

Council Assessment Panel Meeting Agenda



Monday, 10 December 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

1. Confirmation of Minutes – 19/11/2018 [CAP]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 19 November 2018, be taken as read and be confirmed as an accurate record of proceedings, subject to the record of proceedings for Item No 5.1 on page 5 being amended by:

- *the deletion of the following -*

The following applications were called in for consideration by the Panel:

1. Record No. 14 – DA/793/2018 – My Physio SA, Ground 274 Melbourne Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
2. Record No. 18 – DA/800/2018 – 84-86 Melbourne Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
3. Record No. 27 – DA/812/2018 – 22A Moger Lane, Adelaide SA 5000

- *And inclusion of the following -*

The following applications were called in for consideration by the Panel:

1. Record No. 14 – DA/887/2018 – 67-71 Melbourne Street, North Adelaide SA 5006 [Presiding Member, Mr John Hodgson]
2. Record No. 18 – DA/891/2018 – 166-180 Hindley Street, Adelaide SA 5000 [Presiding Member, Mr John Hodgson]
3. Record No. 27 – DA/904/2018 – 97-99 Angas Street, Adelaide SA 5000 [Presiding Member, Mr John Hodgson]

2. Non-Complying Application

2.1 Subject Site 87 Hill Street, North Adelaide SA 5006 [Page 3]

Application No.	DA/556/2018
Proposal	Demolish existing rear verandah and construct rear dwelling extension at ground floor
Recommendation	Development Plan Consent be GRANTED subject to SCAP concurrence

3. Applications for consideration on Merit

3.1 Subject Site 382 Gilles Street, Adelaide SA 5000 [Page 27]

Application No.	DA/657/2018
Proposal	Demolish rear of existing dwelling and construct two storey addition and retaining walls
Recommendation	Development Plan Consent be GRANTED

- 3.2** Subject Site The North Adelaide Hotel, 165-169 Tynte Street & 177-185 Tynte Street, North Adelaide SA 5006 [Page 58]
- Application No. DA/337/2018
- Proposal Undertake alterations and change the use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street
- Recommendation Development Plan Consent be GRANTED
- 3.3** Subject Site 183-185 Halifax Adelaide SA 5000 [Page 100]
- Application No. DA/564/2018
- Proposal Construct two, three storey semi-detached dwellings with carports and vehicular access from rear
- Recommendation Development Plan Consent be GRANTED
- 3.4** Subject Site Land, 22A Moger Lane Adelaide SA 5000 [Page 161]
- Application No. DA/812/2018
- Proposal Construct three, four-storey townhouses on existing allotment (Lot 11)
- Recommendation Development Plan Consent be GRANTED
- 4. Other Application - Nil**
- 5. Other Business**
- 5.1** List of Recent Lodgements for Planning Consent (2002/03378) [Page 196]
- 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 10/12/2018

Item No	2.1
Address	87 Hill Street, North Adelaide SA 5006
Proposal	Demolish existing rear verandah and construct rear dwelling extension at ground floor (DA/556/2018 - EP) [CAP]
Applicant	Tilbrook Rasheed P/L
Relevant Development Plan	7 June 2018
Lodgement Date	19 July 2018
Zone / Policy Area	North Adelaide Historic (Conservation) Zone – Hill Street Policy Area 1
Public Notification	Category 3 Non-Complying
Application Type	Non-Complying Development
Delegations Policy	Non-complying development
Recommendation	Development Plan Consent Be GRANTED subject to concurrence from the State Commission Assessment Panel

ATTACHMENTS

Plans and Supporting Information

- Plans and Elevations 1 - 4
 - Certificate of Title 5 - 8
-

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

- 1.1 This application proposes demolition of the ground floor verandah at the rear of the dwelling and the construction of an extension to the kitchen and dining area at ground level.
- 1.2 The addition will create an additional 8.6 square metres of floor area at ground level.
- 1.3 The application is non-complying on the basis that the total building floor area of the existing and proposed structures will result in a plot ratio of 0.67 which exceeds the maximum plot ratio of 0.6.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area: 162 m²		
Plot ratio	0.6	0.67
Dwelling Unit Factor (DUF)	1	1
Building height - Storeys - Metres (ceiling height)	2 6 metres (max.)	2 5.04 metres
Private Open Space (POS) - % of total site area or m ² - dimensions	35 m ²	59.9 m ²
Landscaped Open Space (LOS) - % of total site area	50 %	53 %

3. **BACKGROUND**

- 3.1 The application lodged with Council on 19 July 2018 included an upper level verandah situated above the rear dwelling extension.
- 3.2 The application was presented to the Panel on 10 September 2018 for consideration on whether to proceed to full assessment and public notification. The Panel resolved to proceed with the application.
- 3.3 One representation was lodged during the public notification period raising concern about loss of privacy from the upper level verandah. The applicant reconsidered the proposal and lodged an amended proposal deleting the upper level verandah. As a result the representor was satisfied with the changes, and the representation has been withdrawn.

4. **SITE**

- 4.1 The site has a frontage to Hill Street of 6.7 metres and a depth of 28.3 metres, with an overall site area of 162 square metres.
- 4.2 The site is part of a strata development built in 1981 consisting of six (6) two storey townhouse dwellings, with a common shared central driveway providing vehicular access to garages.
- 4.3 The site is flat with no significant or regulated trees.
- 4.4 A two storey dwelling is located on the subject site and is located on the boundary of the property with 81-85 Hill Street. An area of private open space is located immediately behind the dwelling, with a garage and open carport located behind.
- 4.5 The rear yard is enclosed by a 2-metre-high masonry wall with 500mm timber lattice above.

5. LOCALITY

- 5.1 The locality is characterised by large detached and semi-detached dwellings of one and two storeys located on large allotments. Well landscaped front and rear gardens with established trees and shrubs creating a high-quality amenity in both the private and public realms.
- 5.2 Several non-residential institutional land uses are located nearby; in particular St Dominic's Priory College on Molesworth Street and Calvary Hospital, at the corner of Hill Street and Barnard Street to the south. Both land uses generate activity and movement in the precinct, mainly during daylight hours.
- 5.3 Hill Street functions as a residential street, however it does experience a moderately high level of vehicular traffic arising out of a bus route and vehicles travelling to and from local institutional destinations.



KEY



Subject Site



Local Heritage Place



Policy Area Boundary



State Heritage Place



Locality

Photo 1 – View of site from common driveway land of 87-91 Hill Street



Photos 2 and 3 – View of 89A Hill Street (the house at the rear of the subject site) taken from both upper storey rear windows



Photo 4 – View of subject site from Hill Street



Photo 5 – View of northern windows of Local Heritage Place 81-85 Hill Street adjacent



Photo 6 – View of existing boundary wall abutting the boundary with 81-85 Hill Street



6. **PUBLIC NOTIFICATION**

- 6.1 The application underwent Category 3 Public Notification and one representation was received from the occupant of 89A Hill Street. The representor raised concerns regarding overlooking from the upper level verandah at the rear of the dwelling into the upper level windows of his dwelling and into the front courtyard. Subsequently, the applicant amended the proposal to remove the balcony and the representor withdrew his objection.

7. **REQUIRED EXTERNAL REFERRALS**

- 7.1 No external referrals required.

8. **SPECIALIST ADVICE**

- 8.1 No referrals required.

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
N/A	N/A
LIVEABLE	CREATIVE
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.	N/A

9. DETAILED ASSESSMENT

9.1 Summary of Policy Area Objectives & Principles

<p>Hill Street Policy Area 1</p> <p><i>The subject site is located within the North Adelaide Historic (Conservation) Zone and Hill Street Policy Area 1. The Desired Character Statement for the Policy Area states:</i></p> <p><i>The Hill Street Policy Area should remain one of the lowest density residential areas in Upper North Adelaide and should be protected and enhanced as one of the most historically intact residential areas in South Australia.</i></p> <p><i>The variety of dwelling types should be retained by the conservation of Heritage Places characterised by nineteenth and early twentieth century elegant and finely detailed mansions and other large villas set on large allotments, together with low and medium density cottages, villas and terrace houses of one and two storeys.</i></p> <p><i>Helping Hand Aged Care will be a valuable multi-functional aged care facility providing a variety of levels of care and accommodation for the elderly community. St Dominic's Priory College will continue to be associated with educational land uses. Calvary Hospital will provide hospital uses such as patient care, research, consulting rooms, visitor accommodation and ancillary services. Development of these long established institutions should meet the community needs and future requirements whilst reinforcing the heritage values and amenity of the Policy Area.</i></p> <p><i>New development should respect the low scale, environmental quality character and historic value of the Policy Area, incorporating high standards of design, materials and landscaping.</i></p> <p><i>The character of new residential development should be established by low density detached dwellings, semi-detached 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:</i></p> <p><i>(c) Hill Street:</i></p> <p><i>This attractive townscape is formed by the many one storey local heritage places and several two storey State Heritage Places comprising large detached and semi-detached dwellings, as well as other prominent corner sites containing St. Lawrence's Church and Calvary Hospital. New residential buildings should be detached or semi-detached dwellings with a frontage to and access from the street. The siting of buildings should continue the regular building set-back from the primary street frontage and the established regular pattern of siting of Heritage Places on individual allotments relevant to the particular section of the street.</i></p>		
Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Desired Character	<ul style="list-style-type: none"> • Achieved. • The proposed works are not visible from the public realm and will thus not affect the established streetscape. 	✓
Objectives	<ul style="list-style-type: none"> • Achieved. • The proposed development conforms to existing setbacks, is of low density and will not affect the character of the locality. 	✓
O1-3		

Principles of Development Control P1-14	<ul style="list-style-type: none"> The proposed development is a minor addition to an established group dwelling. It thus supports retention of a desired form of housing 	✓
	<ul style="list-style-type: none"> The proposed addition increases the internal floor area by 8.6 square metres, thus raising the plot ratio from 0.6 to 0.67, exceeding the maximum desired density. The additional floor area does not create impacts beyond the site. 	✗
	<ul style="list-style-type: none"> A minimum of 50% landscaped open space is desired. The proposed development reduces that area from 94m² metres to 85.4m² resulting in a combined open space of 53%. 	✓
	<ul style="list-style-type: none"> A minimum of 35m² private open space is required. The existing open space decreases from 68.5m² to 59.9m² thus satisfying the Principle of Development Control. 	✓

9.2 Summary of Zone Objectives & Principles

Subject	Assessment	Achieved
DP Ref		✓ Not Achieved ✗
Objectives O1-4	<ul style="list-style-type: none"> Achieved. 	✓
Land Use P1-2	<ul style="list-style-type: none"> Achieved. 	✓ ✗
Form and Character and Design and Appearance P3-11	<ul style="list-style-type: none"> Development achieves the minimum landscaped open space desired for the Hill Street Policy Area. The dwelling addition will be carried out in a style that matches the existing dwelling. The proposed works do not increase the length of wall on the property boundary. The existing roof is to be retained and reused. 	✓ ✓ ✓ ✓
Fencing P14-16	<ul style="list-style-type: none"> Achieved. No change is proposed. 	✓
Access and Car parking P17-23	<ul style="list-style-type: none"> Achieved. No change is proposed. One on site car park remains available. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Housing choice	<ul style="list-style-type: none"> Achieved. 	✓
O6-8		
P5-9		
LOW SCALE RESIDENTIAL DEVELOPMENT		
Building Appearance & Neighbourhood Character	<ul style="list-style-type: none"> Achieved. The proposed addition will not be visible from Hill Street. 	✓
O11-12		
P17-21		
Dwelling Setbacks	<ul style="list-style-type: none"> Achieved. 	✓
O13		
P22		
Building Siting	<ul style="list-style-type: none"> Achieved. There is no additional structure being built on the property boundaries. 	✓
O14		
P23-24		
Daylight & Sunlight	<ul style="list-style-type: none"> Achieved. There is no change to daylight and sunlight access for neighbouring properties. 	✓
O15		
P25-28		
Visual & Acoustic Privacy	<ul style="list-style-type: none"> Achieved. There is no loss of privacy or increased noise exposure for adjacent owners/occupiers 	✓
O17		
P35-38		
Adaptability	<ul style="list-style-type: none"> Achieved. The proposed development expands the ground level open plan living area, thus providing more options for the residents. 	✓
P39		
Site Facilities & Storage	<ul style="list-style-type: none"> Achieved. Internal storage space is increased and there is no loss to the internal storage area provided by the carport and garage at the rear of the site. 	✓
O21		
P46-47		

ENVIRONMENTAL		
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Not satisfied. The west facing windows at ground level will receive afternoon sun which will maximise internal natural light and will be pleasant in the winter months, however it will experience heat load in summer months. 	x
Micro climate and sunlight O33-34 P119-125	<ul style="list-style-type: none"> Achieved. No change will be caused to adjacent sites. 	✓
Stormwater management O35-39 P126-131	<ul style="list-style-type: none"> Achieved. There is no increase on stormwater runoff as there is no increase in roofed or impervious surfaces. 	✓
Heritage & Conservation – North Adelaide Development Adjacent a Heritage Place P162-166	<ul style="list-style-type: none"> Achieved. The proposed addition has no impact upon the adjacent Local Heritage Place at 81-85 Hill Street to the south as the ground level addition sits behind the existing southern boundary wall. 	✓
Built Form & Townscape O46-48 P167	<ul style="list-style-type: none"> Achieved. The proposed development is small in scale and has minor visual impact beyond its site. 	✓
Height, Bulk and Scale P168-174	<ul style="list-style-type: none"> Achieved. As the works are small in scale and limited to ground level, within the envelope created by the verandah, enclosure of the space has no practical increase in the building's impact. 	✓
Plot Ratio P175	<ul style="list-style-type: none"> Not satisfied. See Discussion 	x
Maximum Dwelling Density & Floor Area P176	<ul style="list-style-type: none"> Not satisfied. See Discussion 	x
Building Setbacks P178-179	<ul style="list-style-type: none"> Achieved. No change. 	✓
Composition & Proportion P180-181	<ul style="list-style-type: none"> Achieved. 	✓

Articulation & Modelling P182-186	<ul style="list-style-type: none"> Achieved. 	✓
Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> Achieved. The dwelling addition will be finished and painted to match with the dwelling. 	✓
Landscaping O55 P207-210	<ul style="list-style-type: none"> The proposed dwelling addition has no impact upon landscaping as the area is already paved, having been a verandah, thus there is no loss of landscaping. 	✓

9.4 Detailed Discussion

Desired Character

The proposed character seeks residential use at low densities and preservation of the existing streetscape and townscape character. The proposed development is acceptable, being a relatively small scale addition at the rear of an established group dwelling. It will not be visible from any public streets and not affect the adjacent Local Heritage place at 81-85 Hill Street.

Land Use

Residential land use is sought in the Zone and Hill Street Policy Area. The dwelling addition improves the existing dwelling by enlarging the living space, thus reinforcing the residential land use.

Built Form and Design

The proposed development is essentially 'filling in' the space occupied by the former rear verandah and thus has no impact upon the built form of the dwelling.

Residential Amenity

The proposed addition enlarges the living, dining and kitchen area of the dwelling, improving the internal amenity as a result.

Environmental

The west facing windows will not be protected from afternoon sunlight, lacking protection from overhanging eaves. Heat loading in summer will be significant, requiring high-performance glazing. The specification of the glazing has not been provided but will be finalised at the time of seeking Building Rules Consent. The applicant has a range of differing glazing to choose from which will satisfy the requirements of the Building Code. It is suggested that an advisory note be placed on the Planning Consent advising the applicant to seek installation of the best performing glazing to handle heat loading from summer sun.

Heritage and Conservation

There are no concerns relating to heritage. The adjacent Local Heritage Place at 81-85 Hill Street is not affected by the proposed development as it will not result in any change to the existing boundary wall and new floor area will be contained behind the wall.

Transport, Access and Parking

There is no change to the existing manoeuvring and parking.

9.5 **Conclusion**

The application is non-complying on the basis that the total building floor area of the existing and proposed structures will result in a plot ratio of 0.67 which exceeds the 0.6 requirement for the Hill Street Policy Area 1 of the North Adelaide Historic (Conservation) Zone.

The North Adelaide Historic (Conservation) Zone anticipates residential development, however it should preserve and enhance the historic character of the locality. In this instance the subject site is part of a group of two-storey townhouses which are of a higher density than the surrounding historic locality. The proposed extension is of a modest scale and is located at the rear of the dwelling, ensuring that there are no views of the proposed works from Hill Street and Molesworth Street.

Whilst the proposed development constitutes a non-complying form of development, it displays a degree of conformity with the Development Plan. For the purposes of the current decision, it is noted that:

- The additional floor area is located in a space previously occupied by a verandah, therefore there is no real increase in the bulk of the building.
- The degree to which the proposal exceeds the desirable plot ratio is not considered to be trifling and insignificant.
- Sufficient landscaped open space and private open space remains to provide the occupants with a high level of amenity and reasonable outlook.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes a land use and form of development that is desired in the Zone and Policy Area.

It has been determined that, on balance, the proposal warrants Development Plan Consent subject to concurrence from the South Australian Planning Commission.

10. **RECOMMENDATION**

That the development, the subject of the application from Tilbrook Rasheed P/L to demolish the existing rear verandah and construct rear dwelling extension at ground floor at 87 Hill Street, North Adelaide SA 5006 as shown on plans designated DA/556/2018:

1. Is not seriously at variance with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent, subject to the concurrence of the State Commission Assessment Panel and 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:**

- **Job Number 2018 1809 Drawing Number DA02 Issue B**
- **Job Number 2018 1809 Drawing Number DA04 Issue B**
- **Job Number 2018 1809 Drawing Number DA05 Issue B**

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

Reason: To ensure that the development is carried out in accordance with the approved plans and specifications.

2. **The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' which is attached to this consent to the reasonable satisfaction of the Council.**

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

Advices

1. Development Approval will not be granted until a Building Rules Consent has been obtained. This may be obtained through either Council or a Private Building Rules Certifier. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent 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. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
5. The applicant is advised to seek installation of high-performance glazing to the ground level west-facing windows and doors that is designed to minimise heat-loading from sunlight exposure.

Item No. 2.1 – Attachments 1 – 8 (87 Hill Street, North Adelaide, SA 5006)

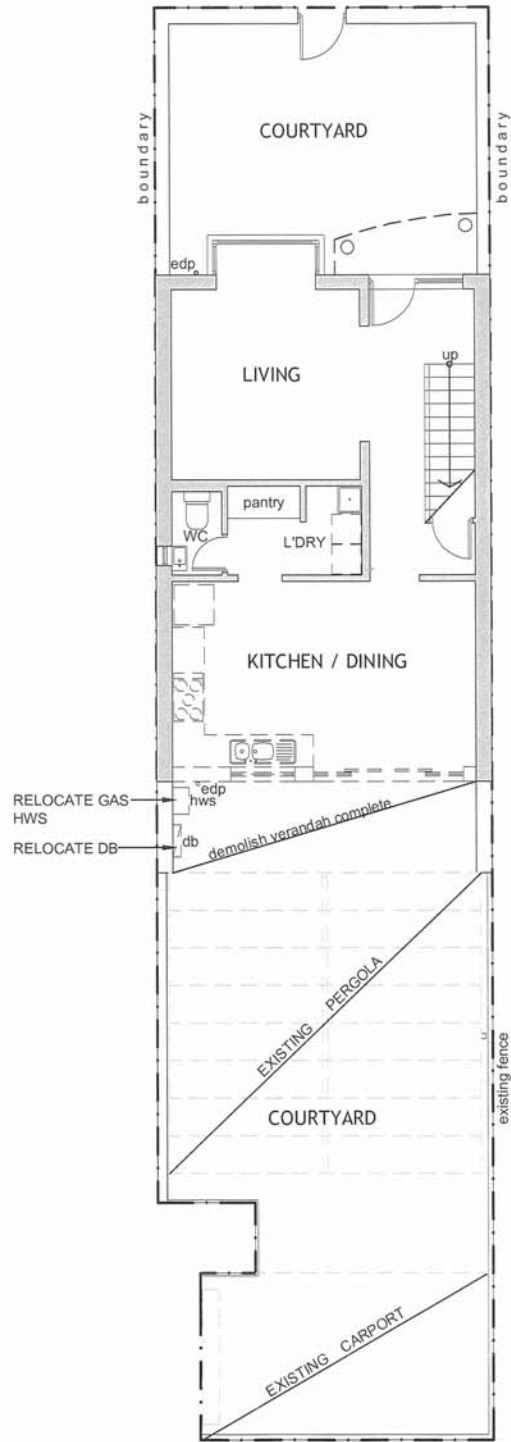
Pages 19 to 26

ATTACHMENTS

Plans and Supporting Information

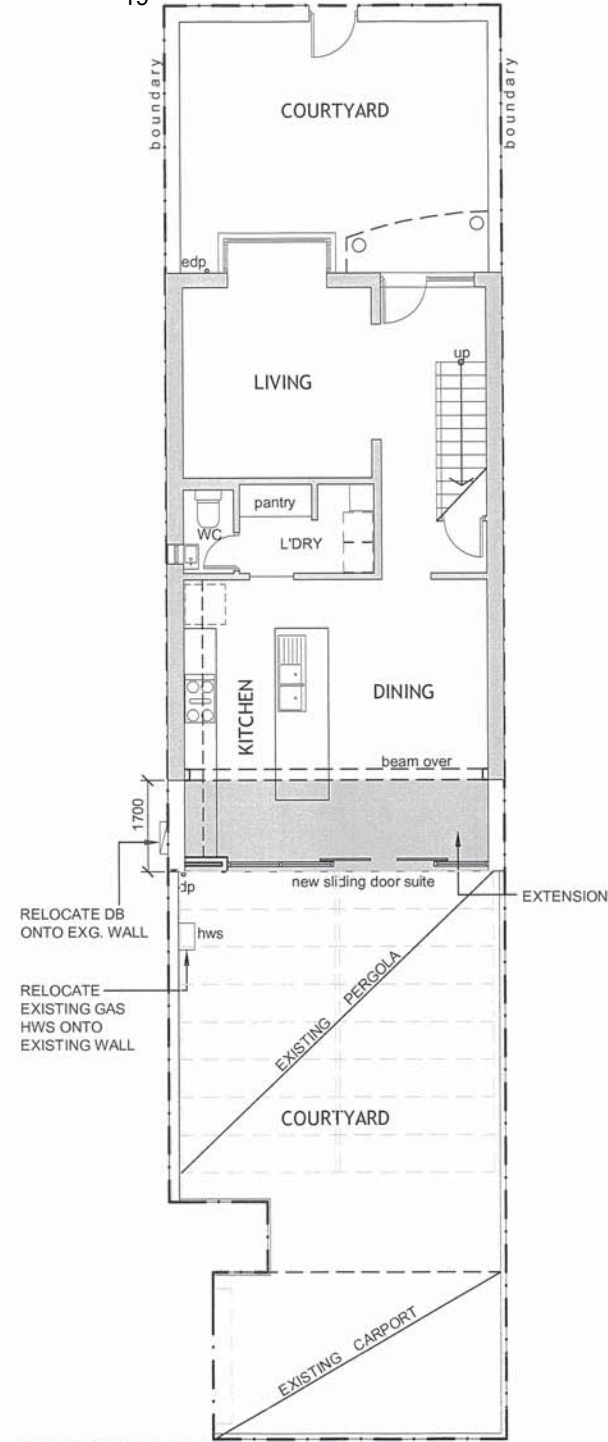
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EXISTING GROUND FLOOR PLAN

SCALE 1:100 @ A3



PROPOSED GROUND FLOOR PLAN

SCALE 1:100 @ A3



rev #	date	description
A	27.09.18	issued for planning approval



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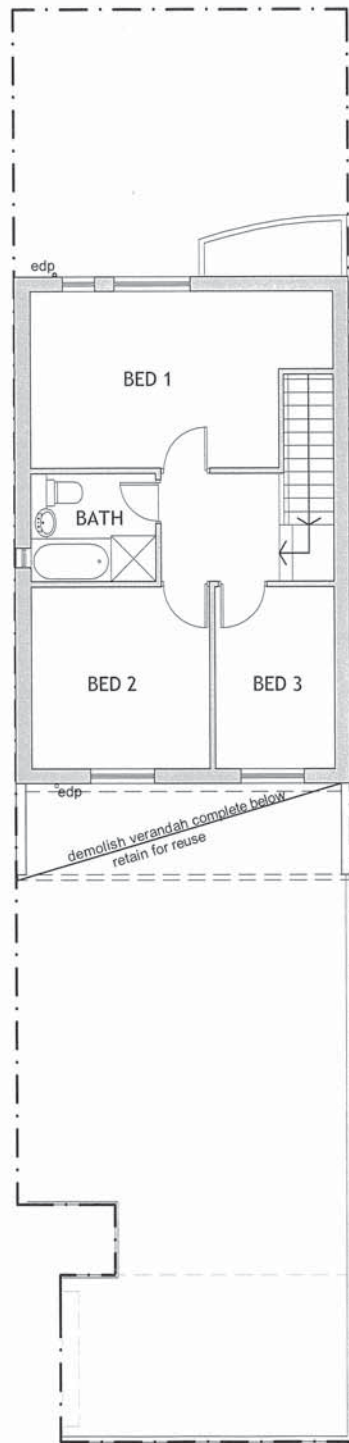
project

ALTERATIONS
87 HILL STREET
NORTH ADELAIDE
S.A. 5006

PLANNING ISSUE

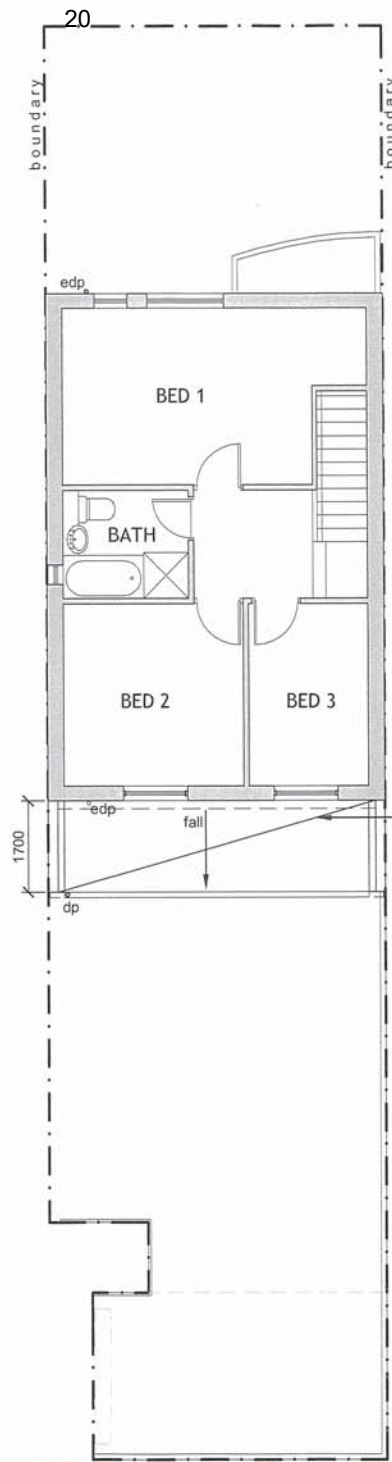
drawing title		
job #	dwg #	issue #
2018 1809	DA 02	B
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31/10/18	1:100	am

BUILDERS AND CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK AND PREPARING SHOP DRAWINGS. IF IN DOUBT ASK FOR CLARIFICATION.



EXISTING FIRST FLOOR PLAN

SCALE 1:100 @ A3



PROPOSED FIRST FLOOR PLAN

SCALE 1:100 @ A3

rev #	date	description
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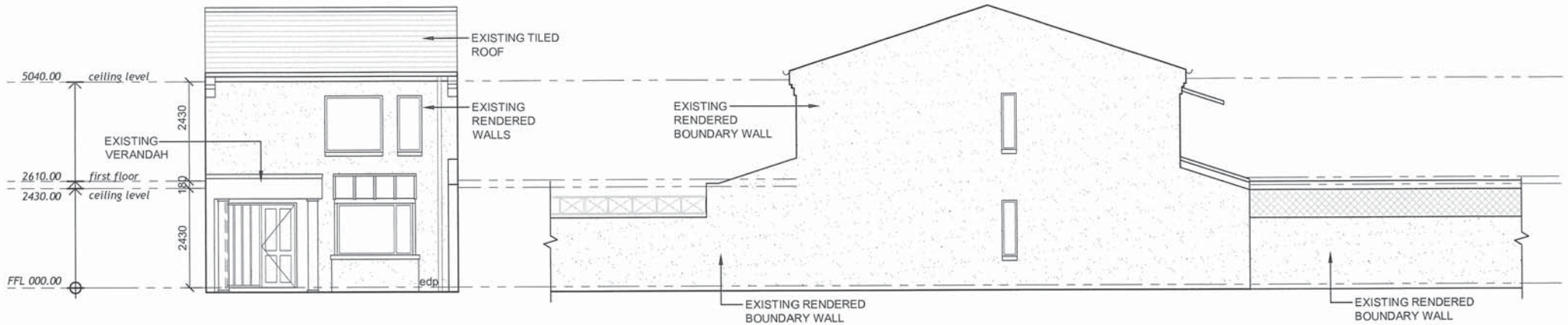
ALTERATIONS
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PLANNING ISSUE

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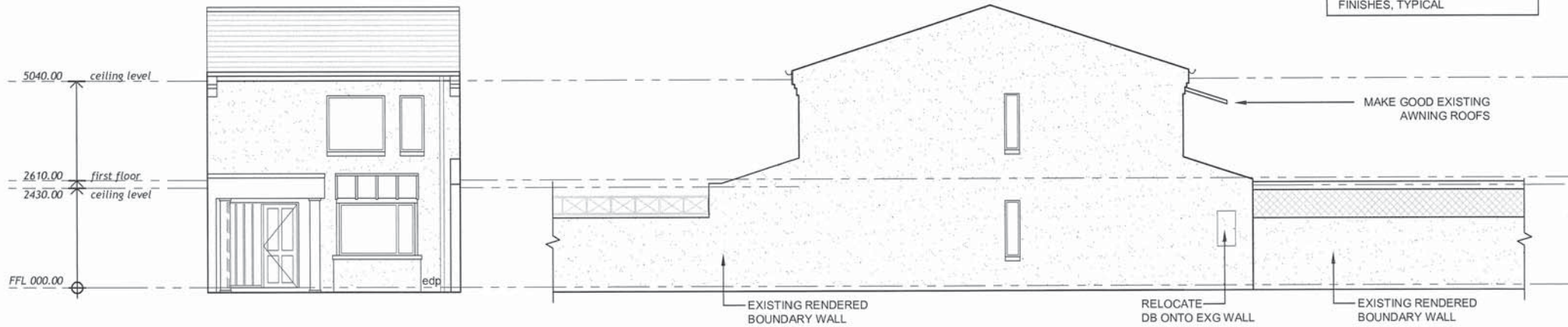
EXISTING EAST ELEVATION

SCALE 1:100 @ A3



EXISTING NORTH ELEVATION

SCALE 1:100 @ A3



PROPOSED EAST ELEVATION

SCALE 1:100 @ A3

PROPOSED NORTH ELEVATION

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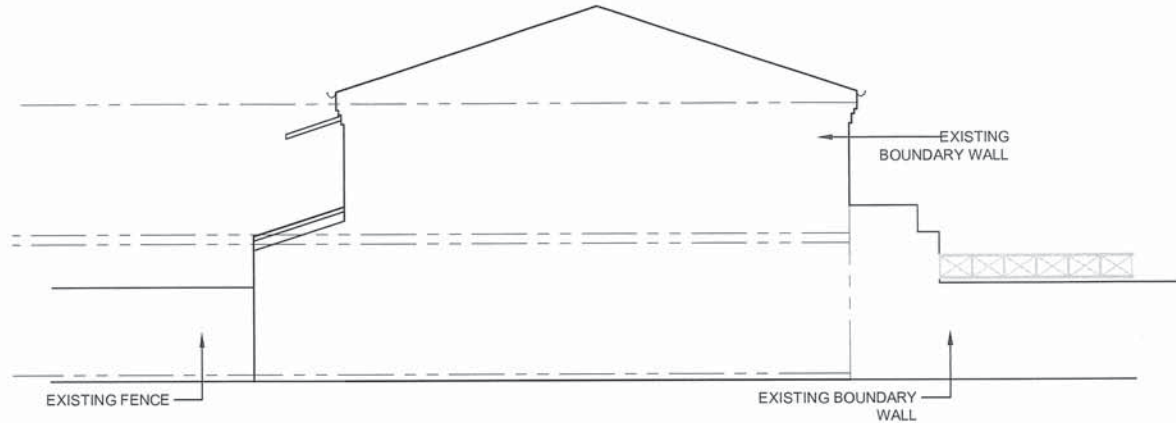
ALTERATIONS
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 NORTH ADELAIDE
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project		drawing title	
existing & proposed east & north elevations			
job #	dwg #	issue #	
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date	scales	drawn by	
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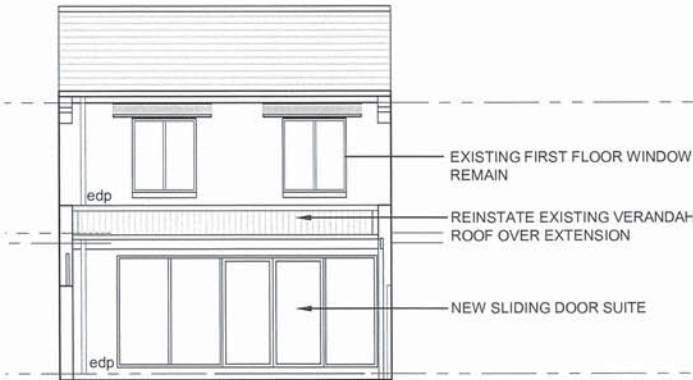
EXISTING WEST ELEVATION

SCALE 1:100 @ A3



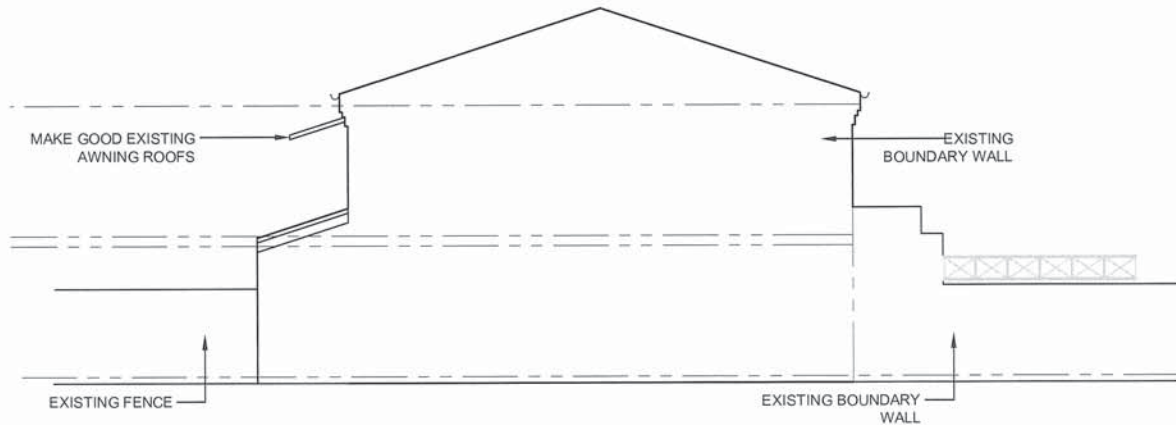
EXISTING SOUTH ELEVATION

SCALE 1:100 @ A3



PROPOSED WEST ELEVATION

SCALE 1:100 @ A3



PROPOSED SOUTH ELEVATION

SCALE 1:100 @ A3



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Rev #	Date	Description
A	27.09.18	Issued for planning approval

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project

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drawing title

existing & proposed west & south elevations		
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2018 1809	DA05	B
date	scales	drawn by
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BUILDERS AND CONTRACTORS ARE TO VERIFY ALL DIMENSIONS AND LEVELS ON SITE BEFORE COMMENCING ANY WORK AND PREPARING SHOP DRAWINGS. IF IN DOUBT ASK FOR CLARIFICATION.

CERTIFICATE OF TITLE**REAL PROPERTY ACT, 1886**

VOLUME 6105 FOLIO 214

Edition 2

Date Of Issue 07/01/2013

Authority RT 11835762

South Australia

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of endorsements.

**REGISTRAR-GENERAL****REGISTERED PROPRIETOR IN FEE SIMPLE**

LAVOY PTY. LTD. OF CARE TILBROOK RASHEED PTY LTD 13 GREENHILL ROAD
WAYVILLE SA 5034

DESCRIPTION OF LAND

ALLOTMENT 6 FILED PLAN 17886
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

EASEMENTS

NIL

SCHEDULE OF ENDORSEMENTS

NIL

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



VOLUME 6105 FOLIO 215

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REGISTRAR-GENERAL

REGISTERED PROPRIETOR IN FEE SIMPLE FOR LESS THAN ENTIRETY

LAVOY PTY. LTD. OF 4 UNDIVIDED 24TH PARTS OF CARE TILBROOK RASHEED PTY LTD
13 GREENHILL ROAD WAYVILLE SA 5034

DESCRIPTION OF LAND

ALLOTMENT 5 FILED PLAN 17886
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

EASEMENTS

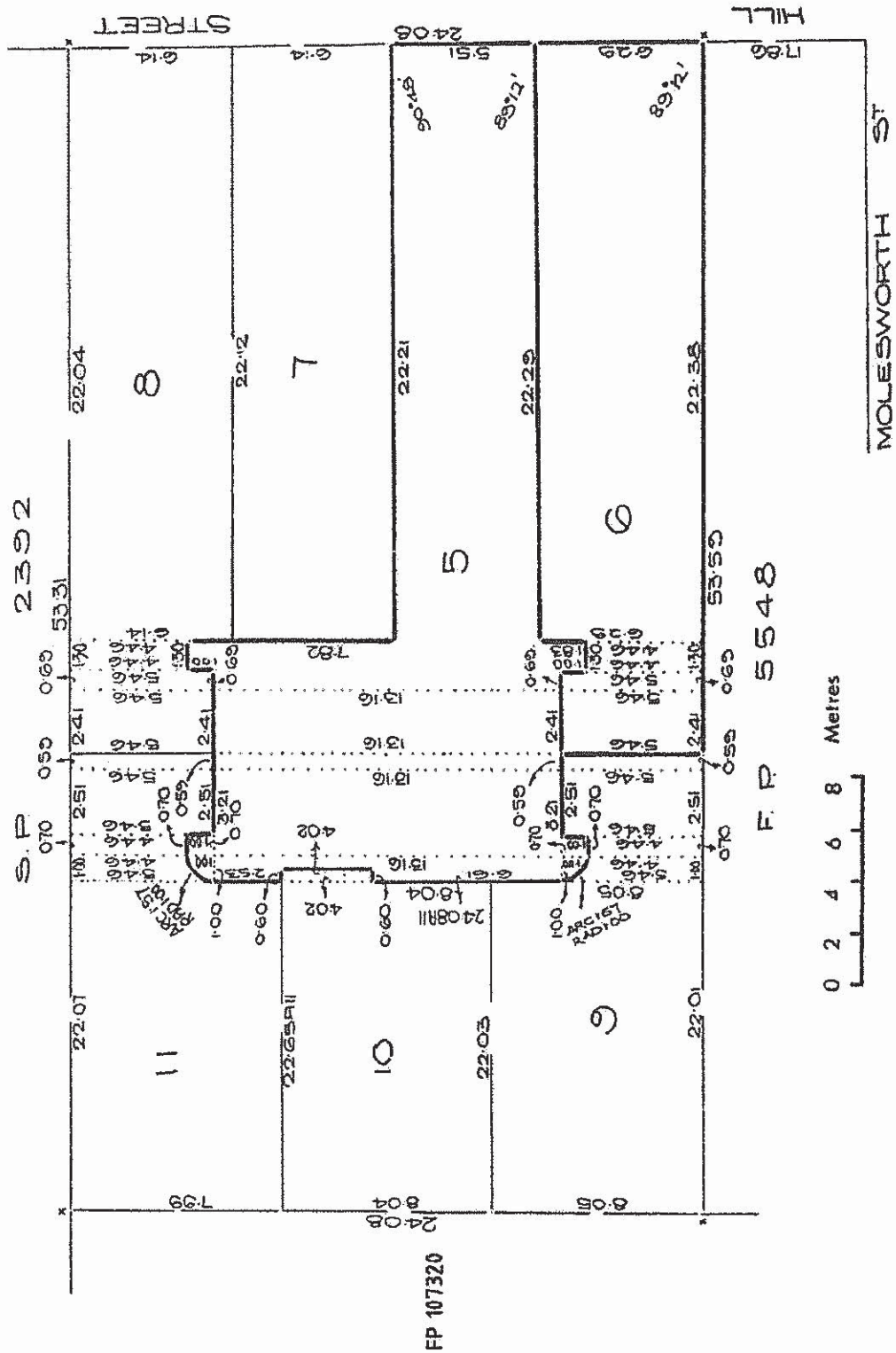
SUBJECT TO EASEMENTS OVER THE WITHIN LAND TO THE MINISTER FOR
INFRASTRUCTURE (T 5025679 AND T 5025680)

SCHEDULE OF ENDORSEMENTS

NIL

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

187



CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 10/12/2018

Item No	3.1
Address	382 Gilles Street, Adelaide SA 5000
Proposal	Demolish rear of existing dwelling and construct two storey addition and retaining walls (DA/657/2018 - SG) [CAP]
Applicant	Mr Tonino Quagliata and Ms Jane Sansom
Relevant Development Plan	7 June 2018
Lodgement Date	14 August 2018
Zone / Policy Area	Adelaide Historic (Conservation) Zone
Public Notification	Category 2
Application Type	Application Assessed on Merit
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Proposal Plans & Information 1-3
- Certificate of Title 4-5

Comments from Public Notification 6-7

Applicants Response to Representations 8-9

3D Model A model of the proposal used for the purposes of assessment will be available for viewing by members at the meeting.

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

- 1.1 Planning consent is sought for the demolition of the rear portion of an existing single storey dwelling, construction of a two storey rear addition and associated retaining walls.
- 1.2 The existing dwelling is a Local Heritage Place (Townscape).
- 1.3 The proposed addition will have a gabled roof that is 5.8 metres high to the pitching point and 7.3 metres to the ridge above finished ground level.
- 1.4 The retaining walls will have heights of approximately 600mm to allow for excavation to a depth of 600mm for the rear addition.
- 1.5 The building floor area for the existing dwelling and the addition is proposed at 160m².
- 1.6 Varying building materials and finishes will be used for the construction of the addition including smooth cement render, Corten steel cladding and corrugated roof sheeting.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area 241m²		
Plot ratio	0.8 (193m ²)	0.66 (160m ²)
Building height - Storeys - Metres	2 8.5 metres (max.)	2 7.3 metres
Private Open Space (POS) - % of total site area or m ² - dimensions	25m ² 2.5m (min)	50m ² >2.5m
Landscaped Open Space (LOS) - % of total site area	15% 36m ²	23% 56m ²
Car parking and Access - Number of spaces	1 Space	Unchanged

3. **BACKGROUND**

- 3.1 The existing ground floor addition at the rear of this dwelling appears to have been constructed in the late 1970's.
- 3.2 An application for a similar addition was refused by Council's Assessment Panel on 20 November 2017 for the following reasons:
 1. *The addition does not meet the Desired Character Statement in the Adelaide Historic (Conservation) Zone in that the historic character will not be supported and enhanced because of the wall height and hence overall height of the addition. At 7.6 metres to the ridgeline, the addition is considered not to support the overall character because the addition will be highly visible when juxtaposed against the dwelling on the site and the neighbouring dwellings to the east and west. The pitched roof profile as an architectural solution is supported in the Desired Character as it reinforces traditional roof forms found in the locality.*

2. *The addition does not fulfil Objective 2, 3, PDC 1, 4(b), 6(a) and 13 of the Adelaide Historic (Conservation) Zone in that the wall height of the addition and hence the overall ridge height is not complementary as it does not reflect the historic built form and its visual character because of the scale of the addition. Other additions in the locality are not readily visible and do not dominate the view of the place from the public realm, as this addition will do.*

- 3.3 The applicant appealed this decision in the Environment Resources and Development Court. Ultimately the Appellant decided to discontinue the Appeal.
- 3.4 This application proposes a similar design. However, the key change is the addition is proposed atop an area excavated to a depth of 600mm and the building has also been reduced in height by 300mm. These changes reduce the height of the proposal and its visual appearance from surrounding land.

4. SITE

- 4.1 The subject site is a small land parcel located on the northern side of Gilles Street, approximately 16 metres west of Royal Avenue. It has a frontage to Gilles Street of 8.38 metres and side boundary lengths of approximately 30.86 metres. The site has an area of approximately 241m².
- 4.2 A single fronted, narrow, Local Heritage listed dwelling with a concave verandah covering the façade and small garden area, enclosed by a picket fence is located on the site. A single storey addition has also been constructed to the rear of the site.
- 4.3 The dwelling is located directly adjacent the eastern boundary, is positioned close to Gilles Street and is setback from the rear northern boundary.
- 4.4 A 2.44 metre wide driveway is located on the western portion of the site. It is included as part of the subject site but is subject to a free and unrestricted right of way in favour of the neighbouring site at 380 Gilles Street.
- 4.5 There are no regulated or significant trees located on the subject site.

5. LOCALITY

- 5.1 The northern side of Gilles Street consists of a contiguous row of intact nineteenth century dwellings, all of which are Local Heritage Places. Most of these dwellings are single storey on relatively small allotments. This has resulted in each dwelling being located on one or both side boundaries and generally close to the street frontage.
- 5.2 The western third of the southern side of Gilles Street has a similar character to the northern side of the street, however it is less intact.
- 5.3 Beyond Vincent Street to St Johns Lane, the land is occupied by St Andrew's Hospital and is profoundly different in character land use. Contemporary multilevel buildings are located over a majority of the site.
- 5.4 The footpath between Royal Avenue in the east and Corryton Street in the west is largely uninterrupted by driveways. The majority of car access points are from the rear such as Ada Street or other side streets.
- 5.5 Mature street trees of a consistent height are located along this portion of Gilles Street.



KEY





	Subject Site		Local Heritage Place
AH(C)Z	Adelaide Historic (Conservation) Zone		Policy Area Boundary
I1	Institutional (St Andrew's) Zone		Locality
R	Representor		

Photo 1 – View of subject site from Gilles Street



Image 1 – Screenshot with addition shown



Photo 2 – View from end of the driveway



Photo 3 – The neighbouring dwelling to the west at 380 Gilles Street



Photo 4 – The side yard of the neighbouring dwelling to the east



Photo 5 – The side yard of the neighbouring dwelling to the east



Image 2 – Screenshot with addition inserted viewed looking south



Photo 6 – View of the subject site looking west from Royal Avenue



Image 3 – Screenshot with addition inserted viewed looking west

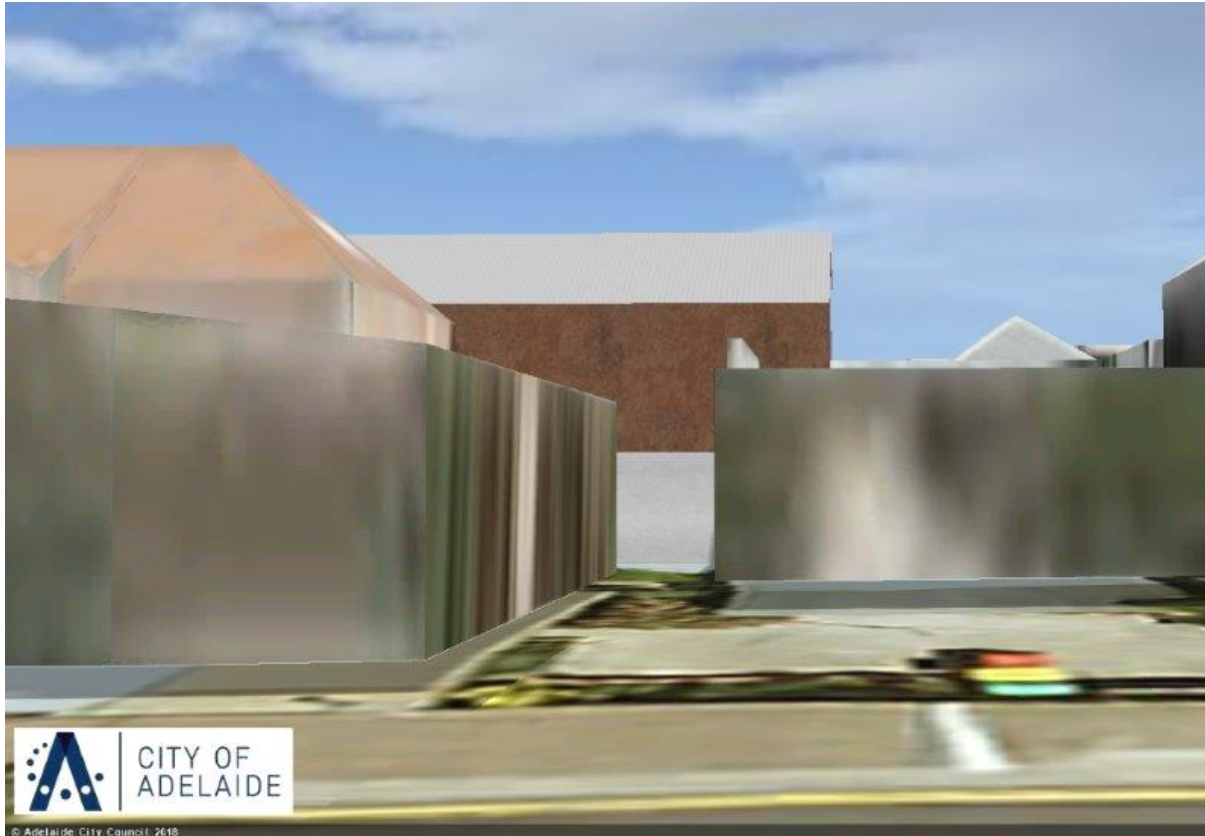


Photo 7 – View of the subject site looking east from Power Street



Image 4 – Screenshot with addition inserted viewed looking east



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 – 1	<ul style="list-style-type: none"> Mr John Gray and Mrs Jacqueline Gray – 30 Power Street, Adelaide

Summary of Representations	Applicant Response
<ul style="list-style-type: none"> Proposal includes excavation at the rear and a 600mm retaining wall on the boundaries. The plans propose demolition of the existing stone wall running east-west along the northern boundary of 382 Gilles Street. This wall is integrally connected to the wall running north-south on our eastern boundary. Demolition of the east-west wall will severely compromise the integrity of the north-south wall on our eastern boundary to an extent there is a high probability the wall will collapse. It is unclear how the wall is proposed to be reinstated and it is unlikely any new works would be able to effectively blend with existing stonework. 	<ul style="list-style-type: none"> The decision to excavate 600mm for this proposal is the direct result of the original application being refused by Council on the grounds of bulk and scale. The stone wall will be reinstated with the existing stone material, replicating the existing. Any risk to our neighbour's boundary fence/walls will be mitigated through the engagement of an engineer to manage all works. We share an appreciation for the stone walls and have invested several thousand dollars to preserve the wall at the rear of our property.
<ul style="list-style-type: none"> Another implication is that it will compromise and destabilise the existing footings of the portal on the south eastern boundary of our property. Our footings consist of bored piers approximately 850mm deep. The neighbour's rear yard will be excavated to a depth of 600mm and will most likely undermine the footings of our portal frame. 	<ul style="list-style-type: none"> Excavation works and 600mm high retaining walls will be constructed to relevant Building Code requirements.
<ul style="list-style-type: none"> The retaining wall will result in a sunken yard. No information has been provided regarding stormwater control. 	<ul style="list-style-type: none"> Stormwater will be managed by directing run-off towards Gilles Street as per existing. Further details will be provided during the Building Rules Consent stage.
<ul style="list-style-type: none"> A 1.8 metre high wooden fence is proposed to be removed and reinstated. 	<ul style="list-style-type: none"> No comment provided.
<ul style="list-style-type: none"> The proposed 1.6 metre high screen on the second storey glass wall is below standard and would not prevent sightlines for a person standing in the room. The screen should be at least 1.8 metres high. 	<ul style="list-style-type: none"> A 1.6 metre high screen is the minimum standard.

<ul style="list-style-type: none"> The plans do not state the screen will have 25% transparency. The use of perforations or slats will not adequately prevent sightlines into neighbouring properties. 	<ul style="list-style-type: none"> 25% transparency is the maximum standard. Sight lines will be maintained.
<ul style="list-style-type: none"> The screen should not be able to be opened as this would negate the function of the screen for preventing sightlines. 	<ul style="list-style-type: none"> Council is responsible for ensuring all standards are adhered to. We have made significant modifications to ensure both adherence to the relevant standards.
<ul style="list-style-type: none"> The north elevation will consist of glass. There needs to be solar control to prevent bright solar light reflecting into our rear garden. 	<ul style="list-style-type: none"> Appropriate solar control to prevent bright solar light reflecting into the representor's rear garden will be taken into consideration.
<ul style="list-style-type: none"> The bulk and scale in terms of solid to void ratios and proportions for the northern, eastern and western elevations and the unbroken use of Corten cladding do not satisfy the relevant Development Plan provisions. 	<ul style="list-style-type: none"> Significant changes have been made to the exterior design to ensure the relevant Development Plan provisions are adhered to.

7. **REQUIRED EXTERNAL REFERRALS**

7.1 No external referrals required.

8. **SPECIALIST ADVICE**

8.1 **Local Heritage**

This application is for a two storey extension to the rear of a single fronted Victorian era local heritage place (Townscape) within the Adelaide Historic (Conservation) Zone. Despite the St Andrew's hospital opposite, the locality maintains a cohesive heritage character. The majority of dwellings on the northern side of Gilles Street and all of the cottages in nearby Royal Avenue are listed as local heritage places.

The proposed two storey addition is well separated from the cottage and the roof form complements its heritage character. The development will be mostly concealed from Gilles Street due to the setback from the frontage and an overall height of 6.73 metres. The addition will be visible from Royal Avenue due to the relatively generous open space around the adjacent dwelling at 384-388 Gilles Street on the corner of Royal Avenue. However, the built form and Corten cladding are considered appropriate for the locality.

The applicant was asked to clarify the proposed cladding details as there is a note on the elevations Dwg. Q102 referring to Ruukki Corten cladding or similar. The applicant advised that a similar colour cladding would be used if Corten is too costly. It is recommended that approval is conditional on the use of the Corten cladding. Corten has a unique colour and finish and any proposed substitute should be submitted for Council Approval to ensure it complements the heritage character of the locality.

Further information was sought regarding the proposed portal frame on the north and south elevations. The applicant advised that the portal frame will be a black I-beam to match the window framing, which is considered appropriate.

The proposed development is supported. It is consistent with the Desired Character for Gilles Street and with the Heritage Objectives and Principles for the locality and the Local Heritage Place.

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

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> • Low density residential development. • Reinforces the cohesive character by concentrating the addition to the rear and maintaining a pitched roof form. • Proposal not seriously at conflict with the historic character. 	✓
Objectives O1-3	<ul style="list-style-type: none"> • Conserves and respects the existing historic character of the Zone. 	✓
Land Use P1-2	<ul style="list-style-type: none"> • Dwelling addition. 	✓
Form and Character P4	<ul style="list-style-type: none"> • This sensitively designed addition to the rear complements the existing dwelling and the existing historic built form in the locality. 	✓
Design and Appearance P6, 7, 9, 10, 12-15, 17, 18	<ul style="list-style-type: none"> • The proposal has been designed to have a minimised bulk and scale by constructing the addition atop a portion of the site excavated to a depth of 600mm and by also reducing the height of the building by 300mm. 	✓
Fencing P23	<ul style="list-style-type: none"> • Existing fencing to be reinstated on top of retaining walls for western and rear boundaries. 	✓

9.2 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved Not Achieved x
Housing choice O6 P5&9	<ul style="list-style-type: none"> Will add to the variety of housing types in the area. Proposal complements and does not dominate the Local Heritage Place or surrounding properties. 	✓
LOW SCALE RESIDENTIAL DEVELOPMENT		
Building Appearance & Neighbourhood Character O11-12 P17-21	<ul style="list-style-type: none"> A large area of private open space will be provided. Visual bulk of the proposal minimised through articulation of the facades, the use of darker tones and by locating the addition atop an excavated portion of land. 	✓
Dwelling Setbacks O13 P22	<ul style="list-style-type: none"> Proposed rear and side boundary setbacks not in keeping with neighbouring setbacks. However, these align with setbacks considered reasonable for such development. 	✓
Daylight & Sunlight O15 P25-28	<ul style="list-style-type: none"> Considering the north/south alignment of this property shadow diagrams are not deemed necessary as it is clear the neighbouring properties will gain at least two (2) hours of sunlight between 9am and 3pm on 22 June. 	✓
Private Open Space O16 P29-34	<ul style="list-style-type: none"> An extensive private open space area is proposed. North facing private open space will take advantage of access to sunlight. 	✓
Visual & Acoustic Privacy O17 P35-38	<ul style="list-style-type: none"> Refer to Section 9.4 Detailed Discussion regarding visual privacy. 	✓
Carports, Garaging & Fencing O18-19 P40-43	<ul style="list-style-type: none"> Unchanged. 	✓
On-Site Parking & Access O20 P44-45	<ul style="list-style-type: none"> Unchanged. 	✓
ENVIRONMENTAL		
Waste management O28 P101-104	<ul style="list-style-type: none"> Sufficient area on-site for the storage of waste bins. 	✓

Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Living areas will incorporate north facing windows. Natural cross ventilation will be possible by opening north and south facing windows to capture breezes. 	✓
Heritage & Conservation O42-45 P136-148	<ul style="list-style-type: none"> Supported by Council's Heritage Advisor, refer Section 8.1. 	✓
Height, Bulk and Scale P168-174	<ul style="list-style-type: none"> Refer to Section 9.4 Detailed Discussion. 	✓
Plot Ratio P175	<ul style="list-style-type: none"> Satisfied. 	✓
Landscape Open Space P177	<ul style="list-style-type: none"> Satisfied. 	✓
Articulation & Modelling P182-186	<ul style="list-style-type: none"> The addition will be articulated by clearly defining a base, middle and top through the use of contrasting finishes including smooth cement render, Corten cladding and corrugated roof sheeting. 	✓
Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> The use of cement render and Corten steel will make references to traditional materials evident in existing buildings within the locality. Low light reflective rendered surfaces, in dark tones as well as Corten steel wall cladding will assist in articulating the facades and result in a contemporary built form that does appear out of context with existing built form in the locality. 	✓
Landscaping O55 P207-208	<ul style="list-style-type: none"> A significant private open space area to the rear will be provided for potential landscaping. 	✓
Bicycle Access O64-65 P235	<ul style="list-style-type: none"> The subject site can readily accommodate an area to store (2) bicycles in accordance with Table Adel/6. 	✓
Traffic and vehicle access O68-70 P241-250	<ul style="list-style-type: none"> Unchanged. 	✓
Car parking O71-72 P251-265	<ul style="list-style-type: none"> Unchanged. 	✓

9.3 Detailed Discussion

Height

The height of the current proposal above existing ground level has been reduced by 900mm when compared to the previous application (DA/80/2017). The changes are summarised in Table 9.4 below:

Table 9.4 – Height Differences Between Previous and Current Applications			
	Previous Application	Current Application	Difference
Height to pitching point of Roof above existing ground level	6 metres	5.2 metres	800mm reduction
Height to ridge of roof above existing ground level	7.6 metres	6.7 metres	900mm reduction

Note: Existing ground level refers to unexcavated ground level.

The 30 degree roof pitch reinforces the prevailing and typical historic character in accordance with Zone PDC 12 and is preferred to a flat or skillion roof that could have reduced the overall height further. Proportionally, the addition follows the basic wall height and length of the existing dwelling.

When viewed from Gilles Street, the addition will be visible behind the hipped roof form of the original dwelling. When viewed from Royal Avenue and Power Street, the height of the addition to the ridgeline will be visible. However, the extent of visibility will be reduced compared to DA/80/2017 as a result of excavation of the site by 600mm and a reduction of the height of the proposed addition by 300mm.

Zone PDC 13 states that where single storey development prevails, two (2) storey solutions may be appropriate if low profile solutions are adopted. A two (2) storey solution is proposed and the height of the addition, particularly when viewed from surrounding land will be minimised by proposing the dwelling on a portion that will be excavated to a depth of 600mm. The proposal also satisfies Zone PDC 14 which stipulates that buildings should not exceed 2 storeys or 8.5 metres in building height. The addition will be 2 storeys and have a height of 7.3 metres above finished ground level.

Built Form and Design

Of note is the highly intact streetscape that exists in the locality. Every building on the northern side of Gilles Street from Corryton Street to Royal Avenue is a Local Heritage Place and every building in Royal Avenue is also a Local Heritage Place.

The built form creating this intact strip is in marked contrast to the southern side of this section of Gilles Street which contains St Andrew's Hospital. This complex of buildings and landscaped areas has an entirely different character. None of the hospital buildings fronting Gilles Street bear any relation to the historic character on the opposite side of the street. The most prominent building is five (5) storeys and uses cream brick. The hospital extension was recently completed on the eastern portion of the site and this is another building with a profoundly different character to the streetscape.

With regard to the subject site, when assessing the contribution of the addition to the streetscape, the emphasis has been placed on the impacts of the addition on the northern side of Gilles Street. To assess the addition against St Andrew's Hospital would not address the Desired Character for the Zone which specifically refers to the cohesive character apparent on the northern side of Gilles Street.

In the strip from Corryton Street to Royal Avenue, this is the only site where there is vacant land on the eastern and western sides of the dwelling. To the west, there is a small gap between the building formed by the driveway and on the west, the side garden of the adjoining dwelling. The gap provides extra visibility to the addition that would not occur if existing development was constructed boundary to boundary.

The side elevations of the addition will also be visible as the rear yards of 384-388 Gilles Street and 372-376 Gilles Street (used as garden area or car park respectively) are relatively clear. However, proposing the addition on an excavated portion of the site will ensure the side elevations will be less visible looking east and west from Power Street and Royal Avenue.

The applicants have a strong contemporary architectural vision and have designed a proposal that celebrates differences with the existing building. The difference between the original application (DA/80/2017), particularly in terms of reduced visibility, ensures the proposal satisfies the design principles expressed in the provisions of the Adelaide Historic (Conservation) Zone to a reasonable extent.

In terms of horizontal/vertical patterns, the façade of the original dwelling has vertical elements such as the surrounds to openings, verandah posts and fence palings. Strong horizontal lines are emphasised with gutters and fascias and the string course. There are voids in the façade in the windows and the depth of the verandah. There is detail in the ventilator bricks and fence palings, all contributing to a layered and detailed façade.

The northern façade of the addition builds on this detail with a contemporary interpretation using Corten cladding. In doing so, the addition demonstrates a compatible visual relationship with adjacent heritage places and fulfils Zone PDC 6(c).

Visual Privacy

The representor has expressed concern regarding potential overlooking from the upper level master bedroom. A 1.6 metre high bronze or copper wire mesh screen with a maximum 25% transparency is proposed for the master bedroom window. A small (250mm) eastern portion of the window will not be screened. A condition is recommended requiring the screen be installed prior to occupation.

The portion that will not be screened has been designed to allow more daylight into this portion of the master bedroom as a large tree overshadows this area and also obscures views northwards. Views into neighbouring private open space areas from this opening will be prevented by the existing large tree and also built form on the neighbouring eastern property which is constructed adjacent the eastern boundary of the subject site. Accordingly, the proposal satisfies Council Wide PDC 36.

9.4 Conclusion

This application proposes the construction of a rear two (2) storey dwelling addition at 382 Gilles Street, Adelaide.

The previous application (DA/80/2017) was refused primarily based on the height of the addition and its visibility from surrounding land which was considered to not reflect or complement the historic built form in the locality.

This proposal represents an improvement compared to the previous application primarily due to the reduced extent of visibility of the addition when viewed from surrounding land. This reduced visibility has occurred as a result of excavation of the site by 600mm and a reduction of the overall height of the proposed addition by 300mm.

Furthermore, the majority of the relevant Development Plan provisions are satisfied by the proposal and considered acceptable for the following key reasons:

- The application proposes an addition to an existing residential use which is desired in Adelaide Historic (Conservation) Zone;

- The proposal is in keeping with the mix of single and two storey development in the locality and the proposed height satisfies Zone PDCs 13 and 14;
- A plot ratio of 0.66 is proposed in accordance with the maximum plot ratio of 0.8 stipulated in Zone PDC 15;
- The proposal provides 50m² of private open space area which is substantially greater than the minimum 25m² required in Council Wide PDC 31;
- The proposal will result in minimal overshadowing impacts and will therefore satisfy Council Wide PDC 27;
- In terms of potential heritage impacts, despite its contemporary design, the proposal is considered to be in keeping with surrounding development. It is not expected to have an unreasonable impact upon the neighbouring Local Heritage Places and is supported by Council's Heritage Advisor; and
- Potential overlooking opportunities from the upper level will be prevented due to 1.6 metre high screening with a maximum 25% transparency which accord with Council Wide PDC 36.

The proposal is not seriously at variance with the provisions of the Development Plan as it proposes a form 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 T Quagliata and Ms J A Sansom to demolish the rear of existing dwelling and construct two storey addition and retaining walls at 382 Gilles Street, Adelaide SA 5000 as shown on plans designated DA/657/2018:

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:**

- Existing Plan and Elevations, DWG No. Q101, dated 5 September 2018
- Proposed Plans and Elevations, DWG No. Q102, dated 5 September 2018
- Email correspondence from Applicant outlining screening details, dated 23 November 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. **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.*

3. **The 1.6 metre high bronze or copper wire mesh screen with a maximum transparency of 25% as depicted on the plans granted consent described as Proposed Plans and Elevations, DWG No. Q102, dated 5 September 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.*

4. **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.*

5. **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. The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555.
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 – 9 (382 Gilles Street, Adelaide SA 5000)

Pages 49 to 57

ATTACHMENTS

Plans and Supporting Information

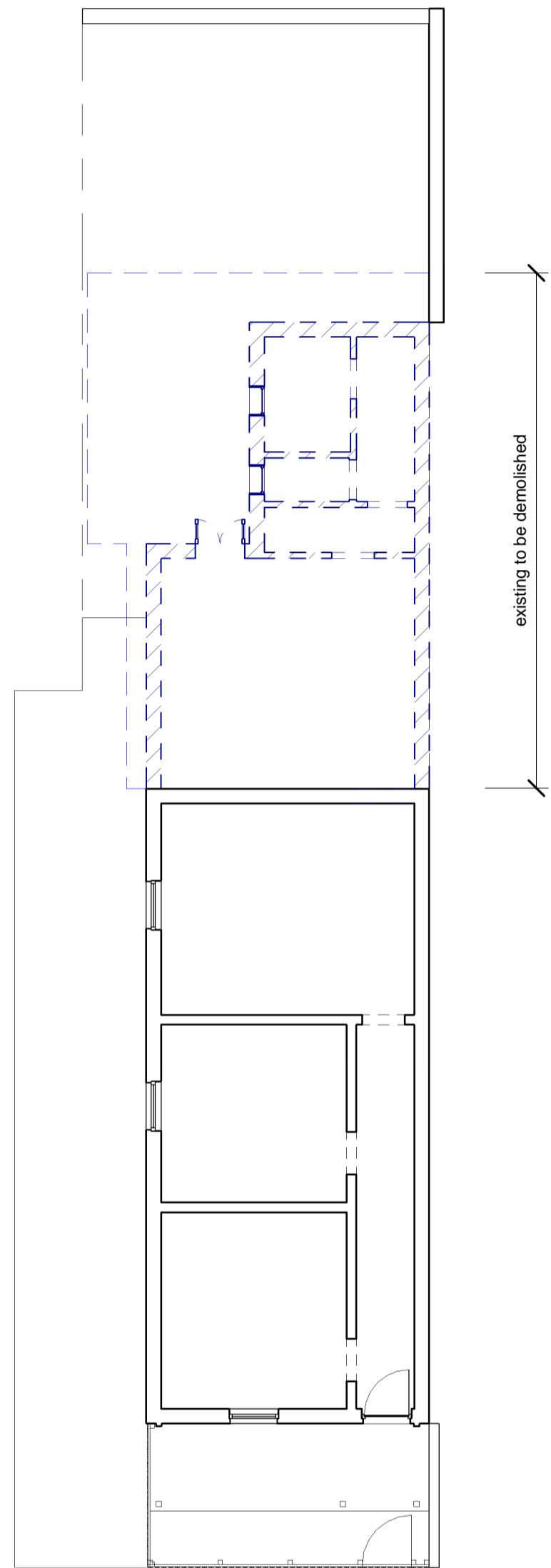
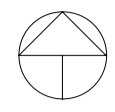
- Proposal Plans & Information 1-3
- Certificate of Title 4-5

Comments from Public Notification 6-7

Applicants Response to Representations 8-9

3D Model A model of the proposal used for the purposes of assessment will be available for viewing by members at the meeting.

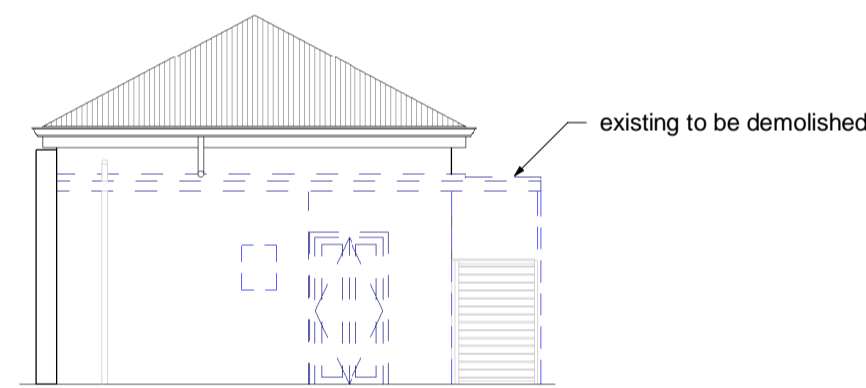
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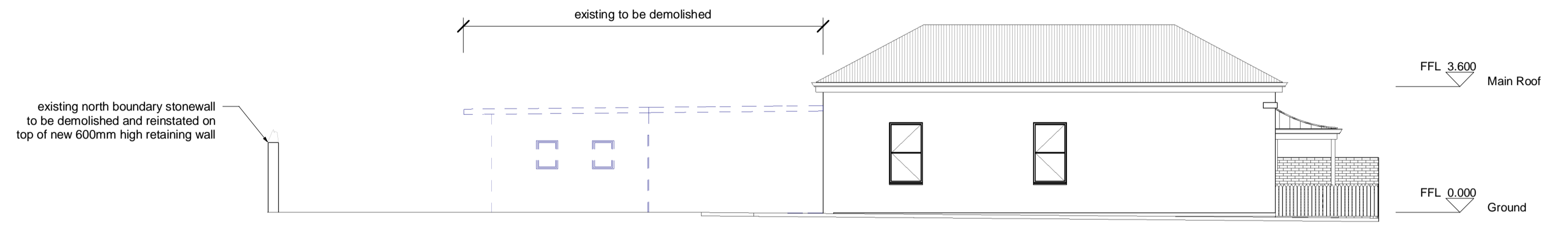
1 Existing Plan
1 : 100



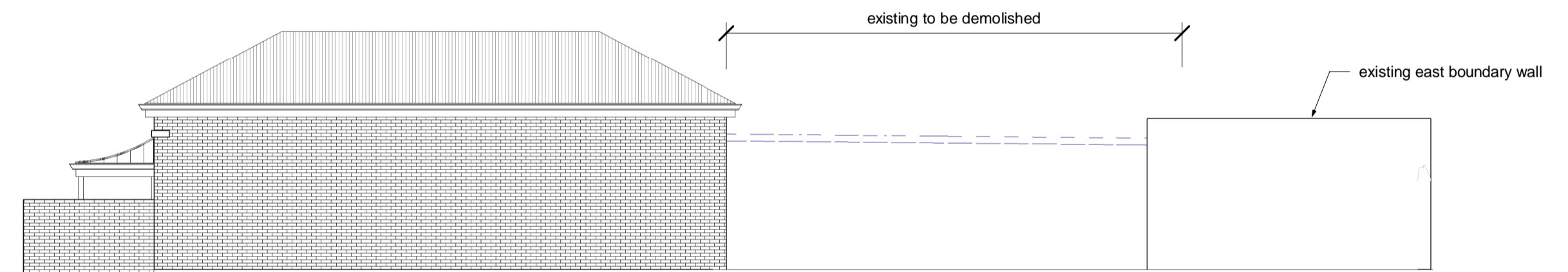
2 Existing Elevation South
1 : 100



3 Existing Elevation North
1 : 100



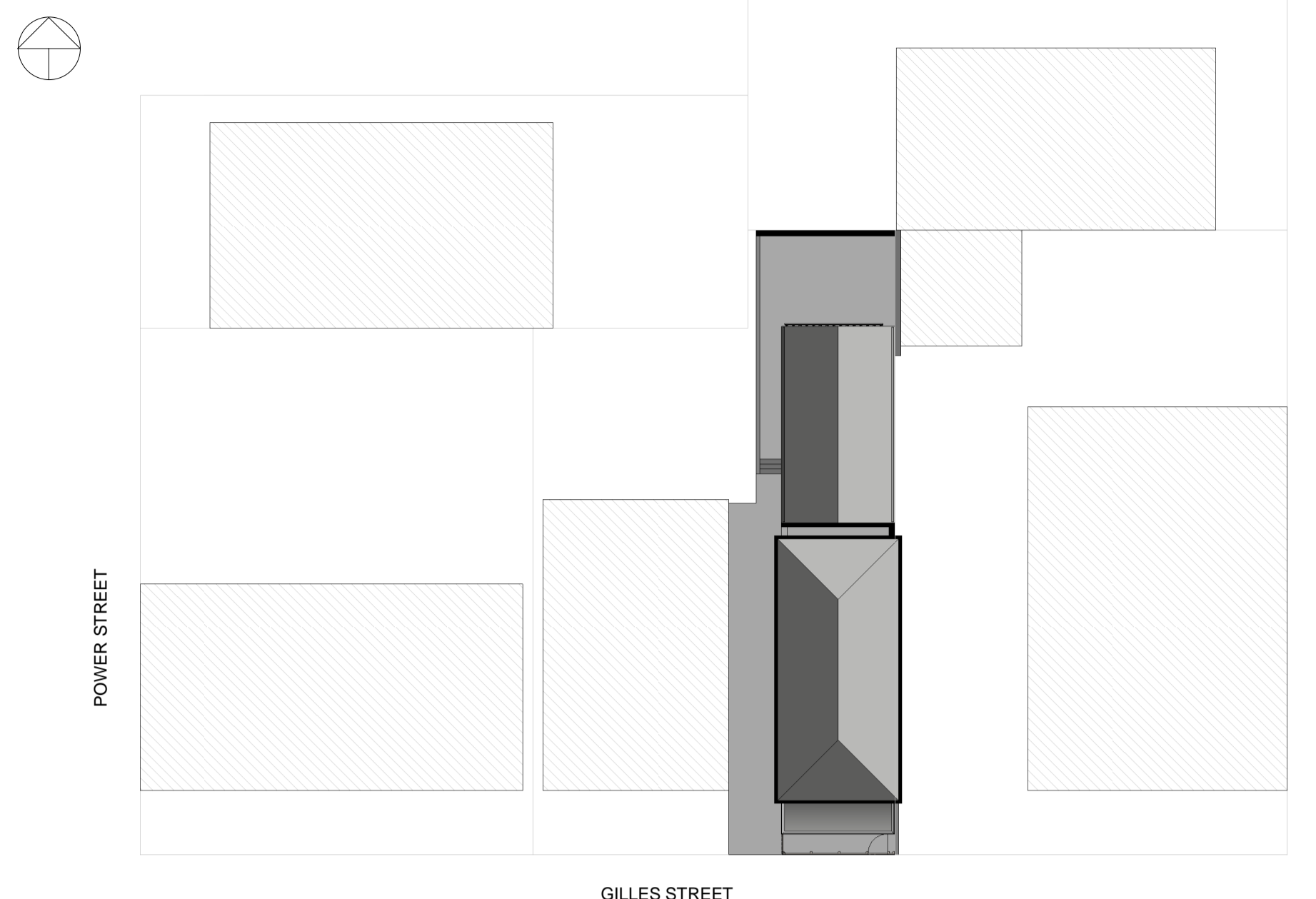
4 Existing Elevation West
1 : 100



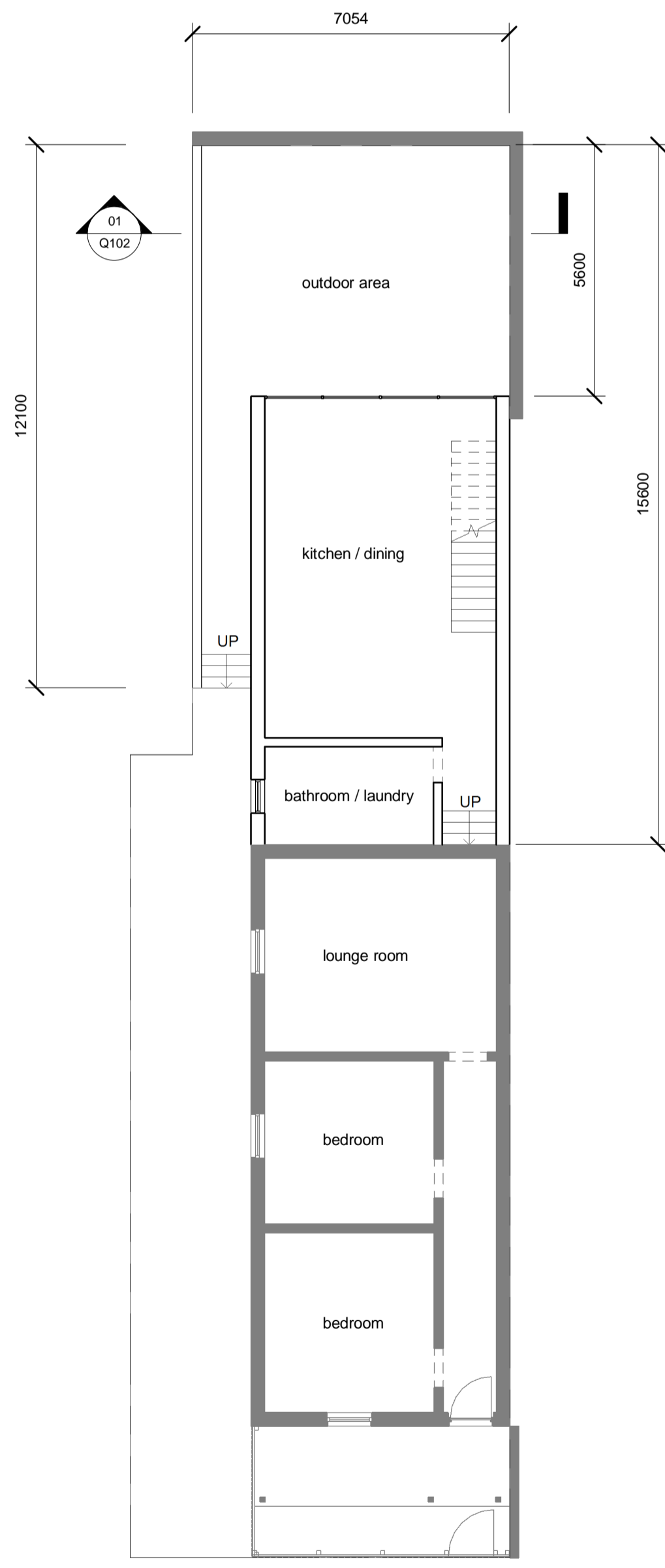
5 Existing Elevation East
1 : 100

project	Gilles Street Residence
client	Tonino Quagliata & Jane Sansom
address	382 Gilles Street, Adelaide SA 5000
drawing	Existing Plans and Elevations
drawing no.	Q101
date	05/09/18
scale	1 : 100

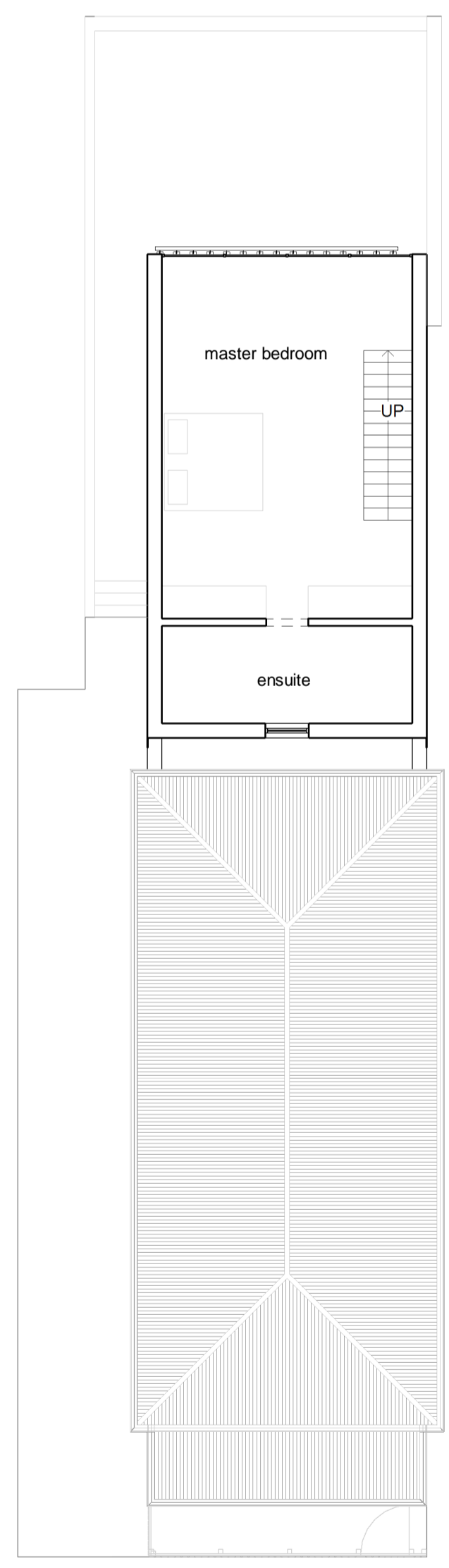
4/09/2018 12:27:50 PM



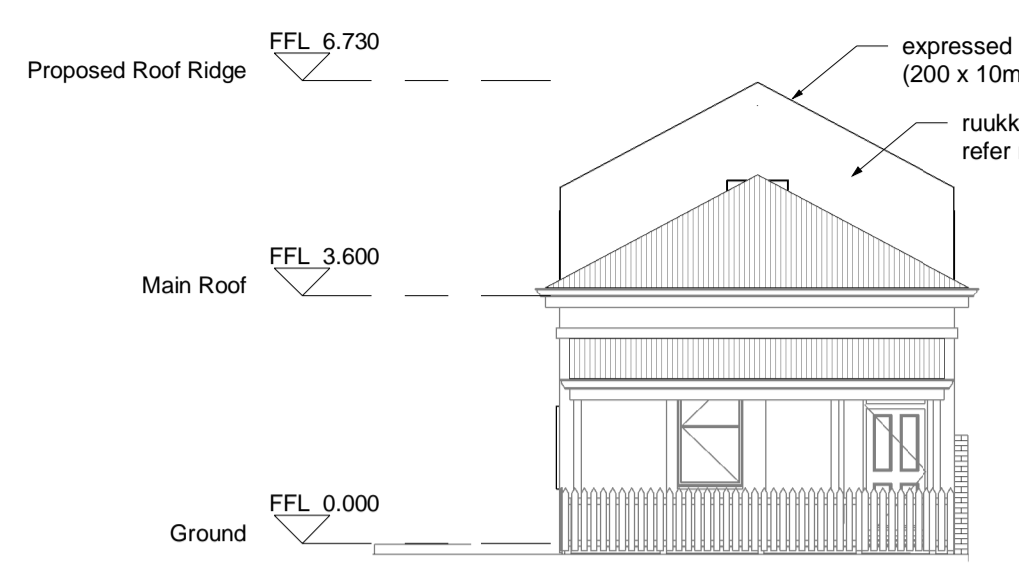
SITE PLAN



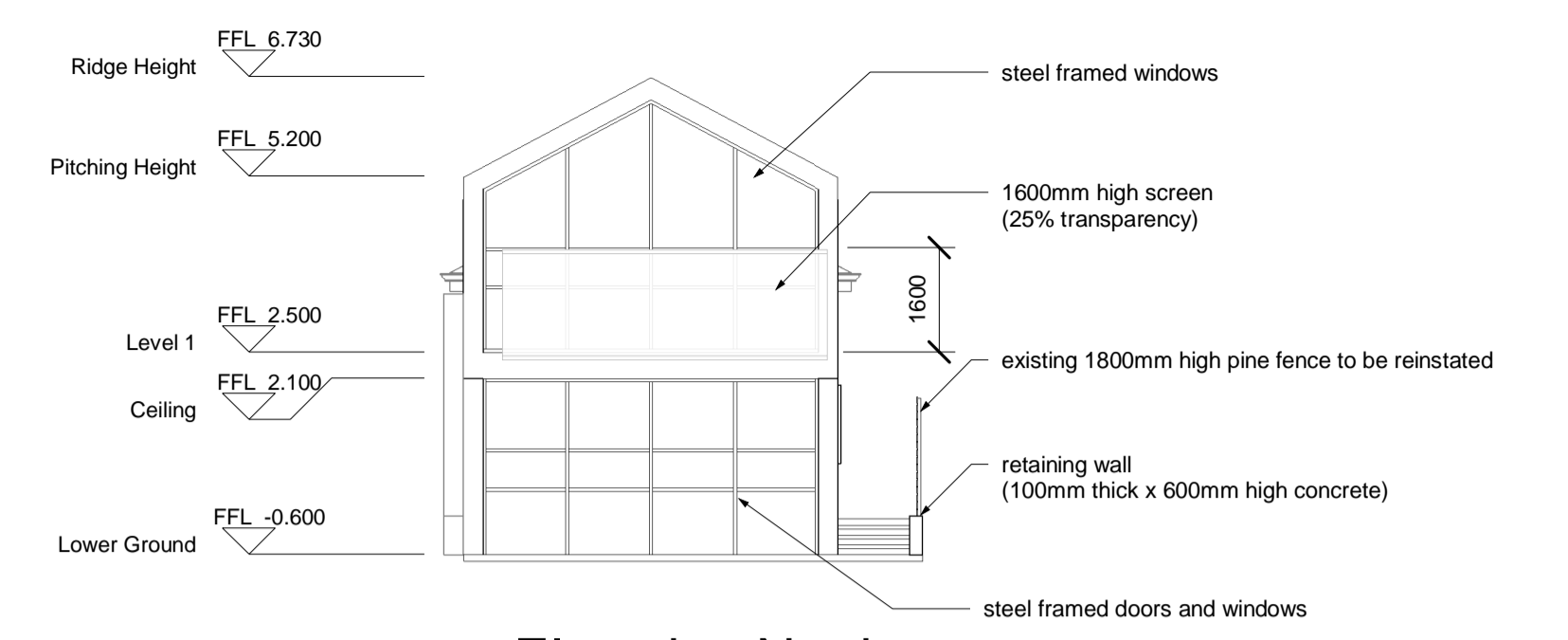
LOWER GROUND PLAN



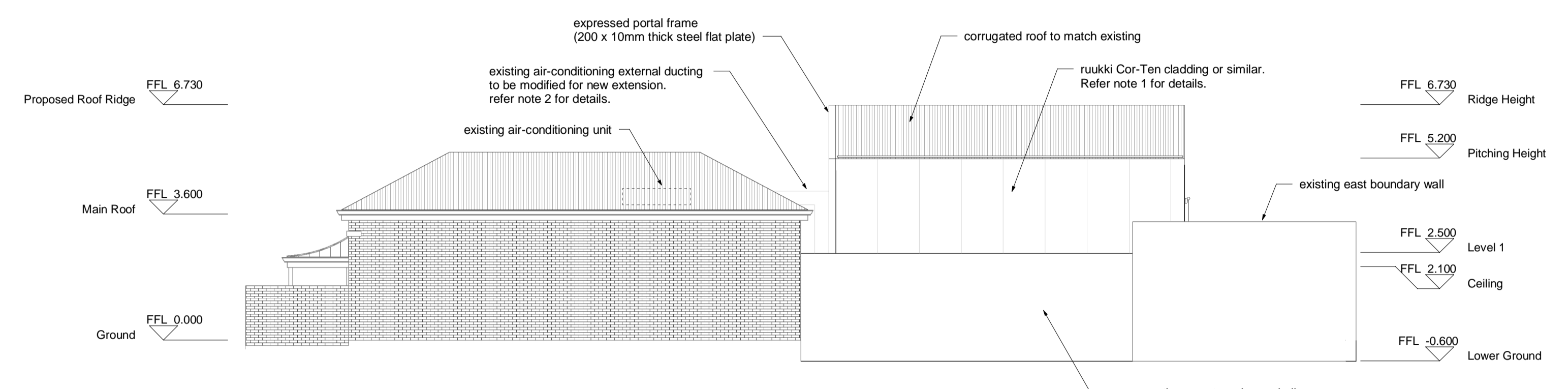
LEVEL 1 PLAN



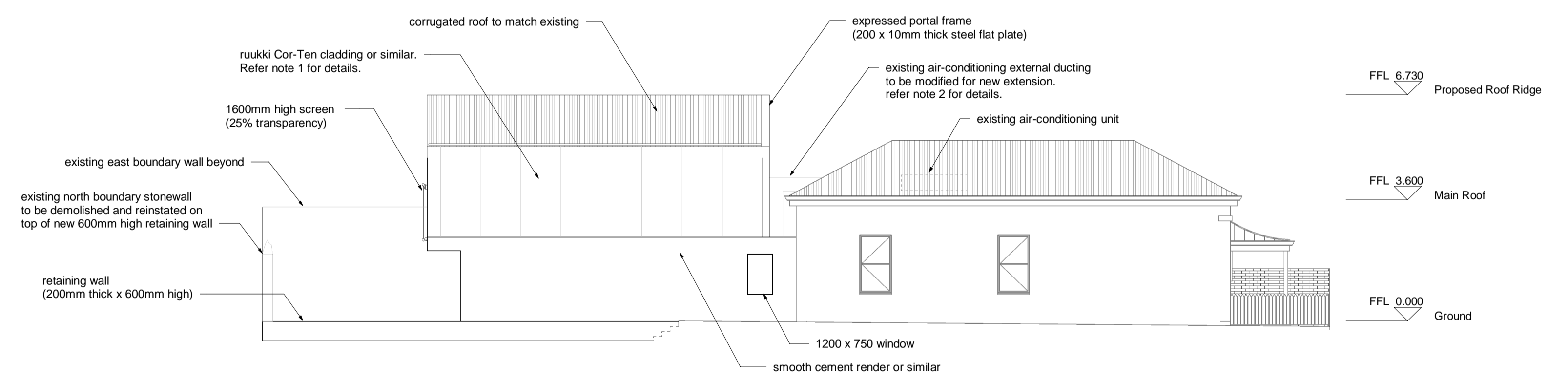
1 Elevation South 1 : 100



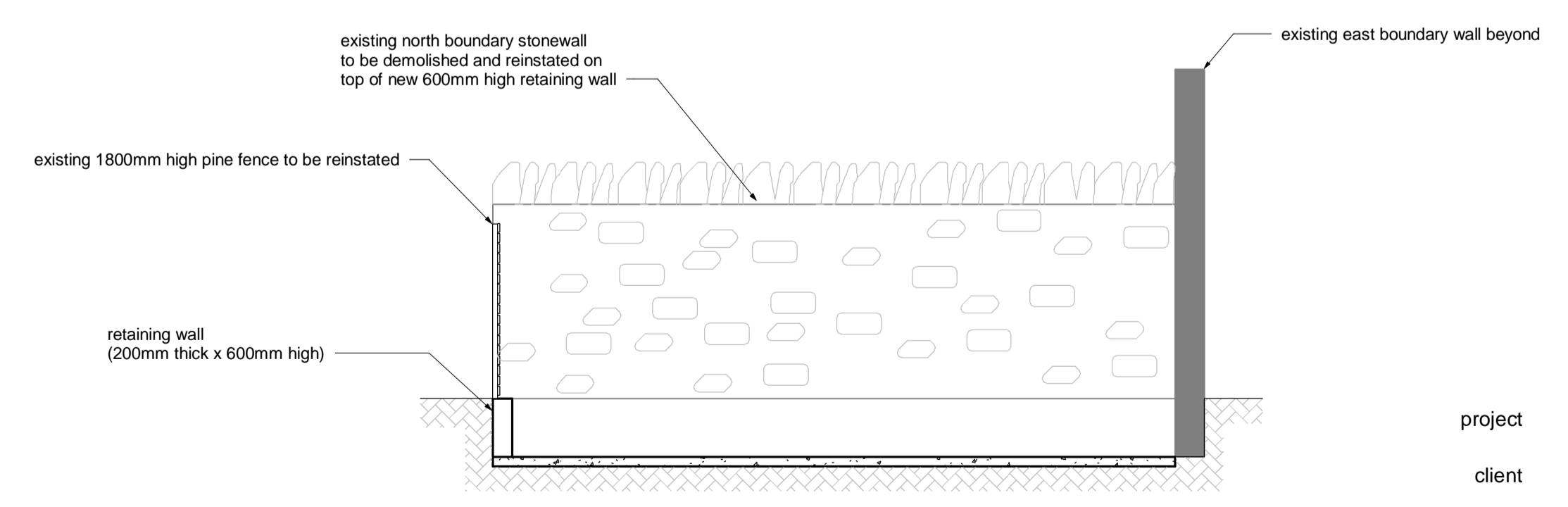
2 Elevation North 1 : 100



3 Elevation East 1 : 100



4 Elevation West 1 : 100



01 Section 1 : 50

- Notes:
- Cladding to west, east and south elevation walls to be ruukki Liberta Cor-Ten 800 1.5mm thick x 1200mm x 2700mm flat panels with concealed fasteners.
 - Air-conditioning unit as per existing, located in main roof space with external duct outlet to be modified for new addition, split in floorspace servicing lower and upper level areas.

project	Gilles Street Residence
client	Tonino Quagliata & Jane Sansom
address	382 Gilles Street, Adelaide SA 5000
drawing	Proposed Plans and Elevations
drawing no.	Q102
date	05/09/18
scale	As indicated

4/09/2018 12:28:12 PM

From: tonino <tonino@me.com>
Sent: Friday, 23 November 2018 9:36 AM
To: Seb Grose
Cc: Jane Sansom
Subject: Re: DA/657/2018 - Screen Clarfication Required

Follow Up Flag: Follow up
Flag Status: Flagged

Good Morning Seb

Thank you for your correspondence.

The privacy screening does stop short by 250mm from the east side wall to allow more day light in, taking into account sight lines which reveal only neighbouring roof tops and zero outdoor spaces.

As for the material of the screening this is yet to be finalised but we are thinking bronze or copper wire mesh.

Please let me know if you require further information.

Kind Regards

Tonino Quagliata

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/657/2018
23/11/2018



Title Register Search

LANDS TITLES OFFICE, ADELAIDE

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

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5905 FOLIO 672 *

COST : \$19.20 (GST exempt)	PARENT TITLE : CT 869 /26
REGI ON : EMAIL	AUTHORITY : CONVERTED TITLE
AGENT : CS06 BOX NO : 000	DATE OF ISSUE : 03/11/2003
SEARCHED ON : 16/05/2012 AT : 16:36:36	EDITION : 3

REGISTERED PROPRIETORS IN FEE SIMPLE

ANITA ANTONIETTA QUAGLIATA OF 1 UNDIVIDED 2ND PART AND TONINO QUAGLIATA OF 1 UNDIVIDED 2ND PART BOTH OF 386 GILLES STREET ADELAIDE SA 5000

DESCRIPTION OF LAND

ALLOTMENT 539 FILED PLAN 182191
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

EASEMENTS

SUBJECT TO A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED A

SCHEDULE OF ENDORSEMENTS

NIL

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

REGISTRAR-GENERAL'S NOTES

NIL

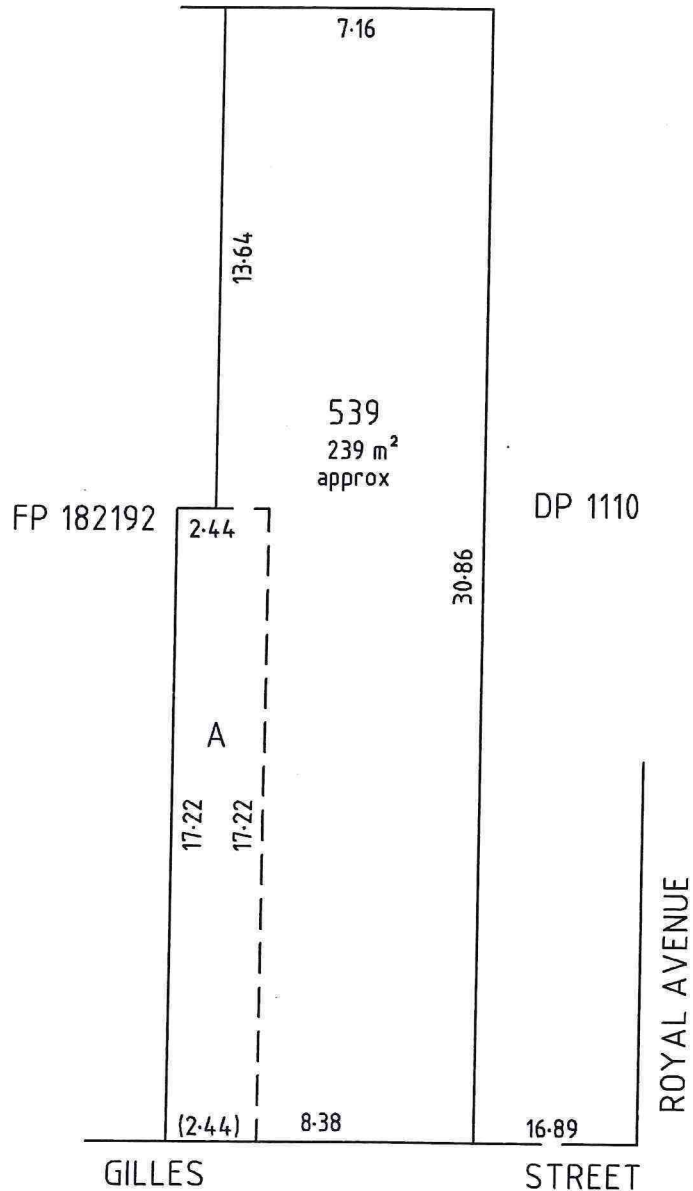
END OF TEXT.

DA/657/2018



LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA
 DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 5905 FOLIO 672
 SEARCH DATE : 16/05/2012 TIME: 16:36:36

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 869/26



NOTE SUBJECT TO ALL LAWS AND REGULATORY REQUIREMENTS OF DIVISION

DA/657/2018

Response to Proposed Development
382 Gilles Street, Adelaide

The plans and documents available for us to comment upon have inadequate detail so that it is difficult to get a clear and substantive understanding of the proposed development and its implications.

1. The proposed development includes excavating the rear of the property and building a 600mm retaining wall on the west, north and east boundaries. There are significant structural implications of building a retaining wall on the boundaries of the property.
 - a. The development plan proposes demolishing the existing stone wall running east-west on the north boundary of 382 Gilles Street. This stone wall is part of and is integrally connected to the stone wall running north-south on our eastern boundary. Demolishing the east-west wall on the Gilles Street property's northern boundary will severely compromise the integrity of the north-south wall on our eastern boundary to the extent that there is a high probability that the wall will collapse or be severely damaged. This stone wall has historical/heritage significance and is an important feature of our property. It is unclear how the wall is proposed to be reinstated and it is unlikely any new work would be able to effectively blend with the existing stonework.
 - b. Another structural implication of the proposed building of the 600mm retaining wall on the boundary is that it will also compromise and destabilize the existing footings of the portal on the southeastern boundary of our property. Our footings are bored piers approx. 850mm deep. As the proposed neighbor's rear yard will be excavated to a level 600mm below existing, the footings for the retaining wall will most likely undermine the footings to our portal frame. Proposed works will entail demolishing the existing 1800mm wooden fence which is not stated on the development plans submitted. (The plans only state that the fence will be reinstated.) The portal is connected to the rear of our house in a design approved by the Council (DA/415/2015).
 - c. Building the retaining wall will result in a sunken yard. There is no indication on the plans of providing for the control of storm water.
2. The proposed development plan indicates there will be a 1600mm high screen on the second story glass wall.
 - a. The proposed 1600mm height of the screen is below standard and would not prevent sight line for a person standing in the room. The screen height should be at least 1800mm.
 - b. The development plans do not state the material used to make the screen and the mode of providing the 25% transparency. The use of perforations or slats to provide the 25% transparency would not adequately perform the function of preventing sight lines into neighboring properties.
 - c. The screens should not be able to be opened as this would negate the function of the screen for preventing sight lines.
3. The north elevation of the proposed development is glass. There needs to be some solar control to prevent bright solar light reflecting into our rear garden area that could have implications for using the area during the mornings.

4. Some aspects of the proposed development appear to be inconsistent with the Council's development plan for the design and appearance of developments in Adelaide Historic Conservation Zone *Adelaide (City) Development Plan 7 June 2018*, p. 168-169):
- bulk and scale: solid to void relations and proportions on the northern, eastern and western elevations;
 - form and level of visual interest as determined by length and size of unbroken walling: the unbroken use of Cor-ten cladding on the eastern and western walls

John and Jacqueline Gray
30 Power Street
Adelaide

Response to Representation

John and Jacqueline Gray
30 Power Street
Adelaide

Re: Application: DA/657/2018
Address: 382 Gilles Street, ADELAIDE SA 5000

1. Excavation, Stone Wall and Retaining Wall

- a. The stone wall will be reinstated with the existing stone material, replicating what is currently existing. Any risk to our neighbours' boundary fence/walls will be mitigated through the engagement of an engineer to manage all works.
- b. We share appreciation for these stones walls around our properties: we invested several thousand dollars last year to preserve the wall at the back of our property.
- c. Excavations and 600mm high retaining wall will be constructed to *Standards Australia Codes*, mitigating any risk to neighbouring boundaries.
- d. Storm Water to be managed by directing runoff towards Gilles Street as per existing. Further details to be provided during Building Application.

2. Screening: To our understanding

- a. 1600mm height is the minimum standard.
- b. 25% Transparency is the maximum standard.
- c. Site Lines will be maintained at all times by the screen.
- d. The Adelaide City Council are responsible for ensuring that all standards are adhered to and this is evidenced by a number of modifications being made to our plans over the past 24 months. We have made significant modifications to ensure both adherence to regulations, policy and standards.

3. Solar Control:

- a. Appropriate solar control to prevent bright solar light reflecting into neighbours' rear garden will be taken into consideration.

4. Consistency with the Council's development plan:
 - a. Adherence to/compliance with the Council's Development Plan is part of the application process. We have been engaged over the past 24 months to ensure that we satisfy the principles of this Plan.
 - b. The decision to excavate in these most recent plans is the direct result of our initial planning application being refused by Council on the grounds of overall bulk and scale. The bulk appearance of the proposed development will be reduced by excavating the site by 600mm.
 - c. Significant changes have also been made to the exterior to ensure that the Council's Development Plan is adhered to and that any concerns expressed by residents in the area are addressed.

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 10/12/2018

Item No	3.2
Address	The North Adelaide Hotel, 165-169 Tynte Street & 177 -185 Tynte Street, North Adelaide SA 5006
Proposal	Undertake alterations and change the use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street., (DA/337/2018 - MF) [CAP]
Applicant	Mr B L Griguol
Relevant Development Plan	20 June 2017
Lodgement Date	23 May 2018
Zone / Policy Area	North Adelaide Historic (Conservation) Zone / Tynte Policy Area 4
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

- | | |
|---|---------|
| • Certificate of Title | 1 - 2 |
| • Plans and Supporting Information | 3 - 13 |
| • Comments from Public Notification | 14 - 19 |
| • Applicant Response to Representations | 20 - 23 |

PERSONS SPEAKING BEFORE THE PANEL**Representors**

- Virginia Hill - Representative of North Adelaide Medical Centre

Applicant

- Phil Brunning – Planning Consultant.

1. **DESCRIPTION OF PROPOSAL**

- 1.1 Planning consent is sought to undertake internal alterations and change **the** use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street, North Adelaide.
- 1.2 The internal alterations comprise:
- Refurbishment of the existing commercial kitchen, store, laundry and shed at ground floor;
 - Conversion of the ground floor covered dining area at the rear to a showroom / garage for the owner's classic car collection (no alterations required). Access gained from Cambridge Street and through 183 Tynte Street.
 - Alterations to existing rooms to create an ensuite and robe at first floor level.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site aream²		
Private Open Space (POS) - % of total site area or m ² - dimensions	20%	30%
Landscaped Open Space (LOS) - % of total site area	30 %	30 %
Car parking and Access - Number of spaces	2 Spaces	< 2 Spaces

3. **BACKGROUND**

- 3.1 Until recently, the hotel had been operating as a licenced premise since 1850 and since that time has undergone several improvements, extensions and alterations to the building.
- 3.2 The current owner purchased the building in the latter part of 2017. According to the supporting documentation, it soon became apparent that continuing the hotel use was not economically viable and the owner decided that the property would make a desirable residence.
- 3.3 The owner has lodged a separate application (DA/ /2018) for the installation of a solar PV system and battery storage.
- 3.4 The owner also intends to lodge a separate application for restoration of the front verandah and balcony, with financial assistance from Council under the Heritage Incentive Scheme.

4. **SITE**

- 4.1 The North Adelaide Hotel (formerly known as the Daniel O'Connell Hotel) is located on the southern side of Tynte Street between O'Connell Street and Wellington Square.

It is a two-storey building with a balcony on the street façade. The rear of the Hotel was used as a restaurant which lead out to the beer garden. The garden contains a large, mature pepper tree that is identified as a significant tree in the Development Plan.

5. **LOCALITY**

- 5.1 The site is in the Tynte Policy Area, where there is a mix of residential, commercial and community uses. On the western side of the Hotel is a large car park used by employees of

businesses in the area and the public. Adjacent to this is a three-storey non-residential office / medical consulting building.

- 5.2 South and south west of the site is a large apartment complex of two and three storeys.
- 5.3 East of the site is Tynte Court which provides access to a large two-level car park associated with the North Adelaide Village Shopping complex. East of Tynte Court are two rows of townhouses, one of which fronts onto Tynte Street.
- 5.4 The North Adelaide Library and Community Centre is directly opposite.



KEY



Subject Site



Local Heritage Place

NAH(C)4

North Adelaide
Historic
(Conservation) Zone
/ Tynte Policy Area



State Heritage Place

R

Representor(s)



Policy Area Boundary



Access



Locality

Photo 1 – View of existing building on the subject site.



Photo 2 – View of adjacent Medical Consulting / office building at 183 Tynte Street.



Photo 3 – View of Institutional buildings on northern side of Tynte Street.



Photo 4 – View from Cambridge Street showing driveway access through 183 Tynte Street.



Photo 5 – View of the gate providing rear access from 183 Tynte Street.



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 – 4	<ul style="list-style-type: none"> • North Adelaide Medical Centre – Suites 4 and 6 183 Tynte St, North Adelaide • Marylou Bishop – Suite 18 / 183 Tynte Street, North Adelaide • Thomas and Ann Marie Feigl (WARD ORTHOTICS P/L) – Suite 13 / 183 Tynte St, North Adelaide • Audrey van Beusichem – 21 Cambridge Street, North Adelaide.

Summary of Issues raised by the Representors and Responses by the Applicant (the applicant's responses are in bold)

- The development proposal is inconsistent with the desired character for the Tynte Policy Area 4 of the North Adelaide Historic Conservation Zone.
- The proposal is inconsistent with Objective 3 for the North Adelaide Historic Conservation Zone.
- Access to site through the private car park of 183 Tynte Street.
- **A change of use from hotel to dwelling is not unprecedented within North Adelaide, the Dover Castle on Archer Street being one such example. It should also be noted that the works that have performed to this building (mostly renovations) do not preclude the hotel use from being re-established in the future.**
- **The disappointment expressed in relation to the proposed change of use is acknowledged and the sentiment noted. Can I say though, that the use of this building does not in itself detract from its heritage value and the contribution that it will continue to make to local character.**
- **To the extent that I have not already dealt with the issue of access to the rear of the property at 165 Tynte Street from the adjacent car park associated with 183 Tynte Street, I seek to make it blatantly clear that the proposed development (change of use and associated works) is not dependant on this practice.**
- **The practice of moving between the two properties is not in itself development and occurs solely on the basis that the applicant has a legal interest in both properties. The development application before Council does not seek to regularise or endorse this practice, it simply acknowledges it.**

7. REQUIRED EXTERNAL REFERRALS

- 7.1 No external referrals required.

8. SPECIALIST ADVICE

8.1 Local Heritage comments

This local heritage place was constructed as a hotel in 1881 replacing an earlier hotel built on the site in 1850. The hotel is close to the commercial heart of North Adelaide and reflects the role of Tynte Street as the local high street of North Adelaide during the 1850s – 1860s. The heritage value of the building is associated with its use as a Hotel.

The extent of listing includes the interior, although no details about which elements are covered are provided in the 2004 MCDV North Adelaide Heritage Survey. The Heritage of the City of Adelaide: An Illustrated Guide (1996) noted that the ground floors have been opened up and that the basic plan form, staircase and upper floor appear relatively intact. The City Heritage Register notes that the limestone rubble outbuildings at the rear, (incorporated into a large dining area several decades ago), are most probably associated with the earlier hotel on the site.

This application is for Change of Use from a Hotel to a residence, with associated internal alterations. Internal fit-outs including a new laundry to the limestone outbuildings, refitting of the former hotel kitchen and a new ensuite on the upper floor have been completed. The site was visited on 20 June 2018. It appears that the internal walls remain unchanged, apart from the removal of one window to the outbuilding.

It is regrettable that the building will no longer function as a hotel, however the conversion to a residence is of a high standard and has conserved historic fabric. The fit-out works are reversible, and the hotel could potentially be returned to its original use in the future.

Recommendation:

The proposed change of use and internal fit-out has no impact upon the significant fabric of the Local Heritage Place as identified in the Development Plan. The development satisfies the relevant Heritage and Conservation Objectives and Principles of Development Control from the Adelaide (City) Development Plan and merits support.

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 Policy Area Objectives & Principles

Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Desired Character	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	✓
Objectives O1-2	<ul style="list-style-type: none"> Achieved. 	✓
Principles of Development Control P1-15	<ul style="list-style-type: none"> Achieved. 	✓

9.2 Summary of Zone Objectives & Principles

Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Desired Character	<ul style="list-style-type: none"> Achieved. 	✓
Objectives O1-4	<ul style="list-style-type: none"> Achieved. 	✓
Principles of Development Control P1-13	<ul style="list-style-type: none"> Achieved. 	✓
Access and Car parking P17-23	<ul style="list-style-type: none"> See Section 9.4 for detailed discussion with respect to access. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
LOW SCALE RESIDENTIAL DEVELOPMENT		
Building Appearance & Neighbourhood Character O11-12 P17-21	<ul style="list-style-type: none"> Achieved. No changes are proposed to the exterior of the building as part of this application. A separate application is to be lodged for the restoration of the front verandah and balcony. 	✓
Daylight & Sunlight O15 P25-28	<ul style="list-style-type: none"> Achieved. 	✓
Private Open Space O16 P29-34	<ul style="list-style-type: none"> Achieved. Guideline 20% Proposed 30% 	✓
Visual & Acoustic Privacy O17 P35-38	<ul style="list-style-type: none"> Achieved. 	✓
Adaptability P39	<ul style="list-style-type: none"> Achieved. 	✓
Carports, Garaging & Fencing O18-19 P40-43	<ul style="list-style-type: none"> Achieved. Table Adel/7 requires 2 on-site carports be provided. The existing covered dining room is to be used to park / store the owners car collection. Access to the garage is from the rear. See Section 9.4 for detailed discussion with respect to access. 	✓
On-Site Parking & Access O20 P44-45	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion with respect to access. 	✓
Site Facilities & Storage O21 P46-47	<ul style="list-style-type: none"> Achieved. 	✓

ENVIRONMENTAL		
Crime prevention through urban design O24 P82-86	<ul style="list-style-type: none"> Achieved. 	✓
Noise Emissions O26-27 Noise Sources P89-94 Noise Receivers P95-100	<ul style="list-style-type: none"> Achieved. Change to a residential use is likely to reduce any noise impacts on nearby residential developments. 	✓
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"> Achieved. 	✓
Renewable Energy O31-32 P116-118	<ul style="list-style-type: none"> Achieved. Separate application has been lodged for the installation of a solar PV system with battery storage. 	✓
Micro climate and sunlight O33-34 P119-125	<ul style="list-style-type: none"> Achieved. No changes to the building that would result in greater impacts on adjoining development. 	✓
Heritage & Conservation O42-45 P136-148	<ul style="list-style-type: none"> Achieved. Council's Senior Heritage Architect has reviewed the proposal and advised that the proposed change of use and internal fit-out has no impact upon the significant fabric of the Local Heritage Place as identified in the Development Plan. Thus, the development satisfies the relevant Heritage and Conservation Objectives and Principles of Development Control from the Adelaide (City) Development Plan and merits support. 	✓

<p>Heritage & Conservation – North Adelaide</p> <p>General P149-155</p> <p>Fencing, Garages, Carports & Outbuildings P158-159</p> <p>Development Adjacent a Heritage Place P162-166</p>	<ul style="list-style-type: none"> Achieved, as per above. 	<p style="text-align: center;">✓</p>
<p>Access & Movement</p> <p>O60 P224-225</p>	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion with respect to access. 	<p style="text-align: center;">✓</p>
<p>Pedestrian access</p> <p>O61-63 P226-232</p>	<ul style="list-style-type: none"> Achieved. 	<p style="text-align: center;">✓</p>
<p>Bicycle Access</p> <p>O64-65 P233-238</p>	<ul style="list-style-type: none"> Achieved. 	<p style="text-align: center;">✓</p>
<p>Traffic and vehicle access</p> <p>O68-70 P241-250</p>	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion with respect to access. 	<p style="text-align: center;">✓</p>
<p>Car parking</p> <p>O71-72 P251-265</p>	<ul style="list-style-type: none"> Achieved. Table Adel/7 requires 2 on-site car parking spaces. The applicant is proposing to convert the covered dining area at the rear into a garage / showroom for their classic car collection. The area is sufficient in size to accommodate several vehicles. 	<p style="text-align: center;">✓</p>
<p>Significant Trees</p> <p>O108 P299-307</p>	<ul style="list-style-type: none"> Achieved. The proposal will have no impact on the significant Pepper Tree located in the rear of the property. 	<p style="text-align: center;">✓</p>

9.4 Detailed Discussion

Desired Character

The desired character for the Tynte Policy Area states that the area should continue as an area for low and medium density residential development characterised by a range of dwelling types as well as providing community facilities for North Adelaide.

There are no external changes proposed to the building and the change of use from a hotel to dwelling in itself will have no impact on the formal and dignified character and wide tree lined streetscape which, according to the desired character, should be conserved.

The change of use to a dwelling is consistent with the desired character for the Tynte Policy Area which calls for an increase in the amount of residential accommodation through the redevelopment of buildings and sites not identified as heritage place or the conversion and re-developing of non-residential premises.

Land Use

An increase in residential accommodation by the change in use of non-residential building to residential uses is desired by Zone PDC 2.

Residential Amenity

The layout of the existing hotel lends itself to the conversion to a dwelling. The ground floor 'front bar' is to be converted to a bar / tv room and lounge with the existing toilets, kitchen to remain in their current locations.

The former dining room will be converted in to an area for the garaging and displaying of the owner's classic car collection.

Upstairs the layout allows for flexible uses of the existing rooms as either bedrooms or living rooms. Two (2) rooms will be converted into an ensuite and walk in robe.

The living areas associated with the dwelling are in the northern portion of the dwelling allowing for a high level of amenity for occupants of the building with high levels of both natural light and ventilation provided to all living areas and bedrooms. Living areas, both internal and external, have sufficient access to northern light with adequate private open space provided.

Similarly, the former beer garden meets the requisite 30% Landscaped Open Space (LOS) and Private Open Space (POS), as set out under Policy Area PDC 7, with at least 30% of site area available for LOS while the same area (30% of the site) achieves the requirements for POS which exceeds the 20 % POS requirement under CW PDC 31.

Environmental

The proposal offers an acceptable level of energy efficiency as sought by CW Objective 30 and expressed in CW PDC 106, as demonstrated by the following:

- Orientation of open space and living areas towards north;
- The openings on the northern, southern and eastern walls at upper level allows for natural cross ventilation to reduce internal temperatures in summer;
- The layout is considered adequately zoned such that the bedroom areas at ground floor level can be heated and cooled separately from the upper level living area;

Heritage and Conservation

Table Adel/4 lists the property as a Local Heritage Place (City Significance). The extent of the listing includes the substantial whole of the 1881 hotel building including roof and verandah form and detail, masonry walls and chimneys, window and door configuration and joinery.

As outlined in the supporting documentation, the internal works are limited to renovations and the refitting of facilities such as bathrooms, kitchen appliances and benches, and cabinetry. No structural works are proposed in terms of removing walls or the like and only general restoration and maintenance works are to be undertaken to the exterior of the building. A separate application for these works to be submitted in the future.

The proposal was referred to Council's Senior Heritage Architect who has reviewed the documentation and inspected the property. In summary, in their view, the proposed change of use and internal fit-out has no impact upon the significant fabric of the Local Heritage Place as identified in the Development Plan. The development satisfies the relevant Heritage and Conservation Objectives and Principles of Development Control from the Adelaide (City) Development Plan and merits support.

Transport, Access and Parking

Table Adel/7 of the Development Plan recommends that 2 spaces per dwelling greater than 200 m² is provided on-site for residential development within the North Adelaide (Historic) Conservation Zone. With at least two off-street car parks provided, the proposal achieves the requirements of Table Adel/7. The location of the garaging is consistent with Zone PDC 20 in that it is located at the rear of the site.

Access to the rear of the land is proposed via an existing crossover on Cambridge Street and driveway associated with the adjacent office / medical consulting building at 183 Tynte Street.

During the first round of public notification several representations were received from owners of units within the adjacent office / medical consulting building at 183 Tynte objecting to the applicants use of the property to access the rear of the dwelling. It was subsequently confirmed that the applicant has a legal interest in the office / medical consulting building at 183 Tynte and therefore had a legal right to access the land.

Administration sought legal advice with respect to this and it was confirmed that there were no legal reasons that the applicant cannot access the proposed dwelling through 183 Tynte Street so long as he maintains a legal interest in the property. In essence, this is a civil matter between the applicant and the Strata Corporation of 183 Tynte Street and not a relevant town planning consideration.

However, this would mean that future owner/s of 165 Tynte Street will not enjoy the ability to gain access via the car park to the rear of his property unless they also have a legal interest in the adjacent office / medical consulting room complex. While this would mean that access could no longer be gained through that property, the dwelling would still be able to get access to the rear of the site via the adjacent private road over which it has a right of way over a portion of (approx.18 metres). This would be sufficient, subject to some alterations to the rear of the building, to enable access to the rear of the property and the proposed garage / showroom or another garage located in the rear should one be proposed.

9.5 Conclusion

In summary, planning consent is sought to undertake internal alterations and change the use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street. The proposal is considered to meet the intent of the desired character for the Tynte Policy Area and Policy Area and Zone provisions in that:

- The development achieves an increase in the amount of residential accommodation through the conversion of a non-residential premises as desired within the Policy Area.
- There are no external changes proposed to the building and the change of use from a hotel to dwelling in itself will not have a detrimental impact on the formal and dignified character and wide tree lined streetscape which the desired character seeks to conserve.

- The living areas are in the northern portion of the dwelling allowing for a high level of amenity for occupants of the building with high levels of both natural light and ventilation provided to all living areas and bedrooms.
- The development meets the requisite 30% Landscaped Open Space (LOS) and 20% Private Open Space (POS), as set out under Policy Area PDC 7 and CW PDC 31.
- With at least two off-street car parks provided, the proposal achieves the requirements of Table Adel/7. The location of the garaging is consistent with Zone PDC 20 in that it is located at the rear of the site.
- The potential impact of the development upon the amenity of adjoining residential properties with respect to overlooking and overshadowing is acceptable.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes a land use and form 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 B L Griguol to undertake alterations and change the use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street. at The North Adelaide Hotel, 165-169 Tynte Street & 177 -185 Tynte Street, North Adelaide SA 5006 as shown on plans designated DA/337/2018:

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

Condition

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:**

- **Correspondence prepared by Phil Brunning and Associates**
- **Drawings prepared by Arbon Design numbered md01 and PJ17-14 and titled:**
 - **Proposed Alterations to the Ground Floor - Floor Plan.**
 - **Proposed Alterations to the Upper Floor - Floor Plan Option 2.**
 - **Proposed Alterations to the Ground Floor - Proposed Kitchen + Pantry Layout.**
 - **Proposed Alterations to the Ground Floor – Front Bar Plan.**
 - **Proposed Alterations to the Ground Floor – Kitchen + Pantry.**
 - **Proposed Alterations to the Ground Floor – proposed Laundry + Store Layout.**
 - **Proposed Alterations to the Upper Floor.**

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.*

Advices

1. Development Approval will not be granted until Building Rules Consent and an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent will not lapse.
3. 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.
4. This consent does not alleviate the owner's/applicant's obligation to obtain any other consents needed such as community/strata consent or negotiation of access arrangements to the property

**Item No. 3.2 – Attachments 1 – 23 (The North Adelaide Hotel, 165-169 Tynte Street & 177
-185 Tynte Street, North Adelaide SA 5006)**

Pages 77 to 99

ATTACHMENTS

- Certificate of Title 1 - 2
- Plans and Supporting Information 3 - 13
- Comments from Public Notification 14 - 19
- Applicant Response to Representations 20 - 23

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Product
Date/Time
Customer Reference
Order ID
Cost

23/05/2018 09:46AM
1724
20180523002030
\$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 5138 Folio 104

Parent Title(s) CT 4151/319
Creating Dealing(s) CONVERTED TITLE
Title Issued 17/08/1993 **Edition** 12 **Edition Issued** 27/12/2017

Estate Type

FEE SIMPLE

Registered Proprietor

BRENTON LUIGI GRIGUOL
OF 283 SOUTH ROAD MILE END SA 5031

Description of Land

ALLOTMENT 1 FILED PLAN 4892
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
12843970	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

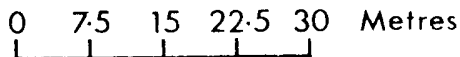
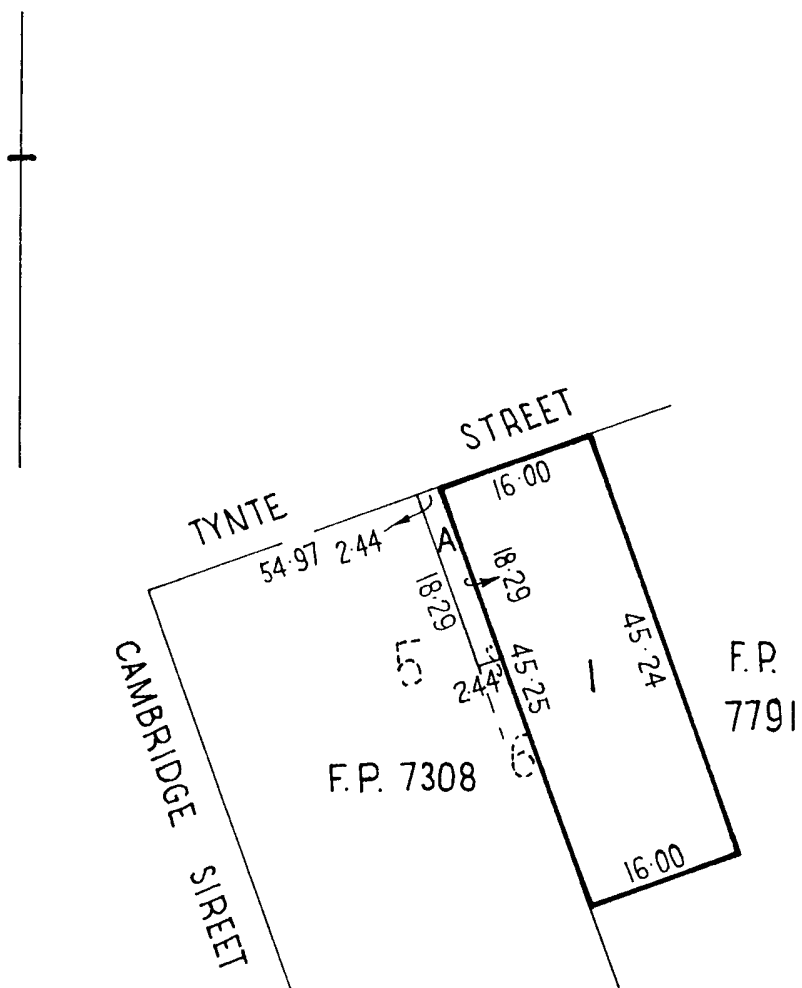
Notations

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

DA/337/2018



Product
Date/Time 23/05/2018 09:46AM
Customer Reference 1724
Order ID 20180523002030
Cost \$28.25



DA/337/2018

North Adelaide 1724 001



Town Planning
Development Advice
Strategic Management

23 May 2018

Ms Helen Dand
Principal Planner – Development Assessment
Adelaide City Council
GPO Box 2252
ADELAIDE SA 5001

Dear Helen,

Development Application – Mr Brenton Griguol - Change in Use of Existing Building from Hotel to Dwelling – 165 Tynte Street, North Adelaide

I refer to the Development Application lodged by Mr Brenton Griguol that seeks Development Plan Consent to change the use of an existing building located at 165 Tynte Street, North Adelaide from a hotel to a dwelling.

Mr Griguol purchased this property in the latter part of 2017. It soon became apparent that continuing the hotel use would be uneconomic. Mr Griguol then decided that the property would make a desirable residence.

Accompanying the development application are a set of plans that document the manner in which the existing building is to be used, with fit out details in respect to joinery and furniture placement.

Internal works are limited to renovations and the refitting of facilities such as bathrooms, kitchen appliances and benches, and cabinetry. No structural works are proposed in terms of removing walls or the like.

No change is proposed externally other than general restoration and maintenance.

Mr Griguol intends to make a separate development application for restoration of the front verandah and balcony, hopefully with financial assistance from Council under the Heritage Incentive Scheme.

As you would be aware, the property is located within the North Adelaide Historic (Conservation) Zone and more particularly the Tynte Policy Area 4 of the Adelaide (City) Development Plan.

Table Adel/4 lists the property as a Local Heritage Place (City Significance). This is confirmed on Policy Area Map Adel/39 which also identifies that there is a Significant tree to the rear of the property, a mature Pepper Tree.

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
Adelaide SA 5000
Telephone 08 8232 5686
Mobile 0407 019 748
phil@phillipbrunning.com

DA/337/2018



The Tynte Policy Area 4 seeks residential development at low to medium density together with community facilities for North Adelaide. In many respects non-residential uses such as hotels are acknowledged, but not necessary encouraged.

Tynte Policy Area 4

DESIRED CHARACTER

The Tynte Policy Area should continue as an area for low and medium density residential development characterised by a range of dwelling types as well as providing community facilities for North Adelaide. The formal and dignified historic character of Tynte Street derived from its traditional community uses such as the post office, library, hotel, church and kindergarten, and its wide tree-lined streetscape should be conserved. Quality landscaping, paving and street furniture should complement its historic context, with the wide footpaths used for outdoor dining and cafes where appropriate.

The variety of dwelling types should be retained by the conservation of Heritage Places. An increase in the amount of residential accommodation should be achieved by redevelopment of buildings and sites that are not identified Heritage Places and may also be achieved by converting or redeveloping non-residential premises to either residential or mixed use residential and office uses.

Development on Tynte Street should reinforce the dignity and quality of the public buildings in the street. Development off Tynte and Archer Streets should reflect the more intimate scale and siting of historic and established built form.

Objective 2: Development of the Tynte Policy Area for residential purposes at low and medium densities and community facilities for North Adelaide that complement the established small scale traditional community uses in Tynte Street.

The Statement of Heritage Value for the North Adelaide Historic (Conservation) Zone includes the following passage that relates more specifically to Tynte Street, in particular to major community buildings.

Upper North Adelaide

This area contains Policy Areas 1 to 7 and is the largest of the three North Adelaide areas.

Tynte Street originally served as the local main street for Upper North Adelaide and major community buildings reflect its early function, including the school, post office, institute, fire station, Baptist church, and early shops. The introduction of the horse-drawn tramway along O'Connell Street in 1878 drew commercial development away from Tynte Street but also made the western Town Acres which were previously sparsely settled, more accessible and construction of substantial houses soon followed. Prior to this period the area of Upper North Adelaide west of Wellington Square was the least desirable place to live in the City. Several religious orders were able to afford to buy land here, such as St Lawrence's in Buxton Street in 1867 and St Dominic's Priory in Molesworth Street in 1893 (during an economic recession when land prices were low). These large institutions create a contrast to the more intense residential subdivisions and housing development around them. The 1883-4 City Land Investment Company subdivision of Town Acres along Barnard and Molesworth Streets resulted in a sequence of large residences which form an important part of the physical character of Upper North Adelaide. A number of these still remain as State Heritage Places between Hill Street and Wellington Square.

I note that the Hotel is not specifically referred to in this regard.

Objective 3 for the North Adelaide Historic (Conservation) Zone goes onto say that not only should existing housing stock be retained, but increased through the conversion of non-residential buildings for residential purposes.

Objective 3: A Zone where the existing housing stock is maintained through the retention of Heritage Places and the number of dwellings increased primarily through:

- (a) the replacement of buildings that are not identified Heritage Places;
- (b) the development of vacant or under-utilised sites that does not compromise the established residential amenity and the identified heritage value of the Zone and Heritage Places; and
- (c) a change in use of non-residential buildings for residential purposes.

DA/337/2018
2

This policy position is reinforced by Principle of Development Control 2.

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;

I therefore see no fundamental impediment to the proposed change in use.

To the extent that there may be some reservation in the proposed change of use to a dwelling, possibly for reasons of nostalgia or similar, can I but say that the building may be reverted to a hotel use in the future should the business case support this.

In this regard, a dwelling may be viewed as an '*interim*' use in the life of this building.

As discussed above, the proposed change of use does not require any change to the original fabric of this building, with works limited to internal fit out and linings. In this regard, the heritage value of this building would not be compromised.

- 152** Development of an interior of a State heritage place or a local heritage place (where the interior of the local heritage place is identified as an element of heritage value in the relevant Table), should retain significant fabric (including fixtures and fittings) and spatial arrangements where these elements contribute to the heritage value of the place.
- 153** Uses on land containing a Heritage Place or the use of a Heritage Place should support the conservation of the identified elements of heritage value.
- 154** Where adaptation of a Heritage Place involves additional construction, part demolition or alterations to the Place, development should not diminish its heritage value and where possible, should involve conservation works to reinforce its heritage value.
- 155** Development should facilitate the conservation of dilapidated Heritage Places.

In so far as the heritage listing of this building does include the interior, that which has and is to be removed and replaced is limited to non-original fixtures and linings, with the valued original features to be retained and restored.

Mr Griguol has and will continue to engage skilled tradespersons in order to perform the required internal works to the highest standard befitting the quality and heritage value of this building.

For these reasons, I say that the proposal is an acceptable form of development when assessed against the relevant provisions of the Development Plan that warrants consent. I trust that you concur.

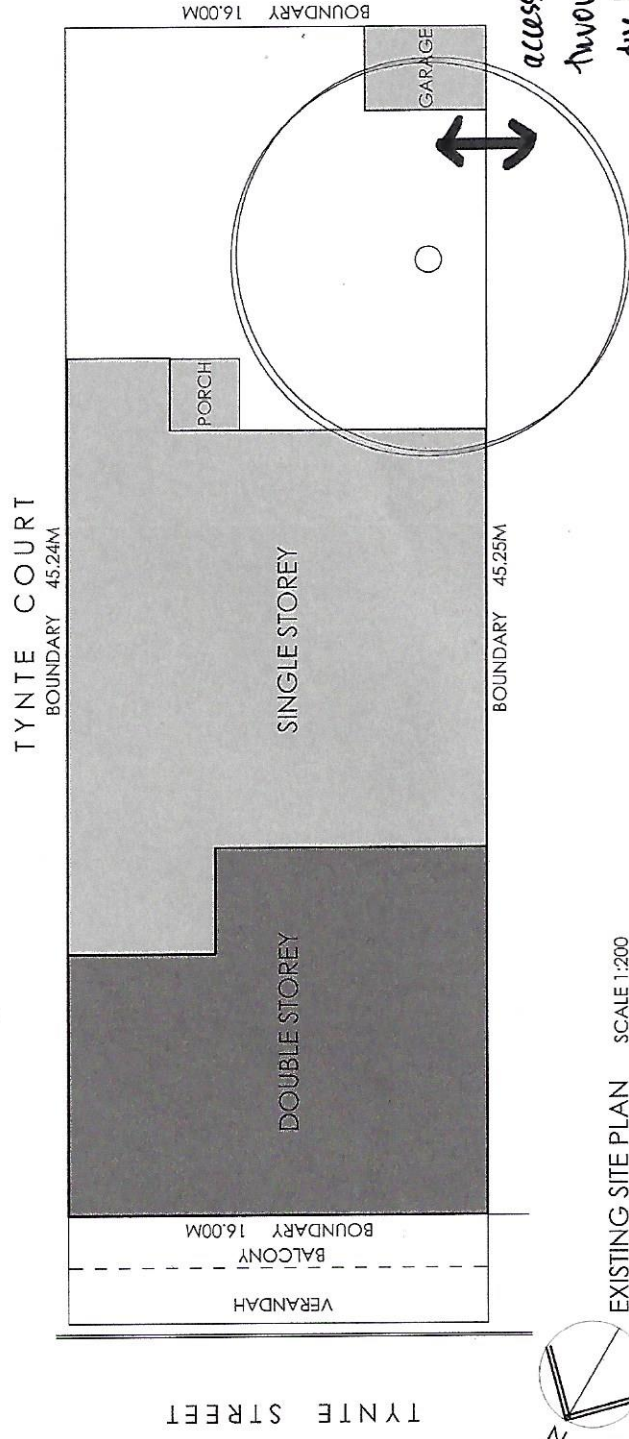
Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD



PHILLIP BRUNNING RPIA
Registered Planner

DA/337/2018



access taken by owner through 183 Tynite street due to interest in both properties.

AMENDED 26.09.18

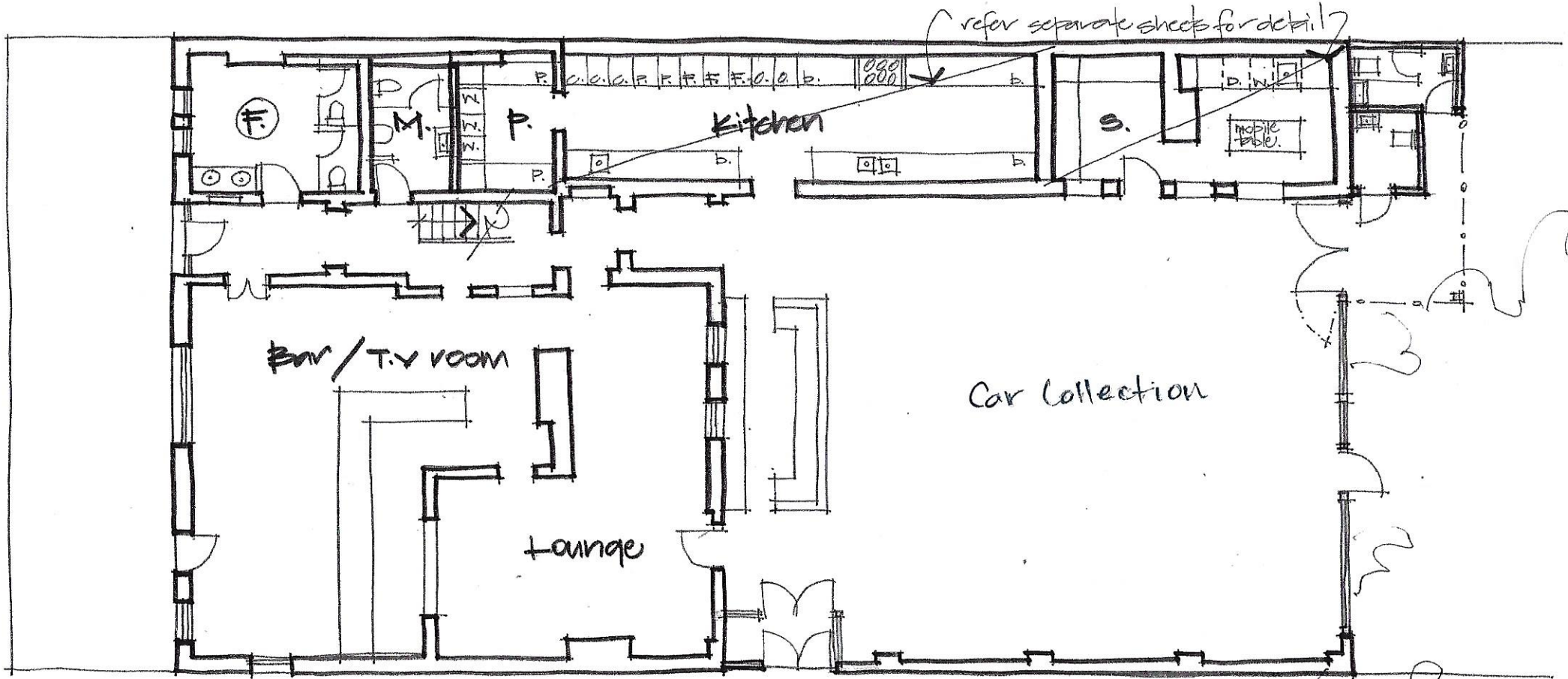
date: 30-11-17	arbor design
job no: 17-14	35 barnard street north adelaide sa 5006 mobile: 0418 529 390
md01	

Alterations to Existing Building - 165 Tynite Street, North Adelaide

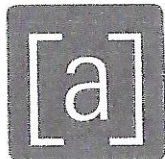
for B. Griguel

RECEIVED
26 September 2018
DA/377/2018

RECEIVED
26 September 2018
DA/377/2018

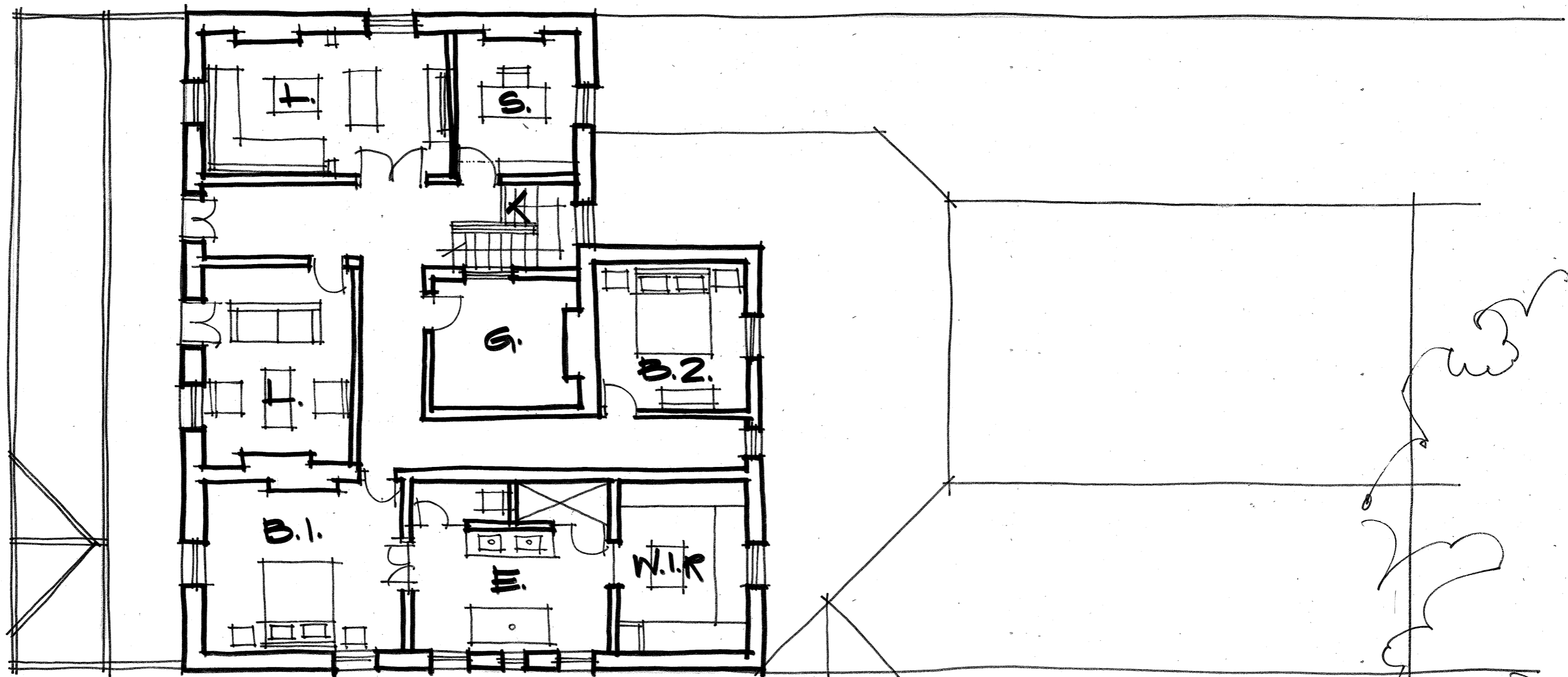


FLOOR PLAN

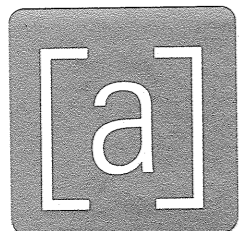


PROPOSED ALTERATIONS TO THE GROUND FLOOR
 OF 165-169 TYNTE STREET, NTH ADELAIDE
 FOR B. GRISHOL
 PROJECT 17-14. SCALE 1:100. JANUARY 2018.

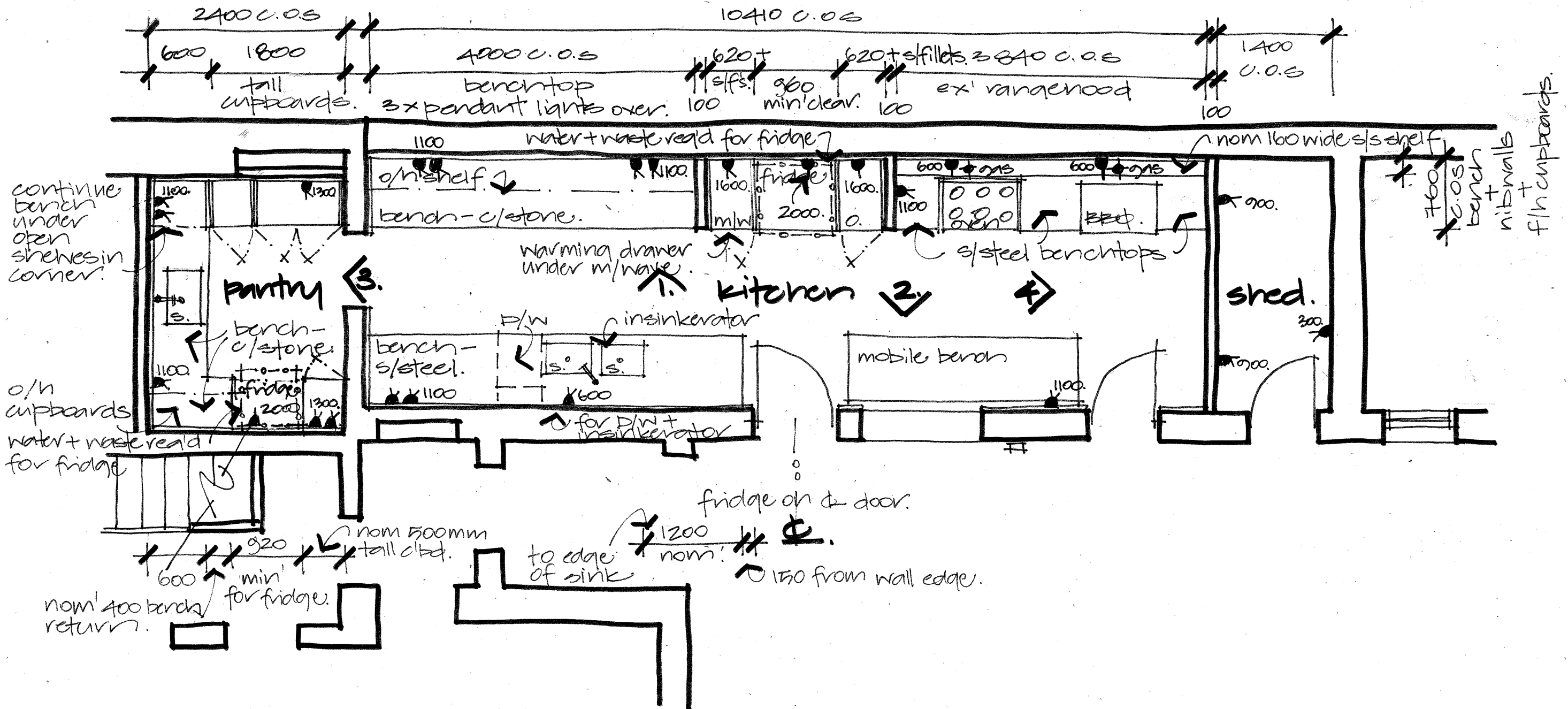
AMENDED 26.09.18



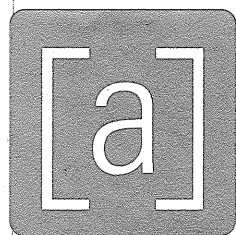
FLOOR PLAN: OPTION 2. REVISION A DEC 2017.



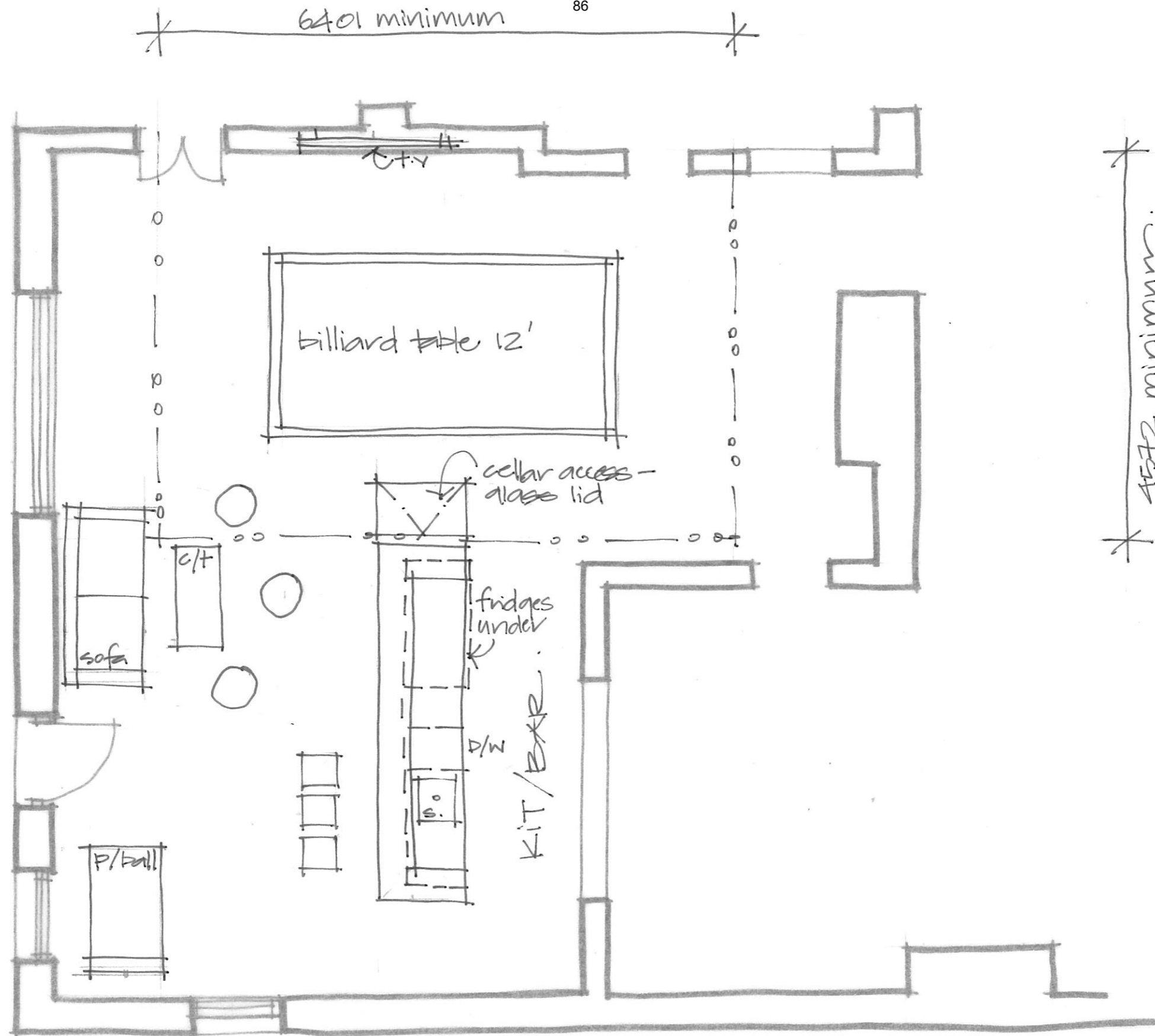
PROPOSED ALTERATIONS TO UPPER LEVEL
 OF 165-169 TYNTE STREET, Nth ADELAIDE
 FOR B. GRIGNOL
 PROJECT 17-14. SCALE DA/337/2018 DECEMBER 2017.



PROPOSED KITCHEN + PANTRY LAYOUT 1:50. revision A-27.2.2018.



PROPOSED ALTERATIONS TO THE GROUND FLOOR
 OF 145-169 TYNTE STREET, Nth ADELAIDE
 FOR B. BRIGNOL
 PJ17-14 SCALE 1:50 FEB' 2018
 DA/3377/2018

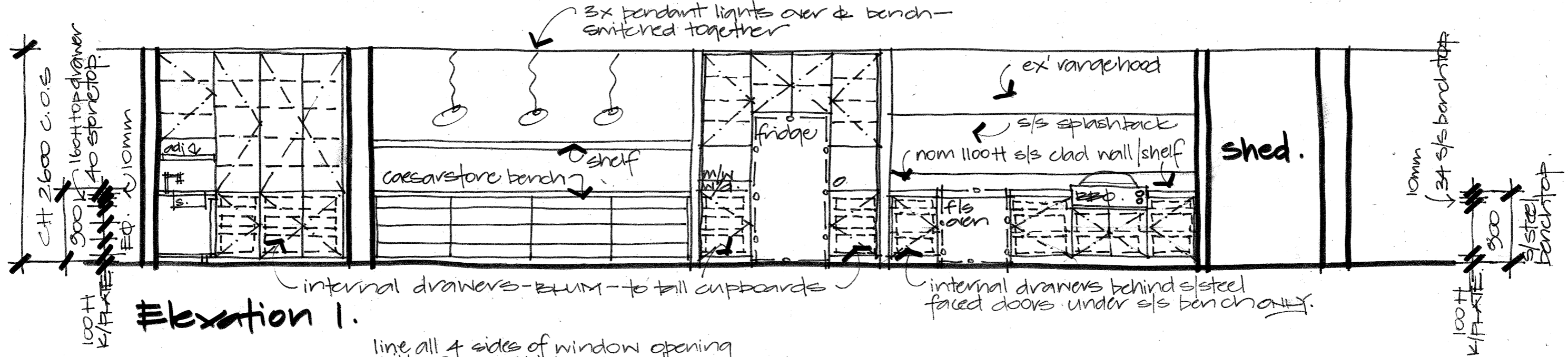


[a]

PROPOSED ALTERATIONS TO THE GROUND FLOOR
 OF 165-169 TYNTE STREET, NTH ADELAIDE
 FOR B. BRIGNOL
 PJT 14 SCALE 1:50 FEB' 2018.

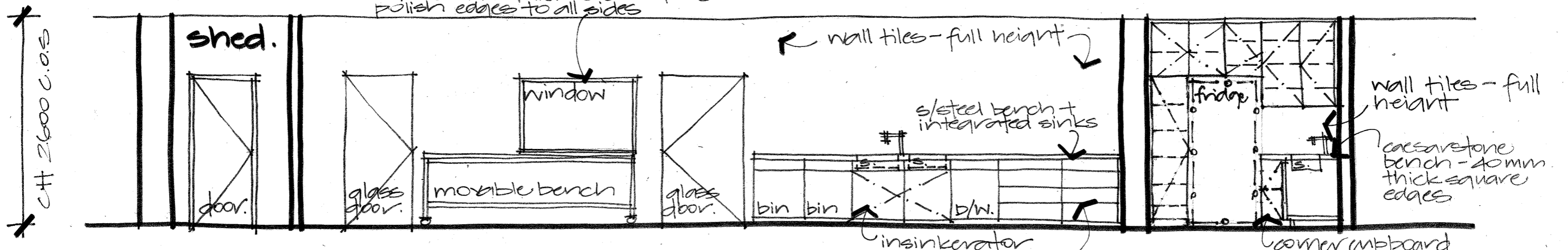
FRONT BAR PLAN
 + T.V. ROOM. 1:50.

DA/337/2018

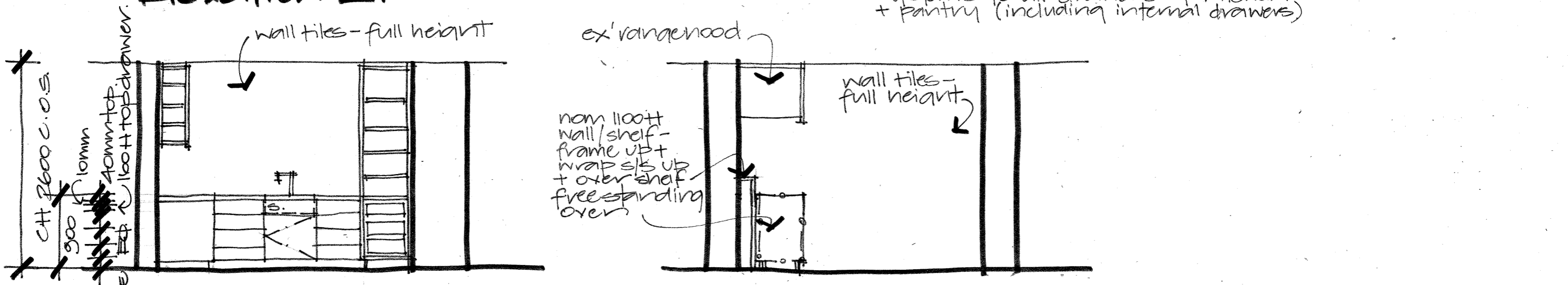


Elevation 1.

line all 4 sides of window opening with 20mm thick caesarstone - polish edges to all sides



Elevation 2.

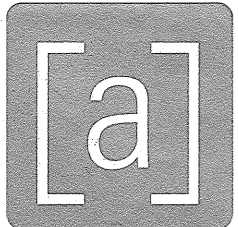


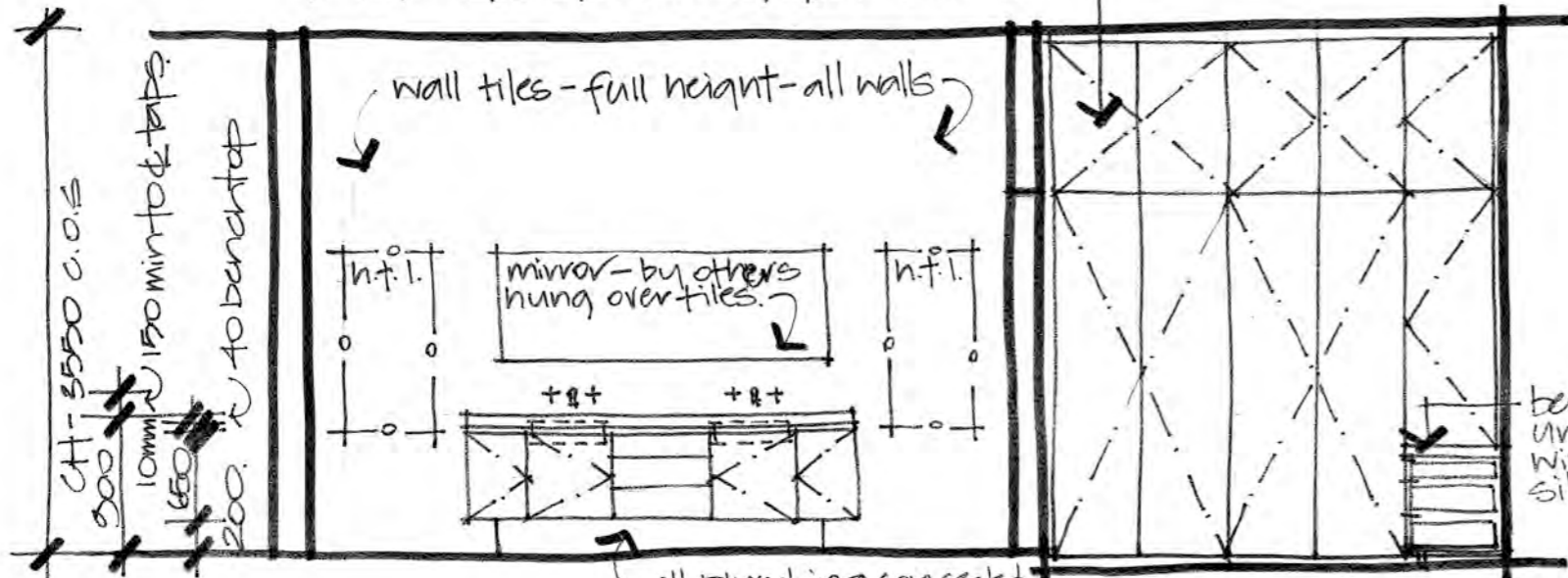
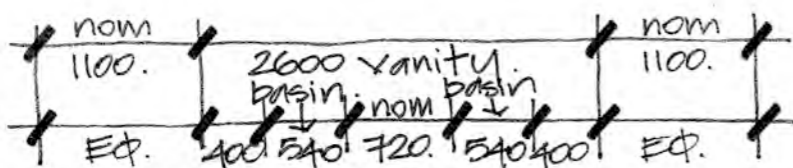
Elevation 3.

Elevation 4.

PROPOSED ALTERATIONS TO THE GROUND FLOOR
OF 165-168 TYNTE STREET, Nth ADELAIDE
FOR B. GRIGNOL
PT 17-14 SCALE 1=50 FEB 2018

KITCHEN + PANTRY.
 revision A - 27.2.2018.

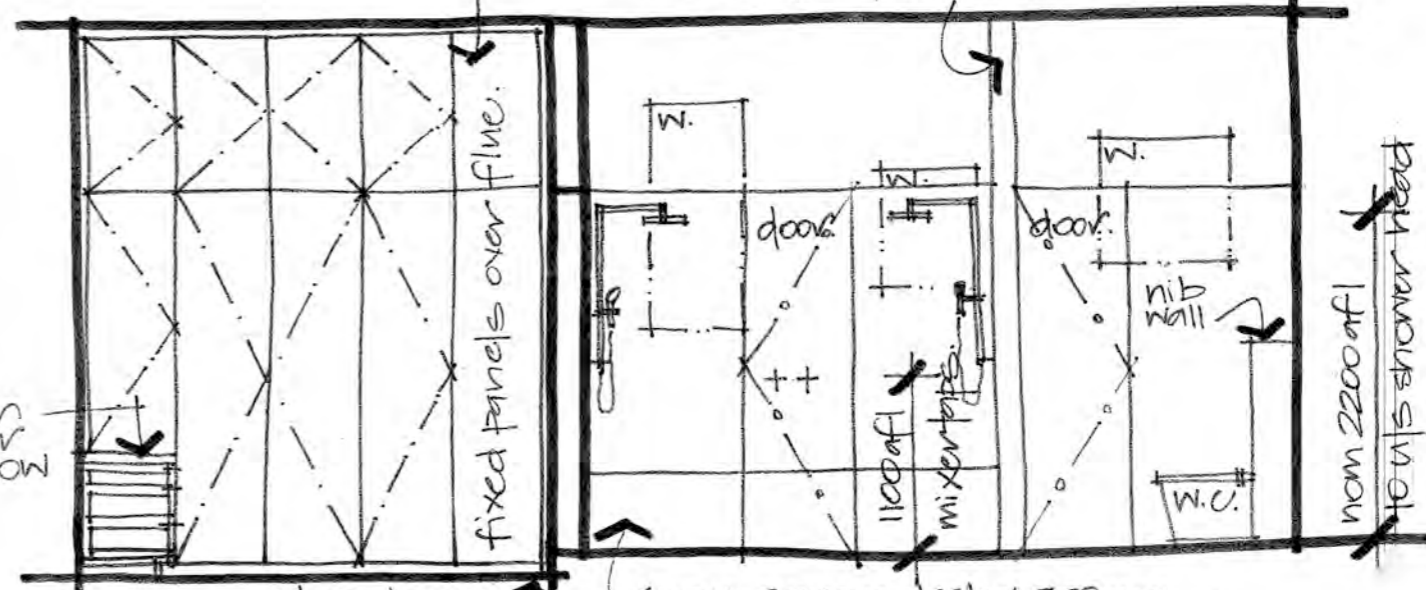




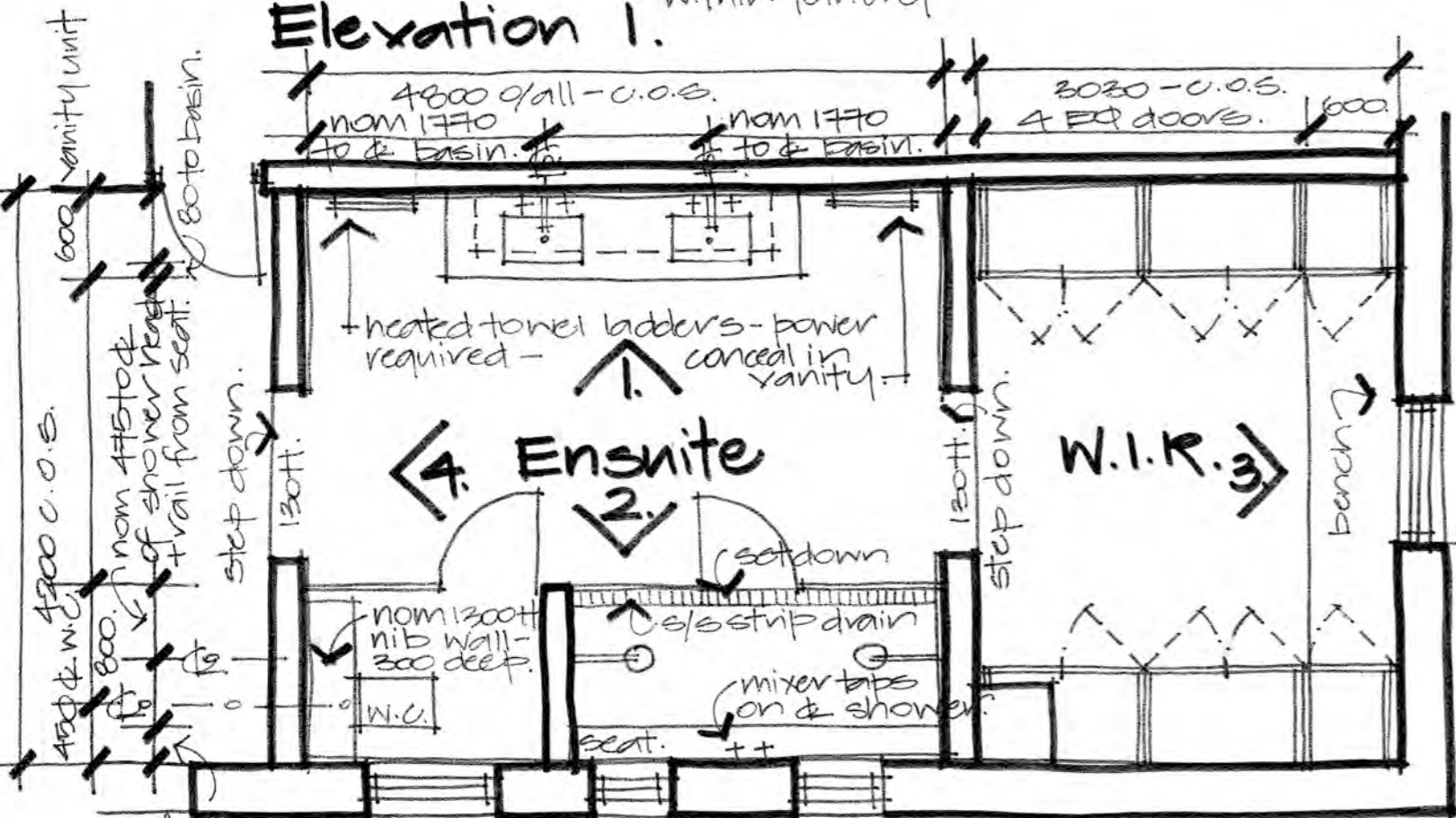
Elevation 1.

hanging + drawers + shelves to w.l.r joinery t.b.c.

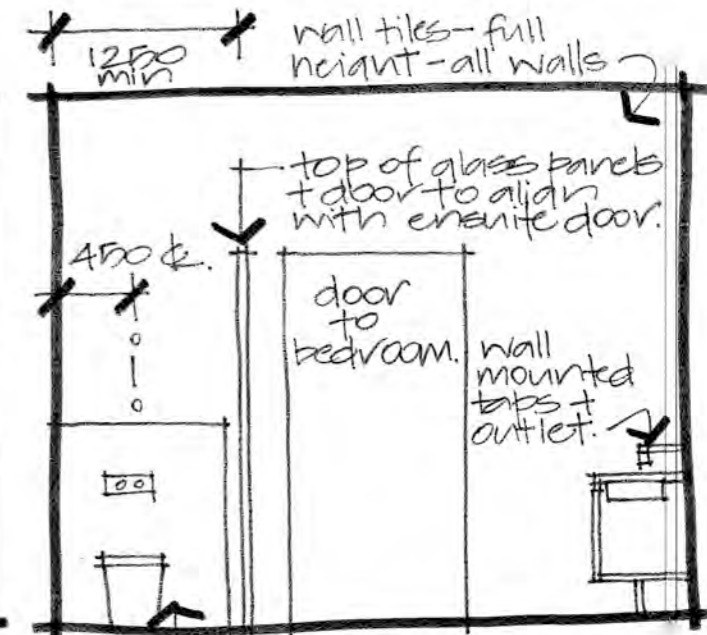
full height wall between shower + w.c. - fully tiled. mitre tiles on corners.



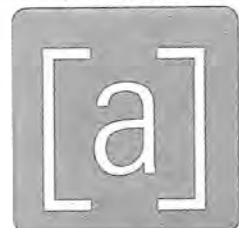
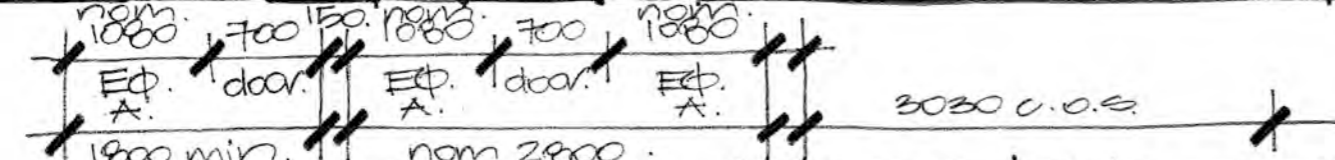
Elevation 2.



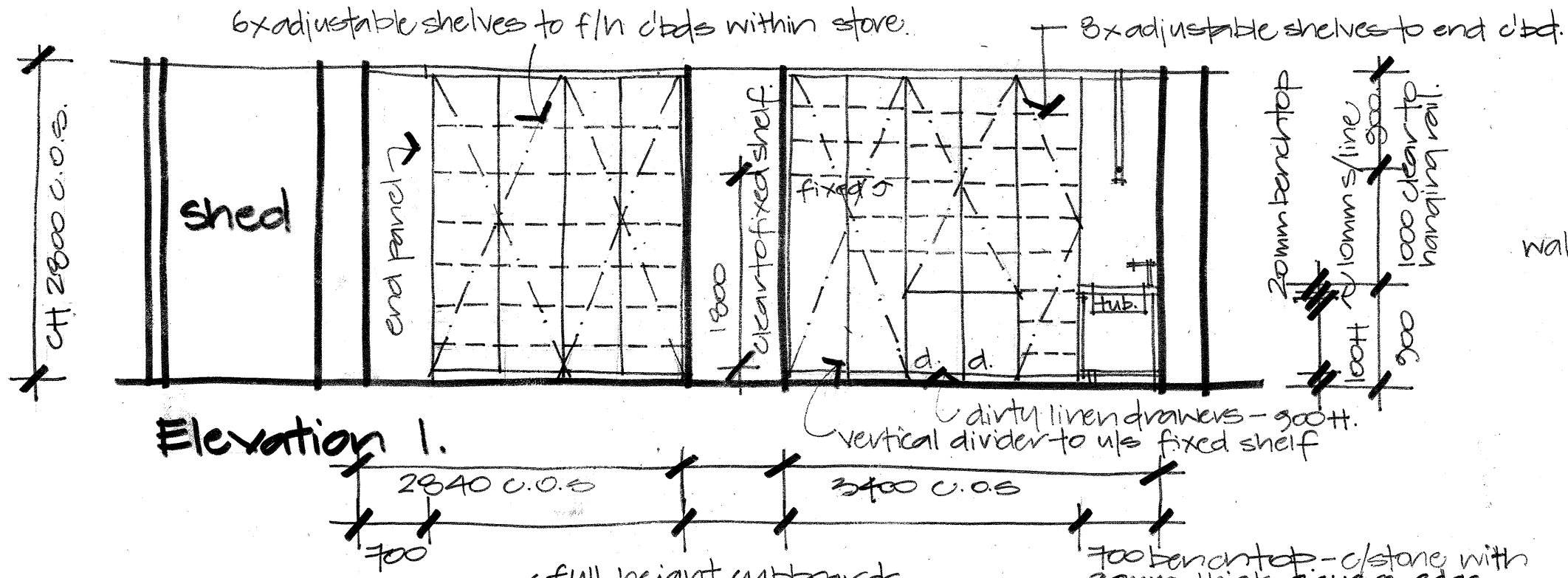
Elevation 3.



Elevation 4.



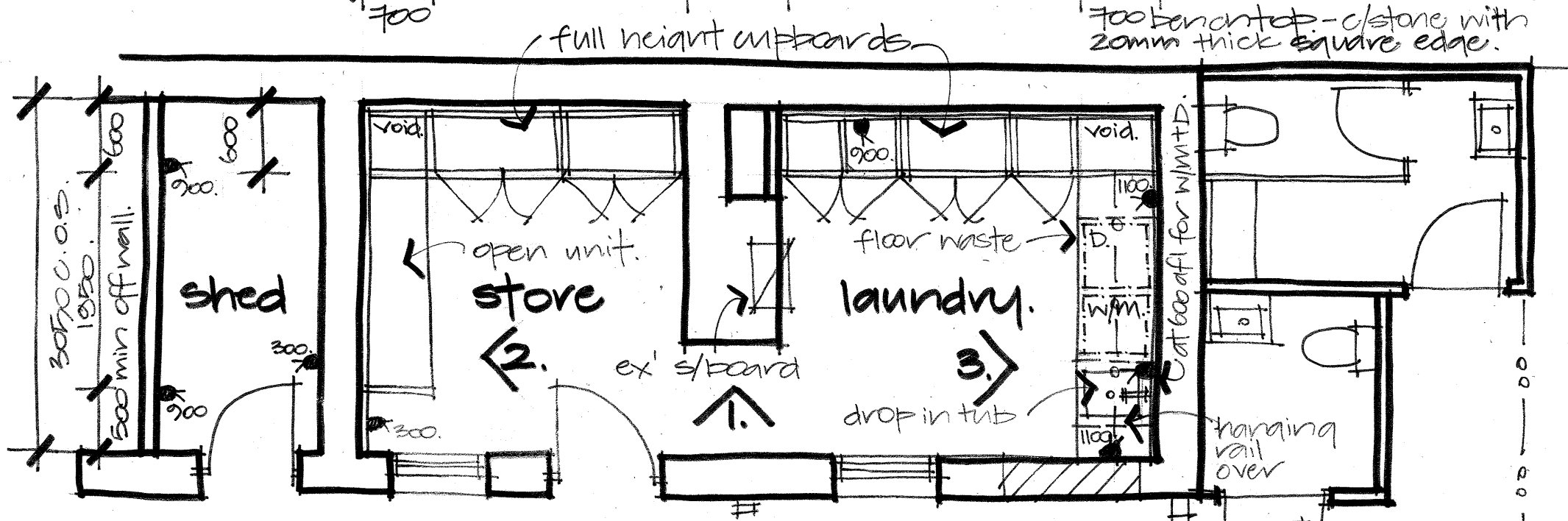
PROPOSED ALTERATIONS TO THE UPPER FLOOR OF 165-169 TYNTE STREET, Nth ADELAIDE FOR B. GRIGNOL PJ17-14 SCALE 1:50 DA/337/2018.



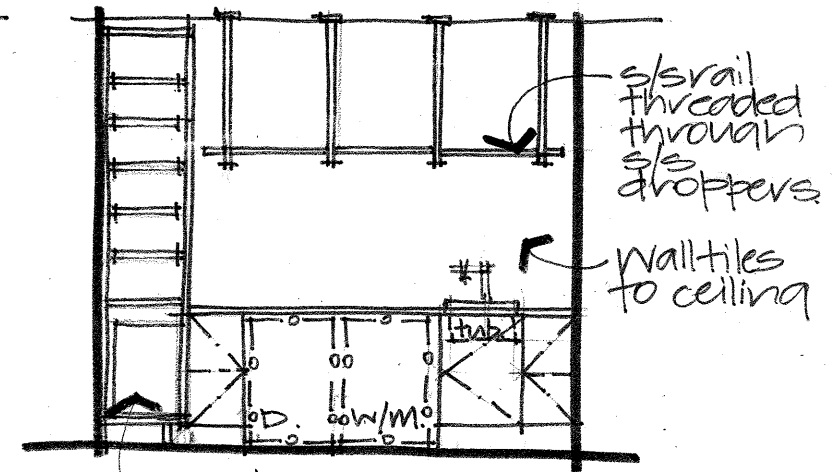
Elevation 1.



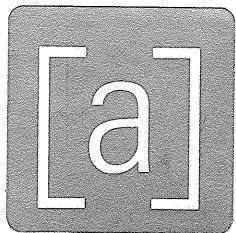
Elevation 2.



PROPOSED LAUNDRY + STORE LAYOUT 1:50.



Elevation 3.



PROPOSED ALTERATIONS TO THE GROUND FLOOR
 OF 163-169 TYNTE STREET, Nth ADELAIDE
 FOR B. BRIGUOL
 RJ17-14 SCALE 1:50 FEB 2018.
 DA/337/2018

revision A - 27.2.2018.



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/337/2018
Address: THE NORTH ADELAIDE HOTEL, 165-169 Tynte Street, NORTH ADELAIDE SA 5006
Description: Undertake alterations and change the use of the hotel to a dwelling
Contact Officer: Janaki Benson
Due Date: 19 July 2018

Representation by:

Name/s: THOMAS & ANN MARIE FEIGL AF WARD ORTHOTICS PTY. LTD.

Postal Address: 13/183 TYNTE ST, NORTH ADELAIDE

Contact Phone No/s:

Home: 0414892725 Office: After Hours/Mobile:

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

northcarepodiatry@gmail.com

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

- The owner or the occupier of the property located at: Suite 13, 183 Tynte 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):

Currently the owner of 165-169 Tynte St, North Adelaide has built a driveway access into the rear of his property with access through the ^{private} rear car park owned by all strata owners of 183 Tynte St, North Adelaide.

(if space is insufficient please attach further sheets)

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

As a strata owner of 13/183 Tynte St, North Adelaide I expressly request he stops accessing our car park as his private driveway access. We request he submit plans ^{in writing} as to how he will in the future access his backyard property without using the Cambridge Road Access.

(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:

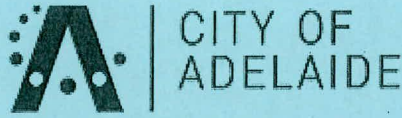
Signature: Date: 16/7/18

*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: Janaki Benson 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/337/2018
Address: THE NORTH ADELAIDE HOTEL, 165-169 Tynte Street, NORTH ADELAIDE SA 5006
Description: Undertake alterations and change the use of the hotel to a dwelling
Contact Officer: Janaki Benson
Due Date: 19 July 2018

Representation by:

Name/s: North Adelaide Medical Centre (Suites 4 & 6)

Postal Address: 183 Tynte St North Adelaide SA 5006

Contact Phone No/s:

Home: Office: 08 8267 3488 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: 183 Tynte St Nth 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):

Use of building not as stated ie not a dwelling, & not a hotel. Plans clearly show male & female toilets plus a showroom. Access to this proposed showroom requires access through our private property

(If space is insufficient please attach further sheets)

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

- Confirmation; dwelling ie residential not commercial or short term stay / overnight
- Do not use private property to access their rear & courtyard
- Commitment that council will monitor the ongoing use of the building

(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:  Date: 17 July 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: Janaki Benson

Date Returned: 17 July 2018

Application: DA/337/2018

Address: The North Adelaide Hotel , 165-169 Tynte Street, & 177-185 Tynte Street, North Adelaide, SA

Description: RE-NOTIFICATION – inclusion of 183 Tynte Street as part of the subject site – Undertake alterations and change the use of the hotel to a dwelling with access to rear garaging via 183 Tynte Street.

SUBMISSION RESPONSE

As owner and Secretary/Treasurer of the committee of 183 Tynte Street, North Adelaide I wish to request that you remove 'inclusion of 183 Tynte Street as part of the subject site'.

183 Tynte Street, North Adelaide is a Strata Incorporated No. 4166 and is managed by a Strata Manager (David Chapman) of Whittles. Sufficient time of 2 weeks' notice by law must be given to hold a meeting to discuss such a proposal with all unit owners of 183 Tynte Street, North Adelaide

The Re Notification lacks appropriate and full disclosure of sufficient information in which a decision can be made.

I do not believe that the rear garaging access is a Development Planning Approval matter but rather a Civil Matter between the owner of 165 Tynte Street and the Strata Group of 183 Tynte Street North Adelaide.

The property of 165-169 Tynte Street, has a car park access through Tynte Court.

The development and undertaking of alterations of 165-169 Tynte Street, including the access to rear garaging occurred prior to this Council approval. No consultation was made with the Strata group 4166 for rear access via 183 Tynte Street to be allowed.

The owner of 165-169 Tynte Street, then subsequently purchased Unit 16 in 183 Tynte Street, in the hope that he would have right of way access through 183 Tynte Street car park. He does not have the legal right to access his property without the approval of all unit owners in 183 Tynte Street as this is a strata group. A meeting of all owners to discuss this has not been arranged and by law must be voted on before approval can be granted.

I refer to the letter dated 18th August 2018 from Phillip Brunning in which he states "if it comes to pass that my Client is no longer an owner of property within the complex at 183 Tynte Street, he acknowledges that he **may** not enjoy the ability to gain access to the rear of 165 Tynte Street in this manner" this statement should read **will not** enjoy the ability to gain access. It should be obvious that once ownership has passed the access is removed.

16 October 2018-10-16

The Principal Planner – Development Assessment
Adelaide City Council
GPO Box 2252
Adelaide SA 5001

To whom it may concern

Submission objecting to DA/337/2018

The grounds for objection are:

1. The development proposal is inconsistent with the desired character for the Tynte Policy Area 4 of the North Adelaide Historic Conservation Zone of the City Plan. The property is a Local Heritage Place of City Significance and the desired character for this property and those in Policy Area 4 is to retain the traditional community **uses** such as the post office, library, **hotel**, church etc. Changing the use to a dwelling is inconsistent.
2. Inconsistent with the objective for increased residential accommodation in the Tynte Policy Area 4. The desired outcome is “an increase in the amount of residential accommodation should be achieved by redevelopment of buildings and sites that are **not** identified Heritage places”. This site is an identified Heritage site and therefore the proposal is incompatible with the City Plan.
3. The proposal is clearly inconsistent with Objective 3 for the North Adelaide Historic Conservation Zone, that clearly states that an increase in the number of dwellings is increased primarily through (b) the development of vacant or under-utilised sites that **does not compromise the** established residential amenity and the **identified heritage value of the Zone and Heritage places.**”
4. There is ample and clear direction in the City Plan for expanded residential dwellings in adjacent and nearby areas in Northern Adelaide including the former Channel 9 site on the Northern aspect of Tynte Street.

We would be extremely disappointed should Council allow the change of use from a Hotel to residential dwelling proceed. The Hotel and its use as a Hotel is integral to the existing character of the area.

Kind Regards

Audrey van Beusichem
Wendy Arnold
Paul Arnold

16A Cottesloe Street
West Beach SA 5024

North Adelaide 1724 001

18 August 2018

Ms Janaki Benson
 Planning Officer
 City of Adelaide
 GPO Box 2252
 ADELAIDE SA 5001



Town Planning
 Development Advice
 Strategic Management

Dear Janaki,

Development Application No.337/2018

I refer to the abovementioned Development Application that seeks Development Plan Consent to undertake alterations and change the use of an existing building from hotel to dwelling, on land located at 165 Tynte Street, North Adelaide.

I understand that two (2) representations were received following Category 2 notification procedures, both are which are from owners of units within the adjacent medical consulting rooms located at 183 Tynte Street.

In response to the matters raised, I provide the following for your consideration.

- the proposed use of these existing premises is as a dwelling, within which my Client will reside. Tourist accommodation is not proposed, not that such an activity would be inappropriate in this location in any event;
- the designation of male and female toilets on the proposal plans is nothing more than a reflection of the existing arrangement which are to be maintained for use in conjunction with this dwelling;
- it would serve no planning purpose to remove these toilets and such may only frustrate the potential for this building to be reverted back to its original use as a hotel should that be the wish of the owner in the future;
- the works that are to be performed seek to preserve this potential which is consistent with the principle of adaptive reuse of heritage buildings so as to ensure the building continues to have an economic purpose and function;
- my Client as the registered owner Unit 16/183 Tynte Street enjoys a legal entitlement to access this property, with no prejudice arising from him continuing on into the rear of 165 Tynte Street;
- this practice is limited to one vehicle movement in the morning and another in the evening, other than the infrequent movement of my Client's collectable cars displayed within the 'showroom' – the former Pepper Tree Restaurant

Phillip Brunning & Associates

ABN 40 118 903 021

26 Wakeham Street
 Adelaide SA 5000
 Telephone 08 8232 5686
 Mobile 0407 019 748
phil@phillipbrunning.com



- no physical works are required to facilitate movement between the two properties, and there would be no loss of car parking on 183 Tynte Street. The gate installed in the boundary fence opens inwards onto the property at 165 Tynte Street;
- if it comes to pass that my Client is no longer an owner of property within the complex at 183 Tynte Street, he acknowledges that he may not enjoy the ability to gain access to the rear of 165 Tynte Street in this manner.
- in any event, I do not consider it to be a relevant town planning consideration but rather a civil matter between land owners and ought not delay determination of this development application.

I trust that with the benefit of this response you may now finalise your assessment of this application and present to the next available meeting of Council's Assessment Panel, I trust with a recommendation for consent.

As one of the representors has requested the opportunity to address the Panel further to their representation, I seek on behalf of the Applicant the right of reply. Can you please confirm of the time and date of this Panel meeting.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD

A handwritten signature in black ink, appearing to be 'P Brunning', is written over a faint circular stamp or watermark.

PHILLIP BRUNNING RPIA
Registered Planner

North Adelaide 1724 003



Town Planning
Development Advice
Strategic Management

5 November 2018

Mr Matthew Field
Senior Planner – Development Assessment
City of Adelaide
GPO Box 2252
ADELAIDE SA 5001

Dear Matt,

Development Application No.337/2018

Further to my previous letters of 18 August 2018 and 23 May 2018, I take this opportunity to respond to the representations received following re-notification of this development application to change the use of an existing building located at 165 Tynte Street, North Adelaide from a hotel to a dwelling.

To the extent that I have not already dealt the issue of with access to the rear of the property at 165 Tynte Street from the adjacent car park associated with 183 Tynte Street, I seek to make it patently clear that the proposed development (change of use and associated works) is not dependant on this practice.

The practice of moving between the two properties is not in itself *development*, and occurs solely on the basis that Mr Griguol has a legal interest in both properties. The development application before Council does not seek to regularise or endorse this practice, it simply acknowledges it.

As correctly put Ms Bishop of 183 Tynte Street, Mr Griguol (or for that matter, future owner/s of 165 Tynte Street) will not enjoy the ability to gain access via the car park to the rear of his property should he (or future owner/s) no longer own a unit within the adjacent consulting room complex.

As I understand it, reference to 183 Tynte Street within the re-notification documentation prepared by Council administration was to ensure full disclosure and clarity in respect to this practice. That said, I maintain that 183 Tynte Street does not form part of the subject land and is not *development* in and of itself.

The issue raised by Ms Bishop in relation to permission for this practice by the Strata Corporation of 183 Tynte Street is with respect, civil in nature and not a relevant town planning consideration. I can only say that this practice of moving between the two properties by Mr Griguol causes no prejudice.

Phillip Brunning & Associates

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Adelaide SA 5000
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The disappointment expressed by Ms Beusichem, Ms Arnold and Mr P Arnold in relation to the proposed change of use is acknowledged and the sentiment noted. Can I say though, that the use of this building does not in itself detract from its heritage value and the contribution that it will continue to make to local character.

The heritage significance of this place is more so the building, than its use.

The practical reality is that small hotels of this nature are increasingly unviable to operate and that adaptive reuse as a dwelling may better conserve the building in the medium to longer term. It would serve no planning purpose to deny this change of use and have the building remain vacant.

A change of use from hotel to dwelling is not unprecedented within North Adelaide, the Dover Castle on Archer Street being one such example. It should also be noted that the works that have performed to this building (mostly renovations) do not preclude the hotel use from being reestablished in the future.

As provided for, I seek the opportunity to appear before the Panel.

Yours faithfully

PHILLIP BRUNNING & ASSOCIATES PTY LTD

A handwritten signature in black ink, appearing to be 'PB', with a vertical line extending downwards from the bottom of the signature.

PHILLIP BRUNNING RPIA
Registered Planner

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 10/12/2018

Item No	3.3
Address	183-185 Halifax Street, Adelaide SA 5000
Proposal	Construct two, three storey semi-detached dwellings with carports and vehicular access from rear (DA/564/2018 - HD) [CAP]
Applicant	Colindale Property Developments P/L
Relevant Development Plan	7 June 2018
Lodgement Date	20 July 2018
Zone / Policy Area	City Living Zone – South East Policy Area 31
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representation
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Plans 1 – 9
- Overshadowing diagrams 10 – 13
- Perspectives – proposed and existing 14 – 18
- Certificate of Title 19 – 23

Comments from Public Notification 24 – 27

Applicant Response to Representations 28 – 32

3D Model A model of the proposal used for the purposes of assessment will be available for viewing by members at the meeting

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

- 1.1 Planning consent is sought for the construction of two three-storey attached dwellings and associated carports to the rear.
- 1.2 The ground floor of the dwellings includes two bedrooms (one with ensuite and one with walk-in robe), laundry and bathroom. The next level comprises the living, kitchen and dining area of the dwellings. The upper level contains the master bedroom (including walk-in robe and ensuite) and a roof deck facing out to Halifax Street.
- 1.3 The carport to the rear is accessed via a right of way from Castle Street. It has the capacity to provide cover for two cars for each dwelling.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area	370 m ²	
Plot ratio	0.8 (296 m ²)	1.08 (399.40 m ²)
Dwelling Unit Factor (DUF)	120 m ² (3 allowable for this site)	2 dwellings proposed
Building height - Storeys	2 storeys max.	3 storeys
Private Open Space (POS) - % of total site area or m ² - dimensions	16 m ²	56.6 m ²
Landscaped Open Space (LOS) - % of total site area	20% (74 m ²)	20% (74 m ²)
Car parking and Access - Number of spaces	1 space per dwelling	2 spaces per dwelling

3. **BACKGROUND**

- 3.1 On 22 November 2016, the land at the rear of the subject site (Lot 581), which was under the same ownership as the subject site, received planning consent under delegation for the demolition of existing sheds and the construction of a two-storey dwelling (DA/0626/2016).
- 3.2 Full development approval was issued on 30 March 2017 and the dwelling was constructed.
- 3.3 The allotments that front Halifax Street (Lots 582 and 583) were the subject of planning consent to demolish the existing structures and construct two 2-storey detached dwellings with roof top terraces (DA/904/2016) on 30 March 2016.
- 3.4 Full development approval was issued on 11 October 2017 and demolition occurred, however replacement buildings were not constructed. Subsequently, the site was on sold as a development site.

3.5 Since lodgement of the application there have been several meetings between the applicant and the Administration to resolve matters in relation to the heritage adjacency and to reduce the visual impact of the third level. These changes include:

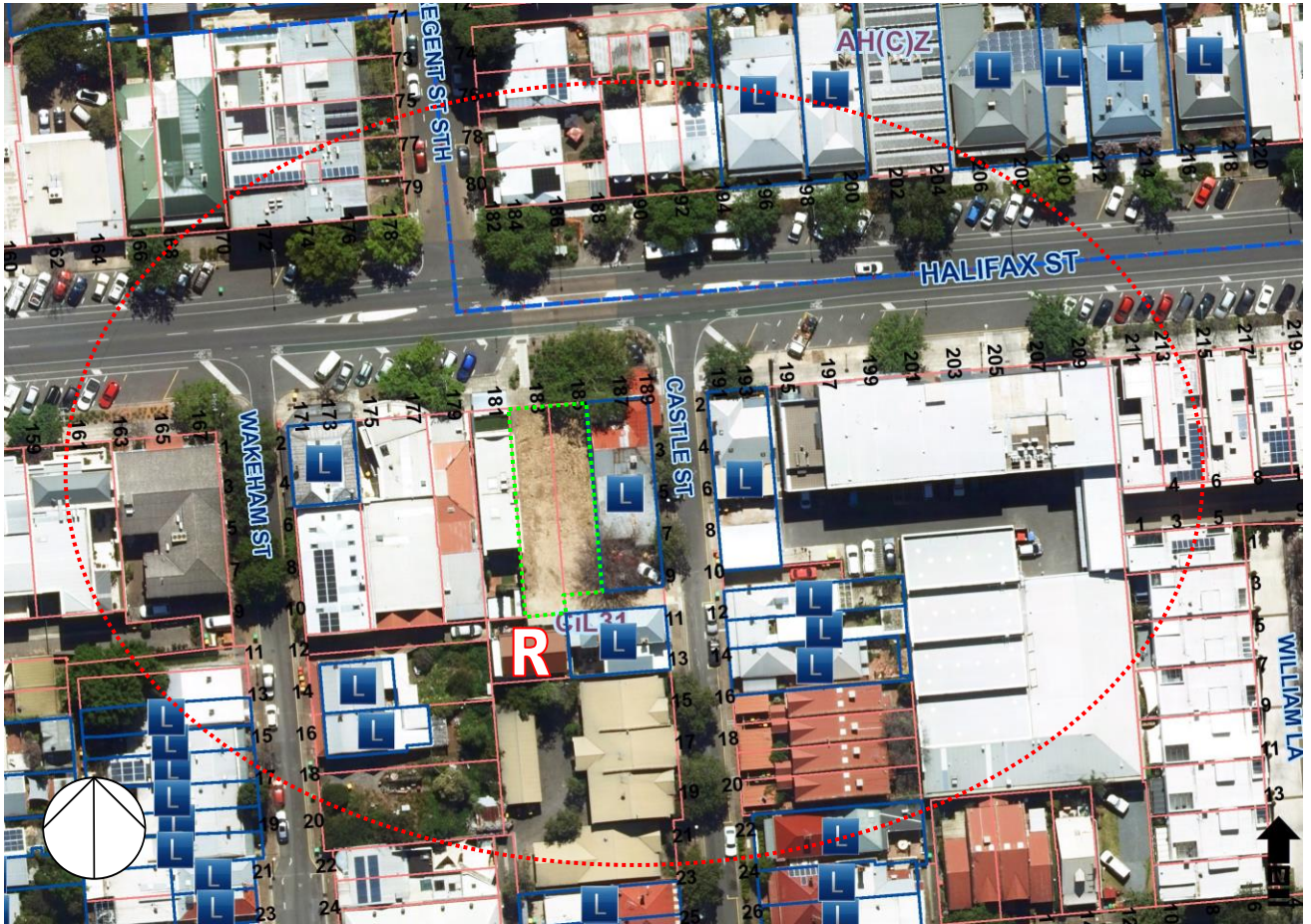
- Adjustment of the eastern side elevation materials at first floor level from Scyon Axon Cladding to recycled red brickwork (similar to ground level) to reduce the apparent mass of the cladding material;
- Use of shadow lines within the brick work to break up the mass;
- Introduction of a void space in the wall between the ground level front verandah and the neighbouring property to the east to improve light access and visibility;
- Introduction of glass balustrades to the roof deck to further reduce the apparent bulk of the building.

4. SITE

- 4.1 The subject site is located on the southern side of Halifax Street.
- 4.2 The site is made up of two allotments, lots 582 and 583. Access is available via a right of way from Castle Street to the east.
- 4.3 The site is irregular in shape. It has a frontage to Halifax Street of 11.89 metres and a total site area of approximately 370 m².
- 4.4 The site is currently void of any structures or vegetation and is relatively flat.
- 4.5 There is a Local Heritage place located immediately to the east of the subject site.
- 4.6 The landscaped verge forward of both the subject site and the adjacent Local Heritage place is heavily vegetated incorporating two large canopied street trees.

5. LOCALITY

- 5.1 The nature of the locality can be split into two distinct characters. Firstly, Halifax Street is a wide, landscaped street that acts as an east-west thoroughfare through the City. It contains a mix of residential and non-residential land uses, including offices, a health studio, consulting rooms, café/restaurant and warehouses.
- 5.2 Castle Street to the east, is a narrow tree-lined street that has quite an intimate scale and is entirely residential in nature.



KEY



Subject Site



Local Heritage Place

CiL31

City Living Zone – South East Policy Area 31



State Heritage Place

AH(C)Z

Adelaide Historic (Conservation) Zone



Zone Boundary

R

Representor



Locality

Photo 1 – Subject site as viewed from Halifax Street



Photo 2 – View of the landscaped verge in front of the site and adjacent site



Photo 3 – View on the subject site looking north



Photo 4 – View of proposed access to site via right of way (looking west)



Photo 5 – Local Heritage listed café adjacent subject site to the east



Photo 6 – View from subject site to rear of site (looking south)



Photo 7 – Example of low scale development in Castle Street to east of subject site



Photos 8 and 9 – Examples of more moderately scaled development in Halifax Street to the east of subject site



Photo 10 – View looking west along Halifax Street towards Hurtle Square



Photo 11 – view of Halifax Street opposite subject site



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 – 1	<ul style="list-style-type: none"> Mr John Carter – 9 Castle Street, Adelaide

Issue raised by representor	Applicant's response
<ul style="list-style-type: none"> Overshadowing caused by the third level main bedrooms of proposed dwellings 	<ul style="list-style-type: none"> Plans slightly amended to ensure no overshadowing occurs over the representor's property in the middle hours of the day of winter solstice
<ul style="list-style-type: none"> First and second levels being located 600mm closer to southern boundary than previously approved 	<ul style="list-style-type: none"> No material consequence of the realignment. Do not believe that 600mm in 15 metres will be perceptible and will not adversely impact on overshadowing.

7. **REQUIRED EXTERNAL REFERRALS**

- 7.1 No external referrals required.

8. **SPECIALIST ADVICE**

8.1 **Local Heritage**

- Comments**

I have inspected the subject site and immediate locality and viewed the revised drawings relating to this development application.

In principle the proposal for a contemporary residential development is supported.

The juxtaposition of the development relative to the adjacent corner shop/Local Heritage Place (LHP) and the selected design elements and materials of the proposal are reasonably well resolved.

Whilst contemporary in design, the proposal does reference the scale of the traditional, heritage listed residential development nearby. For example, the height of the recycled brick balcony aligns with the parapet of the shop/house and setbacks from the Halifax St boundary relate to the built form to either side of the subject site. The use of recycled bricks will reinforce the local context and will present a fine grain to the main visible elements of the north and east facades and is supported. The use of darker colours to the Axon cladding should assist with the visual recession of the upper level, whilst emphasising the recycled brick base to the building.

Front fencing is shown at approximately 1.5m high and incorporates recycled brick and an open palisade element. This is an appropriate design response in this locality.

The top storey is to be set well back from Halifax Street and will be substantially screened by the broad street tree and adjacent built form. It will be visible from Castle Street, along the rear access laneway, but I note that only 5.9 metres of building is proposed on the eastern boundary and the roof form of the lobby and stair is set further off the east boundary. In my opinion, there is sufficient distance to this upper-level built form, such that it will not present as a dominant element to Castle Street.

Recommendation:

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/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 Policy Area Objectives & Principles

South East Policy Area 31 – Desired Character Statement

“The Policy Area will be enhanced as an attractive residential locality with a high level of residential amenity. The Policy Area contains a large number of State and Local Heritage Places.

Development will comprise residential buildings that are consistent with the existing palette of primarily street-fronting dwellings (detached, semi-detached and row dwellings) and the prevailing building scale and character. Residential flat buildings may be appropriate where they are developed on larger sites to provide an increase in dwelling density. Further development of land for non-residential uses is limited to land and buildings in non-residential use.




Development will be designed to complement the existing streetscape comprising the more spacious settings on the main east-west streets, Carrington, Halifax and Gilles Streets, and the intimacy of the smaller streets and laneways.

Dwellings will be varied but will be consistent with the prevailing rhythm of buildings and spaces. Infill development will take particular reference from the siting, form and key elements of existing buildings to ensure a highly attractive and compatible streetscape. The predominant building scale and heritage places in the immediate locality will be referenced by new buildings/additions, particularly as they address public streets. Opportunities may be available for carefully composed and sited second and third building levels which are suitably removed from street view, and with limited impact on the low scale setting of such places.

The high quality of landscaping, of both public and private space will provide a high level of pedestrian and cyclist amenity. Vehicle movement will be primarily for local and visitor traffic, with an increasing facilitation of pedestrian and cycling links to both the inner City and Park Lands.

The key development area indicated on Figure SE/1 afford significant opportunities for integrated developments which increase the residential population within the Policy Area. The area will generally be developed for housing, but may include a small amount of non-residential uses sited to support street activation and providing residential amenity is maintained. Development will exemplify quality contemporary design that is generally of greater intensity than its surrounding and will comprise a number of individual buildings in a spacious, well landscaped setting designed to carefully manage the interface with adjacent residential development, particularly with regard to massing, proportions, overshadowing, traffic and noise. High regard is to be had to reflecting each key development areas context, in particular with regard to state and local heritage places, subdivision pattern and movement.”

Subject	Assessment	Achieved
DP Ref		<p style="text-align: center;">✓</p> <p style="text-align: center;">Not Achieved</p> <p style="text-align: center;">✗</p>
Desired Character	<ul style="list-style-type: none"> • Predominantly achieved. • See detailed assessment. 	<p style="text-align: center;">✓</p> <p style="text-align: center;">✗</p>
Objective O1	<ul style="list-style-type: none"> • As above. 	✓
Land Use P1	<ul style="list-style-type: none"> • Whilst proposing dwellings, they are attached as opposed to detached or semi-detached as desired. 	<p style="text-align: center;">✓</p> <p style="text-align: center;">✗</p>

Form and Character P2	<ul style="list-style-type: none"> • Predominantly achieved. • See detailed assessment. 	
Design and Appearance P3-7	<ul style="list-style-type: none"> • Exceeds maximum plot ratio of 0.8 (proposes plot of 1.08) • Meets relevant DUF (120 m² – site is 370 m² therefore can achieve two dwellings). • 20% landscaped open space is achieved (proposes 74m²) which equates to 20%. • Site is located in an area that should not exceed 2 storeys. • See detailed assessment. 	 

9.2 Summary of Zone Objectives & Principles

<u>City Living Zone – Desired Character Statement</u>		
<p><i>“The Zone is spread across the southern half of Adelaide, flanked to the north by the City’s central business area. Mixed use apartment and commercial corridors frame much of the southern and western margins of the Zone which is also bisected by the Hutt Street main street strip, and corridors of core business areas centred on the Squares and the City’s main north-south axis roads, Morphett, King William and Pulteney Streets.</i></p> <p><i>The Zone comprises Adelaide’s main residential living districts which have developed with a range of stand-alone and paired cottages, terrace or row housing, and low to medium scale contemporary apartment buildings, and with remnant workshops, service trades, offices and mixed uses, particularly west of Hutt Street.</i></p> <p><i>The City Living Zone will provide high amenity residential living environments along with related non-residential uses compatible with residential amenity, as articulated in the Policy Areas. Carefully executed high quality residential infill is envisaged and opportunities are presented for comprehensive redevelopment on larger, particularly non-residential sites, and also on catalyst sites fronting South Terrace and East Terrace. The desired increase in the City’s resident population relies, in part, on realising infill housing opportunities with high regard to their context and achieving overall, higher dwelling densities in this Zone.”</i></p>		
Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Desired Character	<ul style="list-style-type: none"> • Proposal presents high quality residential infill. • Achieves a greater density as sought. 	✓
Objectives O1-4	<ul style="list-style-type: none"> • Provides a sought-after land use. • Increases dwelling density in accordance with the Policy Area. 	✓
Form of Development P1-10	<ul style="list-style-type: none"> • Makes a positive contribution to the existing character. • Land use is envisaged. • Increases the number of dwellings through the redevelopment of a previously poor-quality site that was in discord with the character. • Building does exceed the maximum building height prescribed for that portion of the Zone however it does set the taller building element back from street frontage as sought. • Setbacks are consistent with locality. • Finished level of dwellings will be at grade and level with the footpath. 	✓ ✗
Car parking P11	<ul style="list-style-type: none"> • Access is gained from minor street as sought. 	✓

9.3 Summary of Council Wide Objectives & Principles

Subject	Assessment	Achieved ✓ Not Achieved ✗
DP Ref		
Housing choice	<ul style="list-style-type: none"> Inclusion of lift assists with aging in place. 	✓
O6-8		
P5-9	<ul style="list-style-type: none"> Development will not diminish the historic character. 	
LOW SCALE RESIDENTIAL DEVELOPMENT		
Building Appearance & Neighbourhood Character	<ul style="list-style-type: none"> Partially achieved. 	✓
O11-12	<ul style="list-style-type: none"> Building height exceeds recommended maximum however other elements of the proposal are considered compatible with the desired character. 	✗
P17-21	<ul style="list-style-type: none"> See detailed assessment. 	
Dwelling Setbacks	<ul style="list-style-type: none"> Setbacks are generally consistent with locality. 	✓
O13		
P22		
Building Siting	<ul style="list-style-type: none"> The third level has been setback from frontage to minimise impact on the streetscape but still considered to be adequate separation from property at rear. 	✓
O14		
P23-24	<ul style="list-style-type: none"> See detailed assessment. 	
Daylight & Sunlight	<ul style="list-style-type: none"> Achieved. 	✓
O15	<ul style="list-style-type: none"> See overshadowing diagrams and detailed assessment. 	
P25-28		
Private Open Space	<ul style="list-style-type: none"> Achieved. 	✓
O16	<ul style="list-style-type: none"> Located off master bedroom and not living area as recommended however a north facing terrace is proposed (not wide enough to be included in calculation of private open space). 	
P29-34	<ul style="list-style-type: none"> Proportion open to sky as required. 	
	<ul style="list-style-type: none"> See summary table for quantitative information. 	

Visual & Acoustic Privacy O17 P35-38	<ul style="list-style-type: none"> Achieved. Dwelling to the east has a window which is greater than 15 metres from the private open space of the adjacent dwelling. Dwelling to the west has a window that is within 15 metres of the private open space of the adjacent property to the rear however line of sight is obscured by 2.1-metre-high wall. Upper level rear windows obscured to meet relevant principles and protect neighbouring private open space. Not considered to be a land use that will produce unreasonable impact in relation to noise. 	✓
Adaptability P39	<ul style="list-style-type: none"> Achieved. 	✓
Carpports, Garaging & Fencing O18-19 P40-43	<ul style="list-style-type: none"> Achieved. 	✓
On-Site Parking & Access O20 P44-45	<ul style="list-style-type: none"> Achieved. 	✓
Site Facilities & Storage O21 P46-47	<ul style="list-style-type: none"> Achieved. 	✓
ENVIRONMENTAL		
Noise Emissions O26-27 Noise Receivers P95-100	<ul style="list-style-type: none"> The adjacent property to the east was granted approval in 2015 to operate as a restaurant with occasional non-amplified live music to 10pm. It was determined at the time that, given the restricted hours, and that entertainment is low impact, the use would not unduly impact upon neighbouring properties. There is no reason not to assume that this will continue with the new dwelling and no additional attenuation is considered necessary. The applicant has been made aware of the adjacent use. 	✓

Contaminated Sites O29 P105	<ul style="list-style-type: none"> Achieved. Previous use as a dwelling not considered a risk. 	✓
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Achieved. Internal day living areas that face north. Efficient layout. Natural cross ventilation enabled. Minimal windows facing south. Rainwater harvested in accordance with Building Code requirements. 	✓
Heritage & Conservation O42-45 P136-148	<ul style="list-style-type: none"> Achieved. See detailed assessment. 	✓
Height, Bulk and Scale P168-174	<ul style="list-style-type: none"> See detailed assessment. 	✓ ✗
Plot Ratio P175	<ul style="list-style-type: none"> Over the maximum plot ratio. See detailed assessment. 	✗
Maximum Dwelling Density & Floor Area P176	<ul style="list-style-type: none"> Achieved. 	✓
Landscape Open Space P177	<ul style="list-style-type: none"> Achieved. See summary table for quantitative information. 	✓
Building Setbacks P178-179	<ul style="list-style-type: none"> Achieved. See detailed assessment. 	✓
Composition & Proportion P180-181	<ul style="list-style-type: none"> Achieved. See detailed assessment. 	✓
Articulation & Modelling P182-186	<ul style="list-style-type: none"> Achieved. See detailed assessment. 	✓
Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> Achieved. See detailed assessment. 	✓

Sky & Roof Lines O49 P192-195	<ul style="list-style-type: none"> • Achieved. • See detailed assessment. • Roof plan indicates air conditioning plant. 	✓ ✗
Vacant Sites & Buildings O54 P204-206	<ul style="list-style-type: none"> • Achieved. • Brings a current vacant site into use. 	✓
Traffic and vehicle access O68-70 P241-250	<ul style="list-style-type: none"> • Achieved. • Access has been assessed as suitable by Council traffic team. 	✓
Car parking O71-72 P251-265	<ul style="list-style-type: none"> • Achieved. • See summary table for quantitative information. 	✓

9.4 **Detailed Discussion**

Summary of Proposal

Planning consent is sought for the construction of two three-storey attached dwellings and associated carports to the rear. The ground floor of the dwellings includes two bedrooms (one with ensuite and one with walk-in robe), laundry and bathroom. The next level comprises the living, kitchen and dining area of the dwellings. The upper level contains the master bedroom (including walk-in robe and ensuite) and a roof deck facing out to Halifax Street. The carport to the rear is accessed via a right of way from Castle Street. It has the capacity to provide cover for two cars for each dwelling.

Desired Character and Land Use

The subject site is located in the South East Policy Area 31 within the City Living Zone.

The desired character for the Policy Area seeks it to be enhanced as an attractive residential locality with a high level of residential amenity. It seeks residential buildings that are compatible with the existing palette of primarily street-fronting dwellings. It should complement the existing streetscape, comprised of the more spacious settings on main east-west streets like Halifax Street and the intimacy of the smaller streets and laneways.

Dwellings can be varied but should be consistent with the prevailing rhythm of buildings and spaces. The predominant building scale and heritage places in the immediate locality should be referenced by new buildings. It states that opportunities may be available for carefully composed and sited second and third building levels that are suitable removed from street view and with limited impact on the low scale setting of such places.

The City Living Zone comprises Adelaide's main residential living districts with a variety of housing forms. Carefully executed high quality residential infill is envisaged and the desired increase in the City's resident population relies, in part, on releasing these opportunities having high regard to their context and in achieving overall, higher dwelling densities in this Zone.

The proposal presents a high quality residential development. The proposal is considered mostly compatible with the existing palette and adequately complements the existing streetscape and, whilst not entirely removed from street view, the visibility of the third level of the development is adequately reduced. Further assessment with regards to the heritage adjacency and the bulk and scale of the proposal is detailed below.

Heritage and Conservation

The subject site is located adjacent an existing Local Heritage place to the east. There is emphasis within the desired character for new buildings to reference heritage places in the immediate locality.

The application was referred to Council's Heritage Architect for comment. They were also involved in meetings conducted with the applicant, to further refine the proposal to address matters in relation to impact on the adjacent heritage building.

The Heritage Architect has provided comments in relation to the development as now proposed and has provided in principle support for the development.

Further commentary on the proposal was provided and is included here below:

"The juxtaposition of the development relative to the adjacent corner shop/Local Heritage Place (LHP) and the selected design elements and materials of the proposal are reasonably well resolved.

Whilst contemporary in design, the proposal does reference the scale of the traditional, heritage listed residential development nearby. For example, the height of the recycled brick balcony aligns with the parapet of the shop/house and setbacks from the Halifax St boundary relate to the built form to either side of the subject site. The use of recycled bricks will reinforce the local context and will present a fine grain to the main visible elements of the north and east facades and is supported. The use of darker colours to the Axon cladding should assist with the visual recession of the upper level, whilst emphasising the recycled brick base to the building.

Front fencing is shown at approximately 1.5m high and incorporates recycled brick and an open palisade element. This is an appropriate design response in this locality.

The top storey is to be set well back from Halifax Street and will be substantially screened by the broad street tree and adjacent built form. It will be visible from Castle Street, along the rear access laneway, but I note that only 5.9 metres of building is proposed on the eastern boundary and the roof form of the lobby and stair is set further off the east boundary. In my opinion, there is sufficient distance to this upper-level built form, such that it will not present as a dominant element to Castle Street."

The proposal is considered to adequately achieve relevant principles in relation to Heritage adjacency.

Built Form and Design

Policy in relation to the South East Policy Area 31 sets out quantitative requirements for the area. Policy Area PDC 3 states that the plot ratio should not exceed 0.8. With a site area of 370 m², this equates to a floor area of 296 m². The proposal has a total floor area of 399.4 m² which equates to a plot ratio of 1.08, exceeding the stipulated maximum.

Policy Area PDC 4 sets out the maximum number of dwellings that can be achieved on the site. With a dwelling unit factor (DUF) of 120 m², this equates to a total of three (3) dwellings for the subject site. As the application is proposing only two (2) dwellings, the proposal achieves Policy Area PDC 4.

The proposal also achieves the recommended landscaped open space provision for the site which is 20% of the site (or 74 m²) as per Policy Area PDC 5.

The most significant deviation from the built form requirements for the site is the proposed height of the dwellings. The application proposes three building levels in a portion of the Policy Area where two building levels is considered the appropriate maximum (Policy Area PDC 6). Zone PDC 7 also states that development should not exceed the height prescribed for the Policy Area. However, following on from this principle, PDC 8 states that where development proposes a building higher than the prevailing building heights, the taller building elements should be setback from street frontages to avoid a detrimental impact on the prevailing character.

It is acknowledged that the third level does add bulk and height to the proposal, particularly as viewed from the more intimate scale of Castle Street. At this stage, based on existing conditions, views to the proposal will be masked to some degree by the vegetation within the rear yard of the property located on the corner of Castle and Halifax Street.

Whilst not ideal, the additional level over and above the recommended maximum is considered acceptable in this instance for the following reasons:

- The upper level is setback from the street, reducing its visibility from its primary view, Halifax Street.
- Amendments to the design including the modification to the eastern side elevation materials at first floor to recycled red brickwork and inclusion of shadow lines have satisfactorily reduced the impact of the upper level.
- As previously stated, the height of the proposal is not considered to impact upon the heritage value of the adjacent heritage place. Given the support from the Heritage Architect, the proposal is also considered to meet Zone PDC 6 which seeks new buildings to demonstrate a compatible visual relationship with adjacent heritage places.
- There is sufficient context in the form of several three-storey buildings (offices and attached dwellings) located in proximity to the east of the subject site in Halifax Street as well as on the northern side of Halifax Street.
- The additional level is not considered to unreasonably impact upon the amenity of adjoining residential properties.

The setbacks of the proposed development are considered consistent with the locality in accordance with Zone PDC 9. With regards to fencing, the development proposes 1500mm high fencing with a combination of aluminium slatted palisade and recycled brickwork piers. This is considered to achieve CWPDC 43 which seeks fencing abutting streets to be articulated and detailed to provide visual interest and, whilst higher than 1200mm, is of an open appearance. As previously stated, the fencing is considered compatible with the locality in reference to heritage adjacency.

The proposal is considered to display appropriate composition and proportion as sought by CWPDC 180 in that the proposal establishes visual links with the neighbouring buildings (particularly the Local Heritage place) as well as clearly defining each level. Adequate articulation and modelling is also achieved through the use of materials, balconies and window reveals as sought by CWPDC 182.

The materials utilised in the proposal include recycled red brick, timber doors, Axon cladding, curved corrugated roof sheeting, glass balustrading, steel canopy and balustrading and aluminium slatted fencing. These materials are considered to have adequate regard for their surrounding townscape context and consistent with the desired character of the Zone and Policy Area, therefore achieving CWPDC 187.

The proposal has indicated that air conditioning plant and equipment will be housed on the roof. This aspect of the development has been raised with the applicant and they have been requested to reconsider the location of the plant equipment (albeit this location is a common occurrence throughout the city). For the time being, until this matter is satisfactorily resolved, a condition requiring final details of the siting of air conditioning plant and equipment has been included in the recommendation should the application gain consent.

Generally speaking, whilst the roof form is not consistent with the prevailing pattern in the locality, it is considered to enhance the skyline and contributes to the architectural quality of the building as sought by CWPDC 193.

Public Notification

The application was publicly notified as a Category 2 development where any abutting properties are given notice of the proposed development. One representation was received from the owner of the dwelling recently constructed on Lot 581 directly to the rear of the subject site (the previous owner of the subject allotments). This small allotment is essentially landlocked, increasing its potential to become somewhat overwhelmed by surrounding built form in the immediate locality. It is sited in proximity to the dwelling to its immediate east and is built essentially to all of its boundaries except the northern boundary (its interface with the subject site).

This representation raised issues such as the increase in overshadowing cast from the increased upper level area and the impact of the increased rear bulk (as compared with the previous consent). A summary of the representation and the applicant's response is included in Section 6 of this report. A complete copy of comments and the response is included in the attachments.

Residential Amenity

Subject site

The proposal presents a high quality residential environment displaying a suitable level of amenity for the occupants. Internal spaces are well designed and make good use of their northern aspect. It is also true of external living spaces with a terrace located to the north of the dwellings at first floor level and a spacious north facing deck at the uppermost level. The dwellings have good access to daylight and sunlight as sought by CWPDC 26.

With regard to private open space, CWPDC 31 seeks a minimum of 16 m² of private open space to be provided per dwelling. The proposal incorporates 56.6 m² per each dwelling and therefore the proposal incorporates generous levels of private open space located over all levels (albeit the terrace does not meet the minimum dimension of 2.5 metres to be included as part of the calculation of private open space). A proportion of the private open space is located at ground level as sought by CWPDC 34.

The adjacent café/restaurant to the east has approval to provide non-amplified entertainment until 10pm. When this application was initially assessed, it was considered that the existing dwellings would not be unreasonably impacted by the provision of entertainment and this view has not changed through the assessment of this proposal. The approval was granted in 2015 and there have been no complaints received by Council. As a courtesy, the applicant has been advised of the existence of this venue and an advisory notice will also be included if the development gains a consent. The proposal is considered to achieve adequate acoustic privacy in accordance with CWPDC 38.

The dwellings are considered to achieve a good level of adaptability as sought by CWPDC 39. With the inclusion of a lift as well as stairs, the proposal allows for aging in place which is considered a positive aspect of the dwellings.

Adjacent sites

With regards to adjacent properties, to the east is a non-residential land use (café/restaurant). To the south are two residential properties and to the west is a shop and office. The dwellings front Halifax Street, a public road. In summary, the most sensitive direction for overlooking potential is to the south. The proposal has windows located on the southern elevation at the first and upper level. The first-floor windows are not obscured. The window of the dwelling to the east is greater than 15 metres from the private open space of the adjacent dwelling and therefore is not considered to represent a direct view that requires screening as per CWPDC 36. The western dwelling has a window that is within 15 metres of the private open space of the adjacent property to the rear, however line of sight plans indicate that the view will be obscured by 2.1-metre-high wall. The upper level windows are shown as obscured to a height of 1800mm thereby achieving CWPDC 36. There is also a condition of consent included should the application be successful in gaining a consent.

As previously mentioned, the representor to the south had concerns over an increase in overshadowing from the proposed development. The applicant has responded to these concerns by amending the proposal (since notification) to ensure the proposal casts no additional shadows over the representor's property on the day of winter solstice. Overshadowing diagrams indicate that the proposal will not impact upon the adjacent property from 11am onwards. Any shadows cast over this property are from existing structures and the representor's own fencing. The proposal is therefore considered consistent with CWPDC 27.

Environmental

The proposal displays several passive energy efficient measures such as incorporating internal living areas that are facing north, having an efficient layout which allows different areas to be heated and cooled separately as needed, the ability to achieve natural cross ventilation, inclusion of minimal windows facing south and use of eaves and roof overhangs to provide shading to north facing windows. The applicant has also confirmed that rainwater will be harvested and reused in accordance with the Building Code requirements.

The proposal is considered to achieve CWPDC 106, 107 in regard to energy efficiency.

Transport, Access and Parking

With regards to vehicular access to the site, the proposal is considered to achieve ZPDC 11 and CWPDC 40 which seeks vehicular access to be gained from minor streets rather than via the main street frontage.

The proposal incorporates adequate car parking in accordance with CWPDC 44 and Table Adel/7.

Council's Traffic team have assessed car parking access and vehicle movement and have advised they consider it to be appropriate and therefore in accordance with CWPDC 45.

9.5 Conclusion

This application proposes the construction of two three-storey dwellings on the southern side of Halifax Street in the South East Policy Area within the City Living Zone. The site was the subject of a previous approval to construct two two-storey dwellings. After demolition of the existing dwelling on site, the site was on sold as a development site void of any built form.

The amenity of the subject dwellings is considered appropriate and they meet most quantitative requirements of the Development Plan.

At three building levels, the dwellings are higher than that generally sought for this locality within the Policy Area. The desired character of the Policy Area states however that opportunities may be available for carefully composed and sited second and third building levels that are suitably removed from street view that limit impact on the low scale setting of such places.

The applicant has worked with Council to reduce the impact of the upper level in terms of its heritage adjacency, streetscape and impact on amenity for adjacent residential properties. Whilst the third level is not ideal, it is considered acceptable in this instance given there is three-storey development in proximity, the bulk has been reduced through design treatments, the proposal will achieve an acceptable relationship with the adjacent heritage place and it will not unreasonably impact upon adjacent residential properties.

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because it proposes a desired land use and increase in density as sought and also proposes a building that is generally consistent with the requirements of 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 Colindale Property Developments P/L to construct two, three storey semi-detached dwellings with carports and vehicular access from rear at 183-185 Halifax Street, Adelaide SA 5000 as shown on plans designated DA/564/2018:

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:**

- **Plans drafted by Urban Habitats, Plan nos. PL01, PL02, PL06, PL07, PL08, PL09 all rev C, and PL03, PL04, PL05 all rev B**

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. **External materials, surface finishes and colours of the Development shall be consistent with the description and sample 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.*

3. **The windows of the ensuite on the second-floor plan (third level) as depicted on the southern elevation of shall be windows which are permanently fixed and translucent to a minimum height of 1800mm above the finished floor level. Such windows shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council.**

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

4. **The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Council in writing.**

Reason: *To ensure public footpaths remain level and as such pedestrian safety and amenity is not compromised.*

5. **The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy to the reasonable satisfaction of the Council.**

Reason: *To ensure that adequate provision is made for the collection and dispersal of stormwater.*

- 6. Prior to Development Approval being granted to the Development, final details of the location air-conditioning plant and equipment located on the Land shall be submitted to the Council for Council's approval. Such details shall be to the reasonable satisfaction of the Council.**

Reason: To protect the character and amenity of the locality.

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. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
5. 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.

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

7. Pursuant to Regulation 74, the Council must be given one business days' notice of the commencement and the completion of the building work on the site. To notify Council, contact City Planning via d.planner@cityofadelaide.com.au or phone 8203 7185.
8. The applicant or the persons having the benefit of this consent are advised that the adjacent café/restaurant to the east is authorised to provide non-amplified live music until 10 pm.

Item No. 3.3 – Attachments 1 – 32 (183-185 Halifax Street, Adelaide SA 5000)

Pages 129 to 160

ATTACHMENTS

Plans and Supporting Information

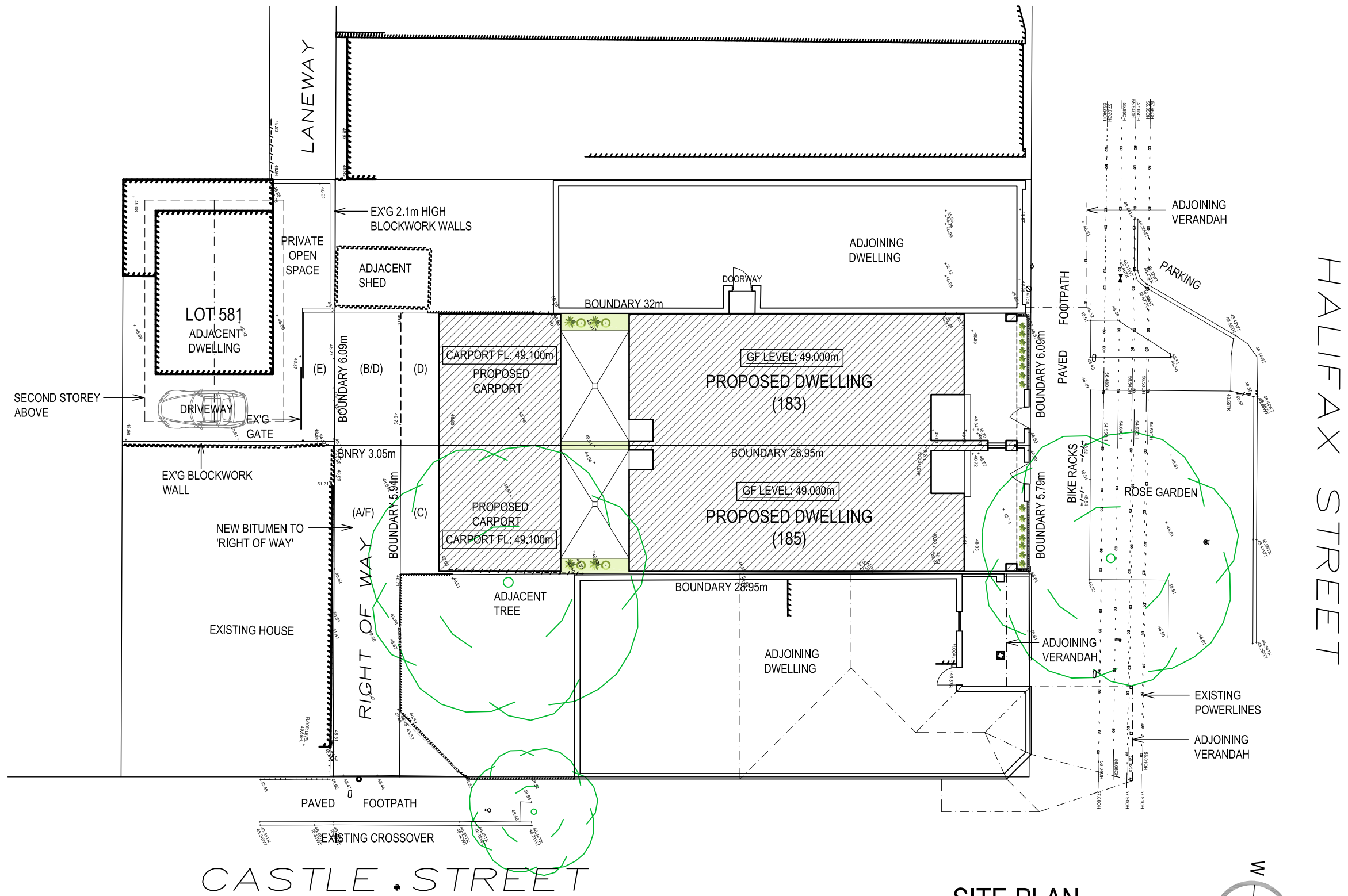
- Plans 1 – 9
- Overshadowing diagrams 10 – 13
- Perspectives – proposed and existing 14 – 18
- Certificate of Title 19 – 23

Comments from Public Notification 24 – 27

Applicant Response to Representations 28 – 32

3D Model A model of the proposal used for the purposes of assessment will be available for viewing by members at the meeting

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AREAS: 183 HALIFAX ST

SITE:	194.87 SQ.M
GROUND FLOOR AREA:	89.58 SQ.M
FIRST FLOOR:	95.86 SQ.M
ROOF FLOOR AREA:	48.33 SQ.M
ROOF DECK:	38.20 SQ.M
TERRACE:	12.50 SQ.M
CARPORT:	33.93 SQ.M
TOTAL (INCL. ROOF DECK):	268.06 SQ.M

AREAS: 185 HALIFAX ST

SITE:	169.86 SQ.M
GROUND FLOOR AREA:	85.73 SQ.M
FIRST FLOOR:	91.54 SQ.M
ROOF FLOOR AREA:	46.33 SQ.M
ROOF DECK:	35.63 SQ.M
TERRACE:	11.91 SQ.M
CARPORT:	32.42 SQ.M
TOTAL (INCL. ROOF DECK):	249.93 SQ.M

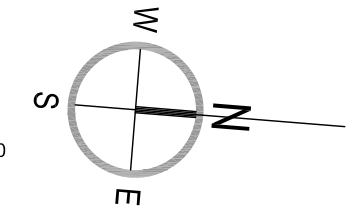
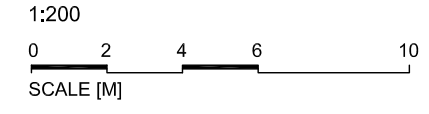
PREVIOUSLY APPROVED: 183 HALIFAX ST

SITE:	194.87 SQ.M
GROUND FLOOR AREA:	88.2 SQ.M
FIRST FLOOR:	95.0 SQ.M
ROOF FLOOR AREA:	17.4 SQ.M
ROOF DECK:	49.2 SQ.M
BALCONY:	5.4 SQ.M
CARPORT:	34.1 SQ.M
TOTAL (INCL. ROOF DECK):	249.8 SQ.M

PREVIOUSLY APPROVED: 185 HALIFAX ST

SITE:	169.86 SQ.M
GROUND FLOOR AREA:	85.1 SQ.M
FIRST FLOOR:	90.3 SQ.M
ROOF FLOOR AREA:	17.4 SQ.M
ROOF DECK:	45.8 SQ.M
BALCONY:	5.0 SQ.M
CARPORT:	33.9 SQ.M
TOTAL (INCL. ROOF DECK):	238.6 SQ.M

SITE PLAN



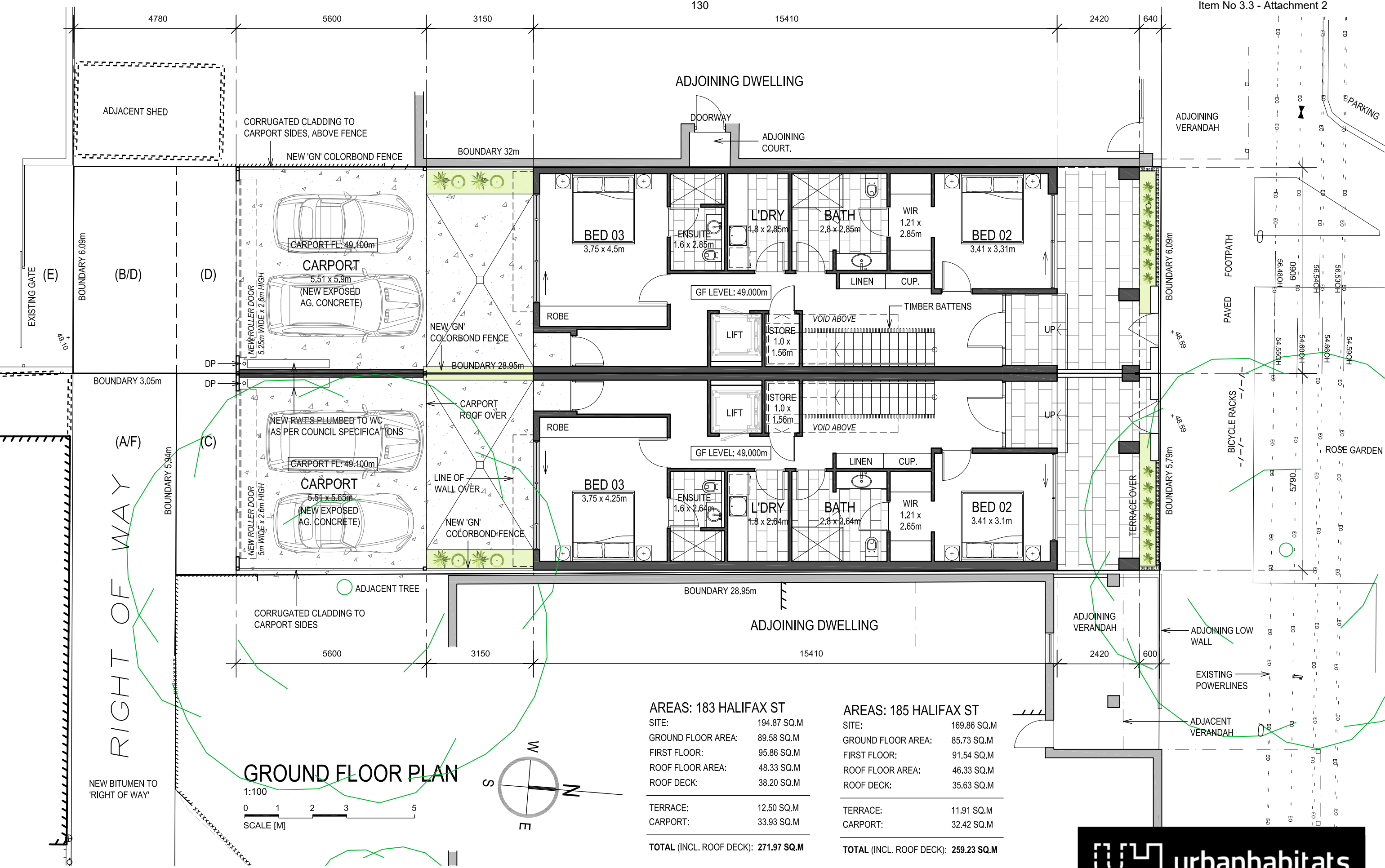
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 ADDITIONAL DOCUMENTS RECEIVED
DA/564/2018
16/11/2018

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000



overall site plan PL01 C



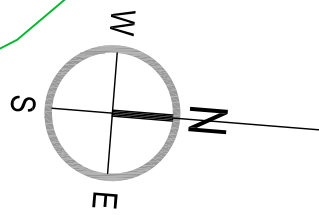
AREAS: 183 HALIFAX ST

SITE:	194.87 SQ.M
GROUND FLOOR AREA:	89.58 SQ.M
FIRST FLOOR:	95.86 SQ.M
ROOF FLOOR AREA:	48.33 SQ.M
ROOF DECK:	38.20 SQ.M
TERRACE:	12.50 SQ.M
CARPORT:	33.93 SQ.M
TOTAL (INCL. ROOF DECK):	271.97 SQ.M

AREAS: 185 HALIFAX ST

SITE:	169.86 SQ.M
GROUND FLOOR AREA:	85.73 SQ.M
FIRST FLOOR:	91.54 SQ.M
ROOF FLOOR AREA:	46.33 SQ.M
ROOF DECK:	35.63 SQ.M
TERRACE:	11.91 SQ.M
CARPORT:	32.42 SQ.M
TOTAL (INCL. ROOF DECK):	259.23 SQ.M

GROUND FLOOR PLAN
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SCALE [M]

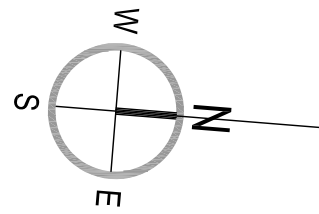
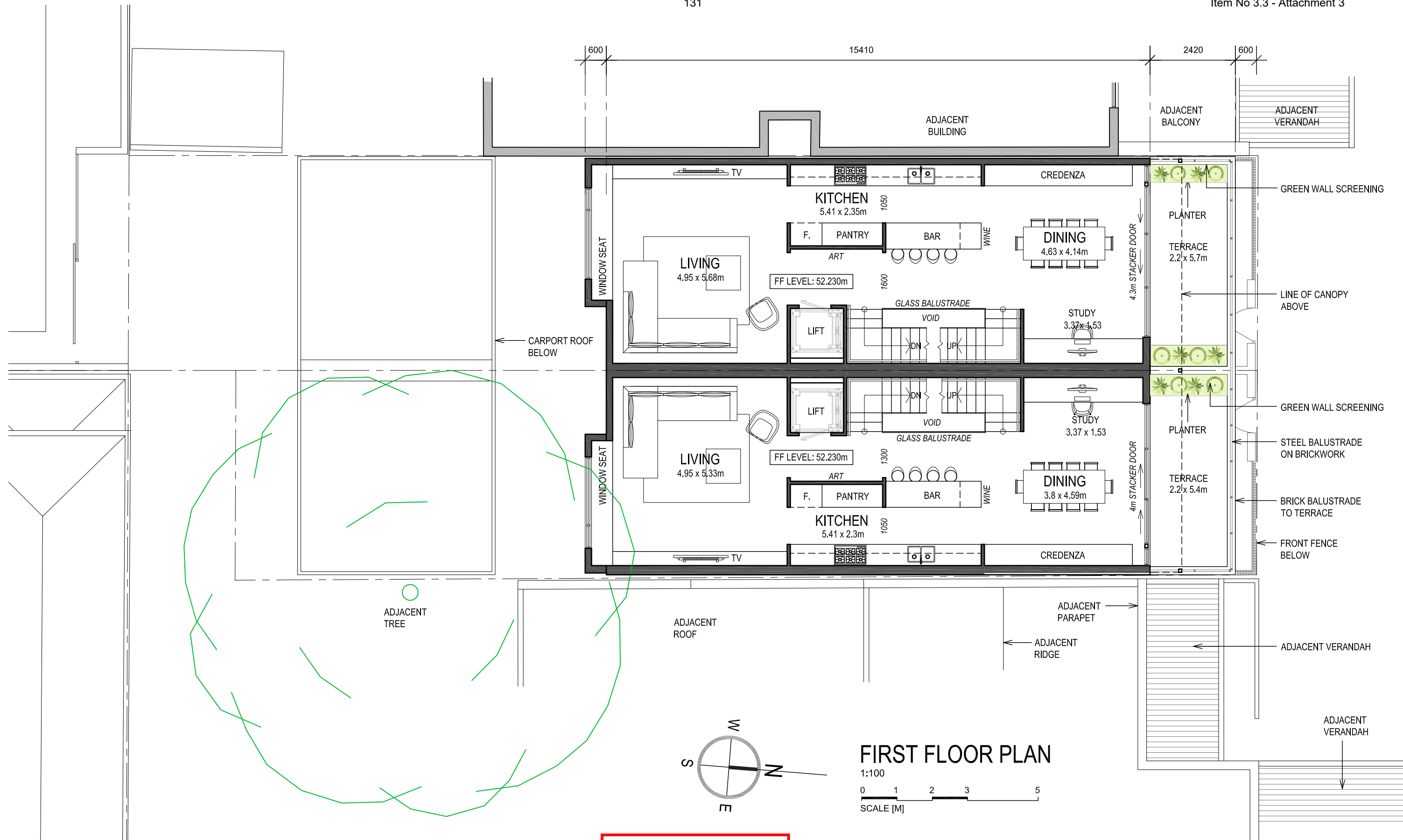


Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

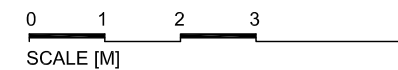
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16/11/2018





FIRST FLOOR PLAN

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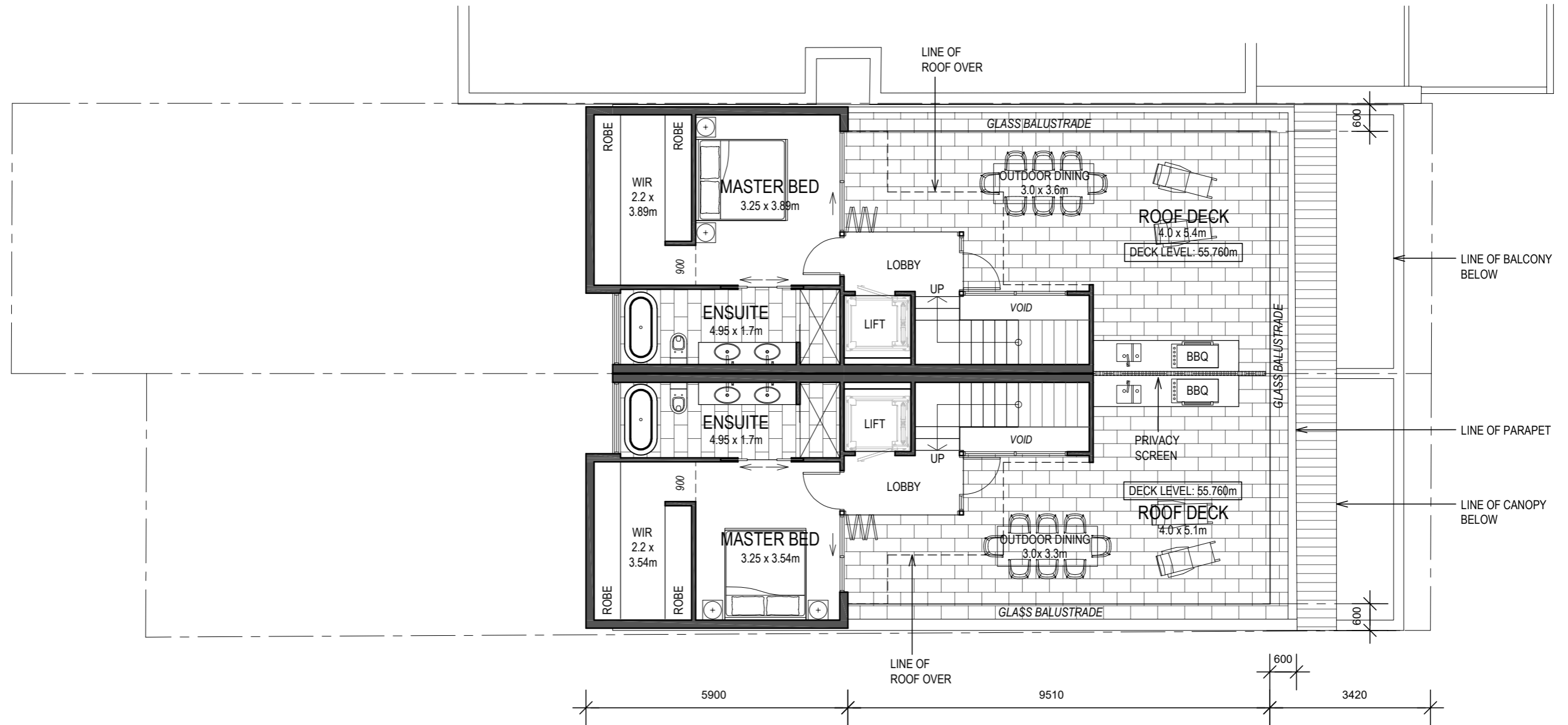
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 16/11/2018



Halifax street townhouse development

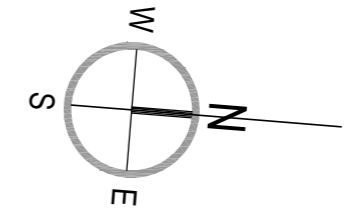
at 183-185 halifax street, adelaide 5000

proposed first floor plan PL03 B



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED

 DA/564/2018
 03/12/2018



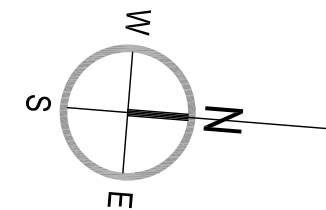
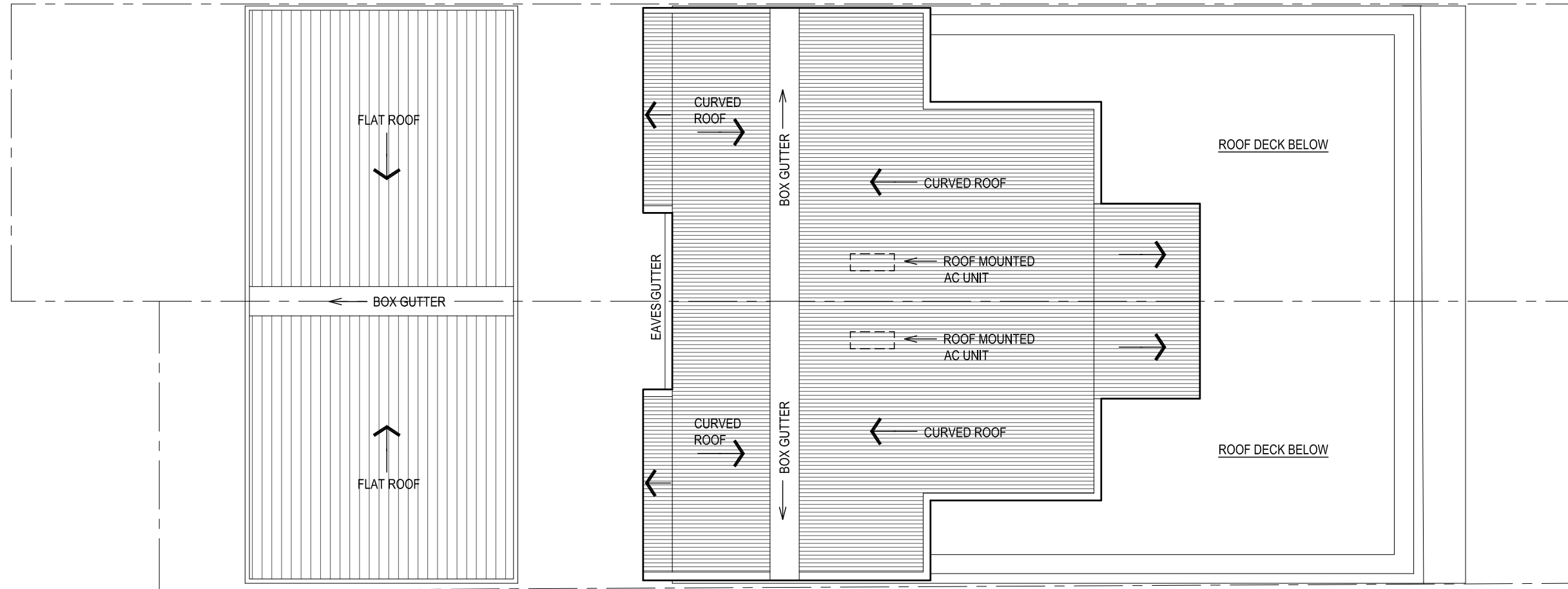
SECOND FLOOR PLAN
 1:100
 0 1 2 3 5
 SCALE [M]

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

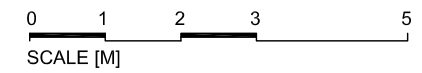


proposed second floor plan PL04 C



ROOF PLAN

1:100



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED

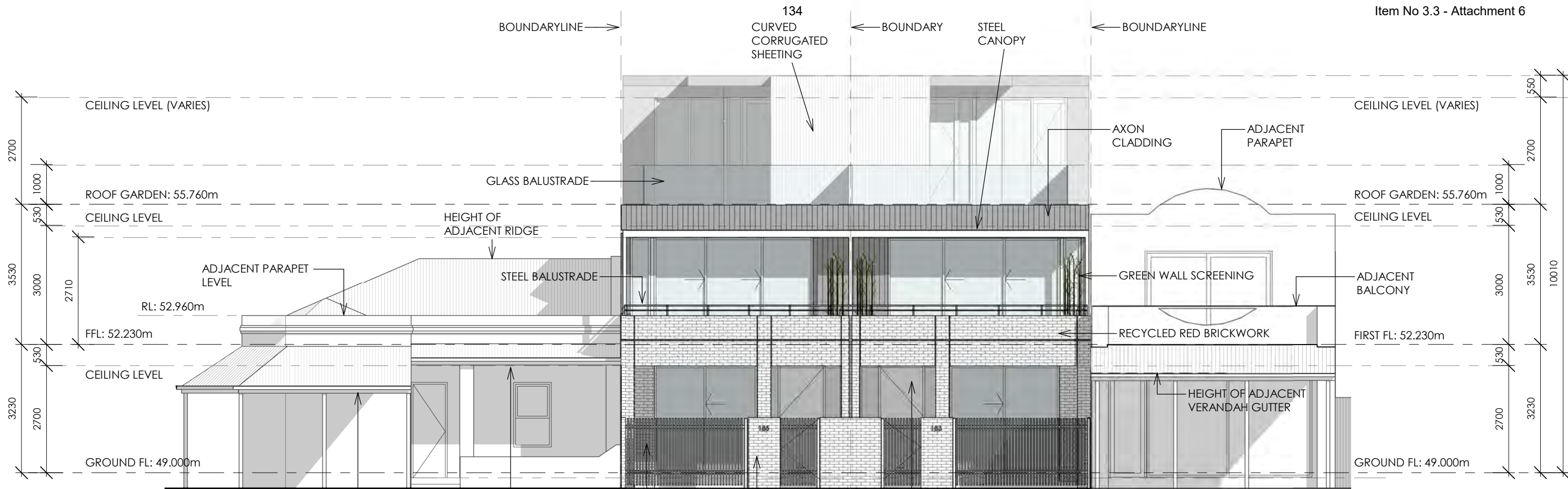
DA/564/2018
16/11/2018



Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

roof plan PL05 B



NORTH ELEVATION
SCALE 1:100



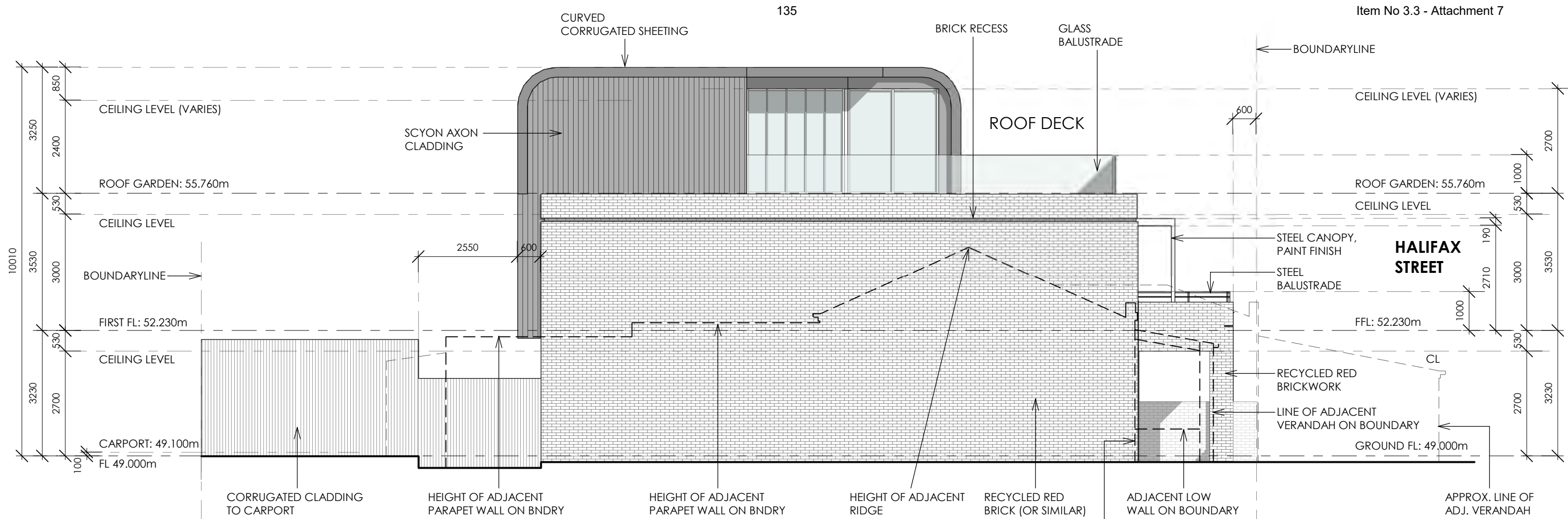
SOUTH ELEVATION
SCALE 1:100

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
DA/564/2018
 16/11/2018

Halifax street townhouse development

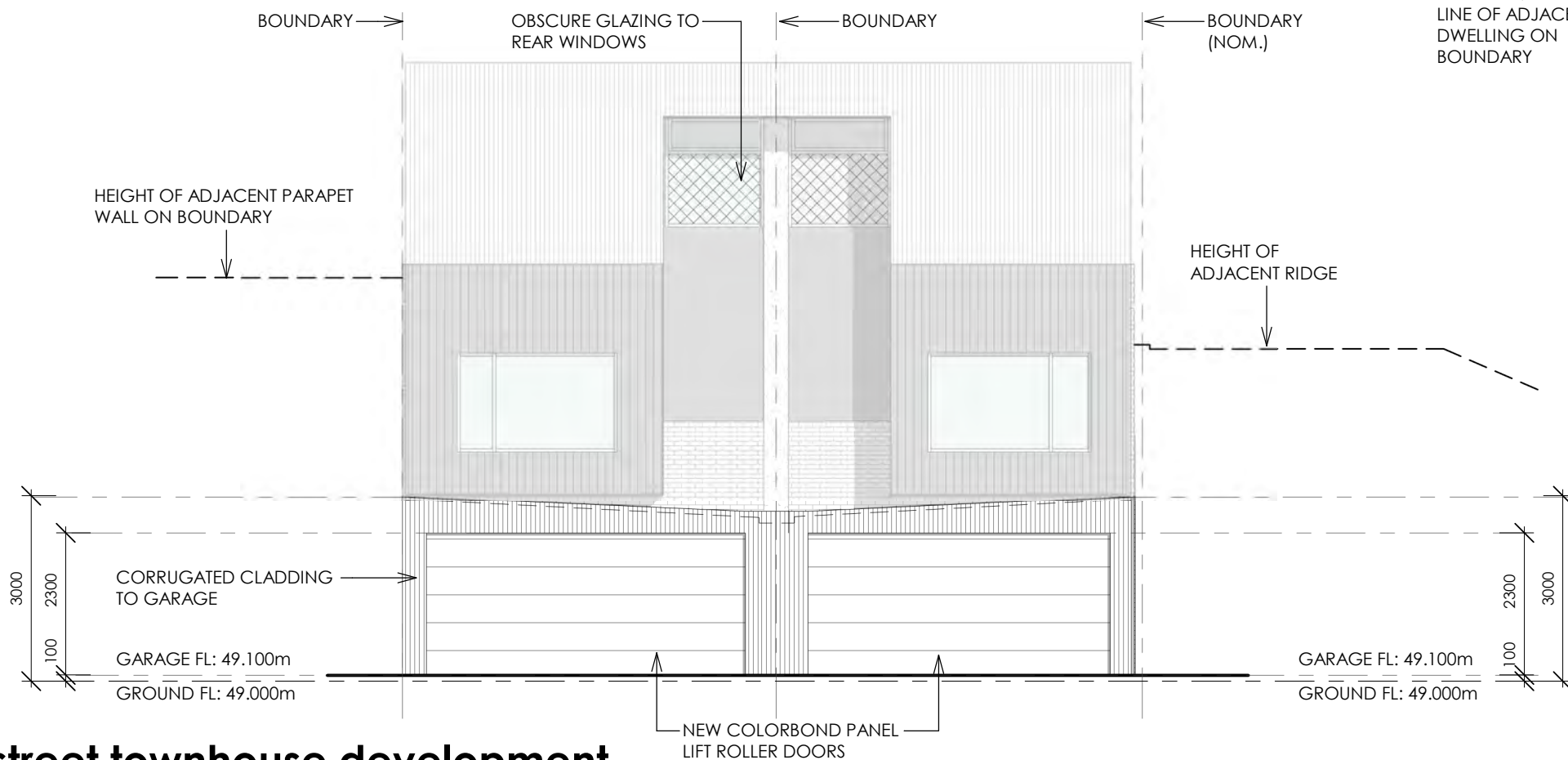
at 183-185 halifax street, adelaide 5000





EAST ELEVATION

SCALE 1:100



SOUTH ELEVATION (GARAGE)

SCALE 1:100

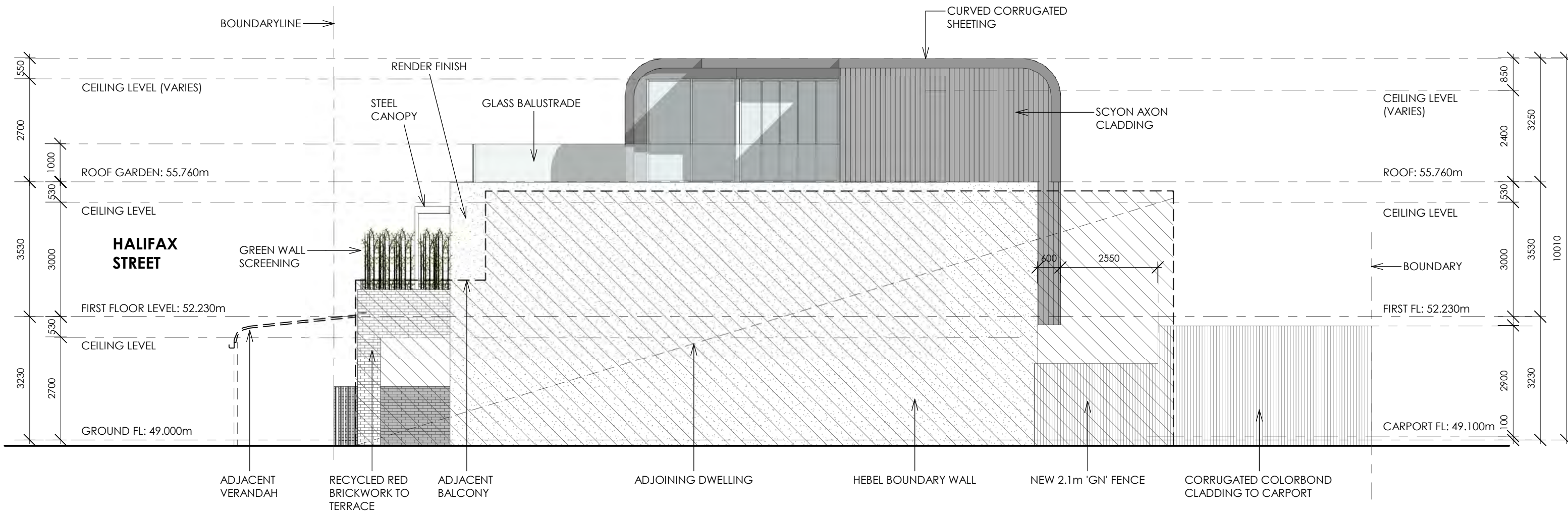
CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 16/11/2018

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000



elevations 2 | PL07 | C



WEST ELEVATION
SCALE 1:100

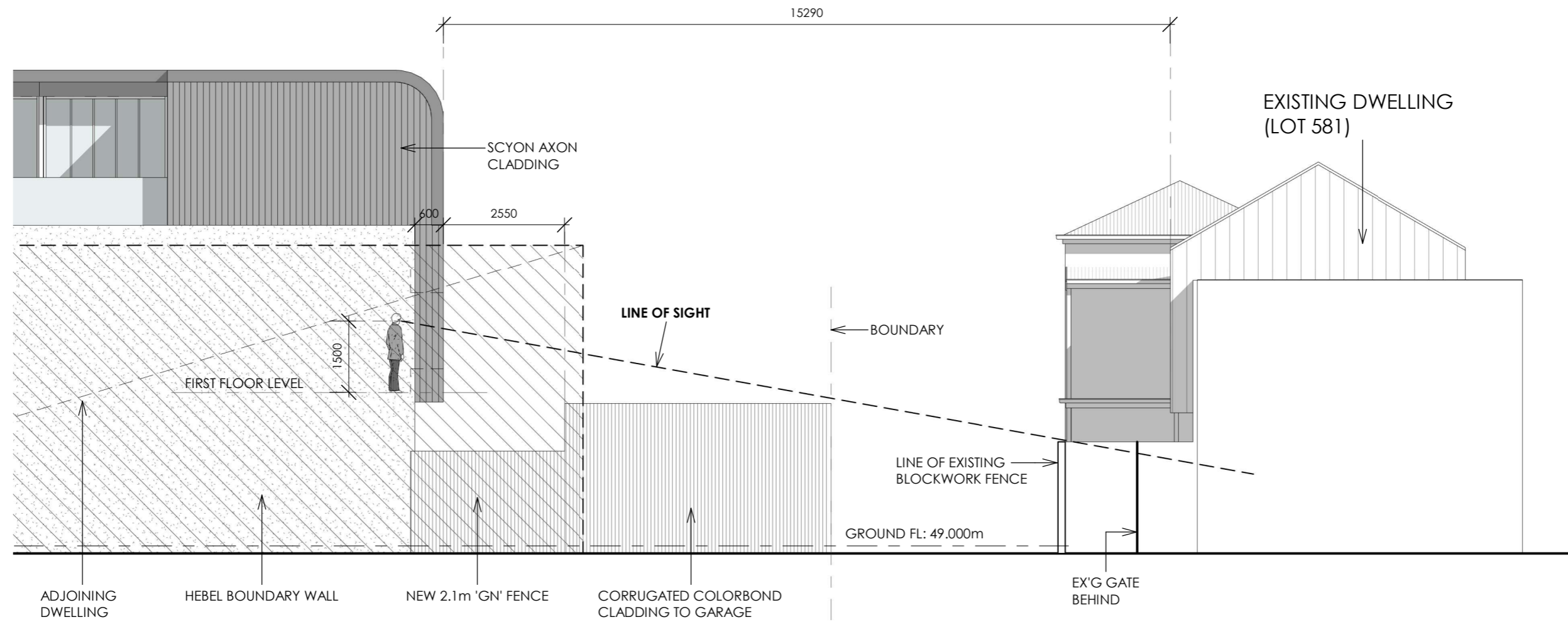
CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 16/11/2018

Halifax street townhouse development

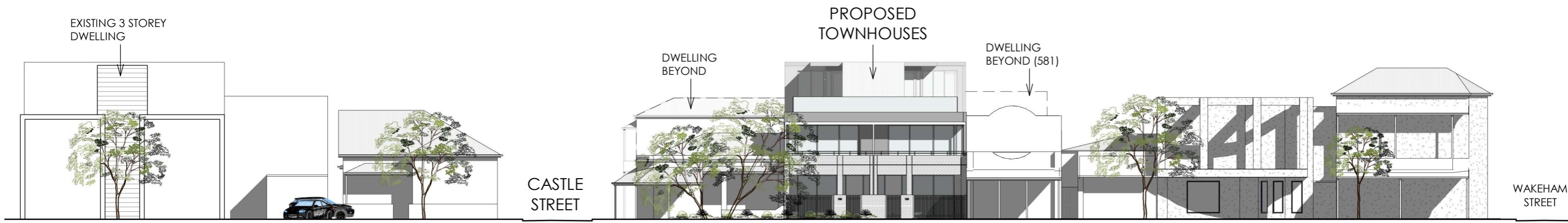
at 183-185 halifax street, adelaide 5000



elevations 3 | PL08 | C



PART ELEVATION (WEST)
SCALE 1:100



STREETSCAPE ELEVATION (HALIFAX STREET)
SCALE 1:250

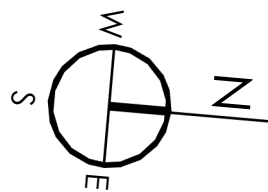
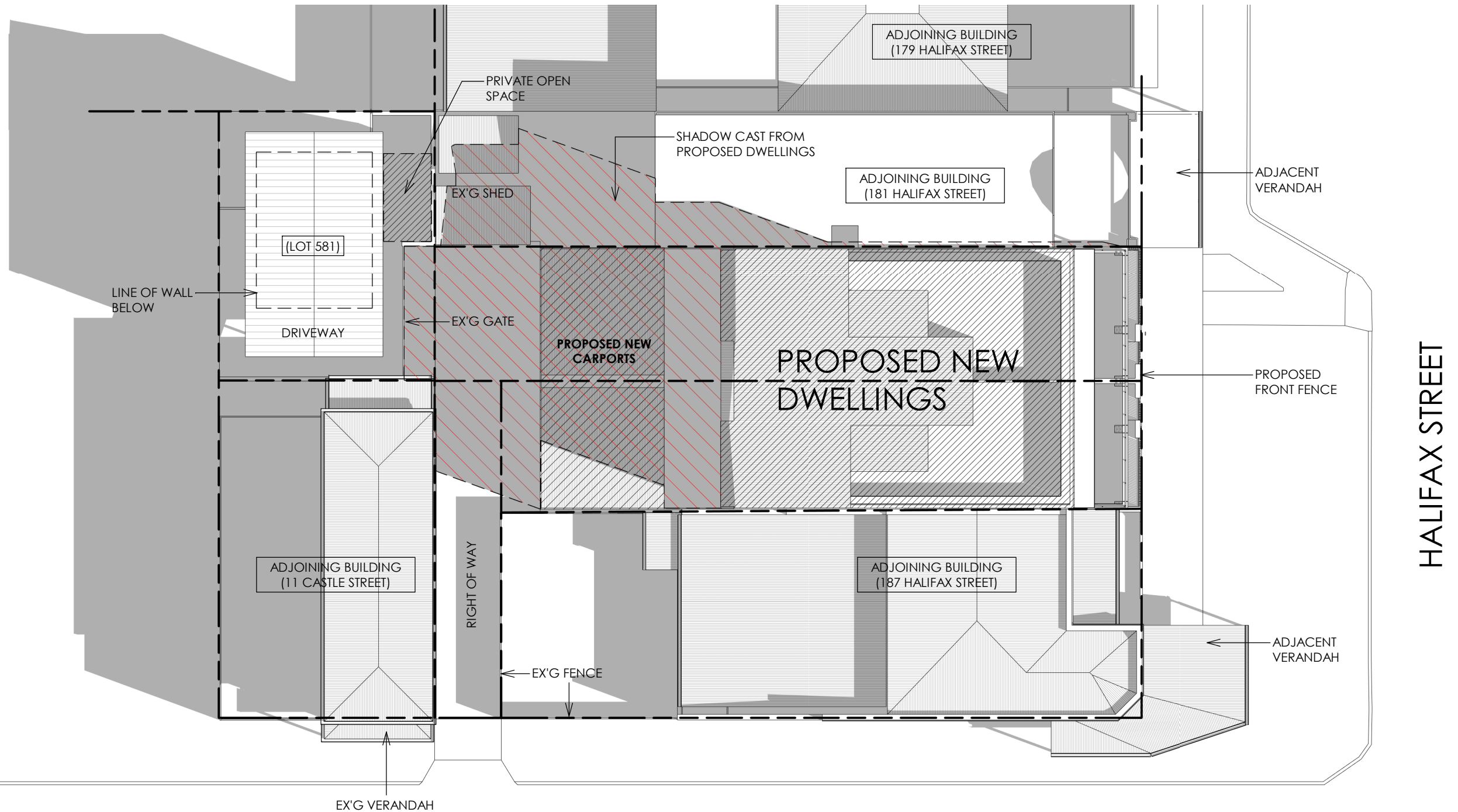
CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
DA/564/2018
 03/12/2018

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

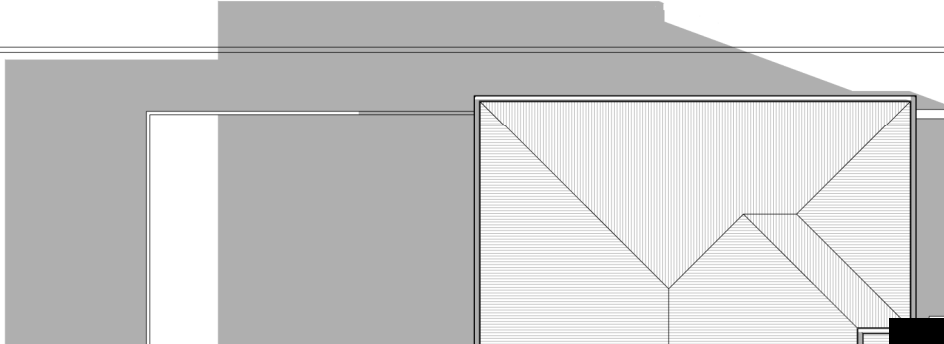


elevations 4 + streetscape elevation | PL09 | B



SHADOW DIAGRAMS
 11am, 21st JUNE 2018
 SCALE 1:200

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/564/2018
04/12/2018

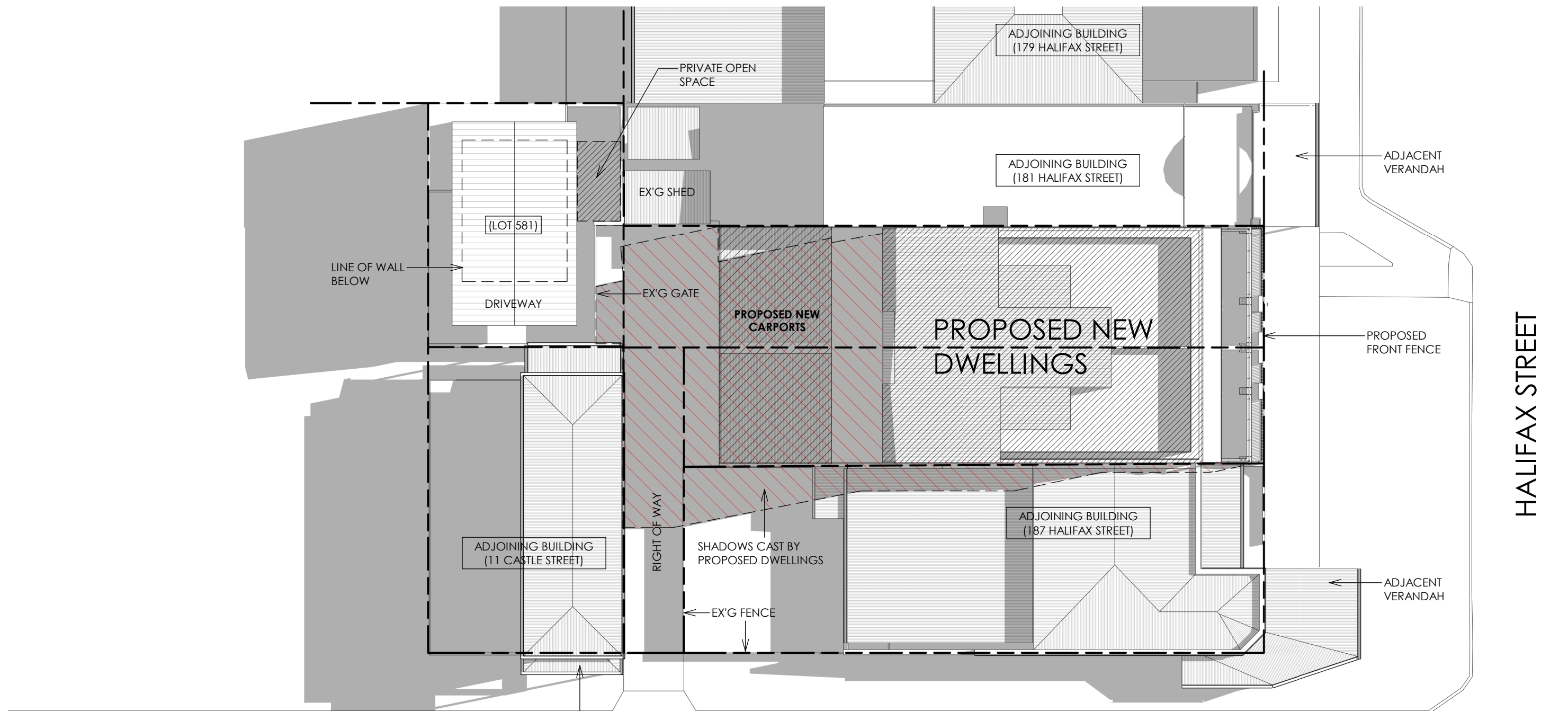


Halifax street townhouse development

at 183-185 halifax street, adelaide 5000



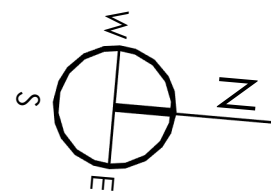
SHADOW DIAGRAMS - PROPOSED DWELLINGS



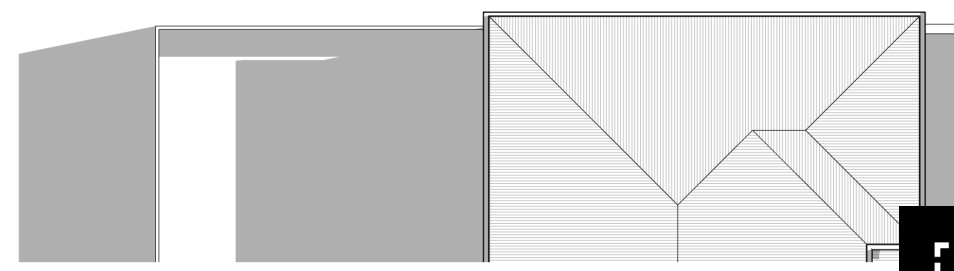
CASTLE STREET

HALIFAX STREET

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 04/12/2018



SHADOW DIAGRAMS
 1pm, 21st JUNE 2018
 SCALE 1:200

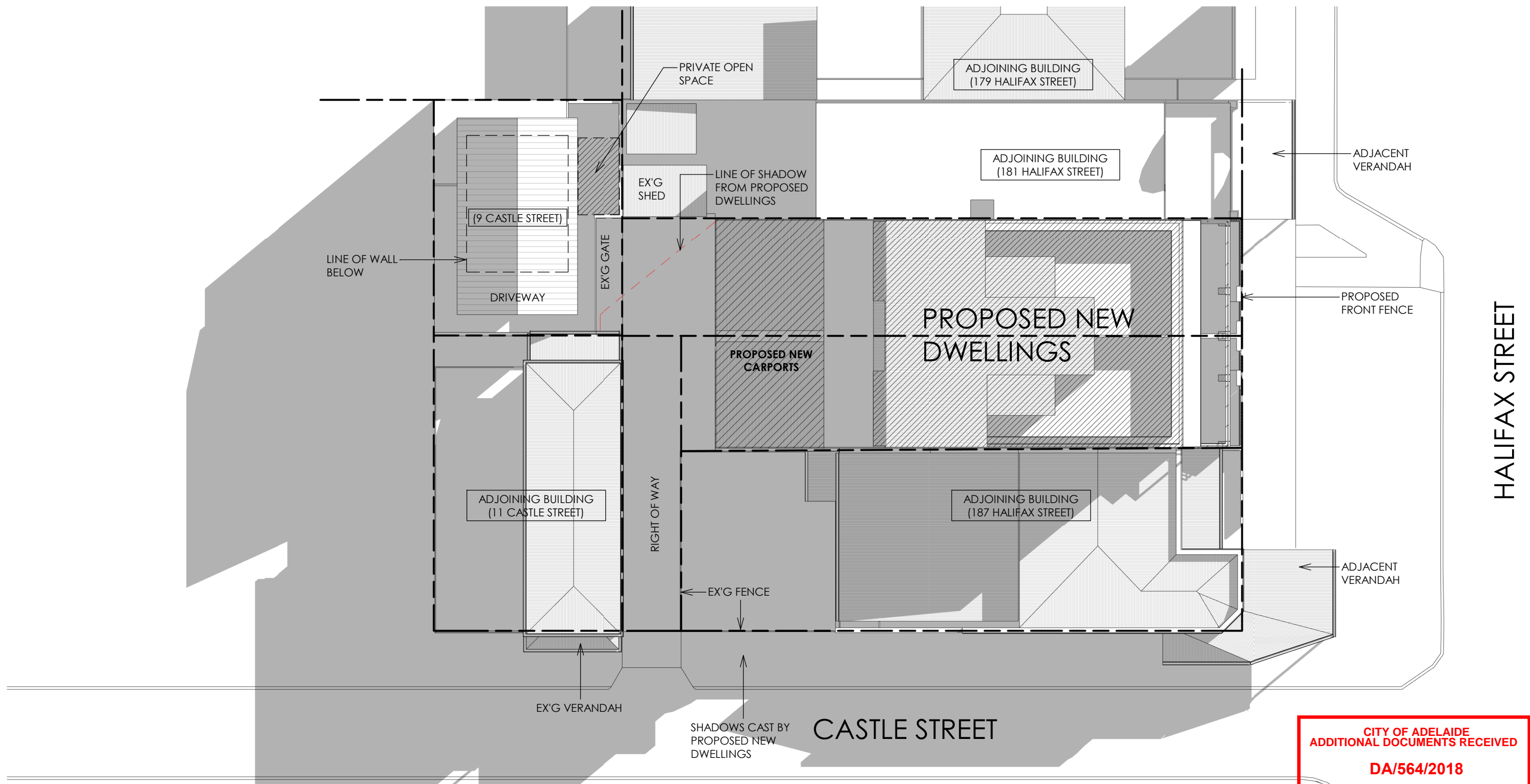


Halifax street townhouse development

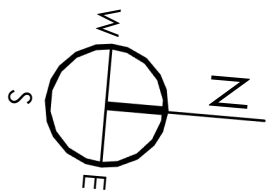
at 183-185 halifax street, adelaide 5000



SHADOW DIAGRAMS - PROPOSED DWELLINGS



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 04/12/2018



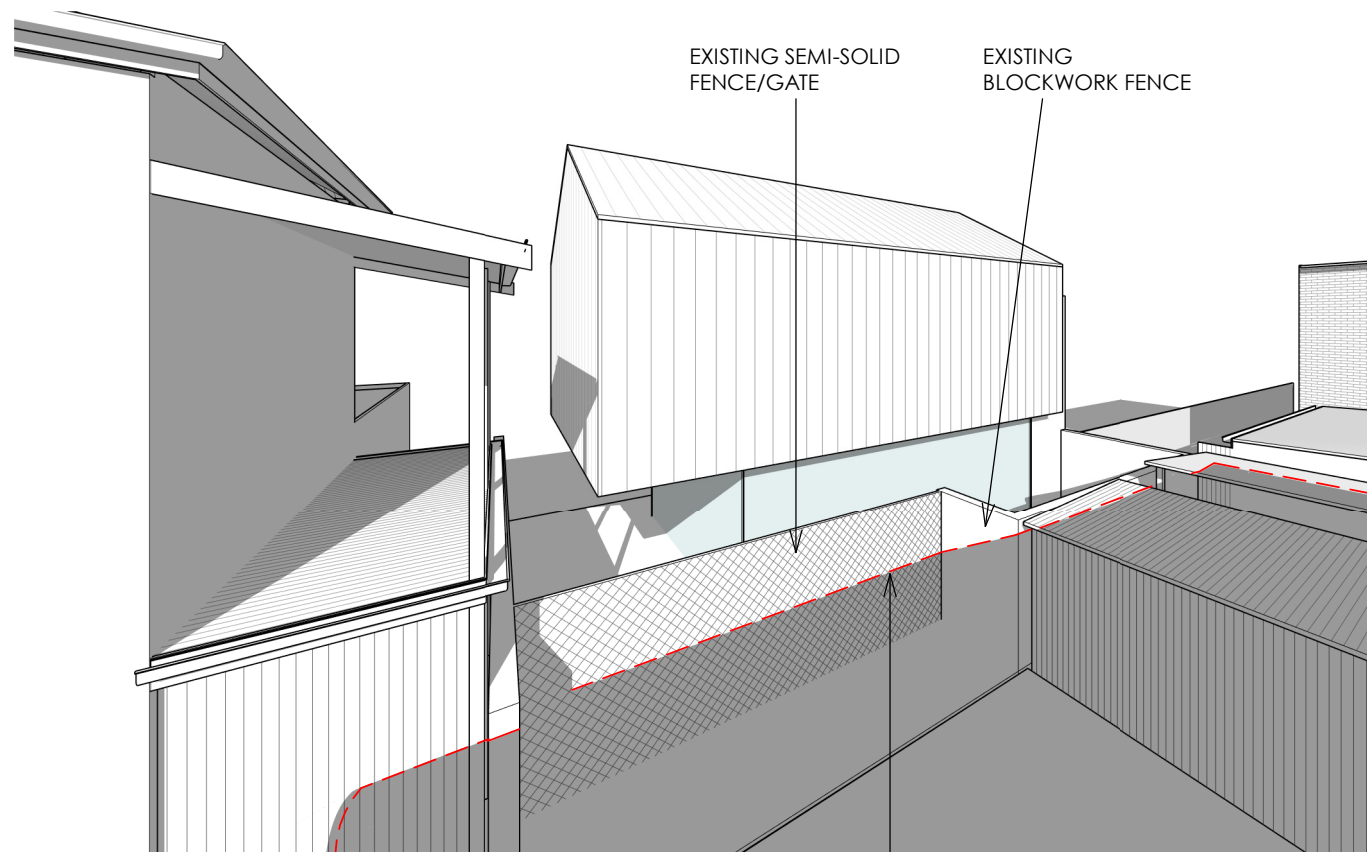
SHADOW DIAGRAMS
 3pm, 21st JUNE 2018
 SCALE 1:200

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

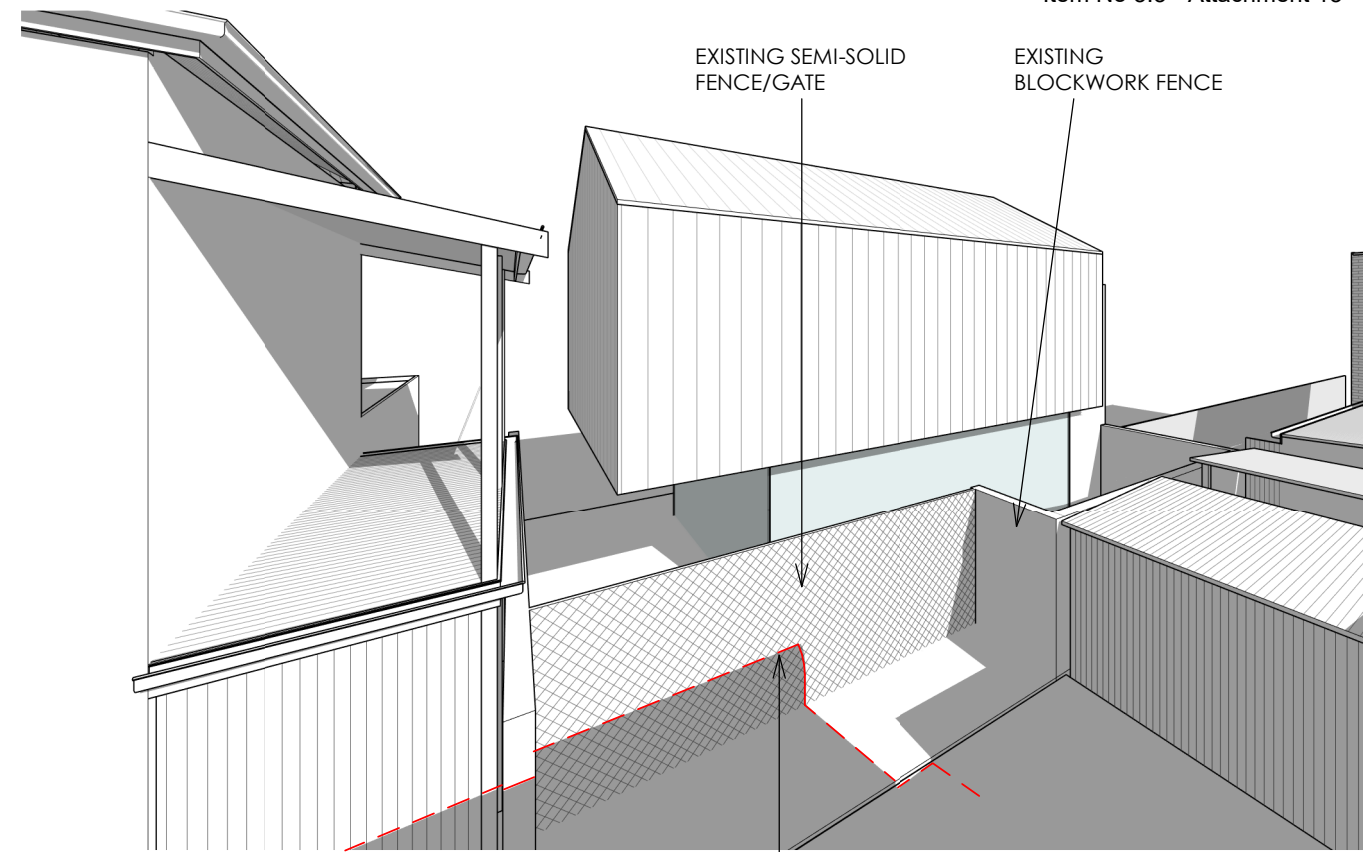


SHADOW DIAGRAMS - PROPOSED DWELLINGS



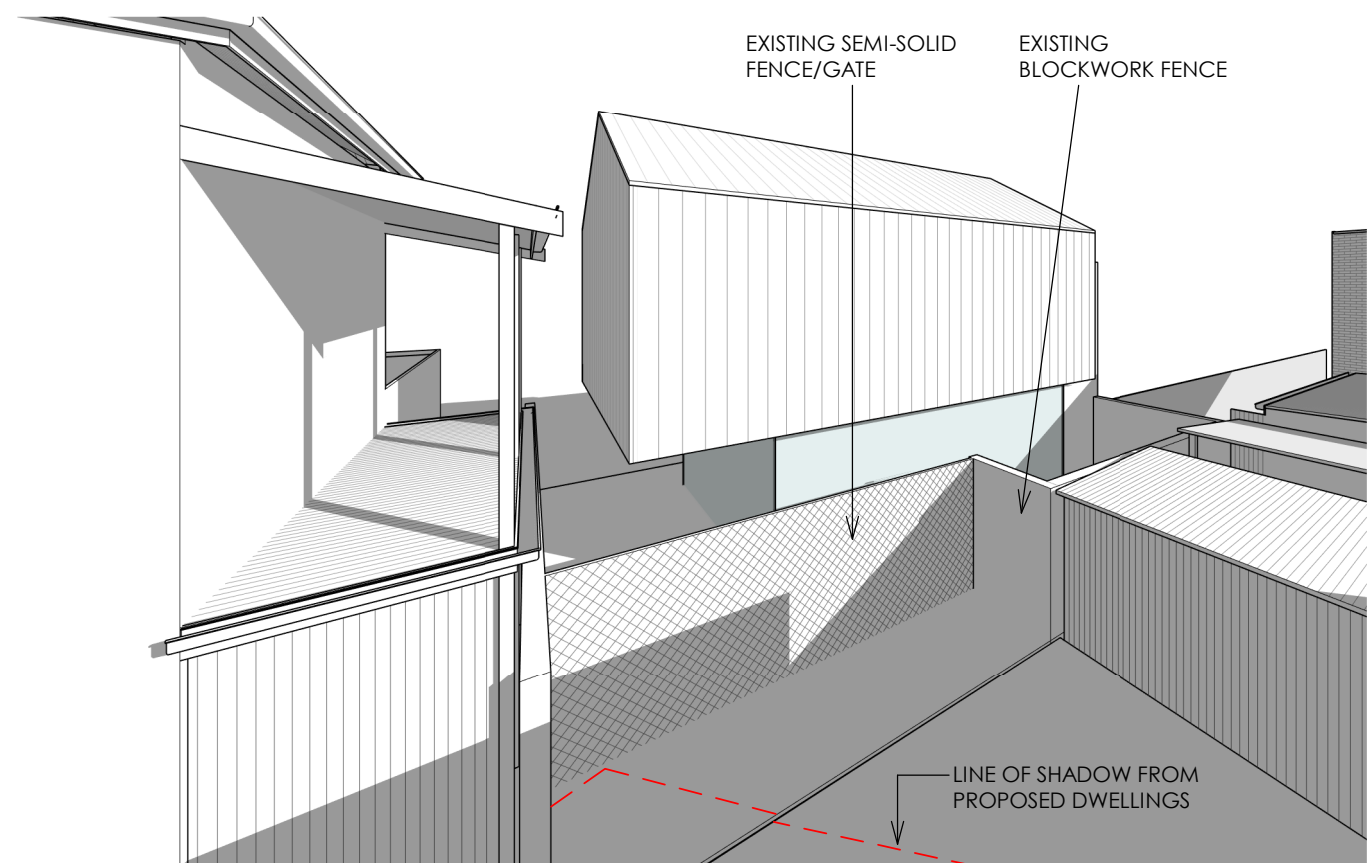
SHADOWS - 11am 21st JUNE

LINE OF SHADOW FROM PROPOSED DWELLINGS



SHADOWS - 1pm 21st JUNE

LINE OF SHADOW FROM PROPOSED DWELLINGS



SHADOWS - 3pm 21st JUNE

LINE OF SHADOW FROM PROPOSED DWELLINGS

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 04/12/2018



SHADOW 3D IMAGES



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 16/11/2018

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000



3D view - street

PL10 C



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 16/11/2018

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000



3D view - street with trees

PL11 C



CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 16/11/2018

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000



3D view | PLI2 | C

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED
 DA/564/2018
 16/11/2018



Google Earth

2.87 m

**CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED**

DA/564/2018
16/11/2018



Google Earth



2.87 m

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 6189 Folio 991

Parent Title(s) CT 6189/987, CT 6189/990
Creating Dealing(s) TG 12692004
Title Issued 19/04/2017 Edition 1 Edition Issued 19/04/2017

Estate Type

FEE SIMPLE

Registered Proprietor

RUPERT BAROONA PTY. LTD. (ACN: 071 363 918)
OF 21 OXFORD STREET BONDI JUNCTION NSW 2022

Description of Land

ALLOTMENT 582 FILED PLAN 182234
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED B ON F252036 (TG 11450180)
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED D ON F252036 (TG 12683109)
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED D ON F252036 (TG 12692002)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A ON F252036
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED C ON F252036 (TG 12692004)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED E ON F252036 (TG 12683108)

Schedule of Dealings

NIL

Notations

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

DA/564/2018

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 6189 Folio 995

Parent Title(s) CT 6189/992, CT 6189/994

Creating Dealing(s) TG 12692005

Title Issued 19/04/2017 Edition 1 Edition Issued 19/04/2017

Estate Type

FEE SIMPLE

Registered Proprietor

RUPERT BAROONA PTY. LTD. (ACN: 071 363 918)
OF 21 OXFORD STREET BONDI JUNCTION NSW 2022

Description of Land

ALLOTMENT 583 FILED PLAN 182235
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED C ON F252036 (TG 12692003)

SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED C ON F252036 (TG 12692004)

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED D ON F252036 (TG 12692002)

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED E ON F252036 (TG 12683108)

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED F ON F252036 (TG 12692005)

Schedule of Dealings

NIL

Notations

Dealings Affecting Title NIL

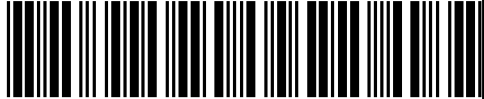
Priority Notices NIL

Notations on Plan NIL

Registrar-General's Notes NIL

Administrative Interests NIL

DA/564/2018

PURPOSE:	EASEMENT	AREA NAME:	ADELAIDE	APPROVED:	 FX252036
MAP REF:	6628/42/J	COUNCIL:	THE CORPORATION OF THE CITY OF ADELAIDE	JULIA GADSDON 14/12/2016	
LAST PLAN:		DEVELOPMENT NO:		FILED:	SHEET 1 OF 3 54647_text_01_v04_Version_4
				JULIA GADSDON 14/12/2016	

AGENT DETAILS:	ALEXANDER & SYMONDS PTY LTD 1ST FLOOR 11 KING WILLIAM ST KENT TOWN SA 5067 PH: 81301666 FAX: 83620099	SURVEYORS CERTIFICATION:
AGENT CODE:	ALSY	
REFERENCE:	A082116LTO(A)	

SUBJECT TITLE DETAILS:										
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5795	831		ALLOTMENT(S)	583	F	182235	ADELAIDE		
CT	5795	839		ALLOTMENT(S)	115	F	214878	ADELAIDE		
CT	6066	822		ALLOTMENT(S)	581	F	182233	ADELAIDE		
CT	6066	823		ALLOTMENT(S)	582	F	182234	ADELAIDE		

OTHER TITLES AFFECTED:

EASEMENT DETAILS:										
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION			
EXISTING	115	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	A		582				
EXISTING	582	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	B		581		TG 11450180		
PROPOSED	583	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	C		581. 582				
PROPOSED	582	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	D		581. 583				
PROPOSED	581	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY	E		582. 583				

DA/564/2018



FX252036

SHEET 2 OF 3

54647_text_01_v04_Version_4

EASEMENT DETAILS:

STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF	CREATION
PROPOSED	115	SHORT	FREE AND UNRESTRICTED RIGHT(S) OF WAY WITH LIMITATIONS	F		581.583	

ANNOTATIONS:

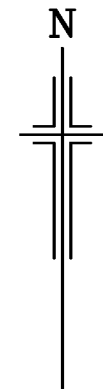
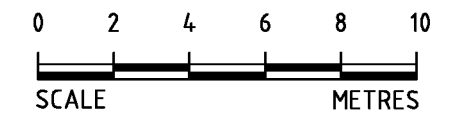
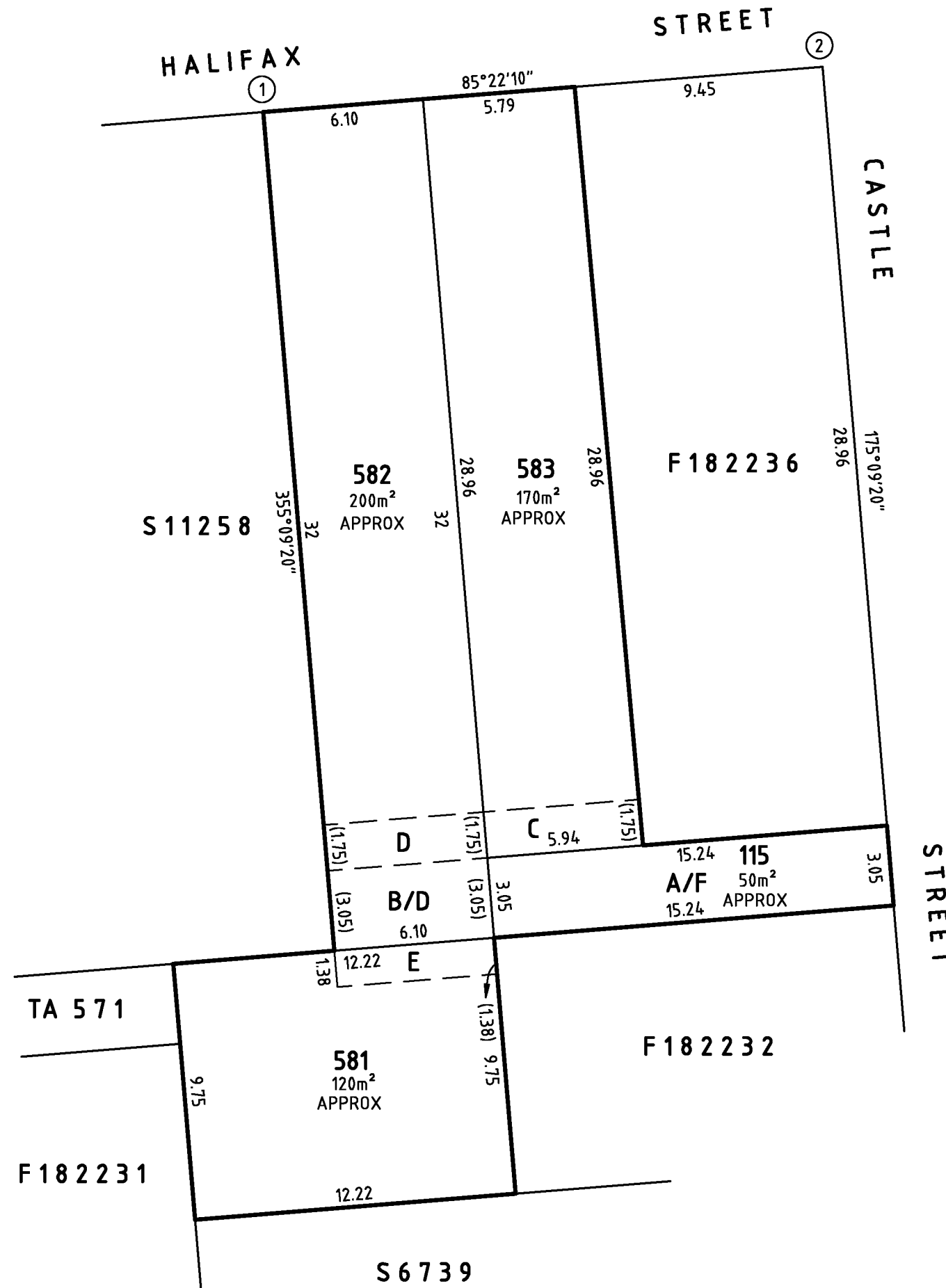
DA/564/2018

FX252036

SHEET 3 OF 3

54647_pland_1_V02_Version_4

BEARING DATUM: ① - ② 85°22'10"
DERIVATION: F30633 ADOPTED



Alexander & Symonds Pty.Ltd.

11 KING WILLIAM STREET, KENT TOWN
P.O. BOX 1000 KENT TOWN 5071
Tel (08) 8130 1666 Fax (08) 8362 0099 A.B.N. 93 007 753 988

REFERENCE A082116LTO(A)

PAP 23/2/2016

DA/564/2018

DA/564/2018 183-185 Halifax St Adelaide

This property is in the City Living Zone policy area 31.

Submission from Mr John Carter owner of 9 Castle St Adelaide (lot 581). Located to the rear of 183-185 Halifax St Adelaide.

Objection 1. Overshadowing created by third level main bedrooms

My objection to this DA relates to the overshadowing and overdevelopment proposed on the third level. There needs to be shadow diagrams that show the impact in the morning as the building will block out the eastern sun the earliest shadow diagram is 1pm).

Rational

1. The third level creates additional overshadowing on my front yard, which has very little natural sun and will therefore reduce the amenity. *See shadow diagram 1pm.*
2. Third levels in policy area 31 are assessed on merit, the proposed townhouses are now heavy when viewed from both the rear and the side elevations. See PLO6, PLO7 and PL10
3. Not consistent with the neighbouring properties which are 1-2 storeys in height
4. Not consistent with the heritage items and heritage conservation area
5. Dominates the heritage item at 187 Halifax St
6. The rear section can be read from Castle St
7. The extra areas push the building further over the 0.8 plo ratio 183 is over 1.3 and 185 Halifax is now 1.47

Suggested solution either delete rooftop bedroom or move it in a northerly direction so there is no additional overshadowing on 9 castle St, 11 Castle St and 187 Halifax St (Heritage Item0.

Objection 2. 1st and 2nd levels move southwards by 0.6m over previously approved DA moves the building closer to the rear and side neighbouring properties and creates overshadowing.

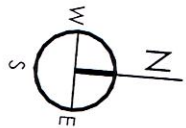
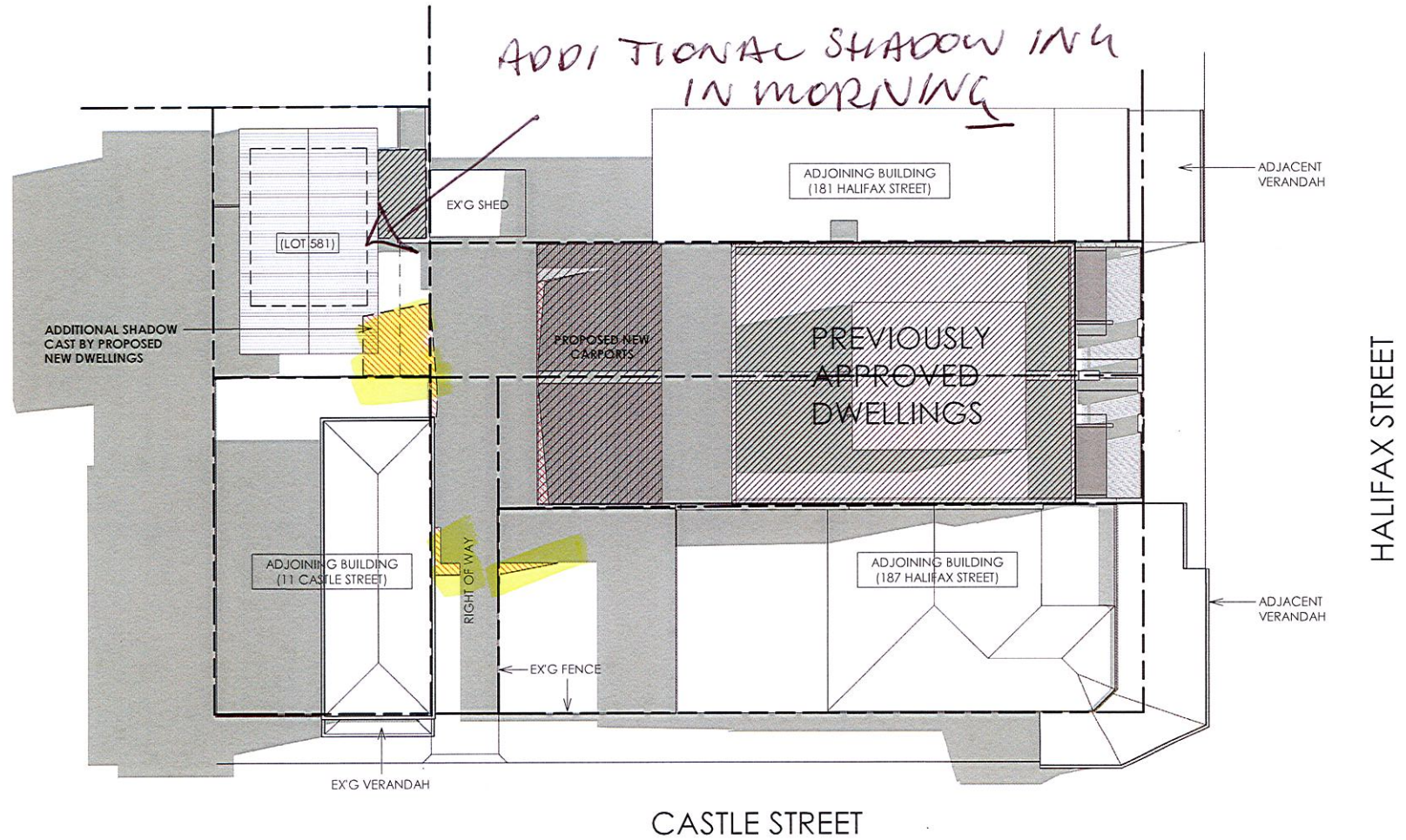
1. The building is over scaled for the site in its current form and should be reduced in scale. *See PLO6 and PLO7*
2. There is no stepping back of the rear façade. *See PLO6 and PLO7*
3. The addition of the aluminium screening pushes the rear step out further back again. This screening is supported as long as the step back is only on the first level and does not create any additional shading.

Suggested solution delete this 0.6m section. An alternative could be to have the 0.6m setback only on the first level if there is no extra shadowing created.

John Carter

Phone 02-93876074

E carter@millhillcapital.com.au



SHADOW DIAGRAMS
 1pm, 21st JUNE 2018
 SCALE 1:200

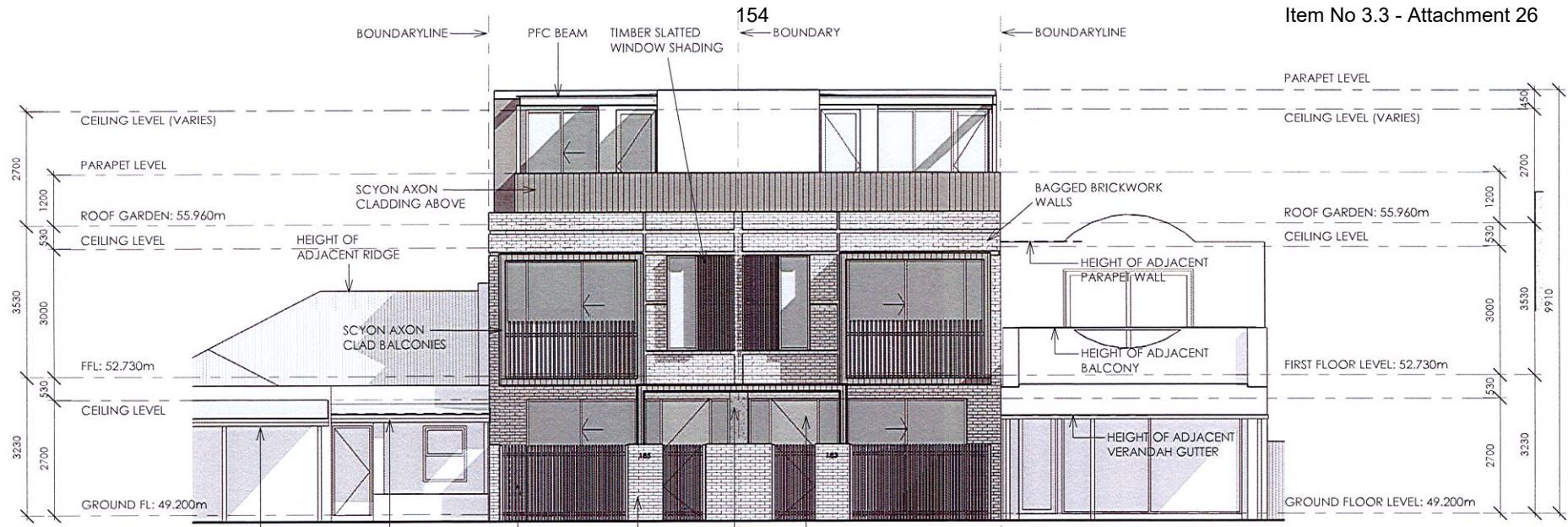
Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

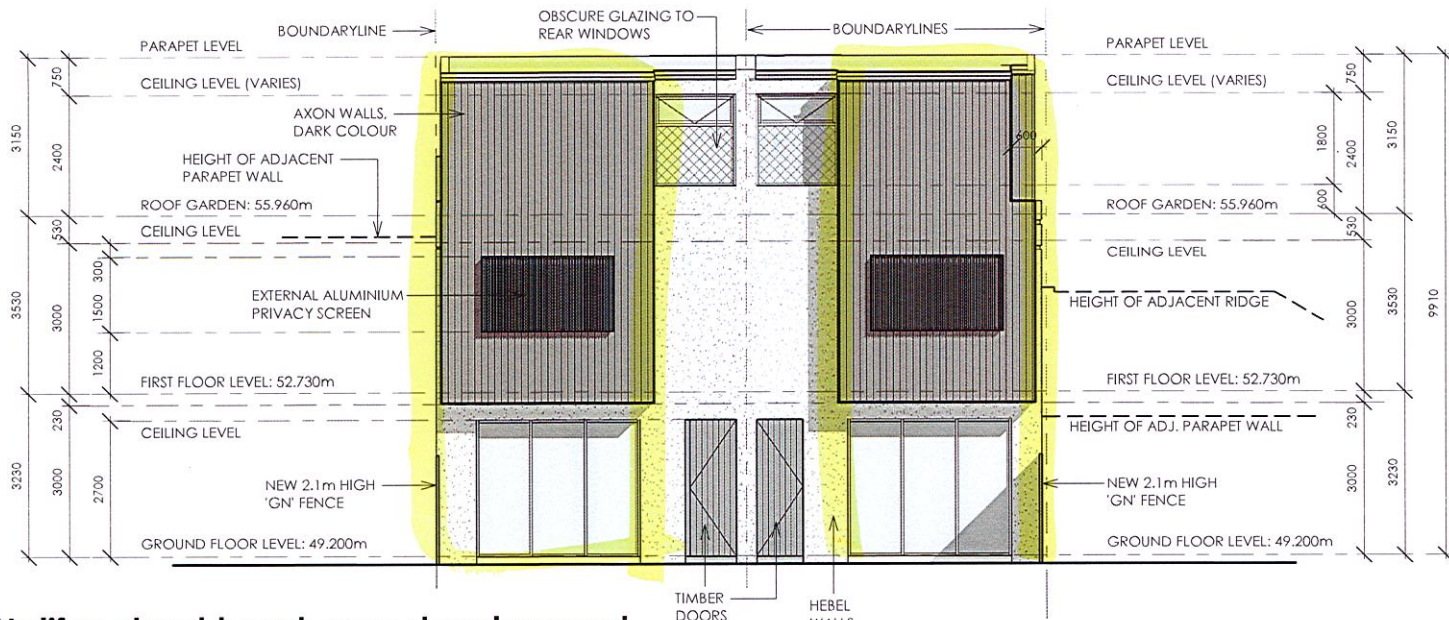
DA/564/2018



SHADOW DIAGRAMS - PREVIOUSLY APPROVED



NORTH ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100

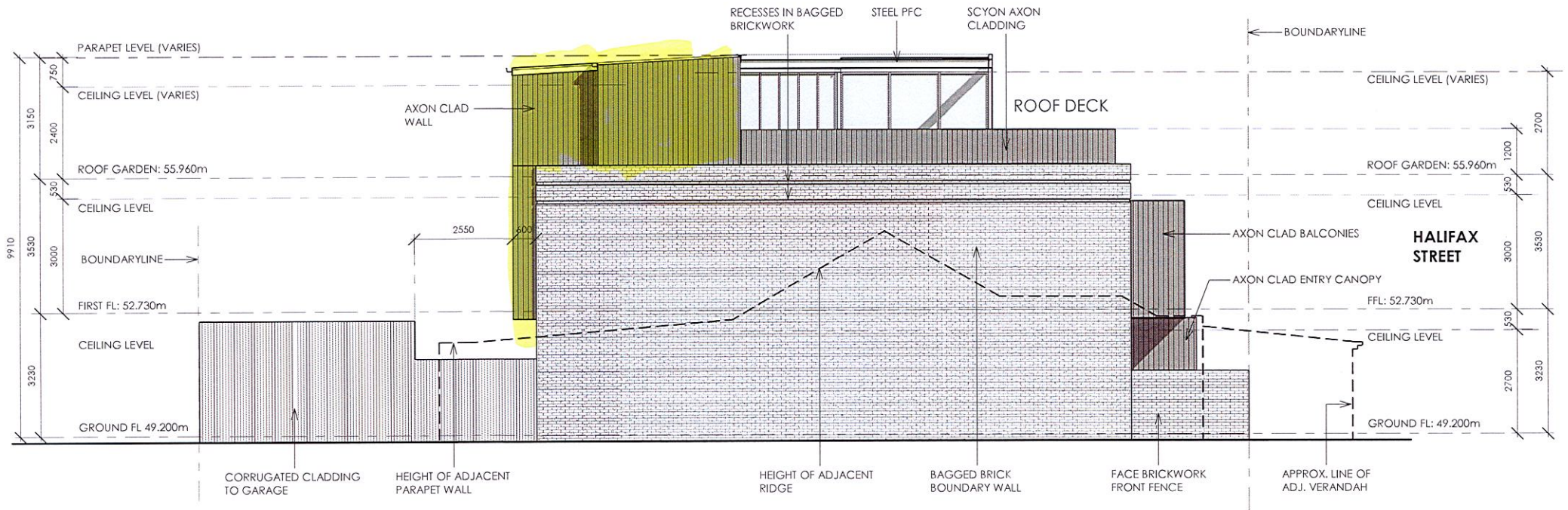
Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

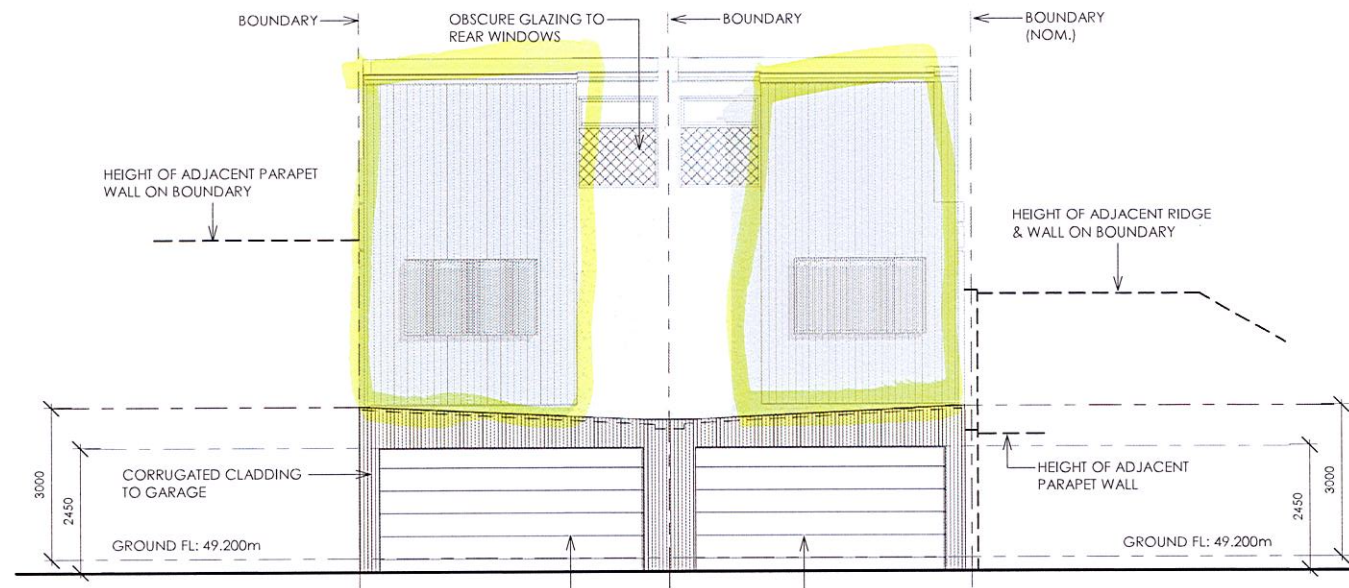
DA/564/2018



elevations 1 PL06 A



EAST ELEVATION
SCALE 1:100



SOUTH ELEVATION (GARAGE)
SCALE 1:100

Halifax street townhouse development

at 183-185 halifax street, adelaide 5000

DA/564/2018



elevations-2 PL07 A

HOLMES DYER PTY LTD
 ABN: 30 608 975 391
 Ph: 08 7231 1889
 Level 3/15 Featherstone Place
 Adelaide SA 5000

16 November 2018

Reference: 0391-01

City of Adelaide
 Colonel Light Centre
 25 Pirie Street
 ADELAIDE SA 5000

Attention: Helen Dand

Principal Planner – Development Assessment Planning Assessment

By Email: h.dand@cityofadelaide.com.au

CITY OF ADELAIDE
 ADDITIONAL DOCUMENTS RECEIVED

DA/564/2018

16/11/2018

Dear Helen,

RE: APPLICATION DA/564/2018; 183-185 HALIFAX STREET,
 ADELAIDE

We act on behalf of Collindale Property Developments Pty Ltd, the applicant in respect of the above proposal.

One representation was received in respect of the above application from the owner at 9 Castle Street, Adelaide. This property is at the immediate rear of the subject site, across a right of way serving both properties.

We note that the representor was in fact, the applicant for a very similar proposal over the subject site which was approved in 2017 and which generated substantially the same externalities as the current proposal. The representor then sold the subject site to the current applicant with that earlier approval in place.

The representor raises two issues, namely, the risk of overshadowing and the position of the proposed new structure relative to the representor's property. We provide the following comments and plan revisions in respect of these matters.

Overshadowing

The proposal plans have been amended slightly to ensure that the proposal casts no shadows over the representor's property in the middle hours of the winter solstice (21 June). The amendment has involved the rounding of the southern façade to the upper floor where it meets the roofline in order to reduce the height

of the proposal at this point, thereby shortening the shadow generated by the proposal.

The accompanying 3D shadow diagram demonstrates conclusively that the subject proposal does not impact in anyway on the representor's property from 11.00am onwards on 21 June. Any shadows cast over the representor's property are from existing structures and the representor's own fencing.

We therefore contend that the representor's concerns have been satisfied.

Positioning of Proposal

The representor expresses concern that the proposal has shifted 600mm southward from the façade alignment adopted by the representor's previously approved proposal. While this is true, we see no material consequence in this minor realignment. The proposed facade remains some 14.6m away from the south side of the right of way (ie to the face of the representor's driveway gate) and more than 15m away from the representor's dwelling. We do not believe that 600mm in 15m will even be perceptible to most people and, as has been previously demonstrated, this shift will not adversely impact on overshadowing of the representor's property.

We therefore contend that the representor's concerns are unfounded in this instance.

Proposal Refinements

The proponent is also proposing a number of minor design adjustments as a result of further discussions with the staff of the Council. These include the following:

- Adjustment of the eastern side elevation materials at first floor level from Scyon Axon Cladding to recycled red brickwork (similar to ground level) in order to reduce the apparent mass of the cladding material. Shadow lines will be introduced into the brickwork to break up the mass even further;
- Introduction of a void space in the wall between the ground level front verandah and the neighbouring property to the east to improve light access and visibility; and
- Introduction of glass balustrades to the roof deck to further reduce the apparent bulk of the building.

A copy of the updated proposal plans is attached to this correspondence.

Planning Merits

The subject proposal is located in the South-Central Policy Area 31 of the City Living Zone.

The proposal generally accords with the vast majority of policy provisions, including its delivery of the following:

- High amenity residential living (City Living Zone – Desired Character);
- High quality residential infill (City Living Zone – Desired Character);
- Increase in the City’s resident population (City Living Zone – Desired Character);
- A range of dwelling types (City Living Zone – Objectives);
- Increased dwelling densities (City Living Zone – Objectives);
- A positive contribution to the desired character (City Living Zone – PDC1);
- An envisaged development, being “dwellings” (City Living Zone – PDC2);
- Redevelopment of poor quality or underutilised buildings (City Living Zone – PDC5(a));
- A compatible visual relationship with adjacent heritage places in terms of:
 - » Bulk, height and scale;
 - » Width of frontage;
 - » Building proportions and massing;
 - » Modelling and articulation of facades; and
 - » Key architectural elements (City Living Zone – PDC6 (a)(b)(c)(d)(e));
- Its height taking reference from prevailing building heights (City Living Zone – PDC7);
- Setback of taller elements from street frontages (City Living Zone – PDC8);
- Consistency with surrounding setbacks (City Living Zone – PDC9);
- Ground floor being level with the footpath (City Living Zone – PDC10);
- Provision of vehicle access via a rear lane (City Living Zone – PDC11);
- Consistent with the existing primarily street fronting dwellings (South East Policy Area 31 – Desired Character);
- Consistent with prevailing scale and character (South East Policy Area 31 – Desired Character);
- Complements the existing streetscape (South East Policy Area 31 – Desired Character);

- Dwellings to be varied but consistent with the prevailing rhythm of buildings (South East Policy Area 31 – Desired Character);
- Infill referencing siting, form and key elements of existing buildings (South East Policy Area 31 – Desired Character);
- Referencing the predominant scale and heritage of places in the immediate locality (South East Policy Area 31 – Desired Character);
- Carefully composed and sited second and third building levels suitably removed from street view (South East Policy Area 31 – Desired Character);
- Increase the residential population (South East Policy Area 31 – Desired Character);
- Quality contemporary design that is generally of greater intensity than its surroundings (South East Policy Area 31 – Desired Character);
- Manage the interface with adjacent residential development including massing, proportions, overshadowing, traffic and noise (South East Policy Area 31 – Desired Character);
- Consistent with the desired character for the Policy Area (South East Policy Area 31 – Objective 1);
- Comprising detached dwellings (South East Policy Area 31 – PDC1);
- Consistent with the desired character for the Policy Area (South East Policy Area 31 – PDC2); and
- Achievement of the dwelling unit factor of 120m² (South East Policy Area 31 – PDC4).

While the proposal does exceed the two-storey height sought for the subject locality, its form and scale sit very comfortably within its setting. Its higher elements are well set back from the street frontage, with the bulk of the second floor being approximately 13m back from Halifax Street and a similar distance to the boundary with its rear neighbours, while its separation of nearly 10m to Castle Street, ensures it is largely obscured by the intervening buildings from street level. The awareness of the proposal's second storey is further eroded by the large tree at the front of the property in Halifax Street and the existence of a number of two-storey buildings with hipped roofs in close proximity to the subject site.

The accompanying street views highlight the impact of the existing tree and the height references provided by nearby properties.

We note that Council has recently approved (2017) a similar proposal of the same height on the subject land.

We also note that the proposal generally accords with the relevant sections of the following Council-Wide Objectives and Principles of Development Control:

- Objectives 6, 7, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 26, 27, 28, 29, 30, 33, 41, 46, 47, 48, 60, 61, 62, 64, 65, 68, 72, 73, 75, 76
- Principles of Development Control 5, 7, 9, 18, 19, 20, 22, 24, 25, 26, 27, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 46, 82, 83, 84, 93, 95, 96, 97, 101, 102, 104, 106, 107, 108, 113, 114, 130, 131, 132, 133, 135, 141, 168, 169, 170, 176, 177, 178, 180, 182, 184, 185, 186, 187, 188, 189, 190, 193, 199, 224, 225, 234, 235, 241, 243, 246, 251, 253, 254, 256, 263, 264, 270, 271.

On balance, we believe that the scale and massing of the proposal is entirely consistent with its locality and the proposal achieves the overwhelming majority of relevant policies and provisions within the Development Plan and, accordingly, warrants the approval of Council's Assessment Panel.

We are available to speak to this matter should the representor choose to make a verbal representation to the Panel.

Yours Sincerely



Stephen Holmes

Director

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 10/12/2018

Item No	3.4
Address	Land, 22A Moger Lane, Adelaide SA 5000
Proposal	Construct three, four-storey townhouses on existing allotment (Lot 11), (DA/812/2018 - MF) [CAP]
Applicant	Mr D Allegretto
Relevant Development Plan	7 June 2018
Lodgement Date	3 Oct 2018
Zone / Policy Area	Capital City Zone
Public Notification	Category 1
Application Type	Application Assessed on Merit
Delegations Policy	New building in Capital City Zone.
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

- Certificate of Title 1
 - Plans and Supporting Information 2 - 18
-

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

- 1.1 Planning consent is sought for the construction of three (3), four (4) storey townhouses on a vacant parcel (CT 5235/549) of land.
- 1.2 In summary, each dwelling comprises:
- Ground floor - entry foyer, rainwater tank, bin storage and study / bedroom.
 - First floor - bedroom and bathroom
 - Second floor - kitchen and dining
 - Third floor - living and deck.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area approx. 20 m²		
Building height - Metres	53 metres (max.) 26.5 (min)	11 metres
Private Open Space (POS) - % of total site area or m ²	16 m ²	2.35 m ²
Car parking and Access - Number of spaces	0 Spaces	0 Spaces
Bicycle Parking	1 Spaces	No dedicated on-site spaces

3. **BACKGROUND**

- 3.1 In April 1999, planning consent was granted to construct 4 x 3 storey dwellings on the subject land (DA/197/1999). A minor variation was also granted planning consent in January 2002 (DA/197/1999/A).
- 3.2 Construction of the dwellings commenced. Due to disputes with the builder at the time, construction was suspended and remained uncompleted. In July 2004, planning consent for a seven level apartment building containing 15 apartments was approved on the site (DA/207/2004).
- 3.3 On 19 March 2007, planning consent was granted for the construction of an 11 level residential flat building containing 17 apartments (DA/544/2006). An extension of time for a period of 12 months was subsequently granted on 19 March 2008.
- 3.4 On 1 September 2008, planning consent was granted to vary the previous authorisation (DA/544/2006/A). The variation included an additional level, an increase in unit numbers from 17 to 21, the incorporation of an office at ground level and various building design alterations. A 12 month extension of time was subsequently granted, lapsing on 1 September 2010.
- 3.5 The legal matters regarding the dispute with the builder were resolved in 2010, allowing the applicant to proceed with development of the site.

- 3.6 On 1 August 2011, planning consent was granted for a new proposal which involved the construction of a 4 level residential building containing 4 dwellings with associated on site car parking (DA/164/2011). A 12 month extension of time was subsequently granted which lapsed on 1 August 2013.
- 3.7 DA/1093/2013 was the seventh application by the same applicant to develop the site over a 15 year timeframe. This proposal was very similar to the previous proposal, however an additional dwelling (including a car park accessed from Moger Lane) was proposed, together with roof decks for all 5 dwellings.
- 3.8 The recommendation to Council's DAP for this DA was for refusal given issues arising from the location of the garage adjacent Moger Land. However, Council's DAP determined to defer a decision, to allow the applicant to reconsider the proposed garage.
- 3.9 Amended plans were received from the applicant that resolved the concern of the DAP (relating to the garage) and subsequently was approved on Oct 2014.
- 3.10 An extension of time request was received August 2015 for DA/1093/2013 and granted for an additional 12 months.
- 3.11 Early in 2016, Building Rules Consent was received by Council for DA/1093/2013, which sought to stage the development and only construct the two dwellings over Lot A (which also proposed design changes to than that approved and balcony encroachments over Council land/Moger Lane). The applicant advised there was no intention to build the remaining dwellings originally approved in this DA. Hence, Council sought the applicant lodge a fresh DA for the two dwellings over Lot A1 & A2 to allow for this and the latest changes proposed to the design.
- 3.12 Application, DA/101/2016, was then lodged in February 2016, which seeks to demolish abandoned works on Lots A - D and construct a residential flat building comprising two dwellings on Lots A1 & A2 with crossover to Tam O Shanter Place.
- 3.13 The design of the building over Lots A1 & A2 closely reflected that approved by Council's DAP in DA 1093/2013. This DA obtained planning consent in March 2016. An Extension of Time was also granted, however, this has since lapsed.
- 3.14 In July 2016, as part of a separate matter with Council's compliance department regarding the abandoned works at the site, the Environmental, Resources and Development Court issued Orders that sought:
1. *Subject to (2) below, within 12 months of the date of this order, the Respondents will demolish all existing structures on the land to the slab level and construct an open mesh fence of minimum 2.4 metres in height, securely fixed and braced to retained slab around the boundary of the entire site with signage designed to prevent trespass and dumping;*
 2. *The Respondents will not be required to comply with (1) if, before expiration of the 12 month period, they have:*
 - 2.1 *obtained development approval for development which may include the retention of some or all of the works presently constructed on the site and commenced substantial work on the development beyond any existing structures that have been incorporated in the development; and*
 - 2.2 *commenced substantial work on the development beyond any existing structures that have been incorporated in the development with the land secured in accordance with the Applicant's reasonable requirements.*
- 3.15 Building Rules Consent (BRC) Plans for the above DA 101/2016 was received 23 March 2017. However, these BRC plans were not consistent with those granted planning consent and an 'A' variation DA was lodged April 2017 for assessment with planning consent granted 15 May 2017.
- 3.16 Two additional DA's were lodged with Council for this site 04 May 2017, which include:
- DA/0268/2017 - *Construct four (4), two (2) level townhouses (with loft) using existing structures (the DA subject to this Panel report); and*

- DA/0269/2017 – *Demolish existing walls and erect barbed wire topped mesh fence surrounding five (5) shipping container.*

3.17 In December 2017 an application to vary a previous approval (DA/101/2016) was submitted. The variation proposed changes to external materials, internal alterations, reduction of encroachment over council land and change the use from utility area to garage. The proposal was considered by the CAP in August 2018 and refused.

4. SITE

4.1 The subject site comprises one allotments that is subject to easement rights over a 1.2 metre wide portion of land. This easement exists for water supply, sewerage, drainage, electrical underground cabling and gas services.

4.2 The subject site is rectangular, with a total site area of 60m².

4.3 The site is bounded to the north by Tam O'Shanter Place, to the east by two vacant allotments, to the west by a public footpath approximately 1.5 metres wide and to the south by 3 storey townhouses. A portion of the southern boundary also fronts onto Moger Lane, a public road of 4.88m wide. The laneway terminates where it meets the subject site and continues as a public footpath through to Tam O'Shanter Place to the north.

4.4 The site currently contains abandoned works, including a slab and various walls.

5. LOCALITY

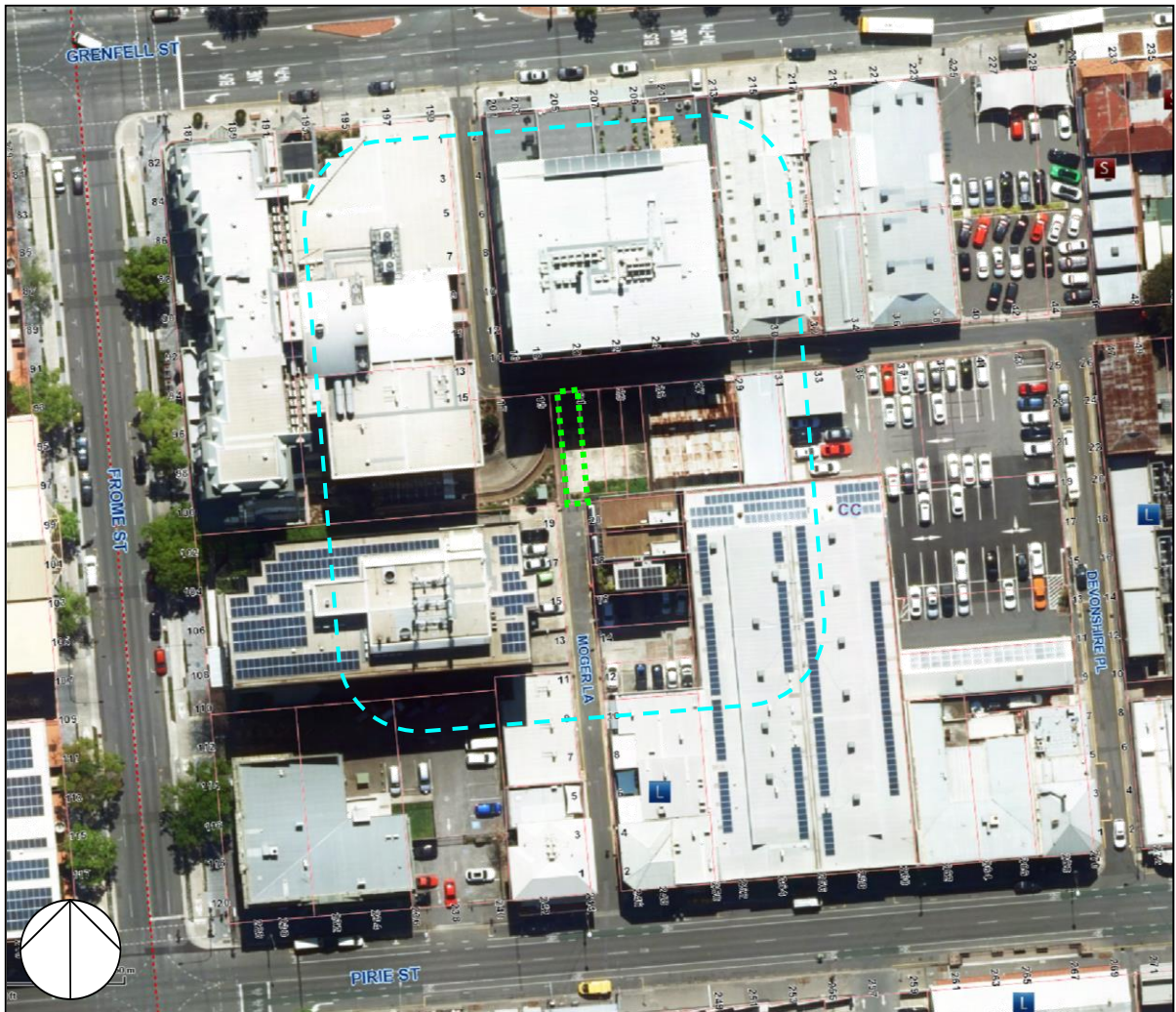
5.1 The locality presents a mixture of uses and building forms.

5.2 A seven level apartment building (Domain Apartments) is located opposite the subject site on the northern side of Tam O'Shanter Place as well as several offices and showrooms of one and two storeys.

5.3 A car service premise owned by City Holden and a commercial parking lot are located further to the east.

5.4 Multi level office buildings facing onto Grenfell Street and Frome Street are located to the west.

5.5 A 3-storey townhouse building is situated immediately south of the subject site.



KEY



Subject Site



Local Heritage Place



Zone



Policy Area Boundary



Locality

Photo 1 – View of subject site from Tam O’Shanter Place (site shown dashed yellow).

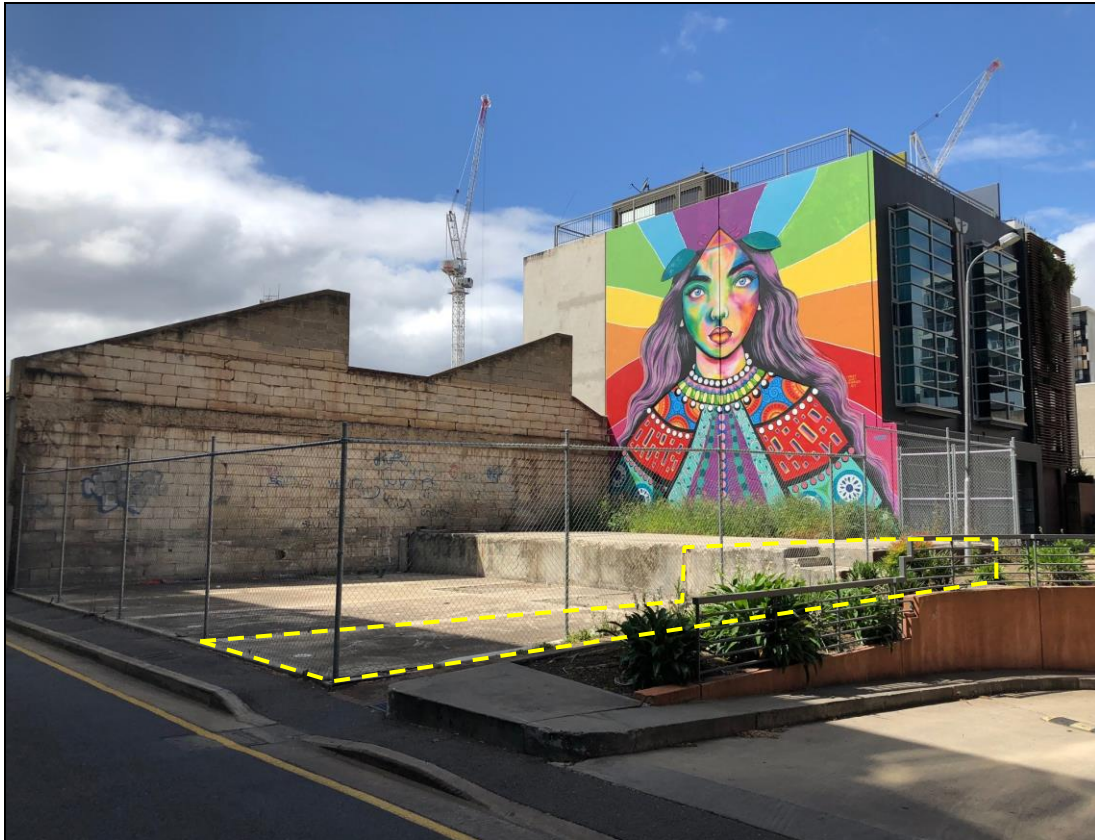


Photo 2 – View west down Tam O’Shanter Place.



Photo 3 – View north east from Moger Lane / pedestrian walkway



Photo 4 – View of a dwelling located on Moger Lane to the south of the site.



6. PUBLIC NOTIFICATION

6.1 The proposal is a Category 1 form of development therefore no public notification is required.

7. REQUIRED EXTERNAL REFERRALS

7.1 No external referrals required.

8. SPECIALIST ADVICE

8.1 No external referrals required.

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 Desired Character

The desired character statement for the Capital City Zone seeks to increase the population of the City and its vibrancy. It also seeks high scale development balanced with the provision of an interesting pedestrian environment and human scale at ground level. Residential uses are discouraged at ground level in favour of uses that generate a high level of pedestrian activity. Public art is also encouraged.

In this instance, the proposal comprises three dwellings with the ground floor dedicated to an entry court / service area and a study/guest bedroom. This does not support the intent of the desired character statement through the provision of an active ground floor use. In the context of the locality, the provision of such a use would be unlikely to contribute to the vibrancy of the area. Notwithstanding the lack of active frontage, the proposal is considered acceptable for several reasons which include:

- The further division in to 3 allotments together with the architectural response provides a unique and interesting way of achieving higher density living on small footprints;
- While commercial uses at ground are desired, it is not mandatory nor considered essential in this location;
- The development of this site will rectify an abandoned development site that has remained unsightly for several years;
- The ground floor, while largely inactive, provides a reasonable balance of transparency, privacy and security for the occupants. The treatment will also allow light to spill outwards and subtly light the narrow walkway down the western side, thereby increasing the visibility and safety of residents and pedestrians; and
- The proposal's height and design are commensurate with other developments in the locality.

9.2 Land Use

Residential land uses are desired by Zone PDC 1.

9.3 Built Form and Design

The development is considered to be of a reasonable level of design in terms of architectural treatment. Objective 6 of the Zone specifically contemplates innovative design approaches and contemporary architecture that responds to a building's context.

The original façade design proposed a rendered flat finish on all elevations however, due to the expanse and monotonous appearance, the applicant was encouraged to further explore an alternate material / finish which provided greater visual interest and required less ongoing maintenance than a painted finish.

The applicant has taken on board this feedback and proposes a façade system with prefinished raw cement panels with articulated joints replacing the rendered panels. The façade can be further articulated with operable perforated shutters to upper level windows which create a seamlessly integrated façade. The design draws upon a restrained material palette of raw cement sheet panels and timber. The façade is abstract yet engaging and interactive with the street. The amendments are considered to better satisfy Objective 6.

Pragmatically, the operable shutters are devised to expose views, control ventilation, gain solar access and provide privacy. The operability and translucency of the ground floor timber battened screens and upper level shutters contribute to a level of engagement with the street. This is amplified in the evenings when the glowing perforations animate the façade and create a playful and visually interesting entry forecourt.

The mass and scale of the proposed development is compatible with the existing low scale development within the locality. The property is in the Capital City Zone, in which it is envisaged that tall buildings up to 53 metres in height may be built in this location and should have a minimum height no less than 26.5 metres. With a height of 11.7 metres to the highest point, the proposal is significantly under-height. However, in this instance, the proposed height is considered acceptable given:

- In this location, buildings of a lesser scale of one to six levels predominate;
- The development of this site will partially rectify an abandoned development site that has remained unsightly for several years;
- The small size of the existing allotment (60m²) reduces the scope to accommodate medium-to-high scale development; and
- The further division in to 3 allotments together with the architectural response provides a unique and interesting way of achieving higher density living on a small footprint;

Given the above, the proposal is acceptable in terms of its design, height and materials.

9.4 Residential Amenity

Privacy

Due to the proximity and design of the neighbouring apartment building to the north, which has south facing balconies within 5.5 metres of the subject site, the main living areas are placed in the south portion of each floor, preventing the opportunity for overlooking (in accordance with CW PDC 35).

Privacy shutters on each window further allows the occupants to control the degree of privacy within the dwellings.

Private Open Space (POS)

At only 2.65 m² and measuring 2.15 m x 1.25m the POS provided for each dwelling is below the minimum dimensions and well below the site area per dwelling of 16m² sought by CW PDC 31. Notwithstanding the significant shortfall, in this instance, the amount and dimensions of the POS areas proposed is deemed acceptable given the restraints of the site and the proximity to the Park Lands (approx. 250 metres east of the subject site). While small, the balcony is anticipated to be functional for the occupants.

Outlook

The living rooms have a reasonably large window allowing for a satisfactory level of amenity and external outlook. While they are west facing, a series of perforated operable shutters over all upper level windows are proposed to give the occupants the ability to control the amount of direct sunlight which penetrates the apartment and shield the internal areas from the hot afternoon sun. The bedrooms are also provided with an outlook to the pedestrian walkway and neighbouring buildings to the west. Additional fenestration on the south elevation of the southernmost dwelling provide additional views down Moger Lane.

The northern façade has a narrow (300 mm) window opening to provide light to the stairwell and narrow views out to Tom O'Shanter Place.

9.5 Environmental

Crime Prevention Through Urban Design

As sought by CW Obj 24, the residential use of the site will increase activity and passive surveillance of the area with fenestration provided on the western and southern elevation overlooking Moger Lane and the pedestrian walkway which abuts the site to the west. In addition, some surveillance over Tam O'Shanter Place will be possible from the narrow stairwell window.

The presentation of the lower floor to Tam O'Shanter is not ideal as it limits activation and interest at ground. However, as outlined above, this street essentially serves as 'back of house', where the treatment has limited streetscape impacts in this case.

Waste Management

The plans indicate that each dwelling is provided with a 120 lt. Council's kerbside waste system requires a three-bin system consisting of 140 litre general waste, 240lt recycling and a 140 – 240 green organics bin. Based on this, there is inadequate room in the ground floor entry court to house the necessary bins.

A condition has been included in the recommendation that requires the provision of final details of the waste collection and storage provisions within each dwelling prior to the granting of full development Approval.

Contaminated Sites

Remediation of the site occurred prior to the partial construction of the dwellings on site. Thus, soil contamination issues have been adequately addressed.

Energy Efficiency

The proposal provides for natural ventilation of each dwelling and has openable windows to all habitable rooms allowing for adequate levels of natural light as sought by CW PDC 106 and 108.

Contrary to PDC's 107 and 109 the building does not orientate the main living areas to the north. This is largely due to the presence of the Domain Apartments immediately opposite which restricts direct sunlight access into the site. However, skylights have been incorporated into the dwellings to provide for a degree of northern light penetration into the main living areas.

Micro climate and Sunlight

The proposal is considered to be well mannered in terms of its height adjacent the three (3) storey dwellings to the south which has a solid masonry wall on its northern boundary. It is therefore considered that the proposed building will have a minimal impact on the micro climate of the adjacent dwelling.

Furthermore, commercial premises are located directly to the east and west of the site, therefore no impacts on residential amenity via overshadowing will occur.

Stormwater

The plans indicate a rain water tank will be provided for each dwelling in the form of slim-line tank in the entry courtyard areas of each residence.

9.6 Transport, Access and Parking

No carparking is proposed for the development and is not required within the Capital City Zone.

One bicycle park is required under Table Adel/6. While there is no dedicated space within each dwelling, a bicycle can easily be stored within the study.

Pedestrian access is provided via the pedestrian walkway that abuts the site to the west.

9.7 Conclusion

The proposal is not considered to be seriously at variance with the provisions of the Development Plan because:

- It proposes a land use and form of development that is desired in the Zone and Policy Area;

- The small size of the allotments (60m²) reduces the scope to accommodate medium-to-high scale development;
- While commercial use at ground are desired, it is not mandatory nor considered essential in this 'back of house' location;
- The development of this site will rectify a site that has remained unsightly for several years;
- The residential amenity for the occupants of the dwellings is acceptable and unreasonable impacts on adjacent properties are not anticipated;
- The proposal's height and design are compatible with other residential developments in the locality;
- The façade is abstract yet engaging and interactive with the street.
- The design draws upon a restrained material palette of raw cement sheet panels and timber.
- The operability and translucency of the ground floor timber battened screens and upper level shutters contribute to a level of engagement with the street.

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 D Allegretto to construct three, four-storey townhouses on existing allotment (Lot 11) at Land, 22A Moger Lane, Adelaide SA 5000 as shown on plans designated DA/812/2018:

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:**

- **Drawings numbered 0318–10, 0318–11A, 0318–12A, 0318–13A, 0318–10, 0318–14A, 0318–18, 0318–31.**

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

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

3. **The finished floor level of the ground floor level at the entry points to each dwelling shall match the existing footpath unless otherwise agreed to by the Council in writing.**

Reason: The Corporation of the City of Adelaide WILL NOT adjust footpath levels to suit finished building levels. The existing footpath levels are to be retained and entrance levels of the development must meet the existing back of footpath.

4. **The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' which is attached to this consent to the reasonable satisfaction of the Council.**

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

5. **Lighting shall be provided to the dwelling entries and shall be operational during the hours of darkness at all times and / or fitted with motion detectors to the reasonable satisfaction of Council.**

Reason: To ensure the development does not create areas with insufficient lighting.

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 55dB(A) during daytime (7 am to 10 pm) and 45dB(A) during night time (10 pm to 7 am) when measured and adjusted in accordance with the relevant environmental noise legislation in operation and applicable to the Land except where it can be demonstrated by the applicant or the person(s) having the benefit of this consent 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.

7. **With the exception of the ground floor entry and window, the upper level deck and windows as depicted on the 'West Elevation' shall be fitted with a bi-folding shutter system to the reasonable satisfaction of Council.**

Reason: To reduce the extent of encroachment into the public realm.

8. **Final details of the waste collection and storage provisions within each dwelling are to be provided to the reasonable satisfaction of Council prior to the granting of full development Approval.**

Reason: To ensure adequate provision is made for the collection and storage of waste within the dwelling(s).

Advices

1. Development Approval will not be granted until Building Rules Consent and an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
2. Pursuant to the provisions of Regulation 48 of the Regulations under the Development Act 1993, this consent will lapse at the expiration of 12 months from the operative date of the consent unless the development has been lawfully commenced by substantial work on the site of the development within such period, in which case the approval will lapse within 3 years from the operative date of the consent subject to the proviso that if the development has been substantially or fully completed within those 3 years, the consent will not lapse.
3. A Building Site Management Plan is required prior to or at the time of application for Development Approval. The Building Site Management Plan should include details of such items as:
 - Work in the Public Realm
 - Street Occupation
 - Hoarding
 - Site Amenities
 - Traffic Requirements
 - Servicing Site
 - Adjoining Buildings
 - Reinstatement of Infrastructure

Unsecure building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please do not hesitate to contact the Adelaide Local Service Area Community Programs Section on 8463 7024. Alternatively, you can contact Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.

4. 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 received by Council via the following:

Email:	cityworks@cityofadelaide.com.au
Fax:	8203 7674
In Person:	25 Pirie Street, Adelaide

5. 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.

6. It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
7. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
8. 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.

Item No. 3.4 – Attachments 1 – 18 (Land, 22A Moger Lane, Adelaide SA 5000)

Pages 178 to 195

ATTACHMENTS

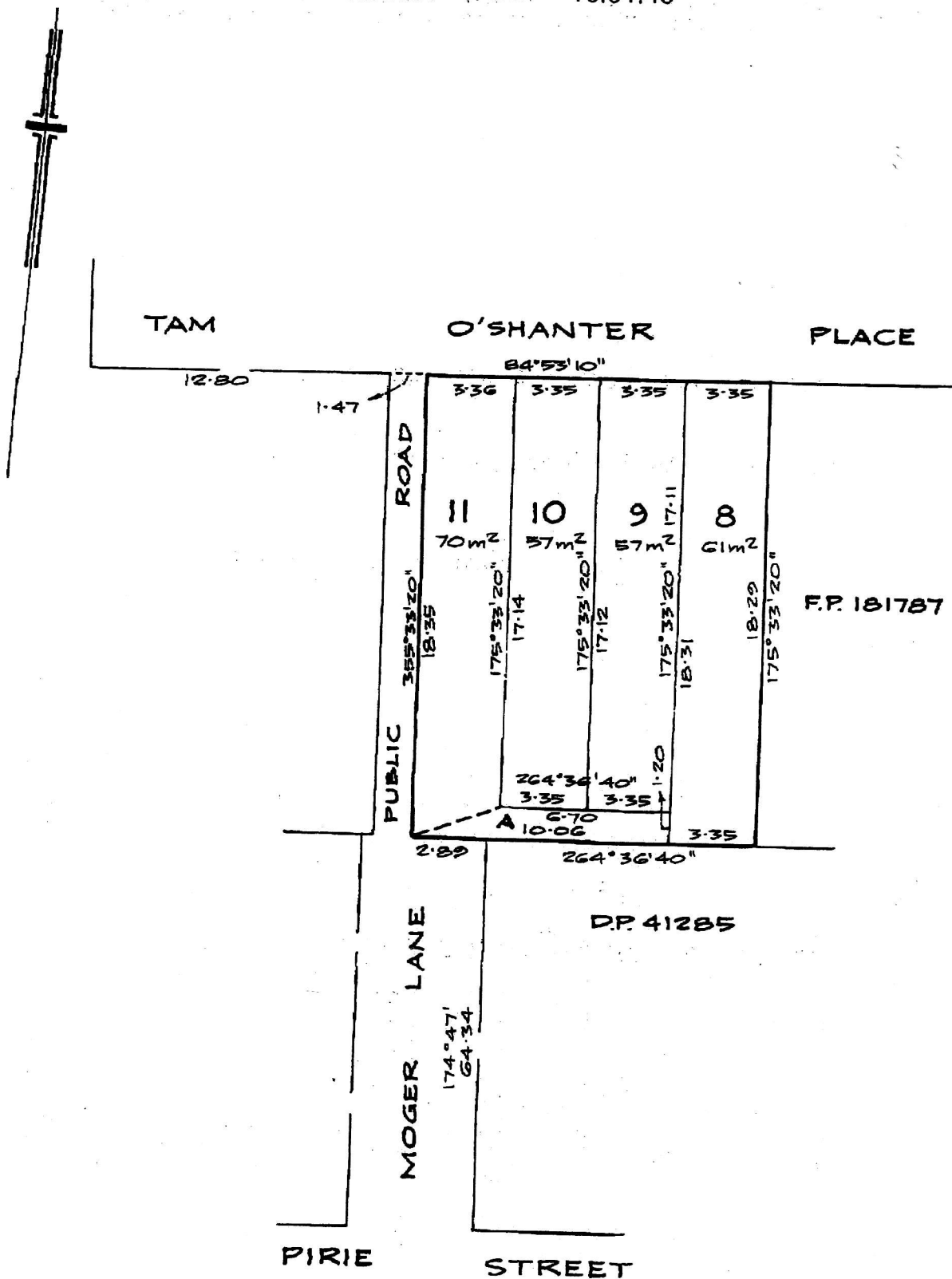
- Certificate of Title 1
- Plans and Supporting Information 2 - 18

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LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA

DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 5800 FOLIO 776

SEARCH DATE: 11/05/2007 TIME: 16:31:48



0 2.5 5 7.5 10 12.5 Metres

PLANNING REPORT IN SUPPORT OF AN APPLICATION FOR PLANNING CONSENT TO DIVIDE VACANT AND FENCED LAND AT 22 A, MOGER LANE, ADELAIDE, INTO 3 LOTS, DEMOLISH SLAB, AND TO CONSTRUCT 3 TOWNHOUSES, ONE ON EACH LOT.

Introduction

This application seeks planning consent to subdivide vacant and fenced land at 22 A Moger Lane into 3 lots and construct 3 townhouses, one on each new lot.

Application

The subject site is currently vacant apart from a stepped footing slab, being a remnant of a previous consent now expired, and cyclone wire fencing erected on the boundaries.

This application seeks consent to:

- Divide existing Lot A (known as 22A Moger Lane) into three lots, Lot A1-3, all of similar area;
- Demolish existing slab;
- Construct 3 small four-storey townhouses, one on each new lot, accessed from the public road (walkway) bounding the western edge of each new lot.

The proposal is depicted in drawings numbered 0318-10 to 14.

The proposed townhouses are *detached dwellings* as defined in the *Development Regulations 2008* (see:

<https://www.legislation.sa.gov.au/LZ/C/R/DEVELOPMENT%20REGULATIONS%202008/CURRENT/2008.233.AUTH.PDF>):

“detached dwelling means a detached building comprising 1 dwelling on a site that is held exclusively with that dwelling and has a frontage to a public road, or to a road proposed in a plan of land division that is the subject of a current development authorisation”;

There is a lack of affordable small-scale townhouse accommodation in Adelaide. This proposal seeks to meet this demand with a hybrid development combining some characteristics of single bedroom apartments with the independence of townhouses and without car parking, befitting the inner city location.

The proposal also includes provision for a small home / office that would suit students, academics from nearby institutions, and owners seeking a combined live work environment close the Adelaide’s CBD. This use could also double as a guest room, thereby expanding the versatility of the completed development.

Proposed construction comprises masonry boundary walls with externally applied render finished insulation board. The resultant construction is thermally efficient with high internal facing thermal mass.

Due to the profound overlooking from “The Domain” apartments less than 5 metres away fenestration is almost exclusively west facing onto a public road (walkway) and beyond towards office buildings more than 10 metres away. The exception is a high-level corner window for the southern most townhouse, with views down Moger Lane but directed away from the adjoining townhouses and their roof decks. Lower level south facing windows are not proposed as these would suffer from headlight glare from vehicles using Moger Lane.

Western solar control would employ outward opening perforated fibre-cement sheet shutters finished to resemble the render wall.

To add detail, visual interest, and to prevent graffiti at ground level a timber battened screen wall finish is proposed to a height of 2.4 metres.

Each townhouse would be distinguished by a skillion roofline. The skillion is specifically angled to capture what little sun escapes overshadowing by “The Domain”.

The overall design would thus have a distinct bottom, middle and top.

External downpipes are proposed to be within the thickness of the external insulation / render layer to complete an architectural presentation of a simple planar mass bounding the public walkway with subtle material changes delineating different functional elements.

The outward opening shutters would, therefore, contrast strongly with this planar presentation, animating the façade and changing in response to different usage, times of day, and the seasons.

The overall ground level presentation would be a continuous screen to avoid unwanted calls from walkway pedestrians. Individual entrances would be readily evident for genuine visitors from discrete views into each entry lobby.

The application relies for support on assessment constancy with the consents for townhouses on the same land, most recently DA/0101/2016. Compared with those consents the current proposal increases overall compliance with the Development Plan, particularly:

- The removal of permanent encroachments over Council land (shutters are proposed to overhang, but only when open);
- No car parking;
- Overall increase on private open space;
- Increased passive surveillance over public walkway;
- Innovative and lower cost residential design;
- Vibrant and variable façade with operable shutters;
- Reduced overlooking from adjoining residential development;
- Development of long vacant land.

Discussion

SITE

- 1) The subject site is a rectangular shaped allotment on the southern side of Tam O'Shanter Place.
- 2) The subject site has a frontage of 3.35 metres to Tam O'Shanter Place, a frontage of 18.35 metres to an unnamed public road (walkway), frontage of 2.9 metres to Moger Lane and a total site area of 70m², which includes a right of way along the southern boundary to the east. The area exclusive of the right of way proposed for redevelopment is some 59m².
- 3) The land is currently vacant except for a stepped concrete slab, the residue of a previous development. The site is currently enclosed with a 2-metre high cyclone style fencing and a pedestrian access gate to Moger Lane.

- 4) Tam O'Shanter Place runs east west, connecting at right angles with Devonshire Place to the east. Pirie Street is located to the south of Moger Lane.
- 5) A public road (footway) 1.5 metres wide sounds the western edge of the site and links Tam O'Shanter Place and Moger Lane.

LOCALITY

1. Tam O'Shanter Place is a 'minor' street (having a road reserve less than 15 metres in width) and functions as a service lane, providing access to buildings with frontages to Pirie Street and Grenfell Street. Footpaths are provided to both sides of the street, albeit narrow in width (approximately 0.9 metres).
2. Though a service street Tam O'Shanter Place has a good sense of enclosure where bounded by single and two-storey development built to the street boundary. A large proportion of the land owned by Holden is vacant and fenced, used for car parking.
3. At the western end the street is bounded by "The Domain" apartment complex, which extensively overlooks and overshadows the site. The roof decks and front windows of the townhouse to the south of the subject site also overlook the site.
4. At grade open-lot car parks are distributed on either side of Moger Lane. To the west are parks for office buildings fronting Frome Street, a fenced open lot car park is located on the eastern side of Moger Lane. A scantily screened ground level car park for "The Domain" apartments extends along Tam O'Shanter Place to the north.

PRELIMINARY ASSESSMENT

Council's assessment officer provided preliminary comments on the proposal. These are listed in italics followed by a response to each, as follows:

Comment 1

*Outward opening windows over the "street" is not ideal – but it is theoretically possible since the land below is not navigable for vehicles. Sliding windows are preferred to ease progress of the application by avoiding issues of **encroachment**.*

No windows are proposed to open outwards and encroach over Council's land. The drawings depict outward opening shutters. Council's encroachment policy can be found at <https://www.cityofadelaide.com.au/assets/Policies-Papers/docs/POLICY-encroachments.pdf>, with Operating Guidelines at <https://www.cityofadelaide.com.au/assets/Policies-Papers/docs/OPERATING-GUIDELINES-encroachment.pdf>.

Subject to the consent of Council as landowner, these guidelines contemplate acceptable encroachments at a height greater than 3 metres, as applied for in this application, extending 600 mm over narrow lanes, such as that bounding the western side of the proposed Lots. Previously approved encroachments included the most recent consent for balconies and sunshades covering 120% of the western façade, all with an encroachment of 900mm. Consequently the current proposal entails a significant **reduction** in approved encroachments.

Furthermore, being shutters, the encroachments would be retractable and occupy little airspace, compared with the previously approved permanent balcony encroachments. In use, shutters will be open or closed in response to the occupation of each townhouse and will thereby add visual variety, which accords with the Encroachment Policy clause 3.2.

Comment 2.

*High performance glazing to the west-facing windows would be required to control **heat loading**. In addition adjustable external sun shading screens are recommended and a less industrial material such as timber would be favoured.*

The drawings plainly depict sun control shutters over each window and opening outwards (see previous point). Any additional solar control requirements, such as the need for high performance glazing, would be subject to energy assessment as part of building rules assessment.

Timber screens high on west facing elevations, exposed to harsh western summer sun and south-west winter rain, will rapidly deteriorate and require frequent maintenance and/or replacement, which in turn would require the closure of the public walkway for the erection of maintenance scaffold. Robust durable materials, perforated fibre cement sheet, are proposed instead.

Robust timber battens are proposed at ground level where they can be readily serviced / replaced and where they will provide visual interest to pedestrians.

Comment 3.

The stairs consume a lot of floorspace which would not be the case compared to previous proposals where apartments occupy an entire floor,

The previous proposals were for **townhouses** though erroneously assessed as apartments; individual dwellings each on separate Torrens Titled allotments. The current proposal is for 3 detached dwellings, see *Development Regulations 2008*: <https://www.legislation.sa.gov.au/LZ/C/R/DEVELOPMENT%20REGULATIONS%202008/CURRENT/2008.233.AUTH.PDF>:

*“**detached dwelling** means a detached building comprising 1 dwelling on a site that is held exclusively with that dwelling and has a frontage to a public road, or to a road proposed in a plan of land division that is the subject of a current development authorisation”;*

Due to different requirements under the National Construction Code for Class 1 (detached dwellings) and Class 2 (apartments) buildings, no apartments could be constructed on the land with any windows or doors (unprotected openings) facing west. This means that the entire western elevation from ground level up would be entirely blank if apartments were proposed or would need to be blank if this proposal were granted planning consent as apartments.

The stairs are a very efficient design, with a single landing typically serving two access points on each floor. The remainder of the comment is mysterious – no previous proposals during the last 5 years have been for apartments, let alone any that “occupy an entire floor”.

Comment 4.

*A minimum of 16 square metres of **private open space** is required for each apartment. Roof top decks for occupants, possibly with shade structures should be considered to provide for additional private open space to satisfy the open space requirement.*

PDC 31(b) requires 8 m² of open space directly accessible from the main living area for sites up to 250 m² in area. The area of each proposed allotment is 19.7 m². The previous application for this land (DA/0101/2016) was for two separate townhouses, one on each proposed new lot of 29.7 m². These townhouses were approved with a

total of 6.48 m² of private open space, or 3.24 m² per townhouse, all of it encroaching over Council's land.

The current proposal is for total open space of 8.58 m², a **32% overall increase** in open space from the previous approval. This amounts to 2.86 m² per townhouse or a slight per-lot decrease of 0.38 m², which is about the area of a dining chair. However, the proposed open space would be located entirely within property boundaries – none would encroach over Council's land – would have a wider minimum dimension of 1.3 metres compared with the approved 0.9 metres and would be well screened and oriented away from adjoining residential buildings.

Construction of roof decks would **not** comply with PDC 30, as it would not be directly from a living room. The site is profoundly overlooked by "The Domain" apartments to the north and by the townhouse roof decks to the south. For this reason, roof decks would **not** comply with PDC 30(b) "*balconies, terraces, roof gardens, decks or other elevated outdoor areas provided the amenity and visual privacy of adjacent properties is protected*" (emphasis added).

As proposed, the roofs are oriented and angled towards the north to enable the attachment of solar collectors, in accordance with PDC 195 (b) "*roof surfaces orientated, angled and of suitable material for photovoltaic applications*".

Comment 5.

*At present the north and south facades are **too blank** and require relief and visual interest. If the floor plan of the northern unit was flipped it could take advantage of **northern light / cross-ventilation** by the addition of northern windows. Similarly, the southern unit should have a south-facing window for **improved amenity**.*

"The Domain" apartments to the north profoundly overlook the proposed northern elevation, with balconies extending to less than 5 metres of the proposed north elevation. Any fenestration / outlook, either by additional windows or flipping the plan, will consequently **diminish the amenity** of all occupants, contrary to the Development Plan.

As would be evident on a site visit, "The Domain" apartments also profoundly overshadow the site. Consequently northern sun will only strike the northern apartments when it is least wanted, in the middle of summer. Nevertheless, all townhouses are proposed to include skylights at the highest point that occupants can adjust if they did wish to admit any incident sun.

The southern elevation **does** include a high level window, which like the previous consent would be angled away from the adjoining townhouse so as to prevent amenity loss for all inhabitants. This window would have open-able panes. Lower level south facing windows were specifically excluded to limit unwanted headlight glare from vehicles using Moger Lane.

Cross ventilation would be achieved with **all windows** being open-able, and the thermal chimney of the stair core for cooling. Furthermore, depending on which leaves are opened shutters will direct cooling breezes into or out of open windows.

A narrow window is included into the northern staircase, which due to its intermittent use will not likely diminish the privacy and amenity of "The domain" apartments.

Comment 6.

In summary, I do not believe that the proposal is seriously at variance with the provisions of the Development Plan. The form of development proposed is reasonable and could be supported subject to the resolving issues highlighted

above. Some additional **external visual interest** is advised as per above – through additional fenestration, sun shading devices and also rebates between concrete panels / texturing of panels.

See previous comments. Concrete panels would face **internally** for thermal efficiency reasons. The proposed external finish is render, with paint highlights, a common finish in Adelaide, applied over polystyrene insulation panels fixed to internal load bearing masonry walls.

The dominant west elevation will contribute great visual dynamic variety due to occupants independently operating the sun-shading / privacy shutters, animating that façade.

DETAILED ASSESSMENT

Summary of Zone Objectives & Principles

Capital City Zone		
Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Desired Character seeks interesting pedestrian environments, frequent openings in building facades, weather protection, designs that respond to surrounding, that are durable, and that are sustainable. The proposal includes screened ground level windows onto study / office spaces, 4-storey elevations that continue the subdivision pattern of townhouse to the south, ground-level timber screens with the opportunity for individual painted decoration on each element, and overall robust materials and designs suitable for a highly trafficked semi-industrial precinct. In order to minimise encroachments, as recommended in Council's preliminary assessment, no awnings are proposed. 	✓
Objectives O1-8	<ul style="list-style-type: none"> The Zone Objectives generally re-enforce the Desired Character above. Comfortable pedestrian environments, innovative design approaches and contemporary architecture are sought. The proposal is for 3 detached dwellings on individual Torrens Titled allotments, innovative design being a hybrid between apartments and the larger townhouses nearby. Accommodation includes the opportunity for home/office uses accessible directly from ground level. The proposal would strengthen Adelaide's gridded layout by being constructed directly on the public walkway street alignment. Overall, the proposed townhouses contribute to the Desired Character of the Zone. 	✓

Land Use P1-4	<ul style="list-style-type: none"> Residential development is envisaged in the zone. Daytime home/office is proposed at ground level, increasing the passive surveillance along the public walkway. 	✓
Form and Character P5	<ul style="list-style-type: none"> As noted above the proposal satisfies the Desired Character for the Zone. 	✓
Design and Appearance P6-16	<ul style="list-style-type: none"> A high standard of architectural design and finish is generally sought, though the location of the site at the end of a relatively minor city lane is noted. As is common for similar buildings in rear lane locations, a coloured render finish is proposed at the upper levels Ground level timber battens would provide a robust, graffiti resistant finish and also screen windows from unwanted close gaze of pedestrians using the link. 	✓
Building Height P21-22	<ul style="list-style-type: none"> Not achieved. The proposal would adopt the same scale as numerous recent previous consents on the site and would continue the lower scale of the nearby townhouses along the edge of the pedestrian network, maintaining a consistent built form and subdivision pattern along the lane. 	✗
Movement P26-32	<ul style="list-style-type: none"> As with previous consents, the pedestrian linkage adjacent to the site would remain unchanged by the proposal with the pedestrian entrance to the dwellings retained on the western side. No car parking is proposed. 	✓

Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
ENVIRONMENTAL		
Built Form & Townscape O46-48, P170,	<ul style="list-style-type: none"> Unique and interesting laneways are desired and would be complemented by the proposal. The character of the area would be reinforced, except the minimum height, though previous consents under the same provisions have been for similar heights as proposed. Pedestrian safety would be enhanced with the inclusion of ground level screened home office uses that provide 	✓

	<p>for passive surveillance.</p> <ul style="list-style-type: none"> • The design is innovative as it provides low cost accommodation in a hybrid design that includes characteristics of both townhouse apartment design. • The parapet lines of the proposal and subdivision patterns both correspond to that the adjoining townhouses, strengthening the evolving fine-grain built form character. • The façade design is designed to be strongly planar with numerous shutters that when open would contribute a dynamically changing façade depending on the seasons and occupation of each townhouse. • The mono pitched roof of each townhouse would demarcate each subdivision lot. The repetition of shutter openings would add dynamic variety to the western elevation. The ground level timber screen, rendered “middle”, and mono-pitched “top” is consistent with the desired façade composition parti. 	
Sky and roof lines O49, P192-195	<ul style="list-style-type: none"> • The mono-pitched rooflines would add greater variety than the horizontal composition of existing townhouses, residential flat buildings and office buildings. The mono-pitched roofs reference the many warehouses that used to prevail in the precinct, thereby commemorating precinct changes over time. • Air conditioning plant is proposed to be located on the roof but setback to limit its visibility from ground level. 	✓
Active street frontages O50-51 P196-199	<ul style="list-style-type: none"> • Though primarily intended as accommodation, the proposed townhouses include ground level home/offices with screened window outlooks that will provide a degree of active frontage to the pedestrian link. • Entrance gates in the timber screen would be subtly marked to prevent unwanted attention from pedestrians at close quarters. 	✓
Vacant sites and buildings O54 P204	<ul style="list-style-type: none"> • Consent to this proposal would be the first step to bringing long vacant land into an economic use. 	✓✓
Pedestrian access O60-63 PDC 263	<ul style="list-style-type: none"> • The proposed townhouses will bring greater use, security and enjoyment to pedestrians using the public walkway. 	✓
Crime Prevention Through Urban Design O24 PDC82-86	<ul style="list-style-type: none"> • Ground level uses will provide passive surveillance and increase thereby the safety of the precinct. 	✓
Economic growth & land use O73-76 P266-	<ul style="list-style-type: none"> • Development from vacant land for three townhouses will generate economic activity itself and will also increase accommodation within the city for workers, students, visitors and other similar economic uses. 	✓

271		
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DETAILED DISCUSSION

The subject site is one of 4 that are currently vacant and fenced with no other economic activity occurring or proposed. Other consents applying to the land have either lapsed or proved to be economically unfeasible. The site is also significantly overlooked, overshadowed and “over-loomed” by large developments to the north and by townhouses to the south. The balance of the immediate locale is dominated by “back-of-house” open lot car park uses, with a few small-scale commercial uses. These conditions render any redevelopment on the site extremely difficult to achieve.

Compared with previous consents for the site, the current proposal is extremely simple. It does not include any vehicle parking. It eliminates encroachments, other than for sun shading shutters that would encroach only when swung outwards. Proposed materials are extremely cost effective but used in imaginative ways.

The accommodation design is also innovative, being a hybrid between traditional townhouse and apartment designs. Proposed Torrens Titled allotments are simple and attractive to market, and the accommodation is modest, thereby addressing a lack of affordable housing within the Adelaide market. There is also room to accommodate small home / office uses at ground level in each of the 3 townhouses

This location within the Capital City Zone has a maximum building height of 53 metres. The minimum building height should be no less than 26.5 metres. However, the small dimensions of the subject site prevent any development even approaching that height. This is acknowledged in previous consents of a similar scale.

The internal planning is very efficient, which means that despite the small dimensions of each townhouse the level of accommodation is reasonable. Small decks are proposed accessed directly from living rooms. Due to their orientation and screening these spaces would be relatively private, despite the extensive overlooking from adjoining buildings.

The roof design provides for the future addition of solar collectors, though the efficacy will be limited due to the extent of overshadowing by “The Domain” apartment building to the north.

CONCLUSION

Overall, the proposal accords with the letter and spirit of most applicable policies and would, if redeveloped, dramatically improve the character of the immediate local that has largely been neglected in the recent phase of redevelopment currently underway within the City.

RECOMMENDATION

That the development, the subject of the application to subdivide into three lots, demolish existing slab and build three townhouse on currently vacant land at 22 A Moger Lane as shown on plan numbers 0318-10 to 14:

1. Complies with the provisions of the Development Plan and
2. Be GRANTED Development Plan Consent

Domenico Allegretto
a r c h i t e c t u r e

19 College Ave Prospect SA 5082. phone (08) 8344 7510

L248/33
31/10/18

ADELAIDE CITY COUNCIL
GPO BOX 2252
ADELAIDE SA 5001
THE PLANNING DEPARTMENT

Attention Mr. Matthew Fields

Dear Matthew

**DEVELOPMENT PLAN CONSENT APPLICATION DA/812/2018 for 3 TOWNHOUSES NOT APARTMENTS
TAM O'SHANTER LOT A ONLY 19-23 TAM O'SHANTER PL. ADELAIDE
ALSO KNOWN AS 22 MOGER LANE ADELAIDE SA 5000**

I am acting on behalf of the owner of the above-mentioned property, Mr. K. Michael Brown of 42/4 Macleay Street Potts Point NSW. Thank you for your email dated 24/10/18 requesting some additional information. Please find attached revised drawings provided by my client in response to your queries. I apologise for the poor quality of the reproductions, but my client is overseas at the moment with limited access to IT. A clearer set will be forwarded to replace the attached ASAP but we want to reply quickly because we are very keen to achieve the December 10 objective.

Replying specifically to your queries, please review the following as well as the attached drawings:

- 1) We have changed the cladding to Fibre Cement sheeting overall, with perforated shutters and expressed articulation joints. A pamphlet for the perforated FC shutter material is attached.
- 2) Timber picket detail has been included. A 50 mm batten with 100 mm pitch has been detailed leaving a 50% opening ratio. At windows and at the entry lobbies this would be open allowing the overspill of light and additional interest to the surroundings.
- 3) Downpipes will not encroach beyond the outside alignment of the 50mm battens. A detail has been included to show this.
- 4) The northern most Air Con unit is depicted as screened. The original application had sight lines from the Tam O'Shanter footpath opposite but would be visible when turning the corner of the same lane, further west. All other AC units are set back and hunkered down behind roof mono-pitches and will therefore we believe they will not be visible from the public realm.
- 5) Northern window is dimensioned as 30mm wide.
- 6) We have also added another south facing window to Lot A3 which should further enhance the articulation and overall interest in the facade.

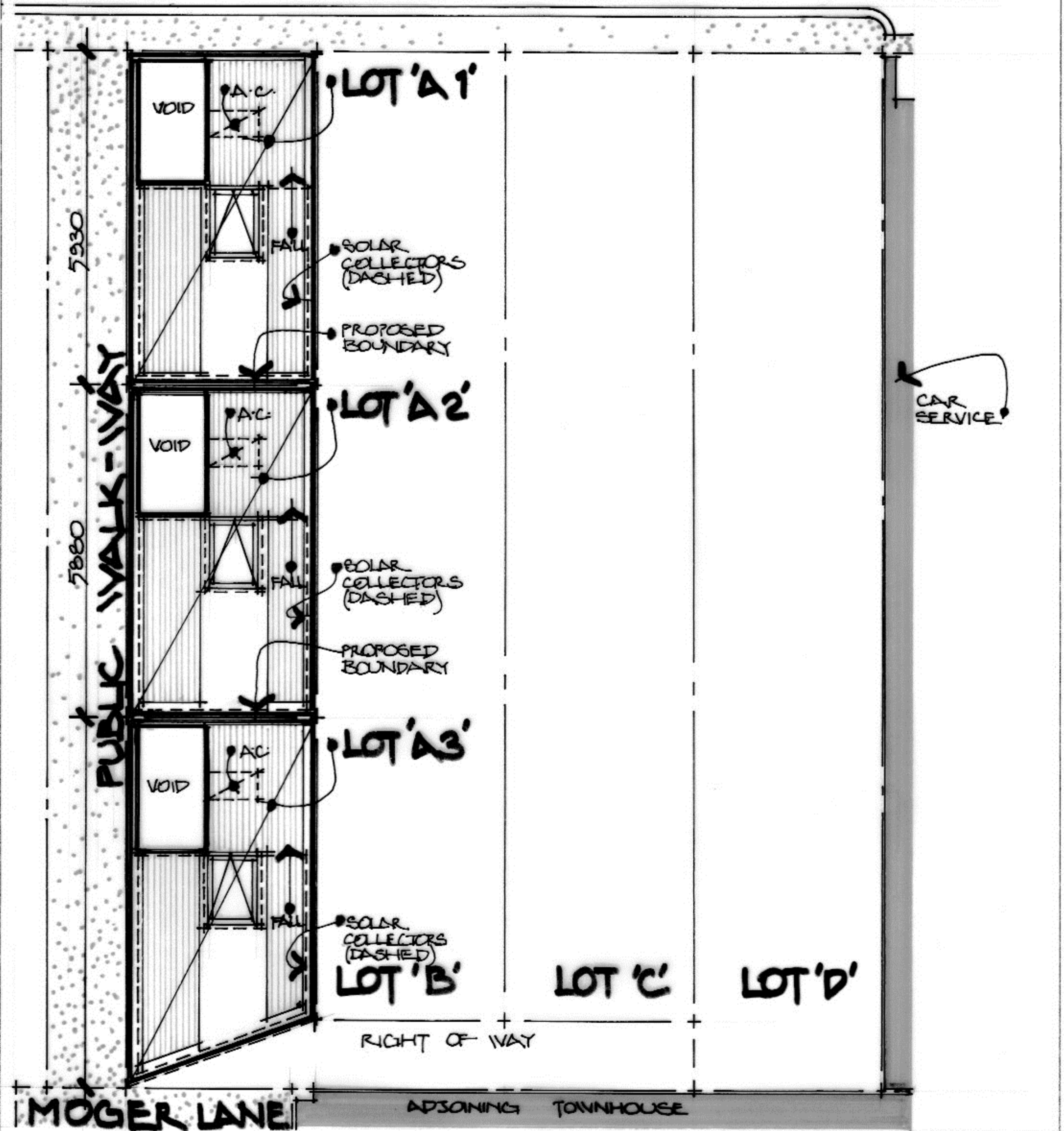
We emphasise that this application is for 3 Townhouses not apartments and would appreciate it if this can be acknowledged in any correspondence / approval et cetera.

If you require any further information, please do not hesitate to contact me.

Yours faithfully
Domenico Allegretto
ARCHITECT.

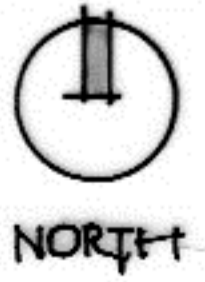
Enc.
Cc Client

TAM O'SHANTER PLACE



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4 November 2018
DA/812/2018

"HI-VIZ TOWNHOUSES"
19-23 Tam O'Shanter Place
ADELAIDE SA 5000

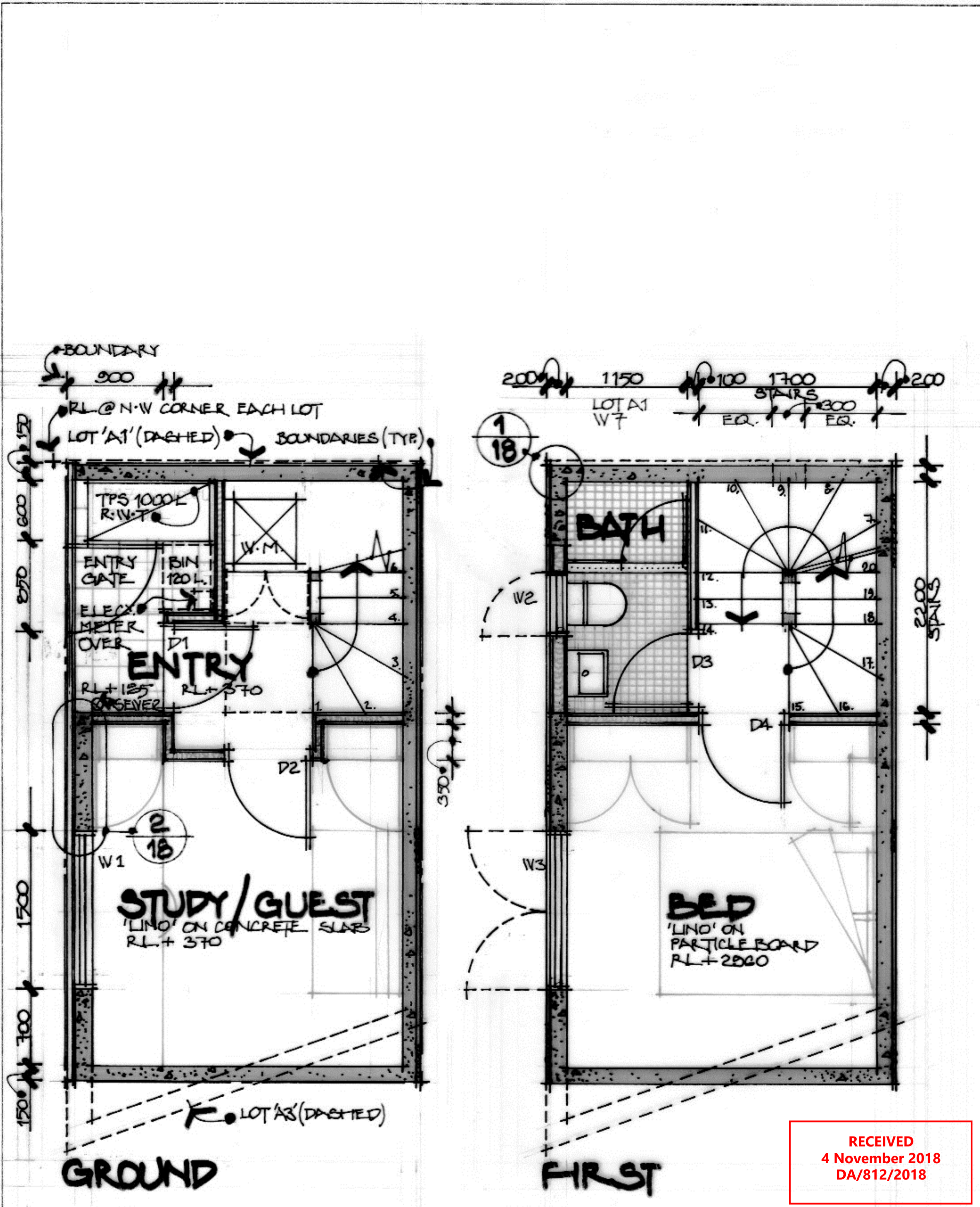


Drawing Title:
**SITE; LOT 'A' SUBDIVISION;
ROOF PLAN**

Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
Drawings must be read in conjunction with specifications and all other consultants' drawings.
Figured dimensions take precedence over scaled dimensions.
Contractor must verify all dimensions on site.

Drawing No. 0318 - 10
Scales @ A4: 1:100

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"HI-VIZ TOWNHOUSES"
19-23 Tam O'Shanter Place
ADELAIDE SA 5000

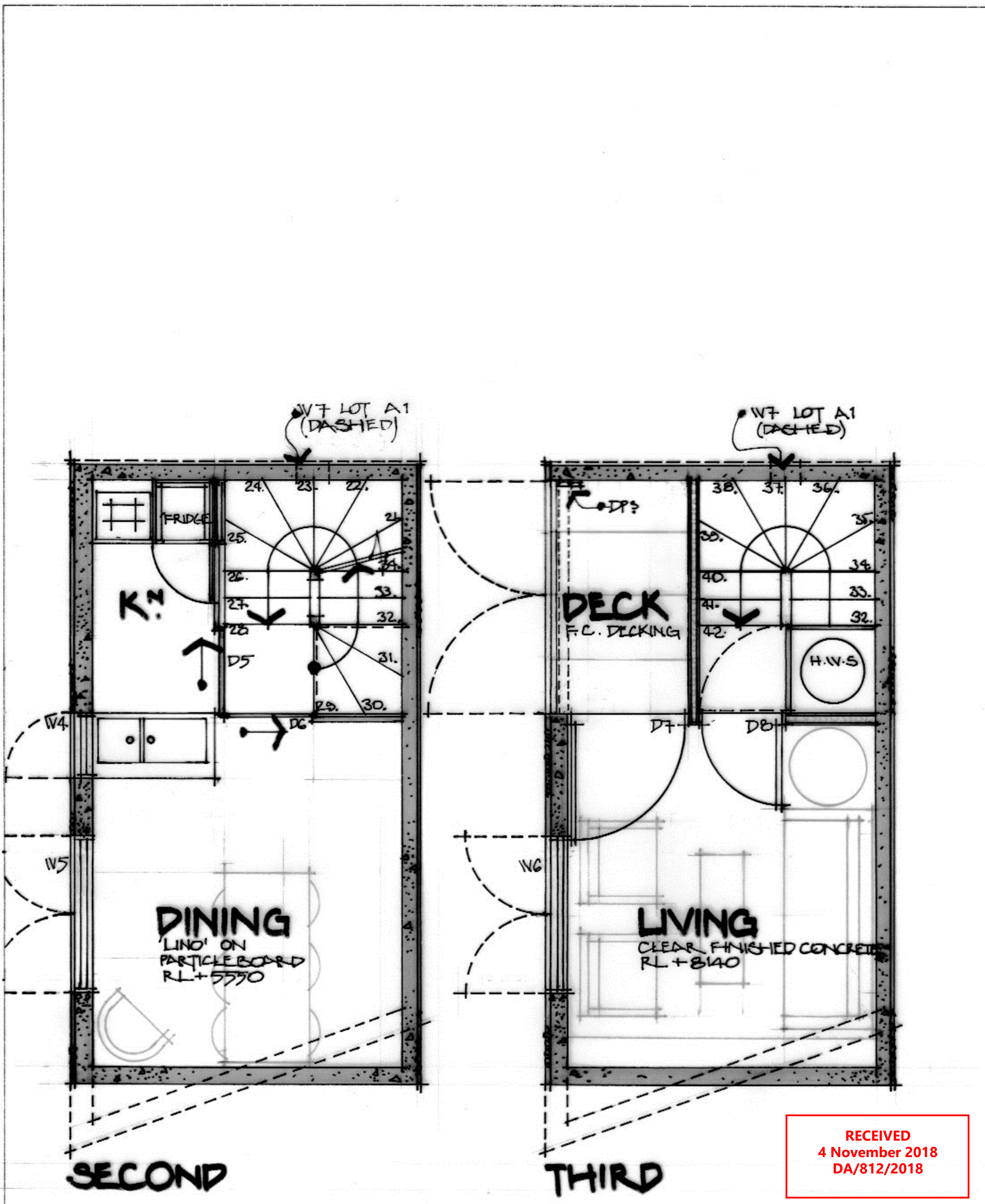


Drawing Title:
TYPICAL PLANS #1

Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
 Drawings must be read in conjunction with specifications and all other consultants' drawings.
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 Contractor must verify all dimensions on site.

Drawing No. 0318-11 A
Scales @ A4: 1:50

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 DA/812/2018

"HI-VIZ TOWNHOUSES"
 19-23 Tam O'Shanter Place
 ADELAIDE SA 5000



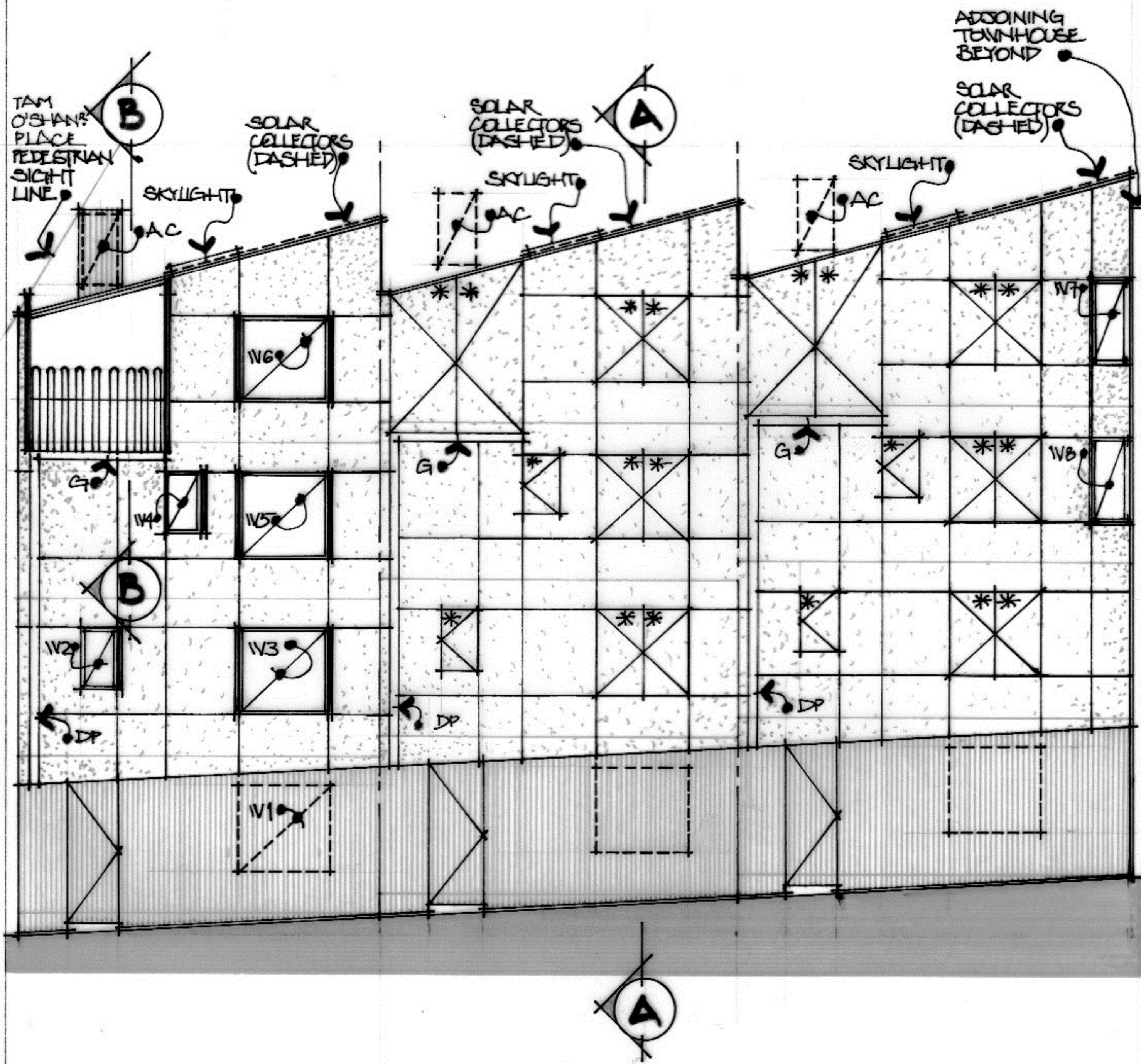
Drawing Title:
TYPICAL PLANS #2

Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
 Drawings must be read in conjunction with specifications and all other consultants' drawings.
 Figured dimensions take precedence over scaled dimensions.
 Contractor must verify all dimensions on site.

Drawing No. 0318 - 12 A
Scales @ A4: 1:50

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DA/812/2018



“HI-VIZ TOWNHOUSES”
19-23 Tam O'Shanter Place
ADELAIDE SA 5000




Drawing Title:
WEST ELEVATION

Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
 Drawings must be read in conjunction with specifications and all other consultants' drawings.
 Figured dimensions take precedence over scaled dimensions.
 Contractor must verify all dimensions on site.

Drawing No. **0318 - 13** A
 Scales @ A4: **1:100**

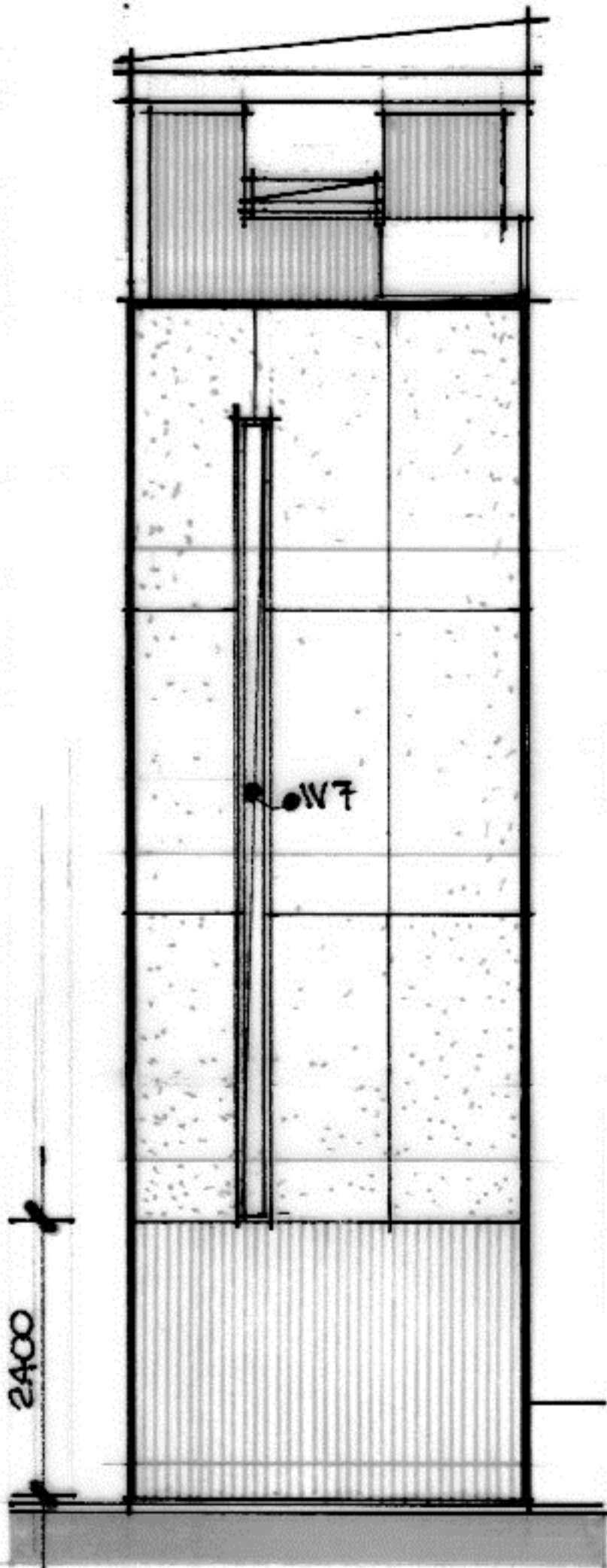
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MATERIALS KEY

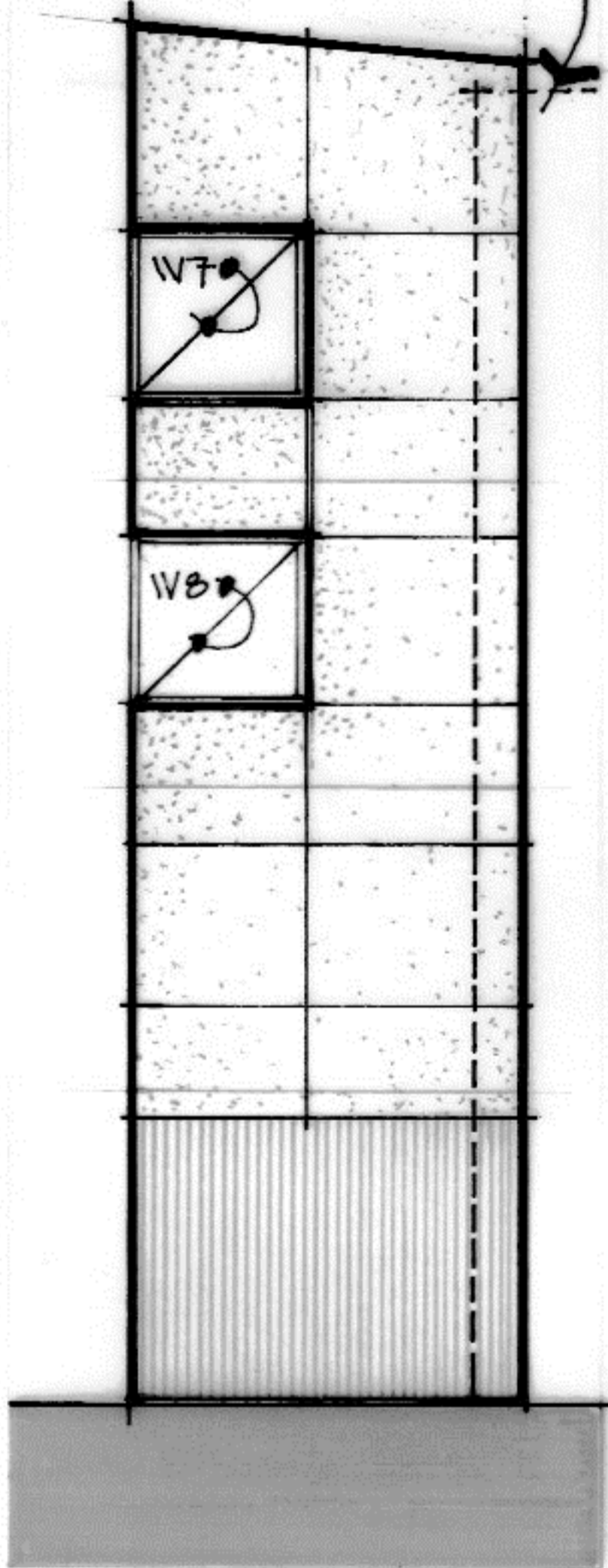
-  G(T) F.C. OVER POLYSTYRENE INSULATION 50(t) (EXPRESSED JOINTS)
-  G(T) F.C. PERFORATED SHEET ON 25 SHS SHUTTER FRAMES
-  50 x 50 HARDWOOD PICKETS @ 100 cts.

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4 November 2018
DA/812/2018

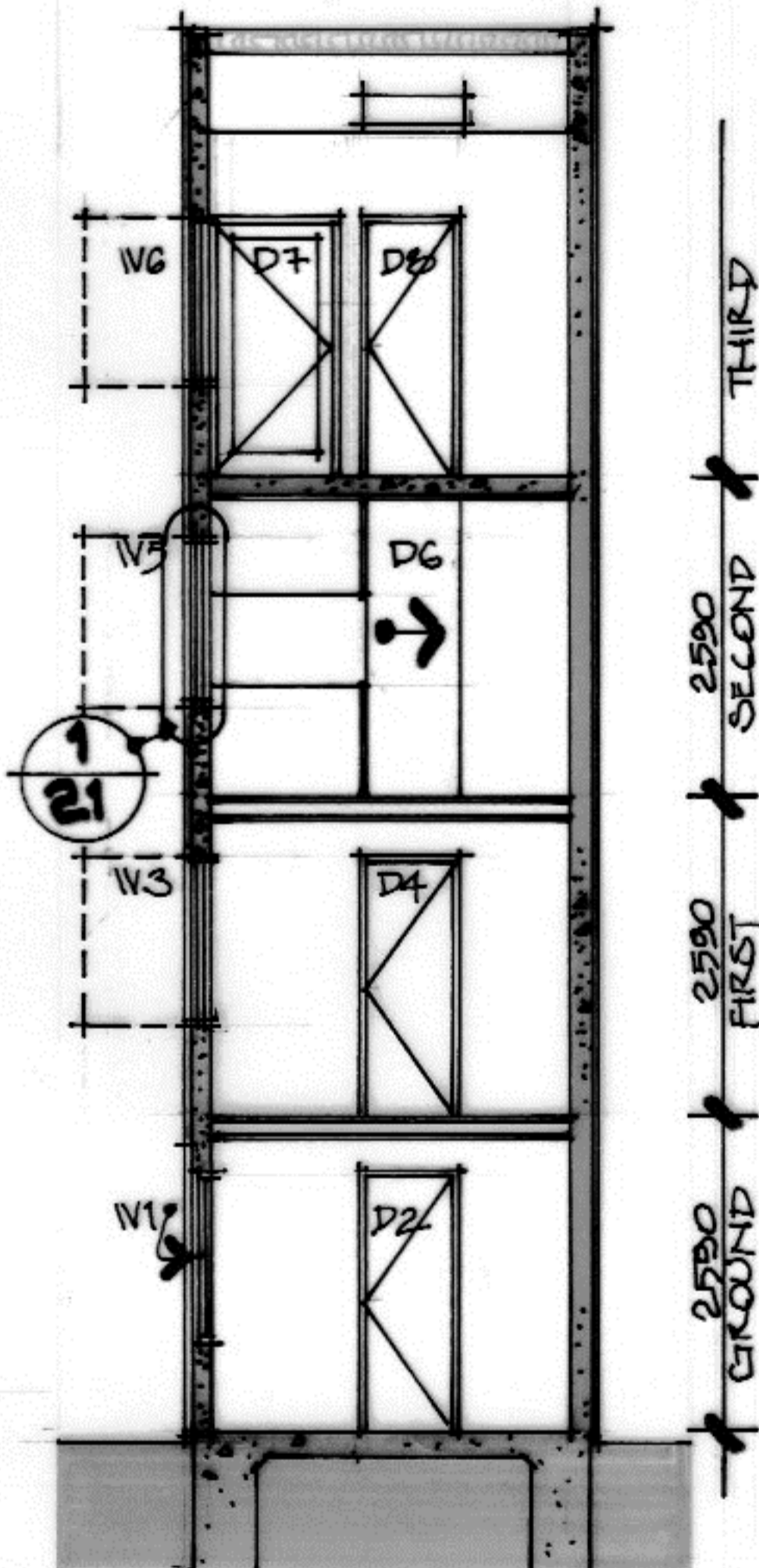
ADJOINING TOWNHOUSE BEHIND (DASHED)



NORTH



SOUTH



SECTION A-A

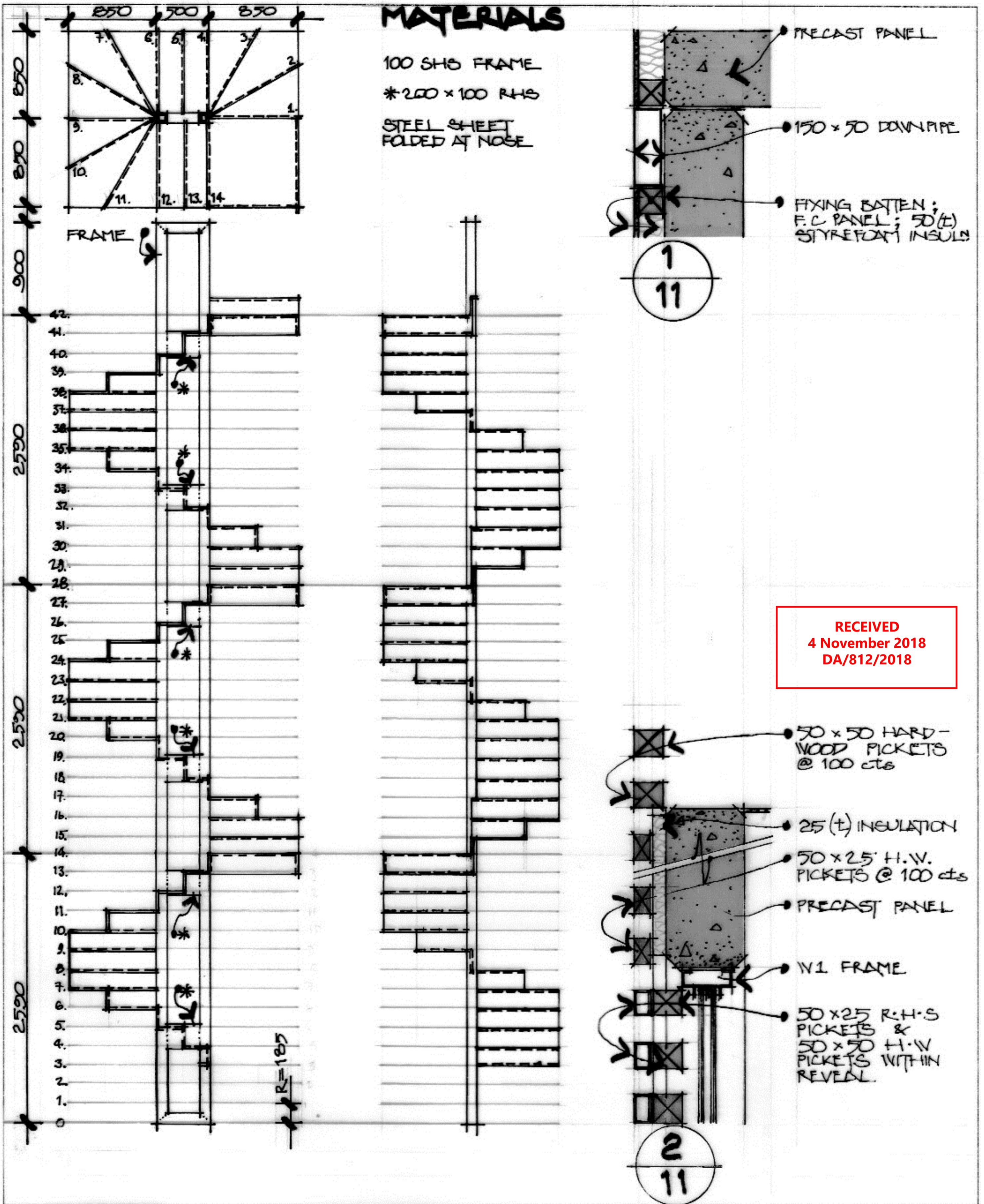
“HI-VIZ TOWNHOUSES”
19-23 Tam O’Shanter Place
ADELAIDE SA 5000

Drawing Title:
ELEVATIONS, SECTION

Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
Drawings must be read in conjunction with specifications and all other consultants’ drawings.
Figured dimensions take precedence over scaled dimensions.
Contractor must verify all dimensions on site.

Drawing No. **0318 - 14** A
Scales @ A4: **1:100**

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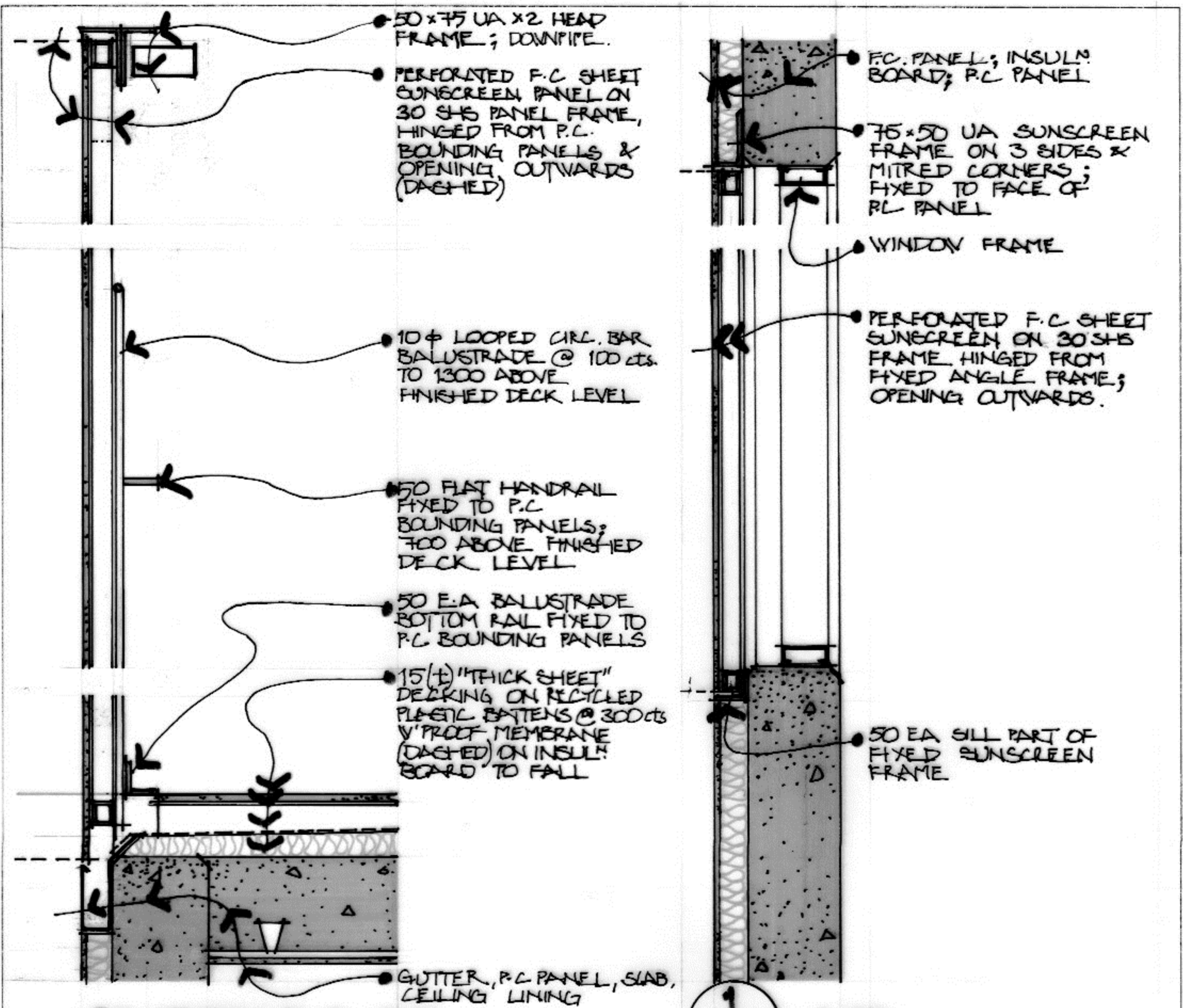
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“HI-VIZ TOWNHOUSES”
 19-23 Tam O’Shanter Place
 ADELAIDE SA 5000

Drawing Title:
STEEL STAIRS; DETAILS

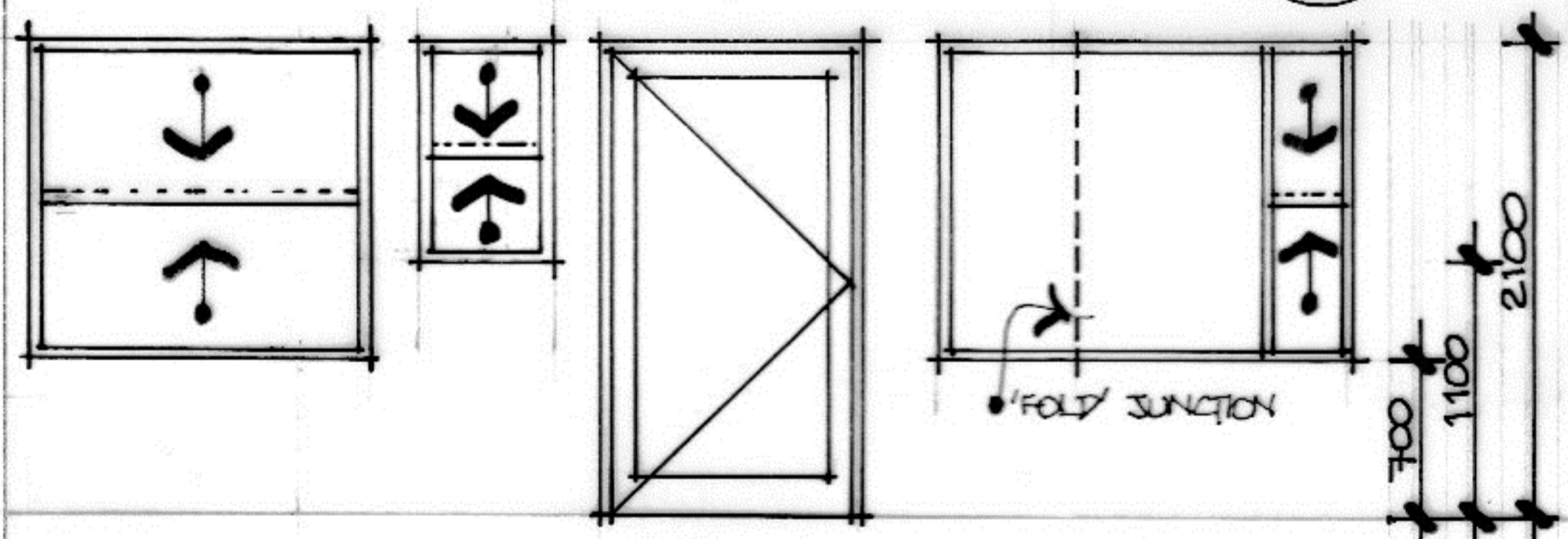
Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
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 Contractor must verify all dimensions on site.

Drawing No. 0318 - 18
Scales @ A4: 1:50, 1:10
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SECTION B-B 1:10

1/14 1:10



RECEIVED
 4 November 2018
 DA/812/2018

W1,3,5,6 W2,4 D7

W7,8 (LOT A3)

"HI-VIZ TOWNHOUSES"
 19-23 Tam O'Shanter Place
 ADELAIDE SA 5000

Drawing Title:
**WINDOWS & DOOR ;
 SHUTTERS DETAIL**

Refer all discrepancies to designer for clarification and in sufficient time to prevent disruption to programme.
 Drawings must be read in conjunction with specifications and all other consultants' drawings.
 Figured dimensions take precedence over scaled dimensions.
 Contractor must verify all dimensions on site.

Drawing No. 0318 - 21
Scales @ A4: 1:50, AS SHOWN
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ITEM NO: 5.1
TO: CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 10/12/2018
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 9 November 2018 to 29 November 2018.

A total of 50 development applications with a total value of \$4,214,683 have been lodged for planning consent for this period.

RECOMMENDATION

That the report be received.

Item No. 5.1 – Attachments 1 - 5 (List of Recent Lodgements for Planning Consent)

Pages 198 to 202



DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 09/11/2018 to 29/11/2018

Item No 5.1 - Attachment 1

Application Assessed on Merit

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
1	DA/1015/2018	Ground 229 Rundle Street, ADELAIDE SA 5000	Install under canopy signage and signage to shopfront	27/11/2018	\$2,000	Category 1
2	DA/1010/2018	455-457 Pulteney Street, ADELAIDE SA 5000	Proposed Ecocaddy workshop and office	29/11/2018	\$25,000	Category 1
3	DA/1006/2018	156-172 Franklin Street, ADELAIDE SA 5000	Relocation of stair	28/11/2018	\$8,000	Category 1
4	DA/1007/2018	21-39 Whitmore Square, ADELAIDE SA 5000	Remove bell from existing church, assess damage to brickwork, conduct repairs and reinstate bell	29/11/2018	\$30,000	Category 1
5	DA/1005/2018	241-247 South Terrace, ADELAIDE SA 5000	Frontage upgrade to Pulteney Street & South Terrace, new entry canopy to Pulteney Street, new landscaping works, upgrade of entry gates and alterations to ground floor walls	28/11/2018	\$100,000	Category 1
6	DA/1003/2018	TULYA WARDLI PARK, Off Gaol Road, ADELAIDE SA 5000	Hold temporary event (8th December)	28/11/2018	Nil	Category 1
7	DA/1002/2018	24 Gray Street ADELAIDE SA 5000	Conservation works including salt damp repair work, damp course to front wall, front verandah repairs and reline damaged sandstone mortar to front wall.	27/11/2018	\$5,500	Category 1
8	DA/1001/2018	MYER CENTRE, 14-38 Rundle Mall, ADELAIDE SA 5000	Shop fitout	27/11/2018	\$30,000	Category 1
9	DA/1000/2018	31-39 Gouger Street, ADELAIDE SA 5000	Install under canopy illuminated signage	27/11/2018	\$3,000	Category 1
10	DA/274/2017/A	Tasting Room Ground 27-29 Vardon Avenue ADELAIDE SA 5000	Vary previous authorisation extension of current use to adjacent tenancy, from offices/storage room to wine bar with associated alterations - Variation - permit trading on Thursday, Friday and Saturday night until 1am. This is in line with other small venues within the same street.	9/11/2018	TBA	Category 1

Item No 5.1 - Attachment 2

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 09/11/2018 to 29/11/2018

11	DA/285/2018/A	111-117 Hindley Street ADELAIDE SA 5000	Vary previous authorisation Install two rear outdoor decks at first floor level - VARIATION - vary conditions 3 and 4 to allow background music on decks between 4.00pm and 9.00pm on 1 December 2018	20/11/2018	TBA	Category 1
12	DA/779/2018/A	141-159 Ward Street NORTH ADELAIDE SA 5006	Vary previous authorisation modify existing high level window to fully glazed double doors and side lights to frontage - VARIATION - modify 8 additional high level windows to fully glazed double doors and side lights to frontage and re-configure tenancies fronting Ward Street	15/11/2018	TBA	Category 1
13	DA/797/2017/A	30-32 Sanders Place ADELAIDE SA 5000	Vary previous authorisation demolish existing dwelling and construct a two storey dwelling - VARIATION - altered upper level setbacks and reconfigured layout	22/11/2018	TBA	Category 1
14	DA/948/2018	Shop 35 36A Gouger Street ADELAIDE SA 5000	Change of use from shop to take away food premises and associated fit-out.	9/11/2018	\$120,000	Category 1
15	DA/951/2018	GF-1F 40 Sturt Street ADELAIDE SA 5000	Internal alteration to existing offices, partial change of use to training rooms with training workshop and screen printing business and signage.	9/11/2018	\$15,000	Category 1
16	DA/952/2018	Level 7 178 North Terrace ADELAIDE SA 5000	External Deck with Operable Louvre Pergola	9/11/2018	\$500,000	Category 1
17	DA/954/2018	80 Childers Street NORTH ADELAIDE SA 5006	Re-build pillar ends, repoint arch entry, restore boundary wall lane way and new lime plaster patch and repair.	9/11/2018	\$13,620	Category 1
*18	DA/956/2018	278-280 Melbourne Street NORTH ADELAIDE SA 5006	Change of use from office to consulting rooms	9/11/2018	TBA	Category 1
19	DA/957/2018	Ground 94 Gouger Street ADELAIDE SA 5000	Change of use to restaurant, internal and external alterations and signage	12/11/2018	\$200,000	Category 1
20	DA/959/2018	PILGRIM CHURCH 2-10 Flinders Street ADELAIDE SA 5000	Conservation works to fretting stonework to south elevation	12/11/2018	\$9,500	Category 1

Item No 5.1 - Attachment 3

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 09/11/2018 to 29/11/2018

21	DA/961/2018	Windmill Theatre 234A Sturt Street ADELAIDE SA 5000	Install new signage to building façade	12/11/2018	\$3,865	Category 1
22	DA/964/2018	Victoria Park / Pakapakanthi (Park 16) East Terrace ADELAIDE SA 5000	Victoria Park / Pakapakanthi (Park 16) Entrance Gates Restoration	13/11/2018	\$400,000	Category 1
23	DA/965/2018	12-14 Selby Street ADELAIDE SA 5000	Retrospective approval to construct pergola over ROW at rear of premises.	14/11/2018	\$10,000	Category 1
24	DA/966/2018	13-19 Frederick Place NORTH ADELAIDE SA 5006	Demolish existing dwelling and construct 2 x two storey detached dwellings	14/11/2018	\$1,250,000	Category 2
*25	DA/968/2018	NEW ROYAL ADELAIDE HOSPITAL (NRAH) Port Road ADELAIDE SA 5000	Installation of telecommunications facility to existing light pole.	12/11/2018	\$25,000	Category 1
26	DA/970/2018	Ground 80 Hutt Street ADELAIDE SA 5000	External canopy structure attached to existing building canopy	16/11/2018	\$65,000	Category 1
27	DA/973/2018	Level 1, 28/128 Hindley Street ADELAIDE SA 5000	Install commercial kitchen and flue	16/11/2018	\$90,000	Category 1
*28	DA/974/2018	96-98 Flinders Street ADELAIDE SA 5000	Change of use to licensed shop with tasting area	19/11/2018	Nil	Category 1
*29	DA/977/2018	36-40 Gilbert Street ADELAIDE SA 5000	Increase height of existing masonry wall (retrospective)	19/11/2018	\$850	Category 1
30	DA/979/2018	15-17 Hamilton Place ADELAIDE SA 5000	Shed to rear of dwelling	20/11/2018	\$7,700	Category 1
31	DA/980/2018	Floor 16, 176/65 King William Street ADELAIDE SA 5000	Various internal alterations and changes to windows	21/11/2018	\$20,000	Category 1
32	DA/981/2018	Student Flights Ground Shop 4, 17 Pulteney Street ADELAIDE SA 5000	Change of use to dessert cafe and fitout	21/11/2018	\$40,000	Category 1

Item No 5.1 - Attachment 4

DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 09/11/2018 to 29/11/2018

33	DA/982/2018	30 Tucker Street ADELAIDE SA 5000	Install roller door with supporting frame with access from side	21/11/2018	\$7,700	Category 1
34	DA/983/2018	186-188 Hindley Street ADELAIDE SA 5000	Upper level addition, internal and external alterations, canopies to both street frontages and extend kerb protuberance	22/11/2018	\$800,000	Category 1
35	DA/985/2018	11 Weil Street ADELAIDE SA 5000	Brick repair to front parapet, side window, north western corner and northern wall.	22/11/2018	\$6,000	Category 1
36	DA/986/2018	Ground Shop 2, 228 North Terrace ADELAIDE SA 5000	Change of use to restaurant, shop fitout and signage	22/11/2018	\$39,000	Category 1
37	DA/987/2018	CATHEDRAL HOTEL 47-49 Kermode Street NORTH ADELAIDE SA 5006	Use laneway for licensed venue from 6 December 2018 until 17 December 2018	22/11/2018	TBA	Category 1
38	DA/988/2018	26 Coromandel Place ADELAIDE SA 5000	Painting, removal of paint and repair/replacement of windows.	22/11/2018	\$200,000	Category 1
39	DA/990/2018	SECURITY HOUSE 233-236 North Terrace ADELAIDE SA 5000	Change in content to advertising display on telephone booth	22/11/2018	TBA	Category 1
40	DA/991/2018	85-89 Jeffcott Street NORTH ADELAIDE SA 5006	Conservation and stabilisation of first floor balcony including post and balustrade replacement, conservation of concrete slab and of verandah roofing.	23/11/2018	\$90,000	Category 1
41	DA/992/2018	Basement Shop 5, 44 Gawler Place ADELAIDE SA 5000	Installation of internally illuminated under canopy lightbox sign	22/11/2018	\$2,415	Category 1
42	DA/993/2018	128 Grote Street ADELAIDE SA 5000	Demolish existing pergola and replacement verandah	23/11/2018	\$56,066	Category 1
43	DA/994/2018	GF-MF 25 Grenfell Street ADELAIDE SA 5000	Install ATM and signage	24/11/2018	\$10,000	Category 1
*44	DA/995/2018	Victoria Square / Tarntanyangga Victoria Square ADELAIDE SA 5000	Installation of a temporary media wall in Victoria Square for the Mix102.3 Kick Start for Kids event on Thursday 29 November 2018 between 6am - 10am.	26/11/2018	\$200	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report
Lodged Applications for Planning Consent from 09/11/2018 to 29/11/2018

Item No 5.1 - Attachment 5

45	DA/996/2018	96-100 Franklin Street ADELAIDE SA 5000	Change in land use from transport depot to creative space comprising workshop and offices with advertising	26/11/2018	\$1,800	Category 1
46	DA/979/2018	15-17 Hamilton Place, ADELAIDE SA 5000	Shed to rear of dwelling	20/11/2018	\$7,700	Category 1
47	DA/998/2018	51-57 Hutt Street, ADELAIDE SA 5000	Undertake works and use vacant land as ancillary car park	27/11/2018	\$10,000	Category 1
48	DA/999/2018	137-140 Mills Terrace NORTH ADELAIDE SA 5006	Replace salt damp affected sections of bullnose slate to front verandah	27/11/2018	\$2,767	Category 1
Land Division						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
49	LD/36/2018	39-47 Franklin Street ADELAIDE SA 5000	Community Division - Community Strata Division - create 3 titles from 1 title.	19/11/2018	Not Applicable	Category 1
Section 49 Crown Development						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
50	S49/31/2018	Adjacent, Adelaide Festival Centre, ELDER PARK, King William Road, ADELAIDE SA 5000	Erect 3.5 metre high free-standing temporary structure to house a projector focused on Adelaide Festival Centre eastern sails.	21/11/2018	\$7,000	Category 1

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**