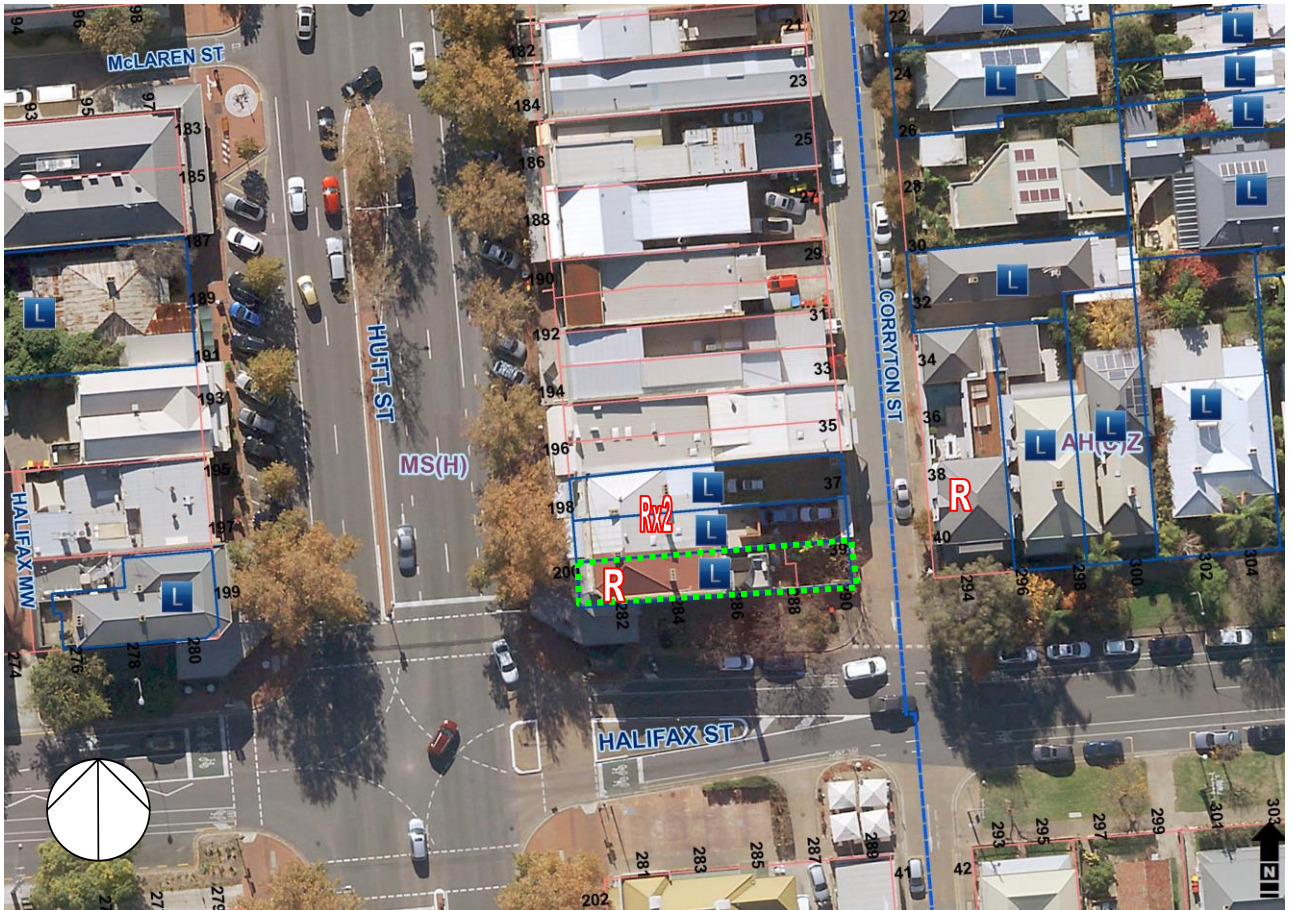
- 3.2 A land division to create two allotments from one was also granted approval on 20 July 2004 (LD/10/2004). The land division included several encumbrances to allow for movement into and out of the allotment fronting Hutt Street.
- 3.3 This division was undertaken and the allotment created to the rear of the original site is the subject of this application.
- 3.4 The applicant has met with representatives of Council on several occasions prior to lodgement in an attempt to address development assessment, heritage and encroachment matters.
- 3.5 Category 2 notification was originally undertaken in August however, it was later noted that the support structures for the proposed dwelling encroach upon the allotment fronting Hutt Street and therefore the application was re-notified to include this allotment as part of the subject site.
- 3.6 As previously described, the proposal includes a structure which encroaches over the footpath on Halifax Street. The balcony portion of the structure does not meet Council's Encroachment Policy in that it extends more than 30% of the width of the frontage and does not include at least 50% of the floor area within the property boundary. Council's Heritage Advisor was also unsupportive of the structure stating that it did not have any relevance to the historic character of the locality.
- 3.7 The applicant was advised that as the encroachment did not meet the Encroachment Policy, it would need to be presented to Council for approval and that the Administration would not be recommending support. The applicant requested that the application continue to be assessed on its planning merits despite there being no support from Council for the encroachment.






4. SITE

- 4.1 The subject site contains two allotments and is bound by Hutt Street to the west, Halifax Street to the south and Corryton Street to the east. The site shares a boundary (including a portion of party walls) with the property to the north.
- 4.2 The two allotments measure 30.47 metres x 5.05 metres resulting in a total area of 153.87 m².
- 4.3 The allotment where the dwelling is proposed to be located has a total site area of 33 m².
- 4.4 As previously indicated, the two allotments are related, utilising easements for access and movement.
- 4.5 The boundary of Main Street (Hutt) Zone with the Adelaide Historic (Conservation) Zone is located through the middle of Corryton Street, directly east of the subject site.

5. LOCALITY

- 5.1 The locality can be roughly divided into two components. One component is Hutt Street which is a wide, tree-lined main street providing local services for the community such as banks and shops, as well as restaurants, hotels, consulting rooms, offices and the like servicing the broader community as well. Buildings are generally one to two storeys in height.
- 5.2 The other is the more residential component to the east with low scale buildings of varying ages however, the residential property directly to the east of the subject site is three storeys high.
- 5.3 There is a large number of Local Heritage listed places located to the east.



KEY			
	Subject Site		Local Heritage Place
MS(H)	Main Street (Hutt) Zone		State Heritage Place
AH(C)Z	Zone		Policy Area Boundary
R	Representor(s)		Locality

Administration note: Another four (4) representations were received however, they are invalid as they have been written by owners/occupiers that had not been directly notified.

Photo 1 – Subject site as viewed from Halifax Street



Photo 2 – View of rear of site facing onto Corryton Street



Photo 3 – Interior of subject site



Photo 4 – View of existing restaurant at 200 Hutt Street from western side of Hutt Street



Photo 5 – Looking north of subject site along Corryton Street to east of subject site



Photo 6 – Southern side of Halifax Street opposite subject site



Photo 7 – View of residential property on eastern side of Corryton Street opposite subject site



Photo 8 – View of southern side of Halifax Street, east of subject site



Photo 9 – View of eastern side of Hutt Street, south of subject site



6. **PUBLIC NOTIFICATION**

6.1

Category of Notification	Category 2
Representations Received – 4 (Note: two representors responded to both notification periods but have been only counted once)	<ul style="list-style-type: none"> • Mr Harsh Mehta – Coffylosophly, 198A Hutt Street, Adelaide • Ms Suzanne Barber and Mr Anthony Barber – 294-296 Halifax Street, Adelaide • Mr Alexander Hyde – Unit 1, 198A Hutt Street, Adelaide • Mr Danny Milky – Biga Restaurant, 200 Hutt Street, Adelaide

Representor's comments	Applicant's response
<ul style="list-style-type: none"> • Construction will be intrusive for day-to-day for businesses with noise, rubbish and dust. • Access to the street will be difficult with trucks and trailers blocking the street. • Functionality of adjacent restaurant e.g. food delivery, waste disposal, exhaust cleaning – access to rear of restaurant facing Halifax Street footpath is ill-defined. • Cantilevered portion provides insufficient height in relation to the above. • Indoor waste management doesn't seem workable, may impact on western area of courtyard of adjacent restaurant. • Gate access to restaurant needs to be secure and should be in keeping with décor. • Privacy concerns in relation to the adjacent residential use at upper level. • Proposal not in keeping with adjoining heritage architecture. • Lack of consultation with adjoining tenants/land owners. • Proposed building is unsympathetic to adjoining Historic (Conservation) Zone. • Does not provide orderly transition to neighbouring Zone. 	<ul style="list-style-type: none"> • Objections associated with building concerns are covered under building control. • Site at 200 Hutt Street was incorporated into the application because roller door was depicted on plans to fill void at ground floor rear entry to 200 Hutt Street. • Now understand that due to fire safety the doorway cannot be electrically operated. • Will replace doorway shown on current plan with two manually operated doorways – one for pedestrian access and the other to continue for removal of rubbish bins in the same manner as now. • Since spoken and met on site with tenant at 200 Hutt Street and concerns are now allayed.

<ul style="list-style-type: none"> • Overshadowing is a concern. • No detailed landscape plan and questionable opportunities for meaningful landscaping. • Encroachment into the public realm will exacerbate impact of proposal. 	
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7. **REQUIRED EXTERNAL REFERRALS**

7.1 No external referrals required.

8. **SPECIALIST ADVICE**

8.1 **Local Heritage**

- Not supported – see detailed assessment.

8.2 **Infrastructure**

- No objections subject to standard advices and conditions.

8.3 **Traffic**

- The location of the crossover in proximity to the corner is not generally supported however, it was noted that this location was approved with the previous consent.

The proposed garage width does not meet the minimum requirements of Australian Standard 2890.1. Minimum door opening is 2.4 metres (proposal is 2.3 metres wide) with a minimum internal width of 3 metres required (2.6 metres proposed).

RELEVANT CITY OF ADELAIDE 2016-2020 STRATEGIC PLAN ACTIONS

Whilst an assessment against the Strategic Plan is not required, the Development Plan is informed by Council's Strategic Plan Objectives and Actions as below:

SMART	GREEN
<ul style="list-style-type: none"> • Develop and promote an international City brand that showcases the smart, liveable, green and cultural advantages of Adelaide 	<ul style="list-style-type: none"> • Improve energy performance and use of renewable energy in Council and privately-owned buildings, including consideration of solar heating, solar energy generation and battery storage • Work with private property owners and the State Government to embed better environmental performance into new and existing developments • Identify opportunities for building adaptation and re-use that supports heritage aspirations while reducing carbon emissions and waste • Work with all City stakeholders to increase public and private greening with street trees, gardens, community gardens, green walls and roofs, providing incentives where appropriate
LIVEABLE	CREATIVE
<ul style="list-style-type: none"> • Encourage growth in the full range of residential property development in a mixed-use environment in a manner that respects the human scale and different character of districts in the City • Promote and protect Adelaide's built character and heritage through our operations, incentives, policies and direct investment, while working with and advocating to Federal and State governments for an increase in City buildings protected under State or Local Heritage regulations 	<ul style="list-style-type: none"> • Increase public art and cultural expression in private development by using planning levers and requirements

9. **DETAILED ASSESSMENT**

9.1 **Summary of Zone Objectives & Principles**

Desired Character Statement – Main Street (Hutt) Zone

The Zone will be enhanced as the focus for neighbourhood shopping, leisure, commercial activity and community facilities primarily to service the needs of the City's south eastern residential community.

The Zone will continue as a convenient, attractive and vibrant Main Street primarily providing services to the adjoining residential areas, as well as passing traffic and visitors from further afield. A sensitive mix of uses, built form and development intensity is required in order to preserve residential amenity in adjacent areas.

The mix of complementary land uses will extend activity into the evening to enhance the vibrancy and safety of the area and provide visual interest after hours, including by having no external shutters. Small licensed premises will occur in limited numbers where they are designed and sited to maintain day and evening activation at street level and minimise impacts on nearby residential development.

The 'high street' townscape comprises terrace shops and houses, corner pubs and a group of single-storey Victorian villas. Many of these buildings are heritage places and are to continue as prominent landmarks at the junctions of Hutt Street with major streets. The horizontal emphasis of the townscapes, particularly in the commercial areas of Hutt Street, is established by the close pattern of development and by the continuity of street facades, parapet lines, verandahs and balconies. Between Halifax Street and Cairns Street, a group of finely detailed stone residences with articulated and gabled facades and rich cast-iron ornamentation form a distinctive group. The design of buildings should reinforce the continuity of street facades, parapet lines and verandahs derived from the solid masonry character of the existing traditional buildings.

The Zone's character will be reinforced by a well-defined low to medium scale built form edge abutting its tree lined public space, enlivened by the attractive street environment and outdoor eating areas.

Hutt Street will remain highly accessible for local and through traffic, and for public transport. Provision for cyclists and a high level of pedestrian accessibility, safety and amenity will be maintained. The impact of through traffic will be reduced.

The impact of development on the amenity of neighbouring Zones will be carefully controlled and managed.

Catalyst sites provide opportunities for integrated developments on large sites to assist in the transformation of a locality. Such developments will facilitate growth in the residential population of the City, while also activating the public realm and creating a vibrant main street feel. A range of land uses will be provided that add to the range of local employment opportunities and the availability of services and shopping facilities within the main street.

Developments on catalyst sites will exemplify quality and contemporary design that is generally greater in intensity than their surroundings. However, development will be designed to carefully manage the interface with sensitive uses in residential zones, particularly with regard to massing; proportions; overshadowing; traffic and noise related impacts.

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Partially achieved. Provides a use that adds to the mix however it will not provide interest and activity at ground level as sought. Design does not reinforce the continuity of street facades, parapet lines and verandahs derived from the solid masonry character of the existing traditional buildings as sought (see Detailed Assessment). Impact on neighbouring amenity may not be appropriate given the height adjacent the Adelaide Historic (Conservation) Zone (see Detailed Assessment). 	✓ ✗
Objectives O1-4	<ul style="list-style-type: none"> Partially achieved. Use is sought after as part of a mix of uses. Does not provide a visually interesting streetscape displaying a high level of fenestration and detail. There is a balcony oriented towards the street however it does not meet Council's Encroachment Policy. 	✓ ✗
Land Use P1-6	<ul style="list-style-type: none"> Partially achieved. Dwelling is a desired land use which adds to the mix of land uses however dwellings at ground level are not considered appropriate. Does not propose a land use that adds to the vitality of the area and extend activities into the evening. 	✓ ✗
Form and Character P7-9	<ul style="list-style-type: none"> Partially achieved. Building is of an appropriate height for the Zone. Proposal may impact upon the quality of the living environment for residential development within the Zone and in the adjacent Adelaide Historic (Conservation) Zone given it doesn't meet required setbacks (see below for more detail). 	✓ ✗
Built Form and Public Environment P10-21	<ul style="list-style-type: none"> Not achieved. See detailed assessment for further comment. 	✗
Car parking P27-28	<ul style="list-style-type: none"> Access provided by minor street and away from primary frontage. More information in Detailed Assessment. 	✓

9.2 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Housing choice O6-8 P5-10	<ul style="list-style-type: none"> Achieved. Provides a type of house that could suit the needs of low income people, student housing, social housing, housing for single people, small families, people with disabilities and people with other complex needs. With the provision of both stairs and a lift, the proposal is designed to be adaptable to meet people's needs throughout their lifespan to ensure that changes associated with old age, special access and mobility can be accommodated. Proposal provides an appropriate interface between established non-residential uses. Applicant has advised that the new dwelling will effectively manage and recognise the legitimate rights of commercial and community activities. 	✓
MEDIUM TO HIGH SCALE RESIDENTIAL DEVELOPMENT (The Adelaide (City) Development Plan defines medium to high scale residential or serviced apartment development as “residential development or serviced apartment development of 4 or more building levels”. As the proposal is four building levels it has been assessed against this criteria).		
O22	<ul style="list-style-type: none"> Proposal has: <ul style="list-style-type: none"> (a) an acceptable standard of amenity and environmental performance (b) comprises functional internal layouts; (c) is adaptable to meet a variety of accommodation and living needs; and (d) includes appropriate recreation and storage areas. 	✓
Building Entrances P48-49	<ul style="list-style-type: none"> Entrance to dwelling is oriented towards the street; and will be identifiable from the street. The entrance canopy will provide shelter and a sense of personal address and transitional space around the entry. Entrance is located close to the lift and stair access. 	✓
Daylight, Sunlight & Ventilation P50-58	<ul style="list-style-type: none"> Partially achieved. Given the small allotment size, the majority of the dwelling is built to the boundary. Windows are only included on the eastern and southern elevations and therefore there is no access to northern sunlight. Ceiling heights range from between 2578 and 2678 mm. For good access to light, the minimum ceiling height should be 2700 mm and therefore the proposal falls short. Proposal will have direct access to natural light and ventilation and does not rely on borrowed light or light wells. 	✓✗
Private Open Space P59-65	<ul style="list-style-type: none"> Achieved. 2-bedroom apartments should provide 11 m² of private open space. This dwelling has a total of 26 m² of private open space in the form of a roof deck. 	✓

Visual Privacy P66-67	<ul style="list-style-type: none"> All windows of the proposed dwelling are located on boundaries with public roads. 	✓
Noise & Internal Layout P68-69	<ul style="list-style-type: none"> The dwelling will be located adjacent a restaurant at 200 Hutt Street. There are no window openings on the western elevation which faces the restaurant. 	✓ x
Minimum Unit Sizes P70-71	<ul style="list-style-type: none"> Achieved. 2-bedroom minimum unit size is 65 m². The dwelling is 92.8 m². 	✓
Adaptability P72	<ul style="list-style-type: none"> Achieved. 	✓
Outlook P73-74	<ul style="list-style-type: none"> Achieved. 	✓
Onsite Parking & Fencing O23 P75-79	<ul style="list-style-type: none"> Parking space for one car provided. More information under detailed assessment. 	✓ x
Storage P80-81	<ul style="list-style-type: none"> Achieved. 	✓
ENVIRONMENTAL		
Crime prevention through urban design O24 P82-86	<ul style="list-style-type: none"> Achieved. Windows and balconies overlook public spaces. 	✓
Noise Emissions O26-27 Noise Receivers P95-100	<ul style="list-style-type: none"> No information on any acoustic attenuation that may be required for a busy location adjacent a restaurant. If approved, further information will need to be provided to ensure the dwelling is adequately attenuated against noise sources. 	✓ x
Waste management O28 P101-104	<ul style="list-style-type: none"> Achieved. 	✓
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Applicant has advised in the schedule/notes associated with the proposal that it will be insulated and glazed to meet relevant BCA requirements. As previously noted, there is natural ventilation and light available to the dwelling. Further information would be required if the proposal were to be granted consent. 	✓ x
Infrastructure O40-41 P132-135	<ul style="list-style-type: none"> Air-conditioning plant and equipment is located on the roof and therefore not readily visible from the public realm. 	✓

Heritage & Conservation O42-45 P136-148	<ul style="list-style-type: none"> Not achieved. See detailed assessment for further information. 	x
Composition & Proportion P180-181	<ul style="list-style-type: none"> See detailed assessment for further information. 	✓ x
Articulation & Modelling P182-186		
Materials, Colours & Finishes P187-190		
Sky & Roof Lines O49 P192-195	<ul style="list-style-type: none"> Roof tops of proposal is not designed to adequately reinforce the desired character of the locality, enhance the skyline and local views, contribute to the architectural quality of the building or provide a compositional relationship between the upper-most levels and the lower portions of the building. 	x
Vacant Sites & Buildings O54 P204-206	<ul style="list-style-type: none"> Provides built form to the allotment created. 	✓
Access & Movement O60 P224-225	<ul style="list-style-type: none"> Not achieved. See below for further information. 	x
Traffic and vehicle access O68-70 P241-250	<ul style="list-style-type: none"> Vehicular access is located on a minor street. Width of entry is insufficient to provide safe and convenient access to site. 	✓ x
Car parking O71-762 P251-265	<ul style="list-style-type: none"> Appropriate number of spaces provided. Width is not less than 50% of the allotment width (allotment is only a little over 5 metres wide). 	✓ x

9.3 **Detailed Discussion**

Summary of Proposal and Background

This application proposes the construction of a four-storey dwelling and roof deck on a small allotment located at the rear of the existing Local Heritage place on the corner of Hutt, Halifax and Corryton Streets.

The dwelling consists of garaging and storage at ground, study at first floor, two bedrooms and bathroom and second floor, kitchen, lounge and dining at third floor and lastly a roof deck with perimeter landscaping. With a total site area of approximately 33 m², the floor plate is relatively small.

The Development Plan defines medium to high scale residential or serviced apartment development as "*residential development or serviced apartment development of 4 or more building levels*". Whilst the proposal is for a single dwelling, it is four building levels high and therefore has been assessed against the medium to high scale residential or serviced apartment development criteria of the Development Plan.

The proposal includes a structure which encroaches over the footpath on Halifax Street. The encroachment is in the form of an open frame type of structure incorporating a verandah cover over the entry door and a balcony at third floor level. The structure does not meet Council's Encroachment Policy in that the balcony extends more than 30% of the width of the frontage and does not include at least 50% of the floor area within the property boundary. Council's Heritage Advisor was also unresponsive of the structure stating that it did not have any relevance to the historic character of the locality.

The applicant was advised that as the encroachment did not meet the Encroachment Policy, it would need to be presented to Council for approval and that the Administration would not be recommending support. The applicant requested that the application continue to be assessed on its planning merits despite there being no support from Council for the encroachment.

The applicant had previously sought and gained consent to construct a 3-storey dwelling on the rear of an existing single allotment that was granted under delegation (DA/646/2003) in January 2004. The allotment at the time was bound by Hutt, Halifax and Corryton Streets. A further 12-month extension of time was subsequently granted which expired on 14 January 2006. Furthermore, a land division to create two allotments from one was also granted approval on 20 July 2004 (LD/10/2004). The land division includes several encumbrances to allow for movement into and out of the other allotment which fronts Hutt Street and houses the Biga Restaurant. The division occurred, and the allotment created to the rear of the original site is the subject of this application.

Desired Character

The subject site is located in the Main Street (Hutt) Zone however the boundary of the adjacent Adelaide Historic (Conservation) Zone is located through the middle of Corryton Street, directly east.

The desired character for the Main Street (Hutt) Zone sees the zone as providing a focus for neighbourhood shopping, leisure, commercial activity and community facilities primarily to service the needs of the City's south eastern residential community. A sensitive mix of uses, built form and development intensity is required in order to preserve residential amenity in adjacent areas.

The 'high street' townscape comprises terrace shops and houses, corner pubs and a group of single storey Victorian villas. As the desired character acknowledges, many of these buildings are heritage places and are prominent landmarks at the junctions of Hutt Street with major streets. The horizontal emphasis of the townscapes, particularly in the commercial areas of Hutt Street, is established by the close pattern of development and by the continuity of street facades, parapet lines, verandahs and balconies.

The desired character seeks the design of buildings to reinforce the continuity of street facades, parapet lines and verandahs derived from the solid masonry character of the existing traditional buildings with the Zone's character being reinforced by a well-defined low to medium-scale built form edge abutting its tree lined public space, enlivened by the attractive street environment and outdoor eating areas.

The proposal contributes to the mix of land uses and given its interface with the Adelaide Historic (Conservation) Zone adjacent to the east, the residential land use is considered complementary although, at ground level, it does not provide the active and enlivened street edge.

The proposal does not adequately reinforce the continuity of the street facades, parapet lines and verandahs derived from the solid masonry character of the existing traditional buildings with the Zone's character as sought. This will be discussed in further detail below.

Land Use

The residential land use is envisaged as stated in ZPDC 1 although dwellings at ground level are not considered appropriate as stipulated in ZPDC 3.

Residential Amenity

Subject site

Objective 22 sets out the requirements of medium to high scale residential development. The proposal is considered to display adequate residential amenity for the subject site and, given the size, will comprise functional internal layouts as sought by Objective 22. Appropriate areas for recreation and storage are incorporated.

With regards to building entrances, the proposal has an entrance that is orientated towards the street and is readily identifiable in accordance with CWPDC 48. The proposed entrance canopy will provide shelter and a sense of personal address and transitional space around the entry as sought by CWPDC 48. The proposal is also consistent with CWPDC 49 as the entrance is located close to the lift and stair access.

With regards to daylight, sunlight and ventilation, the subject site provides some challenges. Given the small allotment size, the majority of the dwelling is built to the boundary. This means that openings are restricted to just the eastern and southern elevations and therefore there is no access to northern sunlight as sought by CWPDC 51.

Ceiling heights range from between 2578 and 2678 mm. CWPDC 52 states that to achieve good access to light, the minimum ceiling height at ground and first floor levels should be 2700 mm and therefore the proposal falls marginally short. The dwelling will have direct access to natural light and ventilation and does not rely on borrowed light or light wells in accordance with CWPDC 53 – 55. Cross ventilation will occur as sought by CWPDC 58.

With regards to private open space, CWPDC 59 states that 2-bedroom apartments should provide 11 m² of private open space. The proposed dwelling has a total of 27 m² of private open space in the form of a landscaped roof deck thereby achieving this principle. CWPDC 70 states that the minimum unit size for a 2-bedroom dwelling is 65 m². The dwelling is 92.8 m² thereby meeting this principle.

With regards to noise, CWPDC 68 states that medium to high scale residential or serviced apartment development close to high noise sources (e.g. major roads, established places of entertainment and centres of activity) should be designed to locate noise sensitive rooms and private open space away from noise sources, or be protected by appropriate shielding techniques.

The subject dwelling will be located adjacent the existing restaurant at 200 Hutt Street. Whilst not an established place of entertainment, it may have the propensity to create some noise. The dwelling does not include any window openings on the western elevation which faces the restaurant. The tilt up concrete construction will also provide a level of attenuation. If approved, it would be prudent to seek some further information in relation to any attenuation required.

Adjacent sites

With regards to adjacent sites, CWPDC 57 and 60 seek that adjacent residential properties are afforded appropriate amenity in reference to access to sunlight and overlooking.

To the north of the subject site is an existing shop at ground level and a residential property at the upper level. To the east is an existing three-storey dwelling. To the south there is a public road, Halifax Street and to the west is the previously mentioned restaurant. With regards to overshadowing, the proposal will not impact on the residential property to the north. The dwelling to the east will be partially impacted in the afternoon however, the proposal will not impact on the morning or midday sun and therefore adequate access to sunlight will be achieved. With regards to overlooking, all windows of the proposed dwelling are located on boundaries with public roads and will provide a form of natural surveillance. The roof deck may provide an opportunity of overlooking into the adjacent property to the east as the balustrade is only 1.2 metres high. If the proposal were to be approved, there would be a requirement to incorporate some form of screening to provide adequate privacy for the adjacent occupants.

ZPDC 16 seeks buildings to be constructed within a building envelope provided by a 45° plane, measured from a height of 3 metres above natural ground level at the allotment boundary of an allotment within the Adelaide Historic (Conservation) Zone, to ensure minimal impact upon adjacent housing in terms of massing and overshadowing. A small portion of the upper most eastern corner falls outside of the building envelope.

ZPDC 17 states that where a site has a frontage to a road that forms a zone boundary with the Adelaide Historic (Conservation) Zone, any part of the building exceeding two storeys should be setback from the street frontage and should incorporate design treatments that reduce the visual presence of the higher components to achieve an orderly visual transition between the different zones. The proposal does not incorporate a setback as sought.

Public Notification

The application was notified as a Category 2 development and a number of representations were received. Issues raised include:

- Intrusiveness of construction period
- Impact on functionality of adjacent restaurant
- Privacy concerns in relation to the adjacent residential use at upper level
- Lack of consultation with adjoining tenants/land owners
- Proposed building is unsympathetic to adjoining Historic (Conservation) Zone and not in keeping with adjoining heritage architecture
- Does not provide orderly transition to neighbouring Zone
- Overshadowing
- Lack of detail on landscaping
- Impact of proposed encroachment on the public realm.

A summary of representations received, and the applicant's response, are included in Section 6 of this report. The full documents are also included as an attachment to this report.

Heritage and Conservation

As previously discussed, the subject site is located adjacent the Biga Restaurant at 200 Hutt Street. This property is listed as a Local Heritage (Townscape) place in TABLE Adel/3 of the Adelaide (City) Development Plan. This means that the frontage of the building and side wall returns visible from the street are considered elements of heritage value. As the property is located on a corner, both the Hutt Street and Halifax Street elevations are considered to be important heritage elements.

As the property is heritage listed, the application was referred to Council's Heritage Officer for comment on the proposal which are included here below:

"The proposed development is within the Main Street (Hutt Street) zone and adjacent to the Adelaide Historic (Conservation) Zone. The site is to the rear of a Local Heritage Place (Townscape) on the corner of Hutt and Halifax Streets – a three storey shop constructed of random coursed stone with rendered trim. The Local Heritage Place together with the shop on the south-eastern corner of Hutt Street display similar scale and built form qualities and are prominent landmarks at the entry to Halifax Street. The building scale transitions to one and two storeys at the commencement of the Historic Conservation Zone in Halifax Street.

The proposed development is inconsistent with the Objectives and Principles of Development Control for the zone and for heritage and conservation. The scale is inappropriate, the wall height being considerably higher than all the surrounding buildings. The allotment has been created by a subdivision at the rear of 200 Hutt Street. The site is not a landmark location and does not warrant a greater height than the surrounding buildings.

The proposed building does not utilise materials, finishes or other built form qualities that complement the adjacent local heritage place or historic (conservation) zone. It is of a very utilitarian appearance with no reference to the proportions or fenestration patterns of the adjacent local heritage place. Tilt-up concrete is an unsuitable material. Windows and door reveals will be shallow, resulting in a 'flat' appearance to the facades and the concrete finish will not complement the colour and texture that typifies the historic character of the locality.

The proposed 'sky blue' articulated frame to the cantilevered balconies does not have any relevance to the historic character of the locality.

The Halifax Street façade is poorly resolved at street level, with the first floor cantilevered at the western end, a full height gateway and 'crim safe' security screen to the entry.

The proposed development is considered to be significantly at variance with the heritage provisions of the Development Plan. It does not pay regard to the characteristic features, architectural elements and forms of the locality and does not reinforce the existing character of the masonry buildings in the zone.

The drawings are very schematic and give little information about the proposed external finishes and colours, window framing, balustrade and gate designs. Should the applicant revise the design it is recommended that this information is provided to enable a heritage assessment."

For this reason, the proposal is not considered to achieve CWPDC 140 which requires development on land adjacent to a heritage place in non-residential Zones or Policy Areas to incorporate design elements, (including where it comprises an innovative contemporary design) and utilise materials, finishes, and other built form qualities that complement the adjacent heritage place.

Built Form and Design

With regards to building height, the proposed dwelling will be 13.186 metres tall which is under the maximum height of 14 metres as stipulated in ZPDC 14. It presents no setbacks as sought by ZPDC 19. It also provides pedestrian shelter in the form of a small entrance canopy as sought by ZPDC 21. The overall structure that the entrance canopy is incorporated into does not meet the Encroachment Policy.

ZPDC 10 seeks development to protect and enhance the traditional nineteenth and early twentieth century retail and residential townscape character of Hutt Street. Given that the heritage advisor is not supportive of the proposal, this principle cannot be considered to be adequately addressed.

ZPDC 11 and 12 follow stating that development should provide a 'high street' commercial terrace design approach with continuous ground floor retailing and other uses at upper levels and that it should be adequately respectful of design features of the long-established townscapes, roofs should be hipped or gabled and employ parapets on street frontages, blank elevations unrelieved by architectural detail should be avoided. Above street level, windows should complement the proportions of the existing fenestration, and roofing materials and colour should be compatible with those traditionally used. This proposal does not entirely achieve these principles in that it does not provide a continuous ground floor retailing use, does not employ a hipped or gabled roof and does not avoid unrelieved blank elevations. Also the window proportions of the proposal do not adequately complement the proportions of existing fenestration in the locality.

As previously stated the proposal is also not considered to meet ZPDC 17 in regards to providing a setback from the street frontage for any portion of a building exceeding two storeys.

More broadly, in reference to composition and proportion, CWPDC 180 seeks development to respect the composition and proportion of architectural elements of building facades that form an important pattern contributing to the streetscape's distinctive character in a manner consistent with the desired character of a locality by:

- (a) establishing visual links with neighbouring buildings by reflecting and reinforcing the prevailing pattern of visual sub-division in building facades where a pattern of vertical and/or horizontal sub-divisions is evident and desirable, for example, there may be strong horizontal lines of verandahs, masonry courses, podia or openings, or there may be vertical proportions in the divisions of facades or windows; and
- (b) clearly defining ground, middle and roof top levels.

As discussed within the Heritage and Conservation section of this report, the proposal does not "pay regard to the characteristic features, architectural elements and forms of the locality and does not reinforce the existing character of the masonry buildings in the zone."

With regard to articulation and modelling, CWPDC 182 states building facades fronting street frontages, access ways, driveways or public spaces should be composed with an appropriate scale, rhythm and proportion, responding to the use of the building, the desired character of the locality and the modelling and proportions of adjacent buildings. As previously stated, the proposal is not considered to respond appropriately to the modelling and proportions of the adjacent building.

With regards to materials, colours and finishes CWPDC 187 states that the design, external materials, colours and finishes of buildings should have regard to their surrounding townscape context, built form and public environment, consistent with the desired character of the relevant Zone and Policy Area. CWPDC 188 follows stating that development should be finished with materials that are sympathetic to the design and setting of the new building and which incorporate recycled or low embodied energy materials. The form, colour, texture and quality of materials should be of high quality, durable and contribute to the desired character of the locality. As previously stated, the use of tilt up concrete panels is not a sympathetic material that contributes to the character of the locality and is not considered to be an appropriate material in this context.

Transport, Access and Parking

The proposal provides one carparking space as required by CWPDC 253 for a dwelling of up to 200 m². However, Council's Traffic team have advised that the width of the opening to the garage space is not wide enough (2.3 metres in lieu of 2.4 metres) and the internal width also falls short (2.6 metres in lieu of 3 metres) and therefore safe and convenient access is not provided in accordance with CWPDC 251(a) and (b). Access is provided via Corryton Street, the minor street, which is consistent with CWPDC 251(e).

9.4 Conclusion

This application proposes the construction of a four-storey dwelling with a roof deck on a small allotment at the rear of the site. It also incorporates an encroachment structure over the Halifax Street footpath. The allotment is located adjacent an existing building that is listed as a Local Heritage (Townscape) place. Whilst the land use is envisaged, the ground floor level would be better suited to a non-residential land use. The dwelling itself displays adequate amenity. Unfortunately, the built form falls short of what is required for the locality and the heritage adjacency in the following ways:

- The scale is inappropriate in terms of its impact upon both the adjacent Historic (Conservation) Zone and the Local Heritage place
- It does not utilise materials, finishes or other built form qualities that complement the adjacent local heritage place or historic (conservation) zone
- It is of a very utilitarian appearance with no reference to the proportions or fenestration patterns of the adjacent local heritage place
- Window openings and door reveals will be shallow, resulting in a 'flat' appearance to the facades
- The proposed frame to the cantilevered balconies does not have any relevance to the historic character of the locality.
- The Halifax Street façade is poorly resolved at street level, with the first floor cantilevered at the western end, a full height gateway and 'crim safe' security screen to the entry.
- It does not pay regard to the characteristic features, architectural elements and forms of the locality and does not reinforce the existing character of the masonry buildings in the zone.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes a land use that is envisaged in the Zone. However, for the reasons stated above, the proposal is not considered to attain a sufficient number of the relevant principles of development control to warrant consent, particularly in regard to built form and the heritage interface and is therefore recommended for refusal.

10. **RECOMMENDATION**

That the development, the subject of the application from Survab Nominees P/L and Mr R P Abbott to construct four storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street at 200 Hutt Street & 290 Halifax Street, Adelaide SA 5000 as shown on plans designated DA/3/2018, is not seriously at variance with the provisions of the Development Plan but is REFUSED Development Plan Consent for the following reasons:

- The proposal is not consistent with the desired character for the Main Street (Hutt) Zone which seeks the design of building to reinforce the continuity of street facades, parapet lines and verandahs derived from the solid masonry character of the existing traditional buildings;
- It does not attain Objective 2 of the Main Street (Hutt) Zone which requires development to provide a visually interesting streetscape displaying a high level of fenestration and detail;
- The proposal is inconsistent with Zone Principle of Development Control 10 which seeks development to protect and enhance the traditional nineteenth and early twentieth century retail and residential townscape character of Hutt Street;
- The proposal is not consistent with Zone Principle of Development Control 12 which states that blank elevations unrelieved by architectural detail should be avoided;
- It does not incorporate a setback from the street frontage or incorporate design treatments to reduce the visual presence of the building to achieve an orderly visual transition as sought by Zone Principle of Development Control 17;
- The proposal is inconsistent with Council Wide Principle of Development Control 140 as it does not incorporate design elements that utilise materials, finishes, and other built form qualities that complement the adjacent heritage place;
- The proposal does not achieve Council Wide Principle of Development Control 170 in that the height, scale and massing of the building does not reinforce the desired character, built form public environment and scale of the streetscape as contemplated within the Zone;
- Is not considered to achieve Council Wide Principle of Development Control 180 which requires development to respect the composition and proportion of architectural elements of building facades that form an important pattern which contributes to the streetscape's distinctive character in a manner consistent with the desired character of a locality;
- Is not considered to achieve Council Wide Principle of Development Control 182 which seeks building facades fronting street frontages, access ways, driveways or public spaces to be composed with an appropriate scale, rhythm and proportion which responds to the use of the building, the desired character of the locality and the modelling and proportions of adjacent buildings;
- Does not achieve safe and convenient access as sought by Council Wide Principle of Development Control 241 and 251.

Item No. 3.2 – Attachments 1 – 54 (200 Hutt Street & 290 Halifax Street, Adelaide SA 5000)

Pages 113 to 166

ATTACHMENTS

Plans and Supporting Information

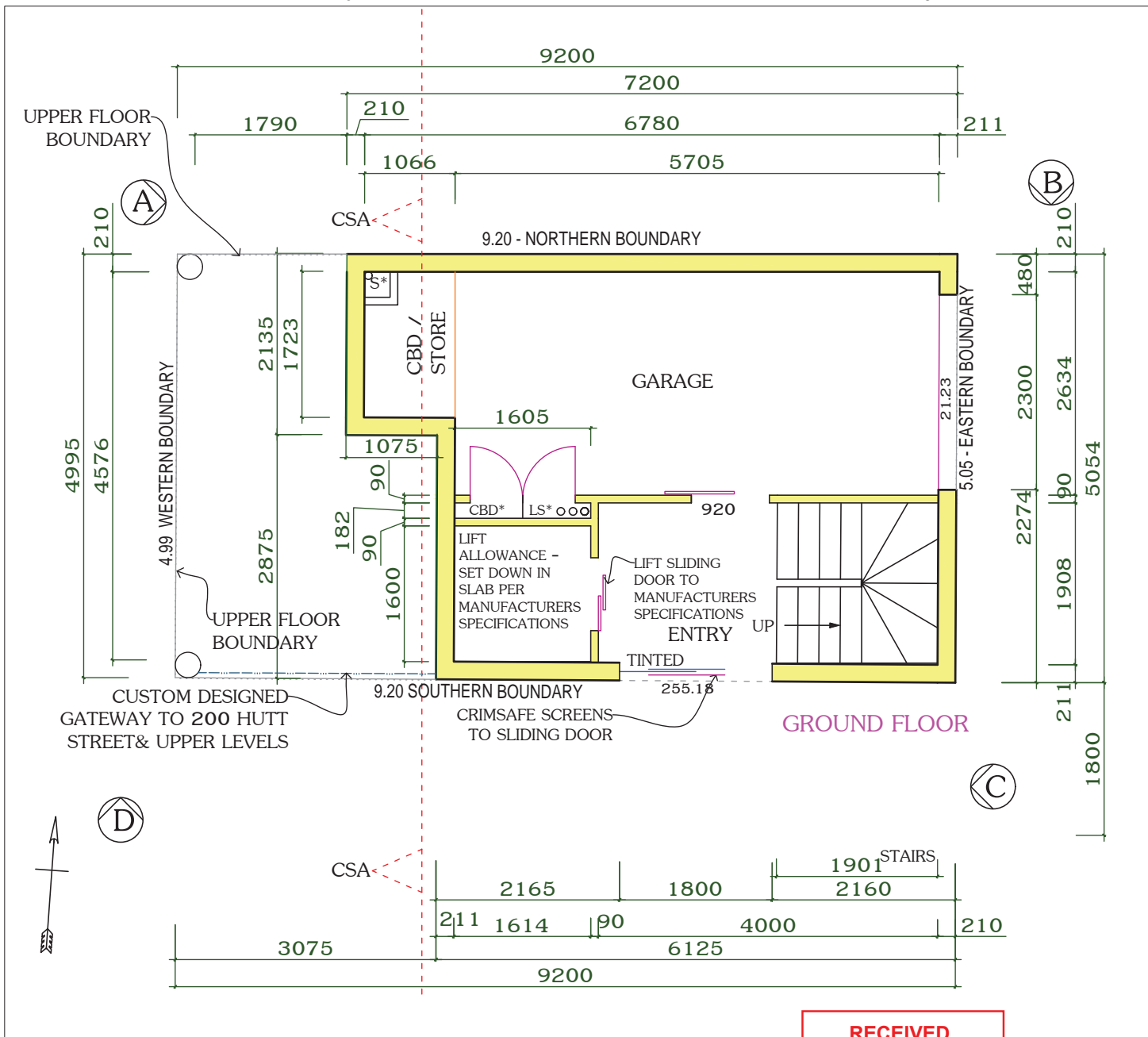
- Plans 1 – 14
- Planning report 15 – 24
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- Certificates of Title 27 – 31

Comments from Public Notification 33 – 53

Applicant Response to Representations 54

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- S* - SERVICE STACK
- O/H - OVERHEAD KITCHEN CUPBOARDS INCLUDING PANTRY AS O/H CUPBOARD
- ODFP - OUTDOOR FLOOR POWER POINT
- CDB - CUPBOARD
- LS - LIFT & SERVICES ACCESS - CONDUIT AND uPVC
- STORMWATER - FLOOR FILLED WITH FIXED STEEL PLATE OVER VOID
- OPD* - ALL WET AREA VESSELS TO HAVE OVERFLOW PROTECTION DEVICES
- WET AREA SET DOWN PER ENGINEERING SPECIFICATIONS



FLOOR	ROOM TYPE	AREA m ²
GROUND	GARAGE STUDIO	33
1 ST	STUDIO / STUDY	46
2 ND	2 BEDS / 1 BATH	46
3 RD	OPEN KITCHEN LIVING LOUNGE ROOF TOP GARDEN	46
TOTAL:		217

ISSUE	DATE	REVISION	PURPOSE
A	05/08/17		Planning Only
B	20/12/17		Planning Only
C	16/04/18		Planning Only
D			
E			
F			
G			

CORROSION PROTECTION: SEE THE SCHEDULE TO THESE DRAWINGS

WC (SANITARY COMPARTMENTS) DOORS TO OPEN OUTWARDS, SLIDE OR BE READILY REMOVABLE FROM THE OUTSIDE PER BCA CL: 3.8.3.3

REFER TO A3 SCHEDULE TO THESE DRAWINGS
USE DEVELOPMENT APPROVED STAMPED PLANS ONLY. DO NOT USE DRAFT PLANS. CHECK ENGINEERING SPECIFICATION WHICH TAKE PRECEDENCE

APPROVAL APPLICATION DRAWINGS
GROUND FLOOR PLAN
VERIFY ALL DIMENSIONS ON SITE
DATE TAKES PRECEDENCE

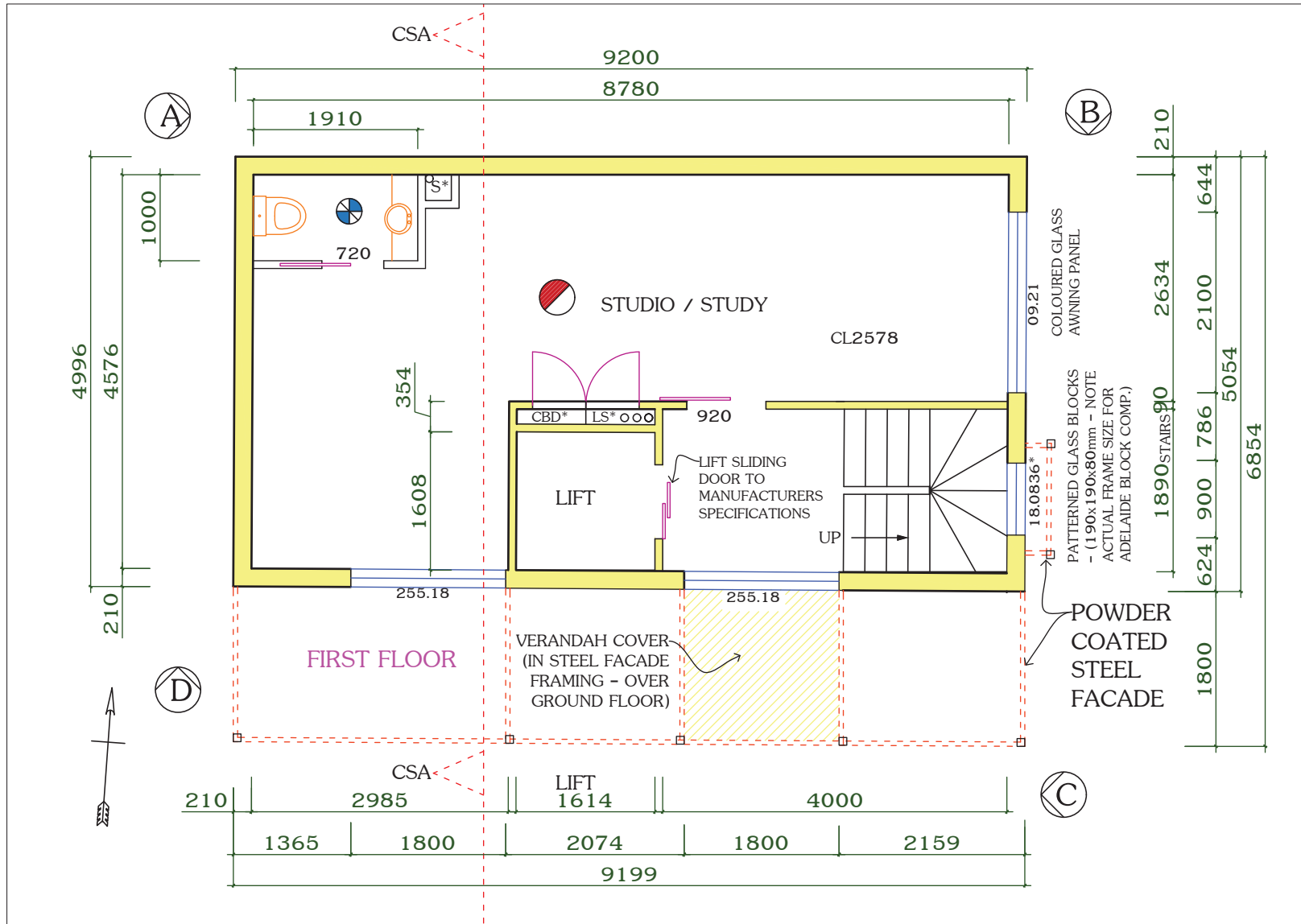
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 -STRUCTURAL SPECIFICATION AND MATERIALS TO BE DETERMINED BY STRUCTURAL ENGINEER
 MAY VARY TO DRAWINGS. ADDITIONAL CONDITIONS MAY BE REQUIRED INCLUDING KITCHEN, STRUCTURAL, ELECTRICAL, ETC.

RP & M J ABBOTT
 200 Hutt Street, ADELAIDE
 Tel: 08 8366 7811
 17/04/2018

RECEIVED
20/04/2018
DA/3/2018

SCALE 1:50
A3 SHEET 1C



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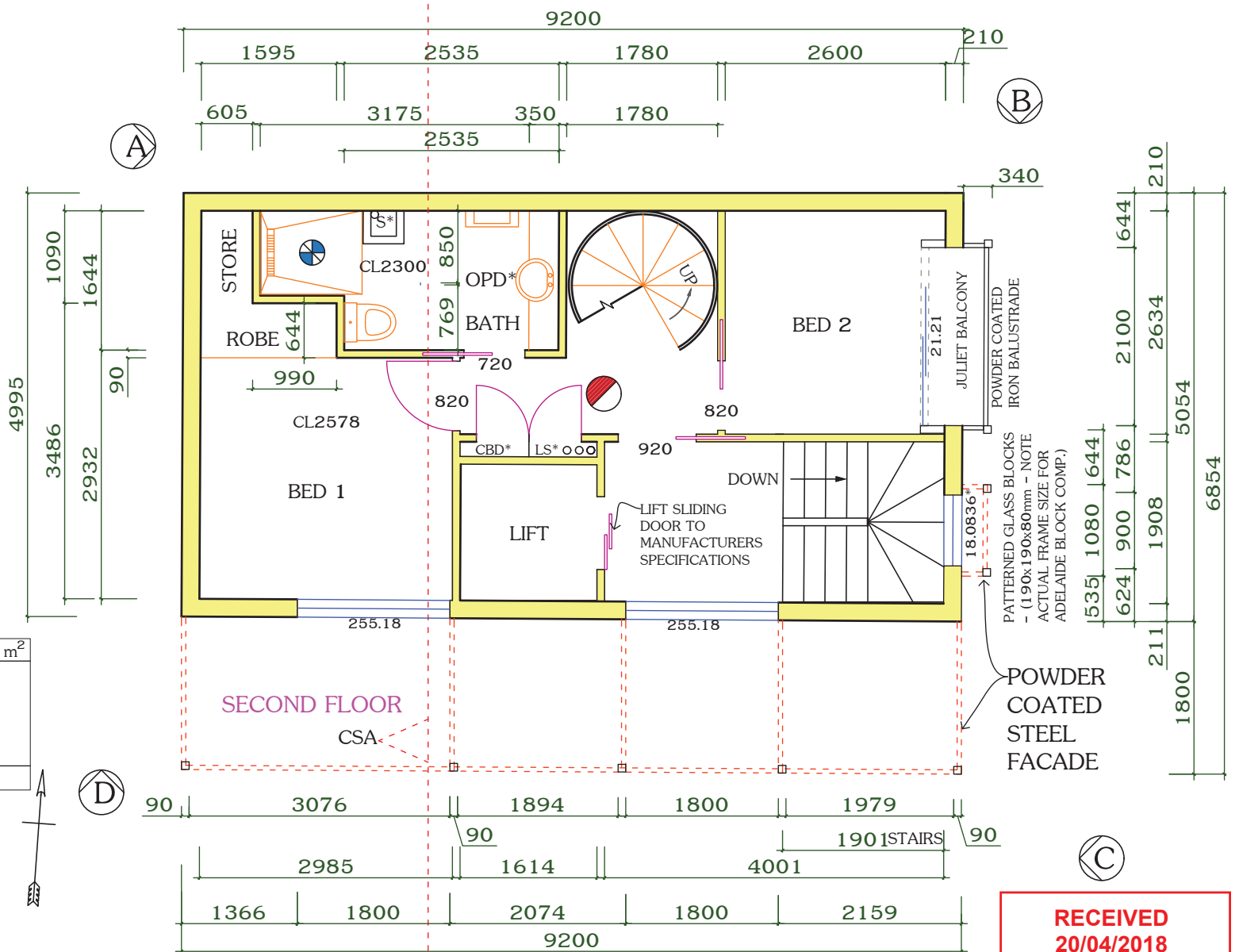
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WC (SANITARY COMPARTMENTS) DOORS TO OPEN OUTWARDS, SLIDE OR BE READILY REMOVABLE FROM THE OUTSIDE PER BCA CL: 3.8.3.3

<ul style="list-style-type: none"> SMOKE ALARM AS3766 HARD-WIRED INTERCONNECTED & BATTERY BACKUP EXHAUST FAN SHOWER ROSE 	<ul style="list-style-type: none"> DRAINAGE OUTLET CSA - CROSS SECTION A 	<p>REFER TO A3 SCHEDULE TO THESE DRAWINGS USE DEVELOPMENT APPROVED STAMPED PLANS ONLY. DO NOT USE DRAFT PLANS. CHECK ENGINEERING SPECIFICATION WHICH TAKE PRECEDENCE</p> <p>APPROVAL APPLICATION DRAWINGS FLOOR FIRST VERIFY ALL DIMENSIONS ON SITE</p> <p>DA/3/2018</p>	<p>DRAFTER DARREN WISE WISE DRAFTING PTY LTD 08 85564734 www.wisedrafting.com.au</p> <p>Copyright Wise Drafting 2017 - copy permission per business terms / license agreement - authorily copy permission for approval purposes</p>	<p>-NOT A SURVEY DOCUMENT - ENSURE ALL BOUNDARIES / LEVELS ARE SURVEYED. SERVICES NOT SHOWN - ALL BELONG TO UTILITY COMPANIES. STRUCTURAL SPECIFICATION AND MANUFACTURER DETAILS MAY VARY TO DRAWINGS. ADDITIONAL CONDITIONS MAY BE REQUIRED INCLUDING KITCHEN STRUCTURAL FLOORING OVERHANG</p>	<p>RP & M J ABBOTT 200 High Street, ADELAIDE Tel: 08 8366 7811 17/04/2018</p>
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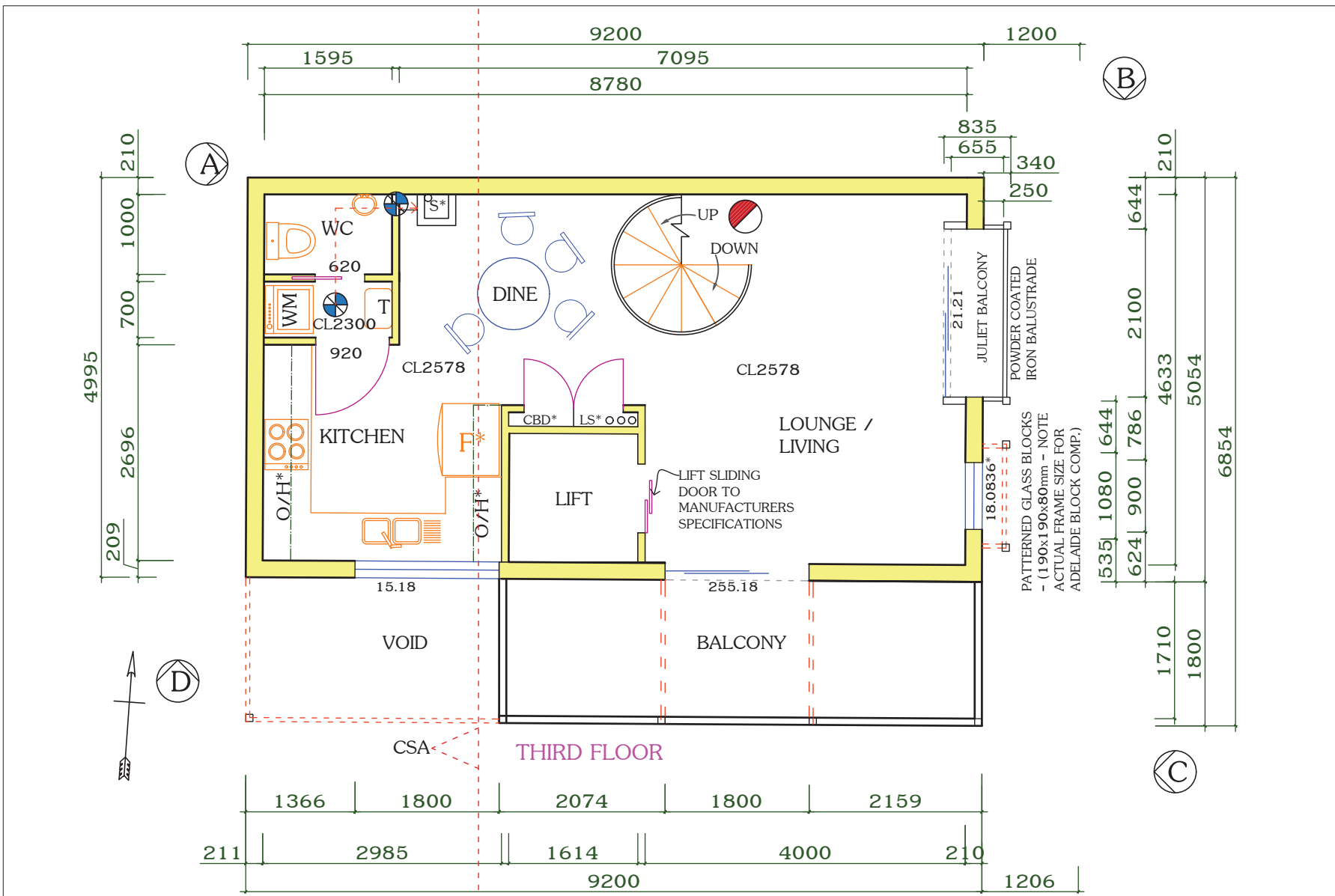


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20/04/2018
DA/3/2018

SCALE 1:50



- S* - SERVICE STACK
- O/H - OVERHEAD KITCHEN CUPBOARDS INCLUDING PANTRY AS O/H CUPBOARD
- ODFP - OUTDOOR FLOOR POWER POINT
- CDB - CUPBOARD
- LS - LIFT & SERVICES ACCESS - CONDUIT AND uPVC STORMWATER - FLOOR FILLED WITH FIXED STEEL PLATE OVER VOID
- OPD* - ALL WET AREA VESSELS TO HAVE OVERFLOW PROTECTION DEVICES
- WET AREA SET DOWN PER ENGINEERING SPECIFICATIONS

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A	05/08/17		Planning Only
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FLOOR	ROOM TYPE	AREA m ²
GROUND	GARAGE STUDIO	33
1 ST	STUDIO / STUDY	46
2 ND	2 BEDS / 1 BATH	46
3 RD	OPEN KITCHEN LIVING LOUNGE ROOF TOP GARDEN	46
TOTAL:		217

WC (SANITARY COMPARTMENTS) DOORS TO OPEN OUTWARDS, SLIDE OR BE READILY REMOVABLE FROM THE OUTSIDE PER BCA CL: 3.8.3.3

- SMOKE ALARM AS3766 HARD-WIRED INTERCONNECTED & BATTERY BACKUP
- EXHAUST FAN
- SHOWER ROSE
- DRAINAGE OUTLET
- CSA - CROSS SECTION A

REFER TO A3 SCHEDULE TO THESE DRAWINGS USE DEVELOPMENT APPROVED STAMPED PLANS ONLY. DO NOT USE DRAFT PLANS. CHECK ENGINEERING SPECIFICATION WHICH TAKE PRECEDENCE OVER THESE DRAWINGS.

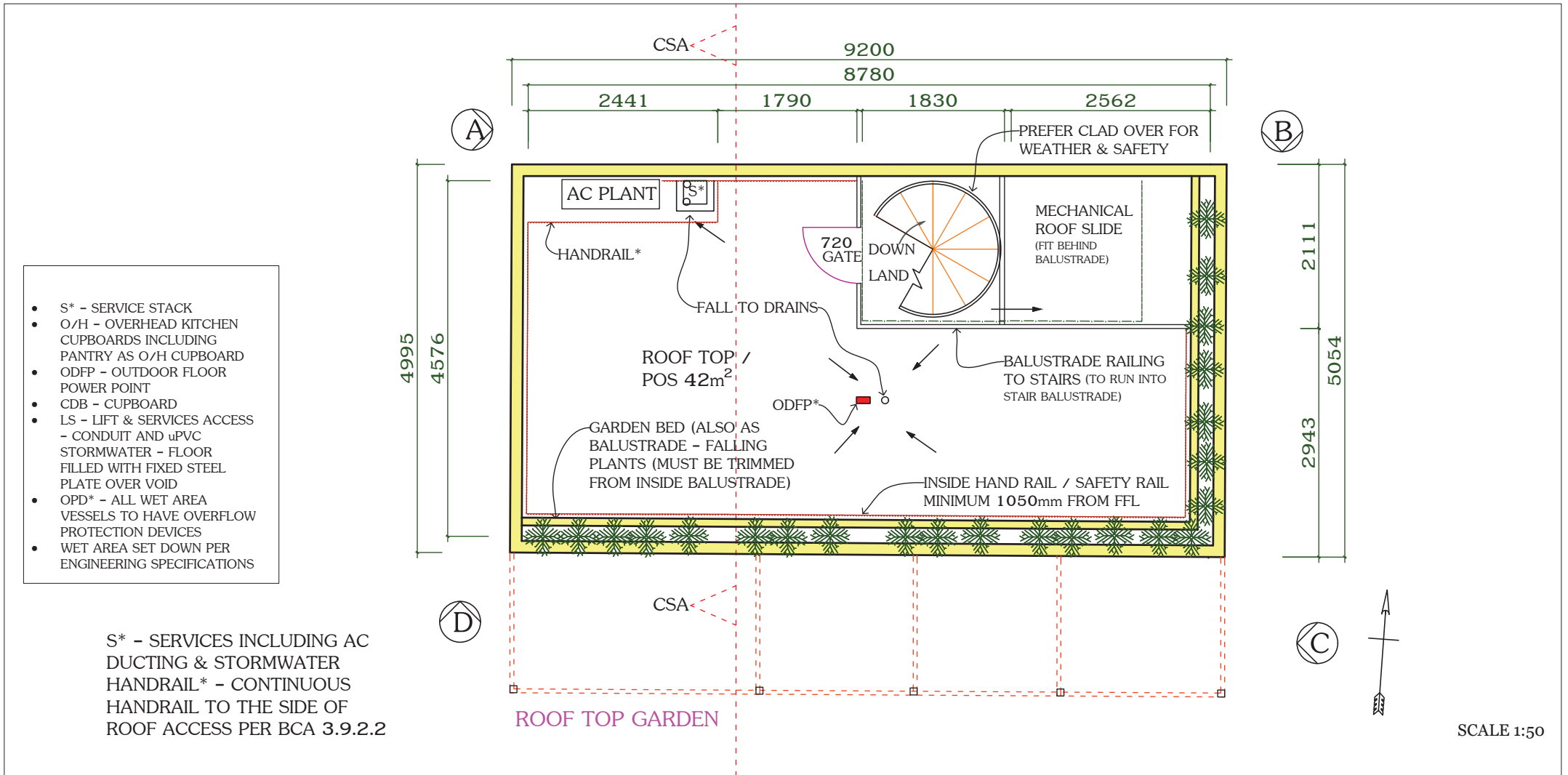
APPROVAL APPLICATION DRAWINGS
THIRD FLOOR
VERIFY ALL DIMENSIONS ON SITE
19 November 2018 TAKES PRECEDENCE

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RP & M.J. ABBOTT
200 High Street, ADELAIDE
Tel: 8606 7811
17/04/2018

DA/3/2018



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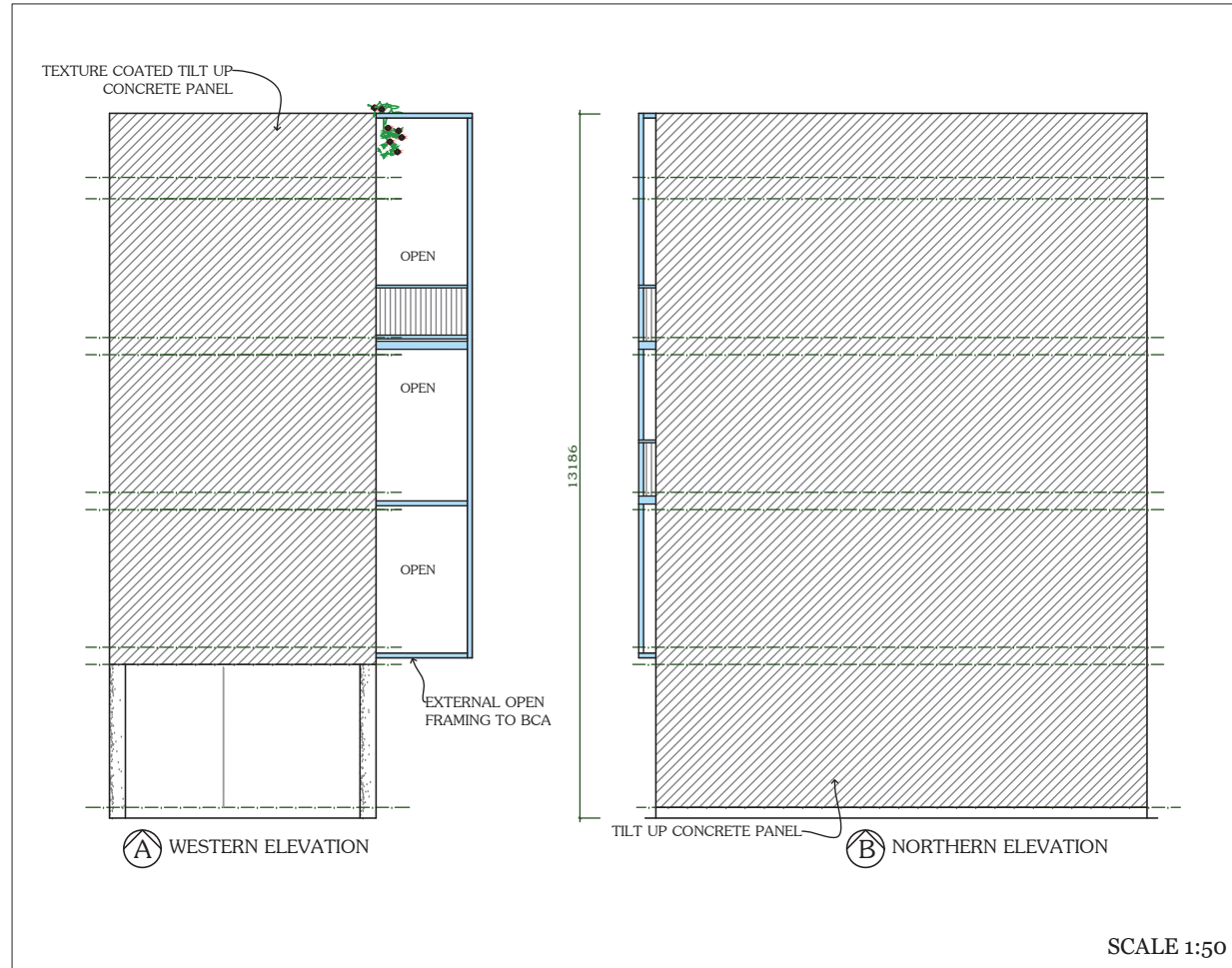
S* - SERVICES INCLUDING AC DUCTING & STORMWATER
 HANDRAIL* - CONTINUOUS HANDRAIL TO THE SIDE OF ROOF ACCESS PER BCA 3.9.2.2

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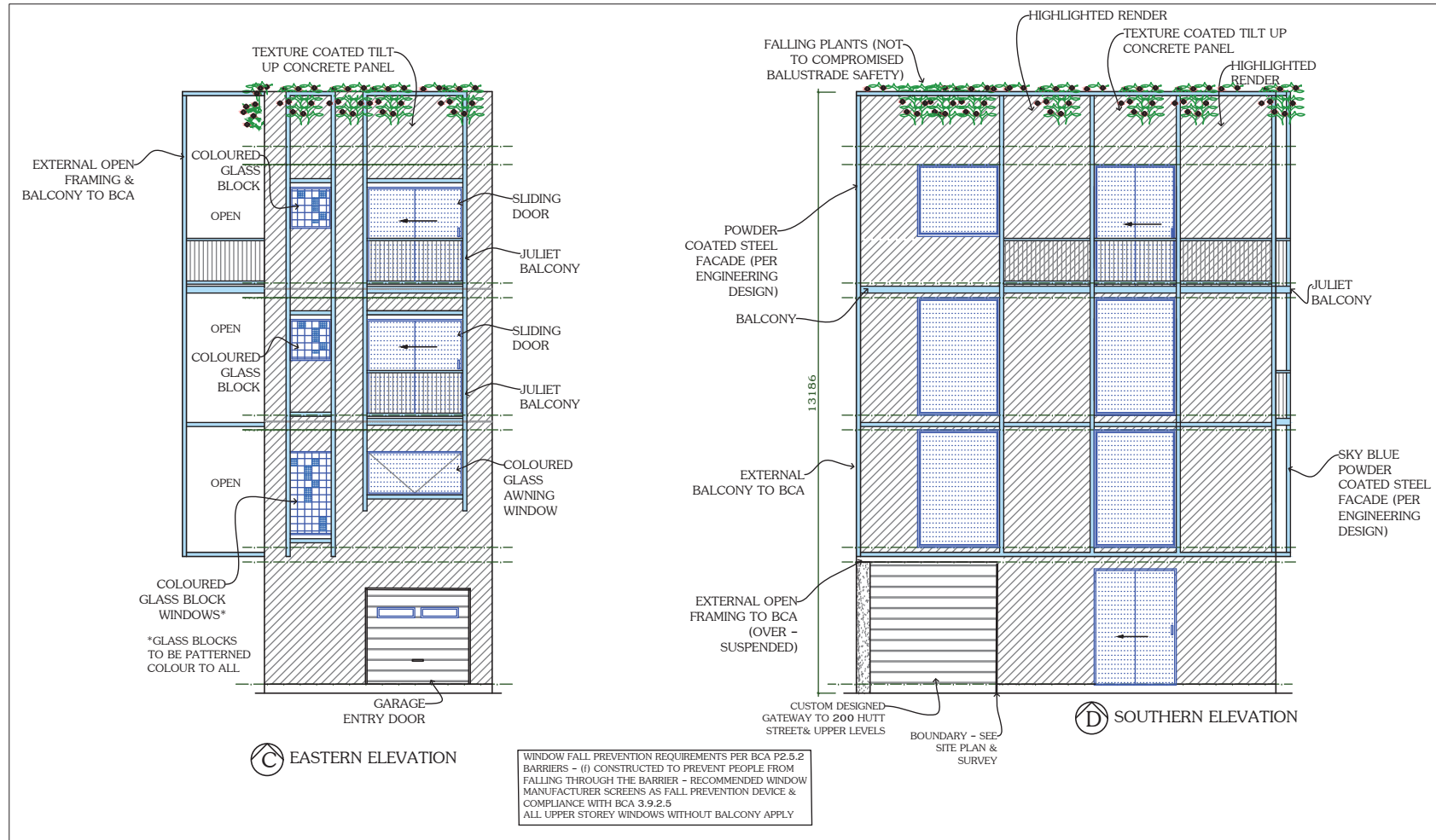
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City of Adelaide Council Assessment Panel Meeting Agenda - 19 November 2018

DA/3/2018

RP & M.J. ABBOTT
 90 High Street, ADELAIDE
 T 067 831
 16/04/2018



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 RP & M J ABBOTT
 90 Haxby St, ADELAIDE
 T 067 8111
 16/04/2018



ARTISTS IMPRESSION
SOUTHERN 'STREET' ELEVATION

SOUTHERN ELEVATION

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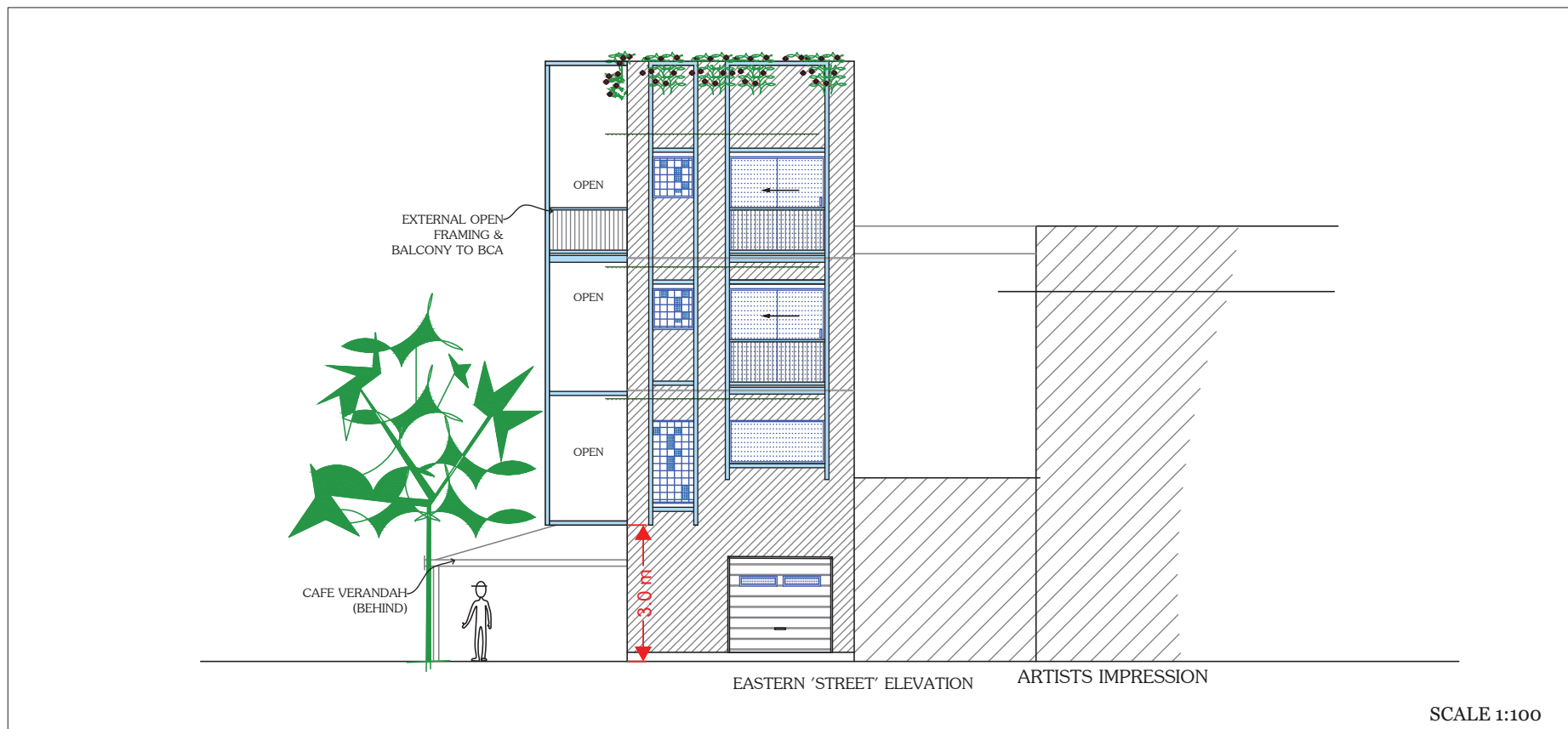
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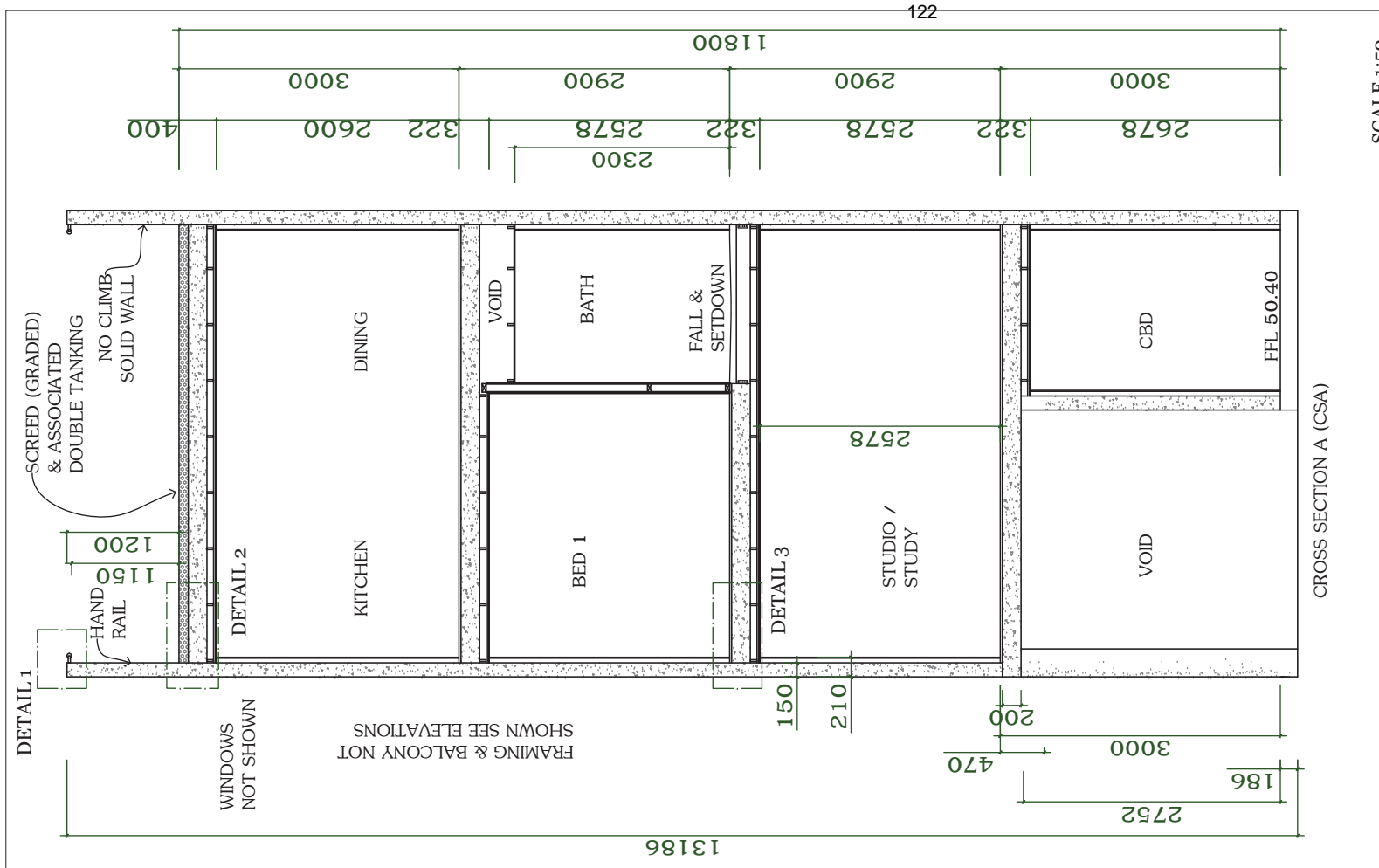
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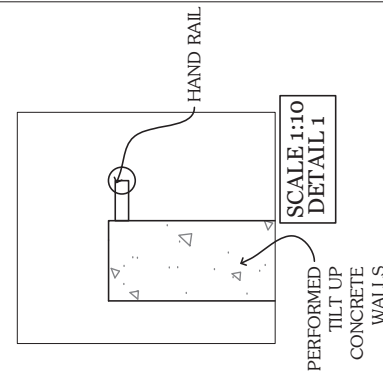
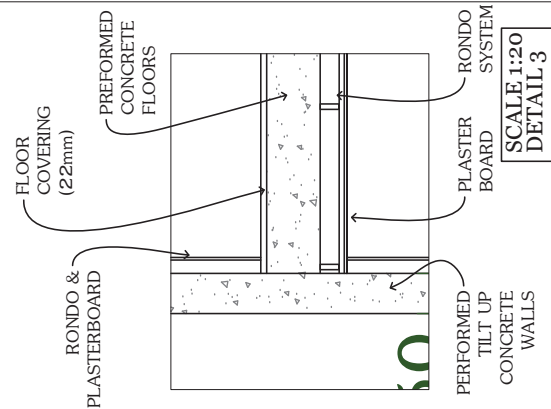
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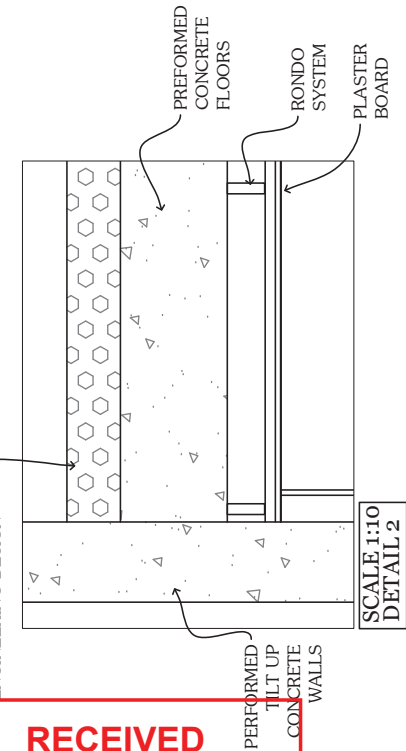


ALL STRUCTURAL REQUIREMENTS PER ENGINEERING SPECIFICATIONS INCLUDING TILT UP CONCRETE AND CONNECTIONS.

- CEILING: RONGO CEILING INFINTI BRACKET DIRECT FIX TO CONCRETE & CHANNEL - ALLOW 100mm WITH TOP CROSS RAIL R125-7-8 AND FURLING R129 COMBINATION
- WALL RONGO 50mm DEPTH ALLOWANCE + PLASTERBOARD FOR WALL FURLING AND WALL CLIP



+100mm SCREEDING WITH FALL TO DRAINS 1:100 - DOUBLE TANKED WATERPROOFING MEMBRANE PER ENGINEERING DESIGN



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CORROSION PROTECTION: SEE THE SCHEDULE TO THESE DRAWINGS & ENGINEERING DESIGN

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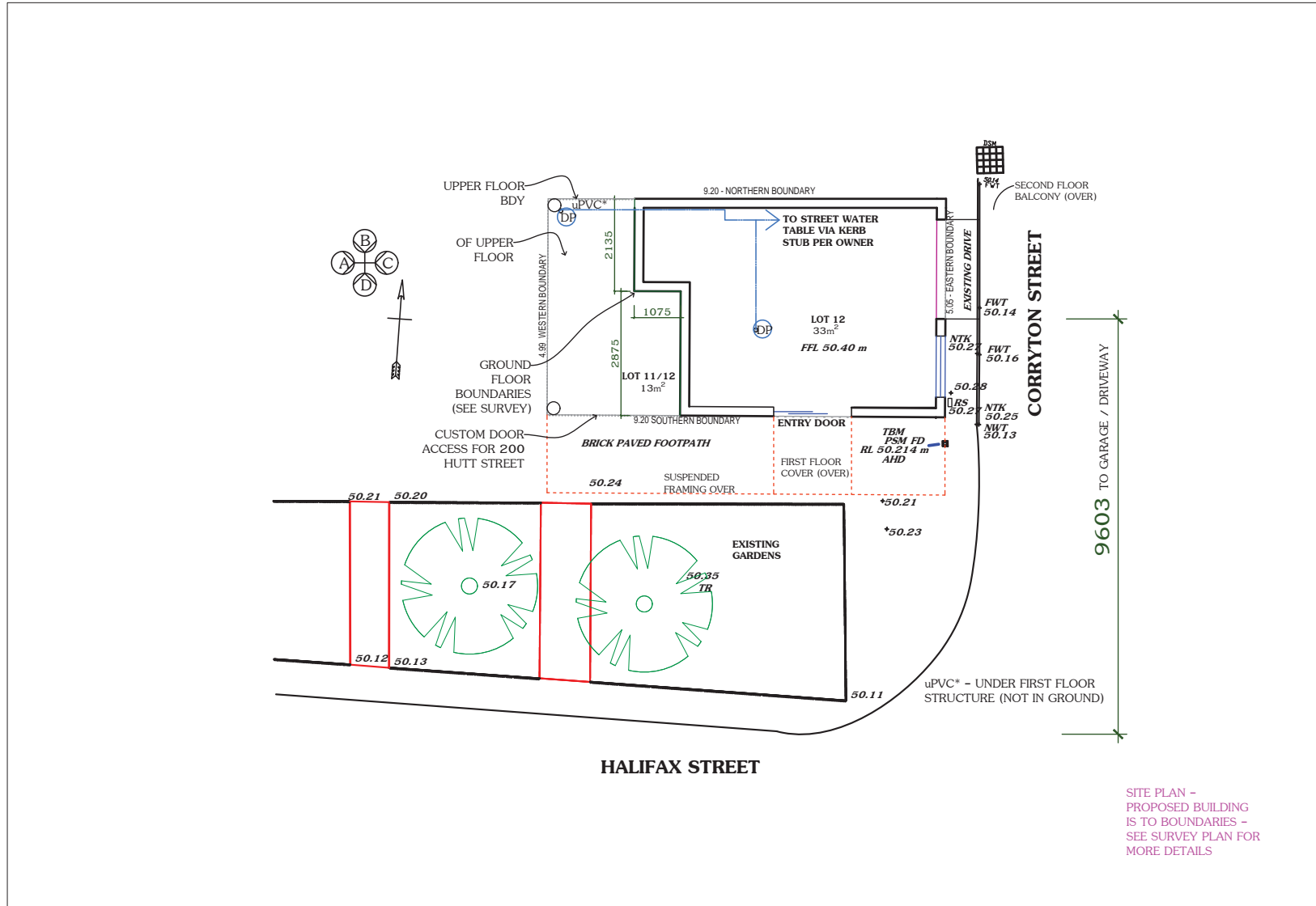
APPROVAL APPLICATION DRAWINGS CROSS SECTION DETAILS VERIFY ALL DIMENSIONS ON SITE

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RP & MJ ABBOTT 90 Flinders St, ADELAIDE SA 5000 T 067 81 107 04/2018

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SITE PLAN - PROPOSED BUILDING IS TO BOUNDARIES - SEE SURVEY PLAN FOR MORE DETAILS

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SCALE 1:50
A3 SHEET 11C

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SCHEDULE / NOTES:

GENERAL:

- All construction per the Building Code of Australia (BCA) and relevant Australian standards, BCA / Certified Manufacturers Specifications
- All materials must comply with the Building code of Australia and called up Australian Standards, specifications, Ministers specifications and associated documents such as CFS, MFS, CodeMark (to the BCA) etc.
- Timber framed specifications per AS1684 and/or engineers specifications.
- Tilt up concrete per engineering specifications
- All steel construction per Engineering Specifications. Roof material- Concrete with tanking and membrane per engineering specifications
- Material colours:
TBA: _____
- Confirm all measurements on site and verify measurement for all trades and construction.
- Glazing to comply with and BCA Part 3.6 AS1288, AS2047 and where necessary BCA Table SA3.7.4.1 bushfire requirements for windows.

TERMITE PROTECTION: Termimesh and chemical barriers with 75mm slab edge exposure.

- Termite barriers per AS3660.1 & BCA 3.1.3.2 Acceptable construction manual 3.1.3.0 the Performance Requirement P2.1 is satisfied if- a) a termite barrier is installed in a Class 1 or 10 building to minimise the risk of termite attack to primary building elements* in accordance with AS 3660.1 -- Termite management -- New building work; and (b) a durable notice is installed in accordance with 3.1.3.2(b). Primary building element means a member of a building designed specifically to take part of the building loads and includes roof, ceiling, floor, stairway or ramp and wall framing members including bracing members designed for the specific purpose of acting as a brace to those members.

CONTROL JOINTS

- Articulation joints by engineer - any shown on drawings are a guide only and should be checked with engineering specifications. Joints per BCA 3.3.1.8 and Figure 3.3.1.7.(8)&(9)

STORMWATER:

- Layout on site plan is a schematic guide only
- All stormwater per AS3500 with new tank being a minimum of 1000L plumbed to laundry.
- Pipe 90mm Impervious to stormwater dedicated point.

ENERGY EFFICIENCY:

- Energy Efficiency report supplied for insulation requirements per BCA Part 3.12
- Glazing calculations in separate BCA window calculator report

LAND MANAGEMENT:

- See Site plan - no regulated or significant trees are to be removed
- No retaining walls required

- Site works to control all erosion and waster material including weeds

- Levels and contours must be verified onsite

WET AREA:

- All wet areas to comply with the waterproofing requirements of the BCA 3.8.1 for water proofing and falls. Separate Details supplied for wet areas. Note: additional wet area waterproofing is recommended over and above the minimum.
- All WC doors to be removable on LIFT-UP hinges/ sliding per BCA 3.8.3.3

SEWERAGE DISPOSAL:

- Waste connection to existing sewer system

CORROSION AREA

- Engineer to assess and specify requirements.

FIRE

- No brush fences to be installed within 3m of structure unless fire wall rated to 90/90/90 is in place.

NOTE TO CLIENTS /BUILDERS / SURVEYORS / ENGINEERING / OTHER PROFESSIONALS & TRADES:

- Quotations and estimations must include all relevant information including site visit and assessment / verification of dimensions, survey, engineering reports, manufacturer's specifications and client specifications.
- Levels and Dimensions must be verified on site and builders are responsible for their own survey, bench levels, other heights and levels; and on site assessments. Some levels and measurements are provided by other parties such as surveyors and previous site assessments per normal practice; these measurements and levels therefore need verification, checking and assessing. Any discrepancies should be worked through before construction begins.
- No responsibility is taken by Wise Drafting for any lack of due care on such additional assessments. Existing services are NOT shown and their locations are not known - Dial before you dig. Look up and live. Safety requirements on building practice are not shown in these plans. Check the scale of all drawings, take offs by scaling off drawings are at your own risk and no liability is accepted due to scale variations which may occur from various printing or copying devices and multiple copies which will change the scale.
- Take care when looking at measured plans as onsite carpentry and masonry structures will vary to reasonably accepted tolerances.

WORKSHOP DRAWINGS:

- These drawings are NOT workshop drawings. There may be a requirements for certain products / materials such as steel members, preformed concrete, kitchens and bathroom structures to require detailed workshop drawings. Some of these drawings can be completed at an additional fee by Wise Drafting or will need to be completed by other professionals / manufacturers to be paid for by the builder or client as required.

CORROSION PROTECTION

- SEE ENGINEERING SPECIFICATION AND ADDITIONAL CORROSION SHEET FOR SPECIFIC CORROSION PROTECTION REQUIREMENTS
- NOTE: THERE IS AN ADDITIONAL SPECIFICATION SHEET WITH THESE DRAWINGS FOR COMPLIANCE TO BCA CLAUSE 1.15 AND ASSOCIATED STANDARDS.
- THIS DEVELOPMENT DOES HAVE CORROSION PROTECTION REQUIREMENTS
- DEVELOPMENT IS GREATER THAN 10 Km FROM CALM MARINE WATERS

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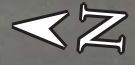
Street view east from
Hutt/Halifax Intersection

Legend

- [Untitled]
- [Untitled]
- 290 halifax















Google Earth



Untitled Map

Write a description for your map.

Legend

-  [Untitled]
-  City East Chemplus
-  Feature 1
-  Feature 2
-  Feature 3
-  Feature 4
-  Feature 5
-  Hatha Yoga Shala
-  Hutt Street Photos
-  Oliver Travel
-  side
-  Training for Learning Company



Google Earth



2.81 m

290 HALIFAX RESIDENTIAL DEVELOPMENT

Introduction

This proposed development is the last stage of the original development where a local heritage restoration of 200 Hutt Street was completed. A three-story residential building with a roof top garden on a Torrens Title allotment received planning approval to construct. However that application lapsed as the global financial crisis influenced the decision not to proceed. Adding a rooftop garden after Council's enthusiastic advocacy for a roof top garden provides a residential open space component to the site with a majestic outlook to the Mount Lofty Ranges. The unrivalled panoramic rooftop view, unattainable from the normal ground floor city yard will induce utilisation.

This two-bedroom development provides for the provision of a one-car garage, with vehicle entry from Corryton Street and pedestrian entry to be from Halifax Street.

Storm water from the roof top garden fed in to the Corryton Street storm water system in accordance with building plans.

Now in 2017, we wish to take advantage of the recent main street zone changes and the uniqueness of the corner site fronting the 30-metre-wide Halifax Street by today adding an additional floor and incorporating a lift to enhance the desired cosmopolitan city living character. This additional floor noted as an studio/study on the plan is to be a home office with access to the first floor balcony and veranda serving as open space.

As the northern and western walls are windowless and by incorporating natural cross ventilation through southern and eastern aspect doors and windows, the use of thermal insulation in the roof, walls and ceiling the designed promotes energy efficiency and minimize energy use for heating, cooling and lighting.

The built form's exterior colour and windows of the lightweight cladding wall will complement the existing fenestration and character of our adjoining local heritage restoration.

This proposal will further enhance and further add to the Halifax Street and Corryton Street character by greening the external façade of the roof top garden with a wall creeper to deliver a green forest crown appearance to the Halifax Street user.

The adjoining northern residential property will not suffer a visual invasion of privacy, as there are no windows proposed for the north or west boundary and the extended wall façades will prevent visual intrusion from the rooftop garden.

Consultation with Dr Tony Barber, the registered proprietor of the adjacent existing white three-story residential dwelling across Corryton Street at 294 Halifax Street revealed an unusual positive comment. *"At last the site is to be built upon, the erection of a four-story building will reduce Hutt Street traffic noise to our place."*

Having resided in Halifax Street for over 32 years and being involved with the evolution of the Hutt Street regeneration, maximum weighting is applied to satisfy the desired character for the zone. Noting that over this period the area status has moved from ugly sister to the Cinderella of the City of Adelaide. With this proposed dwelling to become Cinderella's glass slipper in the precinct.

Looking at the **Main Street (Hutt) Zone, in the Adelaide (City) Development Plan** desired character, objective and principles of development control that apply.

DESIRED CHARACTER

OBJECTIVE

Objective 1: A shopping and commercial main street supported by medium density residential development.

The four-story development will not front Hutt Street, but will provide a unique quality residential dwelling on an existing Torrens title residential allotment fronting the 30 plus metre wide Halifax Street, with no overshadowing affecting neighbouring residences.

Objective 2: A visually interesting streetscape with buildings having a high level of fenestration and detail, and balconies oriented towards the street.

This proposal meets this objective, with the building having a high level of fenestration and detail, and balconies oriented towards the street and proposed greening of the exterior structure fronting the two street boundaries. Complementing the prominent adjoining landmark local heritage 3 story building.

Objective 3: An intimate public realm with active streets created by buildings designed with frequently repeated frontage form and narrow tenancy footprints.

This proposal meets this objective.

Objective 4: Development that contributes to the Desired Character of the Zone.

This proposal meets this objective.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use.

1 The following types of development, or combinations thereof, are envisaged in the Zone: Dwelling

The proposed single residential dwelling is on an existing Torrens Title allotment.

2 A mix of land uses should exist which primarily provide services to the local residential community.

The vacant existing 290 Halifax Street allotment previously separated by land division from the 200 Hutt Street frontage local heritage build as the very popular Biga Café (with a residential apartment on the third level) now provides services to the local residential community.

The proposed residential built form will further enhance the economic sustainability of the nearby café scene and the local shops in the precinct.

Form and Character

7 Development should be consistent with the Desired Character for the Zone.

This proposed dwelling is the final stage for the original entire site's development.

8 Development should be in accordance with Concept Plan Figure MS(H)/1.

The concept plan has a generic application for main Streets vide Main Street Policy Area X

(From downloading file named *SA_Planning_Policy_Library_version_6.pdf*)

For example.

Unley Road is 20-metre to 25-metre wide main road, dual lane carriageways, with bike lanes both side, adjacent parallel kerb parking with no landscaping from footpath to kerb.

Hutt Street is 40-metre wide main road, dual lane carriageways separated by median strip, bike lanes both side, adjacent angle parking with no landscaping from wide footpath to kerb.

Halifax Street is a 30-metre wide local traffic city living internal road. Single lane carriageways, bike lanes both side of carriageway, adjacent parallel parking with 5 metre landscaping from footpath to kerb. Adjacent portion of the site is a median strip

So how can there be stereo design principles? Each application needs its own assessment. Especially since Colonel Light was not privy to the future and thus the invention of the motor vehicle when laying out the City of Adelaide. Albeit he made provision for the 30-metre wide Halifax Street, which is double the width of today's local traffic roads. Proving a 4 story built form can be constructed over the entire existing Torrens Title parcel because this site is not the stereo type norm indicated in the figure 1.

9 Development should ensure a high quality living environment is achieved for residential development within the Zone and in the adjacent City Living Zone and Adelaide Historic (Conservation) Zone.

The Adelaide (City) Development plan allotment maps are incorrect, as they do not show the existing allotment for 290 Halifax Street.

The local heritage build shown on northern adjoin allotment is applicable to the Hutt street façade the rear entrance at Corryton Street built form is not subject to local heritage.

The operative phrase is “*SHOULD ENSURE*” because this proposed development abuts developments approved outside of planning guidelines. South of 290 Halifax Street and immediately adjacent both developments sought and gained retrospective planning approval. The resulting “dual circus tents” approved with no consideration to the then existing local heritage restoration of 200 Halifax Street

The dwellings immediately adjacent and across Corryton Street to the east at 294 Halifax Street was granted 3-story status, which is one more than permitted for Adelaide Historic (Conservation) Zone. Making the proposed 4 story build in order and negating the stepdown requirement shown on the policy map as it is a corner allotment build. This corner building hiding any future step down developments to the north of Halifax Street where the Corryton Street fronting allotments are opposite the existing single story buildings in Adelaide Historic (Conservation) Zone

Development construction on the site will eliminate the unaesthetic aspect, remove a potential haven for undesirable characters and negate potential vermin breeding.

It should be noted that the built form on the corners of Hutt and South Terrace are both well above the adjacent Main Street Policy Zone heights.

Built Form and Public Environment

10 Development should protect and enhance the traditional nineteenth and early twentieth century retail and residential townscape character of Hutt Street. Main Street (Hutt) Zone.

This proposed built form will enhance both the adjoining traditional and recent built form townscape character.

11 A ‘high street’ commercial terrace design approach with continuous ground floor retailing and other uses at upper levels should occur north of Halifax Street to complement the eastern side of Hutt Street.

N/A

12 Development should respect the design features of the long established townscapes. Roofs should be hipped or gabled and employ parapets on street frontages. Blank elevations unrelieved by architectural detail should be avoided. Above street level, windows should complement the proportions of the existing fenestration, and roofing materials and colour should be compatible with those traditionally used.

The roof top garden, adding open space to the site will negate a visible roof. With the northern and western walls without windows, it is essential glass will be a feature on Halifax Street frontage. With sliding glass doors opening to both Halifax Street ground floor and first floor veranda.

13 The street wall height of buildings fronting Hutt Street should be designed to reinforce the prevailing datum heights and parapet levels of the street through incorporating two storey podium elements on the street frontage and with upper storeys setback to provide a clear distinction between the levels below and above the prevailing datum line.

N/A

14 Except on sites greater than 1500 square metres in area (which may include one or more allotment), building height should not exceed 14 metres.

Proposed building height is below this maximum with a provisional floor level of a roof top garden 10.05 m above ground level floor, with a further 1.5 m high parapet wall growing a wall creeper to give a green forest crown appearance to the Halifax Street user.

15 On Hutt Street, development should achieve a minimum height of 2 storeys.

The existing 200 Hutt Street built form is uniquely one of Adelaide’s few examples of a three-story built form.

16 Development adjacent to the City Living Zone or the Adelaide Historic (Conservation) Zone should be consistent with the building envelope as shown in Figures 1 and 2, except where a variation to the building envelope demonstrates minimal impacts upon adjacent housing in terms of massing and overshadowing through alternative design methods:

(a) to minimise building mass at the interface, buildings should be constructed within a building envelope provided by a 45 degree plane, measured from a height of 3 metres above natural ground level at the allotment boundary of an allotment within the City Living Zone or the Adelaide Historic (Conservation) Zone, as illustrated in Figure 1:

The proposed build form plan demonstrates minimal impact this generic Main Street Policy Area X figure 1 is more applicable to say Unley Road not dropped onto the City of Adelaide where main streets road widths were surveyed wider than those in the suburbs

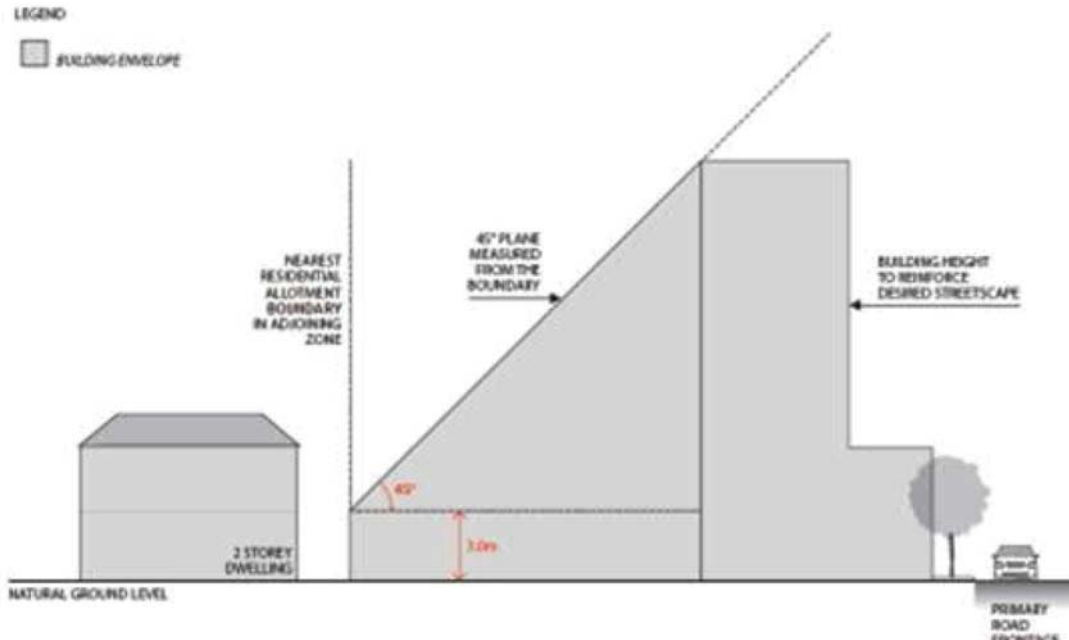


Figure 1

Note that this schematic *Figure 1* drawing assumes a 2-story abutting built form. Which does not apply with this application.

17 Where a site has frontage to a road that forms a zone boundary with the City Living Zone or the Adelaide Historic (Conservation) Zone, any part of the building exceeding two storeys should:

(a) be setback from the street frontage

(b) incorporate design treatments to reduce the visual presence of the higher components and to achieve an orderly visual transition between the different zones

This unique Halifax corner site defies the “should” because it will sit snugly between both the exciting 19th and 21st architecture

18 Development should use building forms, colour and materials of a more domestic nature to provide a suitable transition to the adjoining City Living Zone or Adelaide Historic (Conservation) Zone.

The proposed development will be an exciting and suitable transition as neither of the immediate Halifax Street adjacent existing built form fit the stereo type of their zones built forms.

19 Buildings should have little or no set-backs from front and side boundaries, and should achieve a continuity of street façade

This proposal is in keeping with this built form and public environment requirement.

20 Development on corner sites should be built to street alignments, emphasising the importance of traditional corner buildings.

Furthermore, blocking out the view of the northern built form that in Corryton Street slopes down.

21 Continuous pedestrian shelter in the form of verandahs or balconies should be provided along the eastern side of Hutt Street. On the western side of Hutt Street, pedestrian shelter in the form of verandahs, awnings or balconies should be provided by all new non-residential buildings.

While N/A this proposal is in keeping with this built form and public environment requirement of providing balconies as pedestrian shelter

Catalyst Sites

N/A

Car Parking

27 Access should minimise any disruption to the continuity of existing streetscapes. Access should be obtained from minor streets or lanes within or abutting the Zone provided there is no unreasonable impact on residential amenity.

The development has the minimum of one garaged car incorporated in the built form with access from the minor south direction Corryton Street.

28 Parking should be provided away from the primary frontages and be designed to minimise its impacts on residential amenity.

The development has the minimum of one garaged car incorporated in the built form with access from Corryton Street

Complying Development / Non-complying Development

This proposed residential built form on an existing Torrens title allotment is a complying residential development.

Public Notification

33 For the purposes of public notification in accordance with the procedures and rights established by the Development Act 1993, development is assigned to the specified categories as follows:

(a) Category 1, public notification not required:

(i) the following forms of development, or any combination of (except those classified as non-complying):.....

..... All forms of development that are ancillary and in association with residential development .

This proposal is solely for a residential built form on an existing Torrens title allotment.

(ii) a kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.

The proposed built form will not impact on the owners or occupiers of land in the locality of the site of the development, rather enhance the locality as there will be no detrimental overshadowing and remove the current ugly view of a vacant parcel of land that currently permits an ugly view to the north

(b) Category 2, public notification required.

Third parties may, at the discretion of the relevant planning authority, appear before the relevant planning authority on the matter. Third parties do not have appeal rights:

(i) all development, other than where the development is assigned Category 1 or where the development is classified as non-complying.

(ii) any development assigned as Category 1 where the site of the development is adjacent land to land in the City Living Zone or the Adelaide Historic (Conservation) Zone and it exceeds two storeys in building height.

The proposed built form is on a site adjacent the modern dwelling to the east, across Corryton at 294 Halifax Street that exceeds Adelaide Historic (Conservation) zone planning guidelines of two storeys.

In Conclusion.

While noting previous approval for a three-story residential built form for the existing allotment, there has been a strong endeavour by both the state government and the Adelaide City Council to attract unique city living infill builds in the City of Adelaide.

Now with the acceptance of the greening of built form exteriors and the availability of domestic lifts this development proposes four floors for a practical built form. Where the development of the Hutt Street/Halifax Street corner pioneered precinct redevelopment and in particular making the Biga Café a focal meeting point for local residents, local business and visitors.

This proposed four-story residence with a roof top garden enhances future quality city living. So let the well laid out grid city of Adelaide prove to the world that striking individual urban infill residences are welcomed in cosmopolitan inner city.

This proposed development undertaken by a couple who work, live and play in the precinct for now over 30 years and who have a proven passion and enthusiasm for the economic and social wellbeing for both the Hutt Street Precinct and the City of Adelaide.

After all the neighbouring unique three-story building constructed on Hutt Street frontage now saved as local heritage has stood the test of time, having for a century stood proudly towering alone.

Addendum 1 Following preliminary comments from council's Janaki Benson in *italics*.
<J.Benson@cityofadelaide.com.au>

Dear Richard

290 Halifax Street, Adelaide

Please be advised that Council has reviewed the preliminary plan and makes the following comments:

- *Since the original application (approved in ?), there has been various zone changes. The current zoning is strong in its desired for active uses at ground, being the Main Street (Hutt) Zone. The residential component (that provides services/entry etc.) at ground is not desirable and results in a poor streetscape outcome. There is no concern with a residential land use, provided it is at upper levels (not ground).*
- *The zone seeks fine-grain development and any development at this site should ensure its design reinforces the continuity of street facades, parapet lines/podium heights, verandas/canopies etc. derived from the solid masonry character of the existing traditional buildings.*
- *The development should reference (but not necessarily mimic) elements of the adjacent Local Heritage Place to the west to provide an appropriate visual link.*
- *There appears to be balcony encroachments (albeit it is not clear) that do not meet Council's Encroachment Policy (see attached link) - <http://www.cityofadelaide.com.au/assets/Policies-Papers/docs/OPERATING-GUIDELINES-encroachment.pdf>*
- *The proposal would undergo Category 2 public notification when formally lodged, being adjacent the Adelaide Historic (Conservation) Zone.*

Given the above, I suggest the current design is inappropriate and would not be supported in its current form.

The concept plan for 290 Halifax Street was prepared by the same architect who restored and upgraded our adjoining building fronting 200 Hutt Street to local heritage requirements. Including the addition of the verandas and the balcony and conversion of the third floor to a residential apartment.

At the same time of the upgrade we gained planning approval for a three story residence on what is now the 290 Halifax Street Torrens title allotment. (Then supported by Councillor Thorpe). As that approval lapsed we reapplied for the build and was again approved with minor changes. However, the Global Financial Crisis interrupted our plans. Since then zoning regulations have changed which meant a complete design rethink.

It is a concern that the preliminary comments made by ACC Planning staff suggest that the 290 Halifax Street facing allotment is being treated as if it were prime Hutt Street Main Street precinct rather than aside street frontage.

While the planner concede that the site can be residential, the emphasis on ground floor commercial is rather odd. Especially when adjoining residential neighbours to the east across Corryton Street at 294 Halifax Street are pleased to see a single family residence to buffer them from the Hutt Street businesses.

To insist in providing a commercial ground floor would negate any car parking for an above ground level residence, resulting in inadequate, poor planning consequences by further exacerbating the already critical car parking problems.

Furthermore, given that the Hutt Street Precinct is already void of existing off-street car parking facilities and the adjacent area is all short-term parking it negates a family or business person from owning a motor vehicle, such as myself, who requires to travel by vehicle anywhere in the state to survey land parcels.

The area fronting 290 Halifax Street would hardly generate additional activity. Even if it were to attract additional activity, there is already insufficient parking facilities in the precinct.

Corryton Street was originally designed as a service access for Hutt Street frontage builds. The proposed residential garage makes use of this fact, while providing Halifax Street pedestrian access to the proposed development.

The proposed residential build provides a buffer zone to the adjoining Adelaide Historic (Conservation) zone, that has two abutting/adjacent residences that are not the current desired form.

A commercial site can be provided in this proposal as a more practical home office on the first floor.

Veranda, and balcony are proposed to incorporate the unique exterior southern vista, which reinforce the continuity of the existing unique western Halifax Street façade. Which means that for the sake of continuity, over ruling the modern guide lines that permit shallow upper floor balconies

Addendum 2

Following further comments from council's Rebecca Rutschack.

Dear Mr Abbott

Apologies for the delay in my response. As advised, I have been waiting for heritage comments from our heritage advisor.

In principle, the idea of building a residential building of some kind on the allotment at 39 Corryton Street is anticipated in the Main Street (Hutt) Zone but you will understand that there are some policies in the Development Plan to guide the appearance of buildings so that the character of Hutt Street is protected and enhanced. The comments that follow are guided by those Principles of Development Control, and I refer you to pages 216-222 of the City of Adelaide Development Plan.

As discussed at our previous meeting, there are two components of the application that require consideration; landlord consent for the balconies and planning consent.

Landlord Consent

- *Although the creation of a verandah over a well-used public footpath is considered a desirable idea, there are elements of your proposal that don't fit into the current Encroachment Policy.*
- *However, I believe there is merit in pursuing a verandah/balcony (and maybe a continuous one over Halifax Street) at first floor level that provides shelter to pedestrians and acts as an area of open space directly accessible from the first floor.*
- *Generally, the Policy supports encroachments that provide some public benefit given it is public land that is being encroached over. For that reason, the proposed balconies at second and third floor levels are unlikely to be supported as they don't provide any public benefit. In addition, the encroaching balconies that are found in the locality are generally found at first floor level only.*
- *In terms of the process, for any encroachment, landlord consent for the balconies would need to be gained prior to the assessment of the Development Application. It may be that a report would need to be presented to Council for consideration about the encroachments as a first step. Proceeding with the Development Application that proposes balconies would depend on Council's views.*

Planning Consent

- *In relation to the design of the building, there are some concerns but I consider that with some careful thought, many could be easily overcome.*
- *I acknowledge that the western side of Corryton Street almost entirely presents as garaging in one form or another and that in order to make this a viable proposal, garaging is required on site despite the Development Plan not requiring it. I considered that there may have been some scope to allow garaging at ground level accessed via Corryton Street so comment from Council's traffic engineers was sought. Council's traffic engineers have considered the proposition for a cross over in the location proposed from Corryton Street and they consider that it is too close to the corner to meet safety standards.*

- Regarding the proposed height of the building, the Development Plan allows development up to 4 storeys, but the taller elements of the proposal are intended to be located centrally between Hutt and Corryton Street (see Concept Plan Figure MS(H)/1). Other Principles of Development Control reinforce this (PDC 16 and PDC 17), all with the aim of retaining the distinctive character of Hutt Street and limit the impact of new development on adjoining properties in the Adelaide Historic (Conservation) Zone. There may be scope to have a development more in keeping with the height of the adjacent local heritage place (three levels plus a roof deck).
- Although Corryton Street acts to separate the dwelling to the east from the proposal, careful consideration would need to be given to manage overlooking from east facing windows to minimise impacts to the adjacent dwelling.

Heritage matters

- Our heritage advisor has carefully considered your plans and has raised some concerns regarding the height, however most could be easily overcome with detailed design refinement and are as follows:
 - o The materials, finishes, setbacks, scale and other built form qualities are contemporary in nature and don't complement the adjacent heritage place (PDC 137, 140 and 141).
 - o The wall height and silhouette of the proposed development should incorporate design elements that complement the heritage place.
 - o The scale of the elements comprising the principal facades of the proposed development should incorporate design elements that complement the heritage place (PDC 141).
 - o The proposal should have windows that respond to the patterns of fenestration in nearby listed buildings. There should be depth of reveal and consideration of the proportions and the rhythm of openings as a way of responding to the adjacent Local Heritage Place and the nearby residential character (Zone Objective 2).
 - o The height and details of the proposal should reinforce the continuity of street facades or relate to 'parapet lines, verandahs and balconies' of the adjacent Heritage Place as required by the Desired Character statement.
 - o The roof of the proposal should have a hipped or gabled roof without 'blank elevations unrelieved in detail' (PDC 12).
 - o Consideration should be given to setback the upper levels of the building to reduce the visual presence of the higher levels of the building (PDC 12).
 - o The materials and form of the proposed development should have a domestic quality to them so that they relate to the domestic nature of the adjacent Adelaide Historic (Conservation) Zone (PDC 18).

Given the above, Council Administration is unlikely to support the application in its current form. If you submit an application in its current form, we would engage with you to try and resolve the concerns in line with the above commentary. Accordingly I would invite you to make a time to discuss this proposal further, and in particular about the issues raised above and look forward to that conversation as we are always keen to see good development in the City.

Regards

Rebecca

The matters raised above were considered and changes are reflected on the accompanying lodged plan application.

Specifically addressing,

Veranda

We have removed upper level verandas on Halifax Street and matched the design shape with the existing adjoining heritage built form and incorporated balcony open space over Corryton Street for the second and third floor levels

Garage

The garage is to be retained as it is necessary to have off street vehicular parking in an area where there is already a drastic shortage. Adelaide is not ready for a "no car policy" as unlike the densely populated Europe a motor vehicle is necessary to travel to and from the sparsely populated country regions of South Australia, especially as not served by regular public transport. It also saddens me to that planners do not comprehend that city residents like myself work state wide and find it necessary to retain vehicular use. I would suggest that attaining the ideals that city residents exclusively using public transport and cycling as their sole means of transport are years away because many inner city residents commute to distant country abodes or travel around the state?

Concern is also raised with the conclusion drawn by Council's traffic engineers, as Corryton Street has existing one-way traffic flow to the south. With the south side of the garage 9.6 metres from the water table and then metres to the edge of Halifax Street bike lane and then carriage way.

Height of the building

We are aware of the current development plan and understand that development plans cannot cater for every individual application's requirements within its designated zone. Professional advice was sought from the retired architect who was initially involved with the heritage restoration and the first plan approved for the 290 Halifax Street site and it was he who asserted that the corner space be filled to the Halifax Street and Corryton Street frontages as shown on our plans. There are planning decisions made in this locale that have usurped the Adelaide City Council's development plan of the day. For example, Council permitted the white circus tent development adjacent to our Heritage restoration at 200 Hutt Street, giving belated planning approval, without informing adjacent owners of those changes made by the applicants. Also allowing the additions of the existing dwelling's to exceed the then zoning regulation height for the adjacent property at on the corner at 294 Halifax Street Surely if there are no objections and there is support, then Council must consider this application favourably. (*VIDE Street view looking East along Halifax Street from the Hutt Street intersection.*)

Overlooking

You can see from Google street view that looking out due east across Corryton Street does not impact on privacy and any effect would be reciprocal.

Heritage matters

Careful consideration was given by the original architect (now retired) and the plans lodged were a result of his opinion and sketches. Noting that the heritage built form vertically occupied the land to the two road frontage boundaries with ground and first floor verandas. The windows now responding to the patterns of fenestration of the Heritage build. (*VIDE Street view looking East along Halifax Street from the Hutt Street intersection.*)

While the characteristics are desired, the retired architect felt the change in elevation enhanced the character as it graded the elevation down past the two-eastern existing built forms back down to the prescribed height of the Adelaide Historic (Conservation) Zone.

The roof

It is impossible to construct a pitched roof when proposing a roof top garden which provides desired open space living I would further add that the abutting local heritage built form's extended wall hides the low pitched roof from the road side view and is higher than a normal three story wall (*VIDE Street view looking East along Halifax Street from the Hutt Street intersection.*)

Domestic quality

Domestic quality design is constantly changing and meeting that challenge must not be halted by generic rules and regulations set by academic change.

I say this as our planning lecturer in the 1960's, who was also then drafting our Planning and Development Act lauded the new towns developments planning theory that he and his associates designed and adopted in England. Now a short fifty years later considered unacceptable design. As in 2002 the Select Committee on Transport, Local Government and the Regions assessed the effectiveness of those new towns and concluded that:

- Most now are experiencing major problems.
- Now inappropriate design for the 21st Century.
- Reached the end of their design life with aging infrastructure.
- Leading to social and economic problems.
- Housing with large amounts of open space segregated occupants from employment, shopping and business services.

Proving that wishful academic theory should be challenged to allow the introduction of practical alternatives and thus prevent planning staff simply tick boxing and reciting that it does not meet current regulations without first reviewing an application to ascertain that any proposed differences be acceptable for that site.

Addendum 3

I have read Council's 2016-17 integrated business plan, albeit the budget is now approved and wish to add the following comments.

] FROM PAGE 32 ADELAIDE CITY COUNCIL 2016-17 INTEGRATED BUSINESS PLAN.....

CREATIVE

A multicultural city with a passion to create authentic and internationally renowned experiences

Council Services

- *Lead city design and spatial planning and be a source of PROGRESSIVE advice on planning, building, design and heritage matters.*

Adding the term "**PROGRESSIVE**" to Council Services would be an appropriate point for our proposed 290 Halifax Street proposal.

Raising the question then why does Council not encourage the creation of purpose built home office accommodation that will reduce all forms of traffic movement. As I have already experienced that the internet professionally serves me well, fitting in with the Lord Mayor's aim to have an e-smart carbon neutral city.

For example; our existing Halifax Street residence cannot be economically serviced with a lift that will provide easy upper floor access for wheel chairs. With the 290 Halifax Street proposal providing an ideal solution for accommodating long standing, senior city residents, who also desire to retain independent Torrens Title living and not want to move into elderly retirement group housing complexes. Furthermore, a home office provides the space for both senior professionals, as well as the younger, up and coming progressive for their home office/studio requirements.

The current policy is discriminating against senior city residence capable of working and desiring city living. I for one still requiring at least one parking space for a conventional vehicle, as I am still active in the field as a licensed surveyor travelling around South Australia.

Yes, the Adelaide City Council need to be forward thinking and practically demonstrate that it is PROGRESSIVE and not dribbling out mundane responses that reflect in this case a generic main street planning view developed for the greater Adelaide. Why retard a development that has progressive merit, was conceived and originally planned nearly 30 year ago with its potential for city living retirement. Now further enhanced, due to evolving technology not evolving bureaucracy.

Having resided in the City of Adelaide in Halifax Street for 32 years and during this period being actively involved with the emergence of Hutt Street as a premier desired City Precinct and heard successive Lord Mayors plea to attract City residents to grow the residential component of the city. Then surely, it is time planners encourage future investment in our City and cease treating the planning rules as a staid, draconian prison of "thou shall do this our way".

Instead embrace professional architectural expertise and input from longstanding city living experience, for a unique site, as it is impossible to satisfy a generic set of cold commandment conditions that are designed and more applicable for larger parcels and larger developments.

This proposed development will enhance the planning outcome for the area, as it resolves more issues than the planner and policy makers desire to create. Simply put, the proposal is an exception unable to be addressed by broad brush planning zone ideals conceived for both inner City and suburban main street precincts and therefore deserves a favourable outcome, as this precedent will be a progressive, desired residential City asset.

We have already gone through "to hell and back" over our revamped 200 Hutt Street built form.

Looking in 2017 at the 200 Hutt Street built form the outcome is now a cosmopolitan Hutt Street Precinct leader!



Richard Abbott
Licensed surveyor

richard & jolanta abbott

366 halifax street adelaide 5000

phone H 08 8223 6797 M 0427 006 577

email jolanta jolanta@internode.on.net

email richard survab@internode.on.net

19/03/2018

Ms Helen Dand
 PRINCIPAL PLANNER
 ACC PLANNING ASSESSMENT
 Helen Dand <H.Dand@Cityofadelaide.Com.Au>

RECEIVED
20/04/2018
DA/3/2018

Dear Helen ,

RE: AMENDED PROPOSAL PLAN for Torrens title dwelling

Subject Land Description:

290 Halifax St ADELAIDE

Your reference DA/3/2018

Please find our revised dwelling plan after earlier consultation with both you and Rebecca Rutschack.

While the internal room layout remains as proposed you will note that the plan shows numerous external changes as described below.

ground floor

To only have an overhead cover over Halifax St main doorway entrance.

first floor

Windows changed to a single pane none opening facing Halifax Street.
 Coloured glass opening window facing Corryton Street for ventilation.
 A series of coloured glass blocks facing Corryton Street to allow light to the stair well.

second floor

Windows changed to a single pane none opening facing Halifax Street.
 A series of coloured glass blocks facing Corryton Street to allow light to the stair well.
 A Juliet Balcony added for ventilation.

third floor

Window in Kitchens changed to a single pane none opening, facing Halifax Street.
 A balcony proposed over portion Halifax Street
 Sliding doorway extended upwards to match window height
 A series of coloured glass blocks facing Corryton Street to allow light to the stair well.
 A Juliet Balcony added for ventilation.

roof top garden

Roof top garden bed extended around extremity of the two road frontages
 While a mechanical roof slide, together with balustrade and gate are depicted to comply we would prefer favourable consideration be given to clad stair access for both weather proofing and safety purposes as the current legislation suggests any roofing is considered an additional story. Surely an occ and safety issue trumps a roof ruling issued by a rigorous court interpretation that is not influenced by practical safety.

our ref: 290 halifax detail changes rpa.docx

your ref:

content: AMENDED PROPOSAL PLAN FOR TORRENS TITLE DWELLING - 290 HALIFAX ST ADELAIDE.

DA/3/2018

western and northern elevation

Extending down from the roof top garden an external non-structural open blue steel character frame added to frame the building, extending out to the width of the 3rd floor veranda on Halifax Street and to the width of the Juliet balcony in Corryton Street.

eastern and southern elevation

From the eastern perspective the external non-structural open blue steel character frame extends down to the first floor level over Halifax Street and in Corryton Street abutting the stair well and to where Juliet balcony sited above to just below the awning window.

Windows changed to a single pane none opening facing Halifax Street.


A series of coloured glass blocks facing Corryton Street to allow light to the stair well.

The two Juliet Balconies added for ventilation.

On the first floor a coloured glass opening window facing Corryton Street for ventilation.

I trust that these design changes now present the dignity build that this unique, distinctive city site deserves.

yours faithfully,



for RICHARD & JOLANTA ABBOTT.

Product
Date/Time
Customer Reference
Order ID
Cost

28/12/2017 02:14PM
290 HALIFAX CT
20171228002791
\$28.25

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6067 Folio 814

Parent Title(s) CT 5233/818
Creating Dealing(s) RTC 11446817
Title Issued 15/11/2010 **Edition** 1 **Edition Issued** 15/11/2010

Estate Type

FEE SIMPLE

Registered Proprietor

RICHARD POOLE ABBOTT
MARIA JOLANTA ABBOTT
OF 366 HALIFAX STREET ADELAIDE SA 5000
AS JOINT TENANTS

Description of Land

ALLOTMENT 11 DEPOSITED PLAN 84750
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

PORTION OF THE WITHIN LAND MARKED X AND Z EXISTS ABOVE A LEVEL OF 53.32 METRES A.H.D.

Easements

SUBJECT TO PARTY WALL RIGHT(S) WITH LIMITATIONS OVER THE LAND MARKED B (RTC 11446817)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED Z FOR SUPPORT (RTC 11446817)

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED S (T 2417481)

TOGETHER WITH PARTY WALL RIGHT(S) WITH LIMITATIONS OVER THE LAND MARKED A (RTC 11446817)

TOGETHER WITH EASEMENT(S) OVER THE LAND MARKED Y FOR SUPPORT APPURTENANT ONLY TO THE LAND MARKED Z (RTC 11446817)

TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED R (T 2417481)

Schedule of Dealings

Dealing Number	Description
9554971	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL

Registrar-General's Notes

DA/3/2018

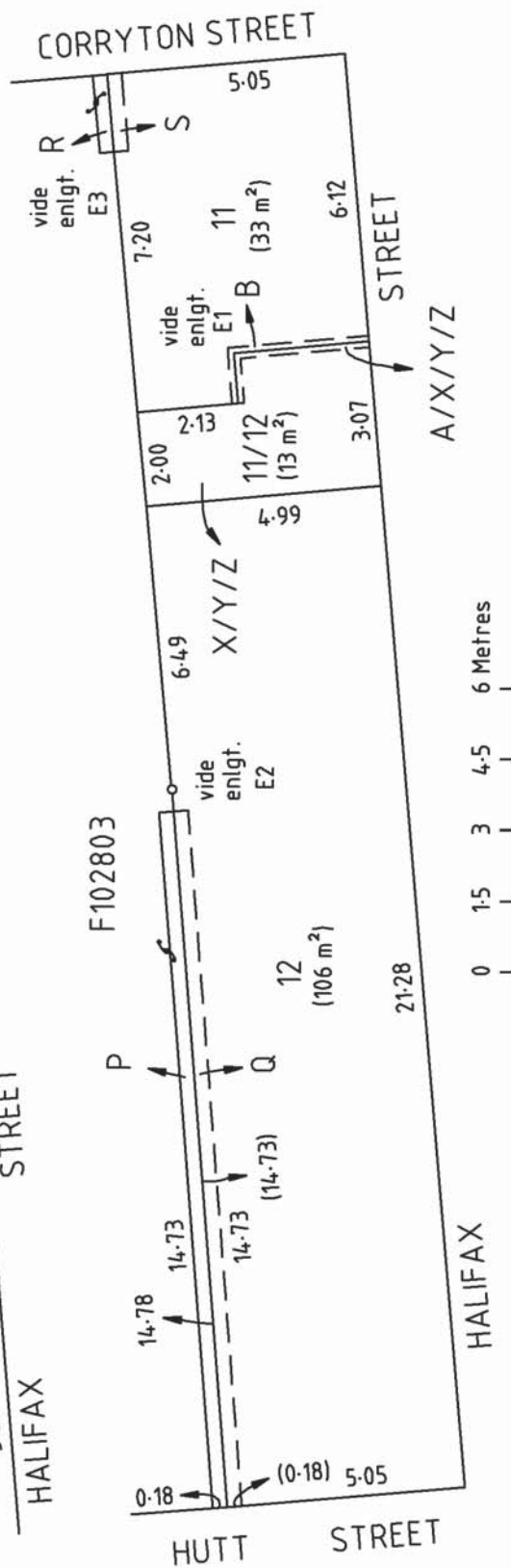
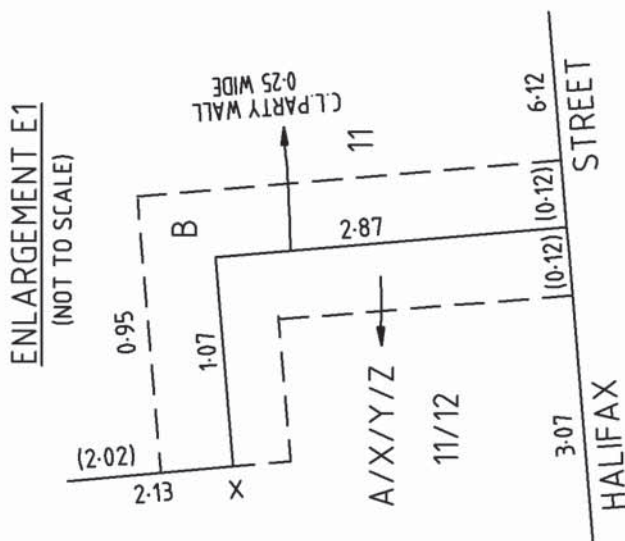
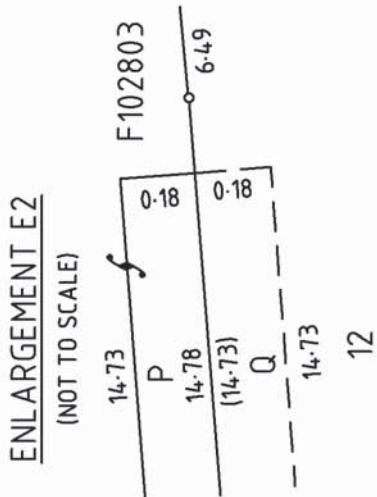
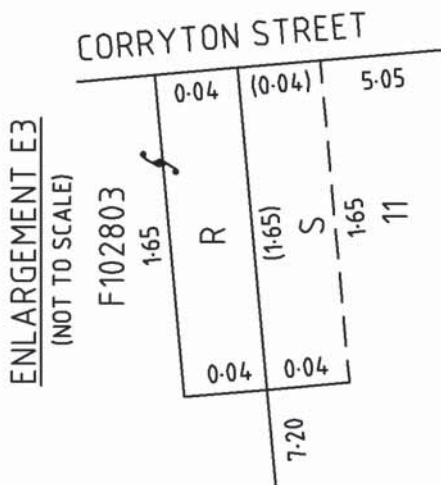
Product	28/12/2017 02:14PM
Date/Time	290 HALIFAX CT
Customer Reference	20171228002791
Order ID	\$28.25
Cost	

PLAN FOR LEASE PURPOSES VIDE G21/1999
PLAN FOR LEASE PURPOSES VIDE G564/1995

Administrative Interests NIL

HEIGHT LIMITATIONS APPLY

ALLOTMENT NUMBER	TOTAL AREA
11	46 m ²
12	119 m ²



DA/3/2018



Title Register Search

LANDS TITLES OFFICE, ADELAIDE

Item No 3.2 - Attachment 30

For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 6067 FOLIO 815 *

COST : \$25.00 (GST exempt)	PARENT TITLE : CT 5233/818
REGION : EMAIL	AUTHORITY : RTC 11446817
AGENT : PUSH BOX NO : 000	DATE OF ISSUE : 15/11/2010
SEARCHED ON : 21/06/2013 AT : 09:13:15	EDITION : 1

REGISTERED PROPRIETORS IN FEE SIMPLE

RICHARD POOLE ABBOTT AND MARIA JOLANTA ABBOTT BOTH OF 366 HALIFAX STREET ADELAIDE SA 5000 AS JOINT TENANTS

DESCRIPTION OF LAND

ALLOTMENT 12 DEPOSITED PLAN 84750 IN THE AREA NAMED ADELAIDE HUNDRED OF ADELAIDE

PORTION OF THE WITHIN LAND MARKED X AND Y EXISTS BELOW A LEVEL OF 53.32 METRES A.H.D.

EASEMENTS

SUBJECT TO PARTY WALL RIGHTS WITH LIMITATIONS OVER THE LAND MARKED A (RTC 11446817)

SUBJECT TO THE EASEMENT OVER THE LAND MARKED Y FOR SUPPORT (RTC 11446817)

SUBJECT TO PARTY WALL RIGHTS OVER THE LAND MARKED Q (T 2417481)

TOGETHER WITH PARTY WALL RIGHTS WITH LIMITATIONS OVER THE LAND MARKED B (RTC 11446817)

TOGETHER WITH THE EASEMENT OVER THE LAND MARKED Z FOR SUPPORT APPURTENANT ONLY TO THE LAND MARKED Y (RTC 11446817)

TOGETHER WITH PARTY WALL RIGHTS OVER THE LAND MARKED P (T 2417481)

SCHEDULE OF ENDORSEMENTS

- 8620895 LEASE TO OPTUS MOBILE PTY. LTD. COMMENCING ON 22.6.2008 AND EXPIRING ON 21.6.2013 OF PORTION (A, B AND C IN GP 21/1999)
- 8620896 LEASE TO OPTUS MOBILE PTY. LTD. COMMENCING ON 22.6.2013 AND EXPIRING ON 21.6.2018 OF PORTION (A, B AND C IN GP 21/1999)
- 9554971 MORTGAGE TO ST.GEORGE BANK LTD.

CONT.

DA/3/2018

Page 1 of 1





Title Register Search

LANDS TITLES OFFICE, ADELAIDE

Item No 3.2 - Attachment 31

For a Certificate of Title issued pursuant to the Real Property Act 1886

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 6067 FOLIO 815 *

REGION : EMAIL	PARENT TITLE : CT 5233/818
AGENT : PUSH BOX NO : 000	AUTHORITY : RTC 11446817
SEARCHED ON : 21/06/2013 AT : 09:13:15	DATE OF ISSUE : 15/11/2010
	EDITION : 1

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

REGISTRAR-GENERAL'S NOTES

PLAN FOR LEASE PURPOSES GP 21/99
 PLAN FOR LEASE PURPOSES GP 564/95

END OF TEXT.

DA/3/2018

Page 2 of 2

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

Registrar-General



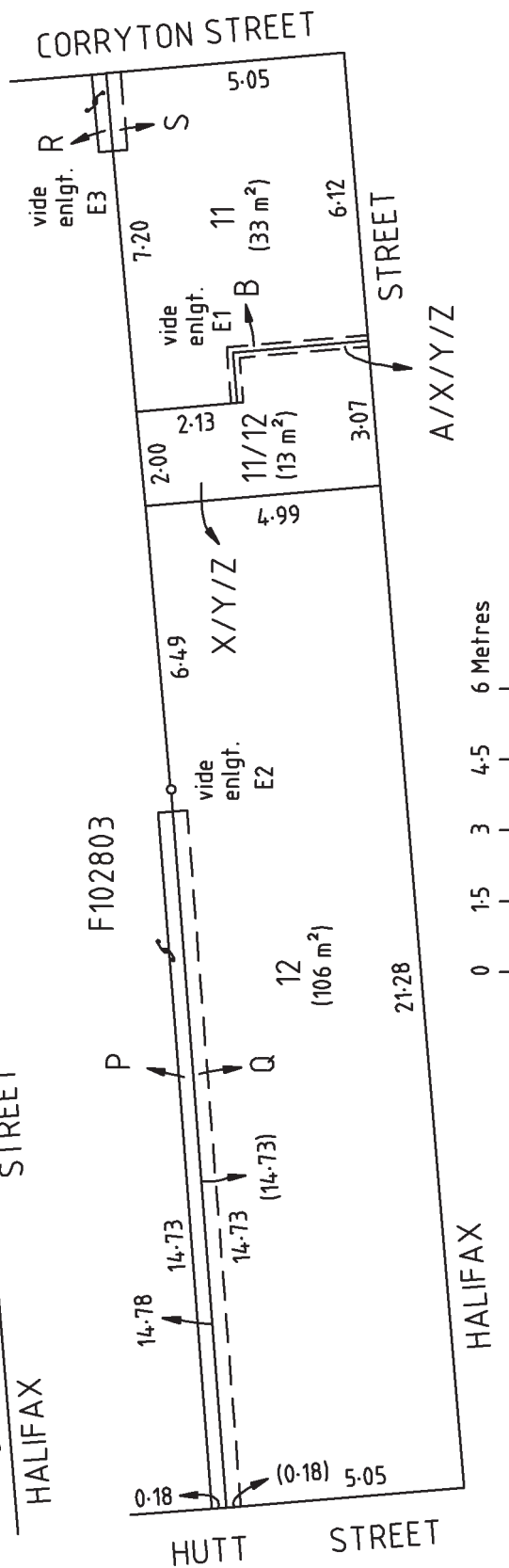
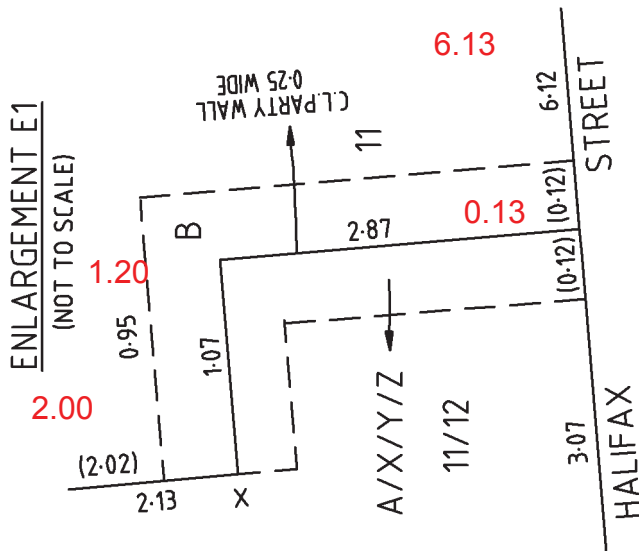
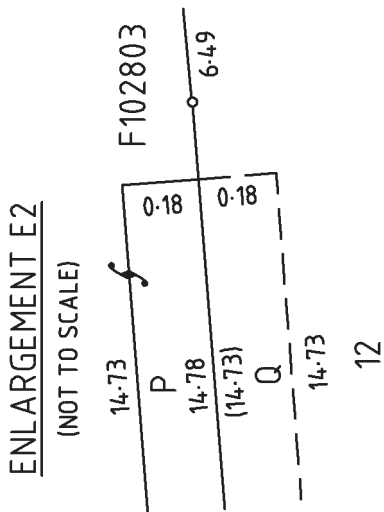
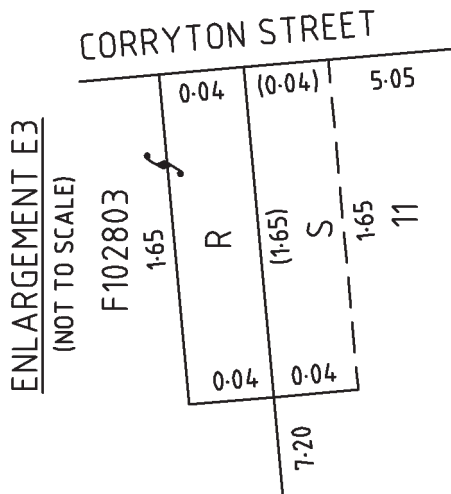
LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA

DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 6067 FOLIO 815

SEARCH DATE : 21/06/2013 TIME: 09:13:15

HEIGHT LIMITATIONS APPLY

ALLOTMENT NUMBER	TOTAL AREA
11	46 m ²
12	119 m ²



DA/3/2018



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

To: Adelaide City Council
Planning & Development
GPO Box 2252
Adelaide SA 5001

Telephone: (08) 8203 7185

All sections of this form must be completed and the form returned to Council by the due date below to allow consideration of the representation

This form provides you with the opportunity to make comments in relation to the proposed development:

Application: DA/3/2018
Address: 290 Halifax Street, ADELAIDE SA 5000
Description: RE-NOTIFICATION – inclusion of 200 Hutt St in subject site- Construct four storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street.
Contact Officer: Matthew Field
Due Date: 13 September 2018

Representation by:

Name/s: Alexander Hyde

Postal Address: Unit 1, 198 A Hutt St, Adelaide.

Contact Phone No/s:

Home: N/A Office: 8374 0561 After Hours/Mobile: 0433 556 135

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

alex.c.hyde@gmail.com

My interests are affected as (please tick one of the following):

The owner or the occupier of the property located at: Unit 1, 198 A Hutt St, Adelaide

Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

Privacy concerns, imposition on the landscape, not-in keeping with adjoining heritage architecture, previous questionable developments at same property, lack of consultation with adjoining tenants/landowners

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

Refusal of the development

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

- Wish to be heard in person in support of my representation
Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

- Appearing personally
Being represented by the following person:

Signature: [Handwritten Signature] Date: 12/19/18

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)
Planner: Matthew Field Date Returned:



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

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Planning & Development
GPO Box 2252
Adelaide SA 5001

Telephone: (08) 8203 7185

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Application: DA/3/2018
Address: 290 Halifax Street, ADELAIDE SA 5000
Description: Construct four storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street
Contact Officer: Matthew Field
Due Date: 9 August 2018

Representation by:

Name/s: SUZANNE BARBER AND ANTHONY BARBER (TONY)

Postal Address: 294 HALIFAX STREET, ADELAIDE SA 5000

Contact Phone No/s:

Home: Office: After Hours/Mobile: 0408833255

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

susie.barber@bigpond.com

My interests are affected as (please tick one of the following):

The owner or the occupier of the property located at: 294 HALIFAX STREET, ADELAIDE

Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

Please see attached letter dated 8th August 2018

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

Refusal of the proposed development

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

Wish to be heard in person in support of my representation

Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

Appearing personally

Being represented by the following person: Hilditch Lawyers

Signature: [Handwritten Signature]

Date: 8/8/2018

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:

290 Halifax Street, Adelaide – DA/3/2018

We are the owners and occupiers of 294 Halifax Street, Adelaide (“**our land**”).

We have lived in a dwelling on our land for several decades.

Our land is located to the east of the land at 290 Halifax Street (“**the subject land**”) and is directly separated from the subject land by Corryton Street.

The Development Plan

Corryton Street forms a zone boundary between the Main Street (Hutt) Zone and the Adelaide Historic (Conservation) Zone.

Our land is located at the western periphery of the Adelaide Historic (Conservation) Zone. The subject land is located at the eastern periphery of the Main Street (Hutt) Zone.

The Desired Character for the Main Street (Hutt) Zone (“**the Zone**”) relevantly provides that:

“... A sensitive mix of uses, built form and development intensity is required in order to preserve residential amenity in adjacent areas.

...

The impact of development on the amenity of neighbouring Zones will be carefully controlled and managed.”

The Objectives for the Zone relevantly provide as follows:

“... ”

Objective 4: *Development that contributes to the Desired Character of the Zone.”*

The Principles of Development Control for the Zone relevantly provide as follows:

“... ”

Form and Character

- 7 *Development should be consistent with the Desired Character for the Zone.*
- 8 *Development should be in accordance with Concept Plan Figure MS(H)/1.*
- 9 *Development should ensure a high quality living environment is achieved for residential development within the Zone and in the adjacent ... Adelaide Historic (Conservation) Zone.*

Built Form and Public Environment

...

- 12 *Development should respect the design features of the long established townscapes. Roofs should be hipped or gabled and employ parapets on street frontages. Blank elevations unrelieved by architectural detail should be avoided. ...*

...

- 16 *Development adjacent to the ... Adelaide Historic (Conservation) Zone should be consistent with the building envelope as shown in Figures 1 and 2, except where a variation to the building envelope demonstrates minimal impacts upon adjacent housing in terms of massing and overshadowing through alternative design methods:*

(a) *to minimise building mass at the interface, buildings should be constructed within a building envelope provided by a 45 degree plane, measured from a height of 3 metres above natural ground level at the allotment boundary of an allotment within the City Living Zone or the Adelaide Historic (Conservation) Zone, as illustrated in Figure 1:*

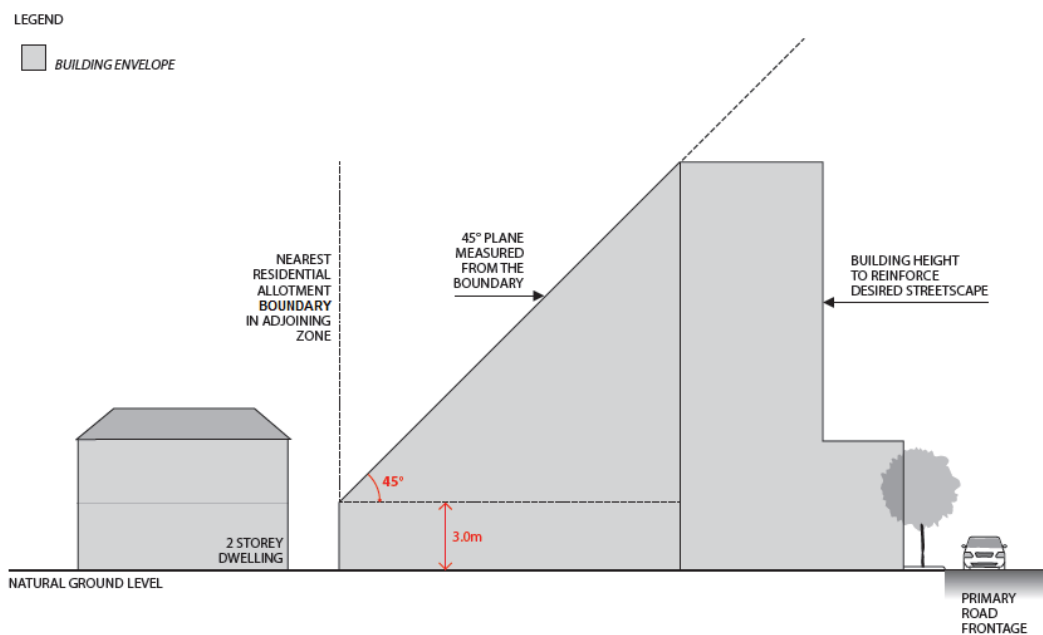


Figure 1

- 17 *Where a site has frontage to a road that forms a zone boundary with the City Living Zone or the Adelaide Historic (Conservation) Zone, any part of the building exceeding two storeys should:*

- (a) *be setback from the street frontage;*
- (b) *incorporate design treatments to reduce the visual presence of the higher components and to achieve an orderly visual transition between the different zones.*

(our underlining)

- 18 *Development should use building forms, colour and materials of a more domestic nature to provide a suitable transition to the adjoining City Living Zone or Adelaide Historic (Conservation) Zone.*

...”

Our Concerns

It is clear from the Desired Character statement for the Zone that the impact of development on the amenity of neighbouring zones must be carefully controlled and managed. Furthermore, it is clear from the Desired Character statement that buildings must be designed in a way that is sensitive to adjoining residential areas to preserve the residential amenity of those areas.

The proposed building is essentially a box-like, tilt-up concrete structure with a flat roof and is unsympathetic in its form and design at an important interface. The proposed balcony and frame structures then project out from the building so that these become strong but unfamiliar built elements in their own right which will exacerbate overlooking and visual impact. These projecting elements are not incorporated into the dwelling in a sympathetic and sensitive way but rather are “tacked on” to the primary building structure so as to maximise floor space. The external frame structures and balconies do not effectively break up, articulate or soften the impact of the underlying concrete structure which will have a negative impact upon the visual amenity of the locality.

Further to the above, portions of the proposed building will apparently extend over the public footpaths which will very much exacerbate its visual impact and bring the built form, closer to our property than it otherwise should, thereby exacerbating overlooking and visual impact. This design approach will also exacerbate the visual impact of the building in the Halifax Street streetscape. We are also concerned about the impact on an existing street tree.

The proposed building clearly results in a development which does not create an orderly visual transition between the Zone and the Adelaide Historic (Conservation) Zone where our dwelling is located.

Overshadowing is also a significant concern. Given the bulk, scale and lack of any upper storey setbacks of the proposed dwelling it is clear that the proposed dwelling will overshadow our dwelling in the afternoon.

We also make the observation that there is no detailed landscape plan and questionable opportunities for meaningful landscaping exist.

For at least the above reasons we respectfully urge the Council Assessment Panel to refuse the proposed development.

We wish to be heard by the Council Assessment Panel in relation to this representation and would be grateful if you would advise us of the date and time of the relevant meeting in due course.

Please contact us if you have any queries.

Yours faithfully,

Sue Barber and Anthony Barber



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

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Planning & Development
GPO Box 2252
Adelaide SA 5001

Telephone: (08) 8203 7185

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Contact Officer: Matthew Field
Due Date: 13 September 2018

Representation by:

Name/s: SUZANNE BARBER & ANTHONY BARBER

Postal Address: 294-296 HALIFAX STREET, ADELAIDE SA 5000

Contact Phone No/s:

Home: Office: After Hours/Mobile: 0408833255

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

susie.barber@bigpond.com

My interests are affected as (please tick one of the following):

The owner or the occupier of the property located at: 294-296 HALIFAX ST, ADELAIDE SA 5000

Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

Please see attached letter dated 12th September 2018

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

Refusal of the proposed development

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

Wish to be heard in person in support of my representation

Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

Appearing personally

Being represented by the following person: ALEXANDER HYDE

Signature: Alexander Date: 12/09/18

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:

290 Halifax Street, Adelaide – DA/3/2018

We are the owners and occupiers of 294 Halifax Street, Adelaide (“**our land**”).

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...

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“... ”

Objective 4: *Development that contributes to the Desired Character of the Zone.”*

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...

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(a) to minimise building mass at the interface, buildings should be constructed within a building envelope provided by a 45 degree plane, measured from a height of 3 metres above natural ground level at the allotment boundary of an allotment within the City Living Zone or the Adelaide Historic (Conservation) Zone, as illustrated in Figure 1:

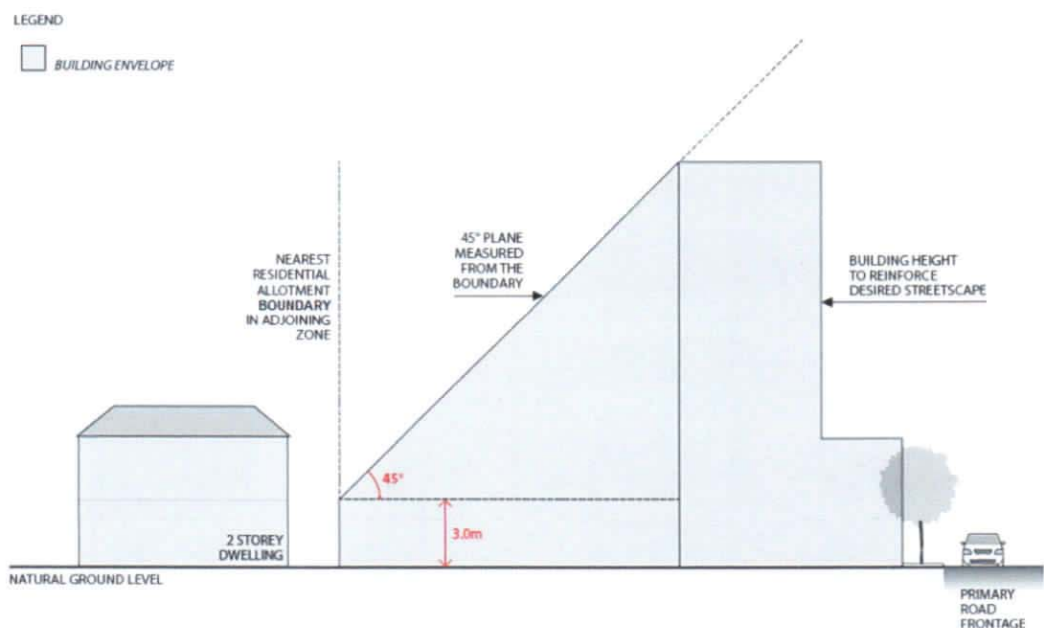


Figure 1

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- (a) be setback from the street frontage;
- (b) incorporate design treatments to reduce the visual presence of the higher components and to achieve an orderly visual transition between the different zones.

(our underlining)

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The proposed building is essentially a box-like, tilt-up concrete structure with a flat roof and is unsympathetic in its form and design at an important interface. The proposed balcony and frame structures then project out from the building so that these become strong but unfamiliar built elements in their own right which will exacerbate overlooking and visual impact. These projecting elements are not incorporated into the dwelling in a sympathetic and sensitive way but rather are "tacked on" to the primary building structure so as to maximise floor space. The external frame structures and balconies do not effectively break up, articulate or soften the impact of the underlying concrete structure which will have a negative impact upon the visual amenity of the locality.

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We also make the observation that there is no detailed landscape plan and questionable opportunities for meaningful landscaping exist.

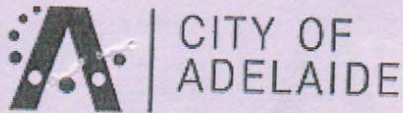
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We wish to be heard by the Council Assessment Panel in relation to this representation and would be grateful if you would advise us of the date and time of the relevant meeting in due course.

Please contact us if you have any queries.

Yours faithfully,

Sue Barber and Tony Barber



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

To: Adelaide City Council
Planning & Development
GPO Box 2252
Adelaide SA 5001

Telephone: (08) 8203 7185

All sections of this form must be completed and the form returned to Council by the due date below to allow consideration of the representation

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Application: DA/3/2018
Address: 290 Halifax Street, ADELAIDE SA 5000
Description: Construct four storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street
Contact Officer: Matthew Field
Due Date: 9 August 2018

Representation by:

Name/s: BAYSIX P/L Biga Cafe Bar

Postal Address: 200 Hutt Street, Adelaide 5000

Contact Phone No/s:

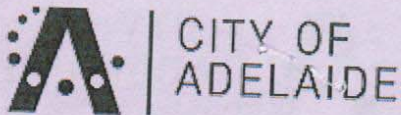
Home: 8232 8880 Office: - After Hours/Mobile: -

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

My interests are affected as (please tick one of the following):

The owner or the occupier of the property located at: 200 HUTT STREET

Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

Dotted lines for writing reasons for representation.

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

Dotted lines for writing actions sought to overcome representation.

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

- Wish to be heard in person in support of my representation
- Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

- Appearing personally
- Being represented by the following person:

Signature: *[Handwritten Signature]*

Date: 8/8/18

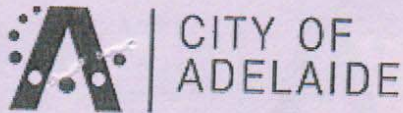
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** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:



STATEMENT OF REPRESENTATION Pursuant to Section 38 of the Development Act

To: Adelaide City Council Planning & Development GPO Box 2252 Adelaide SA 5001

Telephone: (08) 8203 7185

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Contact Officer: Matthew Field
Due Date: 9 August 2018

Representation by:

Name/s: BAYSIX P/L Biga Cafe Bar

Postal Address: 200 Hutt Street, Adelaide 5000

Contact Phone No/s:

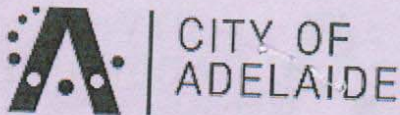
Home: 8232 8880 Office: - After Hours/Mobile: -

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

My interests are affected as (please tick one of the following):

[checked] The owner or the occupier of the property located at: 200 HUTT STREET

[] Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):



Reasons for representation (please provide specific comments relating to your representation):

Dotted lines for writing reasons for representation.

(If space is insufficient please attach further sheets)

My representation would be overcome by (state action sought):

Dotted lines for writing actions sought to overcome representation.

(If space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

- Wish to be heard in person in support of my representation
- Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

- Appearing personally
- Being represented by the following person:

Signature: *James May*

Date: 8/8/18

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:



Reasons for representation (please provide specific comments relating to your representation):

From the outset, I would like to say that I do not oppose the proposed development. I do have the following concerns.

- (1) The functionality e.g. food delivery, waste disposal, exhaust cleaning of the access gate to the rear of my restaurant facing the Halifax Street footpath is ill-defined
(2) The cantilever to the western side may be of insufficient height from the ground to impair functionality as per (1)
(3) Proposed 'indoor' waste management site seems unlikely to be practical - fear outdoor disposal will actually routinely be in western area in restaurant courtyard where customers access toilets
(4) Disruption of Biga Restaurant business activity: Construction activity - noise, fumes, dust/other airborne particles, disruption to utilities, alienation of parking spaces on Halifax and Corryton Streets, crane presence, alienation of Halifax Street footpath eg scaffolding, hoardings (adverse image caused by uncleaned graffiti) damage and damage to green verge, how waste management and litter from building site will be confined/removed

(if space is insufficient please attach further comments)

My representation would be overcome by (state action sought):

- (1) Negotiated design eg width, hingeing of the access gate to functional resolution and reconstruction occurring very quickly to minimise my business disruption eg access to toilets for my customers to 1st floor
(2) Better defined and negotiated cantilever height and passage from new house to upper floor of the Hutt Street building
(3) Storage of waste internal to 4 walls of gr fl of home should be condition of development approval
(4) We respectfully request the following matter be led by Council even if it is contended this is not a development assessment matter, as it is an adjoining property's business loss should a development it approves and is assessed in accord with development and building code rules. Compensation schedule should be agreed to Biga Restaurant for profits lost and staff salaries still required to be paid when cafe cannot open/cannot function completely. Weekly meetings including myself, Development Project Manager, Adelaide City Council Planner/Building regulator during entire construction phase to ensure quick resolution/commitments of action to address my business concerns

your representation:

I/We: (tick whichever box is applicable)

- Wish to be heard in person in support of my representation
Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

- Appearing personally
Being represented by the following person:

Signature: Date:

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:

Subject:


Re: RE: FW: Public Notification - DA/3/2018 - 290 Halifax Street

Page 3 of Comment on DA/8/18

iSide Gate

It is unclear what will be the characteristics of this essential part of Biga Cafe's infrastructure. It is important to med that the gate have these qualities:

- (1) it must be aesthetically pleasing for my customers' impressions that they are using my cafe's toilet facilities - as clean and in keeping with the decor of the cafe..
- (2) It must meet all fire safety evacuation standards for the safe exit of my staff and the customers using the toilet facilities at the time.
- (3) My waste management contractors must be able to take waste receptacles unimpeded from their enclosure to Halifax Street and be returned unimpeded. It is important that there be a condition that the waste of 198 Halifax Street be exclusively stored within the ground floor of the dwelling as per the submitted plans and never in this area.
- (4) The gate be lockable so as to provide for the security of the 200 Hutt Street premises.


12/8/18



Reasons for representation (please provide specific comments relating to your representation):

From the outset, I would like to say that I do not oppose the proposed development. I do have the following concerns.

- (1) The functionality e.g. food delivery, waste disposal, exhaust cleaning of the access gate to the rear of my restaurant facing the Halifax Street footpath is ill-defined
- (2) The cantilever to the western side may be of insufficient height from the ground to impair functionality as per (1)
- (3) Proposed 'indoor' waste management site seems unlikely to be practical – fear outdoor disposal will actually routinely be in western area in restaurant courtyard where customers access toilets
- (4) Disruption of Biga Restaurant business activity: Construction activity – noise, fumes, dust/other airborne particles, disruption to utilities, alienation of parking spaces on Halifax and Corryton Streets, crane presence, alienation of Halifax Street footpath eg scaffolding, hoardings (adverse image caused by uncleaned graffiti) damage and damage to green verge, how waste management and litter from building site will be confined/removed

My representation would be overcome by (state action sought):

- (1) Negotiated design eg width, hingeing of the access gate to functional resolution and reconstruction occurring very quickly to minimise my business disruption eg access to toilets for my customers to 1st floor
- (2) Better defined and negotiated cantilever height and passage from new house to upper floor of the Hutt Street building
- (3) Storage of waste internal to 4 walls of gr fl of home should be condition of development approval
- (4) We respectfully request the following matter be led by Council even if it is contended this is not a development assessment matter, as it is an adjoining property's business loss should a development it approves and is assessed in accord with development and building code rules. Compensation schedule should be agreed to Biga Restaurant for profits lost and staff salaries still required to be paid when café cannot open/cannot function completely. Weekly meetings including myself, Development Project Manager, Adelaide City Council Planner/Building regulator during entire construction phase to ensure quick resolution/commitments of action to address my business concerns

your representation:

I/We: (tick whichever box is applicable)

- Wish to be heard in person in support of my representation
- Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

- Appearing personally
- Being represented by the following person:

Signature: *[Handwritten Signature]* Date: *12/9/18*

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

To: Adelaide City Council
Planning & Development
GPO Box 2252
Adelaide SA 5001

Telephone: (08) 8203 7185

All sections of this form must be completed and the form returned to Council by the due date below to allow consideration of the representation

This form provides you with the opportunity to make comments in relation to the proposed development:

Application: DA/3/2018
Address: 290 Halifax Street, ADELAIDE SA 5000
Description: Construct four storey dwelling with roof top terrace, pergola structure over Halifax Street footpath and garaging at ground level accessed via Corryton Street
Contact Officer: Matthew Field
Due Date: 9 August 2018

Representation by:

Name/s: HARSH MEHTA (COFFYLOSOPHY)

Postal Address: 198A HUTT STREET, ADELAIDE, SA 5000

Contact Phone No/s:

Home: - Office: 82271860 After Hours/Mobile:

E-mail (Please Note: By providing an email address you agree to accept future correspondence by email):

coffylosophy@gmail.com

My interests are affected as (please tick one of the following):

The owner or the occupier of the property located at: 198A HUTT STREET, ADELAIDE

Other (e.g. company owner; a representative of an organisation affected by the proposal; private citizen):

COFFYLOSOPHY, 198A HUTT ST. ADELAIDE, SA 5000



Reasons for representation (please provide specific comments relating to your representation):

I Own the cafe next to the proposed property development. The construction will be very intrusive on our day to day business with the noise & rubbish & dust in our car park area. Plus we will find it very difficult to get in to the street with trucks & trailers blocking the street & access to our car park. We don't want to lose customers due to the noise & mess of the construction.

My representation would be overcome by (state action sought):

.....
.....
.....
.....

(if space is insufficient please attach further sheets)

Please indicate whether you wish to be heard by Council's Development Assessment Panel in respect of your representation:

I/We: (tick whichever box is applicable)

Wish to be heard in person in support of my representation

Do not wish to be heard in support of my representation

By: (tick whichever box is applicable)

Appearing personally

Being represented by the following person:.....

Signature: H.P. Melida Date: 8/2/18

*All representations will become a public document and will be forwarded to the applicant for response pursuant to the provisions of the Development Act 1993.

** Your attention is drawn to section 38 of the Development Act 1993 which explains the representation rights afforded to category 2 representors and section 86 of that Act which provides for limited rights of appeal.

Office Use Only (do not fill out)

Planner: Matthew Field

Date Returned:.....

From: survab@internode.on.net
Sent: Wednesday, 10 October 2018 11:23 AM
To: Helen Dand
Subject: 290 Halifax St Adelaide

Helen,

In response to the development advertising process, as one adjacent property owner has raised planning issues and wishes to address the P & D Panel. (Who I incidentally assisted them gain their planning approval for their recent extension)

Consequently I wish to be present and address the P & D Panel.

Objections associated with building concerns are covered under building control.

I understand that 200 Hutt Street was incorporated into the application because we depicted a roller door to fill that void ground floor rear entry to 200 Hutt Street. We now know that due to fire that the doorway cannot be electrically operated and would replace the doorway shown on the current plan with 2 manually operated doorways. One for pedestrian access and the other to continue removal of the current rubbish bins in the same manner.

I have since spoken and met on site with our tenant at 200 Hutt Street and after personally showing him the extent and explaining the layout his concerns are now allayed.

Please do not hesitate me if you require further clarification or information.

Richard Abbott
Licensed surveyor

richard abbott surveyors

In 2018, Celebrating 40 years in my own practice

366 halifax street adelaide 5000

survab@internode.on.net

ph m 0427 006 577

value adding surveyors

PDF attachments to this message can be viewed with Adobe Acrobat Reader

CONFIDENTIALITY: *This e-mail is from **richard abbott surveyors**.*

The contents are confidential and intended only for the named recipient of this e-mail.

If you are not the intended recipient of this e-mail then you are hereby notified that any use, reproduction, disclosure or distribution of the information contained in the e-mail is prohibited. If you have received this e-mail in error, please immediately reply to us and then delete.

ITEM NO: 5.1
TO: CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 19/11/2018
FROM: ASSOCIATE DIRECTOR, PLANNING & DEVELOPMENT
SUBJECT: LIST OF RECENT LODGEMENTS FOR PLANNING CONSENT (2002/03378) [CAP]

PURPOSE

To provide Panel Members with a list of development applications lodged for planning consent for the period 19 October 2018 to 8 November 2018.

A total of 56 development applications with a total value of \$13,188,170 have been lodged for planning consent for this period.

RECOMMENDATION

That the report be received.

Item No. 5.1 – Attachments 1 - 6 (List of Recent Lodgements for Planning Consent)

Pages 169 to 174



DEVELOPMENT PLANNING - Council Assessment Panel Report Item No 5.1 - Attachment 1

Lodged Applications for Planning Consent from 19/10/2018 To 8/11/2018

Application Assessed on Merit

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
1	DA/307/2018/A	289 Waymouth Street ADELAIDE SA 5000	Vary previous authorisation alterations to existing residential dwelling, demolition of portion of roof and construction of new roof deck - VARIATION - alterations to roof top deck canopy and increase of height to deck	6/11/2018	TBA	Category 1
*2	DA/869/2018	South Park Hockey and Tennis Centre - B0094 Greenhill Road ADELAIDE SA 5000	Installation of scoreboard	19/10/2018	\$12,000	Category 1
3	DA/870/2018	Ground Shop 14 81 O'Connell Street NORTH ADELAIDE SA 5006	Change of use to café	19/10/2018	TBA	Category 1
4	DA/871/2018	Urban Wine Room 33-37 Wright Street ADELAIDE SA 5000	Install cantilevered sign	19/10/2018	\$2,500	Category 1
5	DA/872/2018	Zobel Conveyancing 212 Grenfell Street ADELAIDE SA 5000	Facade conservation works	19/10/2018	\$50,000	Category 1
6	DA/875/2018	Popeye Motor Launches and Workshop Victoria Drive ADELAIDE SA 5000	Signage in various locations	19/10/2018	\$850	Category 1
*7	DA/876/2018	121-123 Melbourne Street NORTH ADELAIDE SA 5006	Install new shop front glazing, new windows and minor internal alterations	19/10/2018	\$20,000	Category 1
8	DA/878/2018	Ground 25B Bank Street ADELAIDE SA 5000	Change of use to licensed premises, shopfront and internal alterations	19/10/2018	\$40,000	Category 1
9	DA/879/2018	11 Hart Street NORTH ADELAIDE SA 5006	Salt damp treatment for facade and sides of house and underpinning front facade	20/10/2018	\$13,893	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No 5.1 - Attachment 2

Lodged Applications for Planning Consent from 19/10/2018 To 8/11/2018

10	DA/880/2018	TATTERSALLS HOTEL 17-19 Hindley Street ADELAIDE SA 5000	Relocation of gaming area and lounge bar at ground level of existing hotel	22/10/2018	\$2,500	Category 1
11	DA/881/2018	73A Hindley Street ADELAIDE SA 5000	Change of use to restaurant from Small Arts Venue and external signage	22/10/2018	\$10,000	Category 1
12	DA/883/2018	CROWN AND ANCHOR HOTEL 194-198 Grenfell Street ADELAIDE SA 5000	Install an internal access lift	22/10/2018	\$40,000	Category 1
*13	DA/884/2018	COLONEL LIGHT CENTRE 21-27 Pirie Street ADELAIDE SA 5000	Attach banner between pillars adjacent Pilgrim Hall from 5th to 10th November 2018	22/10/2018	\$200	Category 1
14	DA/887/2018	67-71 Melbourne Street NORTH ADELAIDE SA 5006	Demolition of the existing building and construction of a seven storey, mixed use building plus basement containing two retail tenancies, 27 dwellings and parking for 26 vehicles	23/10/2018	\$9,750,000	Category 1
15	DA/888/2018	52-54 Gouger Street ADELAIDE SA 5000	Install additional entrance to Gouger Street and internal upgrade	23/10/2018	\$50,000	Category 1
*16	DA/889/2018	Rundle Mall ADELAIDE SA 5000	Installation of a temporary event kiosk into Rundle Mall adjacent to 127 Rundle Mall to be used as a box office for Adelaide Fringe	23/10/2018	TBA	Category 1
17	DA/890/2018	175-177 Hutt Street ADELAIDE SA 5000	Internal and external alterations and create three tenancies	23/10/2018	\$250,000	Category 1
18	DA/891/2018	166-180 Hindley Street ADELAIDE SA 5000	Install a LED sign on east facing wall	23/10/2018	\$240,000	Category 1
*19	DA/892/2018	34 Sanders Place ADELAIDE SA 5000	Repair brick wall on western boundary of property	24/10/2018	\$3,305	Category 1
20	DA/895/2018	Ground Office 1 12-14 Kingston Street ADELAIDE SA 5000	Change of use to office, internal fit out and signage	24/10/2018	\$9,000	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No 5.1 - Attachment 3
Lodged Applications for Planning Consent from 19/10/2018 To 8/11/2018

21	DA/896/2018	Red Gum Park / Karrawirra (Park 12) Frome Road NORTH ADELAIDE SA 5006	Replace signage at the Zoo landing	24/10/2018	\$200	Category 1
22	DA/897/2018	King William Road ADELAIDE SA 5000	Replace signage at the Elder Park landing	24/10/2018	\$200	Category 1
23	DA/898/2018	Level 1 21 Roper Street ADELAIDE SA 5000	Install three signs to existing office building	25/10/2018	\$2,500	Category 1
*24	DA/899/2018	Whitmore Square / Iparrityi Whitmore Square ADELAIDE SA 5000	Erect temporary banners (28 November - 7 December 2018) within square promoting Carols in the Square to be held on 6 December 2018	25/10/2018	TBA	Category 1
25	DA/900/2018	15 Curtis Street NORTH ADELAIDE SA 5006	Install picket fence	25/10/2018	\$4,846	Category 1
26	DA/901/2018	171-207 Gouger Street ADELAIDE SA 5000	Change the use of a portion of land to be used as an ancillary car park	25/10/2018	\$10,000	Category 1
27	DA/904/2018	97-99 Angas Street ADELAIDE SA 5000	Change the use of temporary works depot to ancillary car park for a 24 month period	26/10/2018	\$1,000	Category 1
28	DA/905/2018	11-13 West Terrace ADELAIDE SA 5000	Change the use of existing building to a temporary car park for a 24 month period	29/10/2018	\$5,000	Category 1
29	DA/906/2018	68-80 Flinders Street ADELAIDE SA 5000	Undertake façade maintenance to the building including the removal and replacement of existing cladding panels to the east and west elevations	30/10/2018	\$830,794	Category 1
30	DA/908/2018	Chocolate Taperia Ground Shop 5 168 Melbourne Street NORTH ADELAIDE SA 5006	Install new shopfront glazing and signage	30/10/2018	\$10,000	Category 1
31	DA/910/2018	87-93 Angas Street ADELAIDE SA 5000	Change the use of portion of existing building to car parking	30/10/2018	TBA	Category 1

Item No 5.1 - Attachment 4

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 19/10/2018 To 8/11/2018

32	DA/911/2018	Gladys Elphick Park / Narnungga (Park 25) West Terrace ADELAIDE SA 5000	Erect a scaffold structure for a temporary period for filming purposes	30/10/2018	TBA	Category 1
33	DA/912/2018	DWELL ADELAIDE 12-18 Synagogue Place ADELAIDE SA 5000	Change of use from student accommodation to student accommodation and short term accommodation	31/10/2018	TBA	Category 1
34	DA/913/2018	317 Wakefield Street ADELAIDE SA 5000	Replace tubular fencing with brick infill	31/10/2018	\$10,308	Category 1
*35	DA/915/2017/A	CITI CENTRE ARCADE 141-159 Rundle Mall ADELAIDE SA 5000	Vary previous authorisation demolition and reconstruction of external lower facades on three street frontages with new LED advertising display, signage, and pruning of regulated street tree - VARIATION - alteration to main entry sign panel, removal of portal framing around windows on north façade on first level located beneath main entry sign panel	26/10/2018	TBA	Category 1
36	DA/915/2018	141-159 Rundle Mall ADELAIDE SA 5000	Installation of signage on the facade and under canopy of the building for Rundle Square and Romeo's Retail Group	1/11/2018	\$99,775	Category 1
37	DA/917/2018	21-23 Rundle Mall ADELAIDE SA 5000	Mural to shop front and signage	1/11/2018	\$500	Category 1
38	DA/918/2018	CITY OF ADELAIDE GOLF LINKS Strangways Terrace NORTH ADELAIDE SA 5006	Temporary installation of two (2) banners both adjacent to Montefiore Road	1/11/2018	\$560	Category 1
39	DA/921/2018	PRINCE HENRY GARDENS North Terrace ADELAIDE SA 5000	Install Shipping Container Event Kiosk to be used as a Box Office for the duration of Adelaide Fringe	1/11/2018	TBA	Category 1
40	DA/922/2018	34-48 Wright Street ADELAIDE SA 5000	Change of use to extend existing karaoke premises with internal fit out	1/11/2018	\$100,000	Category 1
41	DA/924/2018	31 Sussex Street NORTH ADELAIDE SA 5006	Install 1.8m high fence	1/11/2018	\$4,539	Category 1

Item No 5.1 - Attachment 5

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 19/10/2018 To 8/11/2018

42	DA/925/2018	125-129 Carrington Street ADELAIDE SA 5000	Use car park as a temporary licensed venue on 15 December 2018	1/11/2018	\$1,000	Category 1
43	DA/926/2018	Ground 17 Charles Street Plaza ADELAIDE SA 5000	Signage	30/10/2018	\$5,000	Category 1
44	DA/927/2018	Pho-Nomenal Restaurant GF-MF 131 Ward Street NORTH ADELAIDE SA 5006	Install 3 folding arm awnings off existing canopy	4/11/2018	\$2,500	Category 1
45	DA/930/2018	Catholic Church Offices 37-45 Wakefield Street ADELAIDE SA 5000	Removal of existing shingle tile roofing and replace with corrugated Colorbond steel	5/11/2018	\$175,000	Category 1
46	DA/931/2018	11 Gray Street ADELAIDE SA 5000	Install pergola attached to dwelling and freestanding carport	5/11/2018	\$3,700	Category 1
47	DA/932/2018	315 Gilles Street ADELAIDE SA 5000	Repair and replace front of house facade	5/11/2018	\$35,000	Category 1
48	DA/933/2018	Knoodle Junction Ground Shop 1-2 25-27 Pulteney Street ADELAIDE SA 5000	Install new shop front and internal alterations	6/11/2018	\$150,000	Category 1
49	DA/934/2018	ADELAIDE ZOO Frome Road ADELAIDE SA 5000	Removal of 2 buildings, construction of 2 new buildings and associated structures, refurbishment of 4 buildings, minor structures (canopies) and landscaping (within the relocated Children's Zoo precinct)	7/11/2018	\$1,186,000	Category 1
50	DA/937/2018	148-154 Childers Street NORTH ADELAIDE SA 5006	Removal of the existing canvas awning and metal frame	7/11/2018	\$500	Category 1
51	DA/944/2018	217-220 Brougham Place NORTH ADELAIDE SA 5006	Replacement of air conditioning unit	8/11/2018	\$10,000	Category 2

DEVELOPMENT PLANNING - Council Assessment Panel Report Item No 5.1 - Attachment 6

Lodged Applications for Planning Consent from 19/10/2018 To 8/11/2018

Land Division						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
52	LD/33/2018	Floor 12-13 1201 267 Hutt Street ADELAIDE SA 5000	Community Division - Community Strata Amendment - create 2 titles from 1 title	6/11/2018	Not Applicable	Category 1
53	LD/34/2018	262-266 Waymouth Street ADELAIDE SA 5000	Land Division - boundary adjustment	6/11/2018	Not Applicable	Category 1
54	LD/35/2018	106-116 Gray Street ADELAIDE SA 5000	Community Division - amendment to common property boundary	6/11/2018	Not Applicable	Category 1
S49 Applications						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
*55	S49/30/2018	ADELAIDE FESTIVAL CENTRE, King William Road, ADELAIDE SA 5000	Painting of ceilings of corporate boxes/vestibules	25/10/2018	TBA	Not Applicable
*56	S49/27/2018	287-300 North Terrace, ADELAIDE SA 5000	Internal alterations including replacement of flooring and lighting, repainting, and wall papering	26/10/2018	\$45,000	Not Applicable

Please Note: Category 1 (No Notification Required)

Category 2 (Adjacent Owners and Occupiers Notified Only)

Category 3 (As for Category 2, Plus Other Owners and Occupiers Directly Affected to a Significant Degree)

* Approved