

Council Assessment Panel

Meeting Agenda

Monday, 24 August 2020, at 5.30 pm, Colonel Light Room, Town Hall, Adelaide.

Presiding Member – Mr Mark Adcock

Panel Member – Councillor Arman Abrahamzadeh

Specialist Members – Mr Marc Duncan, Ms Colleen Dunn and Prof Mads Gaardboe

1. Confirmation of Minutes – 27/7/2020 [CAP]

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 27 July 2020, be taken as read and be confirmed as an accurate record of proceedings.

2. Non-Complying Applications

- 2.1** Subject Site 244-246 Halifax Street, Adelaide SA 5000 [Page 3]
 Application No. DA/282/2020
 Proposal Demolition of existing building and construction of two storey mixed use building with offices and car parking at ground level and two apartments at first floor
 Representations Listed to be Heard – Nil
 Recommendation Proceed to Assessment
- 2.2** Subject Site 154 Gover Street, North Adelaide SA 5006 [Page 32]
 Application No. DA/323/2020
 Proposal Construct rear addition on top of existing garage
 Representations Listed to be Heard – Nil
 Recommendation Proceed to Assessment
- 3. Applications for consideration on Merit**
- 3.1** Subject Site 22 Brougham Court, North Adelaide SA 5006 [Page 51]
 Application No. DA/210/2020
 Proposal Construct a two storey rear addition to existing dwelling and plunge pool, replace existing fence and associated site works
 Representations Listed to be Heard – Yes
 Recommendation Development Plan Consent Be Refused

- 3.2** Subject Site 62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000 [Page 113]
- Application No. DA/295/2020
- Proposal Construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking
- Representations Listed to be Heard – Nil
- Recommendation Development Plan Consent Be Granted
- 4. Other Application – Nil**
- 5. Other Business**
- 5.1** List of Recent Lodgements for Planning Consent (2017/02505) [CAP] [Page 248]
- 5.2** Other Business
- 5.3** Next Meeting – 28 September 2020
- 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 DEVELOPMENT ASSESSMENT PANEL ON 24/08/2020

Item No	2.1
Subject Site	244 & 246 Halifax Street, Adelaide SA 5000
Proposal	Demolition of existing building and construction of two storey mixed use building with offices and car parking at ground level and two apartments at first floor, DA/282/2020 (SG) [CAP]
Applicant	246 Halifax Pty Ltd
Relevant Development Plan	30 April 2020
Lodgement Date	3 June 2020
Zone/Policy Area	City Living Zone / South East Policy Area 31
Application Type	Non-Complying
Recommendation	PROCEED with Assessment

ATTACHMENTS

Proposal Plans	1 - 8
Statement in Support	9 - 15
Certificate of Title	16 - 19

KEY ISSUES

- Land use
- Design
- Encroachments

1. PROPOSAL

- 1.1 This application proposes the demolition of the existing building and construction of a two storey mixed use building with offices and car parking at ground level and two apartments at first floor at 244-246 Halifax Street, Adelaide.
- 1.2 The building will have a maximum height of approximately 9 metres and a total floor area of 455m².
- 1.3 A mix of materials, finishes and colours are proposed as follows:
- in-situ off form concrete walls
 - raw copper and black steel plate panels
 - zinc metal door
 - sliding garage gate with vertical steel plate fins
- 1.4 Window shrouds are proposed to encroach into the public realm in Halifax and Cardwell Streets.
- 1.5 A courtyard private open space area is proposed adjacent the eastern boundary at first floor for each apartment.
- 1.6 Car parking will be provided at ground level towards the rear of the site. A total of six spaces are proposed.
- 1.7 The car park will be accessed via a new crossover to Cardwell Street. The existing crossover will be closed with the kerb reinstated.

2. BACKGROUND

- 2.1 The subject site contains two lawful existing uses consisting of a shop on the western portion (244 Halifax Street) and a dwelling on the eastern portion (246 Halifax Street). These uses appear to predate planning controls implemented in the City of Adelaide on 15 June 1972. This application proposes an office extend over the eastern portion at ground level.
- 2.2 This application was lodged without reference to it being non-complying. Upon lodgement, Council Administration reviewed the plans and determined it was likely to be non-complying as a change of use in the City Living Zone to an office within the site of a lawfully existing non-residential use, is non-complying (apart from some exceptions which do not apply in this instance).
- 2.3 Legal advice was sought regarding this application and concluded that given the proposal is a clear change in use of the land at 246 Halifax, so as to constitute non-complying development, the development is non-complying.
- 2.4 Consequently, the applicant was informed that Council determined the application is non-complying. An option to amend the proposal so it would be a merit application was provided, however the applicant decided to continue with this non-complying application.

3. SITE

- 3.1 The site is located on the northern side of Halifax Street, adjacent the north eastern corner of the intersection between Halifax Street and Cardwell Street.
- 3.2 There is a frontage to Halifax Street of 13.95 metres, a frontage to Cardwell Street of 30.58 metres and a rear boundary length of 13.95 metres. This results in a site area of approximately 427m².

- 3.3 The site is subject to party wall rights through the central portion which is reflective of the separate occupation of the existing building. The site is also subject to free and unrestricted rights of way over a 3.05 metre wide lane at the rear.
- 3.4 The existing building on the site is single storey. The building is divided in two, with separate uses for each portion. The western portion (244 Halifax Street) is a shop and the eastern portion (246 Halifax Street) is a dwelling. A later addition has been constructed at the front of the eastern portion adjacent the north eastern corner of the Halifax Street and Cardwell Street intersection.
- 3.5 Garaging is located at the rear of the site. Vehicle access to this garaging is provided via a crossover to Cardwell Street.
- 3.6 There are no regulated or significant trees located on the site.

4. LOCALITY

- 4.1 The locality incorporates a mix of commercial and residential land uses.
- 4.2 Halifax Street is a wide tree lined street with built form ranging from single storey to three storeys in height within the locality.
- 4.3 Portions of the locality, along Halifax Street, Cardwell Street and McLaren Street display historic character with a number of Local Heritage Places.
- 4.4 Land uses in the locality vary and include dwellings, offices, shops and a motor repair workshop located on Cardwell Street.
- 4.5 In summary, the locality has a mixed residential and commercial character.



KEY



Subject Site



Local Heritage Place

CiL31

City Living Zone / South East
Policy Area 31



Policy Area
Boundary

AH(C)Z

Adelaide Historic
(Conservation) Zone



Locality

MS(H)

Main Street (Hutt) Zone

Photo 1 – Subject site, viewed from southern side of Halifax Street, looking north east



Photo 2 – Development directly east of subject site, viewed from Halifax Street, looking north east



Photo 3 – Development located opposite the subject site, viewed from northern side of Halifax Street, looking south east



Photo 4 – Development located to south west of subject site, viewed from northern side of Halifax Street, looking south west



Photo 5 – Lane at rear of subject site, viewed from Cardwell Street, looking east



Photo 6 – Development on opposite side of Cardwell Street, viewed from eastern side of Cardwell Street, looking west



5. PUBLIC NOTIFICATION

- 5.1 Public notification has not been undertaken. Should the Panel resolve to proceed with assessment of the application then public notification procedures for a Category 3 non-complying form of development will be undertaken.

6. PLANNING ASSESSMENT

6.1 Precinct And Desired Character

The subject site is located within the City Living Zone and South East Policy Area 31 and the Desired Character statement for the Policy Area states:

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.

6.2 Discussion

- 6.2.1 At this stage it is not necessary to assess the proposal in detail against the provisions of the Development Plan. The Panel is only required to make a decision on whether to proceed with such an assessment. Such a decision does in no way confer any support or otherwise for the proposal, with a full assessment of all aspects of the application still to be undertaken.
- 6.2.2 In essence, the question for the Panel is “Is it possible that this proposal may be found to be sufficiently in accordance with the Development Plan?” If no, then assessment should not be undertaken. If yes, then the Panel could allow an assessment to be undertaken.
- 6.2.3 Should the Panel resolve to proceed with an assessment, notification and assessment of the proposal will be undertaken and reported to the Panel. Further refinement of the proposal may occur as result of this process.

6.2.4 Whilst the proposal constitutes a non-complying form of development, it does display a certain degree of conformity with the Development Plan and is therefore worthy of further consideration. For the purposes of the current decision, it is noted:

- Although a change of use to office is proposed for the eastern portion of the site, this is only proposed at ground level towards Halifax Street, with car parking at the rear.
- The existing floor area for the shop is approximately 110m² and an office floor area of 135m² is proposed which represents a relatively minor 22% increase in non-residential floor area on the site overall.
- Two apartments are proposed for the upper level which will increase residential use on the site from one dwelling to two dwellings.
- Car parking is expected to be essentially in accordance with the minimum requirements specified in Table Adel/7.
- The locality comprises a mixed commercial and residential character, as opposed to other parts of the Zone which are primarily residential only.
- A further assessment will examine impacts on neighbouring properties, particularly in terms of potential overlooking and overshadowing.
- The proposed plot ratio of 1.06 will exceed the 0.8 requirement outlined in Policy Area PDC 3. The current plot ratio is 0.59.

6.2.5 Notwithstanding the above, the following matters will require particular consideration as part of the assessment of the proposal:

- Consideration of additional glazing at ground level to improve activation of the façade particularly at the corner of Halifax Street and Cardwell Street.
- The window shrouds encroaching into Halifax Street and Cardwell Street will need to be amended to ensure accordance with Council's Encroachment Policy.
- Design refinements in response to adjacency to Local Heritage Places.
- Further detail of neighbouring properties shown on the site plan to determine potential impact on these properties.
- Overshadowing diagrams, particularly focusing on overshadowing of the neighbouring property to the east.
- Hours of operation.

7. CONCLUSION

This application proposes demolition of the existing building and construction of a two storey mixed use building with offices and car parking at ground level and two apartments at first floor at 244-246 Halifax Street, Adelaide.

The application is non-complying on the basis a change of use to an office within the site of a lawfully existing residential use is proposed for the eastern portion of the site (246 Halifax Street).

Further assessment of the design, encroachments, potential impacts on neighbouring properties and hours of operation will be required.

8. RECOMMENDATION

Pursuant to Section 39(4) (d) of the Development Act 1993 and Development Regulation 17(3) (b), the Panel determine to PROCEED with an assessment of the application.

**HALIFAX APARTMENTS
DESIGN STATEMENT**

Located on the corner of Halifax Street and Cardwell Street the proposed development comprises a commercial tenancy at street level with two residences above. Replacing an existing single storey semi-detached residence and commercial property, the current use of the site is maintained.

Through careful analysis of the site's surrounding context the proposed development responds to the existing site conditions and sits comfortably within its inner city location.

ADDRESSING THE CORNER

Being a corner site, the development has three exposed facades: one to Halifax Street, one to Cardwell Street, and one to the rear lane. Due to the high level of visibility, it is imperative that each façade is treated with equal importance. Hence, all facades exhibit the same level of refinement and high-quality detailing.

Much like the properties to the South-West and South-East corner sites of the Halifax Street and Cardwell Street intersection, the proposed development is double storey. This height provides architectural presence to the corner, creating a bookend to the block's street elevation.

ARTICULATED VOLUME

The volume of the building is carefully articulated to relate to the scale of the existing adjacent properties. The corner window element of the Halifax Street façade relates to the height of the existing adjacent residence, ensuring that the in-situ concrete wall steps to the height of the adjoining residence. Additionally, to the rear of the property, and along the Eastern boundary, the volume of the building drops in height to match the height of the adjacent residence.

The steel plate balcony surrounds further articulate the façade. By protruding these elements from the face of the in-situ concrete walls, shadows are cast across the façade, creating visual depth and interest.

STREET ACTIVATION

In order to maintain street activation along Halifax Street, the proposed development incorporates a commercial tenancy at ground level. The extensive glazing along the Halifax Street façade promotes a strong connection to the widened footpath.

BALANCE BETWEEN CONNECTION TO PLACE + PRIVACY

The development celebrates the desirable city location, while offering an option to retreat from it. The raw copper screens are operable façade elements, occupants can slide these screens and glazing panels out of view, leaving a steel balustrade, forming a balcony. From these balconies the occupants can overlook the street, strengthening a connection to place while providing passive surveillance to the area. When the residents wish to withdraw from the city location the raw copper screens can be closed (like shutters), shifting attention to the private courtyard. The courtyard provides an alternate experience to the large openings on the façade, enabling the occupant to connect to the outdoors in an area of inward focus.

The coloured screens are a dynamic design element that activate the façade, forever changing depending on the mood and desires of the occupants.

VEHICLE ACCESS POINT CONSIDERATIONS

Positioned away from the main corner frontage, the vehicle access point is located down the side-street, on Cardwell Street. All on-site parking is visually obscured from the street via vertical steel plate screening. The spacing between the vertical steel fins enables the penetration of natural light and ventilation into the carpark while also allowing ample vision when exiting the property, maintaining the safety of pedestrians and road users on Cardwell Street.

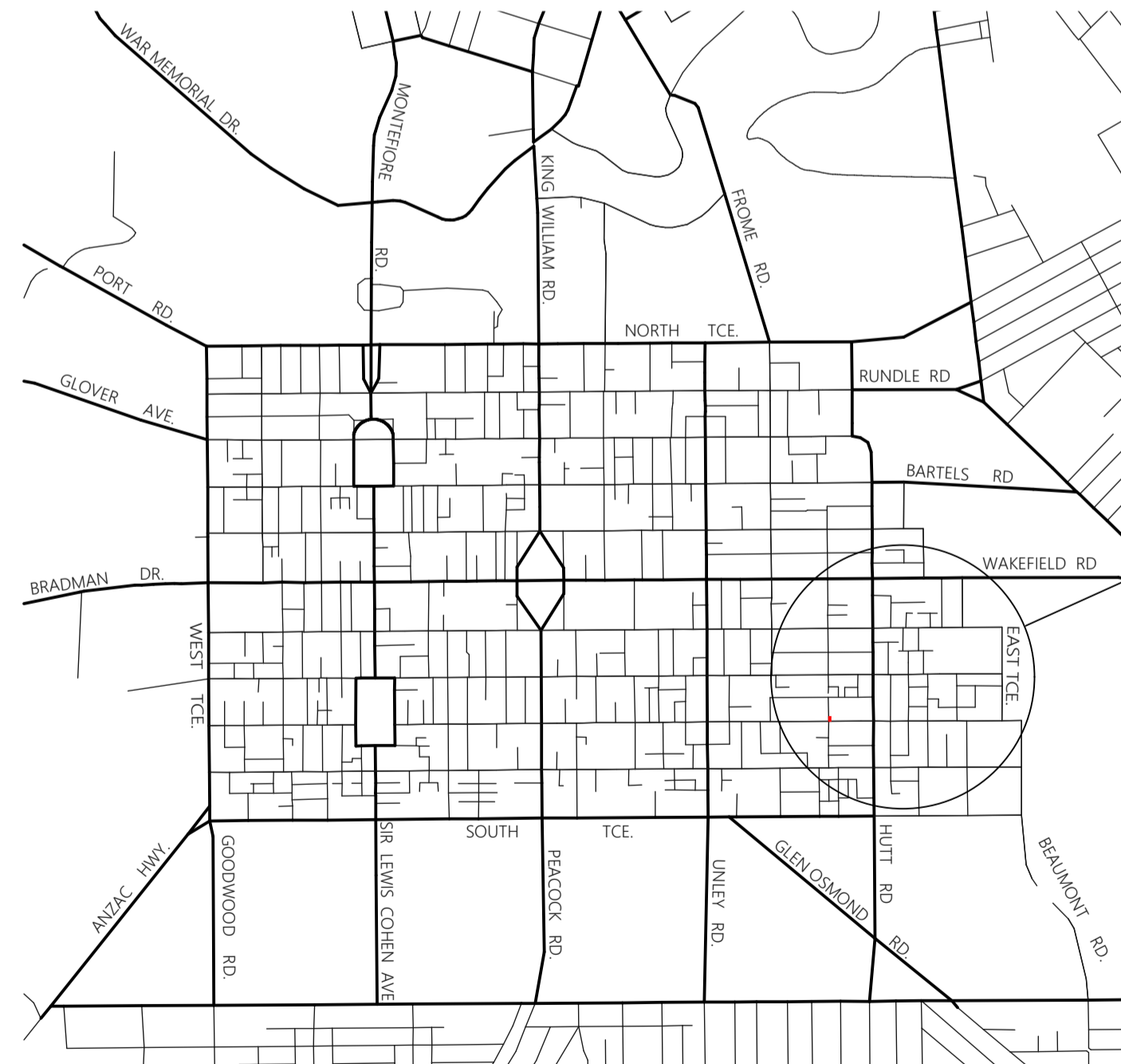
TIMELESS MATERIALITY

A restrained material palette is selected for the proposed development, comprising in-situ concrete, steel plate and copper screens. All materials are chosen for their durability, and ability to age well with time.

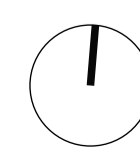
The in-situ concrete is primarily selected for its instant textural history. Once the formwork is removed the texture of the concrete is revealed, exhibiting the imperfections and scars of construction embedded in the walls. This inherent character gives a timeless nature to the material, appearing as if it has always existed.

The raw copper screens add personality to the external façade and internal spaces. Through the ability to move these screens the openings can either appear as a copper screen window, or balcony. They are a dynamic element that forever changes the appearance of the building depending on their location.

The selected materials achieve clean building lines and detailing, resulting in a refined architectural expression. This desired aesthetic does not compete with the ornate beauty of the surrounding heritage properties, rather it is a contemporary addition that compliments the area, while instantly revealing its own history.



Location Plan

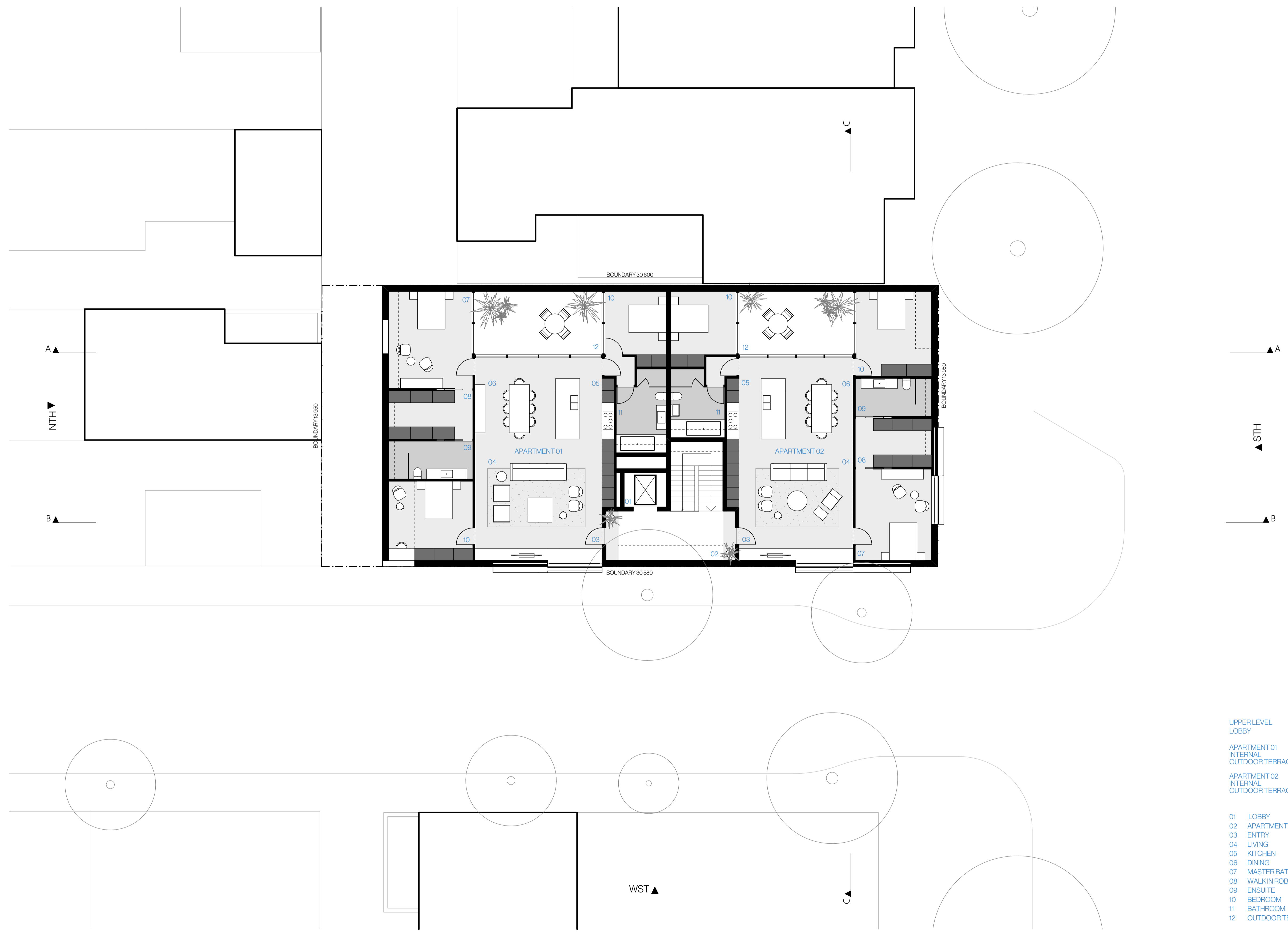




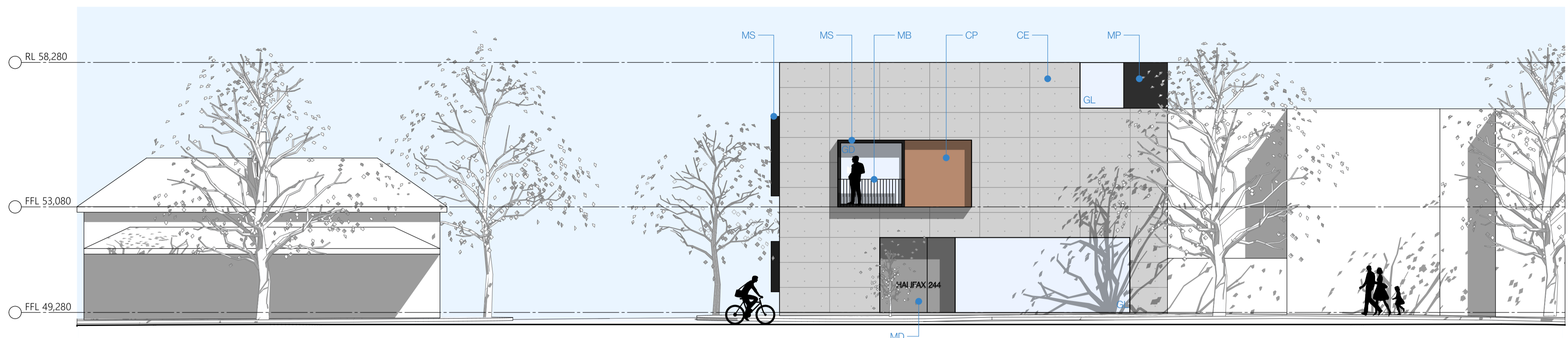
AREA

SITE (inc RIGHT OF WAY)	426.5 m ²
GROUND LEVEL	
COMMERCIAL TENANCY	148.7 m ²
CARPARK	206.7 m ²
LOBBY	26.3 m ²
UPPER LEVEL	
LOBBY	18.5 m ²
APARTMENT 01	
INTERNAL	160.3 m ²
OUTDOOR TERRACE	21.7 m ²
APARTMENT 02	
INTERNAL	147.6 m ²
OUTDOOR TERRACE	19.5 m ²

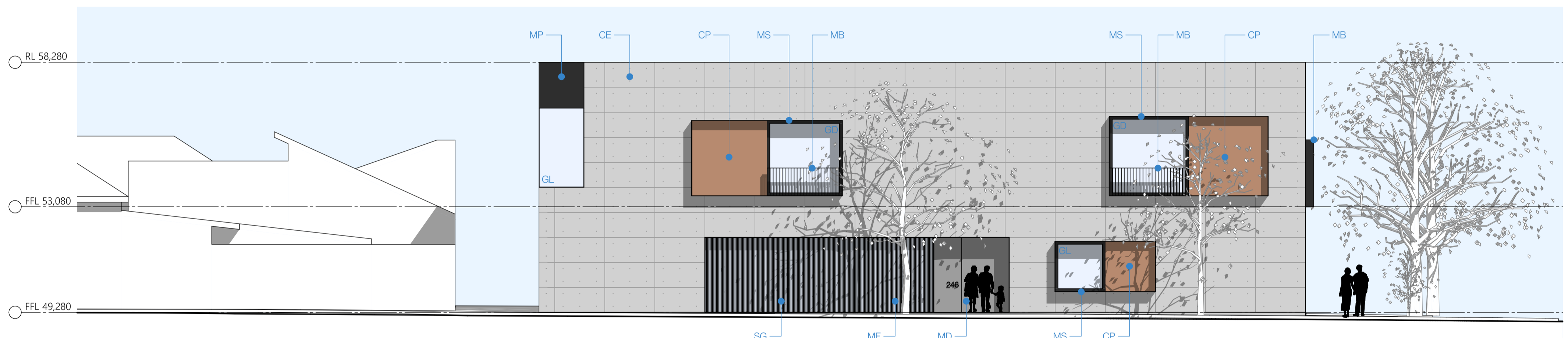
01	CARPARK
02	BIN STORAGE
03	APARTMENT ENTRY LOBBY
04	LIFT
05	COMMERCIAL TENANCY ENTRY
06	MEETING ROOM
07	OFFICE
08	STORAGE / PRINTING
09	LUNCH ROOM
10	UNISEX ACCESSIBLE WC / SHOWER



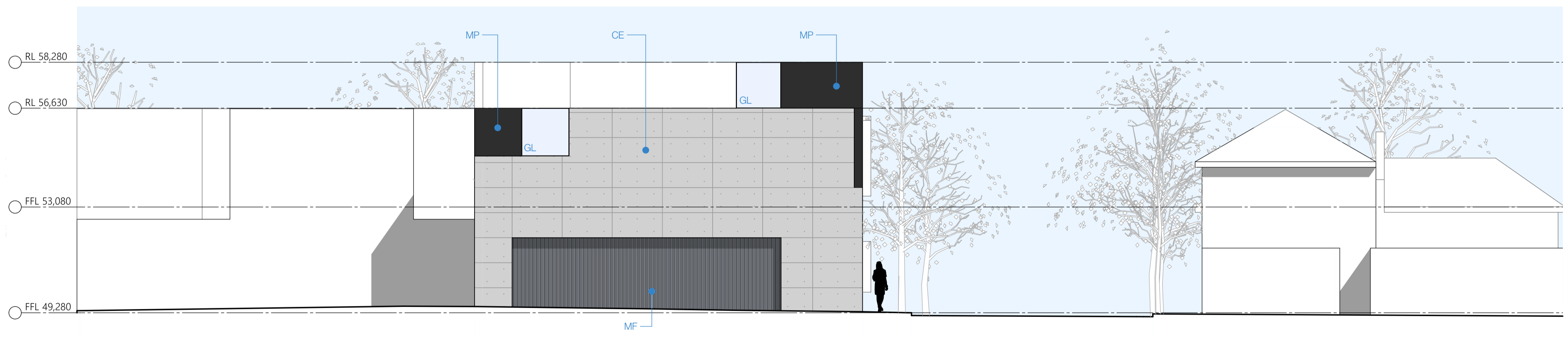
UPPER LEVEL	
LOBBY	18.5 m ²
APARTMENT 01	
INTERNAL	160.3 m ²
OUTDOOR TERRACE	21.7 m ²
APARTMENT 02	
INTERNAL	147.6 m ²
OUTDOOR TERRACE	19.5 m ²
01	LOBBY
02	APARTMENT ENTRY
03	ENTRY
04	LIVING
05	KITCHEN
06	DINING
07	MASTER BATHROOM
08	WALK IN ROBE
09	ENSUITE
10	BEDROOM
11	BATHROOM
12	OUTDOOR TERRACE



SOUTH ELEVATION 1:100



WEST ELEVATION 1:100



NORTH ELEVATION 1:100

- LEGEND**
- CE IN-SITU OFF FORM CONCRETE WALLS
 - CP RAW COPPER PANEL
 - GD CLEAR GLASS / BLACK ALUMINIUM FRAMED DOOR
 - GL CLEAR GLASS / BLACK ALUMINIUM WINDOW FRAMES
 - MD ZINC METAL DOOR
 - MB VERTICAL STEEL PLATE BALUSTRADE, BLACK
 - MF VERTICAL STEEL PLATE FINIS SCREEN, BLACK
 - MS STEEL PLATE WINDOW SURROUNDS, BLACK
 - MP STEEL PLATE PANEL, BLACK
 - SG SLIDING GARAGE GATE, VERTICAL STEEL PLATE FINIS, BLACK

Architects Ink

Adelaide
 Sydney
 Architecture
 Interior Design
 Asset Management



Revision
 A - Planning Application

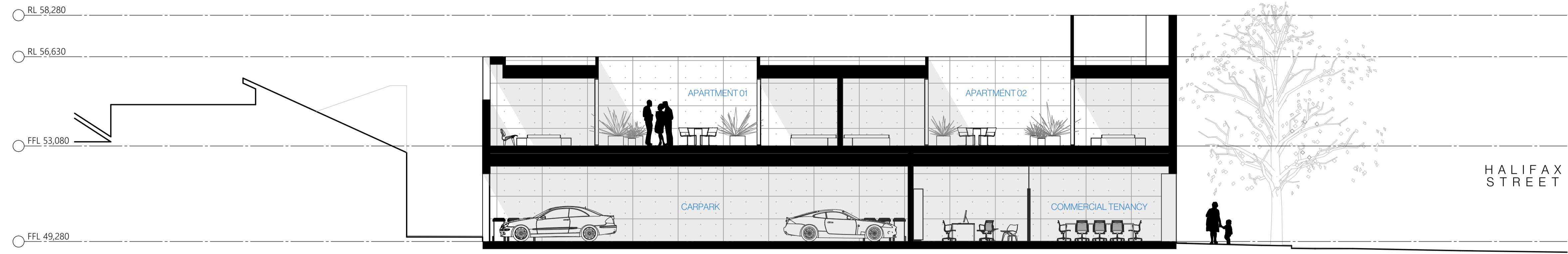
Date
 03/06/2020

Scale
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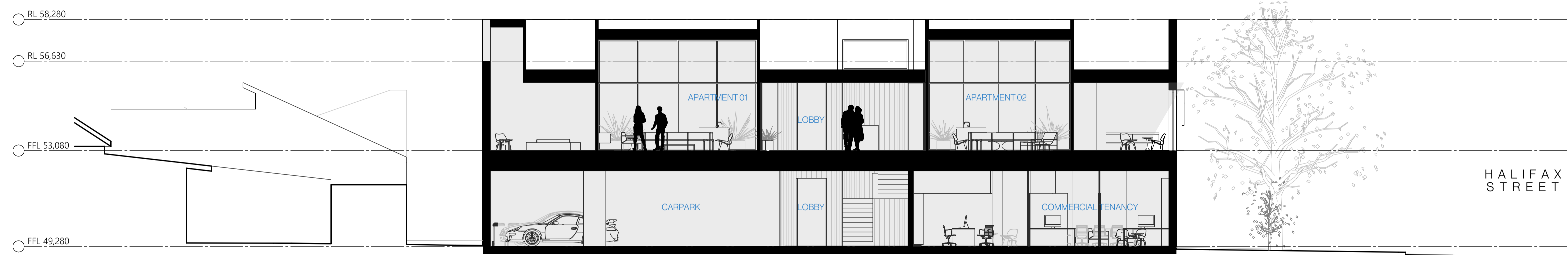
Client
 Fostroe

Project Name
 Halifax Mixed-Use Development
 244-246 Halifax Street
 Adelaide SA 5000

Drawing
 19-1125 SK05
 Elevations
 Planning Application



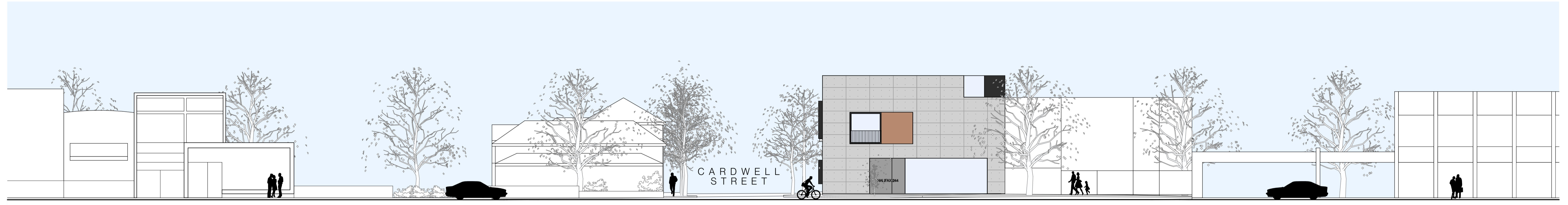
SECTION AA 1:100



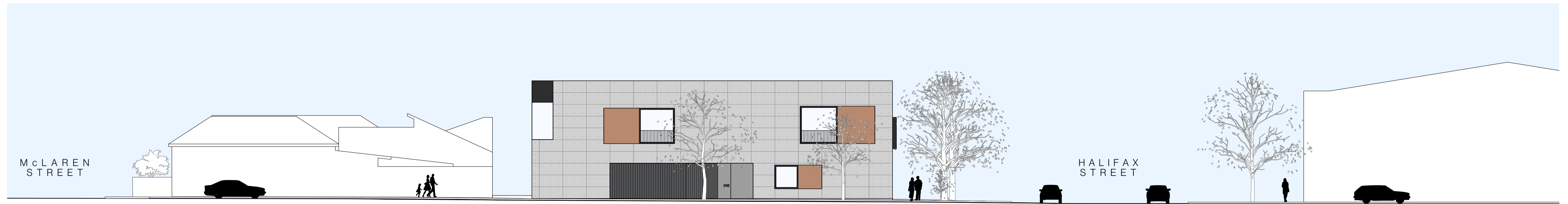
SECTION BB 1:100



SECTION CC 1:100



Halifax Street 1:150

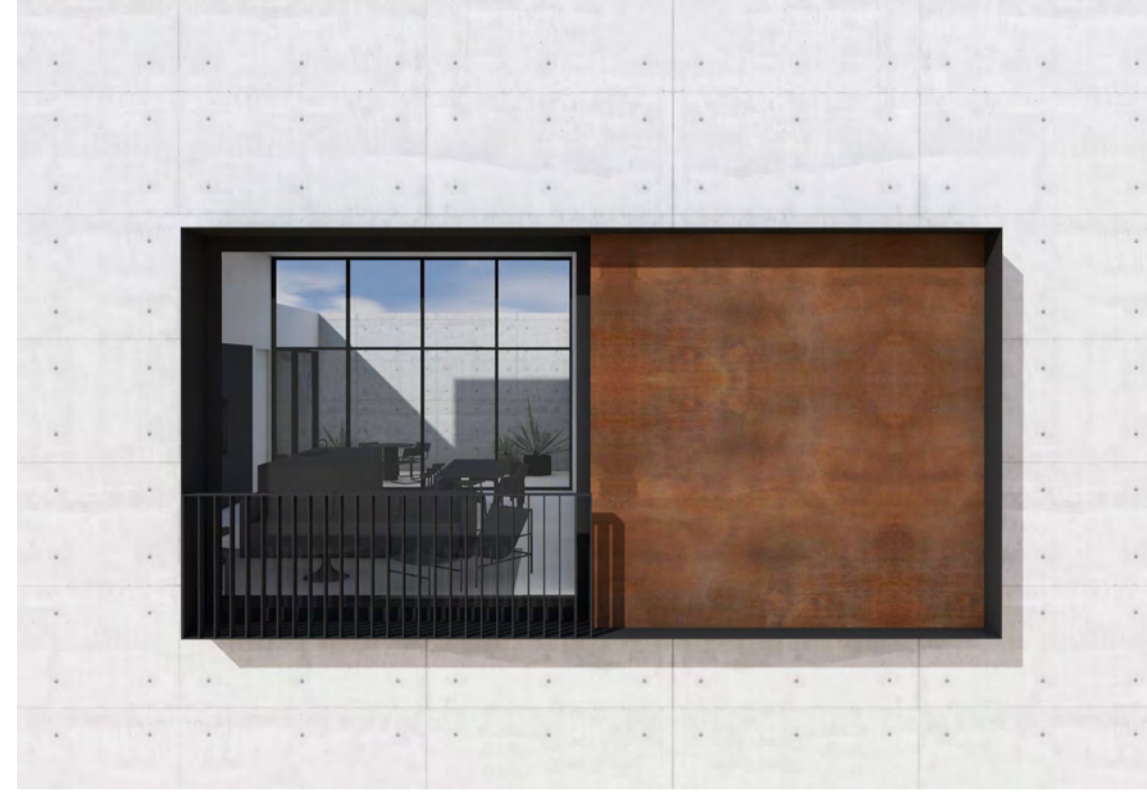


Cardwell Street 1:150

VISUALISATION OF SLIDING PANEL SEMI-CLOSED



VISUALISATION OF SLIDING PANEL FULLY OPEN



MS STEEL PLATE BALCONY SURROUNDS, BLACK



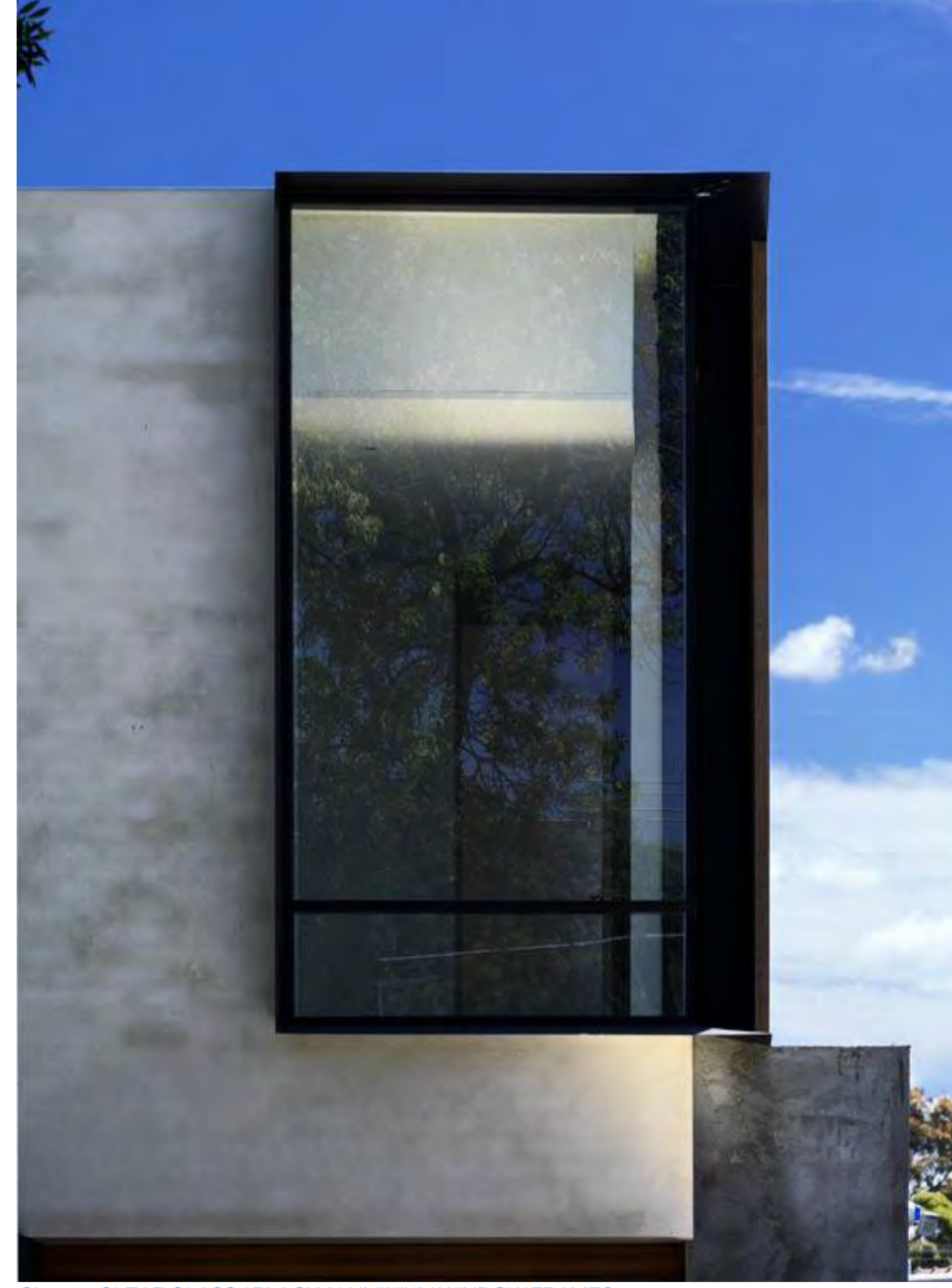
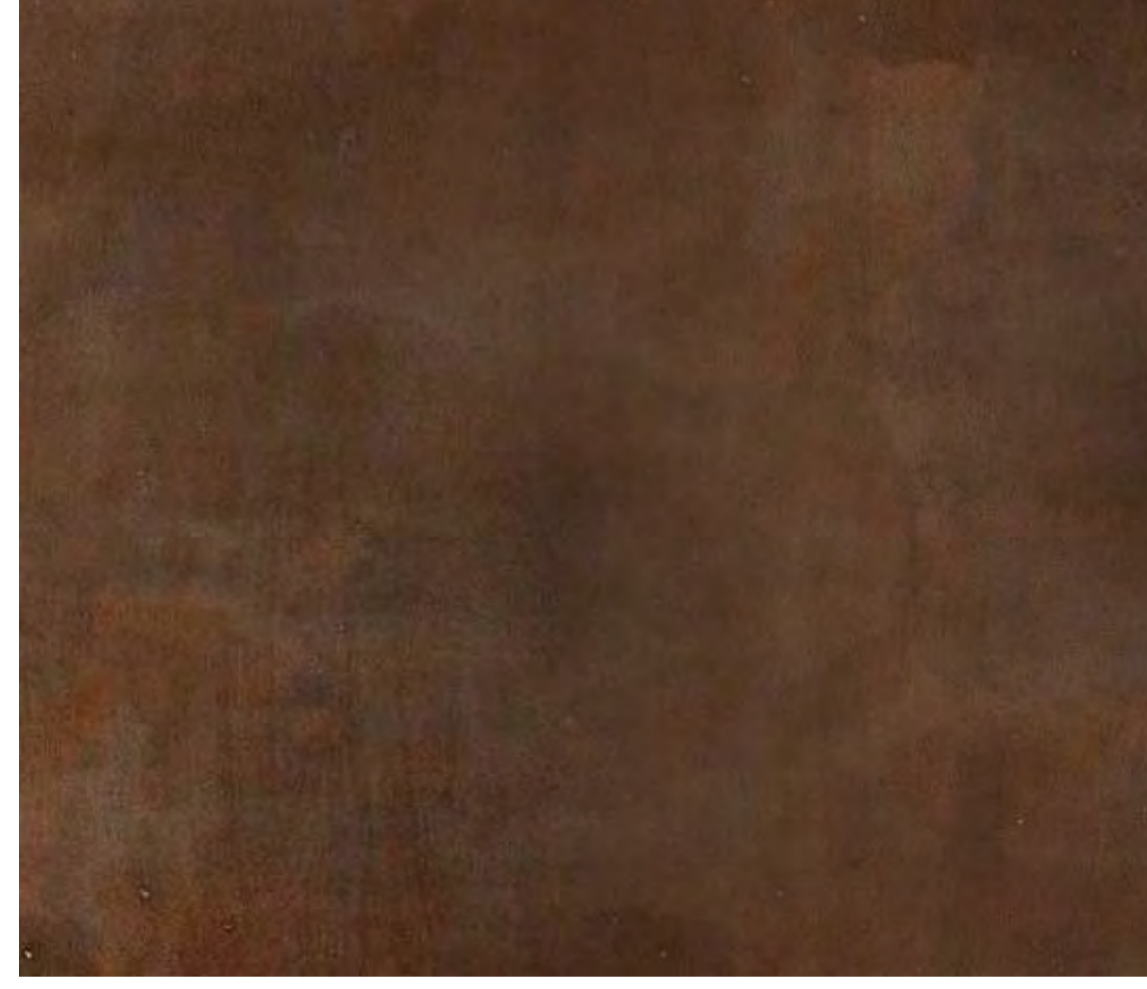
MS STEEL PLATE WINDOW SURROUNDS, BLACK



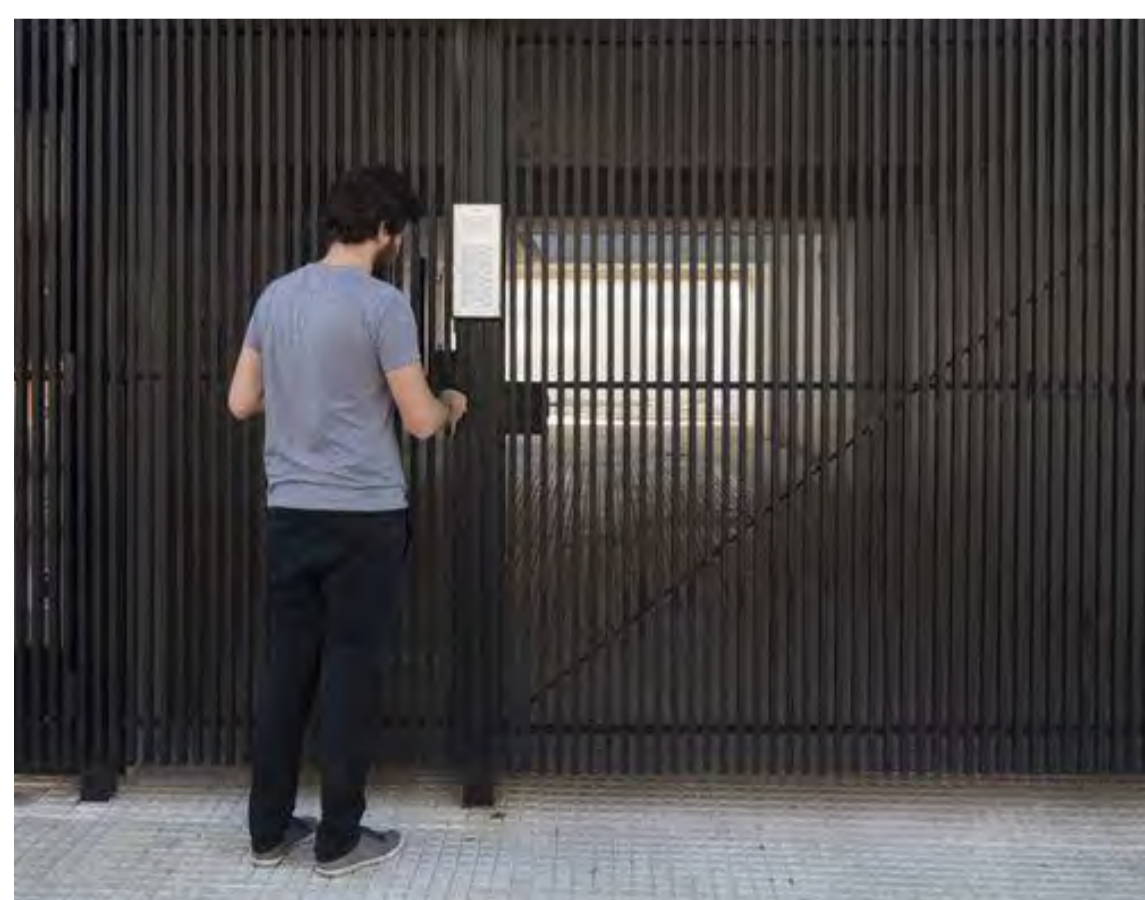
CE IN-SITU OFF FORM CONCRETE WALLS
GL CLEAR GLASS / BLACK ALUMINIUM WINDOW FRAMES



CP RAW COPPER PANEL



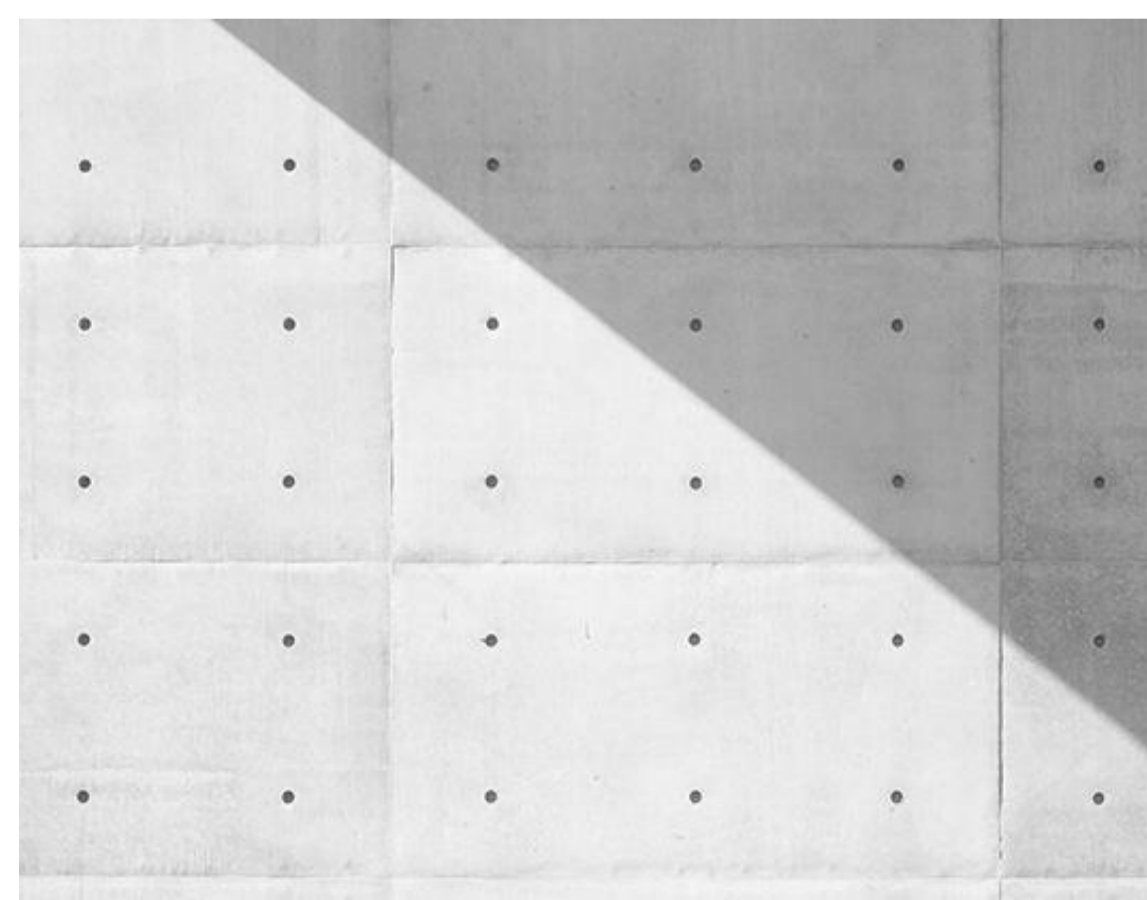
GL CLEAR GLASS / BLACK ALUMINIUM WINDOW FRAMES
MS STEEL PLATE WINDOW SURROUNDS, BLACK



SG SLIDING GARAGE GATE, VERTICAL STEEL PLATE FINES, BLACK



EXAMPLE OF SCREENING WITH GLASS BEHIND



CE IN-SITU OFF FORM CONCRETE WALLS

REF: 0984 – Brief Statement

August 7, 2020

Mr Seb Grose
Senior Planner, Development Assessment
Planning, Design and Development
City of Adelaide
By email: s.grose@cityofadelaide.com.au



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Dear Seb,

RE: DA/282/2020

We act for 246 Halifax Pty Ltd.

Our client has applied to the City of Adelaide ('the Council') for development plan consent ('consent') to construct a two-storey, mixed-use building at 244 – 246 Halifax Street, Adelaide ('the site').

The reference number assigned to our client's development application is 282/2020.

It has since come to our attention that the Council has:

- determined that the proposed development is a non-complying form of development; and
- requested a brief statement in support of the proposed development.

This brief statement satisfies the Council's request and, by extension, Regulation 17, Subordinate Regulation (1) of the Development Regulations, 2008 ('the Regulations').

It contains our description of the site, its surroundings and the proposed development, and outlines the many reasons as to why the Council should proceed to assess the proposed development against the relevant provisions of the Adelaide (City) Development Plan ('the Development Plan').

The Site

The site is located on the north-eastern corner of the T – junction of Halifax and Cardwell Streets, and consists of two contiguous allotments.

The allotments to which we refer are more formally described as Allotment 686 on Filed Plan 182338 and Allotment 701 on Filed Plan 182353, and combine to produce a rectangular holding which has a primary frontage of 13.95 metres to Halifax Street on its southern side, a secondary frontage of 30.58 metres to Cardwell Street on its western side and an area of 426.6 square metres.

The site is presently anchored by a single storey building which contains an office and a dwelling, and extends to the eastern (side), southern (primary) and western (secondary) boundaries of the site.

The office is vacant and located on Allotment 686.

The dwelling is occupied and located on Allotment 701.

The office and the dwelling are separated from one another by a party wall.

The existing building is not heritage listed.



The garage associated with the office is accessible via an existing double-width crossover to Cardwell Street and the garage associated with the dwelling is accessible via a free and unrestricted right of way which runs parallel to the northern (rear) boundary of the site. This easement also provides lawful access to the garages on the northern side of the dwellings at 248 and 250 Halifax Street, Adelaide.

There are no regulated or significant trees on the site, and there are no other registered easements or encumbrances that could impede or avert the proposed development altogether.

Whilst inspecting the site and its surroundings, we observed, amongst other things, that:

- there are two Local Heritage Places (Townscape) on the northern side of the site;
- there is a pair of two-storey semi-detached dwellings on the eastern side of the site;
- there are two Local Heritage Places on the north-western corner of the T – junction of Halifax and Cardwell Streets;
- there is a motor repair station on the western (opposite) side of Cardwell Street;
- there is a rather large, two-storey commercial building on the south-eastern corner of the T – junction of Halifax and Cardwell Streets;
- there are several two-storey dwellings on the south-western corner of the T – junction of Halifax and Cardwell Streets;
- there is an indented parking bay along the northern side of Halifax Street (cars are permitted to be parked within this bay for up to 15 minutes at a time between 9:00 am and 5:30 pm on weekdays and between 9:00 am and 12:00 pm on Saturdays (outsides of these times, no parking limits apply));
- there is an indented parking bay along the eastern side of Cardwell Street (cars are permitted to be parked within this bay for up to 15 minutes at a time between 9:00 am and 5:30 pm on weekdays and between 9:00 am and 12:00 pm on Saturdays (outsides of these times, no parking limits apply)); and
- there is a loading zone which runs parallel to the western (secondary) boundary of the site (cars are permitted to be parked within this zone for up to 10 minutes at a time between 8:00 am and 5:00 pm on weekdays (outside of these times, no parking limits apply)).

The Proposed Development

The proposed development is summarised below and depicted across the compendium of architectural drawings attached to this brief statement.

Allotment Amalgamation

The existing allotments will need to be amalgamated in order for the proposed development to proceed. With that said, this activity does not form part of our client's development application, as it is captured by Schedule 3, Clause 11 of the Regulations. Put simply, development approval is not required for this activity to be lawfully undertaken.

Demolition

The existing structures on the site will also need to be demolished in order for the proposed development to proceed.



Land Use Mix

The proposed building will accommodate an 'office' on the ground floor level and two 'dwellings' on the first floor level.

Footprint

The proposed building will extend to the free and unrestricted right of way which runs parallel to the northern (rear) boundary of the site, and to the eastern (side), southern (primary) and western (secondary) boundaries of the site.

Orientation

The office on the ground floor level will be oriented to, and accessible from, Halifax Street.

The dwellings on the first floor level will be oriented to Cardwell Street however, the master suite belonging to Dwelling 02 will come equipped with a clear glass sliding door and Juliette balcony on its southern side to allow its prospective occupant/s to passively surveil Halifax Street.

Plot Ratio

The proposed plot ratio equates to 1.06.

Floor to Ceiling Heights

The ground floor level will have a floor to ceiling height of 3.0 metres.

The first floor level will have a floor to ceiling height of 2.7 to 4.3 metres.

Building Height

The proposed building, when measured from the top of the tallest parapet to the finished ground level below, will not exceed 9.1 metres in height.

External Materials

The proposed building will be assembled from a handful of contemporary yet sturdy materials.

The materials to which we refer include, but are not necessarily limited to, off form concrete panels (to be produced on-site), raw copper panels, powder-coated aluminium, steel plates, zinc metal and clear glass.

Dwelling Configuration

Dwelling 01 will:

- be accessible via the west-facing lobby on the ground floor level;
- have an internal floor area of 160.3 square metres; and
- contain an open plan kitchen, dining and living room, a master suite with an ensuite and walk-in-robe, two bedrooms with built-in-ropes, a combined bathroom/laundry and an outdoor terrace, the latter of which will have an area of 21.7 square metres.



Dwelling 02 will:

- be accessible via the west-facing lobby on the ground floor level;
- have an internal floor area of 147.6 square metres; and
- contain an open plan kitchen, dining and living room, a master suite with an ensuite and walk-in-robe, two bedrooms with built-in-robos, a combined bathroom/laundry and an outdoor terrace, the latter of which will have an area of 19.5 square metres.

Office Configuration

The office will:

- as previously mentioned, be oriented to, and accessible from, Halifax Street;
- have a gross leasable floor area of 148.7 square metres; and
- contain four enclosed offices, a boardroom, a lunchroom, a unisex water closet and a waiting area, the latter of which will come equipped with a reception desk.

Access

The car park on the ground floor level will be accessible via a new crossover to Cardwell Street.

The existing crossover to Cardwell Street will be closed, and the kerbing and paving will be reinstated in accordance with the Council's standard requirements.

No additional crossovers are required or proposed.

Bicycle Parking

A rail which is capable of accommodating up to three bicycles at any one time will be installed on the eastern side of the west-facing lobby on the ground floor level.

This rail will be for the exclusive use of the prospective tenant of the office on the ground floor level.

A wall-mounted device will be affixed at the southern end of Spaces 5 and 6 so that the prospective occupant/s of each dwelling will be able to securely store one bicycle.

Car Parking

The car park on the ground floor level will contain six line-marked spaces.

Four of these spaces, including the space for people with a disability (Spaces 1 to 4), will be assigned to the office on the ground floor level.

The two remaining spaces (Spaces 5 and 6) will be assigned to the dwellings on the first floor level. In other words, the prospective occupant/s of each dwelling will have access to one space.

Stormwater

In the event that the Council is of the mind to consent to the proposed development, our client would not object to the imposition of a condition which requires runoff from the roof atop the proposed building to be captured and subsequently released to the existing drainage network in a clean state and at an appropriate rate.



Waste

A waste management plan is currently being prepared and will be forwarded to the Council's Administration in the event that the Council Assessment Panel resolves to proceed to assess the proposed development.

Staging

No staging is required or proposed.

The Relevant Version of the Development Plan

The relevant version of the Development Plan for procedural and assessment purposes was gazetted and subsequently consolidated on April 30, 2020.

The site, under this version of the Development Plan, is located in South East Policy Area 31 ('PA 31') of the City Living Zone ('the Zone') and adjoins, along its northern side, the Adelaide Historic (Conservation) Zone.

According to Principle of Development Control ('Principle') 16 of the Zone, the proposed development is a non-complying form of development, as the office on the ground floor level of the proposed building will occupy a portion of Allotment 701 and Allotment 701 did not, at the time of lodgement, accommodate a 'lawfully existing non-residential use'.

The Merits

We have concluded from our assessment of the proposed development that it is worthy of further consideration.

In support of our conclusion, we wish to highlight the following:

- The amalgamation of the existing and contiguous allotments will enable the site to be redeveloped in a coordinated manner and with an innovative design response that is complementary to the contextual setting of the site.
- Whilst a 'residential allotment' will be eroded in order to accommodate a new office, it is important to note that:
 - » the existing dwelling on the site will be replaced by two dwellings;
 - » in the event that the existing and contiguous allotments were to be amalgamated, the proposed office would then be limited to land that is, in part, lawfully used for non-residential purposes, as sought by the Desired Character Statement for PA 31 and Principle 3 of the Zone;
 - » the gross leasable floor area of the proposed office is not dissimilar to the gross leasable floor area of the existing office; and
 - » no new non-residential uses are being introduced to this part of the Zone.
- The replacement of one dwelling with two dwellings will help to increase the City's resident population. The proposed development is, therefore, consistent with the desired character of the Zone.
- The provision of above-ground dwellings will add to the range of dwelling types within the Zone, as sought by the Primary Objective of the Zone (Objective 1).



- The density of the proposed development, if calculated by dividing the area of the site (426.6 square metres) by the dwelling unit factor that has been prescribed for this part of the Zone (120 square metres), is compliant with Principle 4 of PA 31.
- Whilst the proposed plot ratio will exceed the maximum plot ratio that has been prescribed for buildings within this part of the Zone, it is important to note that:
 - » the maximum plot ratio prescribed under Principle 3 of PA 31 is a quantitative guideline, not a procedural cap or trigger which, if exceeded, makes the proposed development a non-complying form of development;
 - » Council Wide Principle 175 advises that the sole purpose of establishing a maximum plot ratio for PA 31 is to ensure “*that intensity of development on land is consistent with the desired character*”; and
 - » the proposed building is far from ‘intense’, particularly as it will not exceed the maximum density or height that has been prescribed for the site.
- The siting of the proposed building is consistent with the siting of the existing building that is set to be replaced, and with the neighbouring buildings to the east and west of the site, as sought by Principle 9 of the Zone.
- Although no landscaped open space is proposed, it is important to note that the landscaped open space between the existing dwelling on Allotment 701 and Halifax Street is presently concealed from Halifax Street by a tall, texture-coated wall.
- The orientation of the office, together with its glazed façade, will serve to activate the northern side of Halifax Street and create a greater degree of visual interest at ground level.
- The proposed building will not exceed three storeys or 11 metres in height, as sought by Principle 6 of PA 31.
- The proposed building has been capped at two storeys and 9.1 metres in height to ensure that the scale relationship with neighbouring buildings is compatible/satisfactory, as sought by Principle 7, Clause (a) of PA 31 and Principle 6 of the Zone. Notwithstanding this, it remains important to note that the free and unrestricted right of way and Cardwell Street will buffer the proposed building from the adjacent Local Heritage Places to the north and west of the site.
- None of the habitable room windows or private open spaces to the north or to the east of the site will be able to be ‘overlooked’ from the first floor level of the proposed building.
- It is reasonable to conclude, based on the orientation of the site, that:
 - » the proposed building will not ‘overshadow’ any of the habitable room windows or private open spaces associated with either of the dwellings on the adjoining allotments to the north of the site;
 - » the proposed building will not ‘overshadow’ any of the habitable room windows or private open spaces associated with the dwelling on the adjoining allotment to the east of the site until after midday; and
 - » the proposed building will not ‘overshadow’ any of the habitable room windows or private open spaces associated with the dwelling on the adjacent allotment to the west of the site from midday onwards.
- The prospective occupant/s of each dwelling will have access to more than the recommended amount of private open space.
- The prospective occupant/s of each dwelling will have access to the recommended number of on-site bicycle and car parking spaces.
- The prospective tenant of the office on the ground floor level will have access to the recommended number of on-site bicycle parking spaces.



- There will, with respect to the 'office component', be a theoretical shortfall of 0.5 on-site car parking spaces. With that said, it is important to note that:
 - » there are two indented parking bays, one on the southern side of the site and one on the western side of the site, which can be used to offset this minor shortfall; and
 - » there are two bus stops within 80 metres of the site and two indented parking bays, and Council Wide Principle 253 advises that a lesser amount of on-site car parking may be appropriate "*where there is readily accessible and frequent public transport in the locality.*"
- The car park will be accessible via Cardwell Street, not Halifax Street, as sought by Principle 11 of the Zone.
- Stormwater and waste can be dealt with in an environmentally sound manner.

If you have any queries or concerns regarding this brief statement, please do not hesitate to contact the writer.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Fabian Barone', with a stylized flourish at the end.

Fabian Barone
Director



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search (CT 5473/915)
Date/Time	07/11/2018 11:23AM
Customer Reference	
Order ID	20181107003939
Cost	\$296.00

REAL PROPERTY ACT, 1986



South Australia

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



Certificate of Title - Volume 5473 Folio 915

Parent Title(s)	CT 2481/141		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	21/11/1997	Edition 3	Edition Issued 11/01/2010

Estate Type

FEE SIMPLE

Registered Proprietor

JOHN ANTHONY LITTLE
OF 246 HALIFAX STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 701 FILED PLAN 182353
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED A (T 1952987)
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED C
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED B (T 1952987)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED D

Schedule of Dealings

Dealing Number	Description
11313460	MORTGAGE TO WESTPAC BANKING CORPORATION

Notations

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

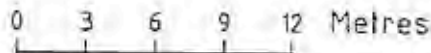
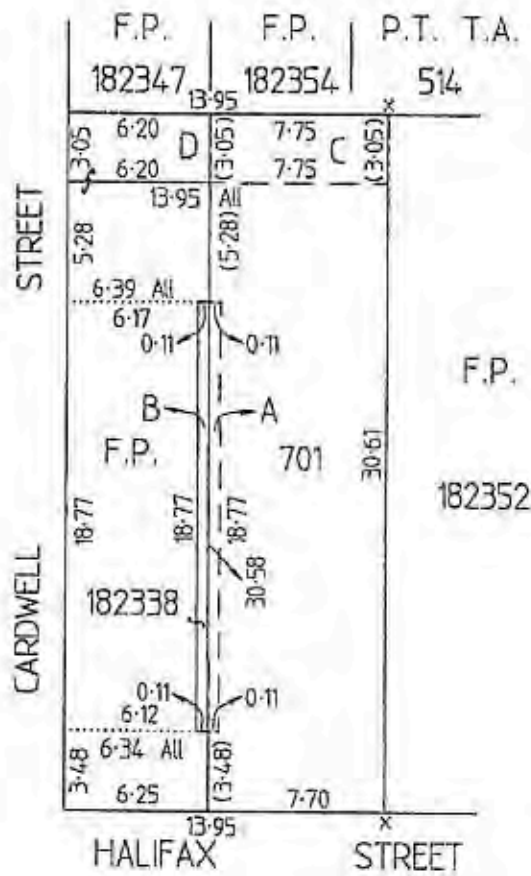


Government of South Australia
Department of Planning,
Transport and Infrastructure

Product
Date/Time
Customer Reference
Order ID
Cost

Register Search (CT 5473/915)
07/11/2018 11:23AM
20181107003938
\$266.00

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 2481/141
SEE TITLE TEXT FOR EASEMENT DETAILS



NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



Government of South Australia
Department of Planning,
Infrastructure and Transport

Product Registrar Search (CT 5479/299)
Date/Time 07/11/2018 11:14AM
Customer Reference
Order ID 20181107003731
Cost \$296.00

REAL PROPERTY ACT, 1986



South Australia

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



Certificate of Title - Volume 5479 Folio 299

Parent Title(s) CT 2481/142
Creating Dealing(s) CONVERTED TITLE
Title Issued 04/12/1997 Edition 3 Edition Issued 11/10/2010

Estate Type

FEE SIMPLE

Registered Proprietor

KEVIN RALPH LITTLE
OF 20 MCALLAN AVENUE BEAUMONT SA 5066
PAUL ADRIAN LITTLE
OF 18 OLYMPIAD COURT GOLDEN GROVE SA 5125
JOHN ANTHONY LITTLE
OF 246 HALIFAX STREET ADELAIDE SA 5000
AS JOINT TENANTS

Description of Land

ALLOTMENT 686 FILED PLAN 182338
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED B (T 1952987)
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED C (T 1952987)

Schedule of Dealings

NIL

Notations

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

Land Services

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Page 1 of 2

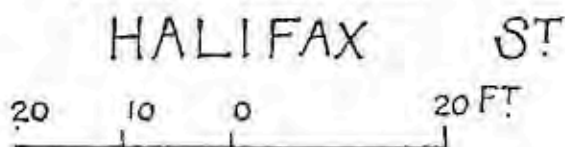
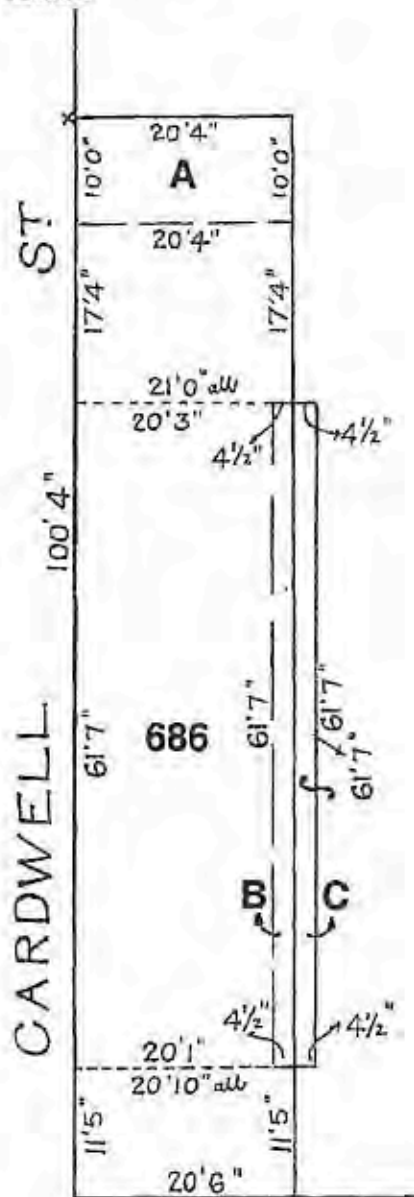


Government of South Australia
Department of Planning
Transport and Infrastructure

Product
Date/Time
Customer Reference
Order ID
Cost

Register Search (CT 5478/298)
07/11/2018 11:14AM
20181107003731
\$296.00

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 2481/142
SEE TITLE TEXT FOR EASEMENT DETAILS



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

[Handwritten signatures and initials]

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

CITY OF ADELAIDE DEVELOPMENT ASSESSMENT PANEL ON 24/08/2020

Item No	2.2
Subject Site	154 Gover Street, North Adelaide SA 5006
Proposal	Construct rear addition on top of existing garage, DA/323/2020 (SG) [CAP]
Applicant	On Architecture P/L
Relevant Development Plan	30 April 2020
Lodgement Date	23 June 2020
Zone/Policy Area	North Adelaide Historic (Conservation) Zone/Childers East Policy Area 2
Application Type	Non-Complying
Recommendation	PROCEED with Assessment

ATTACHMENTS

Proposal Plans	1 - 7
Statement in Support	8
Certificate of Title	9 - 10

KEY ISSUES

- Plot ratio
- Materials, finishes and colours
- Impact on neighbouring properties

1. PROPOSAL

- 1.1 This application proposes the construction of a rear addition on top of an existing garage at 154 Gover Street, North Adelaide.
- 1.2 The existing building has an overall height to the ridge of the roof of 7 metres. The proposed extension will have a height of 6.25 metres to the peak of the skillion roof. The ceiling height is proposed at 5.2 metres to align with the ceiling height of the existing dwelling.
- 1.3 The extension will have a floor area of approximately 22m² which will increase the overall floor area of the dwelling from 98m² to 120m².
- 1.4 Painting of the existing façade and the installation of a new garage panel lift door is also proposed. The existing rendered walls and extension are proposed to be painted in a light grey tone.
- 1.5 A corrugated colorbond roof is proposed in 'surfmist' (off-white tone).
- 1.6 Upper level windows are proposed to the eastern and northern facades.
- 1.7 The application is non-complying based on the plot ratio exceeding 0.8.

2. SITE

- 2.1 The site is located on the northern side of Gover Street, adjacent the north western corner of the junction between Gover Street and Tower Street North.
- 2.2 The site has a frontage to Gover Street of 4.36 metres, a frontage to Tower Street North of 25.91 metres and a rear boundary length of 4.47 metres. This results in a site area of approximately 115m².
- 2.3 The site is subject to 130mm wide party wall rights along a portion of the western boundary. It is also subject to free and unrestricted rights of way over a 3.05 metre wide lane to the rear.
- 2.4 A two storey dwelling is located on the site. It was constructed in the early 1990s after receiving development approval in 1989.
- 2.5 Vehicle access is provided to the rear garage via an existing crossover to Tower Street North.
- 2.6 There are no regulated or significant trees located on the site.

3. LOCALITY

- 3.1 The character of this portion of Gover Street and Tower Street North is established by a mix of mostly single storey dwellings and a number of two storey dwellings. Some of these dwellings are Local Heritage Places.
- 3.2 A number of properties facing Gover Street and Tower Street North have small front yards and some dwellings have verandahs constructed to the street frontage.
- 3.4 The building located on the subject site is one of the only contemporary buildings in the locality.
- 3.5 A number of properties along Tower Street North have high solid masonry and corrugated steel fencing, whilst some properties have fencing with a lower, open appearance.







KEY			
	Subject Site		Local Heritage Place
NAH(C)2	North Adelaide Historic (Conservation) Zone / Childers East Policy Area 2		Policy Area Boundary
MS(O)	Main Street (O'Connell) Zone		Locality

Photo 1 – Subject site viewed from the southern side of Gover Street



Photo 2 – Existing dwellings to the east of the subject site, on the eastern side of Tower Street North, viewed from southern side of Gover Street



Photo 3 – Existing development on eastern side of Tower Street North, viewed from Tower Street North



Photo 4 – Rear and eastern side of subject site viewed from Tower Street North



Photo 5 – Rear and western side of subject site viewed from rear lane



4. PUBLIC NOTIFICATION

- 4.1 Public notification has not been undertaken. Should the Panel resolve to proceed with assessment of the application then public notification procedures for a Category 3 non-complying form of development will be carried out.

5. PLANNING ASSESSMENT

5.1 Precinct And Desired Character

The subject site is located within the North Adelaide Historic (Conservation) Zone and Childers East Policy Area 2. The Desired Character statement for the Policy Area states:

The Childers East Policy Area should remain one of the lowest density residential areas in Upper North Adelaide.

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, large villas set on large allotments and low and medium density detached and semi-detached residences of one and two storeys, such as the typical cottages and terrace houses on narrower frontages.

Development should complement the low scale and generally cohesive townscapes of the Policy Area. 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:

(b) Gover Street:

The townscape is established by primarily single storey detached dwellings.

On the northern side, new residential buildings with frontage to the street should be single storey detached or semi-detached dwellings that reinstate the historic pattern of development, and should not result in built elements such as garages being developed on or close to the primary street frontage or forward of the main face of a dwelling.

(g) in other minor streets:

Where opportunities for replacement or infill development exist, buildings should be single storey detached dwellings.

5.2 Discussion

- 5.2.1 At this stage it is not necessary to assess the proposal in detail against the provisions of the Development Plan. The Panel is only required to make a decision on whether to proceed with such an assessment. Such a decision does in no way confer any support or otherwise for the proposal, with a full assessment of all aspects of the application still to be undertaken.
- 5.2.2 In essence, the question for the Panel is *'Is it possible that this proposal may be found to be sufficiently in accordance with the Development Plan?'* If no, then assessment should not be undertaken. If yes, then the Panel could allow an assessment to be undertaken.

- 5.2.3 Should the Panel resolve to proceed with an assessment, notification and assessment of the proposal will be undertaken and reported to the Panel. Further refinement of the proposal may occur as result of this process.
- 5.2.4 Whilst the proposal is a non-complying form of development, it does display a certain degree of conformity with the Development Plan and is therefore worthy of further consideration. For the purposes of the current decision, it is noted:
- The plot ratio requirement outlined in Policy Area PDC 4 is 0.8. The existing dwelling has a plot ratio of 0.85 which already exceeds the requirement. The extension will have a floor area of 22m² which represents a floor area increase of 22.5% and a plot ratio of 1.04.
 - The plot ratio increase is not minor enough to be considered a 'reasonable expansion' of the existing non-complying floor area. A 'reasonable expansion' would make this a merit application.
 - The proposal is at odds with the Desired Character for the Policy Area which envisages single storey detached dwellings in minor streets. However, it is proposed on a site that already incorporates two storey development.
 - A further assessment will examine impacts on neighbouring properties, particularly in terms of overshadowing (to both the rear outdoor area and solar hot water system on the roof of the neighbouring dwelling to the west).
 - Council's Heritage Architect has indicated support in principle. However, it has been noted some materials, finishes and colours will need to be amended and a further assessment undertaken.
- 5.2.5 Notwithstanding the above, the following matters will require particular consideration as part of the assessment of the proposal:
- Consultation with Council's Heritage Architect as detailed above.
 - The northern elevation appears to show an upper level glass brick window for the main bedroom robe. Further details of this window will need to be provided to ensure overlooking of neighbouring properties is prevented.
 - Impact of additional built form within the streetscape, suitability in the North Adelaide Historic (Conservation) Area and impact on adjacent Local Heritage Places.

6. CONCLUSION

This application proposes an upper level extension to an existing two storey dwelling at 154 Gover Street, North Adelaide.

The application is non-complying on the basis the maximum plot ratio requirement of 0.8 will be exceeded further from 0.85 to 1.04.

As the extension is proposed within the North Adelaide Historic (Conservation) Zone, further assessment of the materials, finishes and colours and streetscape impacts will be particularly important.

Further assessment of the upper level window for the main bedroom robe will also be required to ensure potential overlooking is prevented.

7. RECOMMENDATION

Pursuant to Section 39(4) (d) of the Development Act 1993 and Development Regulation 17(3) (b), the Panel determine to PROCEED with an assessment of the application.

ARCH DRAWING SCHEDULE	
No.	Sheet Name
DA01	COVER SHEET & LOCATION PLAN. DRAWING SCHEDULE
DA02	EXISTING FLOOR PLANS
DA03	PROPOSED FLOOR PLANS
DA04	BUILDING ELEVATIONS
DA05	CONCEPT IMAGES/ EXISTING CONTEXT
DA06	MATERIALS SELECTIONS
DA07	SHADOW DIAGRAMS

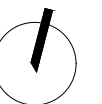


Location Plan
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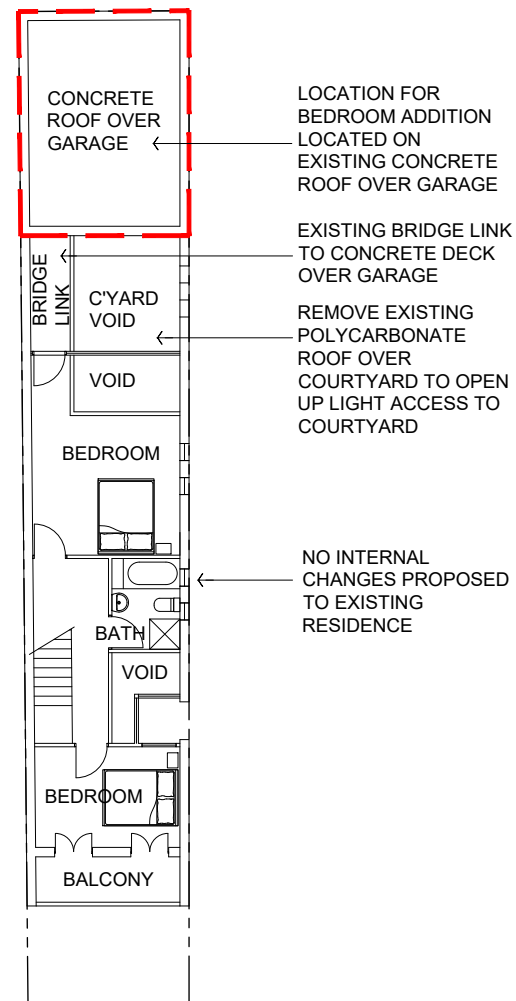
Existing Residence Addition
154 Gover Street, North Adelaide
Sandy & Mike Pisani

Job No: 2020026
Dwg No: DA01
Date: June 2020
Revision: 1





Existing Ground Floor Plan
Scale: 1:200

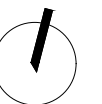


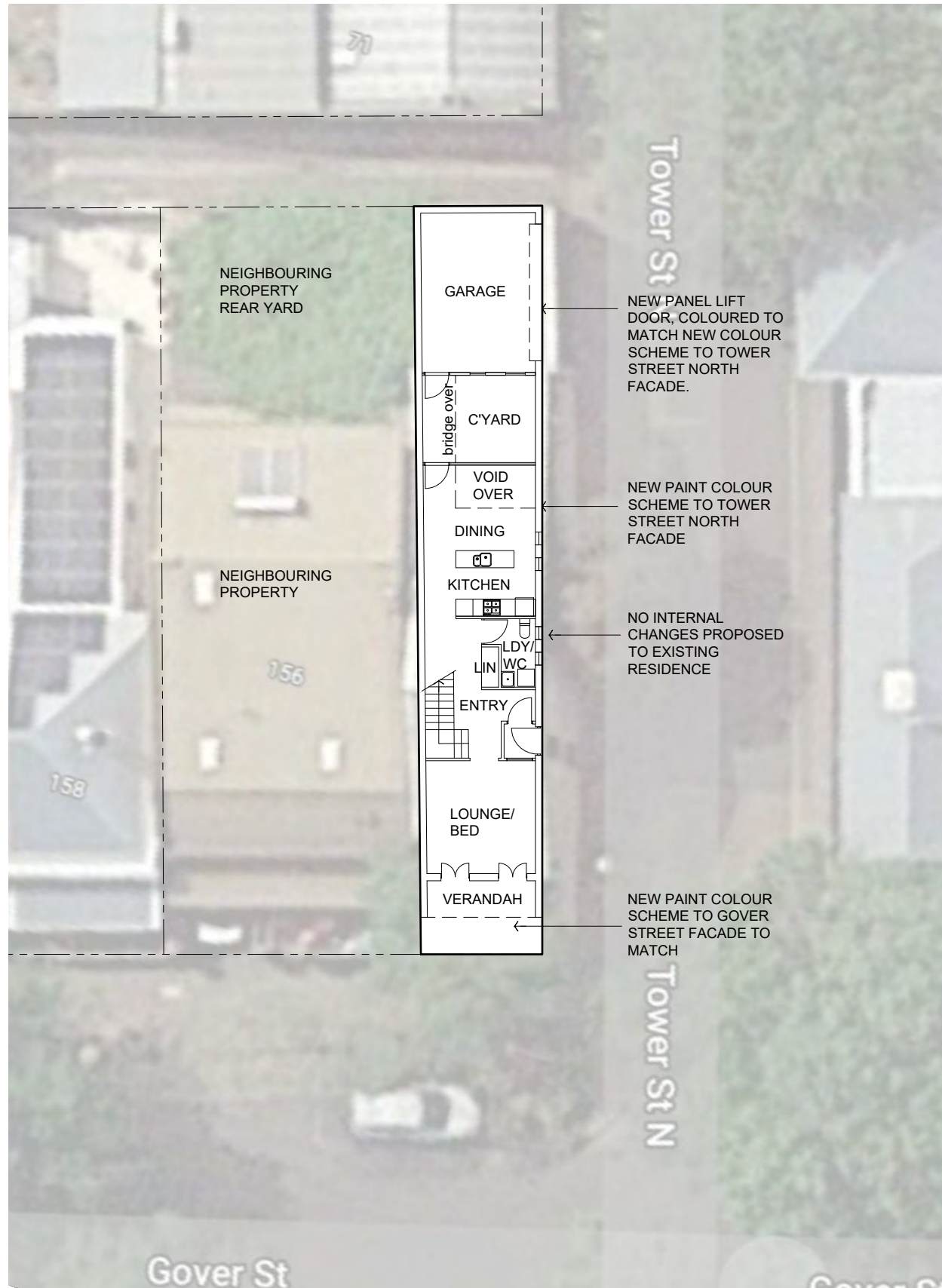
Existing First Floor Plan
Scale: 1:200



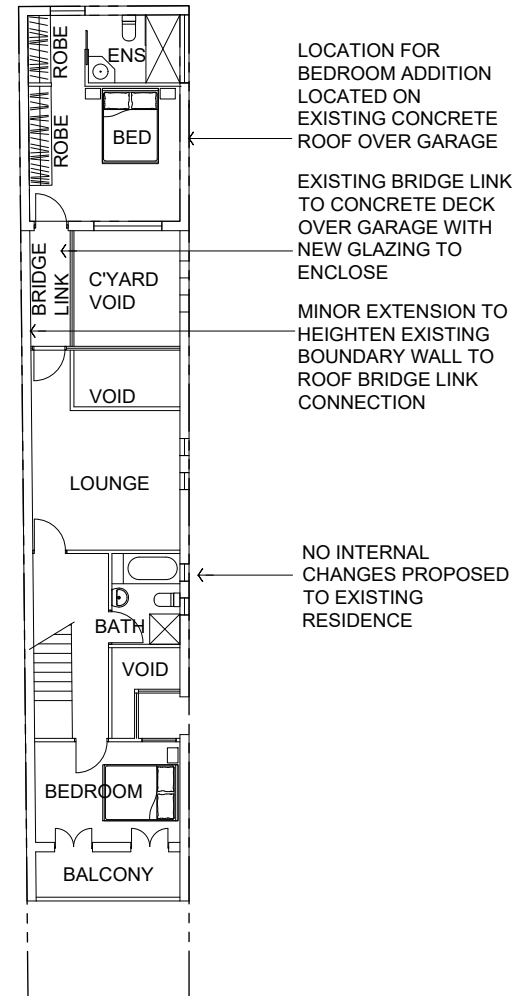
Existing Residence Addition
154 Gover Street, North Adelaide
Sandy & Mike Pisani

Job No: 2020026
Dwg No: DA02
Date: June 2020
Revision: 1





Proposed Ground Floor Plan
Scale: 1:200



Proposed First Floor Plan
Scale: 1:200

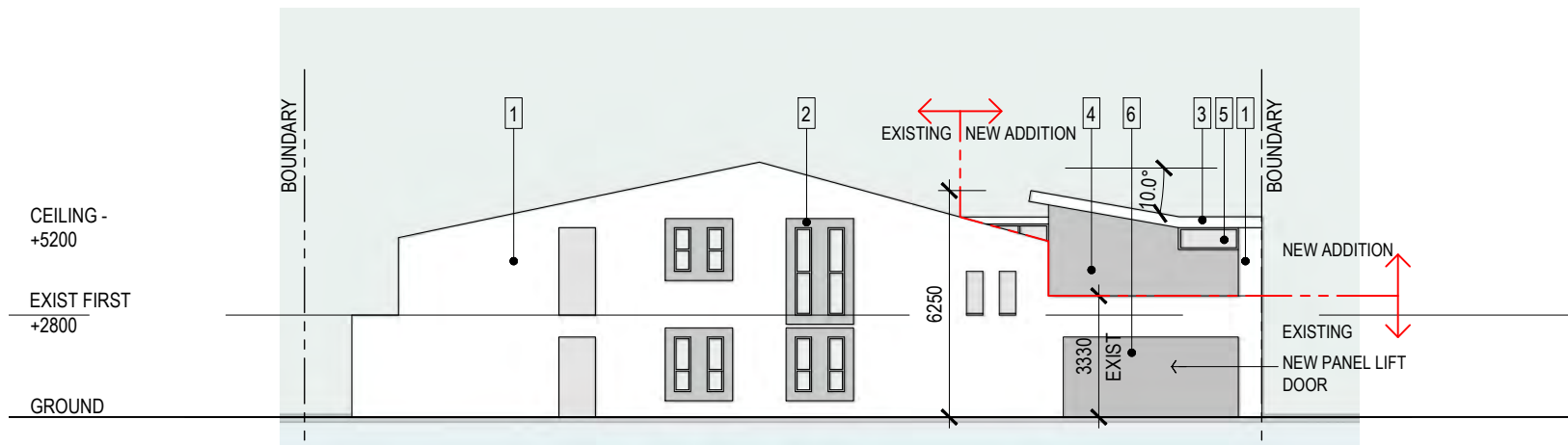
EXISTING SITE DATA	
EXISTING SITE AREA -	115sqm
EXISTING GROUND FLOOR -	52.5sqm
EXISTING FIRST FLOOR -	39.5sqm
EXISTING PLOT RATIO -	0.80
PROPOSED SITE DATA	
PROPOSED SITE AREA -	115sqm
PROPOSED GROUND FLOOR -	52.5sqm
PROPOSED FIRST FLOOR -	63.5sqm
PROPOSED PLOT RATIO -	1.00



Existing Residence Addition
154 Gover Street, North Adelaide
Sandy & Mike Pisani

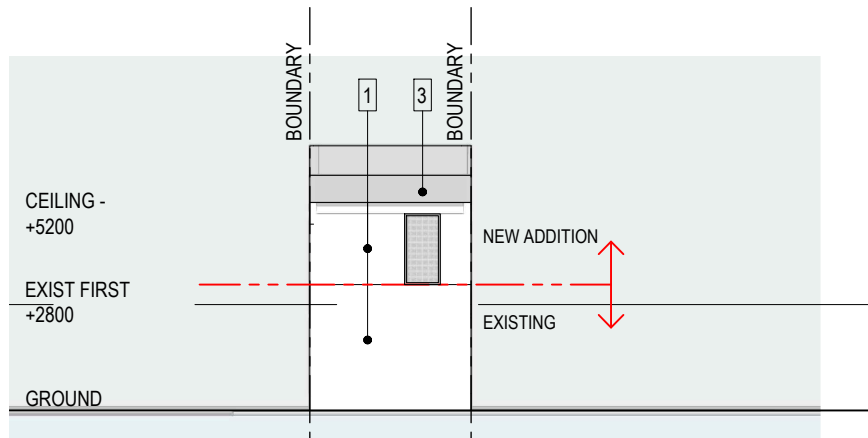
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Dwg No: **DA03**
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Revision: **1**



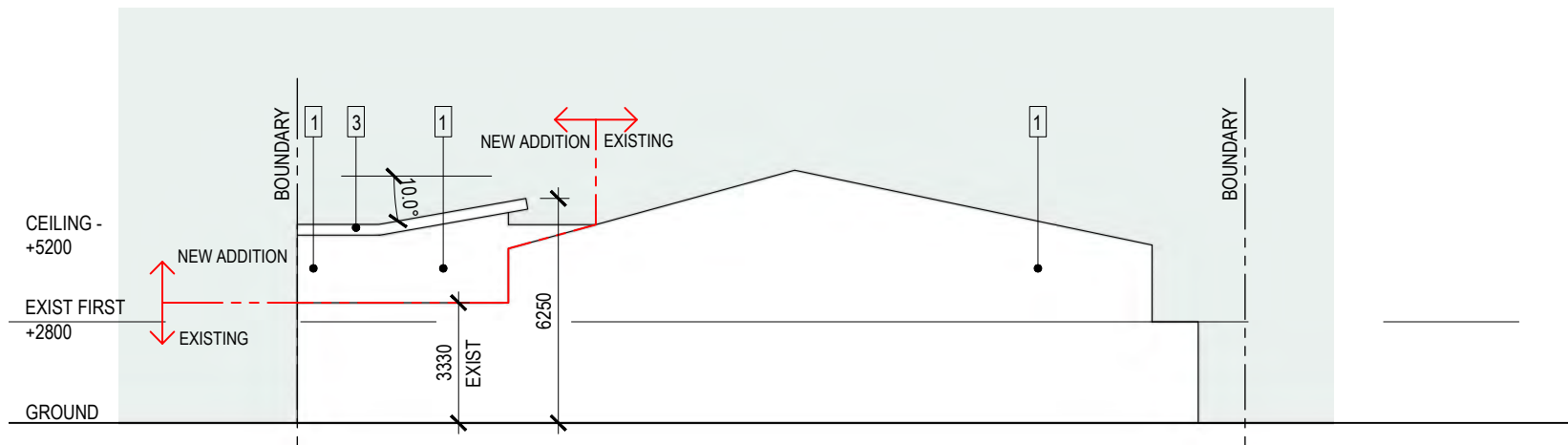


Tower Street North (East) Elevation
Scale: 1:200

- ELEVATION LEGEND**
- 1 NEW WHITE PAINT COLOUR
 - 2 NEW DARK WINDOW SURROUND PAINT COLOUR
 - 3 ROOF COLOUR
 - 4 NEW FACADE CLADDING & PAINT COLOUR
 - 5 NEW POWDERCOATED ALUMINIUM WINDOW FRAMES
 - 6 NEW PANEL LIFT DOOR COLOUR



Rear Lane (North) Elevation
Scale: 1:200



Neighbour (West) Elevation
Scale: 1:200

**CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/323/2020
29/07/2020**



2 WINDOWS CLARIFIED 27/07/2020

Existing Residence Addition
154 Gover Street, North Adelaide
Sandy & Mike Pisani

Job No: 2020026
Dwg No: DA04
Date: June 2020
Revision: 2

45

APPROXIMATE POSITION FOR NEW ADDITION

EXISTING FACADE WALLS TO TAKE NEW PAINT COLOUR

NEW PANEL-LIFT DOOR TO REPLACE ROLLER DOOR

WINDOW RELIEF SURROUNDS TO TAKE NEW PAINT COLOUR



Tower St North - Existing

NEW ADDITION ON EXISTING GARAGE CONCRETE DECK ROOF

EXISTING FACADE WALLS TO TAKE NEW PAINT COLOUR

NEW PANEL-LIFT DOOR TO REPLACE ROLLER DOOR

WINDOW RELIEF SURROUNDS TO TAKE NEW PAINT COLOUR



Tower St North - Proposed

APPROXIMATE POSITION FOR NEW ADDITION

EXISTING FACADE WALLS TO TAKE NEW PAINT COLOUR

WINDOW RELIEF SURROUNDS TO TAKE NEW PAINT COLOUR

NEW PANEL-LIFT DOOR TO REPLACE ROLLER DOOR



Tower St North - Existing

NEW ADDITION ON EXISTING GARAGE CONCRETE DECK ROOF

EXISTING FACADE WALLS TO TAKE NEW PAINT COLOUR

WINDOW RELIEF SURROUNDS TO TAKE NEW PAINT COLOUR

NEW PANEL-LIFT DOOR TO REPLACE ROLLER DOOR



Tower St North - Proposed



Neighbouring Property Viewed From Rear Lane



Neighbouring Property Viewed From Rear Lane

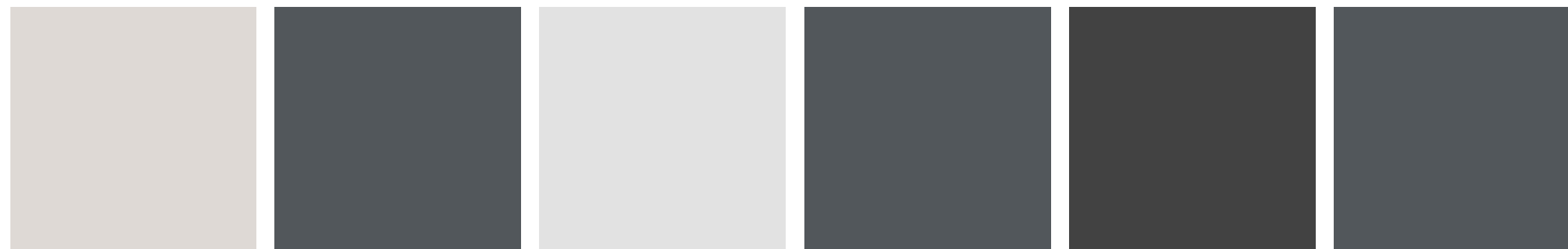


Existing Residence Addition
154 Gover Street, North Adelaide
Sandy & Mike Pisani

Job No: 2020026
Dwg No: DA05
Date: June 2020
Revision: 1



ELEVATION LEGEND	
1	NEW WHITE PAINT COLOUR
2	NEW DARK WINDOW SURROUND PAINT COLOUR
3	ROOF COLOUR
4	NEW FACADE CLADDING & PAINT COLOUR
5	NEW POWDERCOATED ALUMINIUM WINDOW FRAMES
6	NEW PANEL LIFT DOOR COLOUR



1 HAYMES HERITAGE: ATHENS GREY

2 HAYMES HERITAGE: DARK ADMIRALTY GREY

3 COLORBOND SURFMIST

4 EQUAL TO JAMES HARDIE HARDIEGROOVE, PAINT COLOUR TO MATCH 2

5 DULUX POWDERCOAT - MONUMENT WINDOW FRAMES

6 PANEL LIFT DOOR COLOUR TO MATCH 2

Materials Selections

Not to Scale



Existing Residence Addition
 154 Gover Street, North Adelaide
 Sandy & Mike Pisani

Job No: **2020026**
 Dwg No: **DA06**
 Date: **June 2020**
 Revision: **1**

Existing Shadow Diagrams on June 21



June 21 - 10am



June 21 - 11am



June 21 - 12pm



June 21 - 1pm

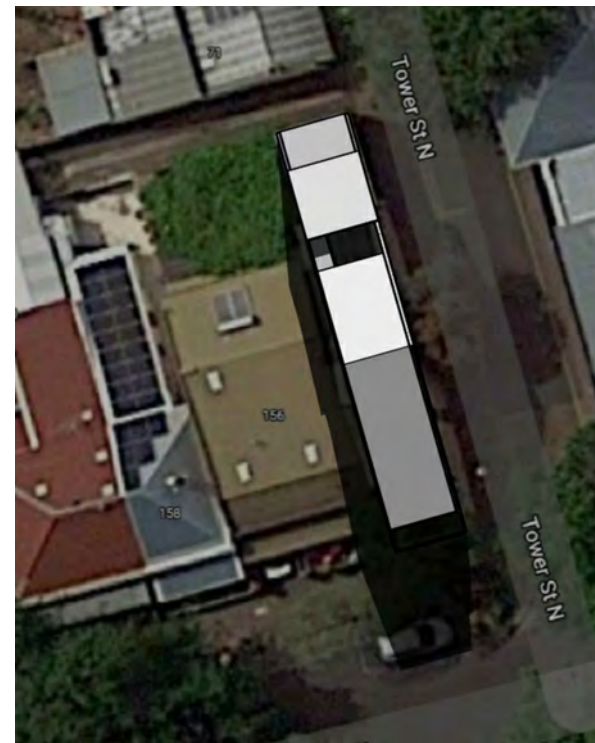
Proposed Shadow Diagrams on June 21



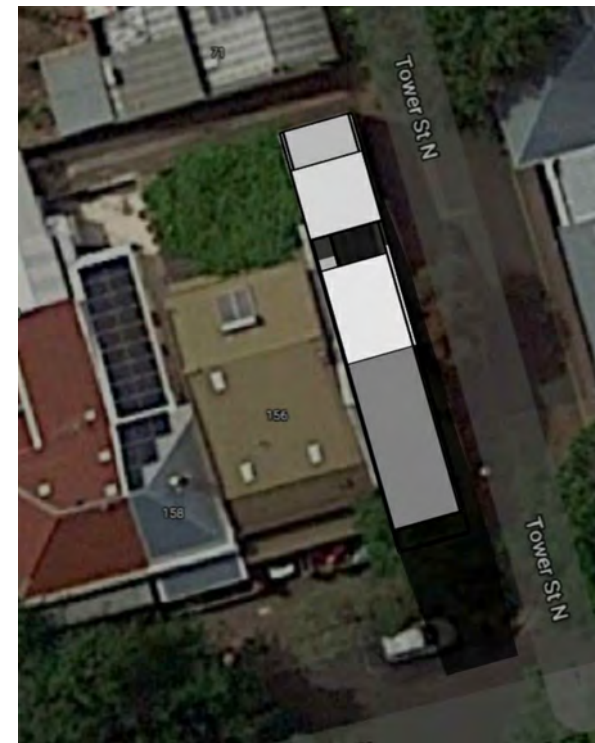
June 21 - 10am



June 21 - 11am



June 21 - 12pm

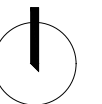


June 21 - 1pm



Existing Residence Addition
154 Gover Street, North Adelaide
Sandy & Mike Pisani

Job No: 2020026
Dwg No: DA07
Date: June 2020
Revision: 1





ON Architecture Pty Ltd
ABN 71 627 522 043

3 St. Thomas Street
Hawthorndene, SA 5051
Telephone: 0422225859

July 29, 2020

Seb Grose
S.Grose@cityofadelaide.com.au
Senior Planner – Development Assessment
Planning, Design & Development

Attention: Seb Grose,

RE: STATEMENT OF SUPPORT – 154 GOVER STREET ADDITIONS

On behalf of my clients Mike and Sandy, we write this statement of support for the additions to their family home.

Mike and Sandy purchased the home 10 years ago with their vision of retirement in the North Adelaide community. Mike has since retired and he and Sandy are now looking to renovate the home to suit their retirement and their family.

The home currently has 2 bedrooms, and they desire a 3rd bedroom to suit their needs. The addition is perceived as minor, with limited impact on privacy or access to sunlight to adjoining properties. We understand the plot ratio constraints under the Development Plan being the trigger for the project requiring non complying consideration. We understand the process and have discussed the addition with the neighbours who are in support of the project & Mike and Sandy forming part of their community.

The application seeks to also upgrade the external appearance of the home with a view to marrying in with the local character of adjacent properties to provide a unity in the streetscape aligning the local heritage aesthetic.

Mike and Sandy seek to enjoy their retirement and investment in the local community along with enhancing the local character with their renovations.

Yours Sincerely
for **ON Architecture**

A handwritten signature in black ink, appearing to read 'Troy Owen', written in a cursive style.

TROY OWEN
Architect/Director

CITY OF ADELAIDE
ADDITIONAL DOCUMENTS RECEIVED
DA/323/2020
29/07/2020



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 5124 Folio 901

Parent Title(s) CT 3901/177
Creating Dealing(s) CONVERTED TITLE
Title Issued 02/06/1993 Edition 7 Edition Issued 22/04/2005

Estate Type

FEE SIMPLE

Registered Proprietor

MICHAEL COLIN TURTUR
SANDY JANE PISANI
OF 153 PROSPECT ROAD PROSPECT SA 5082
WITH NO SURVIVORSHIP

Description of Land

ALLOTMENT 18 FILED PLAN 102534
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED A (T 2064118)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED B (T 2064118)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED C

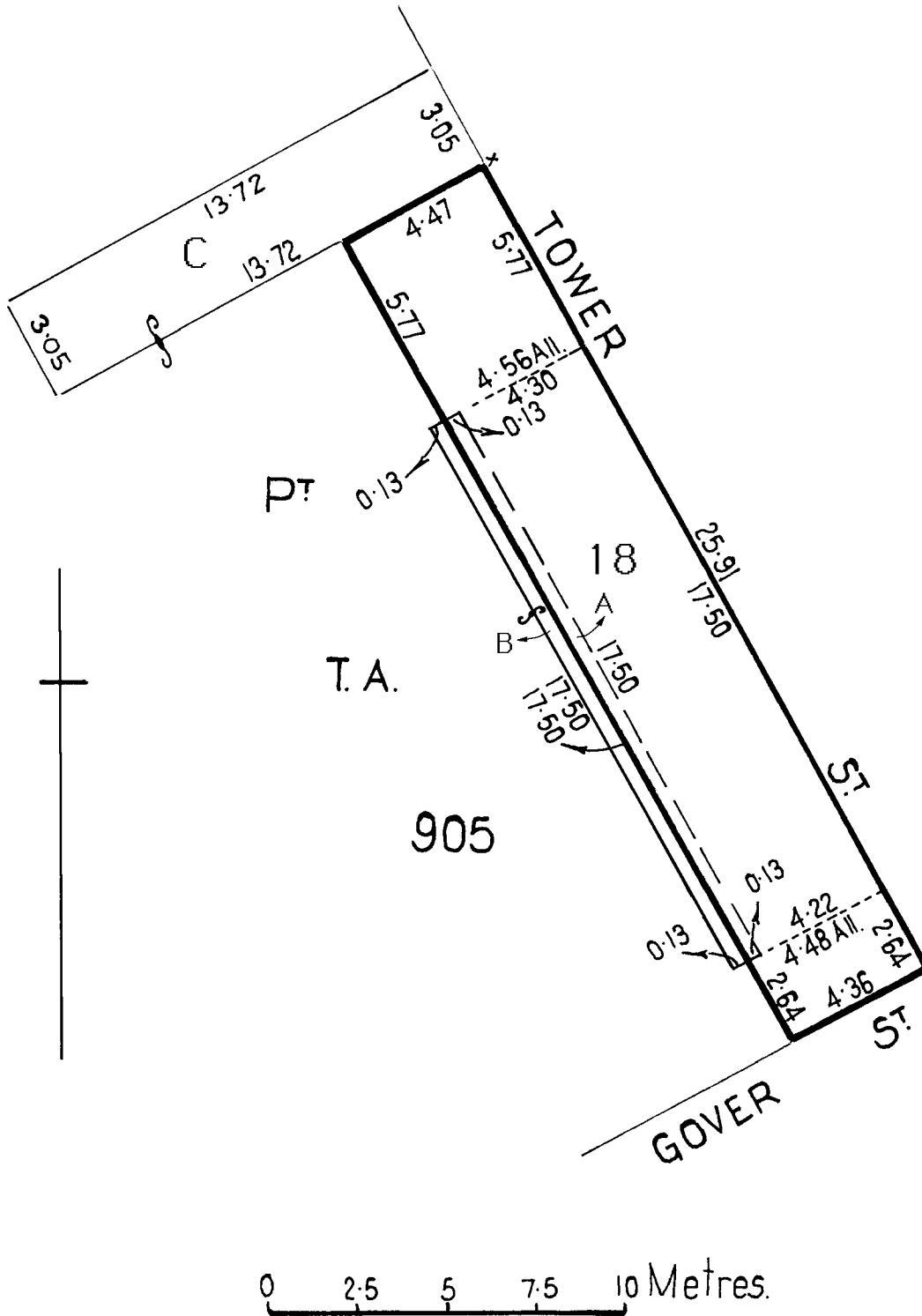
Schedule of Dealings

NIL

Notations

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

This plan is scanned from Certificate of Title 3901/177



Note: Subject to all lawfully existing plans of division

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 24/08/2020

Item No	3.1
Address	22 Brougham Court, North Adelaide SA 5006
Proposal	Construct a two storey rear addition to existing dwelling and plunge pool, replace existing fence and associated site works, DA/210/2020 (EP) [CAP]
Applicant	Hendre
Relevant Development Plan	16 January 2020
Lodgement Date	23 April 2020
Zone / Policy Area	North Adelaide Historic (Conservation) Zone - Cathedral Policy Area 8
Public Notification	Category 2
Application Type	Application Assessed on Merit
Delegations Policy	Unresolved Representations
Recommendation	Development Plan Consent Be REFUSED

ATTACHMENTS

Plans and Supporting Information

- Plans and Elevations 1 - 7
- Certificate of Title 8 - 9

Comments from Public Notification	10 - 30
Applicant Response to Representations	31 - 37
Council Heritage Advisor Report	38

PERSONS SPEAKING BEFORE THE PANEL

Representors

- Peter Duldig
- Matthew Gershwitz

Applicant

- Philip Gaertner

1. **DESCRIPTION OF PROPOSAL**

- 1.1 The proposal involves the construction of a two level extension at the rear of an existing dwelling. The extension includes a family and dining room at ground level, master bedroom with ensuite at upper level, together with a plunge pool located centrally within the private yard. The existing dwelling and proposed two storey extension will be joined by a single storey passage 'link' on the northern boundary and the remaining area is private open space.

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area 268 m²		
Plot ratio	1.0	0.67
Building height - Storeys - Metres (ceiling height)	2 6 metres (max.)	2 6.35 metres
Private Open Space (POS) - % of total site area or m ² - dimensions	20 %	20 %
Landscaped Open Space (LOS) - % of total site area	50 %	50 %
Car parking and Access - Number of spaces	1 Space	2 Spaces

3. **BACKGROUND**

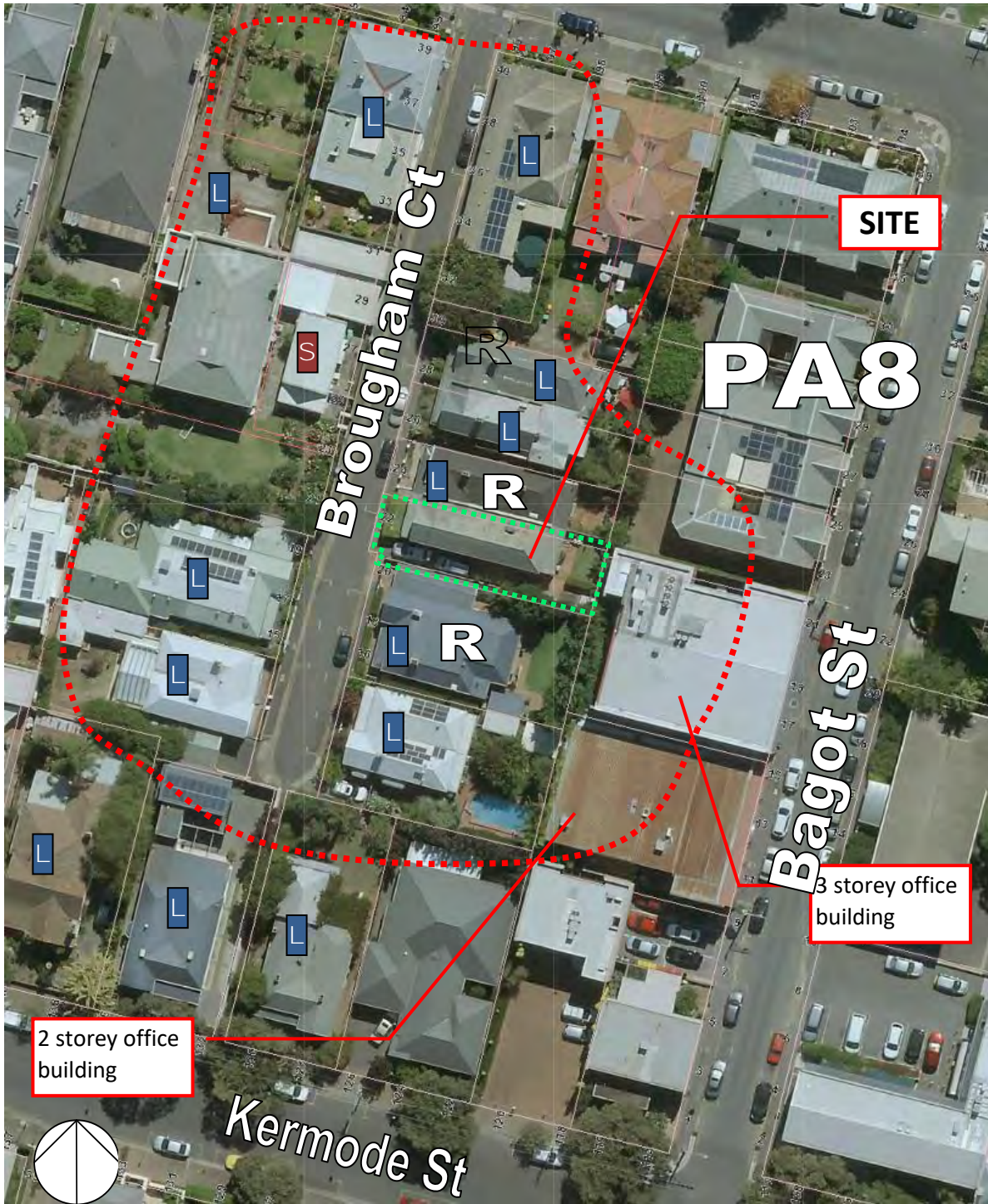
- 3.1 On 15 December 2014 an application for a similar proposal consisting of a two storey rear addition was approved by the Development Assessment Panel (DA/336/2014). The main difference between the current proposal and the 2014 proposal was an upper level setback of 1.86 metres from the southern boundary adjacent to 18 Brougham Court and the absence of a plunge pool.
- 3.2 The applicant was unable to proceed with the development at the time and obtained three extensions to the planning consent, however no work commenced and the approval lapsed on 29 July 2018. Council declined to grant any further extensions.

4. SITE

- 4.1 The subject site is located on the eastern side of Brougham Court.
- 4.2 The building is a Local heritage listed place
- 4.3 The site is rectangular with a width of 9.27 metres, a depth of 29.06 metres and has a total site area of 268 square metres.
- 4.4 The site slopes towards the rear of the block, falling by 0.73 metres. The land also slope downwards from north to south by 0.55 metres.
- 4.5 The site is subject to an easement located in the north-east corner of the site measuring 1.5 metres by 0.81 metres for sewerage purposes to the Minister for Infrastructure to facilitate sewerage disposal towards Bagot Street.
Note: The applicant is aware that a separate consent from the Minister of Infrastructure (SA Water) is required to facilitate construction over the easement.

5. LOCALITY

- 5.1 The site is abutted at the rear by a three-storey office building located on Bagot Street, with a sheer blank brick wall located on the majority of the rear boundary.
- 5.2 A shared sewer pipe runs from the rear yard of the subject land northwards and includes 24, 26 and 28 Brougham Court. There is no registered easement over this infrastructure.
- 5.3 The locality is mostly residential in nature; however there are a number of non-residential premises to the south and east. The most significant non-residential premises are offices at 17-21 Bagot Street (behind the subject site), the Queens Head Hotel at the corner of Kermode Street and Abbott Lane and St Marks College.
- 5.2 Dwellings in the locality are one and two storeys in height and many are Local heritage listed, particularly along Brougham Court.
- 5.3 Brougham Court is characterised by detached and semi-detached cottages which were originally built as workers dwellings, with some having had single and two storey dwelling additions constructed in recent years.
- 5.4 Whilst the subject site and adjacent sites are relatively flat, the land in this area forms part of the escarpment that separates upper North Adelaide from lower North Adelaide. Thus the land to the north of the subject site is higher whilst the land to the south is lower.









KEY			
	Subject Site		Local Heritage Place
	Cathedral Policy Area 8		State Heritage Place
	Representor(s)		Locality

Photo 1 – Subject site (centre) with No. 24 visible on the left and No. 18 on the right



Photo 2 – View of subject site seen from rear yard of No. 18 Brougham Court



Photo 3 – View of rear yard of No. 24 looking towards rear yard of subject site



Photo 4 – View of rear wall of 3 storey office building at 17-21 Bagot Street



6. PUBLIC NOTIFICATION

Category of Notification	Category 2
Representations Received – 2	<ul style="list-style-type: none"> Ms Jo Duldig – 24 Brougham Court, North Adelaide Matthew and Katy Gershwitz – 18 Brougham Court, North Adelaide

Summary of Representation	Applicant's response
<p>The addition is not set back from the northern boundary and is excessively bulky in form and scale.</p> <p>The proposal to build on the entire length of the adjoining side rear boundary is a major deviation from the pattern and character of existing properties in Brougham Court. This is inconsistent with prevailing setbacks in this street and location.</p>	<p>Council did not raise preliminary concerns with the proposal, with the only requested amendment, post-lodgement to include a window on the western elevation of the second storey.</p> <p>Multiple materials and finishes have been used to limit the perceived bulk and scale.</p> <p>A flat roof has been adopted to limit building height and perceived visual impact.</p>
<p>The area of built form on the boundary for a fence would be 15m². The proposed area is 38m². This is excessive.</p> <p>The scale, bulk, setback, and design is not compatible or sympathetic with the design of neighbouring Local heritage places. The proposed ultra-modern development is dominant due to the scale and design and will diminish the heritage value of the adjoining properties. This will significantly reduce the heritage value and market value of the respondent's heritage place.</p>	<p>The design and material choice provide a distinct yet complimentary separation between the existing heritage building and new development.</p> <p>The height of the build is no higher than the existing heritage place.</p> <p>The development steps down considerably from the existing buildings floor level to provide minimal impact to neighbouring properties. See North Elevation Plan (PL04) - the floor level of 24 Brougham Court (northern neighbouring property) is 910mm higher than the ground level of our property. This results in the reduction of northern wall heights when viewed from the rear of 24 Brougham Court.</p>
<p>The proposal significantly diminishes neighbour's amenity and enjoyment of their private open space by being built on the boundaries.</p>	<p>The wall on the southern boundary will be obscured by the mature vegetation established at 18 Brougham Court which will greatly reduce any perception of bulk and scale. Note that this vegetation also</p>

<p>There have been several developments (26 Brougham Court and 25-31 Bagot Street) that have already created significant visual impact, loss of neighbouring amenity, significant overshadowing and overlooking to the property at 24 Brougham Court. This has enclosed the rear yard which now suffers extremes of weather, glare and moisture due to microclimate. To build on another adjoining boundary will further substantially reduce amenity and enjoyment of this open space.</p> <p>No. 18 Brougham Court will suffer excessive loss of sunlight in winter. This will impact upon the use of the rear yard and the houses principal entertainment / relaxation areas.</p>	<p>provides the majority of overshadowing to No. 18's property.</p> <p>The proposed development reduces the bulk and scale of the red brick building situated on the rear boundary of our property, including for neighbouring properties and from street view. The proposed construction softens the commanding nature of this building and is more sympathetic to our and surrounding heritage places. This is provided through considered design, material selection and layering.</p> <p>Shadowing diagrams provided were produced by Hendre Design using the Revit's Shadowing System. This has ensured that shading diagrams are accurate.</p>
<p>Request that a 2.0 metre high rendered wall be extended from the wall of the proposed extension to the rear (east) of the carport at 24 Brougham Court in order to provide visual and acoustic privacy, with existing fencing beyond to remain as is.</p>	<p>This request contradicts concerns raised around bulk and scale of boundary walls, particularly given the close proximity of this wall, which would be located directly adjacent to their living area. Whilst we welcome the additional length to the wall, we note that the extension of this will come at a substantial increased cost.</p> <p>Certified survey plans indicate that the existing fence is not located on the true boundary. The new fence and retaining wall built on the new boundary will benefit both properties (22 and 18 Brougham Court).</p>
<p>Seek that Council ensures that the louvres on the window be fixed to ensure that no overlooking occurs.</p>	<p>No response.</p>
<p>Seek that the proposal be refused unless a 1.86 metre setback be introduced to the upper level as was approved in the previous application (DA/336/2014) to reduce overshadowing, bulk and sense of enclosure.</p>	<p>No response.</p>

7. REQUIRED EXTERNAL REFERRALS

7.1 No external referrals required

8. SPECIALIST ADVICE**8.1 Local Heritage**

- The rear addition is a separate built form, linked to the rear of the Local Heritage Place. The impact of this addition on the heritage value of the subject dwelling is minimal and acceptable.

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"> N/A 	<ul style="list-style-type: none"> Work with private property owners and the State Government to embed better environmental performance into new and existing developments
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 	<ul style="list-style-type: none"> N/A

9. DETAILED ASSESSMENT

9.1 Summary of Policy Area Objectives & Principles

<p>Cathedral Policy Area 8</p> <p><i>The Cathedral Policy Area should be maintained as a predominantly residential area and its unique character which is established by its distinctive topography, diverse range of nineteenth century architecture and its extensive Park Lands frontages, should be conserved.</i></p> <p><i>The variety of dwelling types should be retained by the conservation of Heritage Places. Cohesive lines of buildings set behind attractive landscaping should be maintained to visually define the perimeter of the Policy Area.</i></p> <p><i>The character of new residential development should be established by low and medium 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>(b) Brougham Court:</p> <p><i>Development along Brougham Court should complement the existing townscape, characterised almost exclusively by closely sited semi-detached and detached local heritage places, with consistent set-backs. The strong built form definition at the junction of Brougham Place and Brougham Court should be maintained to enclose Brougham Court.</i></p>		
<p>Subject</p> <p>DP Ref</p>	<p>Assessment</p>	<p>Achieved</p> <p>✓</p> <p>Not Achieved</p> <p>✗</p>
<p>Desired Character</p>	<ul style="list-style-type: none"> Achieved. 	<p>✓</p>
<p>Objectives</p> <p>O1-3</p>	<ul style="list-style-type: none"> Maintains and further entrenches existing residential use. Maintains the intact single storey streetscape of Brougham Court, being well setback such that it is a minor visual element when viewed from the street. Acceptable standard of design, materials and landscaping. Develops under-utilised land behind and adjacent existing building and does not compromise value of the Local heritage place. 	<p>✓</p>
<p>Land Use Built Form and Public Environment</p> <p>P1 - 7</p>	<p>PDC1 – Partially achieved.</p> <p>PDC2 – Additions to dwellings are envisioned in the Policy Area.</p> <p>PDC3 – The building does not exceed 2 building levels nor has a ceiling in excess of 6 metres above median or finished ground level.</p>	<p>✓</p>

	<p>PDC4 – Achieved. Does not exceed the maximum plot ratio.</p> <p>PDC7 – Achieved. Landscaped Open Space will be reduced from 57% to 50%.</p> <p>PDC8 – The proposed addition is sited at the extreme rear of the site as sought, with overshadowing and overlooking satisfied.</p>	
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9.2 Summary of Zone Objectives & Principles

North Adelaide Historic (Conservation) Zone

Statement of Heritage Value

North Adelaide is part of the historic plan of the City of Adelaide. The historic character of North Adelaide provides strong cultural and historic evidence of the creation of the colony, the establishment and consolidation of early settlement and the subsequent development of South Australia's capital city over time.

South Australia was established as a semi-commercial venture later taken over by the British government. North Adelaide formed a distinctive part of the plan for Adelaide drawn up in advance of settlement by Colonel William Light, who was appointed Surveyor-General by the South Australian Colonisation Commission. North Adelaide repeats the grid land division pattern created by Light's plan in South Adelaide, and comprises three small grids now described as Upper North Adelaide, Lower North Adelaide and the Cathedral area. The Town Acres were disposed in a regular grid layout around Wellington Square, the only public open space incorporated within the initial plan for North Adelaide other than the Park Lands belt. The location of the three distinct areas reflects Light's understanding of the local topography. The layout of one acre blocks with large frontages to unusually wide streets around the Square and Park Lands maximised views to the open spaces and the Adelaide Hills in the distance.

North Adelaide is essentially a group of three residential villages separated from the square mile of the City by the belt of Park Lands. It has developed in parallel with the southern part of the City but with a greater emphasis on residential growth and the provision of local services in each area for the immediate residents. Although the original Town Acres have been divided and further developed over time, Light's Plan has been preserved essentially as he conceived it.

Following survey and settlement, the natural landscape was converted to a cultural landscape which now reflects the divisions of wealth and influence in the early colony. The built form of North Adelaide is indicative of the social divisions and occupations of Adelaide society from early settlement. It retains many buildings and sites of State and local heritage value ranging from large mansions to simple row cottages, corner shops and hotels to major churches and institutional buildings that reflect the different periods of development. The diversity of scale and integrity of the remaining historic built form is a microcosm of development periods and traditional housing styles in the State as a whole.

North Adelaide also retains strong physical evidence of the historical stages of the development of the colony, most particularly the typical 1850s to 1880s village type settlement pattern, with shops and other services. These remain in Kermode Street, Melbourne Street and Tynte Street particularly, as these streets served as the local main streets for the three discrete sections of North Adelaide. As the colony grew, North Adelaide became the location for a number of major religious and institutional organisations and their buildings, and for the residences of many notable Adelaide community members.

Upper North Adelaide, Lower North Adelaide and the Cathedral area each display unique characteristics that contribute to the understanding of the heritage value of the Zone, as follows:

Cathedral Area

The Cathedral area sits immediately north of the City at an angle to Upper North Adelaide and contains Policy Areas 8 and 9. Comprised of 24 Town Acres on land sloping upward to the north

and west, it is the smallest of the three areas and serves as an entry point to Upper North Adelaide.

St Peter's Cathedral, dating from 1869, is a major landmark and visually dominates this area which is characterised by large institutional buildings, with residential development located primarily to the west. St Mark's College, much of which is comprised of new buildings, is grouped around substantial early residences along Pennington Terrace.

Until 1856, Kermodie Street was the 'High Street' of North Adelaide. The characteristic collection of shops, a police station, a church and hotel (the still trading Queens Head) were located along this street, and there are several pre 1850s buildings remaining in this area.

Small cottages and worker housing, such as in Brougham Court, provide a contrast with the more substantial villas with Park Lands frontage around Palmer Court and along Pennington Terrace and are indicative of the diverse social composition of the early resident population.

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Achieved. 	✓
Objectives O1-3	<ul style="list-style-type: none"> Partially achieved. Obj 1 – Achieved. Obj 2 – Partially achieved. Does not meet the side setbacks typical of development in residential areas. Obj 3 –Achieved. 	✓ ✗
Form and Character P1-2	<ul style="list-style-type: none"> Partially achieved. PDC1 - The building addition is contemporary and its location ensures that it does not have a negative impact upon the streetscape character of the locality, however it negatively impacts upon the residential amenity of private open spaces of adjacent land to the north and south. 	✓ ✗
Built Form and Public Environment P3-16	<ul style="list-style-type: none"> Partially achieved. PDC4 - The lower level consisting of brick will be rendered in white. On the northern elevation the portion of the extension consisting of the connecting corridor will be red-brick, to break up the building mass. The upper level will be differentiated by the use of Hardie's 'Axon' wall cladding in Dune colour. PDC5 – The proposal achieves the LOS (Landscaped Open Space) requirement for the locality of 50% of the allotment. The proposal includes open space at the side of the house. This is considered acceptable. 	✓ ✗

<p>Built Form and Public Environment (continued)</p>	<ul style="list-style-type: none"> • PDC6 – See comments in PDC1 above. • PDC7 – Achieved in that the proposal does not exceed the 2 storey and 6 metre ceiling height limit. • PDC8 –Achieved. The proposal is located at the rear of the dwelling and its location ensures minimal impact upon the single storey streetscape. • PDC9 – Not achieved. Building to side boundaries (as is proposed) can be considered where there is no detrimental impact on residential amenity. In this instance the bulk and scale and sense of enclosure has significant impact upon adjacent properties, particularly to the south. • On the northern side on the boundary with No. 18, no setback is proposed, with a two storey wall present on half of the length of the boundary. The bulk of the addition is relieved somewhat through the application of Hardie’s ‘Axon’ cladding on the upper level. On the southern side, a two storey wall is proposed along the rearmost 4.675 metres of the boundary with 18 Brougham Court. The lack of upper storey is setback from the boundary creates a strong sense of enclosure, bulk and scale with increased overshadowing to the rear yard of the adjacent dwelling. The proposal therefore differs from the predominant side and rear setback pattern in the locality, with impacts on adjacent land. • PDC11 – The use of a flat roof to the addition in this case is supported as it lowers the profile of the addition, minimises visibility from Brougham Court and reduces overshadowing impacts to the neighbour to the south. 	<p>✓</p> <p>✗</p>
<p>Fencing P16</p>	<ul style="list-style-type: none"> • The existing 1.8 metre high colorbond ‘good neighbour’ fence is to be removed. A 200mm high concrete plinth is proposed in order to retain the site levels of both 22 and 18 Brougham Court, with a new 1.8 metre high fence proposed on top which will replicate the design and colour of the existing fence. 	<p>✓</p>
<p>Access and Car parking P17-23</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>

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"> Partially achieved. The proposal protects existing heritage building, provides sufficient open space for landscaping and residential amenity. It is compatible with the desired character of the locality in terms of building height however the building mass and scale on the northern and southern boundaries does not contribute to a high level of amenity for occupants of the adjoining dwellings at 18 and 24 Brougham Court. 	✓ ✗
Dwelling Setbacks O13 P22	<ul style="list-style-type: none"> Setbacks are not characteristic of the locality. For a full discussion see Summary – 3. Residential Amenity section. 	✓ ✗
Building Siting O14 P23-24	<ul style="list-style-type: none"> Building siting affects the residential amenity of adjacent development to the north and south. For a full discussion see Summary – 3. Residential Amenity section. 	✓ ✗
Daylight & Sunlight O15 P25-28	<ul style="list-style-type: none"> PDC26 (A) and (d) achieved. A minimum of 2 hours direct sunlight on 22 June is preserved to the private open space of 18 Brougham Court. 	✓
Private Open Space O16 P29-34	<ul style="list-style-type: none"> Achieved. The minimum of 20% is provided within the rear courtyard and side garden. 	✓
Visual & Acoustic Privacy O17 P35-38	<ul style="list-style-type: none"> Achieved. Upper level window has a 450mm deep privacy shroud and a fixed louvre screen open to a maximum of 25%. 	✓
Adaptability P39	<ul style="list-style-type: none"> Achieved. 	✓

On-Site Parking & Access O20 P44-45	<ul style="list-style-type: none"> Achieved. One car parking space is required and two spaces are provided on site. 	✓
Site Facilities & Storage O21 P46-47	<ul style="list-style-type: none"> Achieved. 	✓
ENVIRONMENTAL		
Noise Emissions O26-27 Noise Sources P89-94	<ul style="list-style-type: none"> Achieved. The use of the upper level bedroom or ground level living areas are unlikely to be a source of unreasonable noise. 	✓
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Achieved. The west-facing window is protected from receiving excess heat through louvres and shroud. Areas can be separately cooled and heated. Light colours are applied externally. Natural ventilation is achieved. 	✓ ✗
Micro climate and sunlight O33-34 P119-125	<ul style="list-style-type: none"> Not Achieved. The development causes microclimatic impacts to the dwelling to the south. To the north, the impact to the adjacent dwelling involves blocking south-west prevailing winter winds and increasing heat in summer through heat retention and radiation. To the south, the impact is loss of sunlight to the private yard. 	✗

<p>Heritage & Conservation – North Adelaide</p> <p>General</p> <p>P149-155</p> <p>Fencing, Garages, Carports & Outbuildings</p> <p>P158-159</p> <p>Development Adjacent a Heritage Place</p> <p>P162-166</p>	<ul style="list-style-type: none"> • PDC 150 and 152 is mostly achieved. The setback of the addition and its location at the rear of the site minimise the visual impact and will ensure that views to the Local heritage places from Brougham Court remain predominant. • The design is contemporary in nature and uses modern materials and colours. Although this does not accord with PDC 150(e)(iv), it is noted that contemporary additions are routinely supported where they are sited away from the elements of heritage value, and therefore such structures need not be composed of heritage materials nor be designed in a manner reflective of heritage places. 	<p>✓</p>
<p>Built Form & Townscape</p> <p>O46-48</p> <p>P167</p>	<ul style="list-style-type: none"> • See Summary - Section 3. Residential Amenity. 	<p>✓</p>
<p>Height, Bulk and Scale</p> <p>P168-174</p>	<ul style="list-style-type: none"> • Partially Achieved. See Summary - Section 3. Residential Amenity. 	<p>✗</p>
<p>Plot Ratio</p> <p>P175</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>
<p>Landscape Open Space</p> <p>P177</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>
<p>Building Setbacks</p> <p>P178-179</p>	<ul style="list-style-type: none"> • Partially Achieved. See Summary - Section 3. Residential Amenity. 	<p>✗</p>
<p>Composition & Proportion</p> <p>P180-181</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>
<p>Articulation & Modelling</p> <p>P182-186</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>
<p>Materials, Colours & Finishes</p> <p>P187-190</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>
<p>Sky & Roof Lines</p> <p>O49</p> <p>P192-195</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>

Landscaping O55 P207-210	<ul style="list-style-type: none"> • Achieved. • Selected species are mostly indigenous and therefore heat and drought tolerant. 	✓
Car parking O71-72 P251-265	<ul style="list-style-type: none"> • Achieved. 	✓

9.4 **Detailed Discussion**

Desired Character

The desired character of the Cathedral Policy Area 8 seeks that the area remain predominantly residential in nature, with retention and conservation of heritage places sought. The cohesive townscapes of its various streets are desired to be maintained, with development up to a height of two storeys envisaged.

The proposal is considered consistent with the desired character as it is located at the rear of the property separate from the Local heritage place, thereby preserving the heritage fabric and minimising the visual impact on the historic character of the streetscape.

Built Form and Design

Design

The form of the extension is clearly contemporary and is designed and located so as not to predominate over the existing dwelling. Being essentially a free-standing structure attached to the existing dwelling by a corridor link; the proposed structure incorporates red-brick and render finish to the walls and Axon cladding in Dune colour that is sympathetic to the heritage places adjacent.

Plot Ratio

The maximum plot ratio desired in the Cathedral Policy Area is 1.0. The proposed development will bring the total plot ratio to 0.67.

Height and Setbacks

The addition is sited at the rear of the property and abuts both side and rear boundaries. This siting is identified in CWPDC 9 as being generally inappropriate as it is uncharacteristic of the historic building siting pattern. Siting on boundaries can be accepted however only where there are no adverse impacts upon neighbouring residential amenity or heritage places.

In this instance the siting is considered to be unacceptable on balance although it is located at the very rear of the site, minimising any impact upon the streetscape of Brougham Court. The rear wall abuts the three-storey blank wall of a commercial building at the rear on the adjoining site to the east so there is no impact to this aspect of the development.

The two-storey element extends to both the north and south boundaries for a length of 4.7 metres length. The 4 metre length of wall comprises 17% of the overall length of the boundary and is located the furthest away from the both adjacent dwellings at 18 and 24 Brougham Court. Although located as far way from existing structures as possible, the small allotment sizes in the locality means that this siting still has an unreasonable sense of bulk and enclosure for the adjacent residential properties.

Daylight and Sunlight

Overshadowing to the adjacent dwelling to the south satisfies the minimum of 2 hours of sunlight on 22 June to at least 20% of the property's private open space as sought by CWPDC 27. The proposed building will however reduce the amount of daylight into the private open space, which is already limited by the three-storey office building to the east.

Residential Amenity

Impacts on residential amenity have been the primary concern of the proposal. These include visual impacts, potential overlooking, heat loading and drainage.

Drainage

The southern boundary wall and fence incorporates a 200 millimetre high plinth that will contain stormwater runoff within the site thus resolving the current situation whereby there is seepage of stormwater runoff underneath the existing fence into neighbouring 18 Brougham Court. A new 1.8 metre high fence is proposed above, maintaining the existing total fence height. This preserves the amount of light received to the north facing windows of 18 Brougham Place.

Overlooking

The upper level features a single window to the main bedroom. The window incorporates a 450mm deep shroud and louvres fixed to provide 25% openings. These measures will preserve the privacy of the adjacent dwelling.

Overshadowing

The upper level of the addition has no setback off the southern boundary, creating overshadowing to No. 18 Brougham Court. The applicant provided overshadowing diagrams illustrating that at least 2 hours of direct sunlight was provided to at least 20% of the private open space of the adjacent dwelling to the south, meeting Development plan requirements.

Bulk and Scale

The building is set on the rear and side boundaries. This siting is generally not supported in the Development Plan which seeks to retain traditional siting patterns in the locality. The setback to the rear is deemed acceptable as it abuts the three-storey blank red brick boundary wall of the adjacent office building. There will be a loss of afternoon sunlight to some of the nearest windows of the office building which are setback 2.5 metres from the boundary, however the Development Plan does not stipulate the maintenance of a quantifiable minimum of light and ventilation for non-residential land uses.

Whilst the mix of Axon cladding and rendered brick visually break up the mass and bulk for the adjacent dwelling to the south at No. 18 Brougham Court, the lack of setback to the boundary creates a sense of enclosure. The aforementioned dwelling is approximately 200 mm lower than the subject site, with the rear private open space set approximately further 400 mm lower again. This difference in level increase the apparent bulk of the proposed dwelling when viewed from the adjacent private open space.

On the northern boundary with 24 Brougham Court there is no setback. The applicant has attempted to break up the building mass by using a combination of materials including red-brick to the connecting gallery, cladding to the upper storey and render at ground level to break up the building mass into smaller elements. The diversity of materials partly compensates for the lack of articulation. The adjacent property is approximately 400 mm higher than the subject site, which will assist in the reduction of building bulk of the proposed development. It is noted however that the

sense of enclosure and bulk to the private yard area of No. 24 is detrimental to its amenity.

Materials, Colours & Finishes

The design incorporates Hardies 'Axon' panels to the upper level, render finish to the ground level walls and red-brick wall to the single storey gallery wall located on the boundary with 24 Brougham Place. These materials reflect the prevailing colours found in the locality and are considered suitably domestic in scale and break up the mass and scale of the building.

Microclimate

The proposal will cause a reduction of sunlight with subsequent cooling to No. 18 to the south as well as an increase in heat to No 24 to the north which is already enclosed to a fair degree by adjacent buildings to the north and east.

Heritage and Conservation

Siting of the addition at the rear of the site directly abutting the plain three storey blank wall of the office building at 17-21 Bagot Street reduces the need for interventions to the existing dwelling and ensures that visibility from the public realm is minimised, with the addition seen as a receding element which will only be visibly from a narrow vista on Brougham Court between number 22 and 24. Council's Heritage Architect has reviewed the proposed development and supports the development insofar as it does not affect the heritage fabric of the dwelling and does not adversely visually affect the streetscape which is composed of Local heritage places.

Transport, Access and Parking

Table Adel/7 of the Development Plan recommends that at least one space per dwelling less than 200m² be provided for on-site residential development within the North Adelaide Historic (Conservation) Zone. As the total floor area of the existing dwelling and proposed addition will be 155m², the one parking space provided will satisfy this provision.

There is no change proposed to the existing crossover.

Conclusion

In summary, the proposal involves an extension to an existing dwelling that has little street impact and will therefore have a minimal impact on the desired character of the area. The proposal meets the quantitative criteria for height, plot ratio, private open space, landscaped open space and overshadowing.

The qualitative guidelines, including height as it relates to impacts on residential amenity, are also considered to adequately satisfy Policy Area Principle 3, Zone Principles 3, 7 & 8 and Council Wide Principles 19, 27 and 28.

The proposal has unacceptable impacts upon the amenity of adjacent dwellings, particularly to the south, reducing the quality of their private open space and outlook from their dwellings, not satisfying Council Wide Objectives 14(c) and 33, Council Wide Principles 20, 22(b), 23 and 118, North Adelaide Historic (Conservation) Zone Objective 2(b)(ii) and 3, and North Adelaide Historic (Conservation) Zone PDC 9.

In summary, the proposal fulfils a great many Development Plan provisions and has both positive and negative attributes and impacts which make this proposal finely balanced.

The contemporary design of the dwelling addition is deemed satisfactory as it is located away from the Local heritage dwelling. Views of the structure will be limited to a narrow vista on Brougham Court between the main dwelling and the neighbouring house; No. 18. It will be seen as a background element abutting the existing three storey blank brick wall of the office building at 17-21 Bagot Street. Having said this, the design possesses little visual interest.

The siting of the addition to the rear and side boundaries is not characteristic of most dwelling additions in residential zones. The rear siting is acceptable given that the office building is located on the boundary and presents a blank wall which does not contribute to the amenity of dwellings in the locality. The proposed addition will effectively resolve the appearance of the wall for the applicant. Its impact upon the neighbouring dwelling to the south at No. 18 Brougham Court however is deemed to be unacceptable. The extent of two level built form on the boundary; being 4.7 metres at ground level and 5.3 metres at the upper level, having the effect on enclosing the rear yard, creating a loss of view of the sky, having a cooling microclimate impact.

The impact of the proposed structure on the abutting dwelling to the north is less significant insofar as there is no loss of sunlight caused. The break-up of the built form through the use of differing materials comprising red-brick, Axon panels and rendered brick walls is a measured attempt to break up the building mass. Even so, the proposed addition presents a substantial built form, creating a sense of enclosure and producing a heating microclimatic impact in summer.

Although satisfying the overshadowing criteria of the Development Plan as it relates to No. 18, the presence of the three-level office building to the east and 400 - 500mm lower ground level of the aforementioned site, renders the impact of the proposed dwelling addition unacceptable.

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

- It proposes a residential land use which is desired in the Zone
- External materials, colours and finishes are of reasonable quality
- It does not affect the intact heritage streetscape of the locality and the intact nature of the main dwelling.

However, the bulk and scale and microclimatic impacts upon the adjacent dwellings at 18 and 24 Brougham Place are considered to be unreasonable

Whilst finely balanced, it has been determined that the proposal warrants refusal.

10. RECOMMENDATION

That the development, the subject of the application from HENDRE to construct a two storey rear addition to existing dwelling and plunge pool, replace existing fence and associated site works at 22 Brougham Court, North Adelaide SA 5006 as shown on plans designated DA/210/2020, is not seriously at variance with the provisions of the Development Plan but is REFUSED Development Plan Consent for the following reasons:

- Its bulk and scale are excessive, reducing the access to views of the sky and creating an excessive sense of enclosure to the rear habitable rooms and private open spaces, not satisfying Council Wide Principles 20, 22(b)23, North Adelaide Historic (Conservation) Zone Objective 2(b)(ii) and 3.
- Microclimatic impacts upon the adjacent dwellings at 18 and 24 Brougham Court will reduce the amenity of their private open space and closest habitable rooms through heat generation to the north and reduction of sunlight, leading to a cooling effect to the south, not satisfying Council Wide Objective 33 and Council Wide PDC 118.
- The proposal will detrimentally impact upon the amenity of the adjacent dwellings at 18 and 24 Brougham Court to their private open space and closest habitable rooms through loss of daylight, increased overshadowing to the southern property and blocking of breezes and generation of heat to the northern property, not satisfying Council Wide Objective 14(c) and North Adelaide Historic (Conservation) Zone PDC 9.

FINISHED FLOOR LEVELS:

FINISHED FLOOR LEVELS TO ADDITION SHALL BE AS NOMINATED. C.O.S.

STORMWATER:

ALL STORMWATER SHALL BE CONNECTED TO EXISTING AS PER TMK ENGINEER'S DRAWING NUMBER CRD AND COUNCIL REQUIREMENTS.

LANDSCAPING SCHEDULE:

1. TALL SHRUBS:

- MELALEUCA ACUMINATA (HONEY MYRTLE).
- ACACIA TRINEURA (HINDMARSH WATTLE).
- BANKSIA MARGINATA (SILVER BANKSIA).

2. MEDIUM SHRUBS:

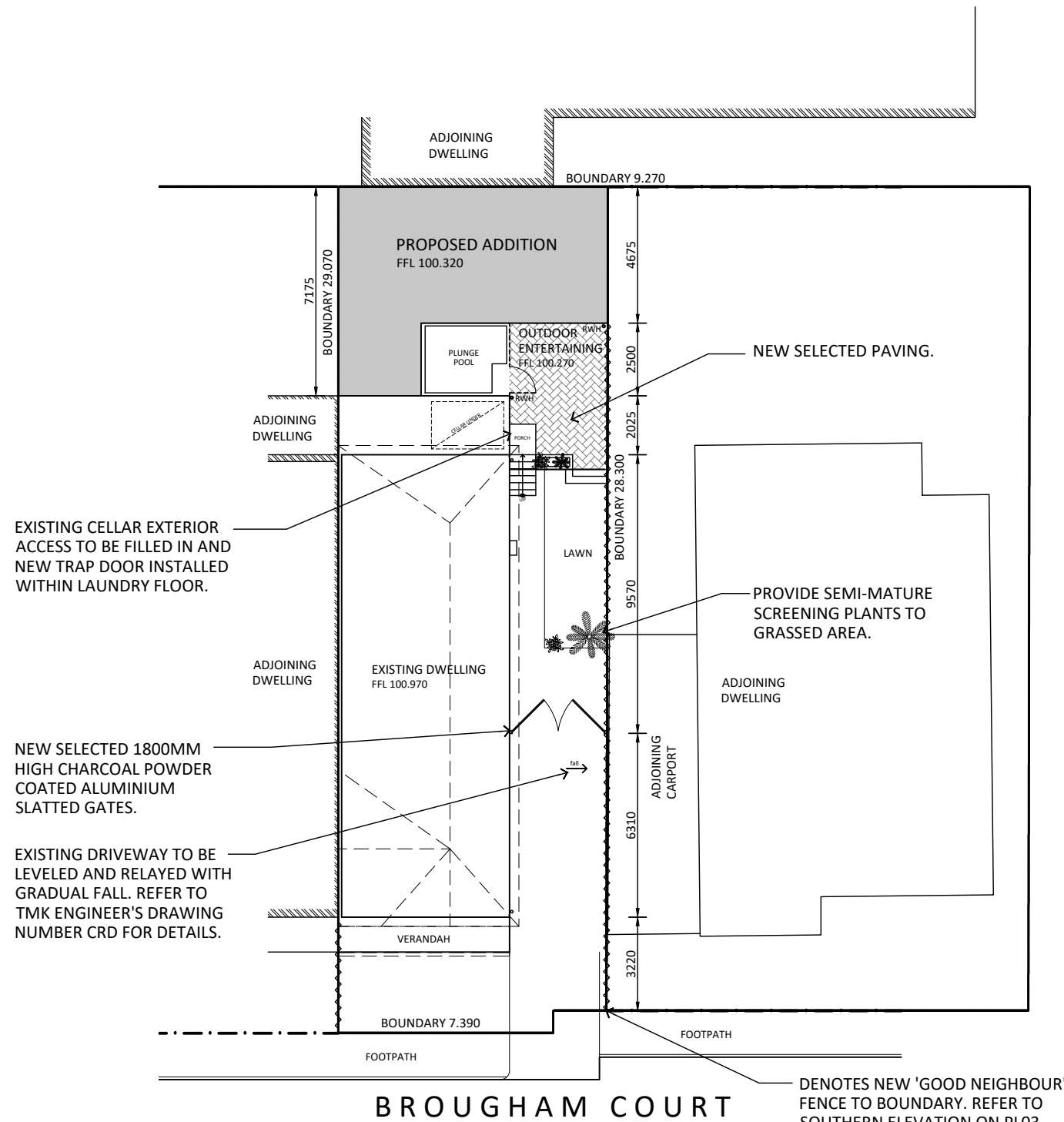
- ACACIA VERNICIFLUA (VARNISH WATTLE).
- CALOCEPHALUS BROWNI (CUSHION BRUSH).
- CASSIA ARTEMISIOIDES (SILVER CASSIA).

3. SMALL SHRUBS:

- HELICHRYSUM BRACTEAFUM (E'LASTING DAISY).
- ROSMARINUS OFFICINALIS (ROSEMARY).

4. GROUNDCOVERS:

- MYOPORUM PARVIFOLIUM.
- EREMOPHILA GLABRA (BURGUNDY FLOWERED).



SITE PLAN
SCALE 1:100

DENOTES NEW 'GOOD NEIGHBOUR' FENCE TO BOUNDARY. REFER TO SOUTHERN ELEVATION ON PL03 NOTE FOR FURTHER DETAILS.

AREAS:

SITE TOTAL:	260.0m ²
EXISTING DWELLING	
TOTAL FOOTPRINT AREA:	112.6m ²
PROPOSED ADDITION	
TOTAL FOOTPRINT AREA:	50.5m ²
PRIVATE OPEN SPACE	
REQUIRED 20%:	52.0m ²
PROPOSED:	54.7m ²

BOUNDARY NOTE:

- EXISTING FENCE IS NOT LOCATED ON THE BOUNDARY. EXISTING FENCE TO BE REMOVED AND A NEW "GOOD NEIGHBOUR" FENCE WITH CONCRETE PLINTHS BELOW TO BE ERECTED ON ACTUAL BOUNDARY AS PER BOUNDARY IDENTIFICATION PLAN AND CERTIFICATE OF TITLE. REFER TO SOUTHERN ELEVATION ON PL03 FOR EXACT DETAILS
- ADDITIONS TO DWELLING HAVE BEEN SHOWN TO ACTUAL BOUNDARY, HOWEVER ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION.
- ALL AREAS SHOWN ARE AS PER DIMENSIONS TO ACTUAL BOUNDARY.

REV	DATE	DESCRIPTION
B	29/05/20	CHANGES TO WINDOW PER COUNCIL
A	23/04/20	PLANNING DRAWINGS FINALISED
-	05/03/20	PLANNING DRAWINGS COMMENCED



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CLIENT
P. GAERTNER & C. HUNTER

PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

DRAWING TITLE
FLOOR PLANS

SCALE
1:100 @A3

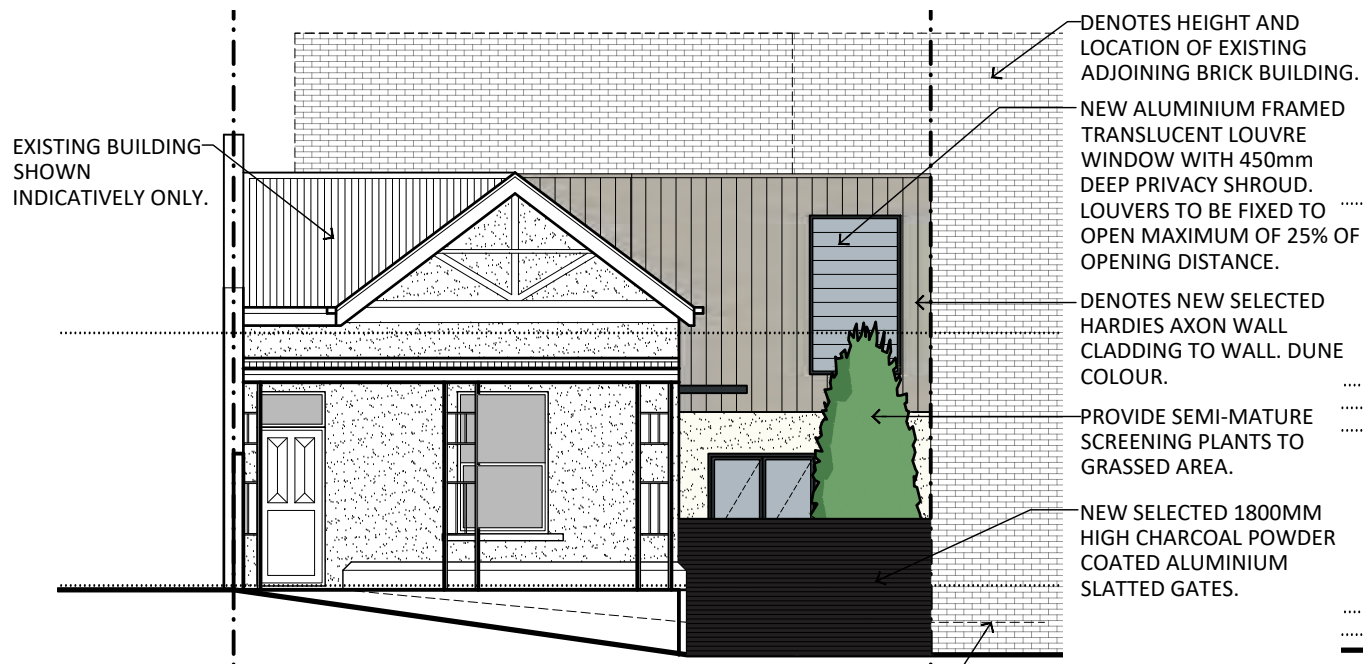
DATE
MAR 2020

PROJECT NO.
19-015

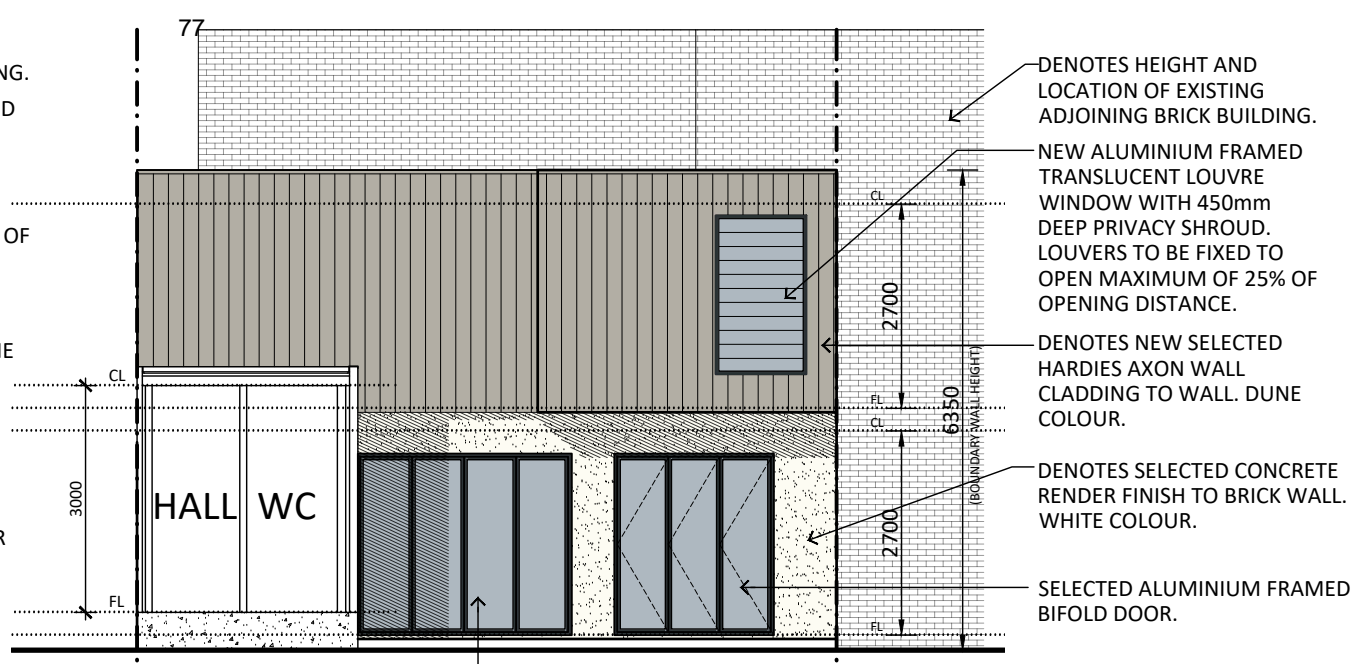
PROJECT NO.
PL01 of 6

REV.	CHECK.	DRAWN
B	NH	NH

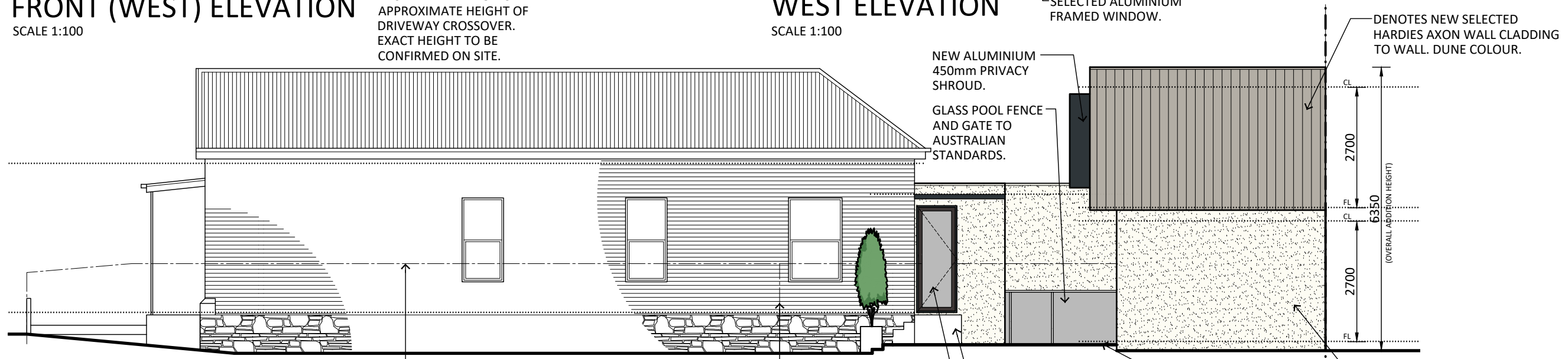
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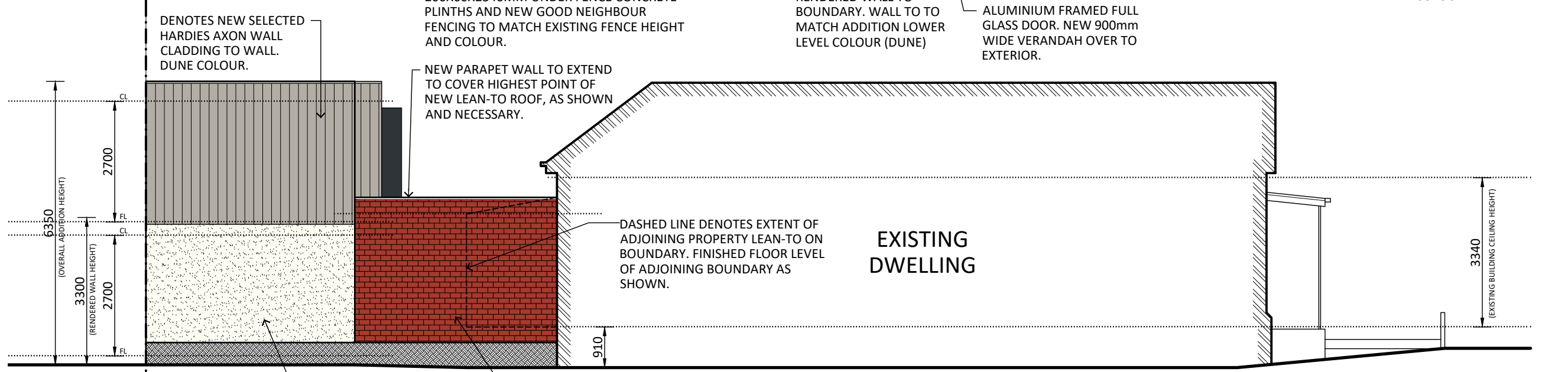
FRONT (WEST) ELEVATION
SCALE 1:100



WEST ELEVATION
SCALE 1:100



SOUTH ELEVATION
SCALE 1:100



NORTH ELEVATION
SCALE 1:100

REV	DATE	DESCRIPTION
B	29/05/20	CHANGES TO WINDOW PER COUNCIL
A	23/04/20	PLANNING DRAWINGS FINALISED
-	05/03/20	PLANNING DRAWINGS COMMENCED

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PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

DRAWING TITLE
FLOOR PLANS

SCALE
1:100 @A3

DATE
MAR 2020

PROJECT NO.
19-015

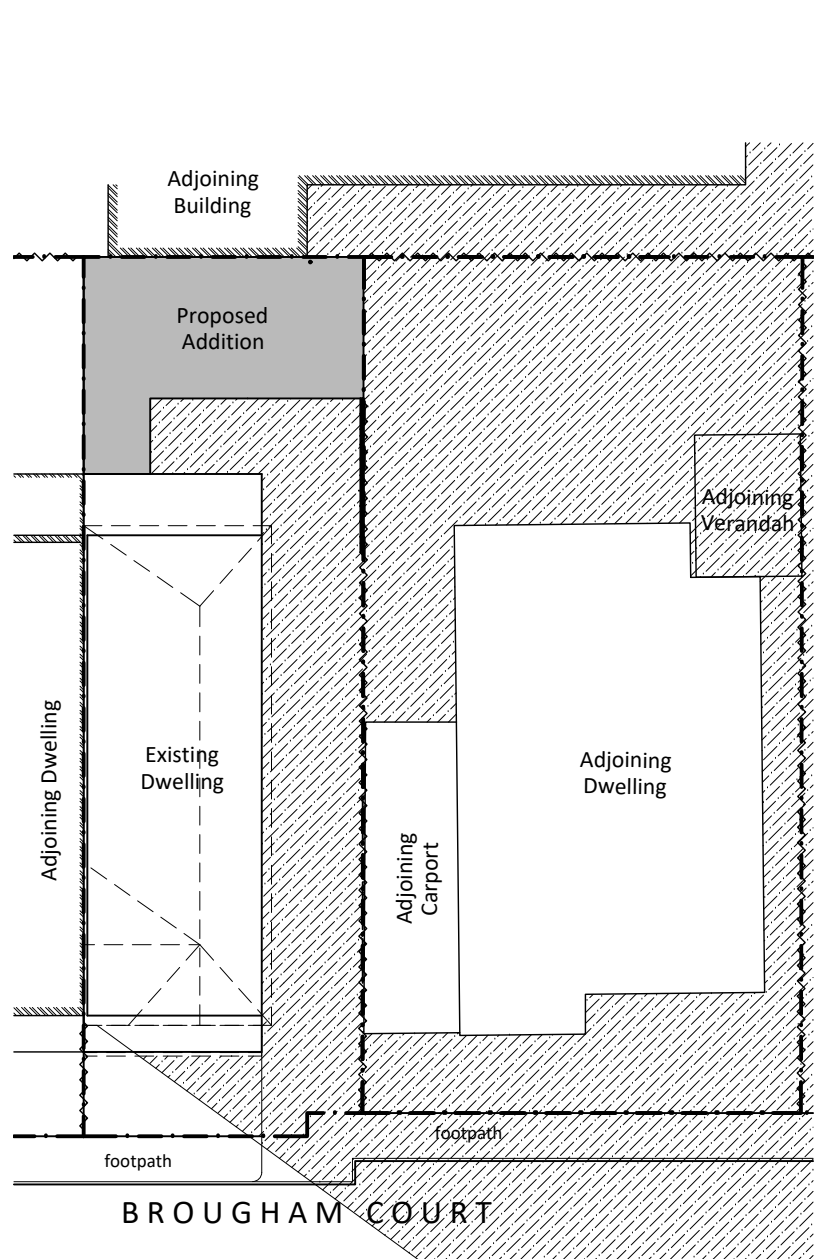
PROJECT NO. of 6
PL03

REV. CHECK. DRAWN
B NH NH

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SHADOW DIAGRAM NOTES:

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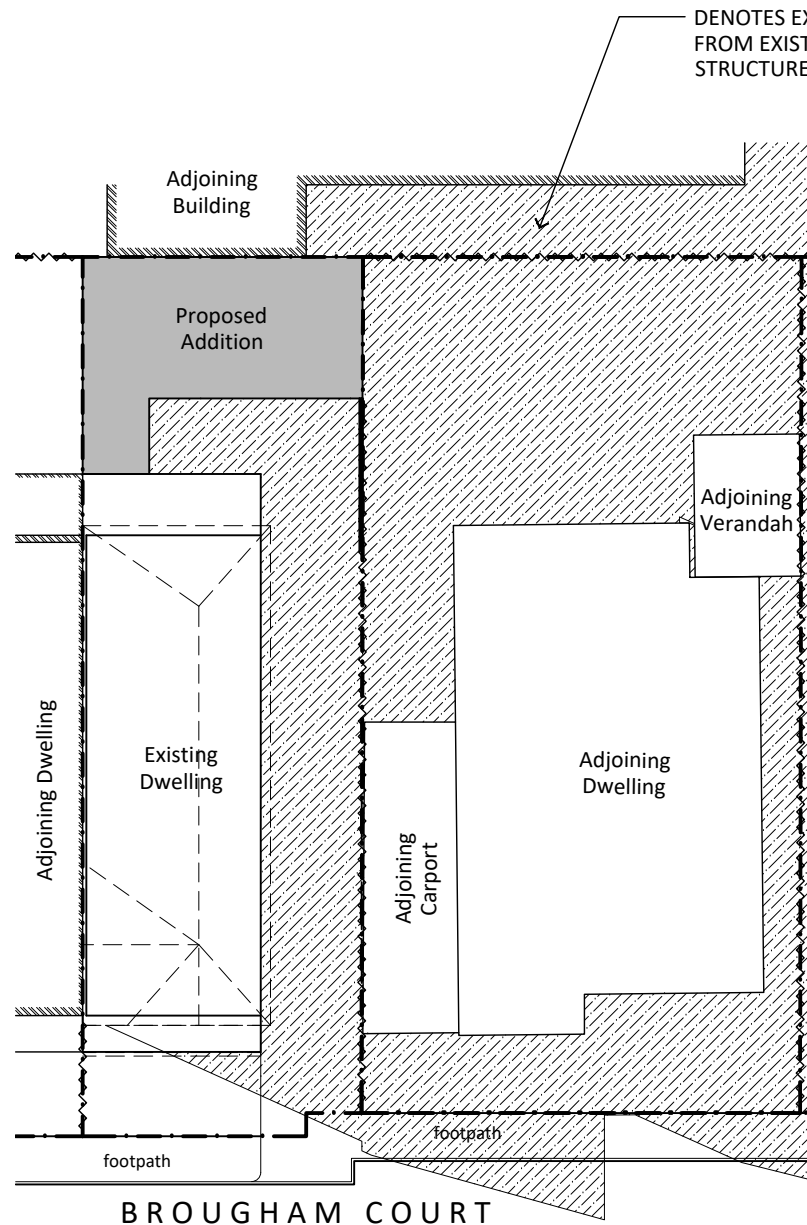
SHADOW DIAGRAM - 1

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	9:00 am

ADJOINING DWELLING

TOTAL POS:	154.5m ²
NON-SHADOWED POS:	0.0m ²
NON-SHADOWED POS %:	0%



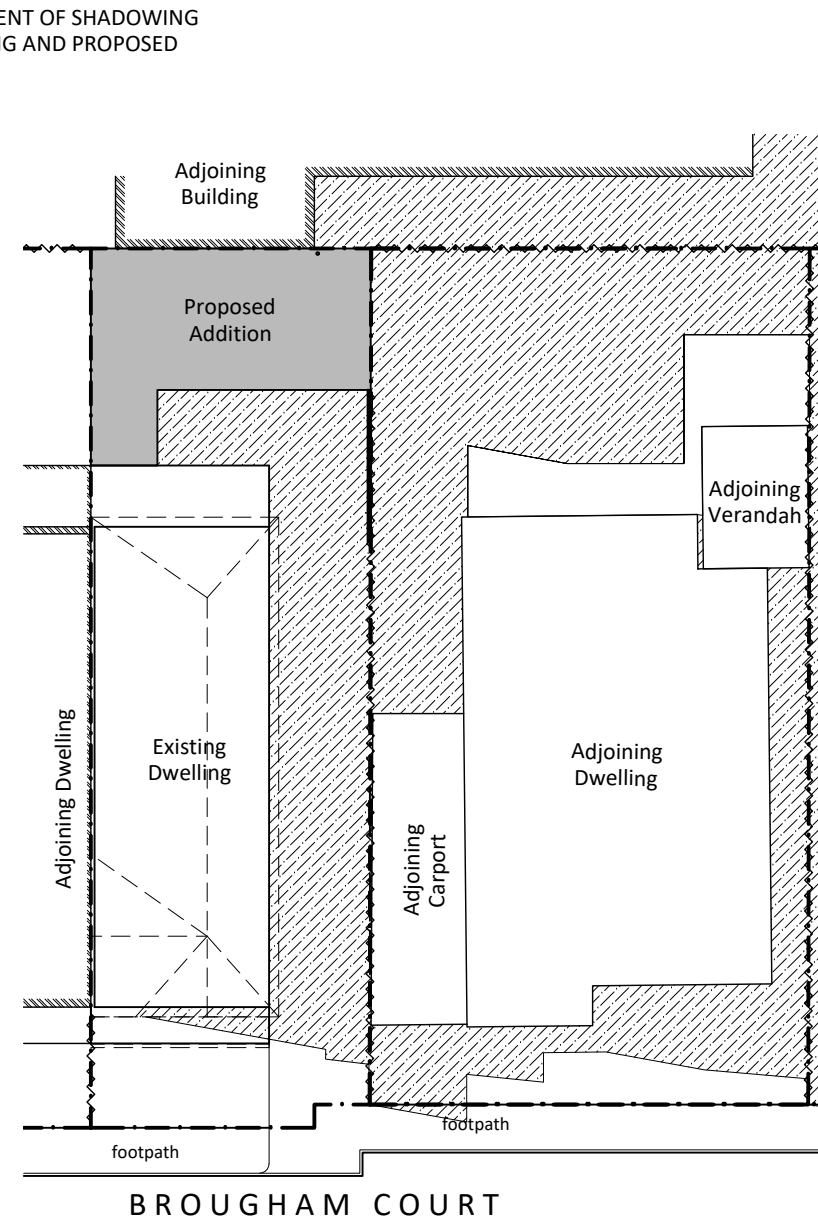
SHADOW DIAGRAM - 2

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	10:00 am

ADJOINING DWELLING

TOTAL POS:	154.5m ²
NON-SHADOWED POS:	0.1m ²
NON-SHADOWED POS %:	0%



SHADOW DIAGRAM - 3

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	11:00 am

ADJOINING DWELLING

TOTAL POS:	154.5m ²
NON-SHADOWED POS:	27.6m ²
NON-SHADOWED POS %:	18%

REV	DATE	DESCRIPTION
B	29/05/20	CHANGES TO WINDOW PER COUNCIL
A	23/04/20	PLANNING DRAWINGS FINALISED
-	05/03/20	PLANNING DRAWINGS COMMENCED



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PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

DRAWING TITLE
SOLAR STUDIES



SCALE
1:250 @A3

DATE
MAR 2020

PROJECT NO.
19-015

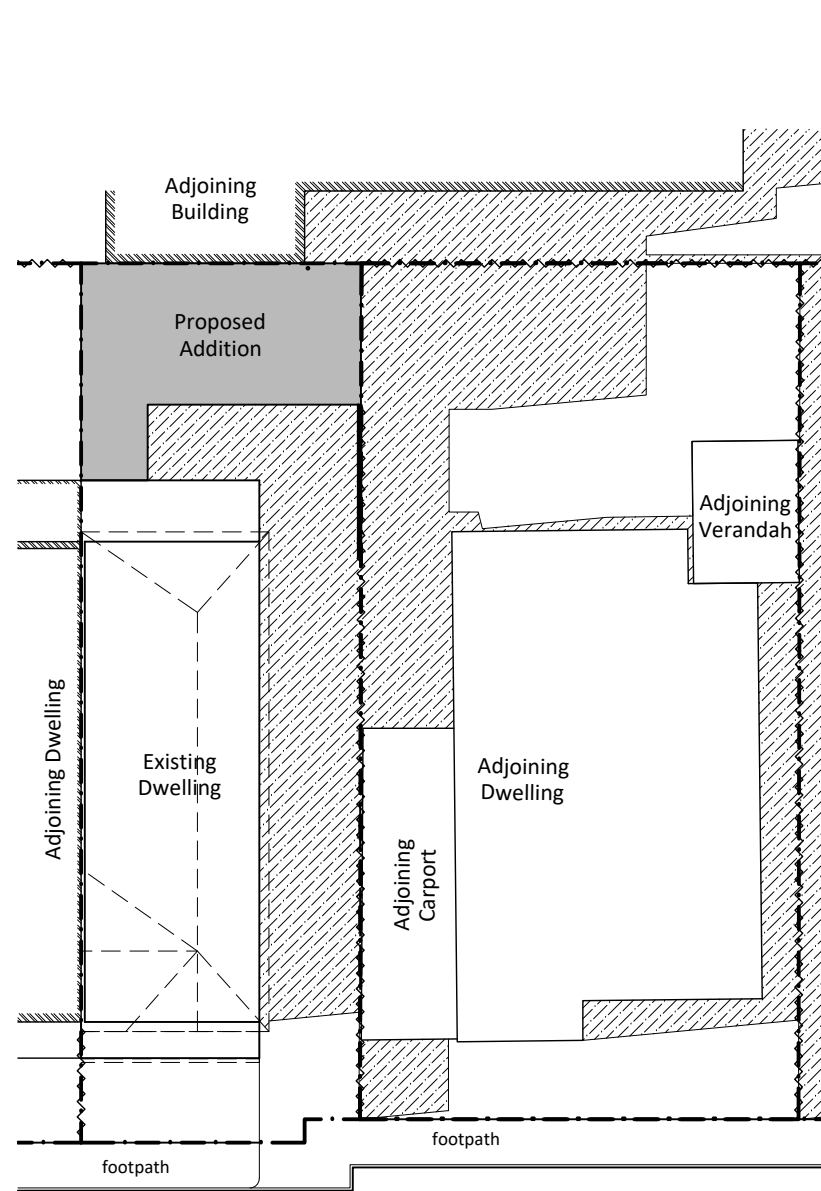
PROJECT NO.
PL04 of 6

REV.	CHECK.	DRAWN
B	NH	NH

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SHADOW DIAGRAM NOTES:

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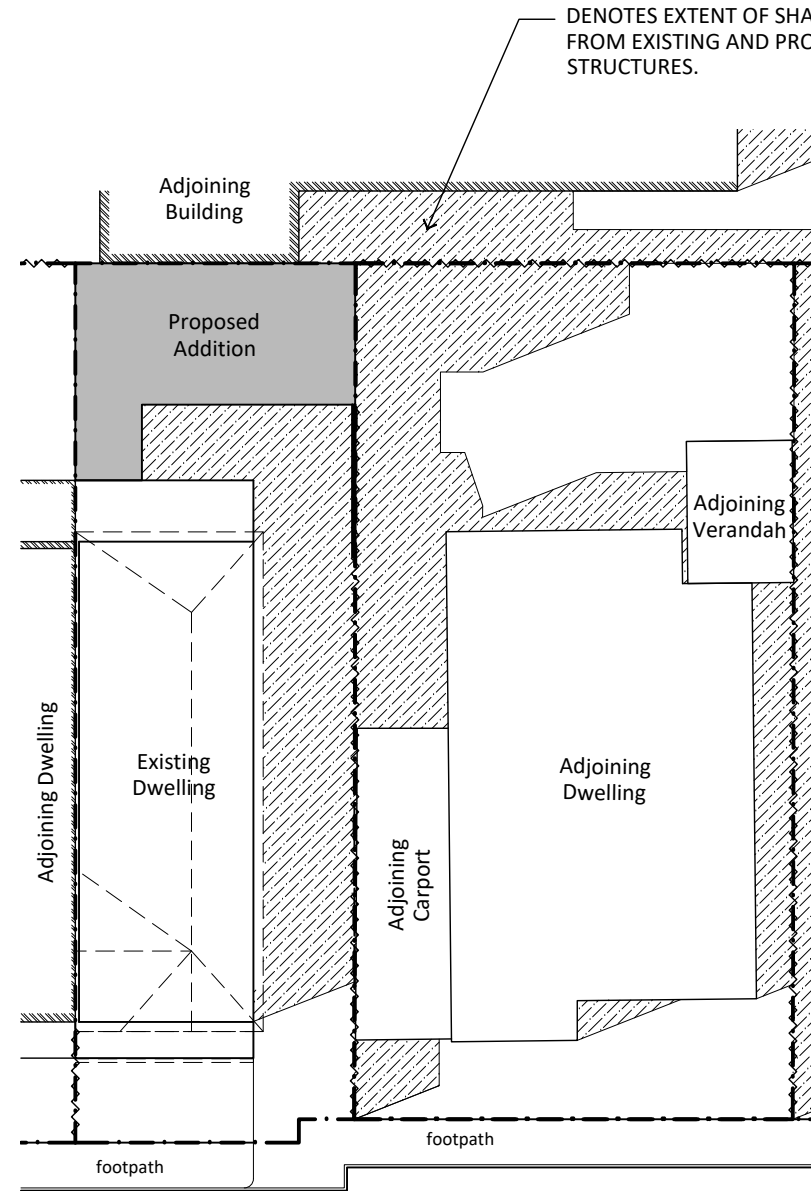


BROUGHAM COURT

SHADOW DIAGRAM - 4

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	12:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	58.7m ²
NON-SHADOWED POS %:	38%

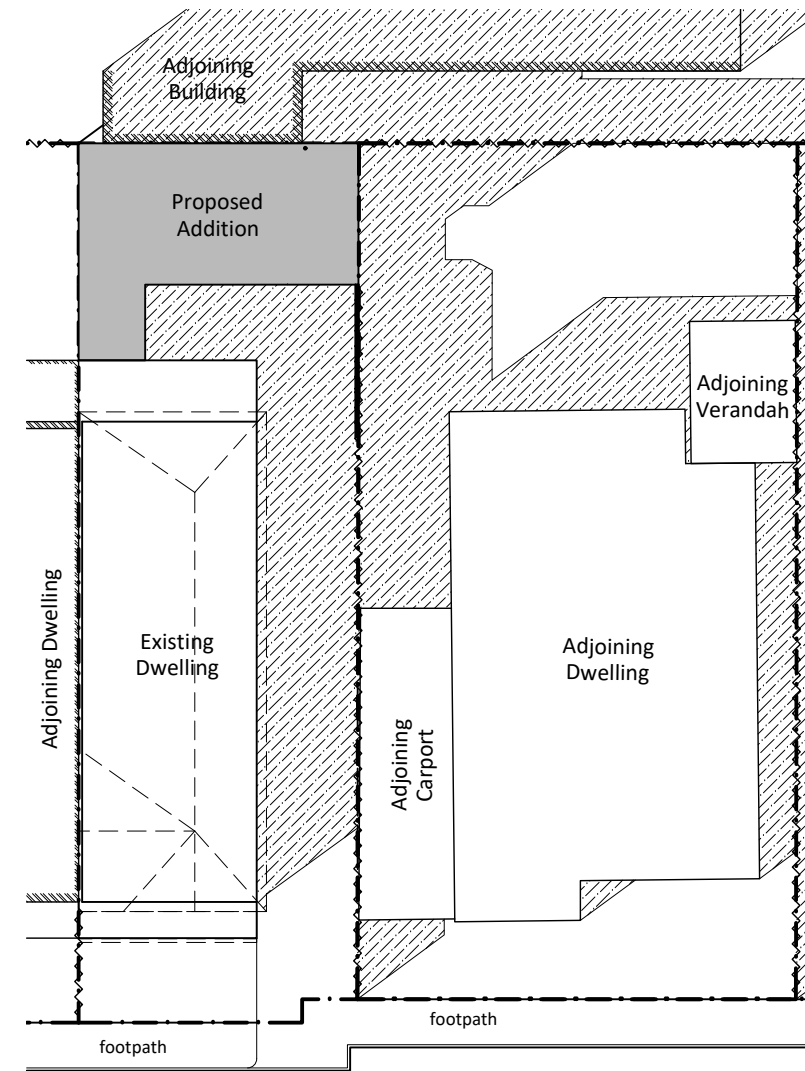


BROUGHAM COURT

SHADOW DIAGRAM - 5

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	1:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	61.8m ²
NON-SHADOWED POS %:	40%



BROUGHAM COURT

SHADOW DIAGRAM - 6

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	2:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	56.4m ²
NON-SHADOWED POS %:	37%

B	29/05/20	CHANGES TO WINDOW PER COUNCIL
A	23/04/20	PLANNING DRAWINGS FINALISED
REV	05/03/20	PLANNING DRAWINGS COMMENCED
REV	DATE	DESCRIPTION



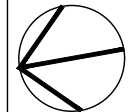
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PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

DRAWING TITLE
SOLAR STUDIES



SCALE
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DATE
MAR 2020

PROJECT NO.
19-015

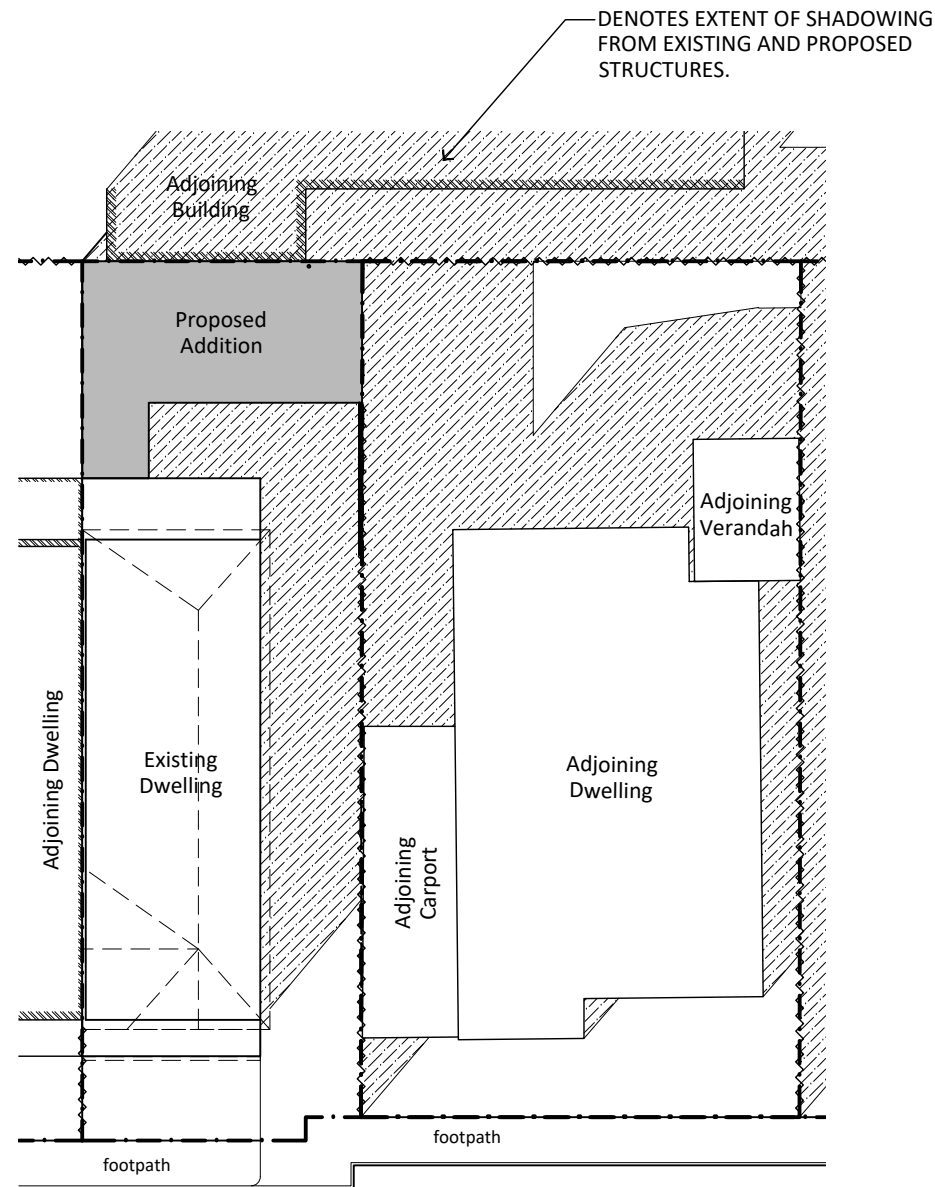
PROJECT NO.
PL05 of 6

REV.	CHECK.	DRAWN
B	NH	NH

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BROUGHAM COURT

SHADOW DIAGRAM - 7

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	3:00 pm

ADJOINING DWELLING

TOTAL POS:	154.5m ²
NON-SHADOWED POS:	22.4m ²
NON-SHADOWED POS %:	15%

REV	DATE	DESCRIPTION
B	29/05/20	CHANGES TO WINDOW PER COUNCIL
A	23/04/20	PLANNING DRAWINGS FINALISED
-	05/03/20	PLANNING DRAWINGS COMMENCED



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PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

DRAWING TITLE
SOLAR STUDIES

SCALE
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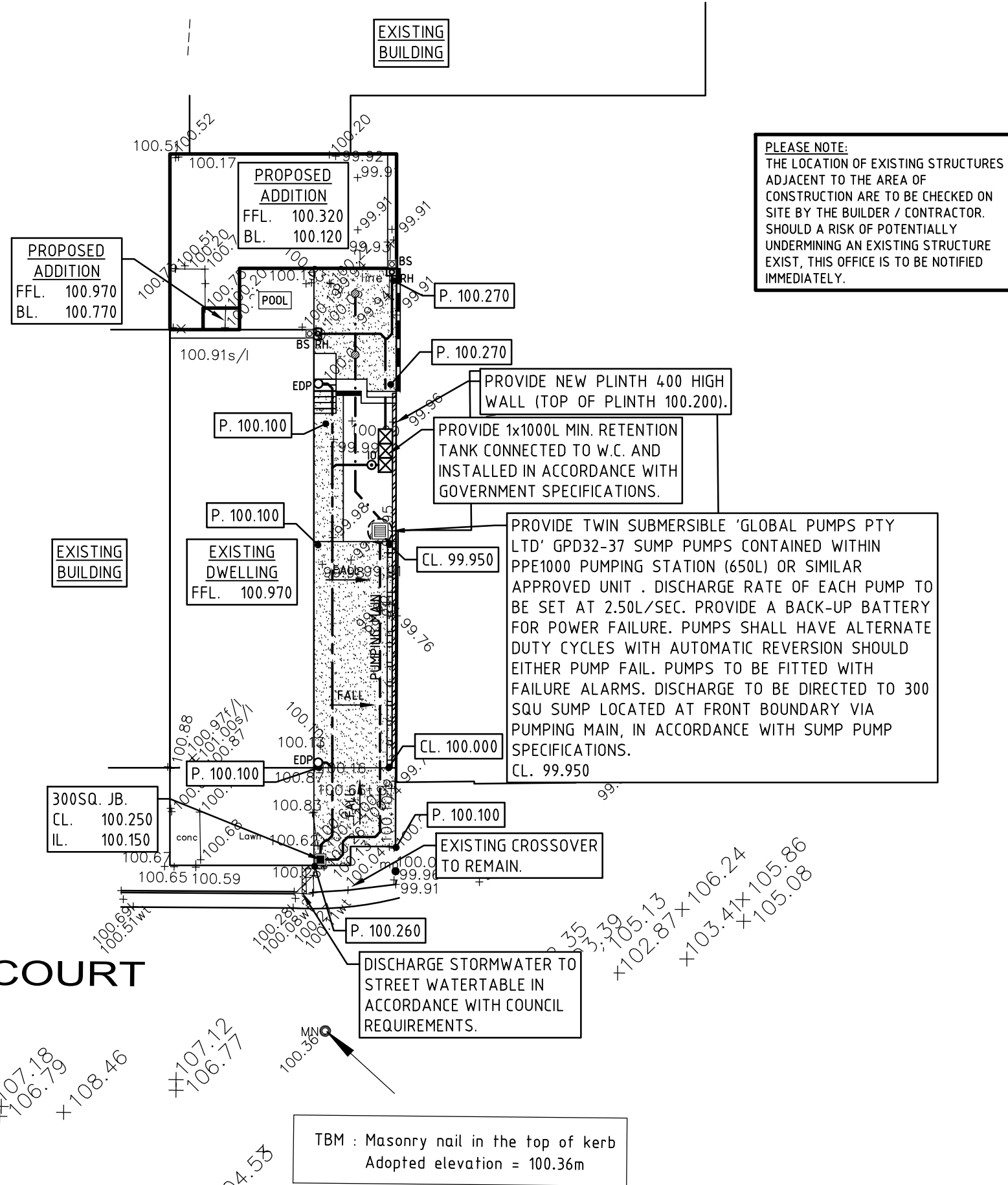
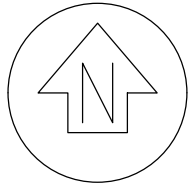
DATE
MAR 2020

PROJECT NO.
19-015

PROJECT NO.
PL06 of 6

REV.	CHECK.	DRAWN
B	NH	NH

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PLEASE NOTE:
 THE LOCATION OF EXISTING STRUCTURES ADJACENT TO THE AREA OF CONSTRUCTION ARE TO BE CHECKED ON SITE BY THE BUILDER / CONTRACTOR. SHOULD A RISK OF POTENTIALLY UNDERMINING AN EXISTING STRUCTURE EXIST, THIS OFFICE IS TO BE NOTIFIED IMMEDIATELY.

- LEGEND**
- SELECTED PAVEMENT
 - LANDSCAPING / GRASSED AREA
 - EXISTING SPOT LEVEL
 - EXISTING CONTOUR
 - PUMPING MAIN, AS PER SUMP PUMP SPEC.
 - Ø90 PVC STORMWATER PIPE @ 1.0% MIN (UNO)
 - Ø100 uPVC STORMWATER PIPE (SEALED)
 - RH SELECTED RAINHEAD AND DOWNPIPE
 - BS BOX GUTTER WITH INTERNAL SUMP & DOWNPIPE
 - EDP EXISTING DOWNPIPE
 - IO SURFACE INSPECTION OPENING
 - (GIP) Ø90 GRATED INLET PIT
 - (GS) 300SQ. GRATED SUMP (UNO)
 - (JB) 300SQ. JUNCTION BOX (UNO)
 - SELECTED RETAINING WALL
 - CONCRETE UPSTAND (500 MAX)
 - 100 WIDE GRATED TRENCH DRAIN
 - DENOTES EXISTING TREE TO BE REMOVED
 - DESIGN LEVEL
 - T.K. TOP OF KERB
 - W.T. WATER TABLE
 - P. PAVING LEVEL
 - FL. FINISHED LEVEL
 - T.R.W. TOP OF RETAINING WALL
 - B.R.W. BOTTOM OF RETAINING WALL
 - C.L. COVER LEVEL
 - I.L. INVERT LEVEL
 - F.F.L. FINISHED FLOOR LEVEL
 - B.L. BENCH LEVEL
 - N.S. NATURAL SURFACE LEVEL.

PA	FOR PLANNING APPROVAL	JB	-	14.04.20
No.	REVISION	DRAWN	CHECK'D	DATE

SITE
PROPOSED ADDITION
 AT: 22 BROUGHAM COURT
 NORTH ADELAIDE
 FOR: P. GAETNER & C. HUNTER

TITLE
DRAINAGE PLAN

Civil - Environmental
 Structural - Geotechnical
 Mechanical - Electrical
 Fire - Security
 Lifts - Hydraulics

Level 6, 100 Pirie Street
 Adelaide SA 5000
 Telephone 08 8238 4100
 Facsimile 08 8410 1405
 ACN 062 965 888 / 008 080 046

SCALES	1:200	JOB No.	2003109
DRAWN	JB	DWG. No.	CRD/PA
DATE	APRIL '20		
ENGINEER	JB		

SURVEYED: BY OTHERS

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



Registrar-General

Certificate of Title - Volume 6171 Folio 86

Parent Title(s) CT 5278/547, CT 5926/914
Dealing(s) VE 12469165
Creating Title
Title Issued 11/03/2016
Edition 1
Edition Issued 11/03/2016

REAL PROPERTY ACT, 1886



Estate Type

FEE SIMPLE

Registered Proprietor

PHILLIP PAUL GAERTNER
CASSANDRA LOUISE HUNTER
OF 22 BROUGHAM COURT NORTH ADELAIDE SA 5006
AS JOINT TENANTS

Description of Land

ALLOTMENT 16 FILED PLAN 34793
IN THE AREA NAMED NORTH ADELAIDE
HUNDRED OF YATALA

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED B ON F34793 (T 1966585)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED A ON F34793 (T 1966585)

Schedule of Dealings

Dealing Number	Description
11525895	MORTGAGE TO FIRST MORTGAGE CO. HOME LOANS PTY. LTD.

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL

Notations on Plan

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

* Denotes the dealing has been re-lodged.

Response to DA/210/2020 22 Brougham Court, North Adelaide

Respondent: Ms Jo Duldig. Property owner of adjoining residence at 24 Brougham Court.

Objections to the proposed development with respect to the Development Plan.

Objection # 1

The principles of development control applicable to this objection. (Adelaide City Development Plan).

Council wide

Principles of Development Control

Low Scale Residential

20. The **visual bulk** of low scale residential development **adjacent** to street frontages **and private open space should be minimised** through colour, building materials, detailing, **setback**, articulation and fenestration.

Heritage and Conservation Zone – North Adelaide

Note: The principles under the heading “Heritage and Conservation – North Adelaide” are additional to the Council Wide Heritage and Conservation Objectives and Principles of Development Control **and in cases of apparent conflict, take precedence** over the Council Wide Heritage and Conservation Objectives and Principles of Development Control.

149 Development of a Heritage Place, identified in the relevant Zone or Policy Area, should:

(e) integrate improvements and additions at the rear or side of the Heritage Place and not in front of elements of identified heritage value, and **may be of contemporary design provided it is of compatible:** (i) **scale, bulk and setbacks;** (ii) **proportion and composition** of design elements; (iii) **form and visual interest** (as determined by play of light and shade, treatments of openings and depths of reveals, **roofline** and silhouette, colour and texture of materials, details, landscaping and fencing); and (iv) materials such as stone, brick, render, galvanised steel, slate, terracotta and the like which are characteristic of North Adelaide.

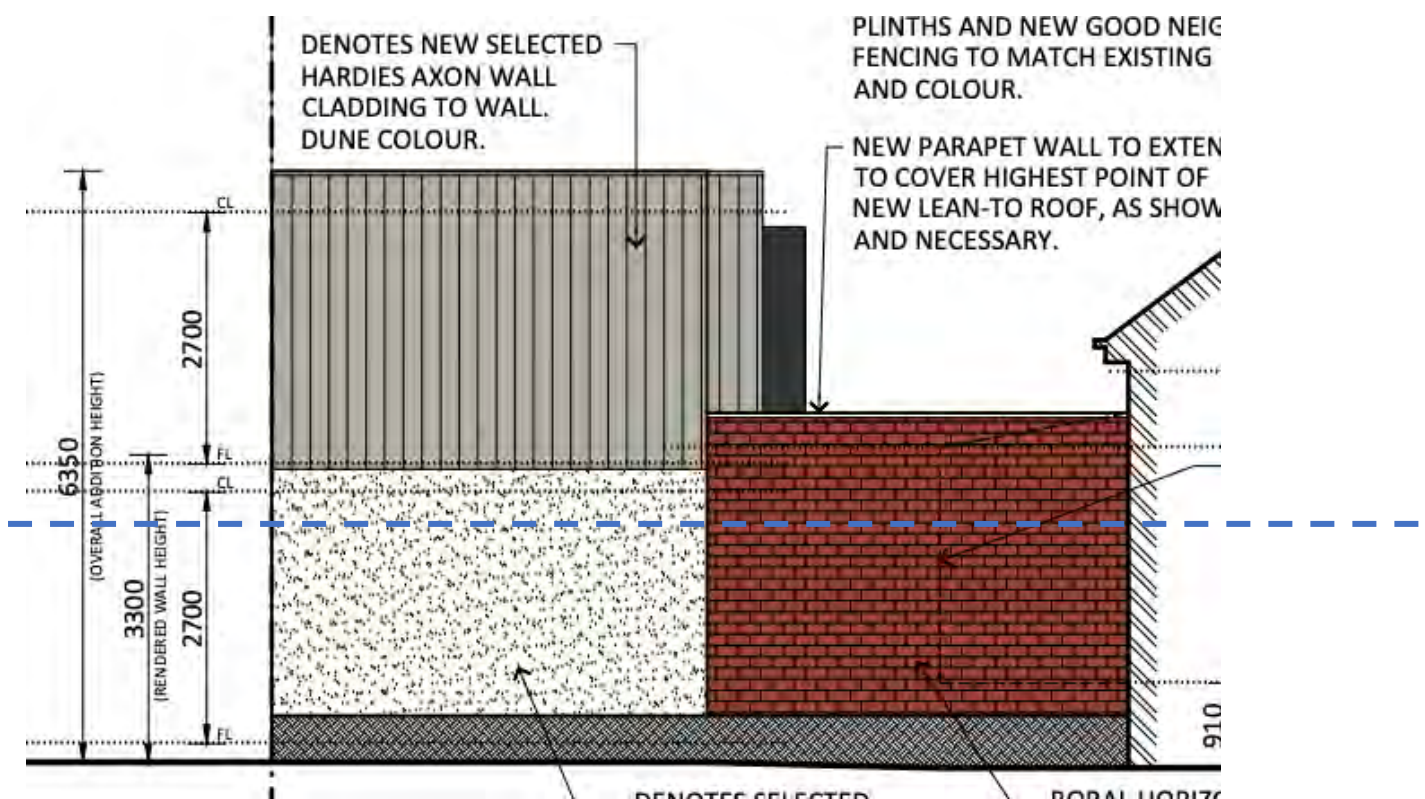
151 Alterations or additions **at the rear of a Heritage Place** should **neither dominate nor compete with the elements of heritage value** of the Place in its **design, siting, scale, form** and detail. Rear development should not be readily viewed from the street above a Heritage Place.

Objection #1

Respondent’s Objections:

The proposed development is not setback from the joint boundary of respondent’s adjacent open space and is excessively bulky in form and scale. The development runs the entire length of the private open space boundary. An approved boundary fence on the same position would have an area of **15m²** and maximum height of **2.1m**, compared to the visual bulk of the proposed development of **38m²** and height of **6.35m** down to a minimum of **3.3 m**. This is an unacceptable visual bulk adjacent to a neighbour’s private open space.

The scale, bulk, setback, and design is not compatible or sympathetic with the design of neighbouring local heritage places. The proposed ultra-modern development is dominant due to the scale and design and will diminish the heritage value of the adjoining properties. The excessively dominant design planned on the adjoining boundary has no form element that is sympathetic or consistent with heritage places. This will significantly reduce the heritage value and market value of the respondent’s heritage place.



Existing boundary fence height

Note: respondent’s lean-to laundry shown on red brick wall – dashed black outline.

The Proposal has no design form that is sympathetic or compatible with the adjoining heritage places

Objection #1

Photo of existing private open space boundary – form and visual bulk of proposed boundary development shown

**Notes:**

Red brick wall 3.3m high, height or peak of roof of respondent's lean-to. **8m²** vertical plane

Sand coloured slab wall /roof 6.35m high **30m²** in vertical plane

Objection # 2

Principles of development control applicable to this objection. (Adelaide City Development Plan).

Council wide

Principles of Development Control

Dwelling Setbacks

Objective 13 : Building setbacks that complement the prevailing setback of the street

22 To **reinforce the pattern and character of individual streets, set-backs** of low scale residential development **should be consistent** with the **prevailing set-back** in the locality in relation to: (a) street frontages; and (b) **side and rear boundaries**

Respondent's Objection: The proposal is to build on the entire length of the adjoining side rear boundary. This is a major deviation from the pattern and character of side and rear boundary of all existing properties in Brougham Court. Building boundary to boundary (sides and rear) in this manner is totally inconsistent with prevailing setbacks in this street and location.



Objection #2 Dwelling Setbacks (side and rear)

None of the residential properties in this street have substantial development on both side and rear boundaries. Prevailing setbacks to rear and side boundaries are limited to very minor development only in this street.

Objection #3

Council wide Principles of Development Control *Low Scale Residential*

Building Siting

Objective 14: Low scale residential development sited to:

- (a) **protect and maintain the desired character** of the relevant Zone or Policy Area;
- (b) ensure adequate daylight to dwellings and sunlight to private open space; and
- (c) **protect neighbouring amenity**.

23 The **set-back** of low scale residential development from side and rear boundaries should progressively increase as the height of the development increases and **side boundary walls should be located and limited in length and height to: (a) minimise the visual impact on adjoining properties;** (b) minimise the overshadowing of adjoining properties; (c) reduce the risk of damage to significant trees on adjoining properties taking into account potential damage to root systems; and (d) maximise energy efficiency

Respondent's Objection:

The proposed development is in no way limited in length and height to minimise the visual impact on adjoining property. The proposal extends the full length of adjoining boundary and significantly diminishes neighbour's amenity and enjoyment of their private open space. The height and length of proposed development of a vertical wall to 6.3 metres and second height to 3.3 metres will have a significant visual impact on the adjoining property and resultant loss of neighbour amenity.

There have been several developments approved by council (26 Brougham Court and 25-31 Bagot Street) that have already created significant visual impact, loss of neighbouring amenity, significant overshadowing and overlooking to the adjoining property at 24 Brougham Court. This has created a "hemmed in" feeling to what was once an enjoyable open space rear yard. The light levels from reduced skyline and overshadowing has created a rear yard that is barren and suffers extremes of weather, glare and moisture due to microclimate created in part by adjoining properties and lack of sunlight. Photos provided show the open space visual impacts currently experienced. To build on another adjoining boundary will further substantially reduce amenity and enjoyment of this open space.

Northern Development at 26 Brougham Court showing visual impacts and effects of overshadowing, dampness created in open space.



Developments on boundary 26 Brougham Court and rearward facing impact and window overlooking of the development 25-31 Bagot Street.



The only remaining sky and visual outlook from open space that is not yet developed impactfully. This is proposed to be taken away completely up to the fascia level of real wall above lean-to stepping up to 6.35 m vertical wall on the adjoining boundary.



**18 Brougham Court
North Adelaide
South Australia 5006**

Rebecca Rutschack
Manager – Planning Assessment
Adelaide City Council
GPO Box 2252
Adelaide SA 5001

18 June, 2020

Dear Rebecca

Development Application Representation

Application: DA/210/2020 Contact Officer: Danni Biar

Address: 22 Brougham Court, North Adelaide, SA, 5006

Description: Construct 2 storey rear addition, plunge pool, replace existing fence

We refer to Council's letter 29 May, 2020 seeking written comments and advise as follows:

General

We have 2 significant concerns in relation to the proposed construction of a second storey addition at rear of above property as we share a common boundary on our northern side. Each significantly reduces the amenity and private enjoyment of our property with family and friends in our backyard and family room as principal areas of gathering as it impacts us with the height, bulk and scale & loss of sunlight. The loss of sunlight is most significant in a rear yard which currently, without the new structure, struggles to get adequate sunlight at 12 noon in winter – as you observed at our onsite meeting at 12 noon Wed 10/6/20.

The major concerns are:

- **Excessive Height & Bulk:** The excessive height of the proposed second storey addition built on the boundary is of a size, scale and location which results in **visual dominance** when viewed from our rear family room/backyard;
- **Loss of Natural Light:** The proposed 2nd storey will provide our rear yard with a **total loss of sunlight** at certain times of the day in winter

Excessive Height and Bulk

Our property is downhill from the applicants on a slope creating a sense of enclosure with the size of the addition. The excessive scale of the second storey addition on our north boundary significantly impacts the use and enjoyment of our property with a tall sheer wall 7 metres (6.35m height proposed wall plus 0.7m drop to level of our rear yard) in height when looking up. Council have a number of Principles of Development Control that provide strict guidance as on Height & Bulk including:

PDC9: North Adelaide Historic Conservation Zone

'Building to side boundaries (other than for party walls in semi-detached, row dwellings or residential flat buildings) or to a rear boundary is generally inappropriate, but may only be considered where it is demonstrated that there will be no detrimental effect on residential amenity.'

PDC 22: Council Wide – Dwelling Setbacks

'Set-backs of low scale residential development should be consistent with the prevailing set-back in the locality in relation to side and rear boundaries.'

PDC 23: Council Wide – Building Siting

'The set-back of low scale residential development from side boundaries should minimise the visual impact and overshadowing of adjoining properties.'

PDC149: Heritage & Conservation – North Adelaide

'Development of a Heritage Place, should integrate additions at the rear or side of the Heritage Place provided it is of compatible scale, bulk and setback.'

The proposed second storey height and bulk has a significant visual dominance impact & as a result has a detrimental effect on the amenity and enjoyment of our property. Please refer to **Attachments 2 & 3** which show a shear wall of 7 metres on boundary when looking up at it from our private rear yard. The wall is so high you break your neck looking up.

In a similar proposal by the applicants to Council (5 years ago) it was Council who insisted, on our behalf, that the second storey be setback 1.86m in from the boundary, thereby reducing the impact of height, bulk and scale & loss of sunlight to our property. The setback was to assist increase the volume of natural light into our rear yard and family room. That setback was reflected in their plans at that time. However, that setback is not reflected in the current proposal, even though there has been no material change in either site since.

Summary

Due to the impact of height, bulk & scale creating a visual dominance we request Council ensure the minimum 1.86m setback from boundary of second storey is reflected in current plans. This also assists to minimise the related impact of overshadowing discussed below.

Overshadowing/Loss of Natural Light

Our property will be impacted by a reduction in natural light into both our rear family room and backyard due to the proposed 2 storey extension built on the boundary. This will significantly impact the private use and enjoyment of our property in our principal areas for entertaining family and friends. Council have a number of Principles of Development Control that provide strict guidance as follows to *'protect access to daylight and sunlight and the amenity of neighbouring residential premises'* including:

PDC 119, 120 & 121 – Council Wide - Micro Climate & Sunlight

'Development should be designed and sited to minimise micro-climatic and solar access impact on adjacent land or buildings, including effects of patterns of wind, temperature, daylight, sunlight, glare and shadow.'

'Development should be designed and sited to ensure an adequate level of daylight, minimise overshadowing of buildings and private outdoor spaces.'

'Development should not significantly reduce daylight to private open space and habitable rooms.'

PDC 27: Council Wide – Building Siting

'Development should maintain at least two hours of direct sunlight between 9.00am and 3.00pm solar time on 22 June to at least 20 percent of that property's private open space. Where existing period of direct sunlight is less than 2 hours per day or covers less than 20 percent of open space, development should not further reduce it.'

As Council noted at site visit at 12 noon Wed 10/6/20 the shadow diagrams are inaccurate and give false impression of the impact of second storey on boundary. They do not take into account our pre-existing vegetation on boundary which currently block out most of the sunlight in middle of winter – the second storey addition on boundary will completely remove what little sunlight is left at 11.00am to 2.00pm on 22 June. To support Council's 10 June onsite visit, I have included 2 photos on Thurs 11 June taken at 11.30am & 12.30pm.

The overshadow diagrams (PL04-PL06) indicate a significant reduction in natural light during the day, however if one considers the current shadows from existing vegetation in our garden then the 'current minimal light' is completely blocked out – we will enjoy no light in the middle of winter on our rear yard and significant reduction of light into our rear family room. Refer to Attachment 2 (11.30am Thurs 11/6) and 3 (12.30pm Thurs 11/6) - it is clear that the pre-existing situation has very little sunlight at that time in winter. When this pre-existing position is overlaid on PL04-PL06 shadow diagrams (**Attachments 4 (a)-(c)**) it is clear that there is not enough sunlight for a minimum of 20% sunlight for 2 hours of the backyard at any time during winter. Council have the 2 photo files to verify the date/time.

PDC8: North Adelaide Historic Conservation Zone

'Where single storey development prevails two storey development that are located to the rear of an existing building, may be appropriate subject to no adverse impacts on overshadowing and privacy impacts on neighbouring land.'

PDC8 Cathedral Policy Area 8

'Along Brougham Court, two-storey development should be confined to the rear of properties, subject to overshadowing and privacy constraints.'

In a similar proposal by the applicants to Council (5 years ago) it was Council who insisted, on our behalf, that the second storey be setback 1.86m in from the boundary, thereby reducing the impact of loss of sunlight to our property. The setback was to assist increase the volume of natural light into our rear yard and family room. That setback was reflected in their plans at that time. However, that setback is not reflected in the current proposal, even though there has been no material change in either site since.

Summary

Due to the impact of complete loss of sunlight we request Council ensure the 1.86m setback from boundary of second storey is reflected in current plans. This would also assist to minimise the related visual impact of height, bulk and scale discussed earlier.

Other Issues**Privacy**

On the South Elevation (PL03) First floor aluminium framed translucent louvre says 'with 450mm deep privacy shroud'. We request Council ensure that this is a fixed plate on south side of window to prevent overlooking into our property to ensure privacy.

Fence on Boundary

The proposed moving or replacement of the fence on the boundary is subject to the Fences Act. This has been discussed with the applicant on 2 August, 2014 (their previous similar proposal) where we advised that Council Approval did not entitle works on boundary/fence to commence, but that Fences Act process was to be followed. We further advised that the colour bond fence section was to remain at its current height & all our current fixed structures/property including front fence post, front gates, carport, clothes line and trellis were to remain. If works proceed care is to be taken to not damage our existing structures and trees on boundary were not to be damaged/cut back unnecessarily beyond the fence line in order to minimise any 'damages'.

Council Wide Objectives & Principles of Development Control (Objective 17):**Visual & Acoustic Privacy**

'Low scale residential development (should be) sited and designed to protect visual and acoustic privacy for the occupants of the dwellings and nearby residents.'

We request that the proposed 2.0m 'rendered wall' section of fence go from rear boundary right up to the rear (east) of our carport to provide us with improved visual and acoustic privacy. The current plans show it stopping approx. in line with the relocated Hot Water Service which is just short of the rear of the carport.

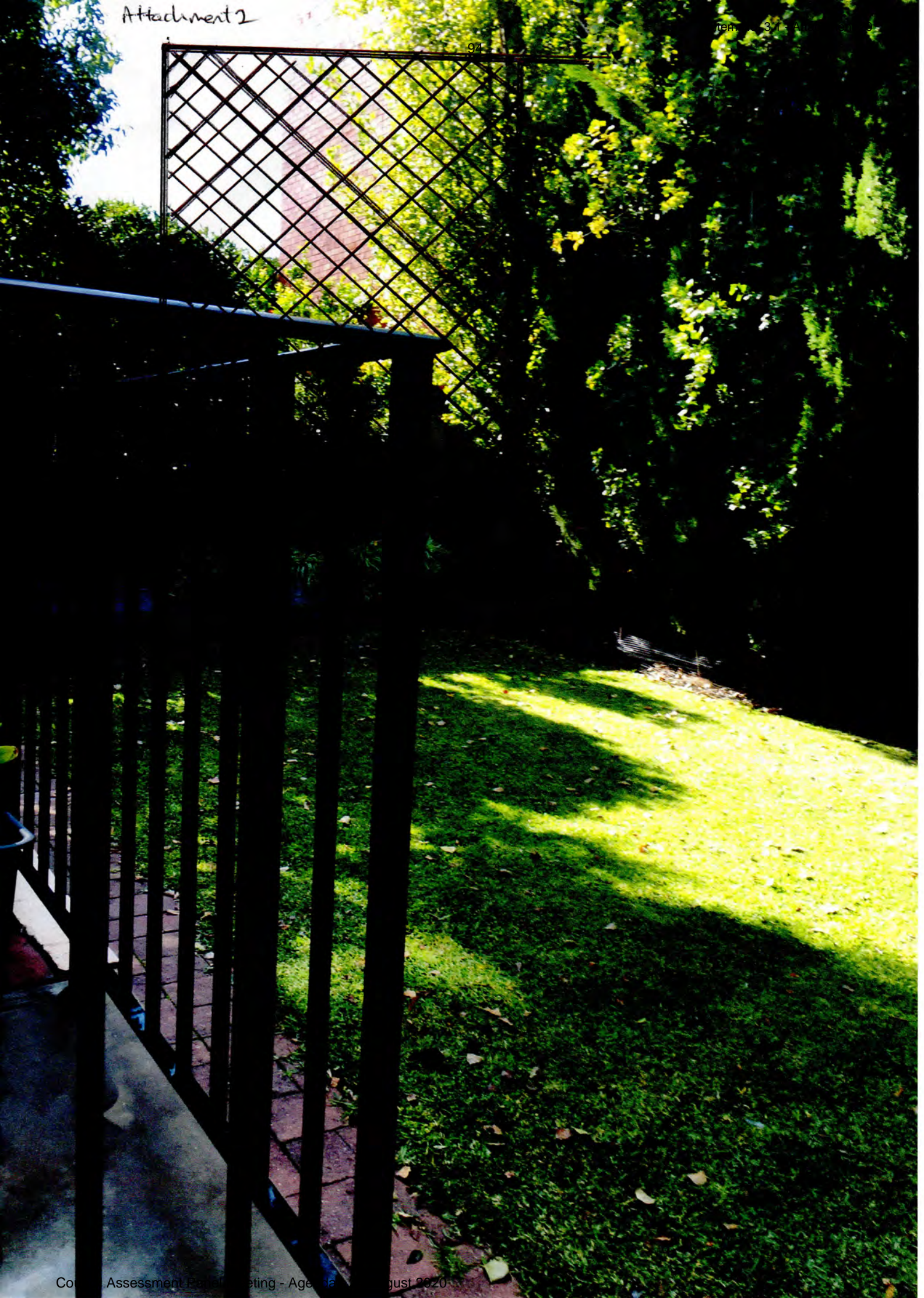
Recommendation

Due to our significant concerns **the proposed development should NOT be approved.**

We look forward to Councils favourable consideration to the above significant concerns in relation to the detrimental impact that the proposed development will have on our property.

Yours sincerely

MATTHEW & KATY GERSCHWITZ





SHADOW DIAGRAM NOTES:

- ALL SHADOW DIAGRAMS HAVE BEEN CALCULATED USING SOLAR 3D MODELING WITHIN AUTODESK REVIT SOFTWARE
- ALL SHADOW DIAGRAMS HAVE BEEN PRODUCED BASED ON THE LOCALITY OF ADELAIDE, SOUTH AUSTRALIA.
- SHADOWED AREAS WITHIN DIAGRAMS AND TO ADJOINING PROPERTIES ARE SHOWN AS BEING PROJECTED FROM ALL EXISTING AND PROPOSED STRUCTURES.

96
 PRE EXISTING SHADOW FROM CURRENT VEGETATION (REFER PHOTO ATTACHMENT 2)

REV	DATE	DESCRIPTION
1		ISSUED FOR PERMIT
2		ISSUED TO WINDOW PERMIT
3		ISSUED FOR PERMIT
4		ISSUED FOR PERMIT
5		ISSUED FOR PERMIT
6		ISSUED FOR PERMIT
7		ISSUED FOR PERMIT
8		ISSUED FOR PERMIT
9		ISSUED FOR PERMIT
10		ISSUED FOR PERMIT

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CLIENT
P. GAERTNER & C. HUNTER

PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

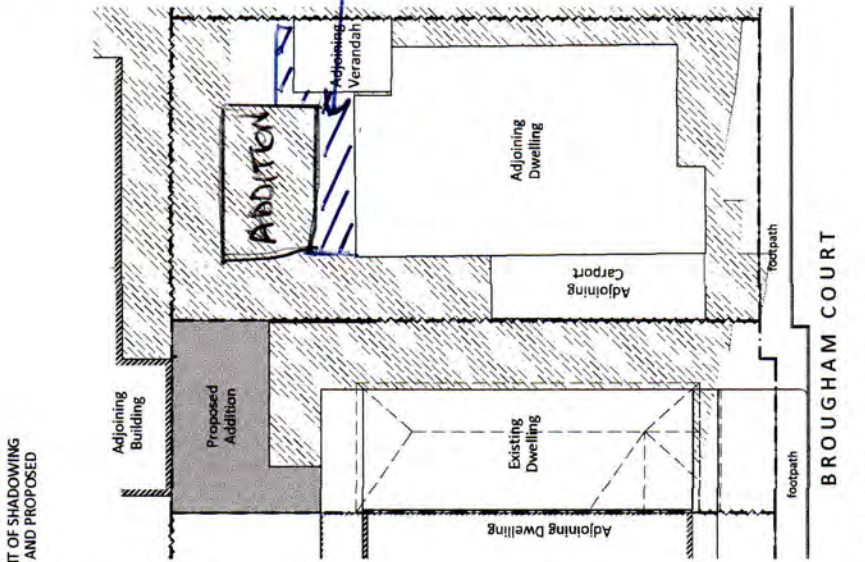
DRAWING TITLE
SOLAR STUDIES

SCALE
1:250 @A3

DATE
MAR 2020

PROJECT NO.	PL04 of 6
19-015	
REV. B	CHECK. NH
	DRAWN. NH

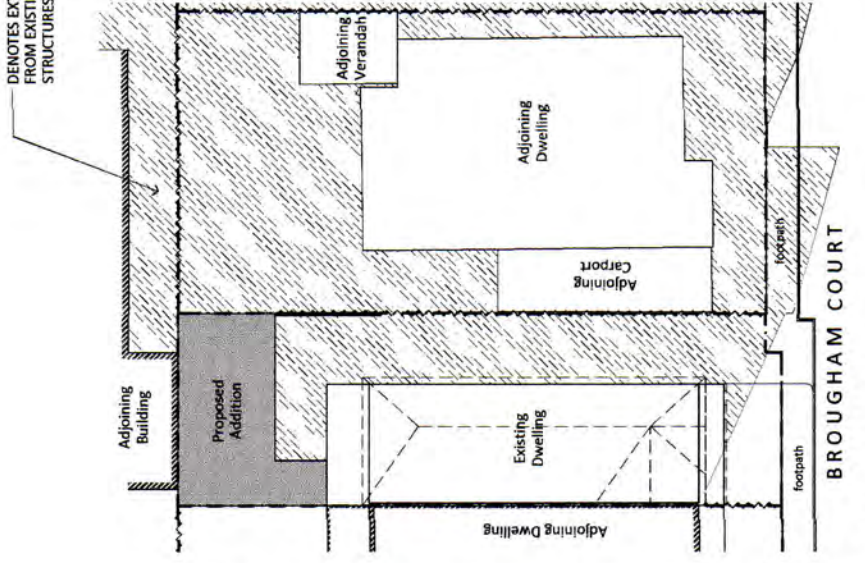
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SHADOW DIAGRAM - 3

SOLAR DETAILS

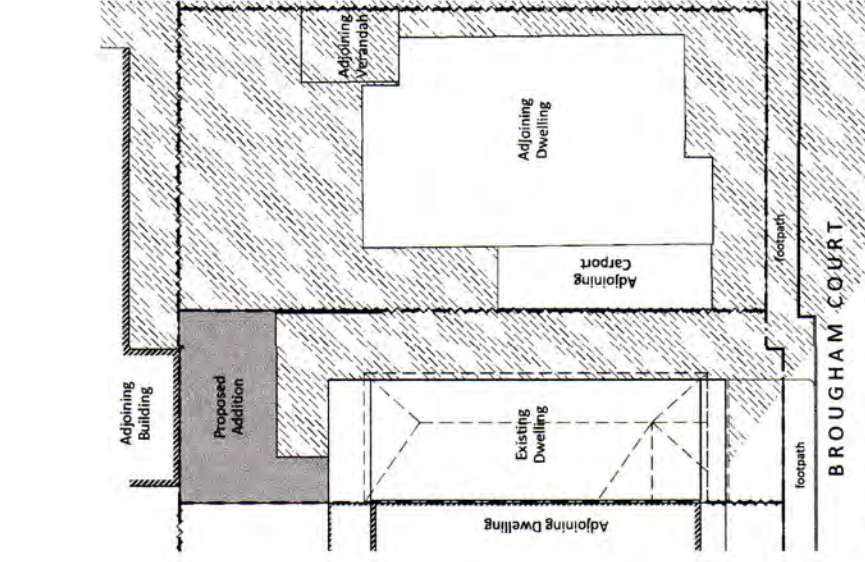
SOLAR DATE:	21 June
SOLAR TIME:	11:00 am
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	27.6m ²
NON-SHADOWED POS %:	18%



SHADOW DIAGRAM - 2

SOLAR DETAILS

SOLAR DATE:	21 June
SOLAR TIME:	10:00 am
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	0.1m ²
NON-SHADOWED POS %:	0%



SHADOW DIAGRAM - 1

SOLAR DETAILS

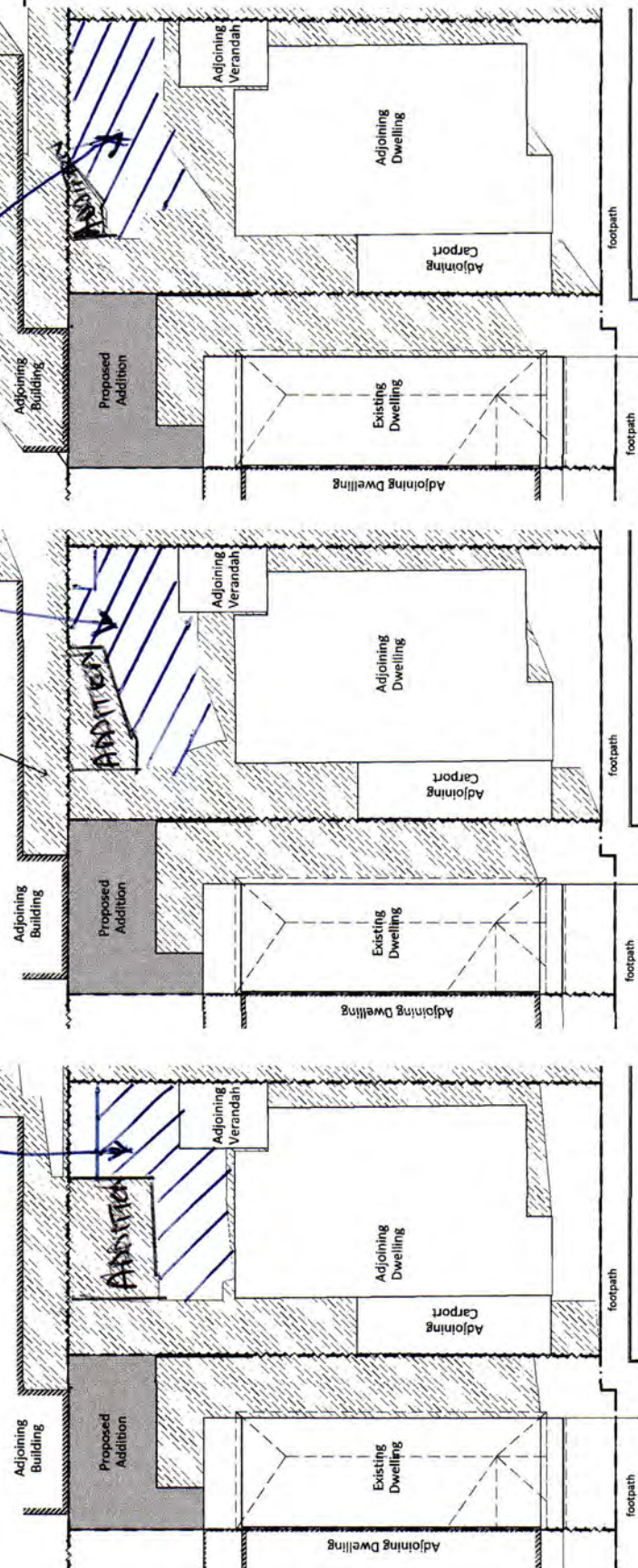
SOLAR DATE:	21 June
SOLAR TIME:	9:00 am
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	0.0m ²
NON-SHADOWED POS %:	0%

- SHADOW DIAGRAM NOTES:**
- ALL SHADOW DIAGRAMS HAVE BEEN CALCULATED USING SOLAR 3D MODELING WITHIN AUTODESK REVIT SOFTWARE.
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PRE EXISTING SHADOW FROM CURRENT VEGETATION

PRE EXISTING SHADOW FROM CURRENT VEGETATION (REFER PHOTO ATTACHMENT 3)

DENOTES EXTENT OF SHADOWING FROM EXISTING AND PROPOSED STRUCTURES.



BROUGHAM COURT

BROUGHAM COURT

BROUGHAM COURT

SHADOW DIAGRAM - 6

SOLAR DETAILS	
SOLAR DATE:	21 June
SOLAR TIME:	2:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	56.4m ²
NON-SHADOWED POS %:	37%

SHADOW DIAGRAM - 5

SOLAR DETAILS	
SOLAR DATE:	21 June
SOLAR TIME:	1:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	61.8m ²
NON-SHADOWED POS %:	40%

SHADOW DIAGRAM - 4

SOLAR DETAILS	
SOLAR DATE:	21 June
SOLAR TIME:	12:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	58.7m ²
NON-SHADOWED POS %:	38%

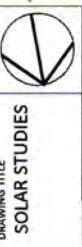
97	CHANGES TO WINDOW PER COUNCIL APPROVAL	
A	REVISED PLANNING DRAWINGS SUBMITTED	
B	REVISED PLANNING DRAWINGS SUBMITTED	
REV	DATE	DESCRIPTION

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PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE



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1:250 @A3

DATE
MAR 2020

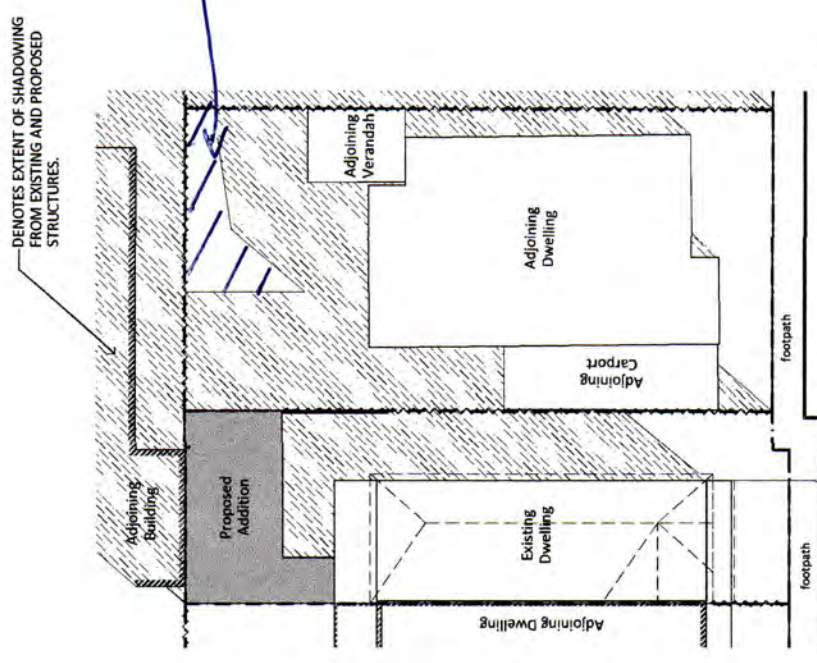
PROJECT NO.
19-015

PL05 of 6

REV. CHECK. DRAWN
B NH NH

ALL LEVELS & DIMENSIONS ARE TO BE CHECKED ON SITE. DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED DRAWINGS. ANY DISCREPANCIES SHALL BE REPORTED TO HENDRED IMMEDIATELY.

- SHADOW DIAGRAM NOTES:**
- ALL SHADOW DIAGRAMS HAVE BEEN CALCULATED USING SOLAR 3D MODELING WITHIN AUTODESK REVIT SOFTWARE
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98

1	20/02/20	CHANGES TO WINDOW PER CENTAGE
2	20/02/20	REVISIONS TO SHADING DIAGRAM
3	20/02/20	REVISIONS TO SHADING DIAGRAMS
4	20/02/20	REVISIONS TO SHADING DIAGRAMS

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PROJECT
PROPOSED ALTERATIONS AND ADDITIONS AT 22 BROUGHAM COURT, NORTH ADELAIDE

DRAWING TITLE
SOLAR STUDIES

SCALE
1:250 @A3

DATE
MAR 2020

PROJECT NO.
PL06 of 6

REV	CHECK	DRAWN
19-015	B	NH NH

ALL THESE DIMENSIONS ARE TO BE CHECKED ON THE DRAWING. DIMENSIONS SHALL TAKE PREFERENCE OVER SCALED DIMENSIONS. ANY DISCREPANCIES SHALL BE REPORTED TO HENDRIE IMMEDIATELY.

SHADOW DIAGRAM - 7

SOLAR DETAILS	
SOLAR DATE:	21 June
SOLAR TIME:	3:00 pm
ADJOINING DWELLING	
TOTAL POS:	154.5m ²
NON-SHADOWED POS:	22.4m ²
NON-SHADOWED POS %:	15%

Edouard Pool

From: mgkg@ozemail.com.au
Sent: Tuesday, 30 June 2020 10:36 AM
To: Edouard Pool
Cc: Rebecca Rutschack; Danni Biar; mgkg@ozemail.com.au
Subject: DA/210/2020 - 22 Brougham Court, North Adelaide
Attachments: image001.jpg; image002.gif; image003.gif; embeddedEmail1.eml

Importance: High

Hi Edouard, thank you for your time yesterday to discuss the above.

I thought it worthwhile to call and brief you on our major concern which has been discussed with both Rebecca & Danni previously and reflected in our representation as follows:

Major Concern - Setback Second Storey from Boundary

- **Excessive Height & Bulk:** The 7 metre height of the proposed second storey addition built on the boundary is of a size, scale and location which results in **visual dominance** when viewed from our rear family room/backyard; &
- **Loss of Natural Light:** The proposed 2nd storey will provide our rear yard with a **total loss of sunlight** at certain times of the day in winter.

In a similar proposal by the applicants (5 years ago) it was Council who insisted, on our behalf, that the second storey be setback 1.86m in from the boundary, thereby reducing the impact of height, bulk and scale & loss of sunlight to our property. The setback was to assist increase the volume of natural light into our rear yard and family room. That setback was reflected in their plans at that time. However, that setback is not reflected in the current proposal, even though there has been no material change in either site since.

Due to the impact of 7 metre height, bulk & scale creating a visual dominance and total loss of sunlight we request Council ensure the minimum **1.86m setback from boundary of second storey** is reflected in current plans to minimise the impact of overshadowing.

We also indicated 2 other issues in our representation:

1. **Privacy**

On the South Elevation (PL03) First floor aluminium framed translucent louvre says 'with 450mm deep privacy shroud'. We request Council ensure that this is a fixed plate on south side of window to prevent overlooking into our property to ensure privacy. In an email to Danni 17/6/20 (attached) the architect could not confirm if it is actually a 'privacy screen'.

2. *Fence - Visual & Acoustic Privacy*

We request that the proposed 2.0m 'rendered wall' section of fence go from rear boundary right up to the rear (east) of our carport to provide us with improved visual and acoustic privacy. The current plans show it stopping approx. in line with the relocated Hot Water Service which is just short of the rear of the carport.

We appreciate Councils ongoing support with these matters.

Thanks for your assistance

Best Regards

Matthew & Katy Gerschwitz

From: Rebecca Rutschack <R.Rutschack@cityofadelaide.com.au>
Sent: Friday, 19 June 2020 1:26 PM
To: mgkg@ozemail.com.au
Cc: Danni Biar <D.Biar@cityofadelaide.com.au>
Subject: DA/210/2020 - 22 Brougham Court, North Adelaide

Hi Matthew,

Thank you for your email.

As discussed on site, Council has concerns with the proposal in its current form and are working through these matters with the Applicant. At this time, the application is still under assessment and I am not in a position to advise what the recommendation would be as further investigation and assessment needs to occur.

When the application is presented to the Council Assessment Panel (CAP) you will be notified (as a representor) and will be able to view the CAP Agenda online which includes the staff recommendation.

Regards

Rebecca

From: mgkg@ozemail.com.au <mgkg@ozemail.com.au>
Sent: Tuesday, 16 June 2020 12:08 PM
To: 'Rebecca Rutschack' <R.Rutschack@cityofadelaide.com.au>
Cc: D.Biar@cityofadelaide.com.au; mgkg@ozemail.com.au
Subject: RE: DA/210/2020 - 22 Brougham Court, North Adelaide
Importance: High

Hi Rebecca, it would be appreciated if you could please advise what Council's position will be if the applicant does not agree to move the 2nd storey in 1.86m from the south side boundary to prevent loss of the little sunlight that we currently have in winter in our rear yard and family room. As discussed at your site visit this is a significant issue that is currently unresolved.

It was also a significant issue 5 years ago when Council made the applicant move second storey 1.86m off that south boundary.

Does Council recommend in the DAP papers that plans should not be granted Development Plan Consent?

Look forward to hearing from you shortly.

Thanks for your assistance.

Best Regards

Matthew & Katy Gerschwitz

From: Danni Biar <D.Biar@cityofadelaide.com.au>
Sent: Wednesday, 10 June 2020 4:05 PM
To: mgkg@ozemail.com.au
Cc: Rebecca Rutschack <R.Rutschack@cityofadelaide.com.au>
Subject: RE: DA/210/2020 - 22 Brougham Court, North Adelaide

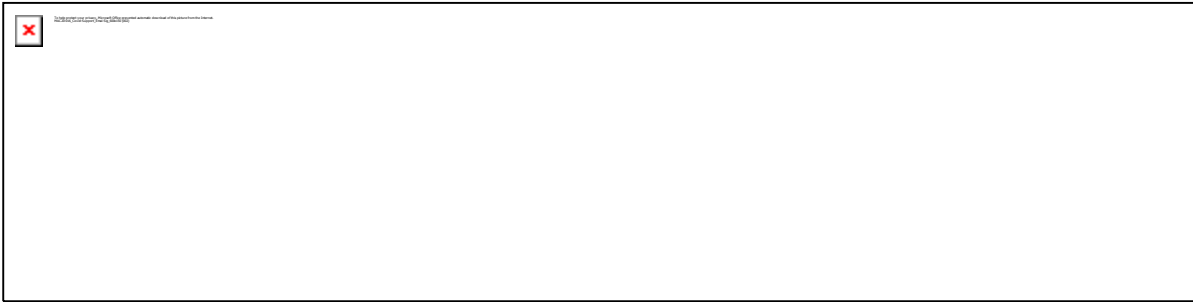
Hi Matthew,

Nice to meet you today and thank you for allowing us to take some photos and discuss the proposal.

I will relay your concerns to the Applicant and await receipt of your representation.

Kind regards,

Danni Biar
Senior Planner - Development Assessment
Planning Assessment
 4th Floor 25 Pirie Street
 Adelaide, South Australia, 5000
 TEL: +61882037099
 F. +61882037575
 E. D.Biar@cityofadelaide.com.au



www.cityofadelaide.com.au



Think before you print!

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From: mgkg@ozemail.com.au <mgkg@ozemail.com.au>
Sent: Wednesday, 10 June 2020 3:44 PM
To: Rebecca Rutschack <R.Rutschack@cityofadelaide.com.au>; Danni Biar <D.Biar@cityofadelaide.com.au>
Cc: mgkg@ozemail.com.au
Subject: RE: DA/210/2020 - 22 Brougham Court, North Adelaide
Importance: High

Hi Rebecca & Dani, thanks for your time today to meet onsite to discuss our significant concerns as detailed in email of 3/6/20 below.

As discussed, the 2nd storey built on the boundary has a very major impact on our residential amenity and enjoyment of our property with our family and friends from our backyard and family room which are our principal areas of gathering as it impacts us with the height, bulk and scale & loss of sunlight. The loss of sunlight is most significant in a rear yard which currently, without the new structure, struggles to get adequate sunlight at 12 noon in winter – as you observed today. The addition of the structure on the boundary would provide our rear yard with a total loss of sunlight at certain times of the day in winter – something that Councils many principles of development control on overshadowing refer to frequently.

In the previous submission (5 years ago) it was Council who insisted, on our behalf, that the second storey be setback 1.86m from the boundary, thereby reducing the impact of height, bulk and scale & loss of sunlight to our rear yard. We discussed those old plans vs current plans today &, whilst not ideal, that would be our preferred position with the current plans.

Confirming we will be lodging an objection to aspects of the proposal that severely impact our amenity and enjoyment of our property and will represent at the DAP meeting. We hope that Council will support our concerns to enable the plans to be amended before they go to DAP. My concern is that the applicant will ignore this major issue of ours with the hope that plans go to DAP as they currently stand – I am relying on your support at Council to ensure that amendments are made before they go to DAP to resolve the height, bulk and scale & loss of sunlight issue.

I appreciate your support and look forward to talking again.

Thanks for your assistance.

Best Regards

Matthew & Katy Gerschwitz

From: mgkg@ozemail.com.au <mgkg@ozemail.com.au>
Sent: Wednesday, 3 June 2020 1:33 PM
To: 'Rebecca Rutschack' <R.Rutschack@cityofadelaide.com.au>; D.Biar@cityofadelaide.com.au
Cc: mgkg@ozemail.com.au
Subject: RE: DA/210/2020 - 22 Brougham Court, North Adelaide

Hi Rebecca & Danni, we have significant concerns in relation to the proposed construction of a second storey addition at the rear of the above property and building works along the boundary. The applicant's property at #22 is next door to our house at #18 – we are neighbouring properties that share a common boundary and fence on our northern side (their southern).

Each of these concerns significantly reduces the private enjoyment of our property. The major concerns are:

- **Excessive Height & Bulk:** The excessive scale of the proposed second storey addition adjacent to the boundary means we feel even further 'boxed in' creating a sense of enclosure with the size of the addition;
- **Loss of Natural Light:** The proposed 2nd storey will significantly reduce the natural light coming into our rear family room/backyard of our house along our northern side; &
- **Overlooking/Privacy:** The proposed second storey even with a privacy screen (not sure how suitable it will be) will enable direct overlooking into our principal living area (family room, meals room, rear bathroom area) and backyard significantly reducing our privacy;
- **Building on Boundary - Damage to Trees:** The proposed building works on the boundary will damage the root systems of our existing trees planted adjacent to that boundary. In addition, the reduction of natural light to our garden from the 2nd storey will kill trees and shrubs already planted.

Most significantly when compared to the plans approved several years ago is the second storey of the rear extension being built on the boundary with no setback. In the previous submission it was Council who insisted, on our behalf, that the second storey be setback 1.86m in from the boundary, thereby reducing the impact of height, bulk and scale & loss of sunlight to our rear yard. As we are on a natural slope and our rear yard sits well below the backyard of #22 the impact of building the second storey on the boundary to the enjoyment of our property is extreme.

It would be very much appreciated if you can make a site visit as soon as possible to view the above concerns.

I will call you later today to discuss a suitable date/time.

Thanks for your assistance.

Bets Regards

Matthew Gerschwitz

0424 462 872

From: mgkg@ozemail.com.au <mgkg@ozemail.com.au>
Sent: Tuesday, 5 May 2020 12:22 PM
To: D.Biar@cityofadelaide.com.au
Cc: mgkg@ozemail.com.au
Subject: DA/210/2020 - 22 Brougham Court, North Adelaide
Importance: High

Hi Danni, you may recall I contacted you last week seeking Council's support for concerns we have with a development application (DA/210/2020) from our neighbour at 22 Brougham Court.

That property is on our northern side (their southern side) where we share a common boundary and fence. I understand they are planning for a 2 storey addition built on our shared boundary plus several other items of works. As discussed we have several initial concerns including:

- overlooking into our backyard and rear family room windows which would significantly reduce privacy and therefore the enjoyment of our property;
- overshadowing and reduction of natural light into our family room and landscaped backyard; and
- damage to the root systems of our existing trees planted along the boundary.

These are all significant concerns for us and, as you may appreciate, are creating a high degree of anxiety. We would appreciate the opportunity to comment on any development application as it has a material impact on our property and therefore hope that it will be put to Public Notification.

Look forward to hearing from you shortly.

Thanks for your assistance.

Best Regards

Matthew Gerschwitz
0424 462 872

**Response to submissions provided with respect to application reference
DA/210/2020 - 22 Brougham Court, North Adelaide.**

Please note inclusion of photographs for additional reference.

Bulk and scale	<ul style="list-style-type: none"> • The use of multiple finishes to all elevations has been incorporated in the design to limit the appearance of perceived bulk and scale. • The design and material choice provide a distinct however complimentary separation between the existing heritage building and new development. • The design and materials of the two-story construction were amended post initial feedback from Adelaide City Council (Council) to provide a more sympathetic aesthetic when viewed from the southern neighbouring property and street. • The proposed development was designed to take advantage of the block's natural north to south slope. It also steps down considerably from the existing buildings floor level to provide minimal impact to neighbouring properties. As shown on the North Elevation Plan (PL04), the floor level of 24 Brougham Court (northern neighbouring property) is 910mm higher than the ground level of our property. This results in the reduction of northern wall heights when viewed from the rear of 24 Brougham Court. • The wall on the north boundary, joining the existing lean-to and two storey build, was designed to level the lean-to roofline, taking its highest point and continuing this through. Refer to North Elevation Plan (PL04). The use of different materials, textures and finishes to the northern boundary wall breaks any perceived visual bulk and adds depth to its appearance. The existing orange tree situated in the south east corner of 24 Brougham Court also provides significant coverage to the proposed wall. • 18 Brougham Court (southern neighbouring property) has a wall of mature vegetation, presumably cultivated for in excess of a decade, which, in areas, greatly exceeds the height of the proposed development. This well-established vegetation would cover the majority of the proposed boundary wall, as per the photos
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	<p>provided by the respondents of 18 Brougham Court (southern neighbouring property), greatly reducing any perception of bulk and scale. Note that this vegetation also provides the majority of overshadowing referred to in the respondent's submission.</p> <ul style="list-style-type: none"> • With reference to photos provided by owners of 18 Brougham Court (southern neighbouring property), it is clearly visible, despite the questionable location of hand drawn lines, that the proposed development, for the most part only, replaces the view of the existing red brick wall located on the rear boundary of our property. It is our view that the proposed development has marginal visual impact from 18 Brougham Court. The introduction of the proposed development will reduce the bulk and scale of the aforementioned existing red brick wall by introducing additional materials and layers. • Two story, and even three story, residential development on boundaries can be observed throughout North Adelaide and more broadly throughout suburban Adelaide. Such design effectively maximises the usable space of smaller parcels of land. Examples of two storey construction on boundaries can be seen on Kermod Street (rear facing Brougham Court), Tynte Street (three story build to boundary) and our own property whereby the eastern boundary consists mostly of a nine metre red brick wall. • Careful consideration was given to the design of our proposed development to ensure the height of the build is no higher than the existing heritage place. • Our proposed development incorporates a flat roof design to limit build height and perceived visual impact. • Communication with Council, both face-to-face and via email, raised no preliminary concerns with our proposal to build a second storey to the boundary and our application was lodged with this inclusion. The only requested amendment by Council, post lodgement, was to include a window to the western elevation (southern corner) of the second storey, which has been accommodated.
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	<ul style="list-style-type: none"> • Our proposed development reduces the bulk and scale of the red brick building situated on the rear boundary of our property, including for neighbouring properties and from street view. The proposed construction softens the commanding nature of this building and is more sympathetic to our and surrounding heritage places. This is provided through considered design, material selection and layering. • The design and location of the proposed two storey development to the utmost rear of our land holding provides greatest distance from existing neighbouring homes and least visual impact to neighbouring properties.
Natural light	<ul style="list-style-type: none"> • Shadowing diagrams provided as part of our development application were produced by our drafter, Hendre, using the Revit's Shadowing System. This system provides accurate shading representations based on time of day, season and location. This system has previously been used to calculate and show shadow diagrams, approved and checked by Council's own software as accurate. • Our proposed development exceeds the minimum overshadowing requirements of the <i>Development Act 1993</i>. The amount of natural light is within acceptable limits. • Our proposed development does not overshadow 24 Brougham Court (northern neighbouring property). • The submission provided by the owners of 18 Brougham Court (southern neighbouring property) requests that the proposed 2 metre high rendered wall be extended to align with the rear of their carport. This request contradicts concerns raised by the property owners around bulk and scale of boundary walls, particularly given the close proximity of this wall, which would be located directly adjacent to their living area. Whilst we welcome the additional length to the wall, we note that the extension of this will come at a substantial increased cost to us.

Fence on the boundary	<ul style="list-style-type: none">• Certified survey plans identified the current fence separating our property and 18 Brougham Court (southern neighbouring property), is not constructed on the true boundary. The fence was constructed prior to our purchase of the property. The fence is not constructed straight and acts as a retaining wall in parts. The proposed replacement and alignment of the fence to the true boundary and introduction of concrete plinths to retain soil will benefit both properties and also provide for the levelling of our driveway to prevent water pooling.• Construction of the fence will be undertaken in accordance with relevant legislation.
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Tree density facing southern boundary - 1



Tree density facing southern boundary - 1



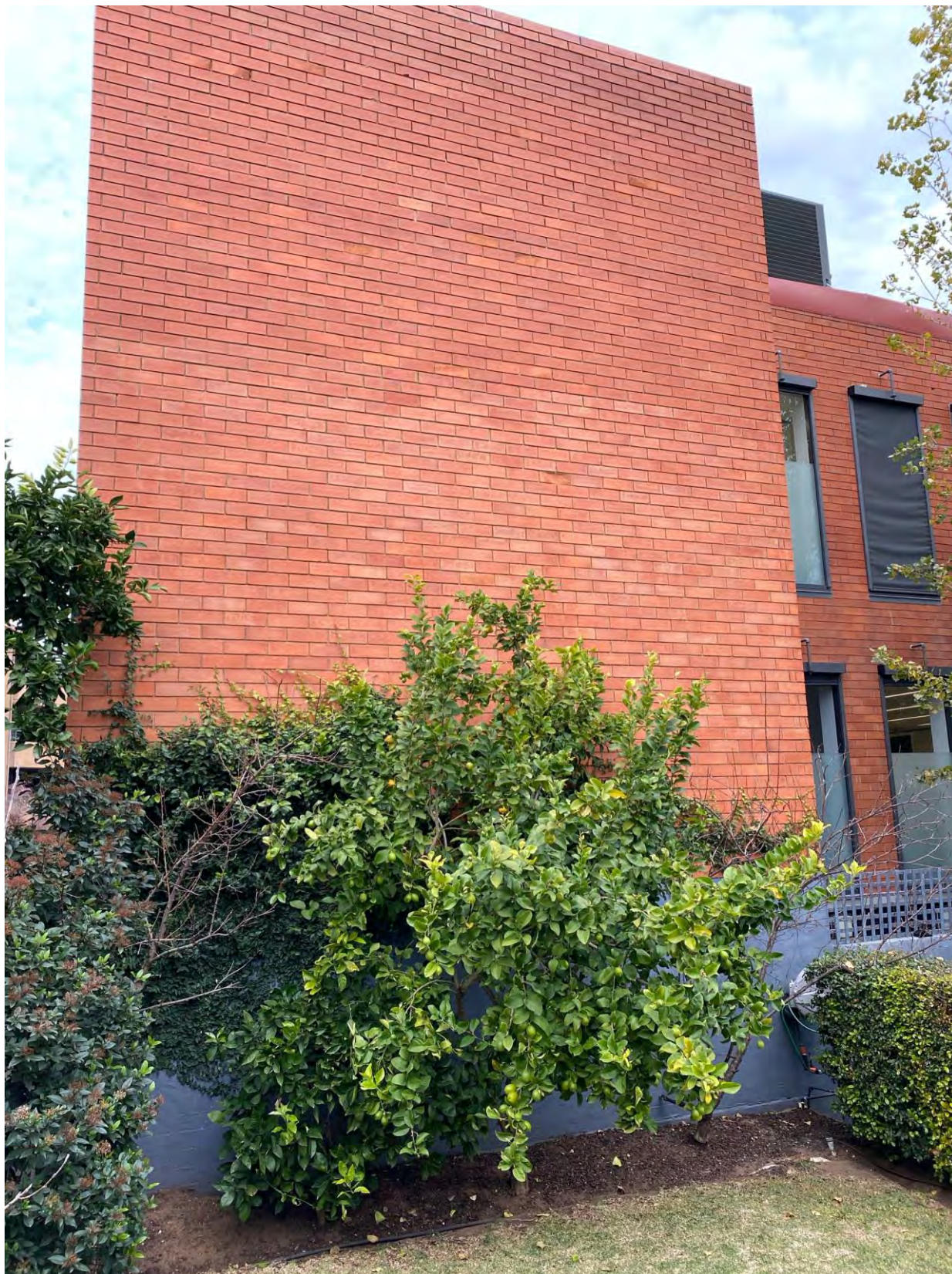
Tree density facing southern boundary - 2



Tree overhang on southern boundary



22 Brougham Court - rear boundary



DA/210/2020 - 22 Brougham Court, North Adelaide
Phillip Gaertner and Cassandra Hunter

Note. For TRIM workflow assign "Heritage Enquiries"

INTERNAL MEMO – LOCAL HERITAGE			RE-REFERRAL <input type="checkbox"/>
TO	Local Heritage Advisor	DATE	11 May 2020
ATTN	Simon Weidenhofer	RETURN BY	25 May 2020
FROM	Danni Biar	REF (TRIM)	DA/210/2020
SUBJECT	Development Application Referral to Local Heritage Advisor		
APPLICATION	DA/210/2020	HIS	
ADDRESS	22 Brougham Court, NORTH ADELAIDE SA 5006		
DESCRIPTION	Construct a two storey addition to existing residence, new plunge pool, replacement of existing fence and associated site works		

PLANNER TO COMPLETE		
ASSESSING OFFICER'S COMMENT	URGENT	<input type="checkbox"/>
<p>Questions regarding this development should be directed to Danni Biar, Ext. 8099</p> <p>Comments regarding this Development would be appreciated by the 'Return By' date shown above.</p>		

LOCAL HERITAGE ADVISOR TO COMPLETE	
COMMENTS	
<p>This proposal is very similar proposal to DA/0336/2014 which was supported, but the upper level now extends to the south boundary and the previous carport is now deleted. The carport design was not supported.</p> <p>Comments previously provided for DA/0336/2014:</p> <p>I have previously provided preliminary advice regarding this proposal. In principle the rear addition is a separate built form, linked to the rear of the Local Heritage Place. The impact of this addition on the heritage value of the subject dwelling is minimal and therefore acceptable.</p> <p>This comment remains the same for the current proposal.</p>	
Please return your comments and original plans to Development Assessment	
Simon Weidenhofer	Date: 12 May 2020

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 24/08/2020

Item No	3.2
Address	62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000
Proposal	Construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking, DA/295/2020 (EP) [CAP]
Applicant	Forme Projex
Relevant Development Plan	30 April 2020
Lodgement Date	11 Jun 2020
Zone / Policy Area	City Frame Zone
Public Notification	Category 1
Application Type	Application Assessed on Merit
Delegations Policy	Contentious, controversial or significant
Recommendation	Development Plan Consent Be GRANTED

ATTACHMENTS

Plans and Supporting Information

- Plans and elevations 1 - 22
 - Planning Report 23 - 75
 - Classification of Building Letter 76
 - Mechanical Services Report 77 - 79
 - Traffic Report 80 - 90
 - Planning Report Addendum 91 - 102
 - Certificate of Title 103 – 104
 - Heritage Advisor Report 105
-

PERSONS SPEAKING BEFORE THE PANEL

Nil

1. **DESCRIPTION OF PROPOSAL**

- 1.1 The proposal involves the demolition of five existing two storey dwellings and construction of a seven (7) level residential apartment building containing 32 dwellings comprising the following:
- One (1) ground level office tenancy
 - Four (4) studio apartments
 - Twelve (12) one bedroom apartments
 - Sixteen (16) two bedroom apartments
 - Car parking for 17 vehicles, with 13 utilising car-stacker devices, accessed via Gilles Street
 - Bicycle parking for bicycles
 - Ground floor entrance via Hurtle Square
 - Ground level waste store

2. **DEVELOPMENT DATA**

DESIGN CHARACTERISTICS	GUIDELINE	PROPOSED
Site area 615.75 m²		
Building height - Storeys - Metres (ceiling height)	Approx. 9 29 metres	7 21.9 metres to top of building
Private Open Space (POS) 1 bedroom apartment 2 bedroom apartment	8 m ² 11 m ²	6.6 m ² 8 to 9.4 m ² 14.4m ² to 21.9m ²
Car parking and Access - Number of spaces	34 Spaces	17 Spaces
Bicycle Parking	36 Spaces	40 Spaces

3. **BACKGROUND**

- 3.1 The site encompasses five existing townhouses out of an original seven which were constructed in the south-west corner of Hurtle Square in 1979. Two of the western-most townhouses will remain on the west of the development site.
- 3.2 A number of other sites around Hurtle Square have been developed by Forme Projex. The other buildings are identified in Figure 1 below.
- 3.3 The applicant has been in consultation with Council's Architect in Planning Assessment to achieve design improvements.

Figure 1 – Forme Projex Developments: Completed / Under Construction / Approved



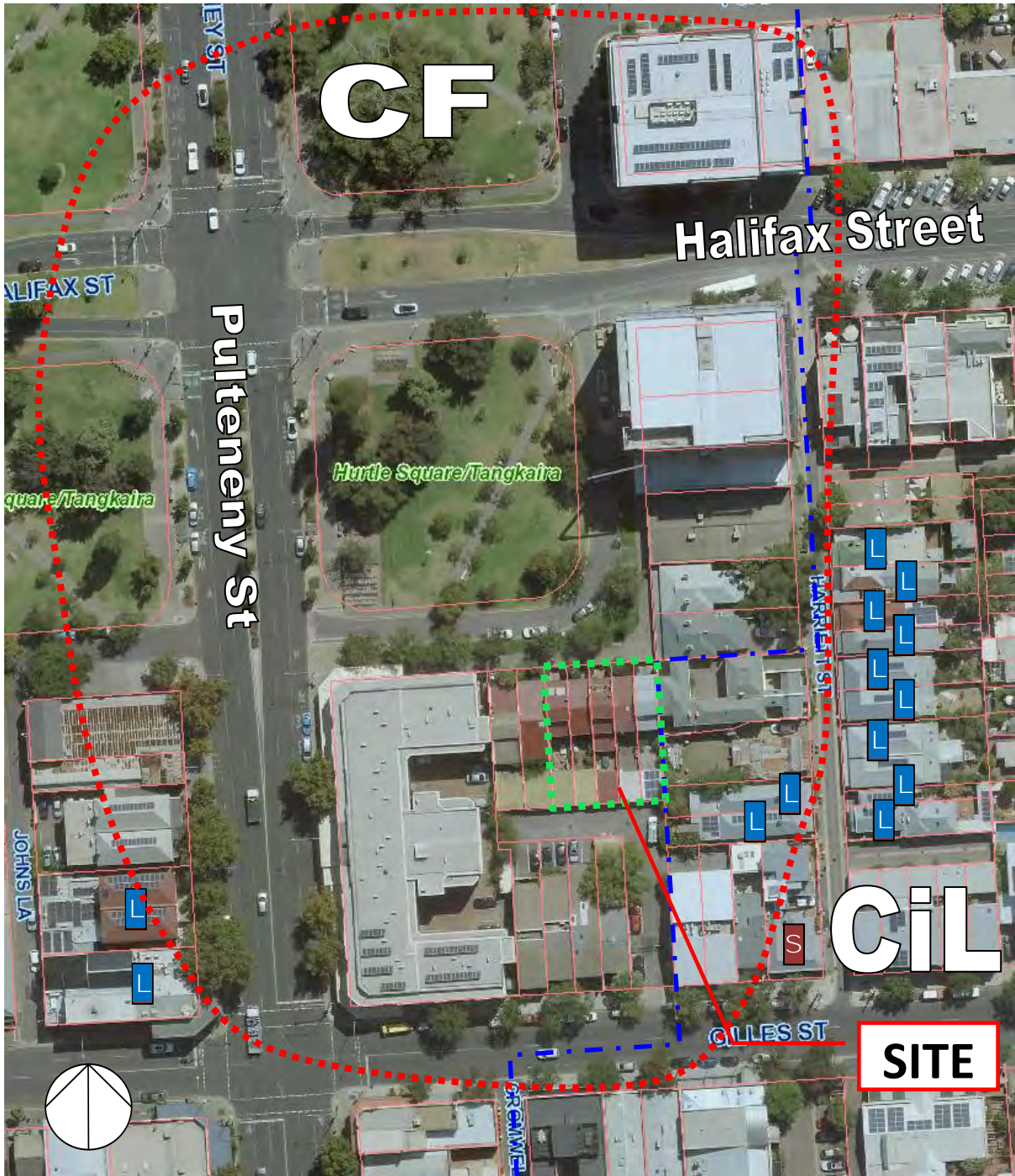
Address	Name	Number	Status
3-7 Hurtle Square	Hurtle & Co – Stage 1	1	Built August 2017
32-40 Hurtle Square	Hurtle & Co – Stage 2	2	Built June 2018
42-48 Hurtle Square	Hurtle & Co – Stage 3	3	Due for completion Spring 2020
22-26 Hurtle Square	Hurtle & Co – Stage 4	4	Construction soon to commence
71-79 Hurtle Square	Hurtle & Co – Stage 5	5	Planning Consent granted 28 October 2019

4. SITE

- 4.1 The subject site is comprised of five allotments having a frontage of 22.3 metres to Hurtle Square, a depth of 27.8 metres and a total site area of 615.75 metres.
- 4.2 Five two storey dwellings which occupy the site are proposed to be demolished.
- 4.3 The site has a right of way over allotment 12 to the south which provides access for pedestrians and vehicles to Gilles Street.

5. LOCALITY

- 5.1 The locality is comprised of a variety of building types and heights including 2-3 storey row dwellings fronting Hurtle Square as well as several apartment buildings ranging from 4 to 9 storeys.
- 5.2 A more coherent residential character is found towards the south and east of Hurtle Square and in the surrounding side streets, with dwellings typically of 1 to 2 storeys.
- 5.3 Several commercial premises are located at the southern end of the Square and along Halifax Street.
- 5.4 An eight (8) level (approx. 28.5 m) residential development by Forme Projex and designed by Locus Architecture is currently under construction to the north of the subject site, on the south-east corner of Hurtle Square and Halifax Street (see photo 3).
- 5.5 A nine (9) level residential development, also by Forme Projex and designed by Locus Architecture, was completed in 2019, located on the corner of the square and Halifax Street (see photo 4).
- 5.6 Planning consent has been granted by Council for a nine (9) level residential development with frontage to Hurtle Square and Pulteney Street located on the south west quadrant of the square (421-425 Pulteney Street), which further reinforce the creation of a consistent 7-9 storey wall of apartments around the square.










KEY			
	Subject Site		Local Heritage Place
	City Frame Zone		State Heritage Place
	City Living Zone		Zone Boundary
	Locality		

Photo 1 –Site



Photo 2 – South-west view with Pulteney street visible on the right



Photo 3 – Nearby sites – looking east



Photo 4 – Hurtle Stage 2 (left) and Stage 3(right) flanking Carrington Street



Photo 5 – Vehicle entrance point on Gilles Street



Photo 6 – Local Heritage Places; 29-31 Harriet St (left) and 25-27 Harriet St (centre)



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 Local Heritage

- Whilst the proposed development is built to the common rear boundary of the Local heritage places at 25-27 and 29-31 Harriet Street, this section of the proposal is only one storey high, with the upper six storeys set back from the boundary by 2.27 metres.
- I do not consider CW PDC140 to be particularly relevant given the proposed development site is to the rear of the LHPs and fronts Hurtle Sq rather than Harriet St. There is also a reasonable separation which further lessens the direct impact upon the LHPs.
- The direct impact on the heritage value of the LHPs to be minimal

8.2 Infrastructure

- No objection to the proposal subject to standard conditions and standards.
- If new canopies are to be constructed as part of these works, then lighting to meet CoA's under verandah/awning lighting requirements shall be installed.
- All works around street trees is done in accordance with AS 4970-2009 Protection of Trees on Development Sites.
- Any requirement to prune CoA trees is to be done only by CoA staff once permission is granted
- Tree removal will only be allowed when all alternative development options have been exhausted.
- Stormwater runoff from the proposed development must be contained within the property boundaries, collected and discharged to: Hurtle Square and the private laneway underground and in split/proportions. All details to be determined by drainage engineer.

8.3 Traffic

- There are no traffic/transport related objections to this development.

8.4 Waste Management

- There are no waste 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 •
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. 	<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

This Zone will primarily contain medium to high scale residential development supported by a mix of shops, personal services, restaurants, cafés, and community and hospitality uses.

The mix of complementary land uses will extend activity into the evening to enhance the vibrancy and safety of the area, particularly the adjacent Park Lands and Whitmore and Hurtle Squares, which offer a high level of amenity. Small-scale licensed entertainment premises, nightclubs or bars may occur in limited numbers where they are designed and sited to maintain day and evening activation at street level. Development will include residential and mixed use residential buildings that are well connected to nearby public transport networks, including the tramline.

The location and scale of buildings will achieve high quality urban design outcomes, with the highest built form located along South Terrace facing the Park Lands with a slightly lower built form framing the Squares. Development on key corner sites at the entrances to the City grid and Squares will create landmark buildings that provide a strong built form edge and pedestrian scale detailing to both street frontages.

Buildings will have minimal or no setback and provide tall walls when viewed from the main road frontage to achieve a consistent built form façade. Landscaping and small variations in front setback will assist in softening the continuous edge of new built form and provide a higher amenity streetscape and pedestrian environment which is shaded by street trees and other mature vegetation.

Buildings will have a strong horizontal emphasis with clearly defined and segmented vertical elements. At street level, the use of solid materials will be appropriately balanced with glazed areas to provide visual interest and activity. Tall façades will be well articulated with finer details that contribute positively to the public realm, including modelled façades, canopies, fenestration and balconies that make use of light and shade. An interesting pedestrian environment and human scale at ground level which integrates well with the Park Lands and Squares will be created.

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











Development on catalyst sites will exemplify quality and contemporary design that is generally greater in height, or intensity, than its surroundings. However, development will be designed to carefully manage the interface with sensitive uses in the City Living Zone, particularly with regard to massing; proportions; overshadowing; traffic and noise related impacts.

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Character	<ul style="list-style-type: none"> Please refer to the discussion in Section 9.4. 	✓
Objectives O1-8	<ul style="list-style-type: none"> Achieved. Provides a commercial land use at ground level with residential above. Creates a strong edge to the Square. Consistent front setback and articulated building façade. 	✓
Land Use P1-6	<ul style="list-style-type: none"> Achieved. Commercial uses at ground level with residential use above is supported. 	✓
Form and Character P7	<ul style="list-style-type: none"> Achieved. See Section 9.4. 	✓
Design and Appearance P8-13	<ul style="list-style-type: none"> Achieved. Activation / direct pedestrian access. Pedestrian shelter. Visually permeable ground floor comprising 45% of the width of the façade. Oriented to overlook Hurtle Square. 	✓
Building Height P14-15	<ul style="list-style-type: none"> Achieved. The height of 21.9 metres is below the maximum height of 29 metres is permitted. 	✓
Setbacks P16-17	<ul style="list-style-type: none"> Achieved. No setback is proposed to Hurtle Square. The building is setback on the east where it abuts the City Living Zone. 	✓
Car parking P24	<ul style="list-style-type: none"> Not achieved. A total of 17 car parks are provided on site. 32 Apartments and an office tenancy of 59 square metres is proposed requiring a total of 34 car parks, resulting in a shortfall of 17 spaces. See discussion in Section 9.4. 	✗

9.2 Summary of Council Wide Objectives & Principles

Subject DP Ref	Assessment	Achieved ✓ Not Achieved ✗
MEDIUM TO HIGH SCALE RESIDENTIAL DEVELOPMENT		
O22	<ul style="list-style-type: none"> Achieved. 	✓
Building Entrances P48-49	<ul style="list-style-type: none"> Not achieved. The entrance is set back from the Square, located in the furthest corner of the site. 	✗
Daylight, Sunlight & Ventilation P50-58	<ul style="list-style-type: none"> Achieved. Ceiling heights of 2.6 metres ensures adequate light penetration, in accordance with CW PDC 53. 	✓
Private Open Space P59-65	<ul style="list-style-type: none"> Not achieved. The 12 one-bedroom apartments are provided with 6.6m² balconies which is below the desired minimum of 8m². Six out of the 16 two-bedroom have 9.4 m² balconies which is below the desired minimum of 11 m². 	✗
Visual Privacy P66-67	<ul style="list-style-type: none"> Achieved. Windows facing east towards low scale dwellings on Harriet Street have windows at 1.6 metres above internal finished floor level, preventing overlooking into adjacent private open space. 	✓
Noise & Internal Layout P68-69	<ul style="list-style-type: none"> Achieved. 	✓
Minimum Unit Sizes P70-71	<ul style="list-style-type: none"> Achieved. 	✓
Adaptability P72	<ul style="list-style-type: none"> Achieved. 	✓
Outlook P73-74	<ul style="list-style-type: none"> Achieved. All apartments will either overlook Hurtle Square or Gilles Street. 	✓

Onsite Parking & Fencing O23 P75-79	<ul style="list-style-type: none"> Not achieved. 	✘
Storage P80-81	<ul style="list-style-type: none"> Achieved. 	✔
ENVIRONMENTAL		
Crime prevention through urban design O24 P82-86	<ul style="list-style-type: none"> Achieved. 	✔
Noise Emissions O26-27 Noise Sources P89-94 Noise Receivers P95-100	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	✔
Waste management O28 P101-104	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	✔
Energy Efficiency O30 P106-112 Residential Development P113-114	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	✔
Renewable Energy O31-32 P116-118	<ul style="list-style-type: none"> Achieved. Roof-mounted solar panels are proposed. See Section 9.4 for detailed discussion. 	✔
Micro climate and sunlight O33-34 P119-125	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	✔

Stormwater management O35-39 P126-131	<ul style="list-style-type: none"> Partially achieved. Stormwater will be collected for irrigation of the entrance garden, however this will not consume all of the collected water. 	
Infrastructure O40-41 P132-135	<ul style="list-style-type: none"> Achieved. A new transformer is not required, reducing the amount of street façade devoted to infrastructure. The existing transformer located on Lot 12 near Gilles Street is capable of accommodating the estimated load generated by the proposed development. 	
Heritage & Conservation O42-45 P136-148	<ul style="list-style-type: none"> Achieved. The existing buildings are not heritage listed. The site abuts the rear of three Local heritage places; 27, 29 and 31 Harriett Street. The separation distance ensures that the proposed building will appear in the background and will not unreasonably impact upon the heritage intact streetscape. 	
Built Form & Townscape O46-48 P167	<ul style="list-style-type: none"> See Section 9.4 for detailed discussion. 	
Height, Bulk and Scale P168-174	<ul style="list-style-type: none"> See Section 9.4 for detailed discussion. 	
Building Setbacks P178-179	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	
Composition & Proportion P180-181	<ul style="list-style-type: none"> See Section 9.4 for detailed discussion. 	
Articulation & Modelling P182-186	<ul style="list-style-type: none"> See Section 9.4 for detailed discussion. 	
Materials, Colours & Finishes P187-190	<ul style="list-style-type: none"> See Section 9.4 for detailed discussion. 	
Sky & Roof Lines O49 P192-195	<ul style="list-style-type: none"> Achieved. See Section 9.4 for detailed discussion. 	

Squares & Public Spaces O57-59 P219-223	<ul style="list-style-type: none"> Achieved. 	✓
Access & Movement O60 P224-225	<ul style="list-style-type: none"> Achieved. The proposal incorporates pedestrian shelter in the form of a 2.3 metre wide canopy to the prime frontage on Hurtle Square. 	✓
Pedestrian access O61-63 P226-232	<ul style="list-style-type: none"> Achieved. 	✓
Bicycle Access O64-65 P233-238	<ul style="list-style-type: none"> Achieved. Table Adel/6 requires a minimum of 1 space per apartment under 150m² in size and visitor parking at the rate of 1 for every 10 dwellings. The development therefore requires a minimum of 32 resident bicycle parking spaces and 3 visitor parking spaces, plus the office tenancy will require 1 employee spaces and 3 visitor spaces, totalling 39 spaces. The development provides 40 spaces for residents and visitors. 	✓
Traffic and vehicle access O68-70 P241-250	<ul style="list-style-type: none"> Achieved. Access to the car parking is via an existing access point on Gilles Street. 	✓
Car parking O71-72 P251-265	<ul style="list-style-type: none"> Not achieved. See Section 9.4 for detailed discussion. 	✗
Economic growth & land use O73-76 P266-271	<ul style="list-style-type: none"> Achieved. 	✓

9.3 **Detailed Discussion**

Desired Character

The existing buildings on the subject site do not typify the type and scale of development now sought for the Zone. The desired character speaks to the construction of medium to high scale residential development, framing the Squares and main thoroughfares, with such buildings to be of high-quality design. Land uses at ground level are envisaged to consist of complementary uses extending activity and vibrancy into the evenings, including a limited number of licensed premises.

The proposed apartment building will contribute towards the attainment of the desired character through the provision of relatively high-quality medium to high scale residential development. The ground level office facing Hurtle Square can be converted for other commercial uses in the future, subject to receiving development plan consent, thereby offering the prospect of enlivening the edge of the Square and creating an interesting pedestrian environment.

The proposed development, being 21.99 metres in height, is of an appropriate scale to frame the Square and is similar in height to several buildings recently approved and / or under construction around Hurtle Square (see Figure 1 Map for locations).

The composition of the proposed building is consistent with that called for in the desired character. The balconies, verandah and roof provide horizontal emphasis to the building. The varied material palette, clearly defined and segmented vertical elements, articulated with recessed and projecting balconies, canopy and fenestration suitably break up the building facades.

The modest window sizes, traditional window proportions and sandstone effect precast panels sit comfortably within the context of the adjacent buildings.

Land Use

Residential dwellings accommodated in residential flat buildings with ground floor commercial uses are envisaged and desired within the City Frame Zone.

Built Form and Design

Height and Setbacks

At 21.95 metres at its highest point (lift overrun) the development satisfies Zone PDC 14 and 15 which states a maximum building height of 29 metres and minimum of four storeys within this part (north of Gilles Street) of the City. The building is of a sufficient height to assist in framing Hurtle Square.

With a ground floor height of 3.1 metres, the development does not achieve Zone PDC 10 with respect to providing a minimum floor to ceiling height of 3.5 metres to allow for an adaption to a range of land uses. Given that the Building Code permits a minimum height of 2.4 metres for offices, consulting rooms, shops, laboratories or manufacturing, there is no practical restriction to the range of uses that may occupy the tenancy.

The building is built to the street alignment and achieves the 'strong edge' to the square called for by Zone Objective 2. A 2.3 metre wide canopy to Hurtle Square will protrude into the public realm providing visual interest and pedestrian shelter.

The eastern boundary of the site lies on the boundary with the adjacent City Living Zone. Zone PDC 17 seeks that the building façade of tall buildings should be setback at least two (2) metres from the boundary, which the proposal achieves.

Composition and Proportion

The built form and public environment provisions in the Development Plan call for development which is consistent with the scale, subdivision pattern and building forms of the locality. Large, blank or unrelieved surfaces should be avoided and buildings with large frontages should be broken down into discrete elements.

The western façade includes a section of concrete wall located on the property boundary. The wall features 'grooves' cast in a sinuous pattern into the panels that provides visual interest to the building when viewed from Pulteney Street.

The north facade incorporate elements (i.e. materials, pattern of vertical and horizontal sub-divisions of windows and balconies), into the design that result in a good quality of architectural design and will achieve an acceptable quality urban design outcome, as sought by the desired character.

Articulation and Modelling

The proposal incorporates an appropriate level of articulation and modelling to the north and south facades with the lower podium level defined by a change in materials and scale. A set back at first level differentiates the base of the building from the middle section through projecting and recessed balconies with grey toned glass balustrades. The various recesses and projections of the balconies and the fenestration suitably break up the elevations. All the balconies have been integrated into the design of the architectural form responding adequately to the street context and building orientation.

Materials and Finishes

The proposed development exhibits a high level of quality both in the overall architectural design and the external materials and finishes to be utilised. The form, colour, texture and quality of materials are of a high quality, durable and contribute to the desired character of the locality, as sought by CW PDC 187 - 189.

The proposal utilises the following materials, colours and finishes:

- Walls in precast 'sandstone' concrete panels in a mix of off-form, acid etch and honed finishes
- Ground floor walls of precast concrete panels finished in Dulux AcraShield in Dulux 'Night Sky'
- Verandah finished in folded 'black' mondo cladding
- Windows – Aluminium framed grey tint vision

- Level 1 and Level 6 balustrades – frameless grey tint glass
- All other balustrades – black aluminium framed grey tint glass
- Garage door – black powdercoat finish
- Entry fence and gate – vertical aluminium slats
- Sunshades – black painted steel
- Vents to car park – black aluminium louvres

These materials are of an appropriate quality and finish with regard to the surrounding townscape context, built form and public environment.

The highly visible western elevation will be enhanced with a vine motif cast as a serpentine groove into the precast concrete panel which will provide interest and contribute to the distinctive Adelaide streetscape identity called for by CW Objective 59.

Residential Amenity

The residential amenity of the proposal is considered to meet the requirements of the Development Plan in the following ways:

- All apartments exceed the 35 m² for studio, 50 m² for a one (1) bedroom and 65 m² for a two (2) bedroom apartment.
- Visual privacy to and from the dwellings is maintained in accordance with CW PDC 67.
- Access to natural light and ventilation is reasonable and in accordance with CW PDC 50. True cross ventilation however is not achieved for the apartments as the side windows are not openable.
- All apartments are provided with outlook either to Hurtle Square to the north or over Lot 12 to the south (which forms the shared manoeuvring/access area for a number of adjacent properties).
- The masonry construction methodology will ensure that acoustic privacy is achieved between apartments, in accordance with CW PDC 69. An acoustic assessment of the external façade, which includes extensive glazing, has not been undertaken. Therefore, a reserved matter is recommended requiring that the applicant provides an acoustic assessment that demonstrates that the dwellings comply with the relevant Australian Standards relating to internal noise levels and to demonstrate that the dwellings are appropriately insulated from external noise sources in the locality, as sought by CW PDC 69, prior to the granting of Provisional Building Rules Consent.
- Eight of the two (2) bedroom apartments feature a study. Whilst nominated as a study, the size is sufficient to accommodate a double bed and has a direct outlook to Hurtle Square and therefore could be used as a bedroom.
- Sleeping areas of the studio apartments are separated from the living room by glass partitioning which provides adequate natural light. The centrally located one (1) bedroom apartment on levels 1-4 rely on borrowed light gained from the main living room window; the distance of 5 metres is within the permitted maximum of 8 metres. All other bedrooms are provided with access to direct

natural light. The window is within six (6) metres from a window providing natural light, thereby achieving CW PDC 54 and the BCA with respect to borrowed light and ventilation.

- All apartments are provided with a balcony which is directly accessible from a living area and are largely consistent with the minimum areas prescribed by CW PDC 59.
- The one (1) bedroom apartments are provided with 6.6 m² and the two (2) bedroom plus study apartments provided with 8.2 m², 9.4 m², 14.4m² or 22 m² balconies. The shortfall to the one (1) bedroom apartments and some 2-bedroom apartments is acceptable as the balconies are of sufficient dimension to be functional, are located directly adjacent the primary living areas and bedrooms and because the building directly abuts Hurtle Square.
- All dwellings are provided with an appropriate outlook in accordance with CW PDC 73.
- Direct views between the proposed apartments on the subject site and adjacent sites is appropriately managed through the use of high level windows and adequate separation distances.
- Adequate storage areas are provided in accordance with CW PDC 80 and 81.

Environmental

The proposal incorporates the following energy efficient measures in each of the apartments:

- A floor plan allowing reasonable degree of natural air flow and ventilation.
- Windows to all living areas allowing good access to natural lighting.
- Low energy light fittings.
- Ceiling fans to bedrooms and living rooms.
- Insulation to internal and external walls, roof and external walls.

The proposal is considered to provide adequate energy efficient measures in accordance with CWP 106.

Water collected from the roof will be stored on-site for irrigation of the landscaped garden at the building entrance.

The roof of the building is to be fitted with a 2 x 10-kilowatt solar panel arrays to offset power consumption in the common areas of the building minimising the consumption of non-renewable energy resources in accordance with Objective 30 of the Council wide – Environmental provisions.

Micro-climate and Sunlight

CW PDCs 119 -125 seek to ensure that developments are designed and sited to be energy efficient and minimise the micro-climatic and solar access impacts on land or other buildings.

Low-scale residential development is located to the east and west of the site, with two storey office buildings located to the south, fronting Gilles Street. To the west are two three (3) storey townhouses and a three storey mixed use development with commercial uses at ground level and two level of apartments above. To the east, one to three (1-3) level dwellings fronting Harriett Street abut the development site.

Overshadowing that occurs to the east and west impacts on the amenity of these properties, however overshadowing to the east does not occur until after midday, and for properties to the west, overshadowing ceases at approximately midday. As a result, properties will achieve at least two hours of direct sunlight to their private open spaces.

Visual and Acoustic Privacy

CW PDC 66 and 67 seek to minimise the potential for overlooking of habitable rooms such as bedrooms and living areas of adjacent development together with a building set back of at least three metres from the boundary to ensure an adequate level of amenity and privacy to the occupants of the development and not restrict the reasonable development of adjacent sites.

In this instance, the nearest residential development is located to the east and west of the subject site. A two level townhouse is located to the west with south-facing windows overlooking their private rear yards. To the east lies single storey detached dwellings with their private yards abutting the development site, as well as a two storey group dwelling site at 21-23 Harriett Street. The two rearmost dwellings on this land feature decks at the first level abutting the subject site.

East and west facing windows have a minimum sill height of 1.6 metres, reasonably minimising overlooking into the adjacent residential properties. The apartment building is setback 2 metres from the boundary from level 1 upwards. These measures satisfy the quantitative requirements of the Development Plan.

Balconies on the southern façade will have an ability to overlook private open space and rear facades of dwellings to the south-east at 29 and 31 Harriet Street. The Development Plan does not set a numeric measure on overlooking from high scale development into low scale development. In this instance, overlooking into 29 Harriet Street requires an occupant on any balcony to look almost directly east to gain a partial view. The extent of overlooking in this regard is considered to be restricted and incidental and is thus reasonable. A greater extent of overlooking exists into the rear yard of 31 Harriet Street where the rear yard of the dwelling is separated from the nearest balcony a distance of 5 metres. Although this small extent of separation is considered inadequate, particularly from the lower level balconies, it is noted that the proposed building satisfies the minimum setback requirement and fulfils the intent of uplift around the squares.

With the exception of the four studio apartments, air-conditioners are located on balconies within the site boundary, located within recessed alcoves. The alcoves will provide visual and acoustic containment, it is considered unlikely that noise from the units will cause unreasonable interference with the amenity of adjoining. Air-conditioning for the studio apartments and office tenancy is provided at ground level in the car park, ensuring that noise is contained within the building and unlikely to affect adjacent land.

Notwithstanding the above, CW PDC 93 requires that the combined operation of plant and equipment such as air-conditioning when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site should not exceed in this case (as site is adjacent to City Living Zone) 50dB(A) during daytime and 40 dB(A) during. These requirements are included as a recommended condition of approval.

Transport, Access and Parking

Table Adel/6 and Adel/7 set out car parking and bicycle parking rates. Those recommended for the proposed development are listed below:

Bicycle Parking

- Medium to High Scale Residential Development - 1 bicycle parking space for every dwelling with a floor area of 150 m² or less + 1 visitor space for every 10 dwellings;

Car Parking

- Residential Development – 1 car parking space for every dwelling with a floor area of 150 m².

This equates to a recommended total of 39 bicycle parking spaces and 34 car parking spaces.

The proposal provides a total of 17 car parking spaces and parking for 40 bicycles in a bike storage area at ground level. A maximum parking rates of one car per dwelling is stipulated, thus a maximum of 34 car parks is required.

The car and bicycle parking provided is considered appropriate in this instance, having a reasonable number of on-site parks and the site's proximity to a tram stop (600 metres).

CW PDC 240 states that vehicular access to sites should be obtained from minor streets and lanes. Vehicular and bicycle access is to be obtained via a shared private right of way off Gilles Street (Lot 12). Waste collection will occur on the Hurtle Square frontage with an existing carriageway. This arrangement is considered appropriate as the time and frequency of collection is unlikely to be the cause of inconvenience to pedestrians, with alternative paths through the Square always available.

Encroachments

The proposed canopy over Hurtle Square extends 2.4 metres into the public realm at a height of 2.6 metres. The canopy is setback 600mm from the edge of the kerb and is well separated from established trees. The proposed canopy satisfies the Encroachment Policy.

Balconies to the south are setback entirely within the property boundary. Balconies facing Hurtle Square are setback at least 50% within the property boundary on levels 1 to 5, with less than 50% over the public realm. Balconies on level 6 do not encroach.

The balconies feature recessed alcoves within the property boundary that house split-system air-conditioners and provide space for storage and clothes drying which will not be visible from the public realm.

The width of the encroaching balconies make up 31% of the width of the façade, satisfying the Encroachment Policy.

Conclusion

This application proposes the construction of a seven (7) residential apartment building containing a total of 32 dwellings and an office at ground level with bicycle and car parking facilities located at ground level. The proposal is considered to achieve the outcomes sought by the desired character statement and principles in that:

- The proposal is consistent with the desired character of the Zone. Both the land use and the built form proposed are consistent with the Desired Character of the Zone which seeks residential land use above ground level with a mix of office, shop, and other compatible commercial land uses at ground level.
- At 21.99 metres, the building does not exceed the 29 metre minimum height, sought in the City Frame Zone north of Gilles Street. A lower building height is considered acceptable given that the proposal is on a small site, its high density and because it provides a transition in height down to the low scale residential zone to the east.
- The proposed building provides high quality medium to high scale residential development which supports the attainment of the desired future character and the broader requirements of the Council Wide Objectives and Principles.
- The quality of architectural design and scale of buildings will achieve an acceptable urban design outcome and contribute to the 'framing' of Hurtle Square.
- The proposed building provides a continuous built form at ground level with vehicular and pedestrian access arrangements resulting in acceptable impacts on Hurtle Square.
- Adverse effects upon the locality such as overshadowing and overlooking have been minimised to a sufficient degree by way of the building's siting and design.
- The proposed materials and finishes are durable and of a high quality with the use of pre-finished materials in lieu of painted finishes.
- The residential amenity of the proposal is considered adequate as is the energy efficiency measures incorporated within the design.

The proposed development does not provide adequate car parking. This is offset by the site's access to public transport on Pulteney Street and King William Street. This deficiency of the proposal, whilst regrettable, is not considered to be fatal to the proposal as a reduced provision of on-site car parking lowers apartment cost for purchasers, appeals to buyers who do not have a motor vehicle and assists in the transition to alternative transport modes.

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.

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

10. RECOMMENDATION

That the development, the subject of the application from Forme Projex for construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking at 62 62A 64 64A 66 Hurtle Square, Adelaide SA 5000 as shown on plans designated DA/295/2020:

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

Reserved Matters

Pursuant to Section 33(3) of the Development Act, 1993, a decision on the following matters are reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Development Approval:

1. **The applicant or the person(s) having the benefit of this consent is requested to provide, prior to the granting of development approval, a report confirming that the development incorporates the necessary acoustic treatments and noise attenuation measure so as to achieve the minimum requirements as outlined in Council Wide Principle 98. In addition, the report will include an assessment of the noise output(s) from fixed domestic air-conditioning units located on the balconies to ensure that the development conforms with the requirements of the Environment Protection (Noise) Policy. The Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said acoustic report.**
2. **The applicant or the person(s) having the benefit of this consent is requested to provide, prior to the granting of development approval, design details of the pic perf doors of the fire pump room. The Council reserves the right to impose further conditions in relation to this reserved matter following receipt of the said acoustic report.**

(Note: A further Decision Notification Form will be issued when the Reserved Matter has been satisfied with the provision of further information. No work can commence until these matters have been resolved and you have received Development Approval from Council.)

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 prepared by Locus Architecture numbered DPC.004, DPC.005 DPC006, DPC009, DPC010, DPC011, DPC.015, DPC016, DPC017 and DPC018 V1.1 dated 07 July 2020, DPC007, DPC008, DPC012, DPC013, DPC014 V1.2 dated 05 August 2020.**
 - **Planning Report and addendum prepared by Masterplan Planning Consultants.**
 - **Mechanical, Electrical, Hydraulic and Fire Protection report by Bestec.**
 - **Traffic and Parking report prepared by Cirqa.**

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 are used in the finished presentation of the building.

3. **All line marking for car park spaces and traffic signs on the Land shall conform to AS/NZS 2890.1:2004 Off-street Car Parking.**

Reason: To ensure that the Development meets the requirements of the relevant Australian Standards.

4. **The finished floor level of the ground floor level at the entry points to the development including the car park entry and exit points 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.

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 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.

6. **Lighting shall be installed to the awning at street level on Hurtle Square in accordance with Council's guideline entitled "Under Verandah/Awning Lighting Guidelines" at all times to the reasonable satisfaction of the Council and prior to**

the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of Council.

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

7. Lighting shall be provided to the apartment entry on Hurtle Square and shall be operational during the hours of darkness at all times to the reasonable satisfaction of Council.

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

8. 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.

9. The final details of the ongoing waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent, shall be submitted to and approved by the Council prior to the granting of development approval to the Development.

The applicant or the person(s) having the benefit of this consent shall ensure that such waste management practices are adopted on the Land at all times to the reasonable satisfaction of Council.

Reason: To ensure that adequate waste management practices are adopted during the use of the Development.

10. The applicant or the person having the benefit of this consent shall ensure that all storm water run-off from the proposed verandah/awning is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the verandah/awning 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 adequate provision is made for the collection and dispersal of stormwater.

Advices

1. Expiration Time of Approval

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.

2. Building and Encroachment Consent for Approval

Development Approval will not be granted until Building Rules Consent and 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.

3. Encroachment Permit

An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular your attention is drawn to the following:

- An annual fee may be charged in line with the Encroachment Policy.
 - Permit renewals are issued on an annual basis for those encroachments that attract a fee.
 - Unauthorised encroachments will be required to be removed.
- Please contact the Approvals Section on 8203 7421 for further information.

4. Building Site Management Plan

A Building Site Management Plan is required prior to construction work beginning on site. 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
-

5. Site Theft

Unsecured 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 8203 7562.

6. City Works Permit

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. Residential Parking Permits

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 the City of Adelaide Customer Centre on 8203 7203 for further information.

8. Boundaries

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.

9. Public Utilities

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.

In addition you are advised that the installation of an SA Power Networks transformer within the building may require the submission of a variation application. Furthermore, any proposal to install electricity infrastructure including a transformer or switching cubicle within the public realm will require the consent of Council and may not be forthcoming.

10. Damage to Council's Footpath / Kerbing / Road Pavement / Verge

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.

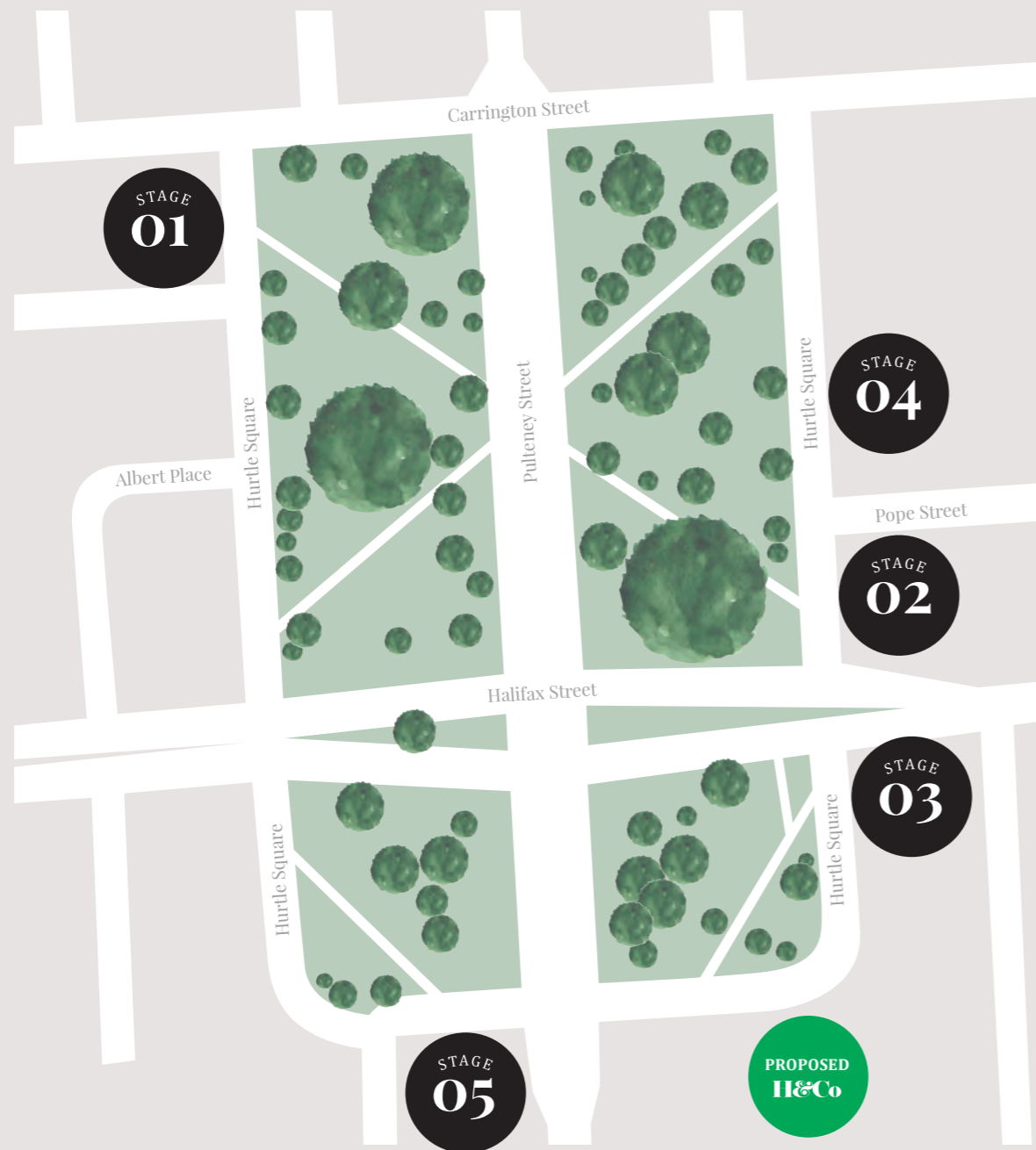
**Beautifully
crafted luxury
apartments on
Hurtle Square.
A collaboration
between
Formeproject
and Locus
Architecture**

The logo for Hurtle & Co. is a white circle containing the text "Hurtle & Co." in a white, serif font. The text is centered within the circle.

**Hurtle
& Co.**

2020.07.07

location plan



Completed



Completed



Nearing completion



Under construction



Commencing soon



Proposed site







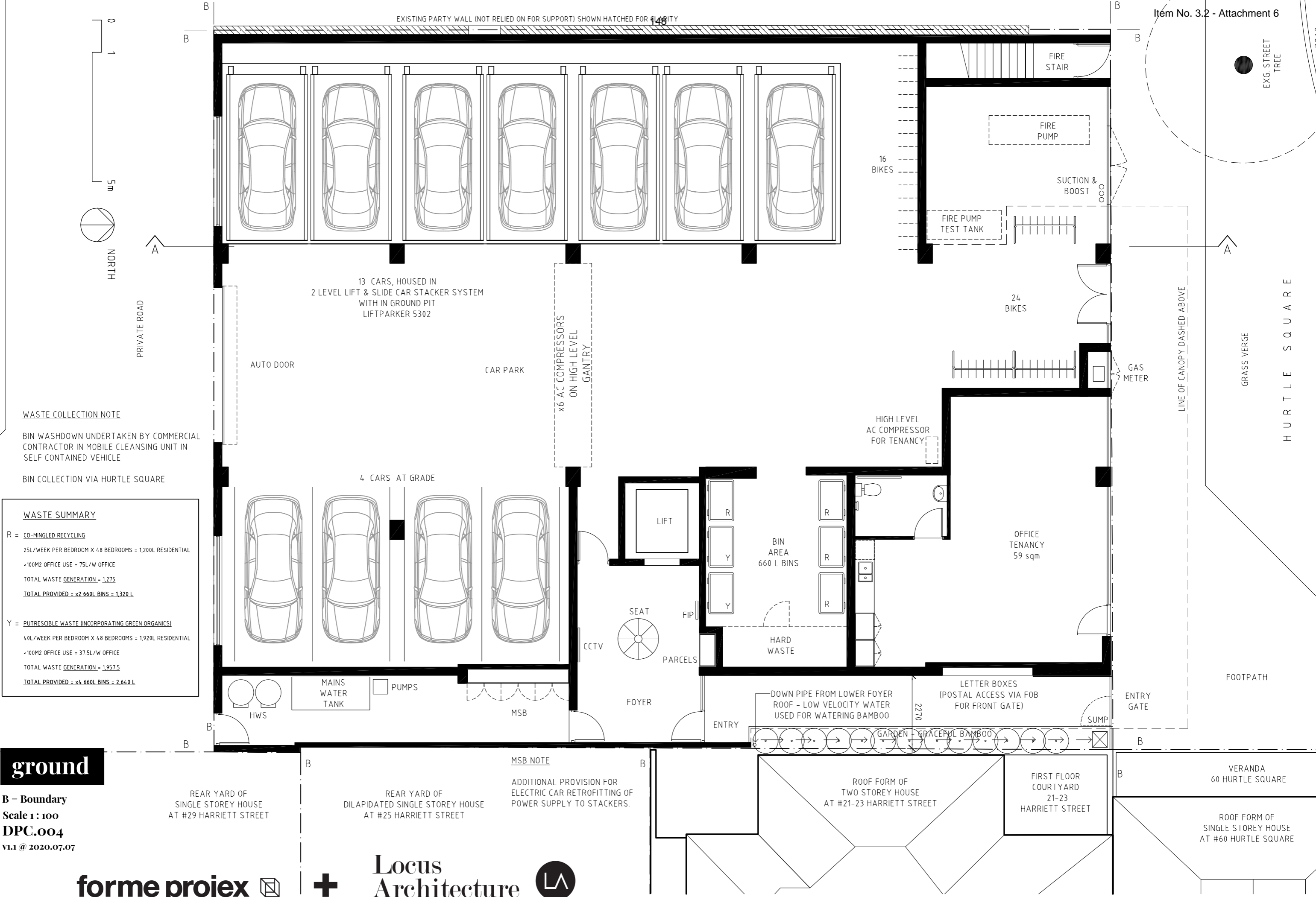
context



looking south / east - across Hurtle Square, from Pulteney Street



looking south / east - across Hurtle Square, at junction of Pulteney & Halifax Streets



WASTE COLLECTION NOTE

BIN WASHDOWN UNDERTAKEN BY COMMERCIAL CONTRACTOR IN MOBILE CLEANSING UNIT IN SELF CONTAINED VEHICLE

BIN COLLECTION VIA HURTLER SQUARE

WASTE SUMMARY

R = CO-MINGLED RECYCLING

25L/WEEK PER BEDROOM X 48 BEDROOMS = 1,200L RESIDENTIAL

<100M2 OFFICE USE = 75L/W OFFICE

TOTAL WASTE GENERATION = 1,275

TOTAL PROVIDED = x4 660L BINS = 1,320 L

Y = PUTRESCIBLE WASTE (INCORPORATING GREEN ORGANICS)

40L/WEEK PER BEDROOM X 48 BEDROOMS = 1,920L RESIDENTIAL

<100M2 OFFICE USE = 37.5L/W OFFICE

TOTAL WASTE GENERATION = 1,957.5

TOTAL PROVIDED = x4 660L BINS = 2,640 L

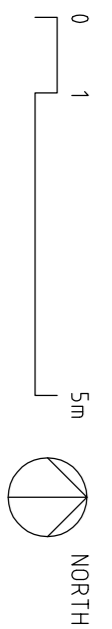
ground

B = Boundary
Scale 1 : 100
DPC.004
v1.1 @ 2020.07.07





- TOTAL EXTERNAL WALL R VALUE = R4.7
 TYPICAL EXTERNAL WALL CONSTRUCTION
1. PRECAST TYP. 200 THICK - R0.3
 2. AIR GAP TYP. 20mm - R0.9
 3. R3.0 WALL BATT IN STUD WALL
 4. 13mm PLASTERBOARD - R.05



B = Boundary

forme projex



Locus Architecture



level - 01

Scale 1:100 DPC.005 v1.1 @ 2020.07.07

150



B = Boundary

forme projex



Locus Architecture

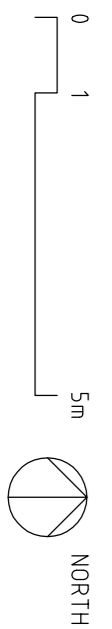
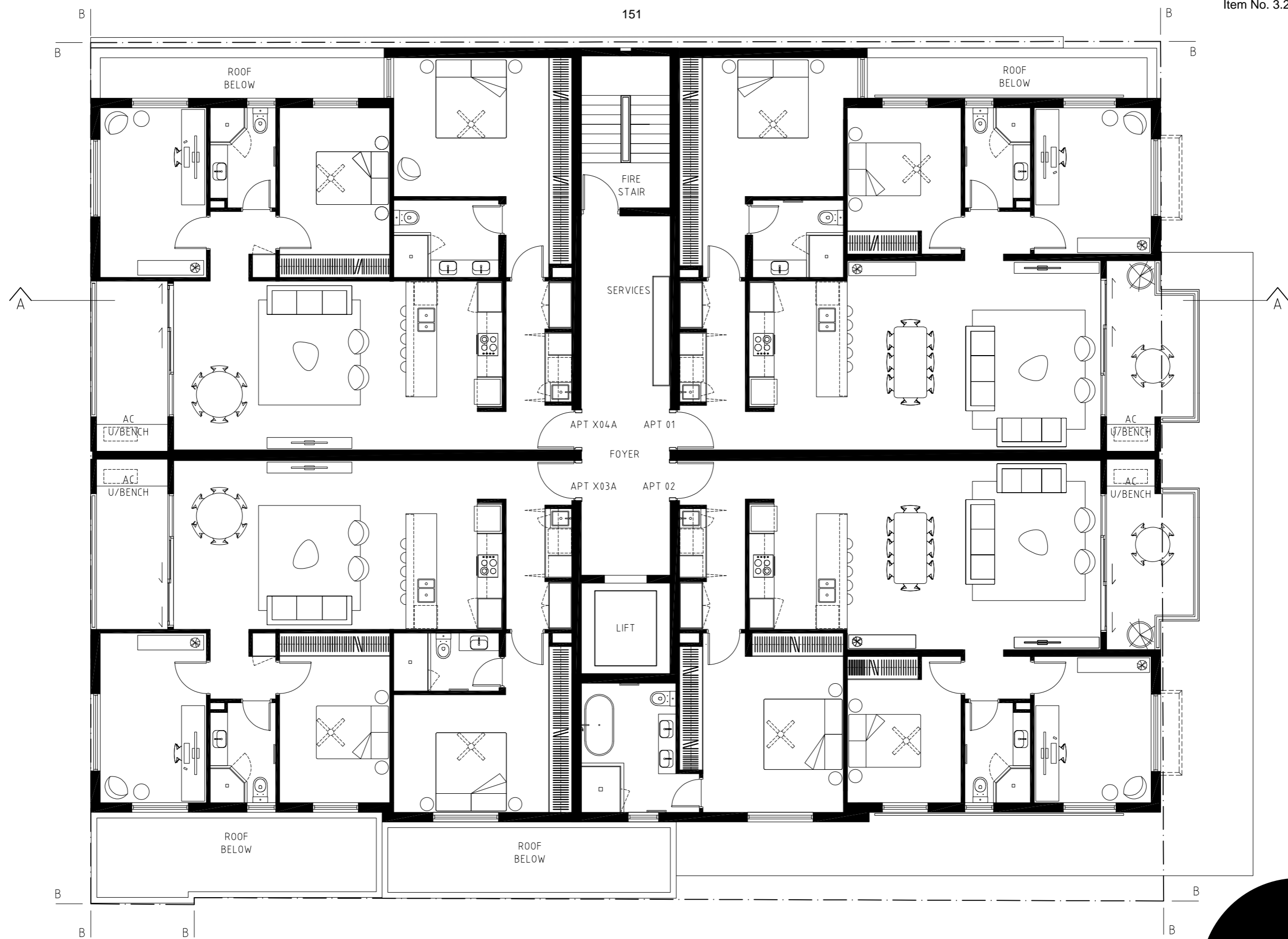


levels - 02-04

Scale 1:100 DPC.006 v1.1 @ 2020.07.07



151



B = Boundary

forme projex



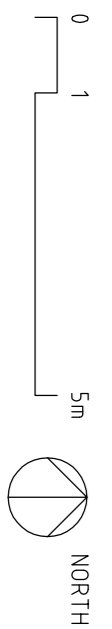
Locus Architecture



level - 05

Scale 1:100 DPC.007 v1.1 @ 2020.07.07





B = Boundary

forme projex



Locus Architecture

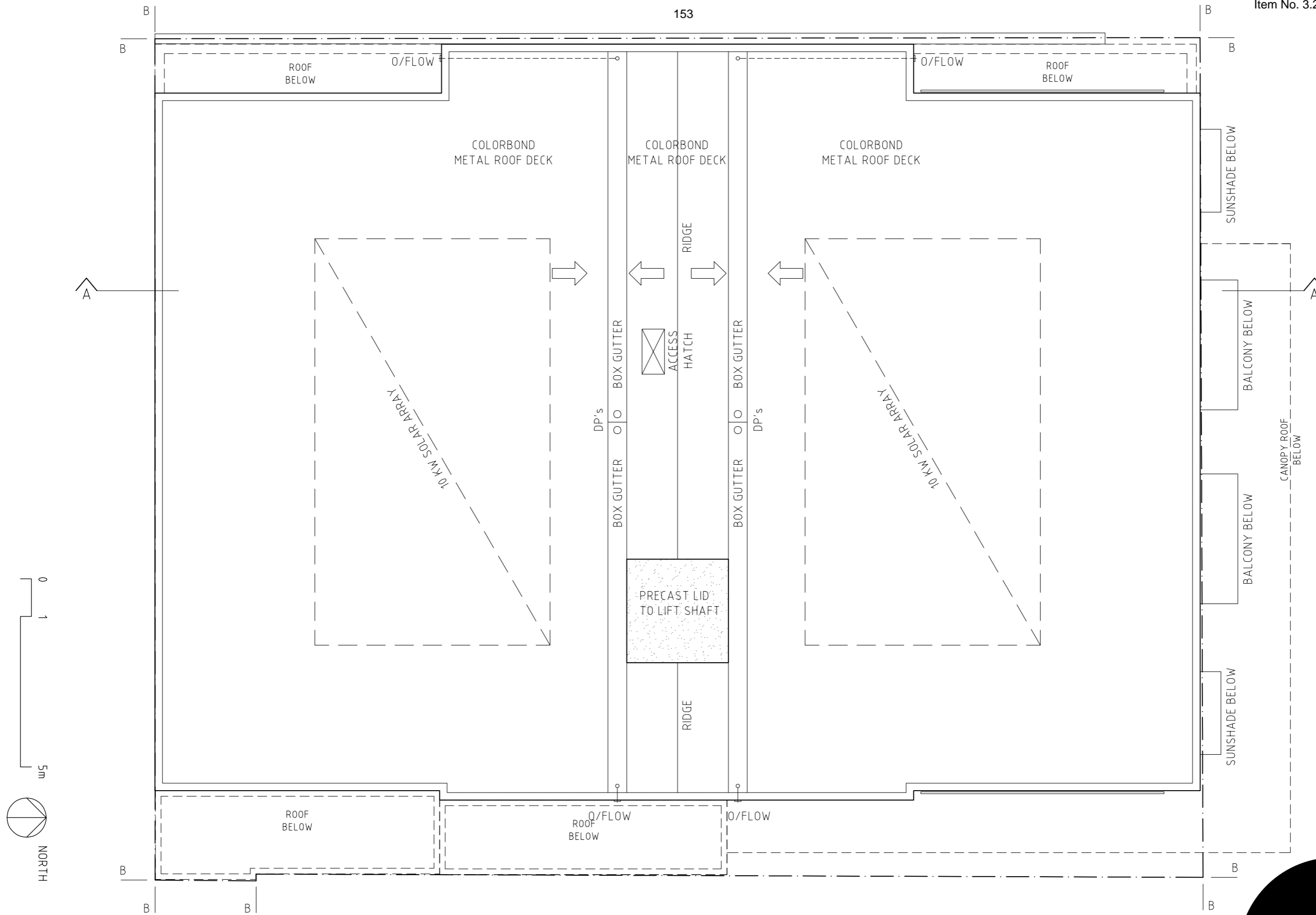


level - 06

Scale 1:100 DPC.008 v1.1 @ 2020.07.07



153



B = Boundary



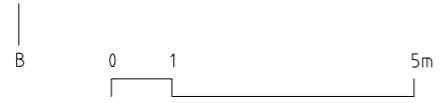
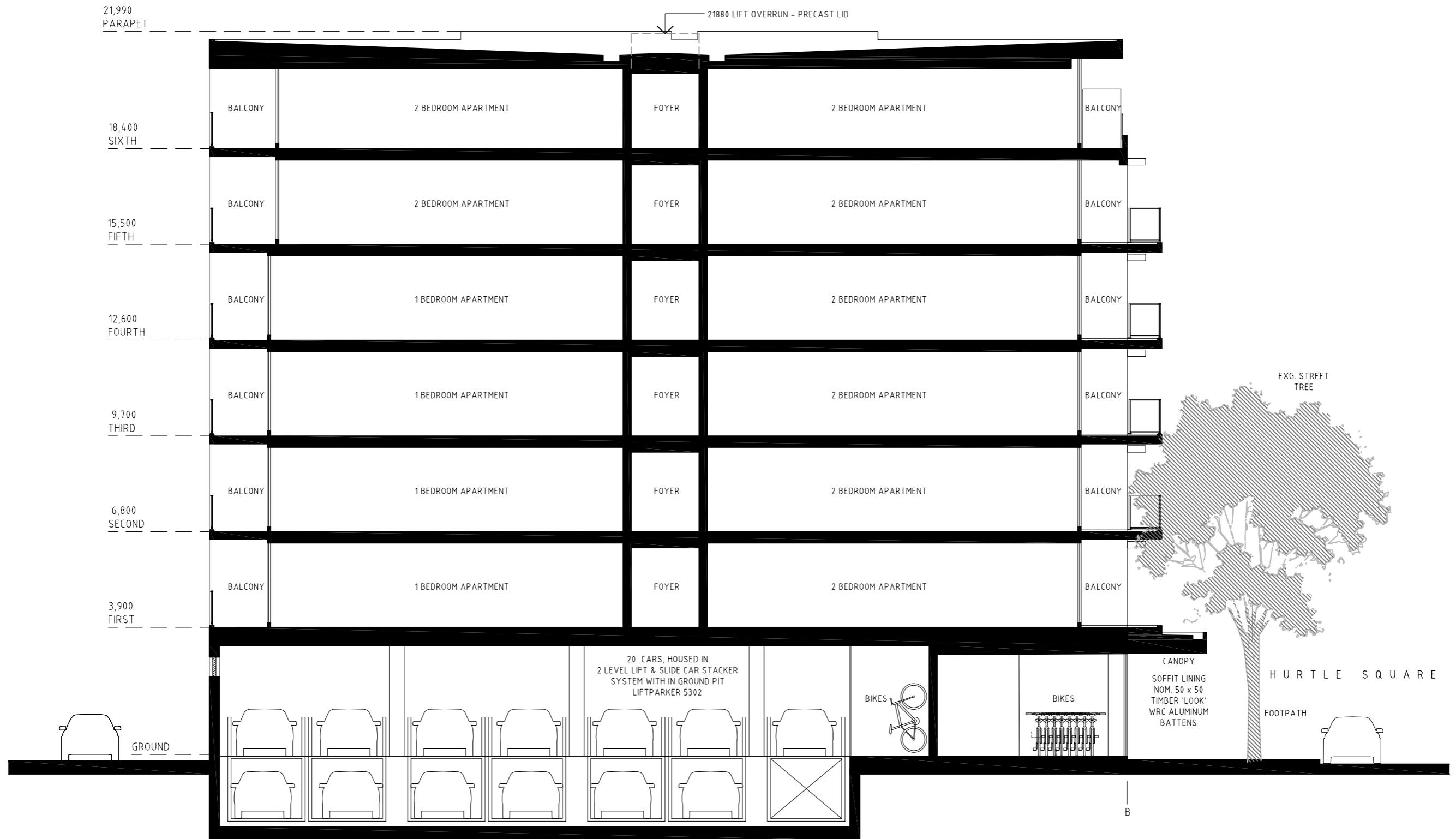
Locus Architecture



roof plan

Scale 1:100 DPC.009 v1.1 @ 2020.07.07





north
B = Boundary

forme projex



Locus
Architecture



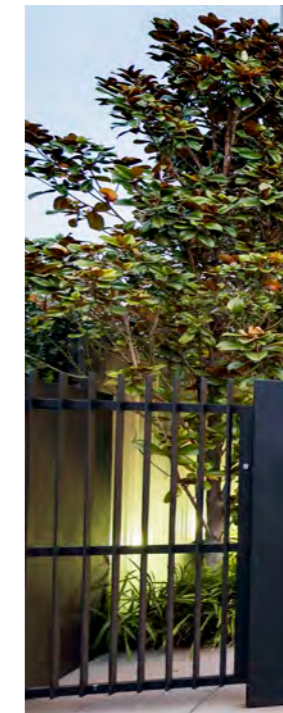
Scale 1:125 DPC.010 v1.1 @ 2020.07.07





legend

- b1** black aluminum framed grey tint glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed grey tint vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' - off-form
- w2** precast 'sandstone' - acid etch
- w3** precast 'sandstone' - honed
- w4** precast - Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door - black powdercoat finish
- eg** entry fence & gate - vertical aluminium slats for vision
- ss** black painted steel sunshade



open slatted aluminium entry gate

locker group or equivalent pic perf doors with artwork by 'big roar' to tie in with john, freddie & amy art works

north
B = Boundary



legend

- b1** black aluminum framed grey tint glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed grey tint vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' - off-form
- w2** precast 'sandstone' - acid etch
- w3** precast 'sandstone' - honed
- w4** precast - Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door - black powdercoat finish
- eg** entry fence & gate - vertical aluminium slats for vision
- ss** black painted steel sunshade

LOW-E DOUBLE GLAZING TO EASTERN ELEVATION WINDOWS



east
B = Boundary

forme projex



Locus Architecture



Scale 1:125 DPC.012 v1.1 @ 2020.07.07





legend

- b1** black aluminum framed grey tint glass infill balustrade
- b2** frameless grey tint glass balustrade
- g** black aluminum framed grey tint vision glass to doors & windows
- l** black aluminum louvers
- w1** precast 'sandstone' - off-form
- w2** precast 'sandstone' - acid etch
- w3** precast 'sandstone' - honed
- w4** precast - Dulux 'night sky' finished in Dulux AcraShield
- c** canopy finished in solid 3mm thick folded 'black' mondo clad
- gd** garage door - black powdercoat finish
- eg** entry fence & gate - vertical aluminium slats for vision
- ss** black painted steel sunshade

south
B = Boundary



forme projex



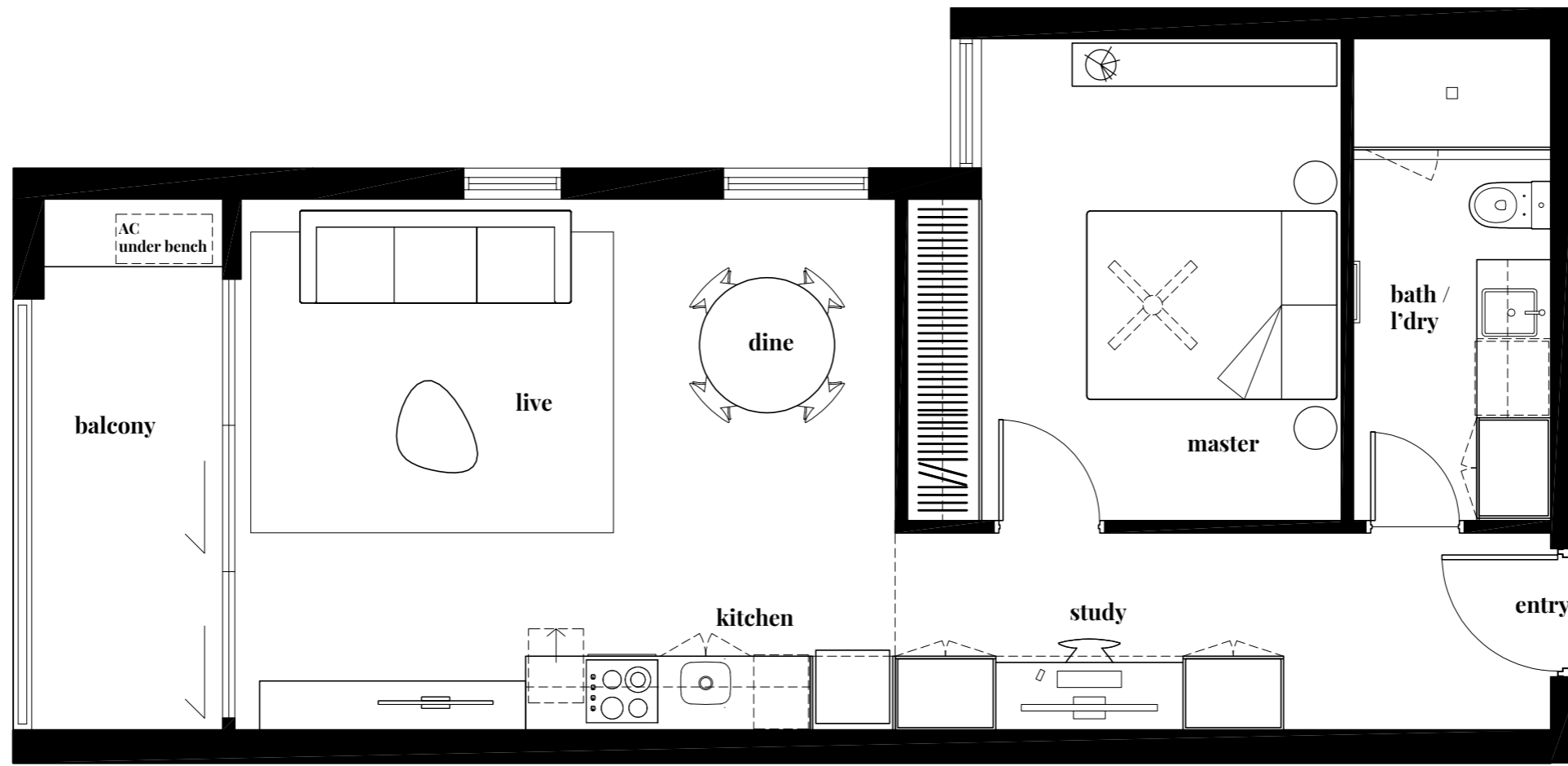
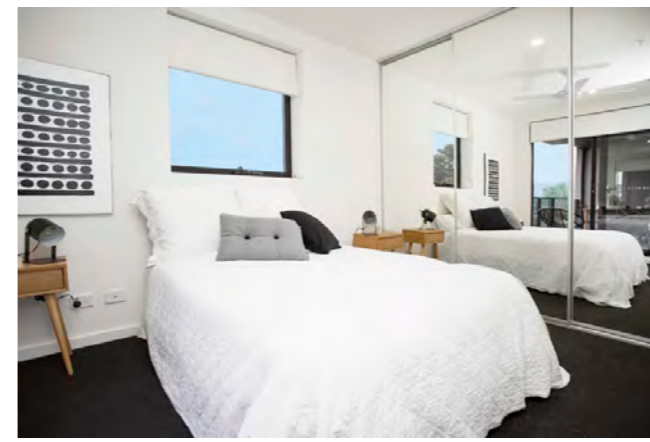
Locus Architecture

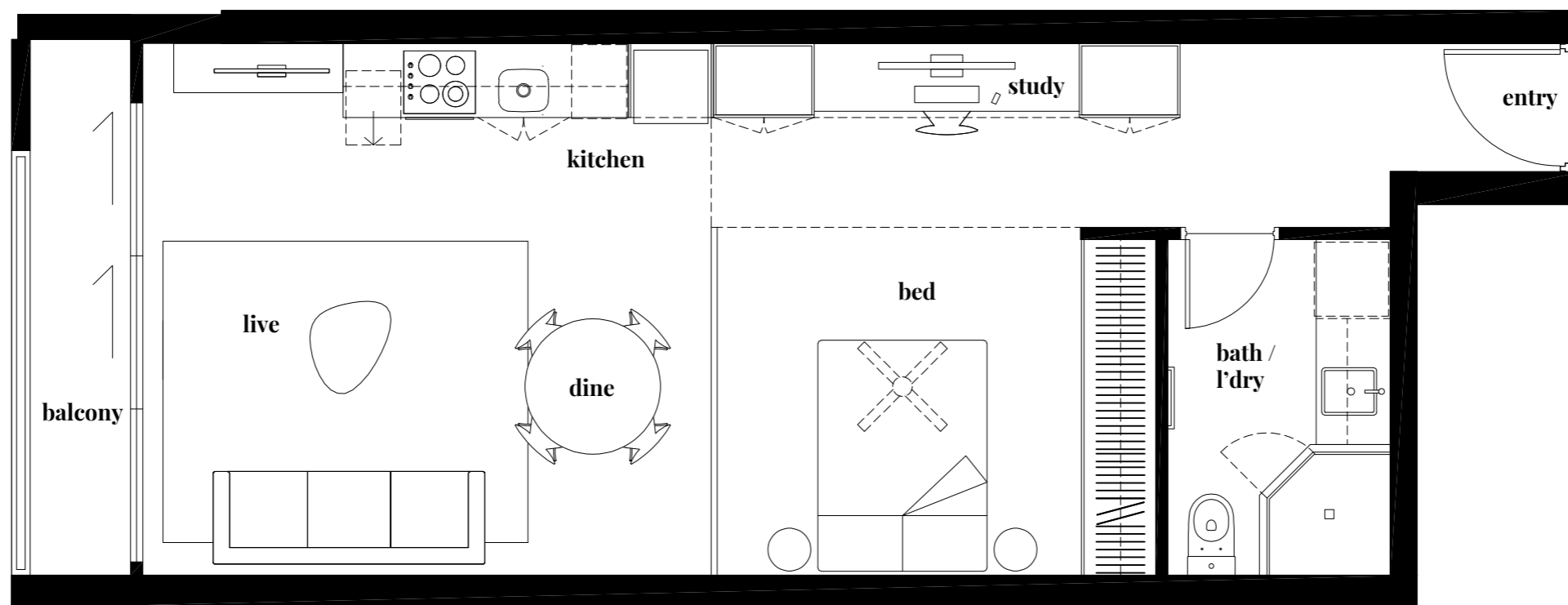


typical 2 bedroom

Scale 1: 50 DPC.015 v1.1 @ 2020.07.07







forme projex



Locus Architecture



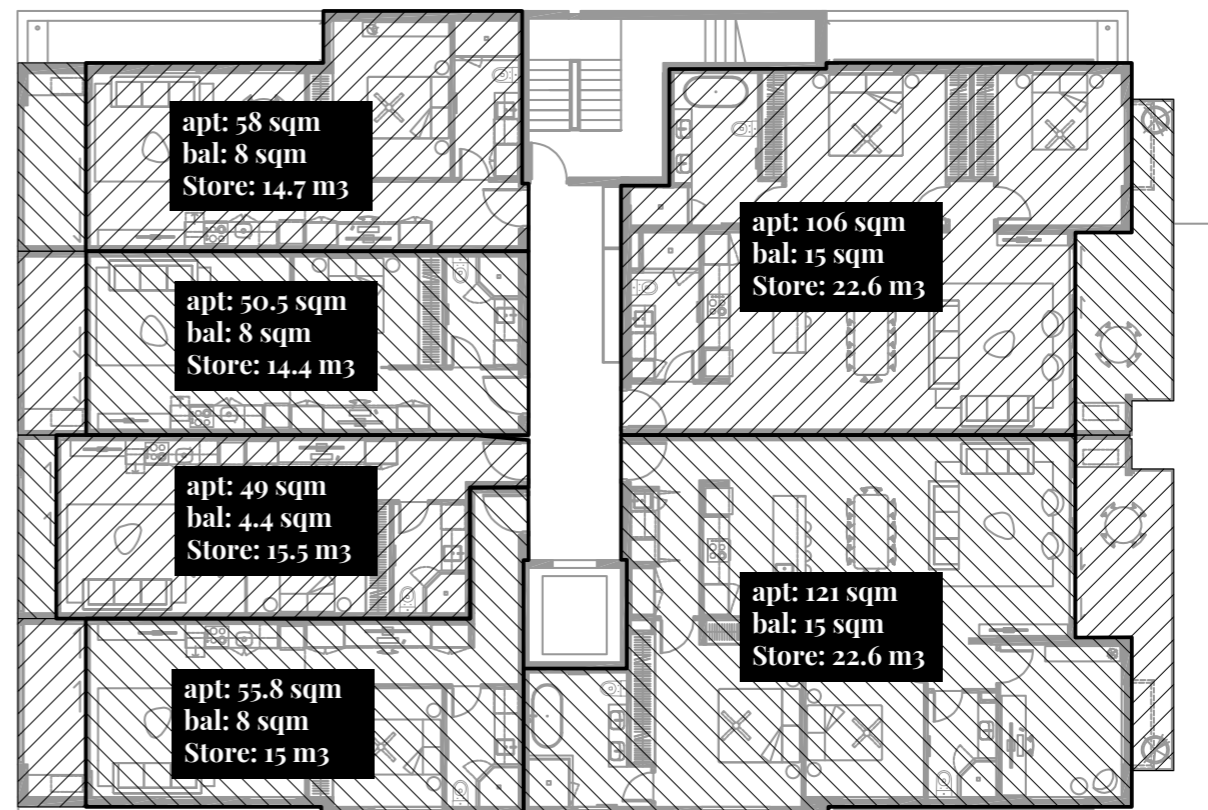
studio

Scale 1 : 50 DPC.017 v1.1 @ 2020.07.07





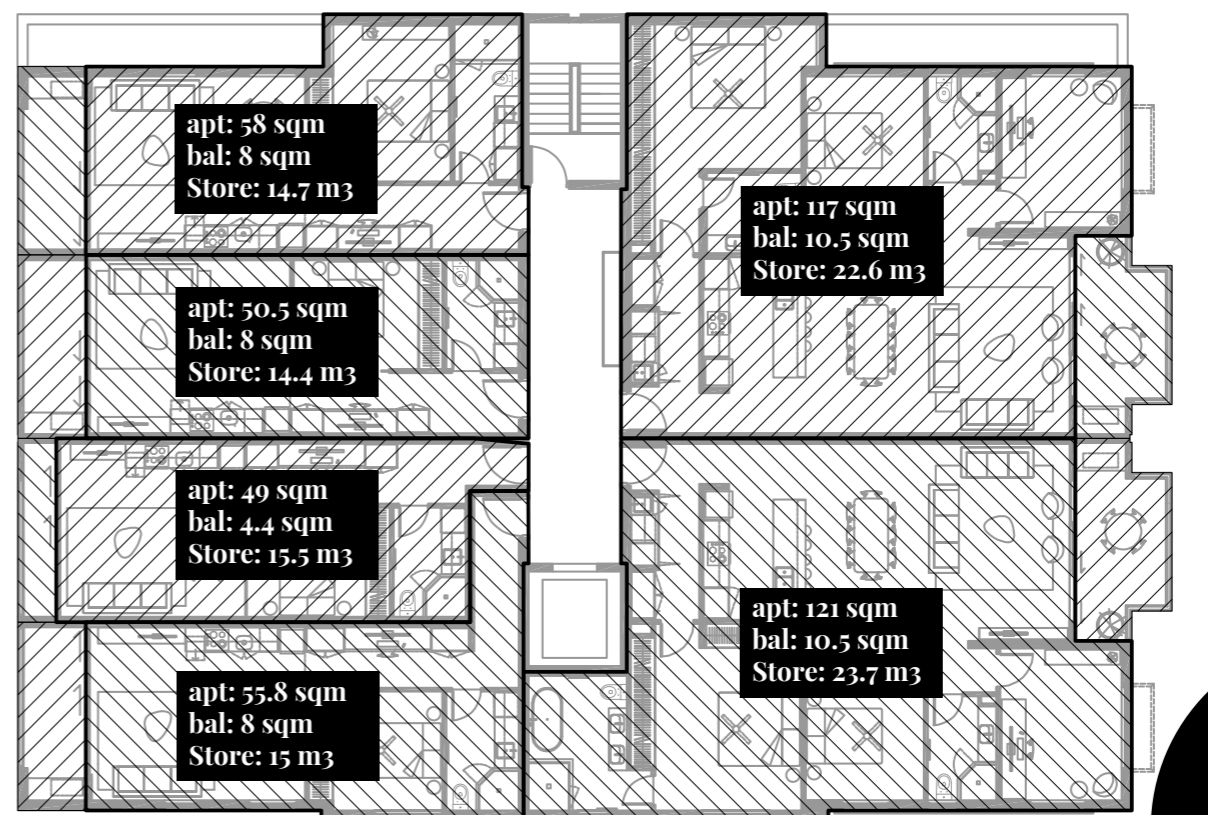
level -5



level -1



level -6



levels -2-4



forme projex



Locus Architecture



areas

Scale 1: NTS DPC.018 v1.1 @ 2020.07.07



Edouard Pool

From: Greg Vincent <GregV@masterplan.com.au>
Sent: Monday, 20 July 2020 4:25 PM
To: Edouard Pool; Andrew Hudson; John Endersbee
Subject: RE: Request for Information DA/295/2020

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good Afternoon Edouard,

Further to our response earlier today, please find attached the additional attachment referred to relating to the impact upon the adjacent residential properties Private Open Space Courtyards.

https://masterplantcp.sharepoint.com/:b:/s/MasterPlan2/EctnEtiduipLr_euMsfLQUoBUFahZLTIHAVPXRvWpOrOdg?e=qmm5BK

The analysis identifies that the ground level Courtyard of the dwelling to the east is surrounded on the northern and eastern sides by the two storey height of the existing dwelling. The western side of the courtyard currently has a two – three storey high wall on the boundary as a result of the existing dwelling on the subject site.

The demolition of the existing dwelling as part of the current application and construction of a new single storey high wall on the boundary with the upper levels of the building set back 2.3 metres will result in improved access to ambient light than what it current achieves.

The first floor courtyard of the adjacent dwelling located to the north eastern corner subject land will continue to receive uninterrupted northern access to light with any shadowing effect only emerging late in the afternoon of the winter solstice.

Kind Regards

Greg Vincent

0413 832 603

MASTERPLAN

TOWN + COUNTRY PLANNERS

SA | NT | QLD

33 Carrington Street
Adelaide SA 5000

P: 08 8193 5600

[Website](#) | [Facebook](#) | [LinkedIn](#)



MASTERPLAN Passionate and Professional,
Innovative and Agile since 1977

SA | NT | QLD | 08 8193 5600 | webInfo@masterplan.com.au | www.masterplan.com.au

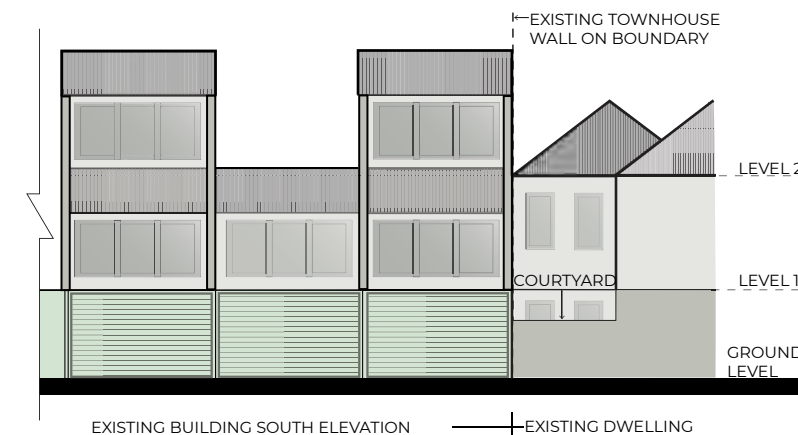
The information contained in this email communication may be confidential. You should only read, disclose, retransmit, copy, distribute, act in reliance on or commercialise the information if you are authorised to do so. If you are not the intended recipient of this email communication, please notify us immediately by email direct to the sender and then destroy any electronic or paper copy of this message. Any views expressed in this email communication are those of the individual sender, except where the sender specifically states them to be the views of a client of MasterPlan SA Pty Ltd. MasterPlan SA Pty Ltd does not represent, warrant or guarantee that the integrity of this communication has been maintained, nor that the communication is free of errors, virus or interference.



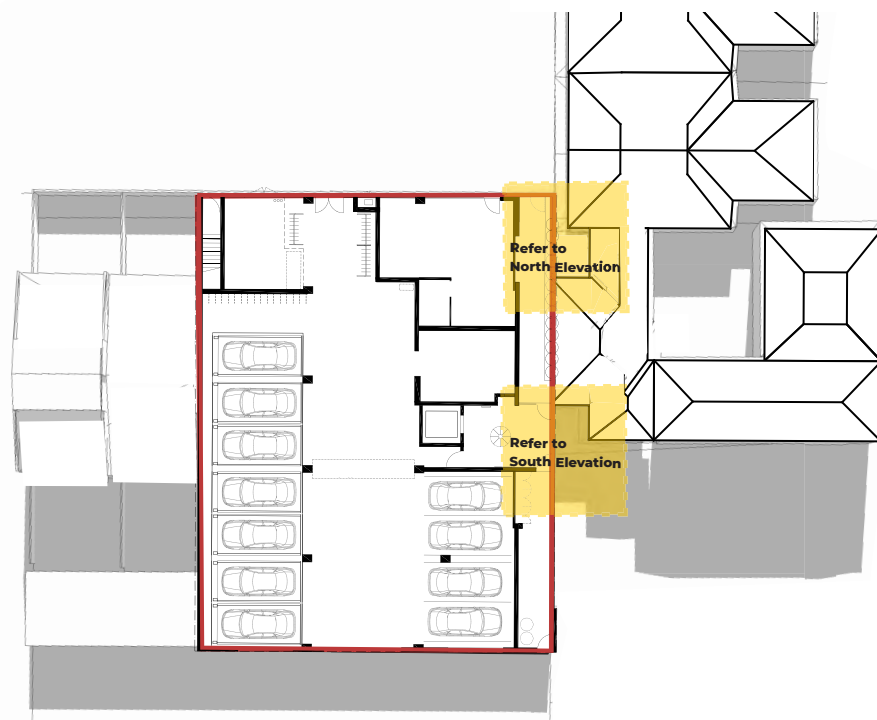
SUBJECT SITE 1:500 @ A3



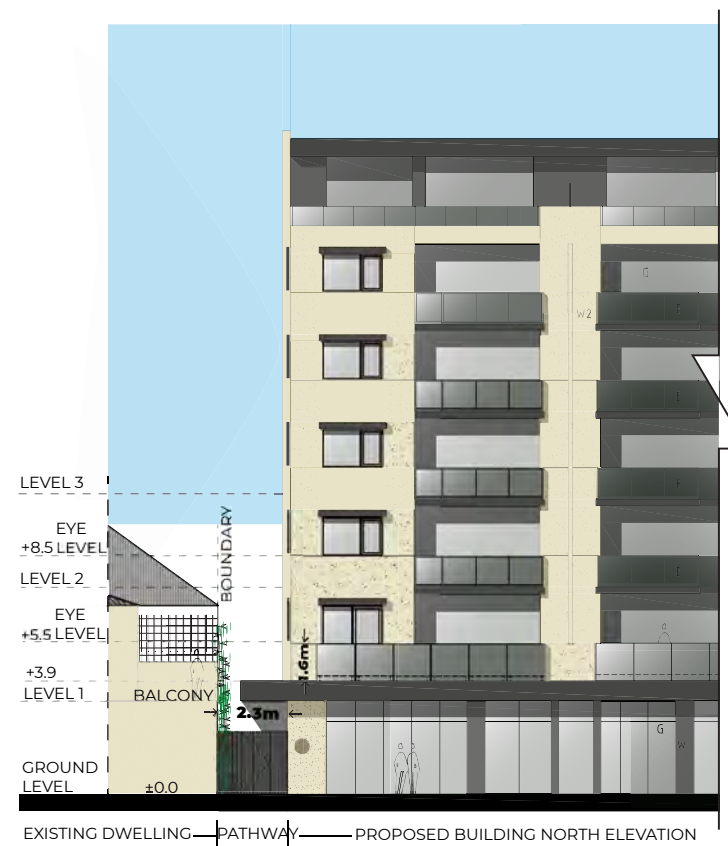
NORTH ELEVATION



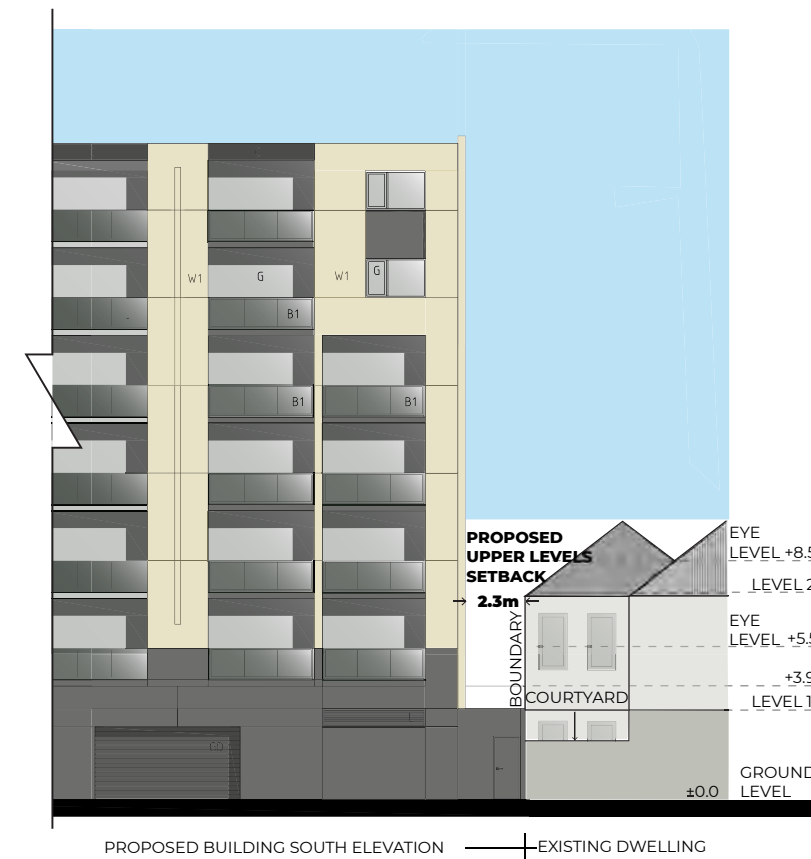
SOUTH ELEVATION



PROPOSED BUILDING GROUND LEVEL SITE PLAN 1:500 @ A3



PROPOSED NORTH ELEVATION



PROPOSED SOUTH ELEVATION

Subject Site

East Side Impact Analysis
PROPOSED MULTI STOREY BUILDING

62-66 HURTLE SQUARE
ADELAIDE

FORME PROJEX

9 June 2020

Adelaide City Council
PO Box 2525
ADELAIDE SA 5000

Attention: Helen Dand

Dear Helen

**Re: 62-66 Hurtle Square, Adelaide
Proposed construction of a Seven Storey Residential Building with
Ground Floor Commercial Tenancy and associated Car Parking**

Please find **enclosed** herewith a development application prepared on behalf of Forme Projex for the construction of a seven storey residential building with ground floor commercial tenancy and associated car parking at 62-66 Hurtle Square, Adelaide.

Enclosed with the application is the following documentation:

- a completed Development Application Form;
- a signed Office of Technical Regulator, Power Line Clearance Declaration;
- Certificate of Title register searches;
- Compendium of plans illustrating the proposed development;
- Planning Report prepared by MasterPlan;
- Building Surveyors Report prepared by TECON;
- Building Services Report prepared by BESTEC; and
- Traffic and Parking Report prepared by CIRQA.

Can you please advise on the required development application fees so that we can arrange for prompt payment from our client.

Please do not hesitate to contact the undersigned on 8193 5600 should you require any further information.

Yours sincerely



Greg Vincent
MasterPlan SA Pty Ltd

enc: Documents as Listed.
cc: Forme Projex; Att: Andrew Hudson.
LOCUS Architecture; Att: John Endersbee.

DEVELOPMENT APPLICATION FORM

COUNCIL: CITY OF ADELAIDE

APPLICANT: FORME PROJEX

Postal Address: UNIT 1/40 GILBERT STREET
ADELAIDE SA 5000

OWNER: VARIOUS

Postal Address: REFER TO ATTACHED
CERTIFICATE OF TITLE REGISTER SEARCHES

BUILDER: FORME PROJEX

Postal Address: UNIT 1/40 GILBERT STREET ADELAIDE SA 5000
Licence No: _____

CONTACT PERSON FOR FURTHER INFORMATION:

Name: GREG VINCENT - MASTERPLAN SA PTY LTD
Telephone: 8193 5600
Email: GREGV@MASTERPLAN.COM.AU
Mobile: 0413 832 60

EXISTING USE:

FIVE ROW DWELLINGS (TWO AND THREE STOREYS)

FOR OFFICE USE

Development No: _____

Previous Development No: _____

Assessment No: _____

<input type="checkbox"/> Complying	Application forwarded to DA
<input type="checkbox"/> Non-complying	Commission/Council on: _____ / _____ / _____
<input type="checkbox"/> Notification Cat 2	Decision: _____
<input type="checkbox"/> Notification Cat 3	Type: _____
<input type="checkbox"/> Referrals/Concurrence	Date: _____ / _____ / _____
<input type="checkbox"/> DA Commission	

	Decision	Fees	Receipt No	Date
Planning:	YES			
Building:				
Land Division:				
Additional:				
Dev Approval:				

DESCRIPTION OF PROPOSED DEVELOPMENT:

CONSTRUCTION OF A SEVEN-STOREY RESIDENTIAL BUILDING WITH GROUND FLOOR COMMERCIAL TENANCY AND ASSOCIATED CAR PARKING

LOCATION OF PROPOSED DEVELOPMENT:

House No: 62-66 Lot No: _____ Street: HURTLE SQUARE Town/Suburb: ADELAIDE

Section No (full/part): _____ Hundred: SEE SEPARATE SCHEDULE Volume: _____ Folio: _____

Section No (full/part): _____ Hundred: _____ Volume: _____ Folio: _____

LAND DIVISION:

Site Area (m²): _____ Reserve Area (m²): _____ No of Existing Allotments: _____

Number of Additional Allotments - (Excluding Road and Reserve): _____ Lease: YES: NO:

BUILDING RULES CLASSIFICATION SOUGHT:

If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: _____ Female: _____ Male: _____

If Class 9a classification is sought, state the number of persons for whom accommodation is required: _____

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: _____

DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 2008 APPLY? YES: NO:

HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 1993 LEVY BEEN PAID? YES: NO:

DEVELOPMENT COST (Do not include any fit-out costs): \$ 7.6 MILLION

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008.

SIGNATURE: 

ANDREW HUDSON FOR AND ON BEHALF OF FORME PROJEX

Dated: 9 JUNE 2020

DEVELOPMENT REGULATIONS 2008**Form of Declaration
(Schedule 5, Clause 2A)**

To: **Adelaide City Council**
 From: **Forme Projex**
 Date of Application: **9 June 2020**

Location of Proposed Development:

House Number:	62-66	Lot Numbers:	7, 8, 9, 10 and 11
Street:	Hurtle Square	Town/Suburb:	Adelaide
Section No (full/part):	File Plan 9677	Hundred:	Adelaide
Volume:	5337	Folio:	403
Volume:	5138	Folio:	546
Volume:	5091	Folio:	312
Volume:	5486	Folio:	367
Volume:	5206	Folio:	812

Nature of Proposed Development:**CONSTRUCTION OF A SEVEN-STOREY RESIDENTIAL BUILDING WITH GROUND FLOOR
COMMERCIAL TENANCY AND ASSOCIATED CAR PARKING**

I, Greg Vincent being the a person acting on behalf of the applicant for the development described above, declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of Section 86 of the *Electricity Act 1996*. I make this declaration under Clause 2A(1) of Schedule 5 of the *Development Regulations 2008*.

9 June 2020

Date

Signed

Note 1

This declaration is only relevant to those development applications seeking authorisation for a form of development that involves the construction of a building (there is a definition of 'building' contained in Section 4(1) of the *Development Act 1993*), other than where the development is limited to:

- an internal alteration of a building; or
- an alteration to the walls of a building but not so as to alter the shape of the building.

Note 2

The requirements of Section 86 of the *Electricity Act 1996* do not apply in relation to:

- a fence that is less than 2.0 m in height; or
- a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied.

Note 3

Section 86 of the *Electricity Act 1996* refers to the erection of buildings in proximity to powerlines. The regulations under this Act prescribe minimum safe clearance distances that must be complied with.

Note 4

The majority of applications will not have any powerline issues, as normal residential setbacks often cause the building to comply with the prescribed powerline clearance distances. Buildings/renovations located far away from powerlines, for example towards the back of properties, will usually comply.

Particular care needs to be taken where high voltage powerlines exist; where the development:

- is on a major road;
- commercial/industrial in nature; or
- built to the property boundary.

Note 5

Information brochures 'Powerline Clearance Guide' and 'Building Safely Near Powerlines' have been prepared by the Technical Regulator to assist applicants and other interested persons. Copies of these brochures are available from Council and the Office of the Technical Regulator. The brochures and other relevant information can also be found at www.technicalregulator.sa.gov.au

Note 6

In cases where applicants have obtained a written approval from the Technical Regulator to build the development specified above in its current form within the prescribed clearance distances, the applicant is able to sign the form.

Certificate of Title - Volume 5337 Folio 403

Parent Title(s) CT 4174/126
Creating Dealing(s) CONVERTED TITLE
Title Issued 30/04/1996 Edition 5 Edition Issued 04/06/2015

Estate Type

FEE SIMPLE

Registered Proprietor

IRENE CRUICKSHANKS-BOYD
OF 66 HURTLE SQUARE ADELAIDE SA 5000
49 / 100 SHARE

DAVID WILLIAM CRUICKSHANKS-BOYD
OF 22 MAIDENCOMBE DRIVE MOANA SA 5169
51 / 100 SHARE

Description of Land

ALLOTMENT 7 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

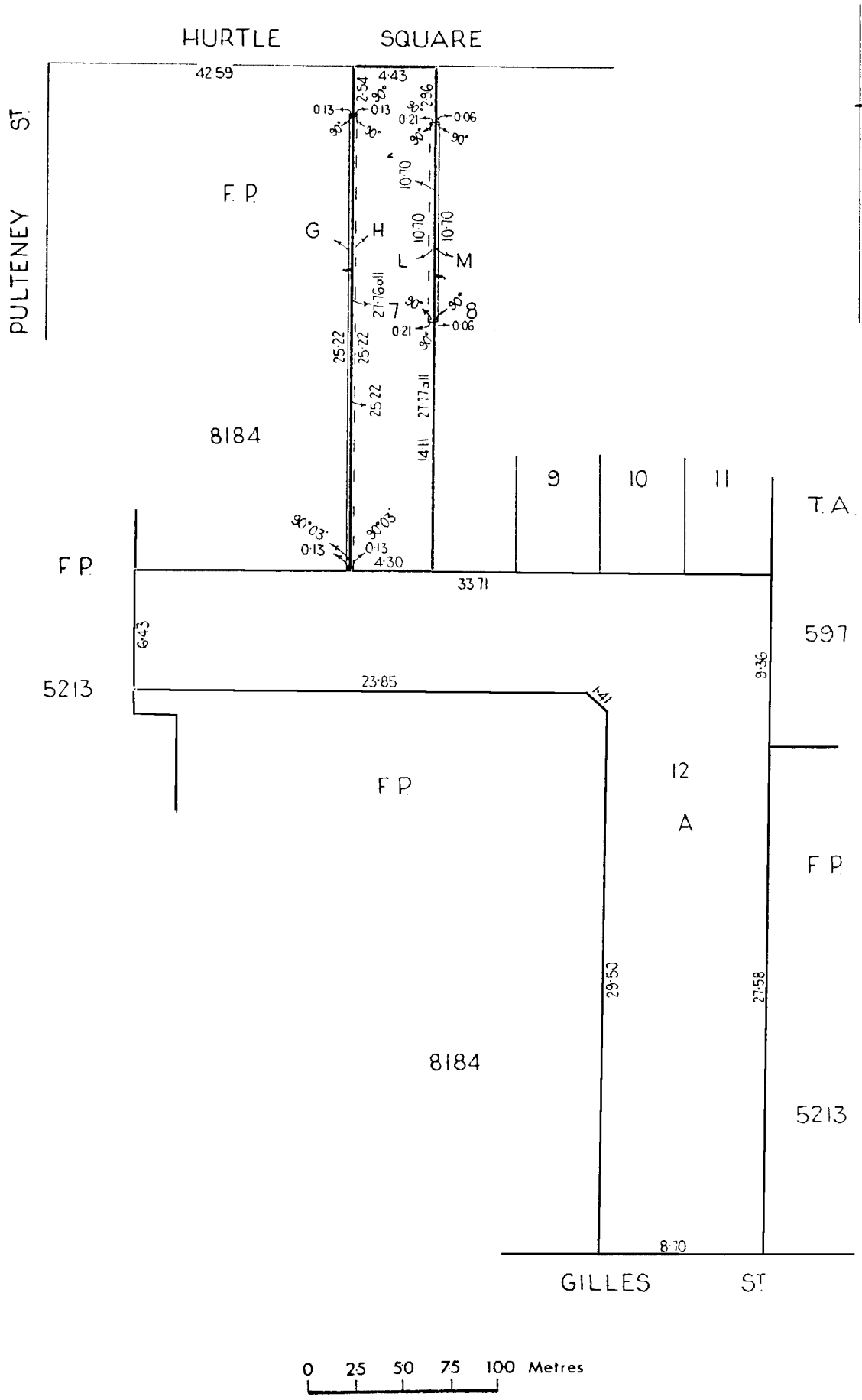
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED H (T 4602884)
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED L (T 4609942)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED G (T 4602884)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED M (T 4609942)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609943	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
11490426	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD.

Notations

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





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 546

Parent Title(s) CT 4174/127
Creating Dealing(s) CONVERTED TITLE
Title Issued 19/08/1993 Edition 6 Edition Issued 12/07/2018

Estate Type

FEE SIMPLE

Registered Proprietor

MAURINE TERESA PYKE
OF 11A OWEN STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 8 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED M (T 4609942)
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED N (T 4609945)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED L (T 4609942)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED P (T 4609945)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609946	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
12952480	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (ACN: 004 044 937)

Notations

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



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 5091 Folio 312

Parent Title(s) CT 4174/130
Creating Dealing(s) CONVERTED TITLE
Title Issued 30/09/1992 Edition 6 Edition Issued 11/05/2010

Estate Type

FEE SIMPLE

Registered Proprietor

MICHAEL JOHN LLEWELLYN-SMITH
IDA JONASSEN LLEWELLYN-SMITH
OF 27 KATE COURT ADELAIDE SA 5000
WITH NO SURVIVORSHIP

Description of Land

ALLOTMENT 9 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED P (T 4609945)
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED Q (T 4609947)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED N (T 4609945)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED R (T 4609947)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609955	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)

Notations

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



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 5206 Folio 812

Parent Title(s) CT 4174/129
Creating Dealing(s) CONVERTED TITLE
Title Issued 09/08/1994 Edition 6 Edition Issued 18/02/2020

Estate Type

FEE SIMPLE

Registered Proprietor

HURTLE SOUTH EAST PTY. LTD. (ACN: 637 465 466)
OF 40 GILBERT STREET ADELAIDE SA 5000

Description of Land

ALLOTMENT 11 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

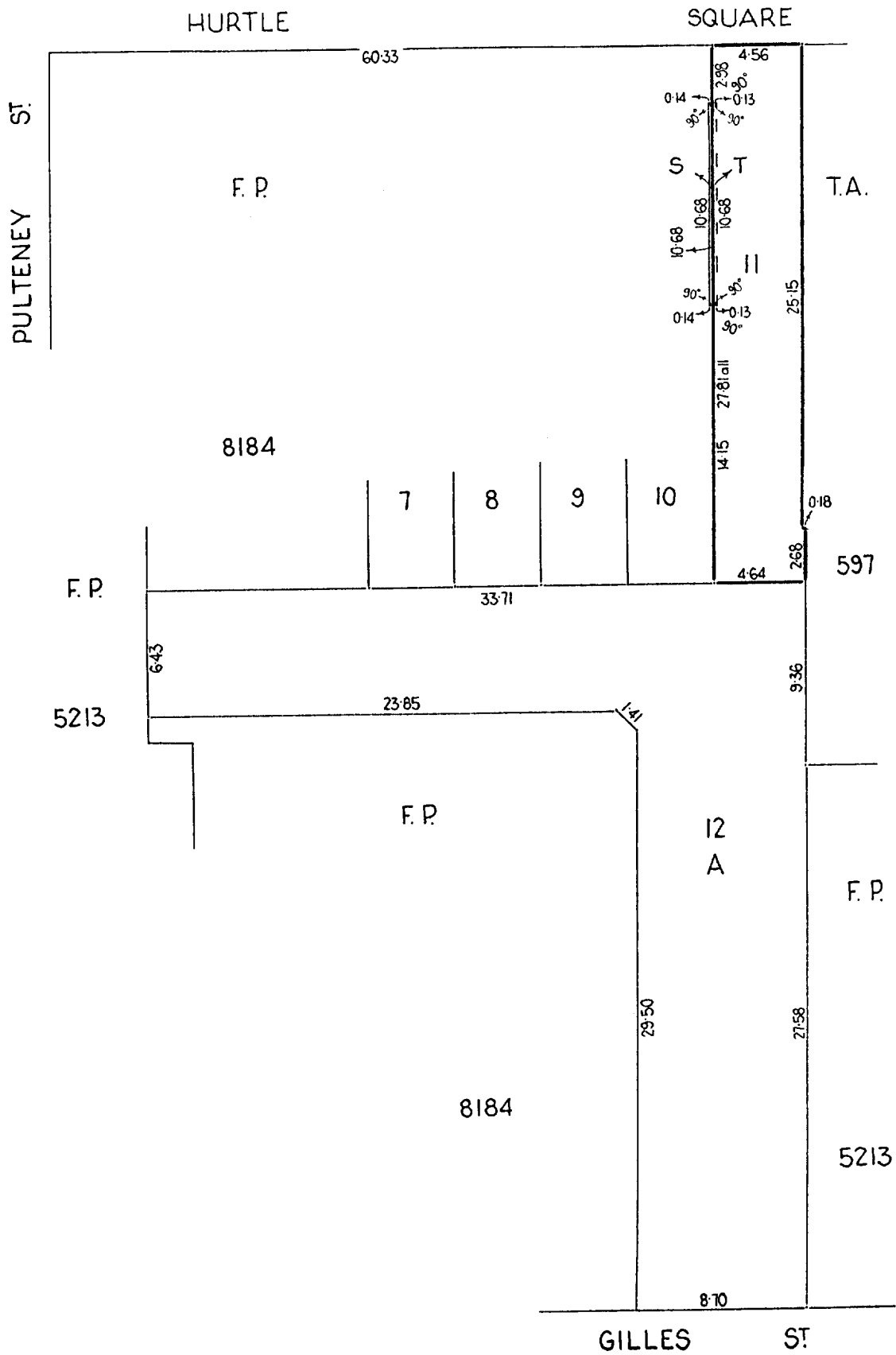
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED T (T 4609947)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED S (T 4609947)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609952	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
13249608	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD. (ACN: 004 044 937)

Notations

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



REAL PROPERTY ACT, 1886



South Australia

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



Certificate of Title - Volume 5493 Folio 614

Parent Title(s) CT 4161/699

Creating Dealing(s) CONVERTED TITLE

Title Issued 20/01/1998 Edition 1 Edition Issued 20/01/1998

Estate Type

EASEMENT ONLY

Registered Proprietor

MINISTER FOR INFRASTRUCTURE
OF ADELAIDE SA 5000

Description of Land

EASEMENT(S) IN THROUGH OVER ACROSS AND ALONG

ALLOTMENT 12 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

CREATED BY TRANSFER 4529402

Schedule of Dealings

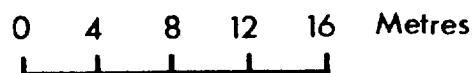
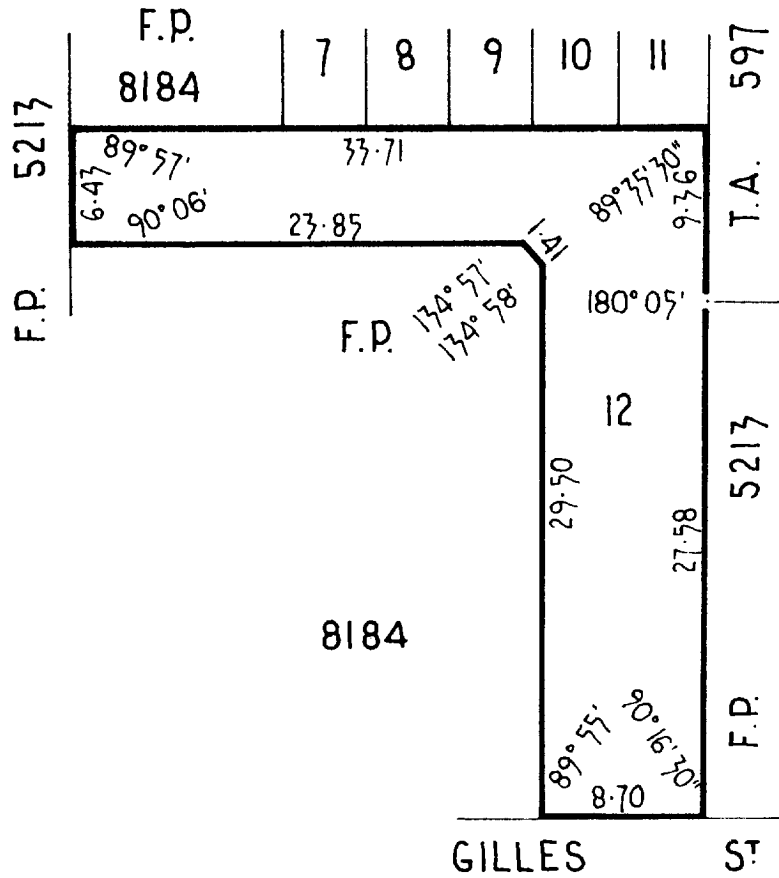
NIL

Notations

Dealings Affecting Title NIL

Priority Notices NIL

Registrar-General's Notes NIL





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 5486 Folio 367

Parent Title(s)	CT 4174/128		
Creating Dealing(s)	CONVERTED TITLE		
Title Issued	23/12/1997	Edition 5	Edition Issued 12/10/2009

Estate Type

FEE SIMPLE

Registered Proprietor

GEORGE RAYMOND IESTYN LLEWELLYN-SMITH
OF 9/18-20 LAYSTALL STREET LONDON EC1R4P6 UK

Description of Land

ALLOTMENT 10 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

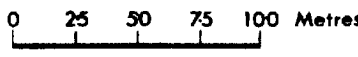
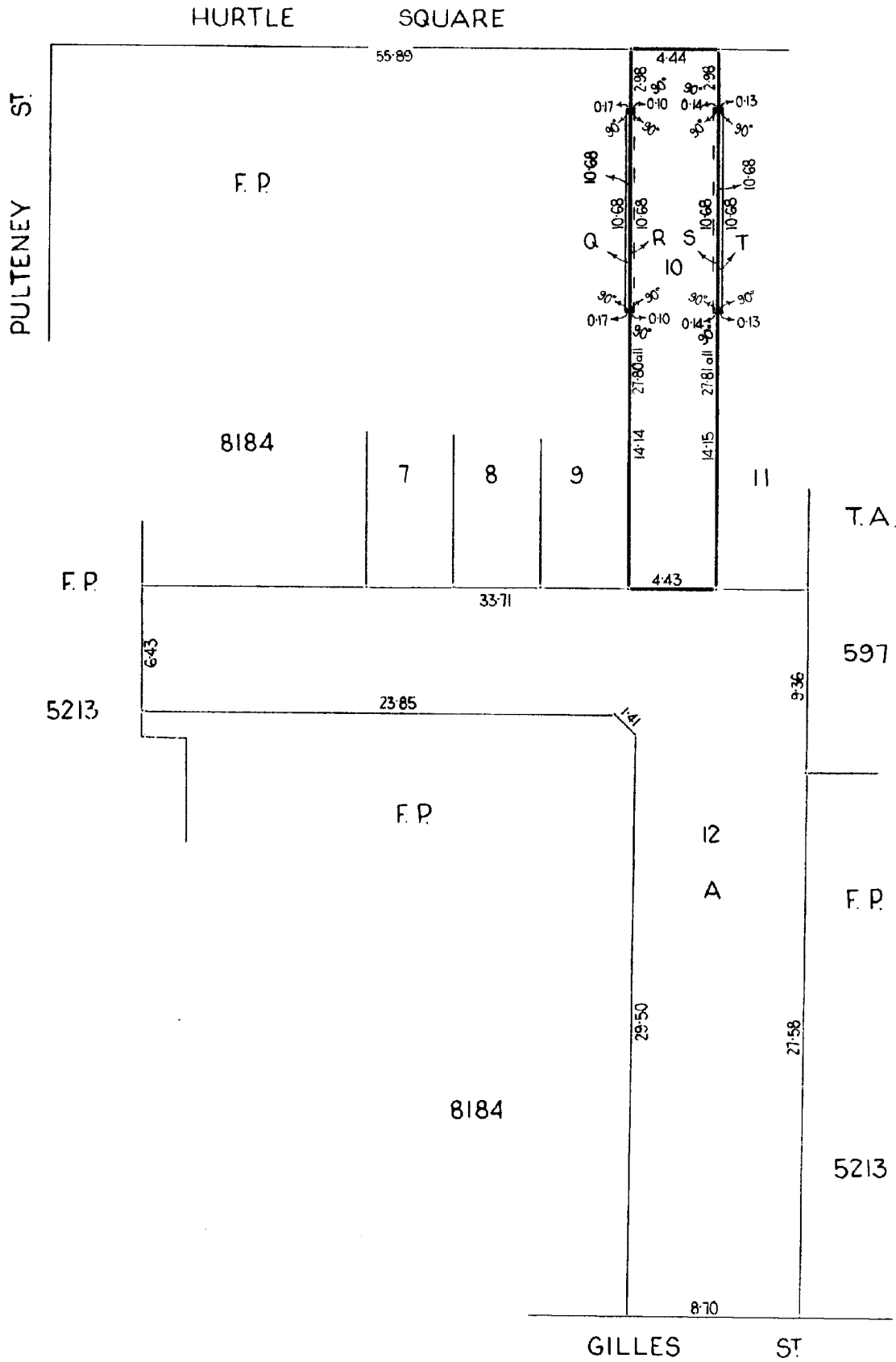
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED R AND S (T 4609947)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED Q AND T (T 4609947)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609949	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)
11261926	MORTGAGE TO HSBC BANK AUSTRALIA LTD.

Notations

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



PLANNING REPORT

Seven storey residential building with ground floor commercial tenancy and car parking

62-66 Hurtle Square
For Forme Projex



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1.0 INTRODUCTION

This report has been prepared on behalf of the applicant (Forme Projex) for the construction of a seven storey residential building comprising 32 dwellings, together with a ground floor commercial tenancy and 17 ancillary on-site car parks at 62-66 Hurtle Square, Adelaide.

In preparing this planning report we have:

- inspected the site and locality;
- reviewed Certificate of Title Register Searches for the site;
- reviewed the provisions of the Adelaide (City) Council Development Plan relevant to the site; and
- provided this report in support based on our assessment of the proposed development against the relevant planning provisions of the Adelaide (City) Council Development Plan.

The report is supported by the following documentation accompanying the application:

- the relevant Certificates of Title;
- a Micro Site Analysis prepared by MasterPlan SA Pty Ltd;
- a Macro Site Analysis prepared by MasterPlan SA Pty Ltd;
- a set of proposed plans prepared by Locus Architecture;
- Building Services Assessment Report prepared by BESTEC; and
- a Parking and Access Assessment prepared by Cirqa.

We have formed the opinion that the proposal is an appropriate form of development and warrants Development Plan Consent.

2.0 THE SUBJECT SITE AND LOCALITY

The subject site (the site) is located adjacent the south eastern portion of Hurtle Square and incorporates five (5) separate Allotments that are formally described as:

- Allotment 7: Filed Plan 9677, Hundred of Adelaide, Volume 5337 Folio 403;
- Allotment 8: Filed Plan 9677, Hundred of Adelaide, Volume 5138 Folio 546;
- Allotment 9: Filed Plan 9677, Hundred of Adelaide, Volume 5091 Folio 312;
- Allotment 10: Filed Plan 9677, Hundred of Adelaide, Volume 5486 Folio 367; and

- Allotment 11: Filed Plan 9677, Hundred of Adelaide, Volume 5206 Folio 812.

Allotments 7 to 11 each incorporate a frontage width to Hurtle Square ranging from 4.43 metres to 4.56 metres and are currently developed as row dwellings with the associated boundary walls with party wall rights. The western boundary of Allotment 7 also shares party wall rights with the adjacent Allotment 6 further to the west (Allotment 6 does not form part of the subject site). The boundary wall located within the party wall rights is to remain as part of the proposal.

Each of the Titles are the subject of an Encumbrance to the Hurtle Square Group Management Association Inc. Each also is afforded free and unrestricted right(s) of way over Allotment 12 located to the south of the subject site. Allotment 12 is formally described as:

- Allotment 12: Filed Plan 9677, Hundred of Adelaide, Volume 5493 Folio 614.

Allotment 12, providing vehicle access to the rear of the site is 484 square metres in size and in the form of a 'dog leg' with an 8.7 metre frontage width to Gilles Street. Allotment 12 is bitumen sealed providing vehicle access via a right of way to garages at the rear of Allotments 7 to 11 (the subject site) together with the adjacent Allotments to the west and south, with the latter not forming part of the subject site.

The subject site (not including Allotment 12) is rectangular and incorporates a combined frontage width to Hurtle Square of 22.3 metres, a depth ranging between 27.77 and 27.81 metres and a total site area of 618 square metres.

The subject site is currently developed, two, two-storey row dwellings and three, three-storey row dwellings, each incorporating frontages to Hurtle Square and garages adjacent to Allotment 12 at the rear. Each dwelling is provided with private open space between the garage and the dwelling. The dwellings also incorporate a courtyard fronting Hurtle Square that is secured by a 1.8 metre high masonry fence and timber gate.

The location of the site is illustrated on the aerial photograph Micro Site Analysis (**attached**).

The locality comprises both retail and office tenancies, and dwellings in the form of residential flat buildings, row dwellings and detached dwellings.

Surrounding land uses include:

- Public Open Space in the form of Hurtle Square to the north and north-west of the site;
- Two storey residential townhouses adjacent to the west fronting Hurtle Square, a building that also gains vehicle access from Allotment 12;
- three storey mixed-use building with commercial tenancies at ground floor and two upper levels of residential dwellings further to the west fronting Pulteney Street;

- two storey commercial tenancies to the south fronting Gilles Street, with vehicle access also gained from Allotment 12;
- two storey commercial buildings to the southeast fronting Gilles Street;
- single storey Local Heritage places to the east fronting Harriett Street;
- a State Heritage Place on the north-western corner of Harriett and Gilles Street; and
- recently developed single and two storey group dwellings also to the east fronting Harriett Street.

The locality is also influenced through the more recent development of several multi-storey residential buildings fronting Hurtle Square by the same developer as illustrated on the attached Macro Site analysis plan, specifically:

- 3-9 Hurtle Square, a seven storey residential flat building;
- 34-40 Hurtle Square, an eight-storey residential flat building; and
- 42-48 Hurtle Square, a nine-storey residential flat building with ground floor café (currently under construction).

In addition to the above, approvals have been granted for the construction of the following multi-storey residential developments fronting Hurtle Square:

- 22-28 Hurtle Square, a nine-storey residential flat building; and
- 421 Pulteney Street, a nine-storey residential flat building.

On street parking is available adjacent to the site subject with the following restrictions:

- Hurtle Square: one hour between 8.00 am - 6.00 pm Monday to Friday and 8.00 am - 12.00 pm on Saturday; and
- Gilles Street: two hours between 9.00 am - 5.30 pm Monday to Friday and 8.00 am - 12.00pm on Saturday.

The localities existing pattern of development and surrounding Policy Areas are illustrated on the aerial photograph Macro Site Analysis (**attached**).

3.0 THE PROPOSAL

This development application seeks Development Plan Consent for a seven storey mixed-use building comprising:

- 32 residential dwellings on the upper levels;

- 58 square metre commercial tenancy on the ground floor;
- ground floor entrance foyer;
- 17 onsite parking spaces incorporating 13 car stacker spaces, with access gained from Allotment 12;
- 40 ground level bike parking spaces;
- internal ground level waste storage area;
- ground floor fire pump infrastructure with access gained from Hurtle Square; and
- ground floor bicycle and waste storage area accessed from Hurtle Square.

The proposal is represented in the accompanying plans and diagrams prepared by Locus Architecture, as identified in the following drawing schedule:

Table 1: Drawing Schedule

DRAWING NUMBER	DESCRIPTION	DATE
Cover Page		
DPC.001	Location Plan	29.05.2020
DPC.002	Site Plan	29.05.2020
DPC.003	3D Artists Render	29.05.2020
DPC.003a	Contextual 3D Renders	29.05.2020
DPC.004	Ground Floor	29.05.2020
DPC.005	Level 01	29.05.2020
DPC.006	Level 02-04	29.05.2020
DPC.007	Level 05	29.05.2020
DPC.008	Level 06	29.05.2020
DPC.009	Roof Plan	29.05.2020
DPC.010	Section	29.05.2020
DPC.011	Elevations - North	29.05.2020
DPC.012	Elevations - East	29.05.2020
DPC.013	Elevations - South	29.05.2020

DRAWING NUMBER	DESCRIPTION	DATE
DPC.014	Elevations - West	29.05.2020
DPC.015	Typical 2 Bedroom Floor Plan	29.05.2020
DPC.016	Typical 1 Bedroom Floor Plan	29.05.2020
DPC.017	Typical Studio Floor Plan	29.05.2020
DPC.018	Floor Area Calculation Plans	29.05.2020

3.1 Demolition

In order to prepare the site for the proposed development, the existing building and structures presently accommodated on the land are to be demolished. The demolition is to include all existing structures and paving on all subject allotments. The exception to this is the common boundary wall between Allotment 6 and Allotment 7 that is supported by party wall rights. This wall is to remain and abut the western wall of the proposed new building.

3.2 Land Use and Density

The development proposed on the site is to be in the form of a seven storey residential building with associated vehicle and bicycle parking. A commercial tenancy is proposed at the ground floor with a floor area of 58.0 square metres. The commercial tenancy is located presenting an active frontage to Hurtle Square. The tenancy is able to accommodate a range of commercial land uses including office, consulting room, shop or café.

A total of 32 residential dwellings are to be accommodated within the building, on levels one to six above the ground floor, incorporating a mixture of studio, one, two and two bedroom plus study dwellings.

Notably, thirteen of the two bedroom dwellings have been designed to also incorporate a study. These rooms have been identified based on the experience of Forme Projex, the proponent of six similar residential buildings fronting Hurtle Square. In post occupancy review of past developments, it has been identified that a room capable of being used as a third bedroom is typically used as either a second living space or a dedicated study for occupants. This is due to the demographic generally attracted to this residential product being older couples and singles, where the study is seldom utilised as a third bedroom.

The types of dwellings and the number to be provided on each floor of this building are outlined in the following table:

Table 2: Land Use and Configuration

FLOOR LEVEL	LAND USE / DWELLING CONFIGURATION
Ground Floor	Commercial tenancy 17 car parking spaces (13 in car stacker) Entry foyer and lift Bicycle and bin storage area Fire pump and service infrastructure
Level 1	2 x studio apartments 2 x one bedroom 1 x two bedroom + study 1 x two bedroom
Level 2	2 x studio apartments 2 x one bedroom 2 x two bedroom + study
Level 3	2 x studio apartments 2 x one bedroom 2 x two bedroom + study
Level 4	2 x studio apartments 2 x one bedroom 2 x two bedroom + study
Level 5	4 x two bedroom + study
Level 6	2 x two-bedroom 2 x two bedroom + study

3.3 Built Form

3.3.1 Building Height

The proposed building to be developed is seven storeys high, with a maximum height of 21.99 metres above ground level.

3.3.2 Building Setbacks

The building is proposed to be built to all property boundaries at the site's ground floor with the exception of a portion of the eastern elevation which is to be setback 2.2 metres. This section commences from the north eastern corner and enables secure pedestrian access with associated landscaping from Hurtle Square to the entrance foyer located on the eastern elevation.

At the upper levels, the northern elevation extends to the boundary, with the exception of a setback to accommodate a portion of the dwelling balconies within the site. Notably, the balconies in part also encroach into Hurtle Square, as discussed further below.

The upper level southern elevation is located on the boundary, with the exception of a setback to accommodate balconies wholly within the site.

The upper level western elevation is stepped, incorporating a 12.0 metre centrally located wall on the boundary and the remainder setback 1.5 metres, providing an articulated outcome and enabling habitable room windows.

The upper level eastern elevation incorporates a central wall that is setback 2.0 metres. The walls to the north and south of that central wall are setback further at 2.2 metres, also enabling a stepped articulated outcome and habitable room windows.

3.3.3 Encroachments

The upper level balconies encroach 1.0 metre into Hurtle Square airspace above the public realm (with the exception of the top floor which does not encroach). Bedroom window awnings also encroach 500mm into Hurtle Square.

The ground level canopy encroaches 2.3 metres into Hurtle Square airspace above the public realm. The canopy extends over the footpath located on the Square's periphery, providing shelter for pedestrians. The canopy will have a height of 3.0 metres above finished footpath level.

3.3.4 Building Layout

The building is oriented towards Hurtle Square at ground level, with floor to ceiling glazing across the façade. The exception to this is a verandah and doorway located towards the western side of the façade associated with fire egress. This egress point enables direct access to the first-floor level foyer and lift via a single flight of stairs. The primary access is located adjacent the eastern boundary of the site, setback from the street frontage behind a secure landscaped walkway affording access to the foyer and lift located further into the building. A second access point at ground level is also provided via centrally located double doors that provide pedestrian access into the ground level bike racks storage area.

The primary residential entrance point for the building is provided via a sheltered thoroughfare along the eastern elevation that incorporates a recessed security gate. The thoroughfare is bordered with a bamboo landscaped garden bed and enables access to the entrance foyer that is centrally located on the eastern elevation. The entrance foyer is provided with lift access, CCTV security and parcel storage.

The ground level commercial tenancy is also provided with direct access to Hurtle Square via a single door located towards the east. The commercial tenancy is not provided with internal access to the remainder of the building.

3.3.5 Dwelling Configuration

Each dwelling will be provided with a balcony that is directly accessed from an open plan living and kitchen area. The floor and balcony private open space areas to be provided to each dwelling are outlined in Table 3:

Table 3: Floor Areas, Private Open Space and Storage Area

DWELLING TYPE	FLOOR AREA (M ²)	PRIVATE OPEN SPACE (M ²)	STORAGE AREA (M ³)
APT.101 Two bedroom	106	15	22.6
APT.102 Two bedroom + study	121.5	15	22.6
APT.103 One bedroom	55.8	8	15
APT.104 Studio	47.3	4.4	15.5
APT.105 Studio	54	4.4	14.4
APT.106 One bedroom	58	8	14.7
APT X01 Two bedroom + study	117	10.5	22.6
APT X02 Two bedroom + study	121.5	10.5	23.7
APT X03 One bedroom	55.8	8	15
APT X04 Studio	47.3	4.4	15.5
APT X05 Studio	54	4.4	14.4
APT X06 One bedroom	58	8	14.7
APT X01A Two bedroom	100	24.4	23.7
APT X02A Two bedroom	104.6	24.4	24.5
APT X03A Two bedroom + study	109.3	9	23.2
APT X04A Two bedroom + study	115	9	23.7

3.3.6 Dwelling Design (Liveable Housing Design Guidelines)

The dwellings have been designed having regard to the Liveable Housing Design Guidelines which seek to create homes that are cost effective and easy to access, navigate and live in. The proposed development incorporates the seven core design features that will achieve the silver level LHA guidelines, specifically:

1. A safe continuous and step free path of travel from the Hurtle Square entrance and/or parking area to a dwelling entrance that is level.
2. At least one, level (step-free) entrance into the dwelling.
3. Internal doors and corridors that facilitate comfortable and unimpeded movement between spaces.

4. A bathroom that contains a hobless shower recess.
5. Reinforced walls around the toilet, shower and bath to support the safe installation of grabrails at a later date.
6. Stairways are designed to reduce the likelihood of injury and also enable future adaptation.

3.4 Materials and Finishes

The building proposed will present with high quality modern façade treatments to provide an articulated design to all frontages, particularly the northern elevation given its visual prominence to Hurtle Square.

The ground level Hurtle Square frontage of the building will present as an articulated glazed façade with black powder coated aluminium window frames and grey tint vision glass windows in a texture coated precast wall, in Dulux Acratex "Night Sky", with a feature Sandstone wall at the street entry.

The external facades of the upper level dwellings will be pigmented precast in a "Light Sandstone" tone.

The balconies of each dwelling will comprise of black powder coated semi-frameless system with grey tint glass infill.

The fascia of the canopy at ground level will be clad with solid 4mm folded black aluminium finish.

3.5 Vehicle and Bicycle Parking

On-site vehicle parking is to be provided at ground level, with secure vehicle access from Allotment 12 via an automated roller door of 4.8 metres in width. An automated car stacking system, the Nussbaum Liftparker N5302 will be used to maximise the number of vehicle parking spaces accommodated on-site. A total of 17 car parking spaces are incorporated within the ground level car park, with 13 car stacking spaces.

A dedicated area for bike storage area is to be provided at ground level, providing secure parking for a total of 40 bicycles. The bicycle storage area is accessible from both Hurtle square via doors in the ground floor glazed façade and through the car parking area via the rear roller door.

3.6 Services

Receptacles of 660 litre capacity for the communal storage of general waste (two bins) and co-mingled recycling (four bins) for all residents are to be provided at ground level in a dedicated waste storage area with direct access from the car park area.

Waste collections are proposed to be undertaken by Council's weekly collection.

A services room is located within the building along the eastern elevation that accommodates the mains switch board, mains water tank, hot water service and pumps.

The fire pump and booster is located towards the western end of the Hurtle Square frontage, contained by floor to ceiling grey tint glazing that obscures views from the Square.

Airconditioning compressor units are to be discreetly located within a balcony cavity behind the property boundary for each dwelling, except the Studio Apartments 05 and 06 on levels 1, 2, 3 and 4 where the air conditioning compressors will be located on a gantry hanging in the ground floor car parking area. The commercial tenancy which has a wall mounted air conditioning compressor in the car parking area and apartment 1A and 2A on Level 6 where the air conditioning compressors will be located on a roof mounted plant platform.

4.0 DEVELOPMENT PLAN ASSESSMENT

The site is located within the City Frame Zone in the most recent version of the Adelaide (City) Council Development Plan, which was gazetted consolidated on 16 January 2020.

4.1 Procedural Matters

This development application seeks Development Plan Consent for a seven storey mixed-use residential flat building, with a commercial tenancy on the ground floor.

We note that neither a residential flat building or commercial tenancy are listed as a complying or non-complying form of development under Principles of Development Control 26 or 27 of the City Frame Zone. The proposal is therefore to be assessed on Merit.

4.1.1 Public Notification

Zone Principle 28 (a) assigns '*Residential flat building*', '*Consulting room*', '*Office in association with residential development*' and '*Shops or groups of shops*' as Category 1 for public notification purposes.

We also note that Zone Principle 28 (b) (ii) assigns '*Any form of development assigned Category 1 where the site of the development is adjacent land in the City Living Zone or Adelaide Historic (Conservation) Zone and it exceeds 22 metres in building height*' as Category 2 for public notification purposes.

The subject site is located adjacent to the City Living Zone however the seven storey mixed-use residential flat building, with a commercial tenancy on the ground floor has a maximum height of 21.99 metres. As such, we assert that the development is to be assigned Category 1 for the purposes of public notification.

4.1.2 Statutory Referrals

We note that a referral for affordable housing in accordance with Clause 23 of Schedule 8 is only relevant where the application purports to include the provision of affordable housing (applying the criteria determined under Regulation 4 of the South Australian Housing Trust (General) Regulations 1995).

In this instance the proposed development does not seek to provide affordable housing in accordance with the criteria determined under Regulation 4 of the South Australian Housing Trust (General) Regulations 1995 and accordingly, a statutory referral to the Minister for the time being administering the Housing and Urban Development is not necessary.

4.2 General Assessment

Our assessment of the proposed development identifies that the following matters meet, or are generally in accordance with, the relevant provisions of the Development Plan and therefore have not been discussed in detail, noting:

- the proposal seeks to achieve high scale mixed-use development consistent with the Desired Character of the City Frame Zone;
- the design and minimal setback of the upper levels of the building from Hurtle Square achieves a sense of enclosure of the square, creating a space consistent with the Desired Character that encourages landmark buildings with interesting pedestrian environments at a human scale at ground level.
- the development creates an additional 32 dwellings in the city, reinforcing the city's vibrancy through the development of medium to high density living;
- the proposed development is in the form of a mixed-use residential flat building which is an envisaged land use listed in Zone Principle of Development Control (PDC) 1;
- the building frontage to Hurtle Square incorporates a ground level commercial tenancy within the north eastern corner incorporating a high proportion of glazing that provides an active street frontage;
- a generous 2.3 metre deep canopy overhangs the Hurtle Square footpath to provide weather protection for the '*major walking route*' across the site frontage, as identified in MAP Adel/1 (Overlay 2);
- the building height of 21.99 metres does not exceed the 29 metres expressed in PDC 14 of the Zone for land north of Gilles Street;
- the proposed seven storey building satisfies the minimum building height guideline of three storeys sought by Zone PDC 15 for land north of Gilles Street;
- the building entrance is orientated towards and clearly visible from Hurtle Square in accordance with Council Wide PDC 48 and allows for the provisions of shelter and sense of personal address;
- the upper levels have a small lobby providing conveniently accessible and clearly identifiable entrances to individual dwellings from the lift and associated stairwell;

- the apartment layouts maximise the opportunity for natural light and ventilation;
- the proposed balconies are integrated into the overall form of the architecture;
- the proposed internal layout of the dwellings has been designed to minimise the transmission of sound between dwellings;
- all of the dwellings have an internal floor area exceeding the minimum guideline for studio, one and two bedroom dwellings expressed in Council wide PDC 70;
- Common and secure mailboxes are provided and conveniently accessible in the covered entrance way on the way to the building foyer; and
- the dwellings are afforded with built in storage areas that exceeds the cubic metres minimum guideline expressed in Council wide PDC 81.

4.3 Land Use

4.3.1 Envisaged Land uses

The City Frame Zone contemplates the development of a mix of land uses as expressed in Objective 1 and PDC 1, with PDC 2 and 3, reinforcing a desire for primarily residential development.

City Frame Zone

- Objective 1: Development that contains a mix of uses including shops, offices and commercial development at lower floors with residential land uses above with views to the Park Lands and Squares.**
- PDC 1 The following types of development, or combinations thereof, are envisaged in the Zone:**
- Dwelling
Office
Residential Flat Building
Shop or group of shops**
- PDC 2 Development should comprise wholly residential buildings or mixed use buildings with non-residential development at the ground/first floor level and residences above.**
- PDC3 Development should reinforce the area as predominantly residential, with non-residential land uses comprising no more than 40 percent of any new building.**

Objective 1 and PDC 2 of the City Frame Zone encourage the opportunity for development to comprise a mix of land uses, with residences to be accommodated on upper levels and non-residential uses at the ground or first floor level of multi-storey buildings. The proposed mixed-use building will comprise a diversity of 32 dwellings on levels 1 to 6 above ground, with a small scale 58.9 square metre commercial tenancy (capable of being used as an office, consulting room or shop) at ground level.

As outlined in PDC 1 of the City Frame Zone, 'dwellings,' 'offices' and 'shops' are each envisaged land uses within the Zone, all of which are capable of being accommodated within the proposed tenancy.

The Desired Character Statement of the City Frame Zone also states that '*Development will include residential and mixed-use residential buildings that are well connected to nearby public transport networks*'. The proposed development will provide a mixed-use, predominantly residential building adjacent to public transport corridors along Halifax Street and Pulteney Street.

4.3.2 Affordable Housing

The proposed development comprises more than 20 dwellings, accordingly the provision of 15 percent affordable housing is to be considered pursuant to Affordable Housing Overlay PDC 1.

The following provisions apply in the assessment of affordable housing:

OBJECTIVES

- Objective 1:** Affordable housing that is integrated with residential and mixed use development.
- Objective 2:** Development that comprises a range of affordable dwelling types that cater for a variety of household structures.
- Objective 3:** Affordable housing that deliver whole-of-life cost savings to the occupants.
- Objective 4:** Affordable housing that is provided in a wide range of locations and integrated into the City.

PRINCIPLES OF DEVELOPMENT CONTROL

- PDC 1** Development comprising 20 or more dwellings should include a minimum of 15 percent affordable housing.
- PDC 2** Where development includes affordable housing, then the quantitative provisions in respect to the following elements are not applicable to the affordable housing component provided the qualitative outcomes can be achieved:
 - (a) allotment area and dimensions;
 - (b) building height;
 - (c) site area and dimensions;
 - (d) site coverage;
 - (e) front, side and rear setbacks to boundaries;
 - (f) area and dimensions of private open space;
 - (g) minimum unit sizes;
 - (h) minimum storage areas;
 - (i) plot ratio;

- (j) **dwelling unit factor; and**
- (k) **landscaped open space.**

The proposed development does not include any designated affordable housing in accordance with the criteria determined under Regulation 4 of the *South Australian Housing Trust (General) Regulations 1995*. Nor does the proposed development seek any exemption from the quantitative provisions listed under PDC 2 on the basis of providing affordable housing.

Notwithstanding that, the proposed development does not seek to formally establish affordable housing, the proposal does provide a range of dwelling sizes to meet the varied needs of the population through the provision of cost effective housing choices.

Notably, when the eight studio and eight one bedroom apartments proposed are privately marketed, they are expected to meet the price threshold that would ordinarily apply as affordable housing. These represent 50 percent of the dwellings within the development.

The dwelling offering proposed has been formulated to complement the mix of housing options recently constructed, under construction, or that have recently been approved surrounding Hurtle Square. The intent is to provide for a range of housing options, including affordable housing amongst the various developments. The criteria to provide such an outcome was incorporated into previous applications for multi-storey residential flat buildings at 34-40 Hurtle Square, 150-152 Halifax Street, 42-48 Hurtle Square, 22-26 Hurtle Square and 241 Pulteney Street.

Table 4 – Integrated Numbers of Dwelling Types

DEVELOPMENT	STUDIO / LOFT (AFFORDABLE)	ONE BEDROOM (AFFORDABLE)	TWO BEDROOM	THREE BEDROOM
3-9 Hurtle Square (Constructed)	7	-	24	-
34-40 Hurtle Square (Constructed)	14	-	24	14
150-152 Halifax Street (Constructed)	16	-	-	-
42-48 Hurtle Square (Under Construction)	7	-	34	10
22-26 Hurtle Square (Approved)	1	-	32	-
421 Pulteney Street (Approved)	8	-	12	16
62-66 Hurtle Square (Proposed)	8	8	12	4
TOTAL	61	8	138	44

Based on the table above, the contribution of affordable housing in the seven Hurtle Square projects has an integrated total of 27.5 percent of dwellings which have a price point that would meet the affordable housing criteria.

The six approved buildings form an integrated approach, aimed at addressing affordable housing for the general locality around Hurtle Square while providing for a range of variety of housing to accommodate different household sizes and expectations. All six multi-storey building sites are located on, or immediately adjacent to Hurtle Square.

On this basis, we are of the opinion that the design forms part of an integrated approach to provide a range of housing options in accordance with City Living Housing Choice Objectives and encourages affordable housing options, thereby satisfying the intent of the objectives for affordable housing in the Development Plan.

4.4 Built Form

4.4.1 Building Height

The qualitative and quantitative building height requirements are outlined within the following provisions:

City Frame Zone

Objective 2: Development that creates a strong edge to the Park Lands and Squares.

PDC 14 Except where the airport's operations require a lesser height or the development is located on a site greater than 1500 square metres (which may include one or more allotment), building height should not exceed:

- (a) 36 metres south of Gilles and Gilbert streets; and
- (b) 29 metres north of Gilles and Gilbert streets.

PDC15 Development should have the following minimum building height to provide optimal height and floor space yields that activate and frame the Park Lands and Squares:

- (a) 4 storeys or more south of Gilles and Gilbert streets.
- (b) 3 storeys or more north of Gilles and Gilbert streets.

Council-wide – Built Form and Townscape

Objective 46: Reinforcement of the city's grid pattern of streets through:

- (a) high rise development framing city boulevards, the Squares and Park Lands.
- (b) vibrant main streets of a more intimate scale that help bring the city to life.
- (c) unique and interesting laneways that provide a sense of enclosure and intimacy.

PDC 167 Development should be of a high standard of design and should reinforce the grid layout and distinctive urban character of the City by maintaining a clear distinction between the following:

- (a) the intense urban development and built-form of the town acres in the Capital City, Main Street, Mixed Use, City Frame and City Living Zones;

- (b) **the less intense and more informal groupings of buildings set within the landscaped environment of the Institutional Zones;**
- (c) **the historic character of the Adelaide and North Adelaide Historic (Conservation) Zones and groups of historic housing within the City Living Zone; and**
- (d) **the open landscape of the Park Lands Zone.**

PDC 168 The height and scale of development and the type of land use should reflect and respond to the role of the street it fronts as illustrated on Map Adel/1 (Overlay 1).

The proposed mixed-use building is to incorporate seven stories and have a height above ground level of 21.99 metres to the top of the parapet.

As the subject site is less than 1,500 square metres in size and located to the north of Gilles Street, the building height does not exceed the maximum building height of 29.0 metres envisioned for the locality in City Frame Zone PDC 14. Moreover, the building satisfies the minimum height guideline of 3 storeys for development framing City Squares north of Gilles Street, as contained in PDC 15.

The proposal meets the quantifiable height requirements envisaged within the City Frame Zone and also provides a building that is complementary with the existing and approved built form fronting Hurtle Square.

The height of 21.99 metres ensures that the Zone intent of framing Hurtle Square is realised while also providing a building presentation and dwelling density that will activate the Square. The proposal will add to the emerging character of more intense residential forms of development and add to the Square's vibrancy and conviviality, while not being overbearing, as sought by Council wide – Built Form and Townscape Objective 46(a).

4.4.2 Setbacks

The building is proposed to be constructed to all property boundaries at the site's ground floor, with the exception of a portion of the eastern elevation that is setback 2.2 metres from the north eastern corner. This setback enables protected pedestrian access from Hurtle Square to the main foyer centrally located on the eastern elevation via a security gate.

At the upper levels, the northern elevation extends to the boundary, with the exception of a setback to accommodate part of the balconies within the site. The northern balconies also encroach 1.0 metre into Hurtle Square and are consistent with the Adelaide City Council Encroachment Guidelines.

The upper levels on the southern elevation are located on the boundary, with the exception of a setback to accommodate balconies wholly within the site. The upper level western elevation is stepped with a 12.0 metre centrally located section on the boundary and the remainder setback 1.5 metres providing an articulated outcome and enabling habitable room windows. The upper level eastern elevation is setback 2.0 metres through the centre and 2.2 metres on either side, enabling a stepped articulated outcome.

The following provisions provide guidance in respect to the envisaged built form and setbacks from street alignments and adjacent properties.

City Frame Zone

Objective 3: A uniform streetscape established through a largely consistent front setback and tall, articulated building façades.

PDC 16 Buildings (excluding verandahs, porticos and the like) should generally be built to the primary road frontage.

Council-wide – Built Form and Townscape

PDC 220 Development fronting public spaces should be of a high standard of design and should reinforce the distinctive urban character of the City by:

- (a) **defining and enclosing the City Squares with a continuous edge of peripheral buildings which:**
 - (i) are of relatively consistent height and scale as appropriate to the desired character surrounding each of the Squares;
 - (ii) are designed to maintain the continuity of the streetscape;
 - (iii) are situated close to or abutting the Square frontages;
 - (iv) provide ground floor activities that support the public use of the space; and
 - (v) are designed and sited to minimise overshadowing of the Square’s garden areas.
- (b) **enhancing interest, use, safety and a range of activities by ensuring:**
 - (i) facades abutting public spaces provide visual interest; and
 - (ii) appropriate elements of public art;
- (c) **defining the major streets as important linear public spaces which display a formal townscape character by:**
 - (i) ensuring that buildings in the Capital City Zone maintain or re-establish, a continuous edge of built-form abutting or situated close to major street frontages;
 - (ii) emphasising the townscape importance of development at the intersections of major streets, and intersections of major streets with City Squares, with corner buildings of a scale and form appropriate to their location and situated close to or abutting both street frontages;
 - (iii) ensuring that buildings fronting on to such streets are of a shape and orientation which relate to and reinforce the rectilinear grid pattern of the City; and
 - (iv) requiring that any substantial set-back, open space or plaza be behind a built-form or landscape element which maintains or reinforces the continuity and line of the street frontage;

- (d) **maintaining the existing pattern and structure of streets and laneways;**
- (e) **restricting building over minor streets and laneways to avoid over-shadowing and preserve the built-form pattern established by traditional land sub-division in the City; and**
- (f) **allowing for ease of pedestrian circulation and through access where possible.**

Design Techniques (these are ONE WAY of meeting parts of the above Principle)

220.1 In relation to Principle 220(a), minimising set-back distances from the perimeter of the space to increase the ability of the building to interact with the public realm.

220.2 In relation to Principle 220(b), incorporating uses such as home offices, artist studios, galleries, cafés and restaurants where encouraged by the Policy Areas provisions.

Council wide PDC 220 intends that development creates a defining edge around the City Squares with a continuous periphery boundary development to enclose the squares and enhance the buildings pedestrian scale interaction with the public space. The proposal meets this intent with its boundary development and active Hurtle Square frontage of floor to ceiling glazing and first floor canopy that extends 2.3 metres into the Square, providing weather protection for the '*major walking route*' across the site frontage, as identified in MAP Adel/1 (Overlay 2);

The proposal's eastern elevation setback is also of particular relevance as it abuts the adjacent City Living Zone, as referred to in Zone PDC 17:

Zone

PDC 17 Development on land directly abutting the City Living Zone should avoid tall, sheer walls at the interface by ensuring walls greater than 3 metres in height are set back at least 2 metres from the rear allotment boundary with further articulation at the upper levels.

The proposal is consistent with the numerical requirement of PDC 17 while also ensuring the design intent is achieved through the provision of four 'steps' within the façade that provide vertical articulated elements and depth perception through shading. These four design steps are also enhanced by horizontal and vertical groves within the façade that emphasise the window treatments and results in further visual scale reduction of the building.

Each elevation is consistent with both the quantitative and qualitative intentions within the City Frame Zone and Council Wide generally, relevant to setbacks.

4.4.3 Balconies

Balconies are recognised within medium to high scale residential development as an important built form design element, as is evident in the following:

Council-wide – City Living – Medium to High Scale Residential/Serviced Apartment

- PDC 62** **Balconies should be integrated into the overall architectural form and detail of the development and should:**
- (a) **utilise sun screens, pergolas, shutters and openable walls to control sunlight and wind;**
 - (b) **be cantilevered, partially cantilevered and/or recessed in response to daylight, wind, acoustic and visual privacy;**
 - (c) **be of a depth that ensures sunlight can enter the dwelling below; and**
 - (d) **allow views and casual surveillance of the street while providing for safety and visual privacy.**

Council-wide – Built Form and Townscape

PDC 183 **Balconies should be designed to give shelter to the street or public space at first floor levels.**

- PDC 184** **Balconies should:**
- (a) **respond to the street context and building orientation; and**
 - (b) **incorporate balustrade detailing to reflect the balcony type and location and the materials and detail of the building facade.**

PDC 185 **No part of any fully enclosed building should extend over property boundaries, including streets and public spaces, whether above a balcony at a lower level or not.**

The balconies to both the northern and southern elevations are recessed into the building (with a minimum of 50 percent of the balcony depth behind the property boundary) providing an integrated design approach with consistency in materiality, colour and scale with the remainder of the façade elements. In particular, the grey tint glass balustrades are consistent with the buildings fenestration and external cladding. The balconies fit comfortably within the overall form of the building, representing an important design feature.

The north facing balconies in particular provide a high amenity outcome for residents with well-proportioned canopies providing shade through the summer months while enabling direct sunlight to the balcony and adjacent living space through the winter months. This outcome is also achieved with the inclusion of canopies above the north facing windows. The balconies and canopies provide important features that are in keeping with the design intentions of development presenting to Hurtle Square.

A portion of the balconies encroach within the Square, which provides an additional design feature and passive surveillance benefits for the public realm. The extent of encroachment is discussed further within this report in relation to Council's encroachment guidelines.

4.5 Medium to High Scale Residential Design

4.5.1 Floor Area

PDC 70 establishes guidelines for minimum dwelling floor areas based on the size of dwellings as a base line for residential amenity.

Council-wide – City Living – Medium to High Scale Residential/Service Apartment

PDC 70 Medium to high scale residential or serviced apartment development should provide a high quality living environment by ensuring the following minimum internal floor areas:

- (a) **studio (where there is no separate bedroom): 35 square metres**
- (b) **1 bedroom dwelling/apartment: 50 square metres**
- (c) **2 bedroom dwelling/apartment: 65 square metres square metres**
- (d) **3+ bedroom dwelling/apartment: 80 square metres plus an additional 15 square metres for every additional bedroom over 3 bedrooms.**

The proposed development comprises a mix of dwelling sizes to allow for a choice in housing, providing a mix of studio, one, two and two bedroom plus study dwellings of varying sizes. Objective 6 and Council wide PDC 5 under the heading of City Living expressly seek a choice in housing to be provided. The proposed development achieves this within the single building.

City Living

Objective 6: A variety of housing options which supplement existing types of housing and suit the widely differing social, cultural and economic needs of all existing and future residents.

PDC 5: Development should comprise of a range of housing types, tenures and cost, to meet the widely differing social and economic needs of residents.

The dwellings contained within the proposed mixed-use building will be built to provide the following floor areas:

Table 5: Dwelling Floor areas

DWELLING NUMBER	DWELLING TYPE	FLOOR AREA (SQM)	MINIMUM GUIDELINE (COUNCIL-WIDE PDC 70)
APT.01	Two bedroom	106	65
APT.02	Two bedroom + study	121.5	65
APT.03	One bedroom	55.8	50
APT.04	Studio	47.3	35
APT.05	Studio	54	35
APT.06	One Bedroom	58	50
APT X01	Two bedroom + study	117	65
APT X02	Two bedroom + study	121.5	65
APT X03	One bedroom	55.8	50
APT X04	Studio	47.3	35

DWELLING NUMBER	DWELLING TYPE	FLOOR AREA (SQM)	MINIMUM GUIDELINE (COUNCIL-WIDE PDC 70)
APT X05	Studio	54	35
APT X06	One bedroom	58	50
APT X01A	Two bedroom	100	65
APT X02A	Two bedroom	104.6	65
APT X03A	Two bedroom + study	109.3	80
APT X04A	Two bedroom + study	115	80

Each of the dwellings proposed are to provide floor areas in excess of the minimum guidelines prescribed by PDC 70 of the Council wide – City Living provisions.

4.5.2 Private Open Space

Council-wide – City Living – Medium to High Scale Residential/Serviced Apartment

PDC 59 Medium to high scale residential development and serviced apartments should provide the following private open space:

- (a) studio (where there is no separate bedroom): no minimum requirement but some provision is desirable.
- (b) 1 bedroom dwelling/apartment: 8 square metres.
- (c) 2 bedroom dwelling/apartment: 11 square metres.
- (d) 3+ bedroom dwelling/apartment: 15 square metres

A lesser amount of private open space may be considered appropriate in circumstances where the equivalent amount of open space is provided in a communal open space accessible to all occupants of the development.

Private open space for 2 or more bedroom dwellings/apartments may be divided into different areas whilst private open space for studios or 1 bedroom dwelling/apartments should be in a single area.

Areas used for parking of motor vehicles are not included as private open space.

PDC 61 Other than for student accommodation, private open space should have a minimum dimension of 2 metres and should be well proportioned to be functional and promote indoor/outdoor living.

Each dwelling in the proposed mixed-use building will be provided with a balcony for private open space that is able to be accessed directly from a living area. The balcony areas for each dwelling contain an area which has a minimum dimension of not less than 2.0 metres in accordance with the minimum dimension outlined Council wide – City Living PDC 61, with the exception of the studio apartments. We note however, that there is no private open space requirement for studio apartments, as per Council Wide PDC 59.

The areas of private open space to be provided for each dwelling contained within the building are outlined in the table below:

Table 6: Dwelling Private Open Space Areas

DWELLING NUMBER	DWELLING TYPE	PRIVATE OPEN SPACE	MINIMUM GUIDELINE (COUNCIL-WIDE PDC 59)
APT.01	Two bedroom	15 m ²	11 m ²
APT.02	Two bedroom + study	15 m ²	11 m ²
APT.03	One bedroom	8 m ²	8 m ²
APT.04	Studio	4.4 m ²	No minimum
APT.05	Studio	4.4 m ²	No minimum
APT.06	One Bedroom	8 m ²	8 m ²
APT X01	Two bedroom + study	10.5 m ²	11 m ²
APT X02	Two bedroom + study	10.5 m ²	11 m ²
APT X03	One bedroom	8 m ²	8 m ²
APT X04	Studio	4.4 m ²	No minimum
APT X05	Studio	4.4 m ²	No minimum
APT X06	One bedroom	8 m ²	8 m ²
APT X01A	Two bedroom	24.4 m ²	11 m ²
APT X02A	Two bedroom	24.4 m ²	11 m ²
APT X03A	Two bedroom + study	9 m ²	11 m ²
APT X04A	Two bedroom + study	9 m ²	11 m ²

All balcony areas of private open space meet the minimum area guidelines contained within PDC 59 of the Council wide – City Living provisions, with the exception of dwellings:

- APT X03A and APT X04A, two bedroom + study dwellings with a shortfall of 2.0 square metres.
- APT X01 and APT X02, two bedroom dwellings with a shortfall of 0.5 square metres.

In each of the above examples, the balcony provides a large functional space that is located directly adjacent to a living space and accessed by twin sliding glass doors. As such, given the broad opening and adjacent floor to ceiling window, the link between indoors and outdoors is seamless. With this configuration, there is an opportunity for the indoor dining space to function as an extension of the balcony private open space area being provided with a generous amount of natural light and ventilation. Given the balcony is able to effectively expand by integrating with the living space, the effective private open space area is much larger than just the balcony. As such, functionally, the private open space area is considered to meet the intentions of PDC 59.

Further, in assessing the areas of private open space for each dwelling, the buildings direct association with Hurtle Square is particularly relevant. The Square offers a large area of lawn covered public open space with shading trees and landscaping, providing recreational opportunities for each of the building's occupants. PDC 59 recognises that a '*lesser amount of private open space may be considered appropriate in circumstances where the equivalent amount of open space is provided in a communal open space accessible to all occupants of the development*'. Hurtle Square represents a large area of common open space with a high amenity value, enabling the opportunity for a wide range of recreational pursuits, consistent with the intentions of PDC 59.

Accordingly, we submit that the minor shortfall in private open space dimensions is considered to be acceptable.

4.5.3 Storage Areas

The proposed development incorporates built in storage to each of the dwellings which exceeds the minimum rates for storage expressed in PDC 81.

Council-wide – City Living – Medium to High Scale Residential/ Serviced Apartment

PDC 81 Medium to high scale residential (other than student accommodation) or serviced apartment development should provide adequate and accessible storage facilities for the occupants at the following minimum rates:

- (a) **studio: 6 cubic metres**
- (b) **1 bedroom dwelling/apartment: 8 cubic metres**
- (c) **2 bedroom dwelling/apartment: 10 cubic metres**
- (d) **3+ bedroom dwelling/apartment: 12 cubic metres**

50 percent of the storage space should be provided within the dwelling/apartment with the remainder provided in the basement or other communal areas.

Table 7: Dwelling Storage Areas

DWELLING NUMBER	DWELLING TYPE	STORAGE AREA	MINIMUM GUIDELINE (COUNCIL-WIDE PDC 81)
APT.01	Two bedroom	22.6 m ³	10 m ³
APT.02	Two bedroom + study	23.7 m ³	10 m ³
APT.03	One bedroom	15 m ³	8 m ³
APT.04	Studio	15.5 m ³	6 m ³
APT.05	Studio	14.4 m ³	6 m ³
APT.06	One Bedroom	14.7 m ³	8 m ³
APT X01	Two bedroom + study	22.6 m ³	10 m ³
APT X02	Two bedroom + study	23.7 m ³	10 m ³
APT X03	One bedroom	15 m ³	8 m ³
APT X04	Studio	15.5 m ³	6 m ³
APT X05	Studio	15.5 m ³	6 m ³
APT X06	One bedroom	14.7 m ³	8 m ³
APT X01A	Two bedroom	23.7 m ³	10 m ³
APT X02A	Two bedroom	24.5 m ³	10 m ³
APT X03A	Two bedroom + study	23.2 m ³	12 m ³
APT X04A	Two bedroom + study	23.7 m ³	12 m ³

Whilst all of the storage is contained within the dwelling, it provides sufficient and adequate storage space for the reasonable requirements of the occupant's belongings without need for separate and segregated storage facilities in the basement or other communal areas.

4.6 Design Adaptability

Functional internal layouts that incorporate design adaptability, representing an important element of medium to high scale design, as outlined in the following:

City Frame Zone

Objective 6: **Adaptable and flexible building designs that can accommodate changes in use and respond to changing economic and social conditions.**

PDC 10 **The ground floors of buildings should have a minimum floor to ceiling height of 3.5 metres to allow for adaptation to a range of land uses including shops, cafés, restaurants or offices without the need for significant alterations to the building.**

Council-wide – City Living – Medium to High Scale Residential/Serviced Apartment

Objective 22: **Medium to high scale residential (including student accommodation) or serviced apartment development that:**

- (a) **has a high standard of amenity and environmental performance;**
- (b) **comprises functional internal layouts;**
- (c) **is adaptable to meet a variety of accommodation and living needs; and**
- (d) **includes well-designed and functional recreation and storage areas.**

PDC 72 **Within medium to high scale residential or serviced apartment development, dwelling/apartment layouts should be adaptable to accommodate:**

- (a) **a range of activities and privacy levels between different spaces;**
- (b) **flexible room sizes and proportions;**
- (c) **efficient circulation to optimise the functionality of floor space within rooms; and**
- (d) **the future reuse of student accommodation as residential apartments through a design and layout that allows individual apartments to be reconfigured into a larger dwelling or other alternative use.**

The commercial tenancy at ground level has been designed to be flexible and appropriate for the accommodation of small-scale office and retail uses, adapting to changing economic conditions as required. The ground level commercial tenancy will provide a floor to ceiling height of 3.0 metres, increasing its flexibility for a range of commercial uses, as per PDC 10 of the City Frame Zone.

The dwellings to be accommodated within the building will provide a high standard of amenity, with an intentional north/south orientation to provide vistas over Hurtle Square and Gilles Street, taking advantage of northern sunlight and limiting exposure to the east and west. The dwellings have been designed to provide large open plan living areas, with 50 percent of the dwellings equipped with two or more rooms capable of being used as bedrooms for flexibility in the use of these rooms for bedrooms, studies or other living spaces, to suit the needs of future residents.

4.7 Overlooking

The building design has sought to minimise the potential for overlooking by orientating the dwellings north/south with the habitable room outlooks being towards Hurtle Square and Gilles Street.

To address overlooking to the east and west, the habitable room windows within these elevations have a minimum sill height of 1.6 metres.

The relevant overlooking assessment tests include:

Council-wide – City Living – Medium to High Scale Residential/Serviced Apartment

- PDC 66** **Medium to high scale residential or serviced apartment development should be designed and sited to minimise the potential overlooking of habitable rooms such as bedrooms and living areas of adjacent development.**
- PDC 67** **A habitable room window, balcony, roof garden, terrace or deck should be set-back from boundaries with adjacent sites at least three metres to provide an adequate level of amenity and privacy and to not restrict the reasonable development of adjacent sites.**

Single and two storey dwellings are located directly adjacent to the northeast, east and southeast of the subject site. With the provision of a minimum sill height of 1.6 metres on the eastern elevation, this design outcome is considered to reasonably address overlooking concerns from that elevation, with the potential for overlooking being limited to angled views from windows and balconies on the southern elevation.

Views from vantage points on the southern elevation to the east are not considered to represent 'direct' overlooking given the obtuse angle to those directly east, and the relevant distance to the south east. Such views do not impinge on habitable rooms such as bedrooms and living areas and notably, PDC 66 does not expressly seek to protect the private open space of adjacent properties. The Development Plan flexibility in this regard recognises that medium to high scale residential development in the city will inevitably result in some degree of compromised privacy as a result of upper level dwellings. In this instance, the overlooking is considered to be reasonable.

4.8 Design and Appearance

The proposed building is to be well articulated with its north/south orientation providing glazing and balconies to each of these elevations. The ground level commercial tenancy and lobby will present full height windows towards Hurtle Square, providing a glazed and visually permeable street frontage to maximise passive surveillance in accordance with City Frame Zone PDC 11. The Hurtle Square frontage includes glazing to 73 percent of the ground floor frontage, at a length of 16.3 metres.

City Frame Zone

- PDC 11** **A minimum of 70 percent of the ground floor primary frontage of buildings should be visually permeable, transparent or clear glazed to help create active street frontages and maximise passive surveillance.**

PDC 12 Buildings on sites with a frontage greater than 10 metres should be articulated through variations in forms, materials, openings and colours.

PDC 13 Buildings should be designed to overlook or be orientated towards the Park Lands and Squares and pedestrian and cycle routes.

Council-wide – City Living – Medium to High Scale Residential/Serviced Apartment

PDC 48 Entrances to medium to high scale residential or serviced apartment development should:

- (a) be oriented towards the street;
- (b) be visible and easily identifiable from the street; and
- (c) provide shelter, a sense of personal address and transitional space around the entry.

PDC 50 Medium to high scale residential or serviced apartment development should be designed to maximise opportunities to facilitate natural ventilation and capitalise on natural daylight and minimise the need for artificial lighting during daylight hours.

PDC 52 Ceiling heights that promote the use of taller windows, highlight windows, fan lights and light shelves should be utilised to facilitate access to natural light, improve daylight distribution and enhance air circulation, particularly in dwellings with limited light access and deep interiors.

Council-wide – Environmental

PDC 83 Residential development should be designed to overlook streets, public and communal open space to allow casual surveillance.

The materials and forms of the building are to be varied as desired by Principle 12 of the City Frame Zone through the use of:

- feature sandstone at the street entry;
- textured coated precast piers in Dulux 'night sky' on the ground floor façade framing the high proportion of grey tint vision glass;
- durable black powder coated aluminium to the pedestrian canopy;
- high quality pigmented precast in "Light Sandstone" to the main facade;
- painted precast in Dulux "Night Sky" to secondary precast wall elevation elements;
- varied external wall setbacks presented by each upper level dwelling;
- glazed balustrades to dwelling balconies fronting Hurtle Square, with a mixture of framed and semi-frameless systems;
- garage door with black powder coat finish; and
- vertical timber slat gate to the covered walkway entry point.

The commercial tenancy and 28 north-facing upper level dwellings have been oriented to overlook Hurtle Square, which is encouraged by City Frame Zone Principle 13.

4.9 Waste Management

As displayed on the Ground Floor Plan, a dedicated area is to be provided at ground level for the storage of general waste, and recycling for all dwellings contained within the building. Both waste and recycling bins in this area are to have a capacity of 660 litres. This waste storage area is to be co-located adjacent the lift lobby, with direct access from the car parking area which affords access to Hurtle Square for the movement of these bins to the street when collections are to occur for the convenient disposal and collection of waste, in accordance with Principle 103 of the Council wide – Environmental provisions.

Council-wide – Environmental – Waste Management

- PDC 103** **Development greater than 2 000 square metres of total floor area should manage waste by:**
- (a) **containing a dedicated area for the collection and sorting of construction waste and recyclable building materials;**
 - (b) **on-site storage and management of waste;**
 - (c) **disposal of non-recyclable waste; and**
 - (d) **incorporating waste water and stormwater re-use including the treatment and re-use of grey water.**

The following waste volumes have been provided for:

Table 8: Waste Volumes

	RESIDENTIAL DEMAND (NOTE: 48 BEDS)	OFFICE DEMAND (< 200 M²)	VOLUME SUPPLY
Combined General Waste / Green Organics+	30 litres per bed / 10 litres per bed 1,920 litres per week	37.5 litres per week / 12.5 litres per week 50 litres per week	4 x 660 Litre Bins 2,640 Litres
Comingle Recyclable	25 litres per bed 1,200 litres per week	75 litres per week 75 litres per week	2 x 660 Litre Bins 1,320 Litres

In this case a collection of all bins once per week is envisaged.

The bin sizes and spatial requirements have been calculated based on the Adelaide City Council waste guidelines and the frequency of collection is dictated by the size of the bins provided.

Waste collection is proposed to occur on-street on the Hurtle Square frontage by Council.

4.10 Energy Efficiency

A number of measures for the efficient use of energy and water are to be implemented throughout the proposed mixed-use building to address the relevant environmental provisions of the Development Plan.

Council-wide – Environmental

Objective 30: Development which is compatible with the long term sustainability of the environment, minimises consumption of non-renewable resources and utilises alternative energy generation systems.

PDC 106 Buildings should provide adequate thermal comfort for occupants and minimise the need for energy use for heating, cooling and lighting by:

- (a) providing an internal day living area with a north-facing window, other than for minor additions*, by:
 - (i) arranging and concentrating main activity areas of a building to the north for solar penetration; and
 - (ii) placing buildings on east-west allotments against or close to the southern boundary to maximise northern solar access and separation to other buildings to the north.
- (b) efficient layout, such as zoning house layout to enable main living areas to be separately heated and cooled, other than for minor additions;
- (c) locating, sizing and shading windows to reduce summer heat loads and permit entry of winter sun;
- (d) allowing for natural cross ventilation to enable cooling breezes to reduce internal temperatures in summer;
- (e) including thermal insulation of roof, walls, floors and ceilings and by draught proofing doors, windows and openings;
- (f) ensuring light colours are applied to external surfaces that receive a high degree of sun exposure, but not to an extent that will cause glare which produces discomfort or danger to pedestrians, occupants of adjacent buildings and users of vehicles;
- (g) providing an external clothes line for residential development; and
- (h) use of landscaping.

PDC 108 Energy reductions should, where possible, be achieved by the following:

- (a) appropriate orientation of the building by:
 - (i) maximising north/south facing facades;
 - (ii) designing and locating the building so the north facade receives good direct solar radiation;
 - (iii) minimising east/west facades to protect the building from summer sun and winter winds;

- (iv) **narrow floor plates to maximise the amount of floor area receiving good daylight; and/or**
- (v) **minimising the ratio of wall surface to floor area.**
- (b) **window orientation and shading;**
- (c) **adequate thermal mass including night time purging to cool thermal mass;**
- (d) **appropriate insulation by:**
 - (i) **insulating windows, walls, floors and roofs; and**
 - (ii) **sealing of external openings to minimise infiltration.**
- (e) **maximising natural ventilation including the provision of openable windows;**
- (f) **appropriate selection of materials, colours and finishes; and**
- (g) **introduction of efficient energy use technologies such as geo-exchange and embedded, distributed energy generation systems such as cogeneration*, wind power, fuel cells and solar photovoltaic panels that supplement the energy needs of the building and in some cases, export surplus energy to the electricity grid.**

The roof of the building is to be fitted with a 2 x 10-kilowatt solar panel arrays to offset power consumption in the common areas of the building minimising the consumption of non-renewable energy resources in accordance with Objective 30 of the Council wide – Environmental provisions.

Inverter split system air conditioning is to be provided to individual living areas, with three speed ceiling fans to be provided to all bedrooms and living areas for the efficient circulation of air, as sought by Principle 106(b).

Fanlight awning windows over the dwelling entry doors to promote cross ventilation through the dwelling.

The vehicle parking area of the building is to be naturally ventilated.

Expansive glass sliding doors are to be provided to each apartment to maximise opportunities for natural ventilation in accordance with Principle 106(d) and 108(e).

Insulation is to be provided to the roof, ceilings, internal and external walls throughout the building as per Principle 106(e).

The majority of the external wall surfaces are to be treated with light coloured pigmented precast, broken up by darker coloured texture coat at ground level to define the base of the building and materials to recessed areas to add articulation to the façade and prevent excessive glare with regards to Principle 106(f).

Energy efficient LED lighting is to be installed throughout each dwelling, with the energy usage varied based on the size of the living areas requiring illumination. The LED lighting to the common areas of the building is to be activated by motion sensors to prevent unnecessary energy usage.

4.11 Vehicle Parking

4.11.1 Traffic and Parking

As outlined in the Traffic Assessment undertaken by Cirqa (attached), the car parking spaces will generally comply with the requirements of the Australian/New Zealand Standard Parking Facilities Part 1: Off-street car parking (AS/NZS 2890.1:2004) in that:

- the spaces will have a minimum width of 2.53 metres;
- the spaces will be at least 5.4 metres long;
- aisle widths will be at least 6.0 metres wide (widening to 7.2 metres where columns are not provided);
- the proposed access width will comply with the dimensional requirements for a low volume residential driveway; and
- vehicle clearance envelope requirements will generally be met, with the exception of the location of columns on the edges of the aisles. However, the overall width of the aisles allows required entering and exiting turning movements for spaces to be easily undertaken and, hence, it is considered that the intent of the standard it met.

City Frame Zone Principle 23 designates that car parking should be provided in accordance with Table Adel/7 of the Development Plan. Table Adel/7 outlines on-site car parking provisions for “medium to high scale residential or serviced apartment” with minimum provisions for car parking spaces applicable “in the Main Street (O’Connell), Main Street (Hutt), Main Street (Melbourne East) and Mixed Use (Melbourne West) Zones” and maximum provision of car parking spaces applicable “within the Primary Pedestrian Area shown on Map Adel/1 (Overlay 2A).” The proposed development incorporates 17 spaces, 13 in a car stacking facility at ground level and 4 independently accessible at grade parking spaces with access from the rear right of way to provide for the reasonable expectations of the building occupants, according with the Development Plan.

The Development Plan does require 3 spaces per 100.0 square metres of gross leasable floor area for non-residential development, therefore the development creates a demand of between 2-4 car parking spaces for the commercial tenancy.

Whilst no spaces are dedicated to the commercial tenancy, Cirqa provides the following justification;

"It is noted that there is a requirement of at least two spaces for the commercial component, however, no designated parking is proposed to service the commercial use. Nevertheless, such an arrangement is considered acceptable given:

- *the site is highly accessible by both walking and cycling (with adequate bicycle parking provision provided on-site including bicycle parking spaces);*
- *the site is highly accessible by high frequency public transport including buses and trams (both within walking distance);*
- *a car share scheme is available within the City of Adelaide with designated car share spaces within walking distance of the site;*
- *private leasing arrangements of off-street parking spaces is common-place within the City (via online services such 'Parkhound' as well as through traditional real estate agencies). A review of Parkhound's current listings identifies that there are number of spaces available for lease within close proximity to the subject site; and*
- *similar arrangements have been approved for other developments in the subject locality (such as Hurtle & Co. Stages 1 to 5) without significant impact on parking conditions. Notably, CIRQA's office is located on Halifax Street, in close proximity to the subject site, and has no on-site (or leased off-site) car parking (with the majority of staff typically riding to work or utilising public transport). Accordingly, the Traffic Assessment undertaken by Cirqa considers that there is sufficient on-site parking to meet the reasonable expectations of residents and visitors."*

Based on the report's findings, it is considered that the proposed parking and traffic implications associated with the proposed development are satisfactory and in accordance with the requirements of the Development Plan.

4.11.2 *Bicycle Parking*

The bicycle parking rails, which are to be within a dedicated storage area, will comply with the dimensional requirements of Australian Standard Parking Facilities Part 3: Bicycle Parking Facilities (AS 2890.3-1993).

Table Adel/6 of the Development Plan outlines the requirements for on-site bicycle parking for residents of all low, medium and high scale residential development as "1 for every dwelling/apartment with a total floor area less than 150 square metres" and "2 for every dwelling/apartment with a total floor area greater than 150 square metres" with an additional provision for visitors of "1 [bicycle parking space] for every 10 dwellings."

The traffic and parking assessment concluded the following in respect to bicycle parking;

"On the basis of the above, there is a requirement for 32 resident spaces, 4 resident visitor spaces, 1 staff space and 3 office visitor spaces associated with the development (a total of 40 bicycles spaces). The proposed provision of 40 bicycle parking spaces will therefore meet the requirements of Council's Development Plan.."

Given the assessment undertaken by Cirqa, the proposal clearly satisfies the likely demand and needs of future occupants and/or visitors and the relevant provisions of the Council Development Plan.

It should also be noted that racks for the parking and locking of bicycles are provided in various locations throughout Hurtle Square, providing accessible bicycle parking spaces for potential visitors to each building.

4.12 Encroachments

The Zone outlines the following provision relating to encroachments:

Zone PDC

PDC 9 Pedestrian shelter and shade should be provided over footpaths through the use of continuous structures such as awnings, canopies and verandahs.

PDC 16 Buildings (excluding verandahs, porticos and the like) should generally be built to the primary road frontage.

The building is proposed to be located on the Hurtle Square boundary and provides a 2.3 metre deep ground level canopy at 3.0 metres above the Squares periphery footpath. Notably, the canopy provides weather protection for the 'major walking route' across the site frontage, as identified in MAP Adel/1 (Overlay 2);

The upper level balconies and window awnings are also proposed to encroach into the Square. The upper level balconies (with the exception of the top floor) are proposed to encroach by 1.0 metre and the window awnings are proposed to encroach by 500mm.

The provision of upper level balconies is encouraged within the City Frame Zone to provide passive surveillance and articulation where residential development presents to the 'Squares'. Ground level canopy encroachments are also encouraged where they provide pedestrian protection and visual interest. The Development Plan provisions relevant to balconies and encroachments are as follows:

Council-wide

PDC 222 Cornices, sunscreens and hoods should:

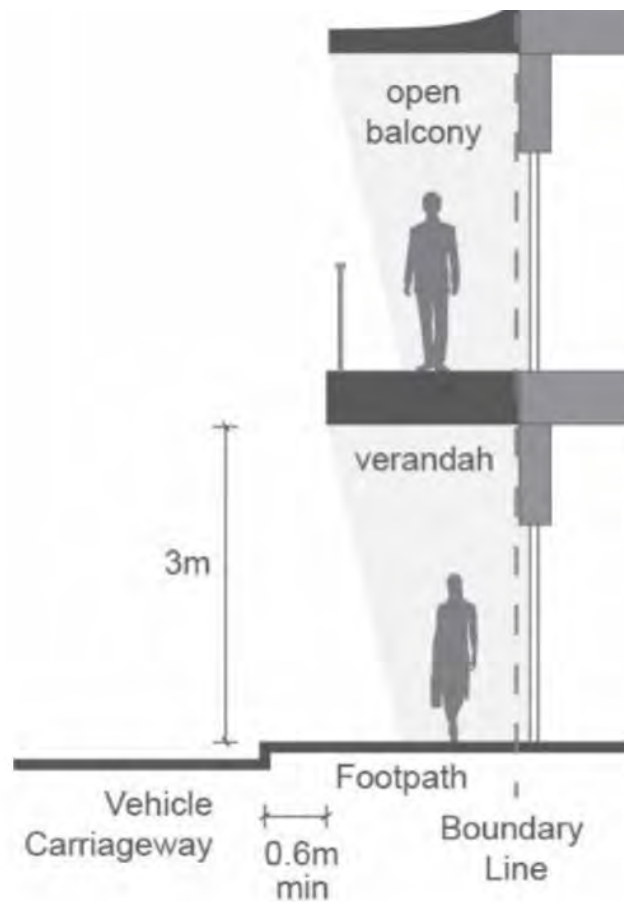
- (a) **have a minimum height of 3 metres above the level of the footway or 5 metres above a carriageway;**
- (b) **have a maximum projection of 1.2 metres over a public space which exceeds 10 metres in width and a maximum of 600 millimetres over a public space which is 10 metres or less in width; and**
- (c) **be constructed to prevent water dripping or running into a public place.**

PDC 62 Balconies should be integrated into the overall architectural form and detail of the development and should:

- (a) **utilise sun screens, pergolas, shutters and openable walls to control sunlight and wind;**
- (b) **be cantilevered, partially cantilevered and/or recessed in response to daylight, wind, acoustic and visual privacy;**
- (c) **be of a depth that ensures sunlight can enter the dwelling below; and**
- (d) **allow views and casual surveillance of the street while providing for safety and visual privacy.**

The proposed ground level canopy is considered appropriate to satisfy encroachment requirements in that the canopy has a height above the footpath level of 3.0 metres. Further, the projection over a public space is proposed at 2.3 metres which would prevent water runoff into public places and ensure pedestrian have ample protection and shading in summer seasons.

In relation to the encroachment of upper level balconies, in addition to Development Plan expectations, the Adelaide City Council administers an Encroachment Policy. We note that the first floor level balcony encroachments are consistent with that Policy, as depicted within the following diagram, provided in 4.2.6 of the Encroachment Policy:



First floor balcony Encroachment guideline

The Encroachment Policy has also recently been amended by Council (on 4 February 2020), with the endorsement of new criteria for balconies above the first floor level, which are permitted in the following instances:

Fronting the following portions of the City Squares:

- *Eastern, northern and western sides of Hindmarsh Square (excluding Currie Street, Waymouth Street and Morphett Street frontages); or*
- *Eastern, northern and western sides of Light Square (excluding Currie Street, Waymouth and Morphett Street frontages); or*
- *Eastern, southern and western sides of Whitmore Square (excluding Wright Street, Sturt Street and Morphett Street frontages); or*
- *Eastern, southern and western sides of Hurtle Square (excluding Carrington Street, Halifax Street and Pulteney Street frontages).*

Reason: These are locations where the heritage values of the City Grid will not be undermined.

The subject site is located on the southern side of Hurtle Square. As such, balcony encroachments are permissible subject to the design criteria being met in the following table:

Table 9: Encroachment Design Criteria

DESIGN CRITERIA	PROPOSED BALCONIES
Being no greater than 30 percent of the street frontage on every level of the building	Comply The balconies above first floor level incorporate 30 percent of the subject sites 22.3 metre Hurtle Square frontage in each instance.
Having no more that 50 percent of each balcony area encroaching over the public realm	Comply In each instance, 31 percent of the balcony area encroaches over the public realm.
Having a maximum encroachment projection of 1 metres	Comply Each balcony encroaches 1 metre into Hurtle Square.
Being designed to be open in form and appearance rather that enclosed	Comply The balconies incorporate clear glazed balustrading and are open on each of the three sides within Hurtle Square. The balconies are open in both form and appearance.
Being free of service infrastructure such as air conditioning units	Comply No service infrastructure is proposed to be located on the balcony encroaching into Hurtle Square.

The balconies are consistent with the quantifiable Adelaide City Council Encroachment design criteria while also providing an amenity benefit for future occupants.

The balconies are also consistent with the qualitative intentions of the Encroachment design criteria in providing an open appearance that is in keeping with the design of the building.

5.0 CONCLUSION

We conclude that the proposed mixed-use building is consistent with the relevant City Frame Zone and Council wide provisions of the Adelaide (City) Council Development Plan. In particular, the proposed development will:

- provide a mixed residential land use that is expressly contemplated and encouraged for development within the City Frame Zone;
- provide a building height that is reasonably in accordance with the maximum height contemplated and satisfies the minimum building height guidelines for the City Frame Zone in this location;
- Establishes a building that exhibits a high level of design and will make a positive contribution to the pedestrian amenity experienced within Hurtle Square, the streetscape and the skyline of the broader locality;
- provide floor and private open space areas to all dwellings that provide comfortable amenity for future occupants;
- is ideally located to take advantage of public transport opportunities on Pulteney Street and Halifax Street, and provide a population base for the utilisation and passive surveillance of Hurtle Square;
- provide designated and consolidated areas for the storage of waste on-site; and
- provide on-site vehicle and bicycle parking above the applicable Development Plan guidelines.

Accordingly, the proposal meets the land use, design and functional expectations of the Development Plan.

We conclude that the proposed development accords with the provisions of the Development Plan, and we therefore invite the Adelaide City Council as the relevant authority to accept that the proposal meets the provisions of the Development Plan in a manner sufficient to enable the application to be approved.



Greg Vincent MPIA
B/A in Planning
10 June 2020

Our Ref.: 200629

9 June, 2020

Forme Projex
c/- Locus Architecture
4 Tapley Street
Adelaide SA 5000

Attention: Andrew Hudson



SOUTH AUSTRALIA
NORTHERN TERRITORY
WESTERN AUSTRALIA

HEAD OFFICE
5/126 Carrington Street
Adelaide, SA 5000

T 08 8228 1600

E admin@teconaust.com.au

Dear Andrew

Project Description: Construction of a seven storey apartment building, including carpark at ground

Project Address: 62-66 Hurtle Square, Adelaide SA 5000

As requested Tecon Australia have undertaken a preliminary review of the architectural documentation issued to date, leading to the lodgement for planning consent. We believe that the form, structure and elements of the building as currently set out, meet the relevant Performance Requirements of the National Construction Code, Volume 1.

The applicable details from the Building Code of Australia are summarised below:

Classification:

- | | |
|--------------|-----------------------------------|
| Ground Floor | - Entrance Foyer – Class 2 |
| | - Commercial tenancy – Class 5 |
| | - Car and Bike Parking – Class 7a |
| Level 1-6 | - Apartments – Class 2 |

Rise in Storeys:

7 Storeys (effective height <25m)

Type of Construction:

Type A

As the design documentation is developed please contact us as required so we can work through the specific details required to obtain Building Rules Consent and good luck with your submission for planning consent.

If you have any queries in relation to the above, please contact Abby Mortimer.

Yours sincerely

TECON AUSTRALIA PTY LTD

Troy Olds
Director

...the way forward.



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56623/0/1
14 May 2020

Forme Projex
40 Gilbert Street
ADELAIDE SA 5000

Attention: Mr A Hudson

Dear Sir

**RESIDENTIAL DEVELOPMENT – 62 - 66 HURTLE SQUARE, ADELAIDE - HURTLE AND CO NO. 6
MECHANICAL, ELECTRICAL, HYDRAULIC AND FIRE PROTECTION SERVICES**

As requested, we present the following summary of the Mechanical, Electrical, Hydraulic and Fire Protection Services proposed to be incorporated into the above development.

We confirm that the locations and spatial allowances for the associated plant and equipment are included in the Locus Architecture concept drawings and reflect the equipment required to suit the relevant statutory authorities specific requirements.

MECHANICAL SERVICES

The proposed Mechanical Services will comprise the following:-

- Air conditioning incorporating high wall split type air conditioning systems to serve the apartments.
- Ducted type toilet exhaust systems to serve the amenities areas in each apartment.
- Ducted type general exhaust systems to serve the laundry areas in specific apartment.
- Ducted type domestic rangehoods to serve the kitchen cooktops.
- Natural ventilation to ground floor carpark utilising natural cross ventilation.
- Natural ventilation and light to the upper floor lift lobbies.

ELECTRICAL SERVICES

The proposed Electrical Services will comprise the following:-

- Emergency and exit lighting to common areas.
- General external, security, carpark and common area lighting.
- General purpose and specific power supplies to common area services.
- General purpose and specific power supplies and lighting connected to individual apartment load centres.
- Telecommunications carrier lead-in conduits to the ground floor distribution point and individual conduit pathways to each apartment.
- Intercoms from the ground floor front entrance door to each apartment.

HYDRAULIC SERVICES

The proposed Hydraulic Services will comprise the following:-

- New South Australian Water Corporation 150mm sewer connection.
- 50mm diameter South Australian Water Corporation water meter located in below ground cast iron footpath box
- Authority natural gas metered connection located within ventilated enclosure.
- Domestic coldwater storage tank and associated pressure pump set to deliver water at maximum 500kPa to all sanitary fixtures.
- Sanitary plumbing drainage and reticulation as required to suit fixture locations.
- High quality commercial grade sanitary fixtures and tapware fittings.
- Tempering valves as required to temper domestic hot water delivered to fixtures used primarily for personal ablution purposes such as hand basins and showers.
- Natural gas fired domestic hot water plant complete with forced circulation flow and return pipe work system located within an enclosed dedicated mezzanine plant space.
- Stormwater drainage from roofed and balcony areas.
- Mechanical services condensate drainage system.

FIRE PROTECTION SERVICES

The proposed Fire Protection Services will comprise the following:-

- Fire service water supply connection from the SA Water Corporation town main in Hurtle Square.
- South Australian Metropolitan Fire Service (SAMFS) suction and booster assembly located in the façade, in location shown on the architectural drawings at ground level, to serve the fire hydrant and fire sprinkler systems.
- Automatic fire sprinkler system throughout.
- Internal fire hydrants located in the fire stair.
- Diesel driven fire pump.
- Internal fire hose reel to the ground floor carpark area.
- Fire Indicator Panel (FIP) located in the entry foyer to serve the smoke detection, occupant warning and sprinkler system alarms.
- Fire alarm transmission to SAMFS for the smoke detection and fire sprinkler systems.
- Smoke alarms to each apartment.
- Smoke detection and alarm system to common areas, lobbies and corridors.
- Portable fire extinguishers (not provided to individual apartments).

ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

The building design and apartment configurations are an evolution of previous projects by Forme Projex.

Part J assessments on previous projects have achieved ratings in excess of the Building Code of Australia (BCA) minimum requirements.

A full Part J assessment will be undertaken for this specific project at the detailed Design/Building Rules Consent submission phase.

The project will incorporate the following ESD initiatives:-

- Low energy LED lighting to all apartments. Typically, 250 watts for 2-bedroom apartments.
- 3 speed (10 / 25 / 50 watt) ceiling fans to assist air movement to bedrooms and living spaces.
- Recessed western facing windows for sun shading.
- Laminated glass with low-e coating to western facing windows.
- LED lighting to common areas activated by PIR movement sensors.
- Energy efficient traction drive passenger lift.
- 10kW solar panel arrays to offset common area power consumption.
- Water and energy efficient gas boosted ring main HWS.
- Water and gas usage on-charged to individual apartments.
- WELS rated low flow tapware and shower heads and dual flush WC's
- High ceilings and window heads to assist natural light penetration.
- Inverter split system air-conditioning to individual living and bedroom areas only, close coupled for efficiency.
- Generous balconies which afford good weather protection to expansive glass sliding doors.
- Naturally ventilated car and bicycle parking areas.
- Insulation to roof, ceilings, internal walls and external walls.
- Naturally ventilated roof cavities.
- Located to maximise walkable amenity, ready access to public transport and designed to minimise the requirement for motorised transport usage.
- Consideration by the car stacker manufacturer for the provision of Electric Vehicle (EV) charging points being made available as an option to each car space.

We trust this is to your satisfaction and would be pleased to further advise upon your request.

Yours faithfully
BESTEC PTY LTD



MARK BATTAMS
ASSOCIATE DIRECTOR

cc Locus Architecture - Mr J Endersbee

HURTLE & CO STAGE 6
62-66 HURTLE SQUARE, ADELAIDE
TRAFFIC AND PARKING REPORT

DISCLAIMER

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DOCUMENT CONTROL

Report title: Hurtle & Co Stage 6, 62-66 Hurtle Square, Adelaide
Traffic and Parking Report

Project number: 20118

Client: Forme Projex

Client contact: Andrew Hudson

Version	Date	Details/status	Prepared by	Approved by
Draft	26 May 20	For review	BNW	BNW
V1.0	28 May 20	For submission	BNW	BNW

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1. INTRODUCTION

CIRQA has been engaged to provide design and assessment advice for the proposed development of a new residential flat building at 62-66 Hurtle Square, Adelaide (Stage 6 Hurtle & Co). Specifically, CIRQA has provided advice in respect to traffic and parking aspects of the proposed development.

This report provides a review of the subject site, the proposed development, its access and parking provisions and the associated traffic impact on the adjacent road network. The traffic and parking assessments have been based upon plans prepared by Locus Architecture (refer Appendix A).

2. BACKGROUND

2.1 SUBJECT SITE

The subject site is located at 62-66 Hurtle Square, Adelaide and comprises five existing allotments. As identified in Figure 1, the site is bound by Hurtle Square to the north, private right-of-way to the south and residential developments to the east and west. The City of Adelaide's Development Plan identifies that the site is located within a City Frame Zone.



Figure 1 - Location of the subject site and adjacent road network

The site currently accommodates five townhouses (one on each allotment). Pedestrian access to the townhouses is provided via the allotments' frontages to Hurtle Square as well as the rear right-of-way (shared with vehicles). Vehicle access is accommodated to the townhouses via the rear right-of-way (with each townhouse including rear garaging). It is noted that a security gate is provided on the right-of-way near its connection to Gilles Street.

2.2 ADJACENT ROAD NETWORK

2.2.1 ACTIVE TRANSPORT

The subject site has a high level of connectivity to the adjacent pedestrian (footpath) network. Footpaths are provided immediately adjacent the site's frontage on Hurtle Square as well as other nearby streets (such as Gilles Street and Pulteney Street). Footpaths are also provided through (the reserve section of) Hurtle Square, with formal pedestrian crossing facilities at the nearby signalised intersections of Pulteney Street/Halifax Street and Pulteney Street/Gilles Street.

The site also has a high level of connectivity to cycling facilities with on-street bicycle lanes provided on both Pulteney Street and Halifax Street. These facilities connect to the broader cycling network including relatively direct connections to the Frome Street bikeway (via Carrington Street) and Park Lands trails (and suburbs beyond).

2.2.2 PUBLIC TRANSPORT

Regular bus services operate on both Halifax Street and Pulteney Street. Bus stops are located in close proximity to the site. The Pulteney Street stops are utilised by a large number of services, including direct connections to Rundle Mall (via Grenfell Street), various metropolitan areas to the north-east, north, south-east, south and south-west of the site and the Adelaide Hills. The Halifax Street stops are serviced by the free "City Connector" bus services which provides bus connectivity to/from Hutt Street, Rundle Mall, the East End, the University Precinct, the Central Market Precinct, the West End and North Adelaide.

Public transport services are also provided via the Glenelg-to-Entertainment Centre tram service operating along King William Street. The nearest stops are located less than 10 minutes' walk from the subject site and provide frequent services in both directions.

2.2.3 ROAD NETWORK

All roads in the vicinity of the subject site are under the care and control of the City of Adelaide. A general urban speed limit of 50 km/h applies on the surrounding roads.

Hurtle Square is a local street that essentially functions as a service road around the public reserve. The section of Hurtle Square in front of the site is approximately 5.8 m wide and under normal conditions accommodates one-way vehicular flow between Pulteney Street and Halifax Street with a parking lane along the southern and eastern sides (construction traffic management is currently in place for Hurtle & Co. Stage 3 but will ultimately be removed).

The on-street parking is restricted to 1-hour parking between 8 am and 6 pm weekdays and 8 am to 12 noon on weekends (and unrestricted at other times). Traffic volumes on the subject section of Hurtle Square would be low (less than 500 vehicles per day (given all properties abutting this section are rear accessed).

Pulteney Street is designated by the City of Adelaide as a 'City Street'. The carriageway comprises two traffic lanes and a bicycle lane in each direction. A dedicated bus lane operates from 7:30 am to 9:00 am weekdays on the western side, and 4:00 pm to 6:00 pm weekdays on the eastern side. On-street parking is generally restricted to two-hour parking during weekdays and Saturday, outside of bus restricted times. Available traffic data suggests that there is a daily vehicular traffic volume of approximately 29,000 vpd on Pulteney Street.

Gilles Street is designated by the City of Adelaide as a local street. The street services primarily residential uses, albeit there is some commercial development (particularly near the intersection with Pulteney Street). The carriageway comprises a single traffic lane and a marked parking lane in each direction. The on-street parking is generally restricted to 2-hour parking during weekday business hours and Saturdays.

Halifax Street, in the vicinity of the subject site is designated as a local street. The street services a mix of commercial and residential uses. The carriageway comprises a single traffic lane and bicycle lane in each direction. Angled on-street parking is also provided to the east of the site. The on-street parking is generally restricted to 2-hour parking during weekday business hours and Saturdays. Available traffic data suggests that there is a daily vehicular traffic volume of approximately 5,500 vpd on Halifax Street.

3. PROPOSED DEVELOPMENT

3.1 LAND USE AND YIELD

The proposed development comprises the demolition of the existing buildings on the subject site and the construction of a new multi-storey residential flat building accommodating 32 dwellings (8 studio, 8 one-bedroom, 3 two-bedroom and 13 two-bedroom plus study dwellings). In addition to the residential component, a 57 m² floor area commercial tenancy will be provided on the ground floor.

3.2 ACCESS AND PARKING DESIGN

The development will be serviced by a ground level car park with a total of 17 (car) parking spaces. A total of 40 bicycle parking spaces will be provided on the ground floor.

Access to the site will be accommodated via a roller door adjacent the rear right-of-way. Cyclist access can be accommodated either via the rear right-of-way or direct access to the bicycle parking area via Hurtle Square. Pedestrian access will be primarily provided via Hurtle Square. However, pedestrian access will also be possible via the rear right-of-way.

Thirteen of the car parking spaces will be provided on the ground floor within an automated mechanical car stacking system (Nussbaum Liftparker 5302). An additional four standard (non-mechanical) spaces will also be provided (resulting in a total provision of 17 car parking spaces).

The parking will be accessed via a central aisle. The car stacking system will be installed in accordance with the manufacturer's specifications. The parking spaces and stacker system will also generally meet the requirements of the relevant Australian Standard (AS/NZS 2890.1:2004) in that:

- spaces will at least 2.4 m wide and 5.4 m long;
- an aisle width in excess of 5.8 m will be provided behind the spaces; and
- a clearance of at least 0.3 m will be provided to all objects greater than 0.15 m in height.

The car clearance envelope requirements of AS/NZS 2890.1:2004 will generally be met, however columns will be located behind the 'flare' of the envelope. The intent of the Standard (to ensure appropriate manoeuvrability into and out of spaces) will however be met given the width of the aisle is greater than that required by AS/NZS 2890.1:2004. Furthermore, users of the parking spaces will be residents and hence will be familiar with column locations and the associated turning movements required to enter/exit the spaces.

Figure 2 illustrates indicative turn paths for ingress and egress movements to and from parking spaces within the stacker system to demonstrate that adequate manoeuvrability will be maintained. The turn path assessment indicates that ingress movements can be undertaken in a three-point turn and that egress movements can be achieved via a single-point turn (i.e. two-movements). Such manoeuvres are permitted by the Australian Standard (AS/NZS 2890.1:2004) for ingress and egress movements undertaken by residents.

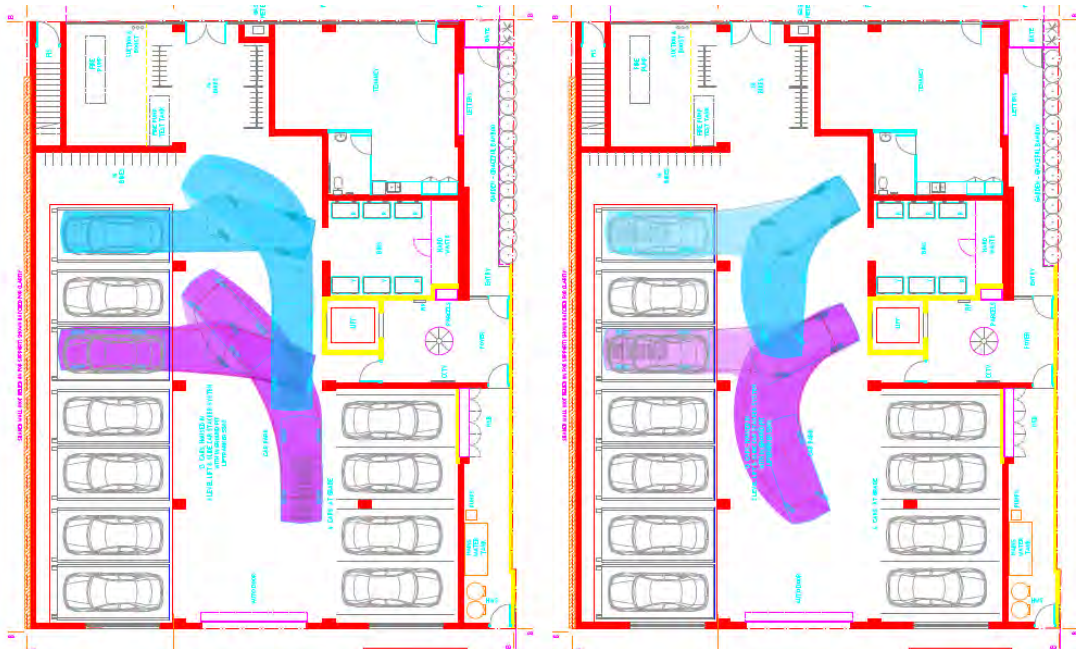


Figure 2 – Indicative turn paths for ingress and egress movements for parking spaces

Refuse collection is proposed to occur on-street in Hurtle Square. Bins will be stored within the building (adjacent the car parking area) and wheeled out to Hurtle Square for weekly collection by a Council's collection service.

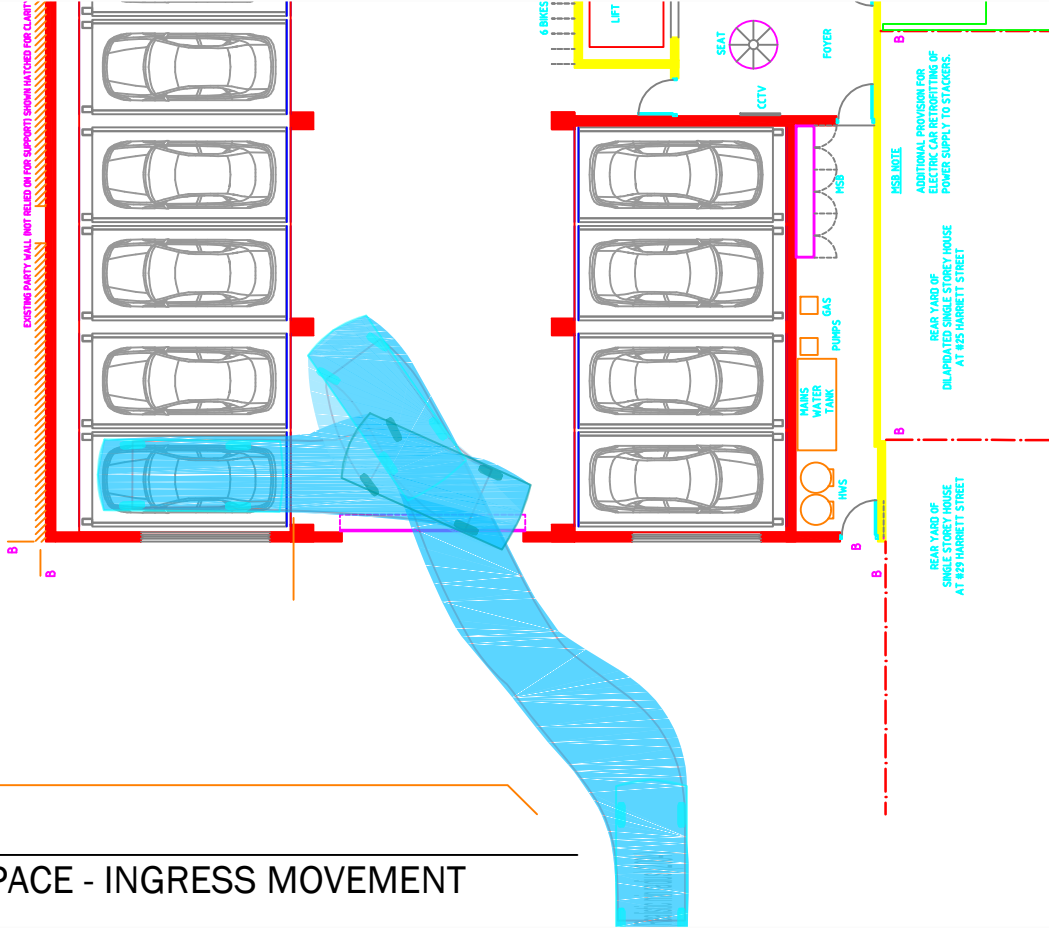
4. PARKING ASSESSMENT

4.1 CAR PARKING

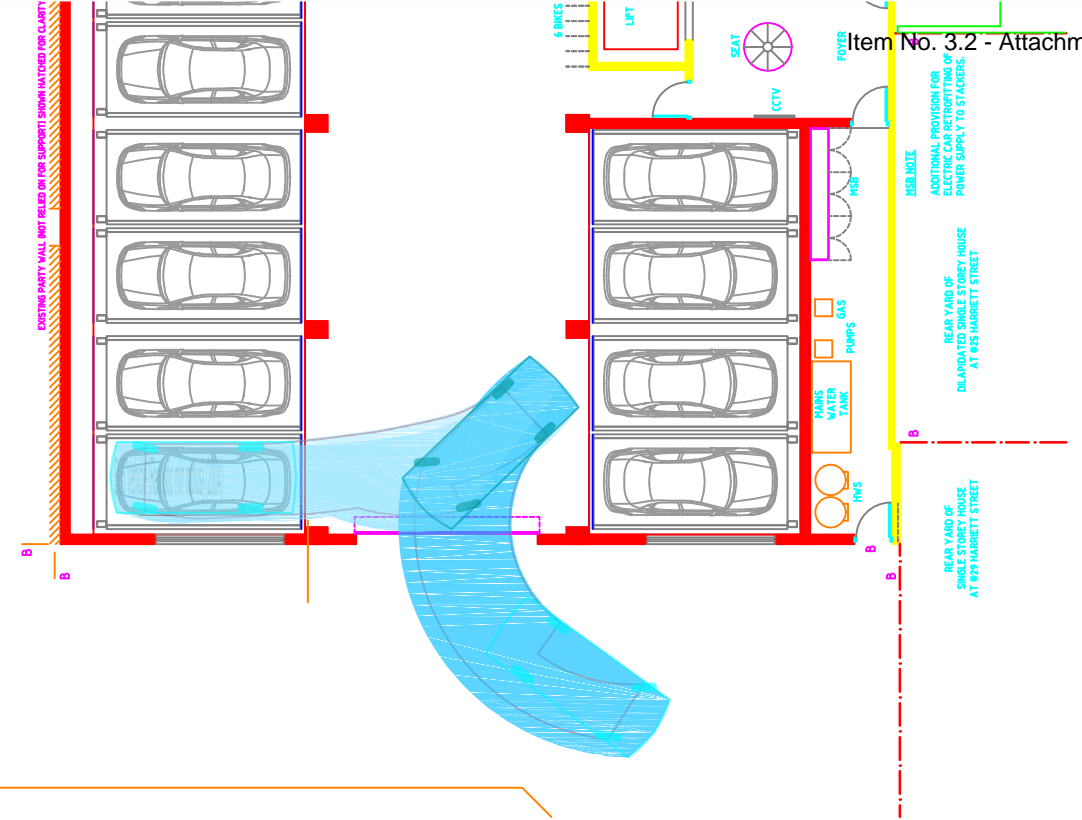
4.1.1 OFF-STREET PARKING PROVISION

As stated above, the subject site is located within the City Frame Zone of the City of Adelaide's Development Plan. Principle of Development Control (PDC) 24 for the City Frame Zone identifies that parking provisions for developments should be in accordance with Table Adel/7 of the Development Plan.

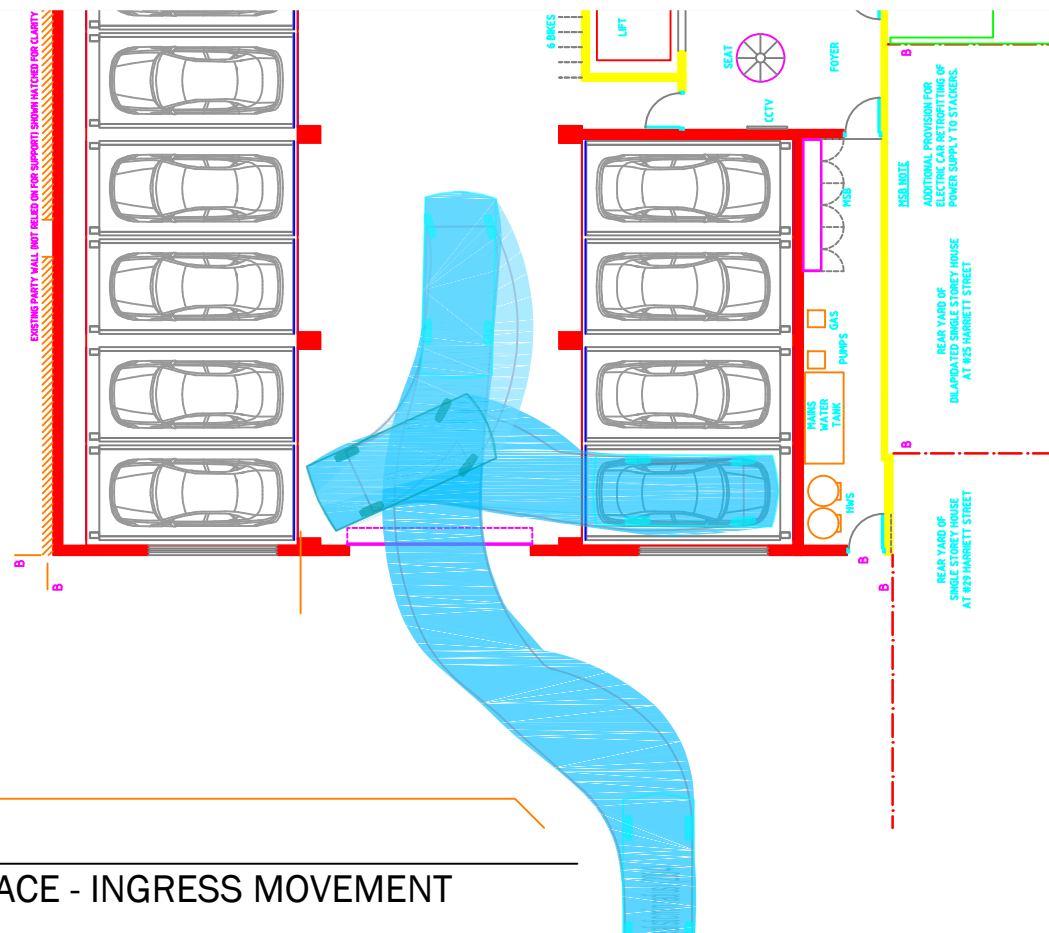
Table Adel/7 provides minimum car parking provision rates for medium to high scale residential development within Main Street (O'Connell, Hutt and Melbourne East) and Mixed Use (Melbourne West) zones and maximum provision rates for sites within the Primary Pedestrian Area. The subject site is not situated within these zones/areas and, therefore, there is no requirement identified by the Development Plan for parking provision for the residential component of the proposal. Table Adel/7 does however specify a range of three spaces (minimum) to five spaces (maximum) per 100 m² of gross leasable floor area of non-residential development (which would be applicable to the proposed commercial tenancy). This would result in a requirement for between two and three spaces for the proposed commercial tenancy.



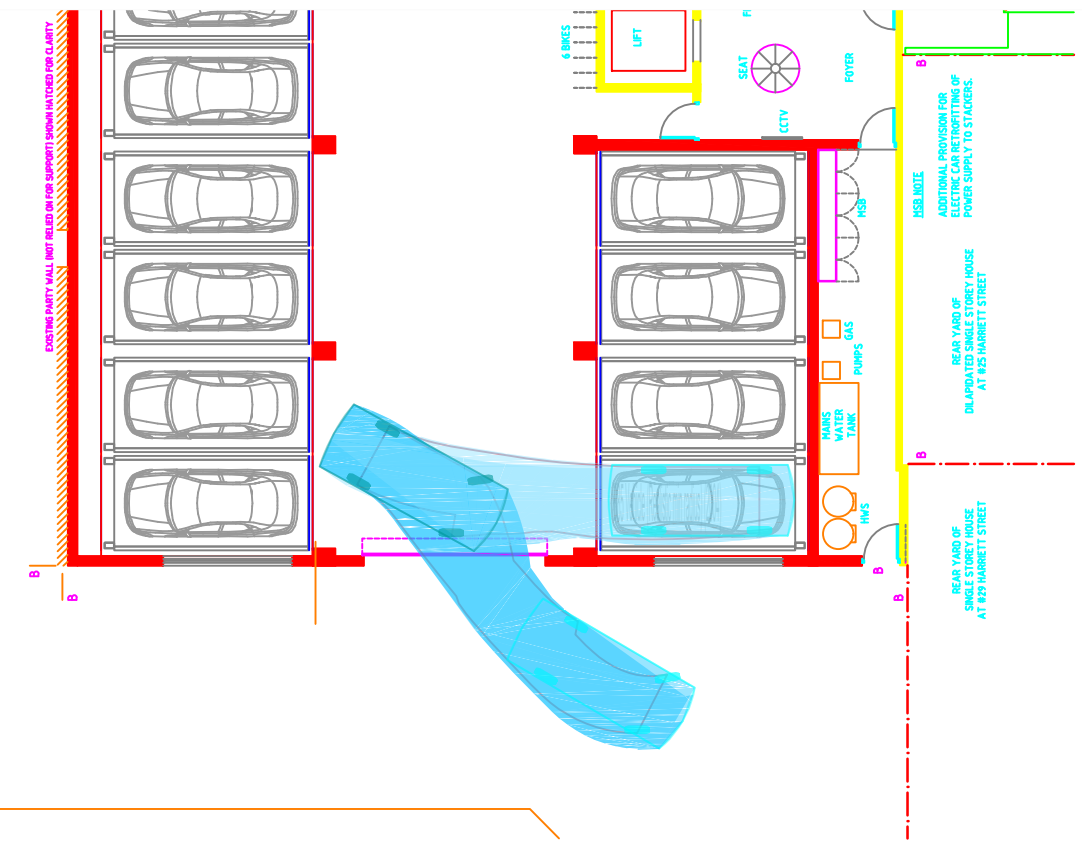
WESTERN SPACE - INGRESS MOVEMENT



WESTERN SPACE - EGRESS MOVEMENT



EASTERN SPACE - INGRESS MOVEMENT



EASTERN SPACE - EGRESS MOVEMENT

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DRAWING AMENDMENTS				
VER	DATE	DESCRIPTION	DWN	CHK
A	12/08/20		BNW	BNW

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However, while there are no specific car parking provision requirements associated with the residential component of the proposal, the following objectives and principles relevant to parking provision considerations are provided in the Development Plan:

- **Council Wide Objective 71** – “To meet community expectation for parking supply while supporting a shift toward active and sustainable transport modes” (our emphasis);
- **Council Wide Objective 72** – “An adequate supply of short-stay and long-stay parking to support desired growth in City activities without detrimental affect (sic) on traffic and pedestrian flows” (our emphasis); and
- **PDC 264** – “On-site parking should be provided for development in those localities close to the City Living Zone...” to minimise impact on on-street parking in the City Living Zone (the subject site is immediately adjacent to the City Living Zone).

It is proposed that one parking space be provided for each of the two-bedroom dwellings (including those with studies). A second space is also proposed to be assigned to one of the upper floor dwellings. No parking will provided for the studio and one-bedroom apartments. Such provisions are considered to be in line with similar provisions at a number of other residential developments approved with the City (in particular, this is very similar to the approved arrangements for Hurtle & Co. Stage 2 with no significant impact on on-street parking conditions observed). In particular, it is considered that the proposed provision is adequate to meet resident parking demands whilst avoiding over-supply of spaces.

It is noted that there is a requirement of at least two spaces for the commercial component, however, no designated parking is proposed to service the commercial use. Nevertheless, such an arrangement is considered acceptable given:

- the site is highly accessible by both walking and cycling (with adequate bicycle parking provision provided on-site including bicycle parking spaces);
- the site is highly accessible by high frequency public transport including buses and trams (both within walking distance);
- a car share scheme is available within the City of Adelaide with designated car share spaces within walking distance of the site;
- private leasing arrangements of off-street parking spaces is common-place within the City (via online services such ‘Parkhound’ as well as through traditional real estate agencies). A review of Parkhound’s current listings identifies that there are number of spaces available for lease within close proximity to the subject site; and

- similar arrangements have been approved for other developments in the subject locality (such as Hurtle & Co. Stages 1 to 5) without significant impact on parking conditions. Notably, CIRQA's office is located on Halifax Street, in close proximity to the subject site, and has no on-site (or leased off-site) car parking (with the majority of staff typically riding to work or utilising public transport).

4.2 BICYCLE PARKING

The Development Plan identifies the following bicycle parking provision rates:

- residential - one space per apartment less than 150 m², two spaces per apartment greater than 150 m² and one visitor parking space per ten apartments;
- office - one staff space per 200 m² of gross floor area and 2 spaces plus 1 space per 1,000 m² gross floor area for visitors.

On the basis of the above, there is a requirement for 32 resident spaces, 4 resident visitor spaces, 1 staff space and 3 office visitor spaces associated with the development (a total of 40 bicycles spaces). The proposed provision of 40 bicycle parking spaces will therefore meet the requirements of Council's Development Plan.

5. TRAFFIC ASSESSMENT

5.1 TRAFFIC GENERATION AND DISTRIBUTION

The NSW Roads and Maritime Services' *"Guide to Traffic Generating Developments"* (the RMS Guide), and its subsequent updates, identifies a traffic generation rate of 0.19 am and 0.15 pm peak hour vehicle trips per dwelling for high density residential dwellings (as is the subject proposal).

On the basis of the above rates the development would generate in the order of six am and five peak hour vehicle trips. Given no parking will be provided on site for the commercial component, there would be negligible additional trips associated with the tenancy. The forecast number of vehicle movements associated with the proposal is very low and would be readily accommodated on the right-of-way and the surrounding road network.

Furthermore, the above does not include consideration of the traffic generation associated with the existing townhouses. The realised level of additional traffic will therefore be lower than that forecast. The total daily traffic experienced on the right-of-way and the surrounding road network (following construction and occupation of the development) will be easily accommodated.

In respect to access to the mechanical parking system and potential impacts on the adjacent right-of-way (associated with queuing and delays), the proposed stacking system would default to provision of a vacant parking space for entering drivers. It is understood that the proposed system presents a maximum waiting time of 60 seconds for entering drivers. Given the very low number of movements associated with drivers accessing the site's proposed car park, there would be minimal queuing associated with the stacking facility and, importantly, little impact (if any) on vehicle movements within the right-of-way. Any interaction between drivers entering and exiting the site and others utilising the right-of-way would be similar to existing conditions. However, it is noted that the consolidation of access for the subject site (compared to the existing separate garages) will reduce the number of conflict points on the right-of-way which is a positive impact.

6. SUMMARY

The proposed development comprises demolition of the existing townhouses on the subject site and construction of 32 residential dwellings and a small commercial tenancy in a multi-storey residential apartment building. The site is well serviced by active (walking and cycling) facilities and public transport services which will minimise reliance on private motor vehicles.

The development will be serviced by 17 car parking spaces. The proposed level of parking is considered appropriate. In addition, 40 bicycle parking spaces (to be provided on-site within a dedicated bicycle room or within the garage). The bicycle parking provisions will meet the requirements of Council's Development Plan.

Access to the vehicle parking area is proposed via the rear right-of-way with no direct vehicular access to Hurtle Square. Car parking will be accommodated in a mechanical car stacking system with the exception of four standard parking spaces. The additional traffic volumes associated with the development will be very low and readily accommodated on the right-of-way and the adjacent road network. Refuse collection will be undertaken on-street (by a Council's collection service) adjacent the subject site.

17 July 2020

Adelaide City Council
PO Box 2525
ADELAIDE SA 5000

Attention: Edouard Pool

Dear Edouard

Re: 62-66 Hurtle Square, Adelaide
Proposed construction of a Seven Storey Residential Building with
Ground Floor Office Tenancy and associated Car Parking

MasterPlan SA Pty Ltd acts on behalf of Forme Projex. Further to our meeting to discuss Council's preliminary assessment of the application, we have been asked to review and respond to matters identified in that meeting.

Our response to the matters identified in the meeting are provided below, which are to be read in conjunction with amended plans identified in the following drawing schedule dated 7 July 2020 prepared by *Locus Architecture*, which are **attached**.

Table 1: Drawing Schedule

DRAWING NUMBER	REVISION	DESCRIPTION	DATE
Cover Page			
DPC.001	V1.1	Location Plan	07.07.2020
DPC.002	V1.1	Site Plan	07.07.2020
DPC.003	V1.1	3D Artists Render	07.07.2020
DPC.003a	V1.1	Contextual 3D Renders	07.07.2020
DPC.004	V1.1	Ground Floor	07.07.2020
DPC.005	V1.1	Level 01	07.07.2020

DRAWING NUMBER	REVISION	DESCRIPTION	DATE
DPC.006	V1.1	Level 02-04	07.07.2020
DPC.007	V1.1	Level 05	07.07.2020
DPC.008	V1.1	Level 06	07.07.2020
DPC.009	V1.1	Roof Plan	07.07.2020
DPC.010	V1.1	Section	07.07.2020
DPC.011	V1.1	Elevations - North	07.07.2020
DPC.012	V1.1	Elevations - East	07.07.2020
DPC.013	V1.1	Elevations - South	07.07.2020
DPC.014	V1.1	Elevations - West	07.07.2020
DPC.015	V1.1	Typical 2 Bedroom Floor Plan	07.07.2020
DPC.016	V1.1	Typical 1 Bedroom Floor Plan	07.07.2020
DPC.017	V1.1	Typical Studio Floor Plan	07.07.2020
DPC.018	V1.1	Floor Area Calculation Plans	07.07.2020

1. Transformer

The applicant's engineer has undertaken investigations into the capacity of the existing power supply to the site and identified that the existing transformer (located within allotment 12, being the common driveway servicing the development – refer to **Image 1** below) is capable of accommodating the estimated load generated by the proposed development.

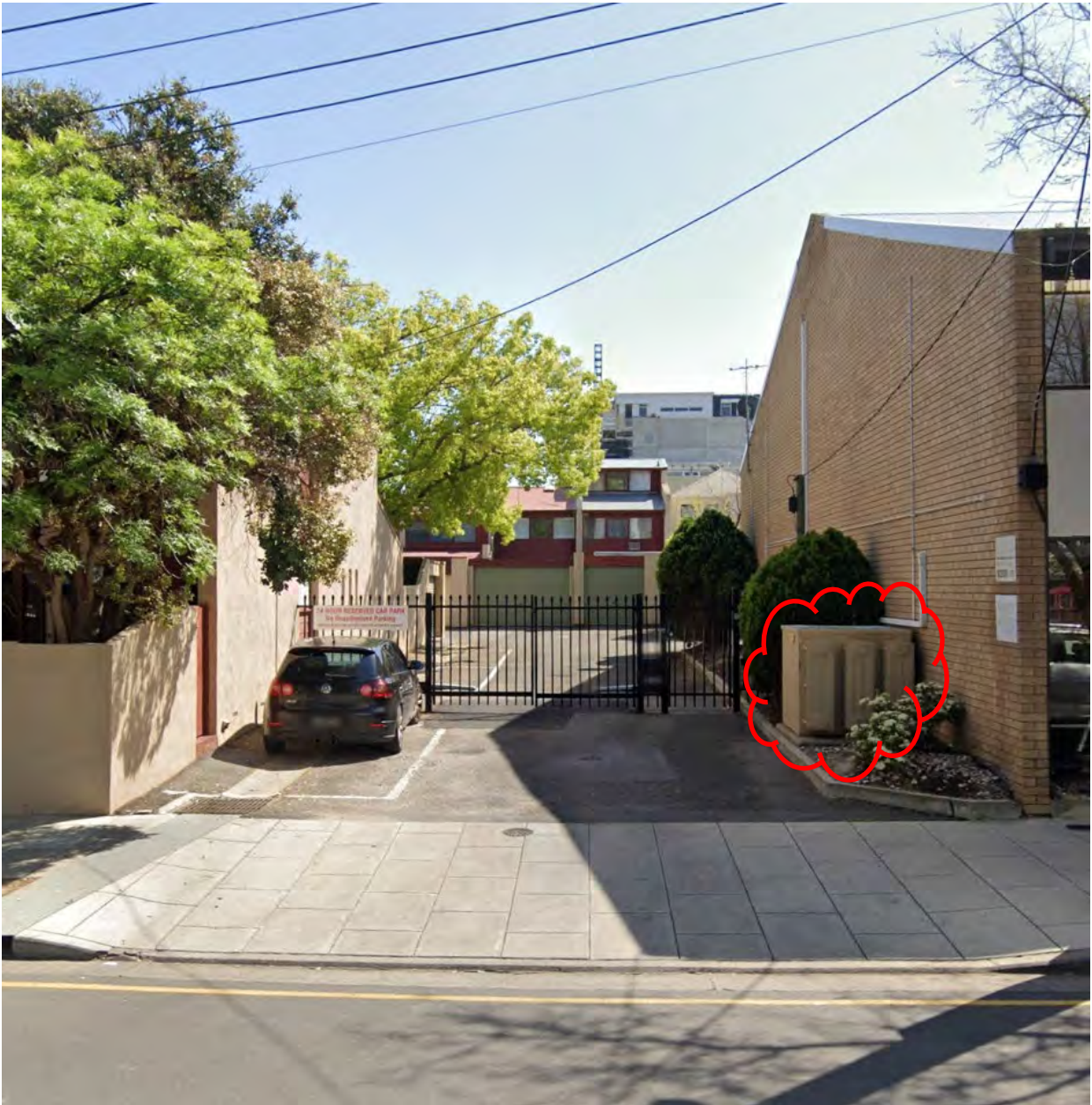


Image 1: Existing Transformer Location

Accordingly, no additional on-site transformer is required to be accommodated within the design to augment power requirements associated with this development.

2. Waste collection

Following feedback on the development at 42-48 Hurtle Square from Council's Manager of Waste and Cleansing Operations and preference for Council collection from the Hurtle Square frontage, the proposed development has been designed to accommodate the bins to be collected via Hurtle Square. A note has been added to the attached ground level plan.

3. Bin washdown

A bin washdown area has not been allocated for within the footprint of the building, with developers experience that bin cleansing is best undertaken by a commercial contractor, with a mobile cleansing unit in a self-contained vehicle, coordinated by the building's Community Corporation. A note to this effect has been included on the ground level plan.

4. Security gate setback

The ground floor plan has been amended, realigning the proposed security entry gate to the street alignment avoiding a setback of a security gate at the Hurtle Square street frontage. The materiality of the gate has also been changed to allow improve visual permeability through the gate. (Refer to attached plan DPC.004).

5. Postal access via Fob

The proposed mailboxes are located behind the entrance security gate. Australia Post are provided with a fob for the front gate to obtain access. The amended plan prepared by *Locus Architecture*, includes a note on the ground level plan to this effect.

6. Electric car retrofitting

With the increased availability and take up of electric vehicles, the on-site car parking is being provided with provisions for the future installation of electric car charging facilities. The amended ground floor plan includes a note to the effect that the power supply to electric cars for additional provision is to be built in the stackers.

7. Building height

The proposed building height is confirmed as 21.9 metres to the building parapet. The cross section drawing DPC.010 has been amended to illustrate the height of the lift overrun, which measures 21.88 metres.

8. Clarification of Studio apartments

The application documents submitted at the time of lodgement identified the central south facing apartments (Apartments 4 and 5) on levels 1 to 4 as studio apartments with a design consistent with what the Adelaide City Council has endorsed in previous development around Hurtle Square.

For the purposes of clarification and to avoid any doubt the design of the apartments 4 and 5 on levels 1 to 4 inclusive have been redesigned. Apartment 5 has been reclassified as a One- bedroom apartment with an internal floor area of 50.5 square metres and balcony providing open space of 8.0 square metres. Apartment 4 being a Studio apartment with no internal division walls separating the bedroom from the living areas has an internal floor area of 49 square metres and balcony providing open space of 4.4 square metres.

We also confirm that all dwellings are to be used as permanent accommodation and the by-laws that will accompany the future community title division of land will prohibit the use as serviced apartments for short term tenancies of less than two months noting that this is standard practice in all Forme Projex developments.

9. Roof water catchment

There is minimal opportunity for roof catchment and reuse on the subject site. Opportunity for catchment and re-use has been identified off the entrance canopy for the watering of the proposed landscaping of the entrance walkway. The ground floor plan has been amended to identify that the roof water is collected from the lower foyer roof and re-used to water the landscape on the garden bed at the side of security gate.

10. Visual interest to the bike door / Fire Pump Room

The building has been designed to provide the highest proportion of visual permeability and active frontage to Hurtle Square expressing the use of the areas at ground floor. Following Council comments the approach to the ground floor glazing has been reviewed and an amended northern elevation prepared (Refer to Drawing DPC.011), which includes the application of public art to the Fire Pump Room Glazing in the form of pic perf doors with art work from 'Big Roar' consistent with the music identity themes encapsulated by murals on the developers other buildings.

11. Impact to eastern adjacent dwelling

The adjacent dwelling to the east has a first-floor courtyard in the north-western corner adjacent the subject site and a ground floor courtyard in the south-western corner abutting the boundary of the subject land.

The existing townhouse on the subject site has a two-storey boundary wall abutting the adjacent dwellings ground level courtyard.

The proposed development creates a 2.3 metre setback from the boundary reducing the existing impact on the adjacent dwelling. The proposal plans and elevations prepared by *Locus Architecture* clearly illustrate the proposed building is 2.3 metres up-level setback from eastern boundary affording the opportunity for the first floor courtyard of the adjacent dwelling to maintain a sky view towards Hurtle Square and reducing the direct impact of a two storey high wall to a single storey high wall on the boundary adjacent the ground floor courtyard A comparison section elevation and plan have been prepared by *MasterPlan* to analysis the impact to adjacent building by comparing the proposed setback upper level and existing building wall on the eastern boundary. (Refer to **attached**).

12. Air conditioning units behind boundary line

The proposal plans clearly identify the site boundaries at all floor levels, and where Air conditioning units have been placed on the balconies they are located within the site behind the boundary line under BBQ benches and screened by precast elements in the facade.

13. The material and finishes of canopies

Amended elevations prepared by *Locus Architecture*, illustrate the materials and finishes for the proposed canopies as follows:

- aluminium extrusion to underside of canopies;
- finished in solid 3mm thick folded 'black' Mondo clad;
- soffit lining;
- timber 'look' aluminium battens.

14. Precast Panel Colour and Finish

The Materials and Finishes palette has been amended on the elevations to highlight the use of a colour impregnated panel with a sandstone appearance, together with a mix of finishes including Honed, Acid etched and off-form depending on the location and function on the façade. Highlight elements use a dark applied Dulux Acratex Finish to elements of precast panel with 'night sky' are also used across the facades.

15. Additional visual interest to central section of building

Amended north and south elevations have been prepared with a variation to the balcony edges now illustrating a dark "night sky" finish which together with the grey tint glass of the balustrade and recessed shadow from the depth of the balconies results in consistent vertical architectural expression in the facades.

16. Eastern and western elevation window treatment

Additional details to the window treatment of a boxed sun shade has been added to the east and western facades incorporating a 'powder-coated' black colour which together with the acid etch finish on the precast results in the northern façade wrapping around to the side elevations.

17. Environmental Response / East and West elevation glazing

The proposed development includes a low-e double glazing glass on the windows in the eastern and western elevation, which together with the smaller extent of glazing affords appropriate environmentally sensitive design response to the impact from eastern and western heat gain.

This is supported by the external wall construction which as shown on the amended plan has a precast cavity wall section detail including an air gap and R3.0 insulation which provides an overall environmental performance of R4.7.

18. Impact to street tree

The canopy over the Hurtle Square Foot path has been reduced in size to avoid any potential conflict with the canopy of the existing street tree.

19. Overlooking windows eastern side

The windows in the eastern and western elevation have been amended to maintain a minimum windowsill height of 1.6 metres from floor level, which will avoid any perceived overlooking to the private open space to adjacent dwellings.

We trust this adequately responds to your concerns for the last council meeting and look forward to further consideration of this Development Application.

Please feel free to contact me should you require additional information or clarification.

Yours sincerely



Greg Vincent
MasterPlan SA Pty Ltd

enc: Amended Plan Set, prepared by Locus Architecture.

cc: Forme Projex, Att: Andrew Hudson.
LOCUS, Att: John Endersbee.

6 August 2020

Adelaide City Council
PO Box 2525
ADELAIDE SA 5000

Attention: Edouard Pool

Dear Edouard

Re: 62-66 Hurtle Square, Adelaide
Proposed construction of a Seven Storey Residential Building with
Ground Floor Office Tenancy and associated Car Parking

MasterPlan SA Pty Ltd acts on behalf of Forme Projex. Further to your email of the 4 August 2020 providing further feedback from Council, we have been asked to review and respond to matters identified in that email.

Our response to the matters identified in your email are provided below, which are to be read in conjunction with amended plans identified in the following drawing schedule dated 5 August 2020 prepared by *Locus Architecture*, which are **attached**.

Table 1: Drawing Schedule

DRAWING NUMBER	REVISION	DESCRIPTION	DATE
Cover Page			
DPC.001	V1.2	Location Plan	05.08.2020
DPC.002	V1.1	Site Plan	07.07.2020
DPC.003	V1.2	3D Artists Render	05.08.2020
DPC.003a	V1.1	Contextual 3D Renders	07.07.2020
DPC.004	V1.1	Ground Floor	07.07.2020
DPC.005	V1.1	Level 01	07.07.2020

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DPC.008	V1.2	Level 06	05.08.2020
DPC.009	V1.1	Roof Plan	07.07.2020
DPC.010	V1.1	Section	07.07.2020
DPC.011	V1.1	Elevations - North	07.07.2020
DPC.012	V1.2	Elevations - East	05.08.2020
DPC.013	V1.2	Elevations - South	05.08.2020
DPC.014	V1.2	Elevations - West	05.08.2020
DPC.015	V1.1	Typical 2 Bedroom Floor Plan	07.07.2020
DPC.016	V1.1	Typical 1 Bedroom Floor Plan	07.07.2020
DPC.017	V1.1	Typical Studio Floor Plan	07.07.2020
DPC.018	V1.2	Floor Area Calculation Plans	05.08.2020

1. It would be desirable to provide some 'visual interest' to the large expanse of western wall.

In response to the above comment, the western boundary wall has been amended to include a "Vine Motif, cast as a serpentine groove into the face of the precast face".

The visual appreciation of the proposed expression in the precast panels has been illustrated in DPC.014 West Elevation and DPC.003 the 3D Artists Render and reflected in the comparison images below.



Image 1: West Elevation Dated 07.07.20



Image 2: West Elevation 05.08.20

2. In addition, perhaps they could apply that same 'feature window treatment' (on the eastern and western windows) to the upper level south facing windows?

The feature treatments of the eastern and western upper level windows cannot be replicated in the southern elevation due to the encroachment that would result over the rear access road, which is a separate title over which the subject land has a right of way only and does not have any formal rights to project building elements over the boundary.

Accordingly the applicant has explored an alternate approach to the visual interest of the upper level south facing windows by enlarging the windows and incorporating a glass spandrel panel which defines the different floor plan configuration of these two levels in the southern elevation. The comparison of the elevations is illustrated in the images below:



Image 3: South Elevation Dated 07.07.20



Image 4: South Elevation 05.08.20

3. The bedroom windows on the east and west sides (closer to the centre of the building) appear to still have a sill height below 1600. Can this be altered?

The eastern and western elevations have been annotated to clearly illustrate that all windows in these elevations attain a minimum sill height of 1600 millimetres above the respective finished floor levels.

Please refer to DPC.012 East Elevation and DPC.013 West Elevation and the elevation extract in **Image 5** below:



Image 5: East Elevation 05.08.20 (Extract)

4. The soffit to the penthouse roof appears too dark. To accentuate the appearance can timber or a lighter finish be applied?

The soffit colour has been changed to a Dulux Lexicon painted finish as illustrated in the comparison images below. Please note that a timber soffit does not meet the current Building Rules Requirements and accordingly cannot be used.



Image 6: Artistic Render Dated 07.07.20



Image 7: Artistic Render 05.08.20

5. The southern elevation, although setback off from public street and thus not as readily visible, lacks visual interest.

We refer to point 2 above in the manner by which the southern elevation has been amended to address this comment.

Please feel free to contact me should you require additional information or clarification.

Yours sincerely



Greg Vincent
MasterPlan SA Pty Ltd

enc: Amended Plan Set dated 05.08.20, prepared by Locus Architecture.

cc: Forme Projex, Att: Andrew Hudson.
LOCUS, Att: John Endersbee.



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 5091 Folio 312

Parent Title(s) CT 4174/130
Creating Dealing(s) CONVERTED TITLE
Title Issued 30/09/1992 Edition 6 Edition Issued 11/05/2010

Estate Type

FEE SIMPLE

Registered Proprietor

MICHAEL JOHN LLEWELLYN-SMITH
IDA JONASSEN LLEWELLYN-SMITH
OF 27 KATE COURT ADELAIDE SA 5000
WITH NO SURVIVORSHIP

Description of Land

ALLOTMENT 9 FILED PLAN 9677
IN THE AREA NAMED ADELAIDE
HUNDRED OF ADELAIDE

Easements

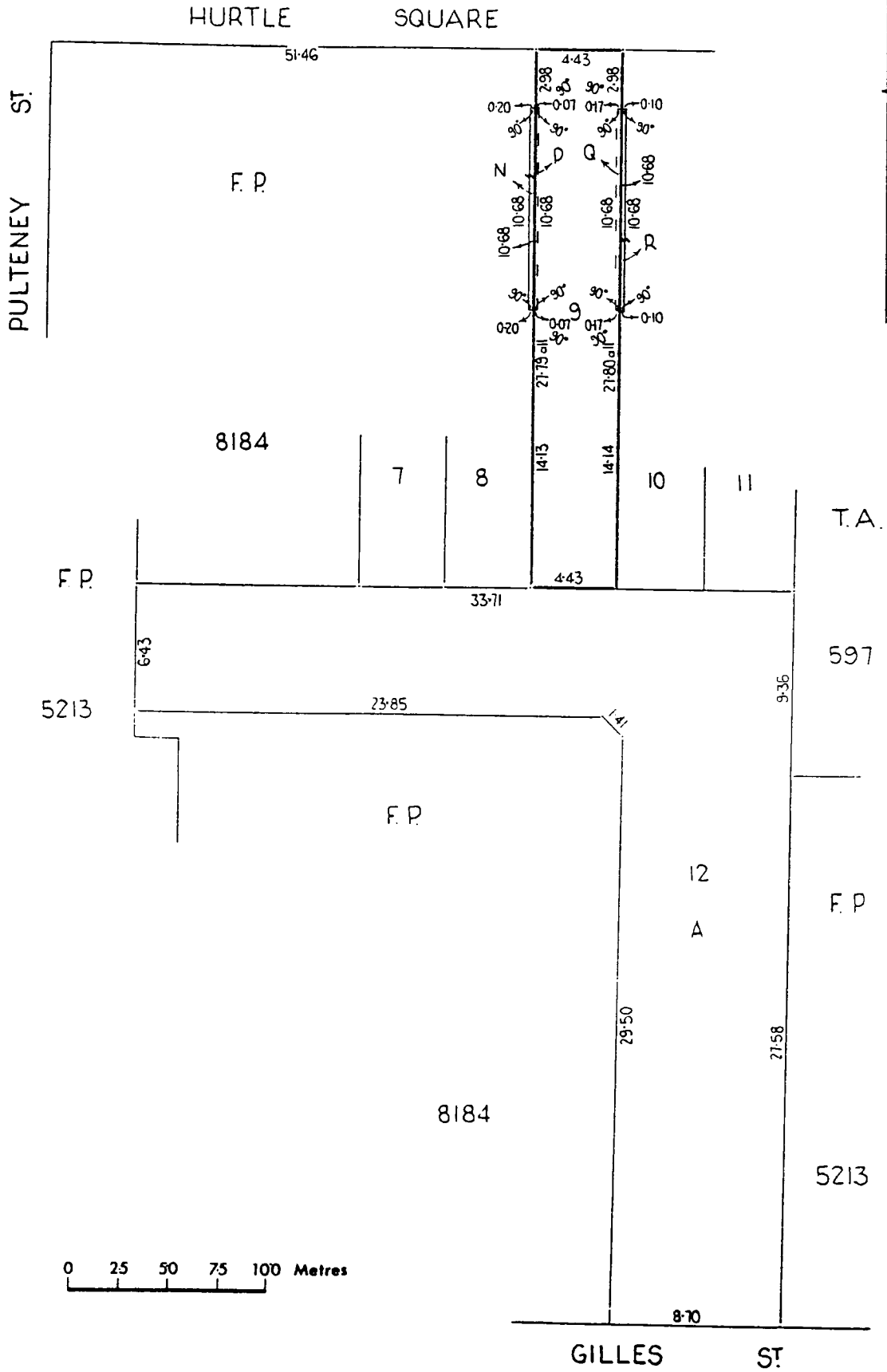
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED P (T 4609945)
SUBJECT TO PARTY WALL RIGHT(S) OVER THE LAND MARKED Q (T 4609947)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED N (T 4609945)
TOGETHER WITH PARTY WALL RIGHT(S) OVER THE LAND MARKED R (T 4609947)
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A

Schedule of Dealings

Dealing Number	Description
4609955	ENCUMBRANCE TO THE HURTLE SQUARE GROUP MANAGEMENT ASSOCIATION INC. (SINGLE COPY ONLY)

Notations

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





Note. For TRIM workflow assign "Heritage Enquiries"

INTERNAL MEMO – LOCAL HERITAGE			RE-REFERRAL <input type="checkbox"/>
TO	Local Heritage Advisor	DATE	10 August 2020
ATTN	Simon Weidenhofer	RETURN BY	17 August 2020
FROM	Edouard Pool	REF (TRIM)	DA/295/2020
SUBJECT	Development Application Referral to Local Heritage Advisor		
APPLICATION	DA/295/2020	HIS	
ADDRESS	62 62A 64 64A 66 Hurtle Square, ADELAIDE SA 5000		
DESCRIPTION	Construction of a seven-storey residential flat building (32 dwellings) with ground floor commercial tenancy and associated car parking		

PLANNER TO COMPLETE		
ASSESSING OFFICER'S COMMENT	URGENT	<input type="checkbox"/>
<p>Questions regarding this development should be directed to Edouard Pool, Ext. 771</p> <p>Comments regarding this Development would be appreciated by the 'Return By' date shown above.</p> <p>Heritage places about the site - 25-27 and 29-31 Harriet Street.</p>		

LOCAL HERITAGE ADVISOR TO COMPLETE	
COMMENTS	
<p>I have reviewed the proposed development against the heritage value of the adjacent Local Heritage Places in Harriett St (25-27, and 29-31 Harriett St).</p> <p>Whilst the proposed development is built to the common rear boundary of these LHPs, this section is only one storey high, with the upper six storeys set back from the boundary by 2.27m.</p> <p>I do not consider CW PDC140 to be particularly relevant given the proposed development site is to the rear of the LHPs and fronts Hurtle Sq rather than Harriet St. There is also a reasonable separation which further lessens the direct impact upon the LHPs.</p> <p>On this basis I consider the direct impact on the heritage value of the LHPs to be minimal.</p> <p>This opinion is based on an assessment against the heritage provisions of the Development Plan and is not an assessment against the broader provisions of the Plan.</p>	
Please return your comments and original plans to Development Assessment	
Simon Weidenhofer	Date: 12 August 2020

CITY OF ADELAIDE COUNCIL ASSESSMENT PANEL ON 24/08/2020

Item No: 5.1

From: Assessment Manager

Subject: List of Recent Lodgements for Planning Consent (2017/02505) [CAP]

PURPOSE

To provide Panel Members with a list of development applications lodged for planning consent for the period 17 July 2020 to 13 August 2020.

A total of 49 development applications with a total value of \$6,087,719 have been lodged for planning consent for this period.

ATTACHMENTS

Lodged Applications for Planning Consent 1 - 6

RECOMMENDATION

That the report be received.

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DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 17/07/2020 to 13/08/2020

Application Assessed on Merit

#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
1	DA/137/2020/A	Michael Hill 75 Rundle Mall ADELAIDE SA 5000	Vary previous authorisation undertake external alterations to existing shop to construct a new window display - VARIATION - reduction in extent of works	31/07/2020	TBA	Category 1
2	DA/205/2020/A	Plaza Hotel 85 Hindley Street ADELAIDE SA 5000	Vary previous authorisation internal and alterations to existing building and change of use of ground floor from shops to bar/entertainment - VARIATION - Change use of part of first floor to bar with entertainment	23/07/2020	TBA	Category 1
3	DA/225/2019/A	PRINCE ALBERT HOTEL 254-256 Wright Street ADELAIDE SA 5000	Vary previous authorisation Change of use from hotel function room and ancillary areas at first floor level to dwelling including internal alterations, construct first floor addition, deck and heritage conservation works - VARIATION - Upper level addition	13/08/2020	TBA	Category 2
4	DA/28/2018/A	Mackinnon Parade Children's Centre 144-155 MacKinnon Parade NORTH ADELAIDE SA 5006	Vary previous authorisation construct single storey extension to north western boundary of existing childcare centre - VARIATION - Fit-out of existing kitchen and external flue and hot water system	13/08/2020	TBA	Category 1
*5	DA/35/2020/A	74-80 Grote Street ADELAIDE SA 5000	Vary previous authorisation construction of new roof structure and associated internal and external alterations to level 2 - VARIATION - amend roof form	28/07/2020	TBA	Category 1
6	DA/375/2020	Moore Stephens Level 2, 180 Flinders Street ADELAIDE SA 5000	Install signage to facade	17/07/2020	\$25,000	Category 1
7	DA/376/2020	AURORA ON PIRIE 141-147 Pirie Street ADELAIDE SA 5000	Removal of existing panels and replace	20/07/2020	\$50,000	Category 1

DEVELOPMENT PLANNING - Council Assessment Panel Report
Lodged Applications for Planning Consent from 17/07/2020 to 13/08/2020

*8	DA/377/2020	193 Halifax Street ADELAIDE SA 5000	Conservation works including re-roofing, verandah and masonry repairs and new picket fence	20/07/2020	\$30,000	Category 1
*9	DA/379/2020	41-47 Currie Street ADELAIDE SA 5000	Ground floor facade and entry upgrade	20/07/2020	\$180,000	Category 1
10	DA/380/2020	112-114 Carrington Street ADELAIDE SA 5000	Demolition of existing building and construction of five level mixed use building comprising commercial tenancy and car parking at ground level and 13 apartments at upper levels	21/07/2020	\$3,000,000	Category 2
*11	DA/381/2020	Basement 2 King William Street ADELAIDE SA 5000	Re-work existing ground floor restaurant fit out including extension of cooking area raised floor and change messaging to existing external illuminated signs	21/07/2020	\$150,000	Category 1
12	DA/382/2020	HEBART HALL 102-120 Jeffcott Street NORTH ADELAIDE SA 5006	Repaint the wrought iron fence facing Jeffcott Street	22/07/2020	\$8,926	Category 1
13	DA/384/2020	162 Gilbert Street ADELAIDE SA 5000	Change of use from office to licensed premises	23/07/2020	\$5,000	Category 2
14	DA/385/2020	ELDERS HOUSE 27-39 Currie Street ADELAIDE SA 5000	Fit out to restaurant tenancy and associated signage	23/07/2020	\$600,000	Category 1
15	DA/387/2020	41 Rundle Mall ADELAIDE SA 5000	Shop fit out and signage	27/07/2020	\$15,000	Category 1
*16	DA/388/2020	BF-1F 25 Chesser Street ADELAIDE SA 5000	Change of use to educational establishment and internal alterations	27/07/2020	\$250,000	Category 1
17	DA/389/2020	24 George Court ADELAIDE SA 5000	Conservation works to front facade including replacing brick with stone	27/07/2020	\$17,000	Category 1

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DEVELOPMENT PLANNING - Council Assessment Panel Report
Lodged Applications for Planning Consent from 17/07/2020 to 13/08/2020

18	DA/391/2020	40A McLaren Street ADELAIDE SA 5000	Single storey dwelling addition	28/07/2020	\$215,000	Category 1
19	DA/392/2020	74 Pirie Street ADELAIDE SA 5000	Install signage	28/07/2020	\$18,000	Category 1
20	DA/393/2020	2/382 Halifax Street ADELAIDE SA 5000	Install air-conditioning condenser and associated screening and roof alterations	28/07/2020	\$25,000	Category 1
*21	DA/394/2020	33 Field Street ADELAIDE SA 5000	Change of use to restaurant with associated internal and external alterations	29/07/2020	\$400,000	Category 1
22	DA/395/2020	Ground 75 Gawler Place ADELAIDE SA 5000	Change of use to take away food shop, shopfront alterations and signage	29/07/2020	\$50,000	Category 1
*23	DA/398/2020	Basement 120 Gouger Street ADELAIDE SA 5000	Change of use to indoor recreation centre and internal alterations	30/07/2020	\$40,000	Category 1
24	DA/399/2020	351 Halifax Street ADELAIDE SA 5000	Replace front fence	30/07/2020	\$10,320	Category 1
25	DA/400/2020	329 Angas Street ADELAIDE SA 5000	Construct wall on side boundary	30/07/2020	\$5,000	Category 1
26	DA/401/2020	45 Lefevre Terrace NORTH ADELAIDE SA 5006	Alterations and additions to existing dwelling	31/07/2020	\$100,000	Category 1
*27	DA/402/2020	Ground 63 Light Square ADELAIDE SA 5000	Internal demolition of non-heritage fabric	31/07/2020	\$50,000	Category 1
28	DA/405/2020	Adelaide Migrant Centre 21 Market Street ADELAIDE SA 5000	Mural to the southern wall	3/08/2020	\$20,000	Category 1

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DEVELOPMENT PLANNING - Council Assessment Panel Report
Lodged Applications for Planning Consent from 17/07/2020 to 13/08/2020

*29	DA/406/2020	Ground Shop 1 20 Leigh Street ADELAIDE SA 5000	Change of use to licensed premises	3/08/2020	\$20,000	Category 1
30	DA/407/2020	Ground 8/116 Melbourne Street NORTH ADELAIDE SA 5006	Change of use from office to indoor recreation centre with internal and external alterations and signage	4/08/2020	\$25,000	To Be Determined
*31	DA/408/2020	26 Charlotte Place ADELAIDE SA 5000	Construct verandah at the rear of dwelling	6/08/2020	\$6,134	Category 1
*32	DA/409/2020	266 Gilles Street ADELAIDE SA 5000	Install canopy over roof terrace	6/08/2020	\$26,598	Category 1
33	DA/411/2020	Ground Shop 3 316 Morphett Street ADELAIDE SA 5000	Signage on canopy fascia	6/08/2020	\$4,000	Category 1
34	DA/412/2020	Shop 10 20 James Place ADELAIDE SA 5000	Change of use to cafe with internal fitout	6/08/2020	\$60,000	Category 1
*35	DA/413/2020	Barbery 82 Hindley Street ADELAIDE SA 5000	Change of use to licensed premises for basement, ground and first floor	6/08/2020	\$3,000	Category 1
36	DA/416/2020	Bomdia Bowls Shop 10 141-159 Rundle Mall ADELAIDE SA 5000	Install two under canopy signage	7/08/2020	\$3,000	Category 1
37	DA/417/2020	2 Vinrace Street ADELAIDE SA 5000	Second storey dwelling addition	8/08/2020	\$200,000	Category 2
38	DA/419/2020	SA Cricket Association Port Road ADELAIDE SA 5000	Installation of retaining walls	11/08/2020	\$14,750	Category 1

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DEVELOPMENT PLANNING - Council Assessment Panel Report

Lodged Applications for Planning Consent from 17/07/2020 to 13/08/2020

*39	DA/420/2020	211-219 Morphett Street ADELAIDE SA 5000	Remove and replace signage	11/08/2020	\$11,991	Category 1
40	DA/422/2020	Hi Convenience Store Ground 26 Waymouth Street ADELAIDE SA 5000	Change of use takeaway shop, shopfront alterations and signage	11/08/2020	\$35,000	Category 1
41	DA/423/2020	ELECTRA HOUSE 131-137 King William Street ADELAIDE SA 5000	Replace cladding on underside of staircase	11/08/2020	\$13,000	Category 1
42	DA/424/2020	265 Gilles Street ADELAIDE SA 5000	Replacement of fencing and fence dividers	11/08/2020	\$11,000	Category 1
43	DA/425/2020	Silk Laser Clinic Ground 152 Rundle Mall ADELAIDE SA 5000	Reinstatement of existing personal services establishment (including internal alterations and signage) due to fire damage	12/08/2020	\$200,000	Category 1
44	DA/427/2020	111-119 Angas Street ADELAIDE SA 5000	Signage to building facade	12/08/2020	\$35,000	Category 1
45	DA/428/2020	42 Barton Terrace E NORTH ADELAIDE SA 5006	Enclose existing carport to create a living room, construct rear verandah and internal alterations	12/08/2020	\$39,000	Category 2
46	DA/431/2020	48 MacKinnon Parade NORTH ADELAIDE SA 5006	Variation to DA/147/2013 for various amendments including rear balcony at first floor level and changes to rear studio	12/08/2020	\$116,000	Category 2
*47	DA/670/2019/A	87-95 Pirie Street ADELAIDE SA 5000	Vary previous authorisation change of use to food and office tenancies on ground floor, internal alterations and external window replacement - VARIATION - additional sliding door on the western elevation	21/07/2020	TBA	Category 1
*48	DA/670/2019/B	87-95 Pirie Street ADELAIDE SA 5000	Vary previous authorisation change of use to food and office tenancies on ground floor, internal alterations and external window replacement - VARIATION - Internal fit out of level 4	21/07/2020	TBA	Category 1

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DEVELOPMENT PLANNING - Council Assessment Panel Report
Lodged Applications for Planning Consent from 17/07/2020 to 13/08/2020

Land Division						
#	APPLICATION	ADDRESS	DESCRIPTION	LODGED	COST	NOTIFY CATEGORY
49	LD/10/2020	KODO (Stage 2) 11-17 Penny Place ADELAIDE SA 5000	Land Division - Boundary realignment	23/07/2020	Not Applicable	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**