

DEVELOPMENT NO.:	21017667
AGENDA ITEM NUMBER	4.1
APPLICANT:	Genworth Group
ADDRESS:	50-62 Sussex Street, North Adelaide SA 5006
NATURE OF DEVELOPMENT:	Two residential flat buildings, each containing three two storey attached dwellings, with a central driveway providing rear access to double garages, underground rainwater tanks, underground storm water retention tank, landscaping and roof mounted solar photo-voltaic panels
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • City Living <p>Subzones:</p> <ul style="list-style-type: none"> • North Adelaide Low Intensity <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Design • Historic Area • Heritage Adjacency • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Urban Tree Canopy <p>Technical Numeric Variations (TNVs): Minimum Frontage - 18 metres Minimum Site Area – Residential Flat Building - 450m² Maximum Building Height - Two Levels</p>
LODGEMENT DATE:	13 July 2021
RELEVANT AUTHORITY:	City of Adelaide Council Assessment Panel
PLANNING & DESIGN CODE VERSION:	2021.8 - 1 July 2021
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Edouard Pool Senior Planner – Development Assessment
REFERRALS STATUTORY:	Not required
REFERRALS NON-STATUTORY:	Local Heritage Traffic and Infrastructure

CONTENTS:

ATTACHMENT 1:	Application Documents	ATTACHMENT 5:	Representations
ATTACHMENT 2:	Subject Land & Locality Map	ATTACHMENT 6:	Response to Representations
ATTACHMENT 3:	Zoning Map	APPENDIX 1:	Relevant P&D Code Policies
ATTACHMENT 4:	Representation Map		

PERSONS SPEAKING BEFORE THE PANEL

Representors

- Emma Johnson of 101 Stanley Street, North Adelaide
- Judith Thomas of 61 Sussex Street, North Adelaide
- Marko Separovic on behalf of the Sarris family of 75-79, 85 Stanley Street, North Adelaide
- Tuyen Vien of 18 West Pallant Street, North Adelaide
- Graham and Linda Wooley of 66 Sussex Street, North Adelaide

Applicant

- Marcus Rolfe of URPS for the Genworth Group

1. DETAILED DESCRIPTION OF THE PROPOSAL

1.1 This development application proposes:

- the demolition of an existing residential flat building, free-standing dwelling, shed and other structures
- excavation and levelling of the site to a maximum of 1.8 metres below the existing ground level to create a more level site, with concrete sleeper retaining walls proposed at the rear and side boundaries
- construction of two residential flat buildings, each containing three two-storey attached dwellings, with a central driveway providing rear access to double garages, underground rainwater tanks, underground storm water retention tank, landscaping and roof mounted solar photo-voltaic panels.

1.2 The residential flat buildings will have a height of 7.5 metres to the roof level measured from on-site ground level.

1.3 A mix of materials, finishes and colours are proposed including limestone cladding to the ground floor street façade, weather grey bricks to side walls, Scyon Axon cladding in 'Marquesas grey' colour, black aluminium window framing, natural concrete shrouds to upper-level windows and Colorbond Kliplok roofing.

2. BACKGROUND

2.1 In January 2019 an application to redevelop the land was lodged with the State Commission Assessment Panel (SCAP). The Aboriginal Lands Trust sought to construct eight two storey dwellings in two groups of four dwellings with a central driveway providing access to car parking at the rear, accommodating 16 car parks within enclosed garages.

2.2 As the applicant was the Aboriginal Lands Trust, which is a State agency, the application was Crown development as outlined in section 49 of the then applicable *Development Act 1993* (SA).

2.3 The proposal ultimately did not proceed through to a decision stage. Subsequently, the land was sold by the Aboriginal Lands Trust in January 2021 to Mills Strangways Pty Ltd.

2.4 At lodgement, this application sought to redevelop the land in a scheme similar to the Crown proposal, with the exception that the buildings were three storeys instead of two storeys.

2.5 Public notification was undertaken for this development application and 18 representations were received. Eleven of the responses were opposed to the development on the basis that the impacts of the third level were untenable, with reference to excessive bulk and scale, being out of character with the heritage and streetscape and loss of privacy.

2.6 The application was subsequently amended in the following ways to more closely satisfy the Planning and Design Code:

- Remove the third building level
- Amend the internal layout and adding skylights
- Amend the external design, introducing a more rectilinear design
- Alter the ground level with a high solid to void ratio consisting of limestone brickwork to the Sussex Street façade and Weathered Grey brickwork to the sides

2.7 The application was then re-notified and 19 representations were received.

3. SUBJECT LAND & LOCALITY

Subject Land

- 3.1 The subject site is comprised of two land parcels owned by Mills Strangways Pty Ltd, totalling 1,532 square metres. The site has a depth of 30.3 metres and a width of 50.5 metres. It is currently occupied by a single storey dwelling and two storey building with associated car parking. The site was previously occupied by the advocacy service, Council of Aboriginal Elders of South Australia Incorporated.
- 3.2 Two vehicle crossovers from Sussex Street currently provide access to both land parcels.
- 3.3 There is a 2.4 metre level change across the site, rising from Sussex Street to the northern boundary. Along the east-west axis, there is a slope rising to the east approximately 1.1 metres.
- 3.4 One large tree exists on site, being a Cassia tree. It is proposed to retain this tree and incorporate it into the front yard of residence six.

Locality

- 3.5 The subject site is located within an area settled early in the European establishment of the colony of Adelaide. The layout of North Adelaide follows the original pattern set by Colonel William Light which envisaged three small grid villages within North Adelaide. The Lower North Adelaide grid sits on an oblique angle to the City grid and sits on an escarpment to the Torrens Valley, rising from Melbourne Street to Stanley Street, evident in the change in level across the subject site. The subject site, located in Lower North Adelaide, represented a high concentration of small cottages which provided worker's housing close to local manufacturers.
- 3.6 Sussex Street runs parallel between Melbourne Street and Stanley Street. The Street is narrow with one way traffic moving from east to west and has low traffic volumes.
- 3.7 The southern side of Sussex Street contains numerous private at grade car parks which service properties facing Melbourne Street. The surrounding land uses are predominantly low density dwellings of single and two storeys in height.
- 3.8 Many of the dwellings in the surrounding area are Local Heritage Places, preserving elements of early settlement in North Adelaide including the streetscape, built form, scale and rhythm. A Local Heritage listed dwelling is located on the eastern boundary fronting Sussex Street and two Local Heritage Places are located opposite on the southern side of Sussex Street.
- 3.9 Aside from the typical heritage built form of single storey cottages, the street context is comprised of dwellings in a range of architectural styles from different eras. There is a strong representation of rendered two storey buildings from the 1980's and 1990's with some older two storey blocks of flats dating from the 1960s. Most residences in Sussex Street are located very close to the street boundary in the range of 1 to 2 metres, with small front gardens.
- 3.10 Immediately opposite the site, on the south side of Sussex Street, is St Cyprian Anglican Church which is State Heritage listed. The church fronts Melbourne Street, with non-heritage additions located on the Sussex Street end of the property. The Lucy Morice Kindergarten is located west of the subject site on the corner of Sussex Street and West Pallant Street. The 'main street' of Melbourne Street is located one block south-east of the subject site, provides a commercial district which supports the surrounding residential land uses.

Photo 3.1 - Site viewed from Sussex Street looking west



Photo 3.2 - Site viewed from Sussex Street looking east



Photo 3.3 - Rear of the site looking east



Photo 3.4 - Rear of the site looking northwest from upper level of main building



Photo 3.5 – South western corner of site looking towards Sussex Street



Photo 3.6 – Eastern portion of site viewed from Sussex Street



Photo 3.7 - Southern side of Sussex Street opposite the eastern portion of subject site



Photo 3.8 - Southern side of Sussex Street opposite the western portion of subject site



4. CONSENT TYPE REQUIRED

Planning Consent

5. CATEGORY OF DEVELOPMENT

- **PER ELEMENT:**

Residential flat building: Code Assessed - Performance Assessed

Demolition: Code Assessed - Performance Assessed

Solar photovoltaic panels (roof mounted): Accepted Development

Fence and retaining wall structure: Accepted Development

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

Proposed residential flat building and demolition are listed within Zone Table 1 as Performance Assessed types of development.

6. PUBLIC NOTIFICATION

- **REASON**

Zone Table 5 excludes residential flat buildings from notification except where the maximum building height of two building levels is exceeded or where a building wall is proposed on a side boundary and exceeds a length of 8 metres and height of 3 metres.

Two two-storey residential flat buildings with side walls are proposed adjacent the eastern and western boundaries, where the height of walls exceeds the permitted maximum height of 3 metres. Therefore, notification is required and has been undertaken.

TABLE 6.1 – LIST OF REPRESENTATIONS

No.	Representor Address	Request to be Heard
1	Paul Dimopoulos – 13 Aish Close, Newton	No - opposed
2	Marko Separovic (on behalf of the Sarris family) – 73-75, 77-79, 87 Stanley Street, North Adelaide	Yes - opposed
3	Tuyen Vien – 18 West Pallant Street, North Adelaide	Yes - opposed
4	Stelios Kontos – 10 Robe Terrace, Medindie	No - support
5	Janay Tucker – 39 Sunnyside Drive, Evanston Park	No - support
6	Cynthia Loo – 6/74 Ward Street, North Adelaide	No - support
7	Carlo De Pizzol – 38 Walkerville Terrace, Walkerville	No - support
8	Oliver Ciaravolo – 25 Andrea Avenue, Newton	No - support
9	Nicolas Hedges – 52 Dutton Terrace, Medindie	No - support
10	Jia Xin Lee – 121 West Street, Brompton	No - support

11	Peter Prodanovic – 264 Ward Street, North Adelaide	No - support
12	Vicki Heorgakopoulos – 6 Acacia Street, Medindie	No - support
13	Ngoc Ha – 69 Boyle Street, Prospect	No - support
14	Nick Palousis – 2-20 New Street, North Adelaide	No - support
15	Emma Johnson – 101 Stanley Street, North Adelaide	Yes - support
16	Nick Selth – 20 Stanley Street, North Adelaide	No - support
17	Amber Wallace – 5142 Uraidla	No - support
18	Graham and Linda Wooley – 66 Sussex Street	Yes - supports with concerns
19	Judith Thomas – 61 Sussex Street, North Adelaide	Yes - supports with concerns

TABLE 6.2 – SUMMARY OF REPRESENTATIONS

Summary of Representations	Applicant Response
<ul style="list-style-type: none"> • Support proposal. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • Will complement and enhance the street. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • Support thoughtful repurposing of derelict site. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • Development in keeping with the scale of the street and is an architecturally considered design. This is a sensible use of the site without being overbearing. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • Development will increase the amenity of the street. Additional local residents important to the vibrancy of Lower North Adelaide. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • At 2 storeys development is relatively low impact. This is the type of development we would like to see in our neighbourhood. Genworth's development on 16-20 Sussex St completed over a decade ago is timeless and therefore I have faith in their development. 	<ul style="list-style-type: none"> • Proposal has been amended to reduce the building height from three storeys (10.63m) to 2 storeys (7.93m).
<ul style="list-style-type: none"> • Material selections are sympathetic to surroundings. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • Shadows will be cast across my property. Buildings will tower over my property as they are not being built at street level as I was forced to do when I constructed my home. 	<ul style="list-style-type: none"> • The reduction from three to two storeys reduces the shadows cast. • The shadow cast onto the adjoining property to the west at 66 Sussex Street falls on the roof of the existing dwelling in the morning in mid-winter. • Any shadow cast onto the adjoining property to the east at 46 Sussex Street also appears to fall on the roof of

	<p>that existing dwelling after 4pm midwinter.</p> <ul style="list-style-type: none"> All other shadows from the proposal between 9am and 3pm midwinter fall primarily on Sussex Street.
<ul style="list-style-type: none"> What safeguards are in place to prevent salt damp issues on my wall at 66 Sussex Street. 	<ul style="list-style-type: none"> No response.
<ul style="list-style-type: none"> What conditions are in place to ensure the proposal of two storey dwellings is not amended to become 3 storey dwellings. 	<ul style="list-style-type: none"> No response.
<ul style="list-style-type: none"> There is no indication of what type of trees are proposed and the height they will grow. There is vegetation shown along the boundary on the ground floor plans but not on the elevations and sections. It is not clear if this is part of the proposal? There is no vegetation specified. 	<ul style="list-style-type: none"> All vegetation proposed near site boundaries is chosen to soften the appearance of the development while also remaining manageable for future residents within the site and adjoining. Ornamental Pear (Capital) trees proposed along the rear and side boundaries that grow to approximately 7 metres in height.
<ul style="list-style-type: none"> Minor concern about the build process not blocking any Sussex Street access given it is one way and narrow. As long as this is adequately managed so neighbours can continue to utilise the road (and be able to park) there is no issue at all. 	<ul style="list-style-type: none"> No response.
<ul style="list-style-type: none"> Daytime overlooking in Elevation Sight Lines, Slide SK14. The sight line of the person standing runs directly to my bedroom windows. I take advantage of daily sunshine and I am concerned my privacy will be compromised. 	<ul style="list-style-type: none"> The upper level terrace areas have stone balustrades to 1 metre in height (they were previously glass). The balustrades will block many views in a southerly direction from people within the dwellings and sitting on the terraces. To satisfy DPF 10.2 a 500mm screen needs to be installed on top of the one metre high solid balustrades to satisfy PDF 10.2(b)(i). Such a design approach will make the building appear monumental in the streetscape and less sensitive to the character of established dwellings in this locality. Overlooking from these terraces will be primarily of the street/public realm. Views into neighbours' windows will be mostly oblique, partly screened by the verandas of the existing dwellings and incidental in nature.
<ul style="list-style-type: none"> These heritage streets were not designed for increased car traffic. Safety for pedestrians including children and their mothers walking to the Lucy Morice Kindergarten on corner of West Pallant 	<ul style="list-style-type: none"> All vehicles will enter and exit the site in a forward direction, ensuring appropriate safety for pedestrians on-site and in the public realm.

<p>Street, needs to be seriously considered. Hopefully, future residents will travel one way to their residences and not take a shortcut on the Kindergarten corner travelling the wrong way to their driveways. This is occurring currently more frequently and is a danger not only to families but also for dog owners traversing the narrow and highly uneven footpaths.</p>	<ul style="list-style-type: none"> • Sussex Street can easily accommodate the anticipated change in traffic volumes associated with six new dwellings compared to the multiple dwellings on the subject site at present. • Construction will be in accordance with all relevant industry guidelines and standards, ensuring disruption to neighbours is minimised as much as possible.
<ul style="list-style-type: none"> • Is it possible for new residents to be restricted to not using on-street car parks as adjacent dwellings will not have any off-street parking and rely on existing on-street spaces. 	<ul style="list-style-type: none"> • <u>Administration comment</u>: Alteration to on-street car parking and traffic controls does not form part of this application.
<ul style="list-style-type: none"> • There is inadequate landscaped open space. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • The proposed site coverage is significantly over 50%. This does not follow the character and pattern of the prevailing open space landscape character of the neighbourhood. The site coverage at 87% impacts on privacy. 	<ul style="list-style-type: none"> • The proposed dwellings have a total building footprint of 816m². This represents 52.9% of the total site area. This is 2.9% more than the 50% site coverage guideline listed in DPF 2.1. Despite this variation from the DPF, it is contended the proposal satisfies PO 2.1 by having building footprints consistent with the character and pattern of development in the locality, noting this locality does not have an “open landscaped setting” as the prevailing character.
<ul style="list-style-type: none"> • Given the slope of the site, which falls up to the north adjoining neighbours, the effect of the first floor balconies is similar to a three level development. The western adjoining dwelling along Sussex Street is a good example of reducing the overall height and overlooking on its northern neighbours. 	<ul style="list-style-type: none"> • The amended proposal clearly satisfies the City Living Zone Performance Outcome PO 2.2 and DPF (Designated Performance Feature) DPF 2.2, being ‘low-rise’ up to and including two building levels.
<ul style="list-style-type: none"> • Stormwater from the proposal should be directed to Sussex Street. 	<ul style="list-style-type: none"> • Any excess stormwater not detained or retained in tanks will be directed to Sussex Street and will not impact on neighbouring properties.
<ul style="list-style-type: none"> • What water sensitive urban design elements have been incorporated into the overall landscape design? 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • Has an asbestos report been prepared as part of the proposal? 	<ul style="list-style-type: none"> • Construction impacts will be managed via the Environment Protection Act and are not a relevant consideration in a planning assessment. • Any asbestos in the existing buildings to be demolished will be addressed in accordance with all EPA standards.

<ul style="list-style-type: none"> • Parking will significantly increase and visitor car parking is not addressed. Has there been a traffic study completed to provide an understanding of the potential traffic impacts on the neighbourhood? 	<ul style="list-style-type: none"> • Car parking supplied at the rate of two per dwelling, with a total of 12 provided. This exceeds the minimum of nine spaces sought in 'Table 2 – Off-street Car Parking Requirements in Designated Areas'. • The consolidation of crossovers results in a greater unbroken curb and gutter along Sussex Street, improving ease of access for residents.
<ul style="list-style-type: none"> • Given the increase in dwellings with additional rear balconies on the first level i.e. six new balconies, there is concern over the potential increase in noise to the adjoining rear neighbours and the adverse effects on the existing dwellings. • Has an acoustic report been completed? 	<ul style="list-style-type: none"> • Noise generated from the development will be typical of residential development reasonably anticipated in the City Living Zone.
<ul style="list-style-type: none"> • The minimum frontage in this zone for a row dwelling is 7 metres. The proposed frontages for residences 2,3,4 and 5 are 6.9 metres wide which are below the minimum. 	<ul style="list-style-type: none"> • The frontage of the subject site is 50.5 metres. This is more than the 36 metre guideline (two times 18 metres) for two residential flat buildings referred to in DPF 4.1.
<ul style="list-style-type: none"> • The minimum site area for row dwellings in this zone is 350m² per dwelling. The proposal seeks dwellings of 258m², far below the minimum requirement. 	<ul style="list-style-type: none"> • The average site area per dwelling is 257m². This is 93m² less than DPF 4.1. • The proposal satisfies PO 4.1 by providing allotments compatible with the established housing pattern in this locality. • The previous use of the existing buildings as a boarding house contained far more than six units. This means the average site area per existing unit is considerably denser than the proposal.
<ul style="list-style-type: none"> • The front terrace on the first floor will impact the privacy of our property at 18 West Pallant Street. The elevation sight lines show our private outdoor area at the rear of our property facing Sussex Street will be visible from the terraces of the three proposed residences on the western side. The major source of natural sunlight for the inside of our house is from sliding doors adjoining our outdoor area. The proposed terraces severely impact upon privacy in our outdoor area and the internal kitchen/dining area. Alterations to remedy this is requested. Suitable screening on the terraces and more trees with sufficient height to reach the terrace levels need to be considered 	<ul style="list-style-type: none"> • If a 1.7 metre high privacy screen is applied to the upper level terrace of the proposed dwelling at the western end of the site, it will make the proposal appear inappropriately monumental and out of character. • Overlooking from people standing on the southern edge of the terrace will be primarily of the street/public realm. Any views into neighbours' courtyard will be oblique and incidental in nature. • A medium sized (7 metre high), evergreen, Tuckeroo tree will be planted in the south-western corner of the site to assist in screening incidental privacy impact to the south.
<ul style="list-style-type: none"> • Rear balconies will overlook the rear yards of Stanley Street properties. The 	<ul style="list-style-type: none"> • The rear terraces have fixed obscure balustrades to 1.7 metres in height

<p>elevations do not show these balconies clearly. They appear to be obscured by a screen, however on the side elevations and floor plans, the balconies appear to have a clear view to the north.</p>	<p>above floor level. This satisfies the 1.7 metre minimum height in DPF 10.2 in the Design section of the Code.</p>
<ul style="list-style-type: none"> • The two end houses have an outside space for an air conditioner, but the remaining four houses have no available space. Where are the air conditioners for these houses to be located? They should not be installed on the front of the house, the front balcony or roof. 	<ul style="list-style-type: none"> • Any air-conditioners associated with the proposed development will comply with relevant EPA noise guidelines to not unreasonably impact on neighbours. • Any other noise generated from the development will be typical of residential development reasonably anticipated in the City Living Zone.
<ul style="list-style-type: none"> • Due to the levelling of the site, the western side end house slab would be 900mm above footpath level, which would make the development appear and feel higher than necessary. This could be improved by reducing the height of the ceilings from 3 metres to 2.7 metres resulting in a height reduction of 600mm. This will be more complementary to the existing heritage houses. 	<ul style="list-style-type: none"> • No response.
<ul style="list-style-type: none"> • It is vitally important this development fits with the existing heritage houses. Council has a compelling obligation to ensure this development is completed to preserve the historic nature of the area. 	<ul style="list-style-type: none"> • The proposed amended development achieves heritage compatibility through: <ul style="list-style-type: none"> - Bulk and Scale – the height and front and side setbacks do not unduly impact upon historic dwellings in the locality. - Rhythm – There is clear demarcation between each dwelling. The solid-to-void ratio at ground floor level on the front elevations is complementary to historic buildings in the locality. - Materials – Limestone features prominently in the facades and is complementary to the stonework used in the facades of many existing dwellings in the locality. - Car Parking – all garaging is located at the rear of the site.

7. AGENCY REFERRALS

None required.

8. INTERNAL REFERRALS

Local Heritage

The following advice has been received from Council's Heritage Advisor:

- The proposal is considerably larger than the small scale cottages in Sussex Street, however given the size of the allotment and the mixed development in the locality, a larger scale development is considered appropriate for this site.
- The first floor is set well back from the ground floor, which complements the single storey scale of the early cottages in the Historic Area.
- The built form complements the simple built forms of the cottages. The facades are well articulated and reference historic character with vertically proportioned openings, pronounced window shrouds adding depth to the facades and an interesting palette of materials and colours.
- Random coursed limestone and 'weathered grey' brick walls combined, with natural concrete shrouds complement the brick, stone and rendered cottages in Sussex Street. However, the full width glazing to the first floor is considered out of character with the Historic Area and more commercial in character.
- Front setbacks in the locality are generally close to the street boundary. Setbacks are considered appropriate for the Historic Area and Local Heritage Place at 46 Sussex Street. The development is set slightly further back than 46 Sussex Street, which will allow visibility from the western approach of Sussex Street. The side setbacks are consistent with the prevailing narrow setbacks in Sussex Street.
- Fencing in the area is mixed, with few original style fences. The proposed metal blade fence complements traditional timber picket fencing which would have originally been common throughout the area.

Traffic & Infrastructure

- Ideally the proposed vehicular crossing should be relocated to avoid removal of street trees. In this instance removal of the single street tree must be compensated for by the applicant providing the requisite monetary compensation to Council to enable the planting of a replacement tree in the locality.
- The design of the access and car parking facilities must comply with AS/NZS 2890. 1: 2004 Parking Facilities Part 1: Off-street car parking and boundary level requirements and Council standards.
- Other general vehicular crossing requirements that should be considered include:
 - Within the road reserve, the crossing or driveway must be aligned perpendicular to the alignment of the kerb and gutter or edge of road.
 - The applicant will be responsible for all costs associated with the construction of the crossing, including adjustment to footpath, kerb and gutter, road pavement, stormwater drainage and service utilities, e.g. Telstra pits or power poles.
- Stormwater Drainage Plan and supporting documentation addressing all relevant water related requirements of the Planning and Design Code Hazard (Flooding-Evidence Required) Overlay, Stormwater Management Overlay, Part 4 General Development Policies 'Design in Urban Areas and Council requirements should be submitted.

9. PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Appendix One.

9.1 Summary of City Living Zone Assessment Provisions

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Land Use & Intensity PO 1.1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Built Form and Character PO 2.1 – PO 2.4	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Building Setbacks PO 3.1 – PO 3.5	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Site Dimensions and Land Division PO 4.1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Car Parking and Access PO 5.1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓

9.2 Summary of North Adelaide Low Intensity Subzone Assessment Provisions

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1 – DO2	<ul style="list-style-type: none"> Achieved. 	✓
Built Form and Character PO 1.1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Site Coverage PO 2.1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✗

9.3 Summary of Applicable Overlays

The following Overlays are not considered to be relevant to the assessment of the application:

- Airport Building Heights (Regulated) Overlay – three storey building height not of concern
- Prescribed Wells Area Overlay - no groundwater concerns
- Regulated and Significant Tree Overlay – no regulated or significant trees impacted
- Design Overlay – value of the development is below \$10 million

The following Overlays are considered relevant to the assessment of the application:

- Hazards (Flooding - Evidence Required) Overlay
- Heritage Adjacency Overlay
- Historic Area (Adel12) Overlay
- Stormwater Management Overlay
- Urban Tree Canopy Overlay

Hazards (Flooding – Evidence Required) Overlay

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Achieved. 	✓
PO 1.1	<ul style="list-style-type: none"> Excavation of 1.5 – 1.8 metres at the rear of the site proposed to create a level site. Dwellings are elevated 150mm above the manoeuvring area and driveway, so overland stormwater will flow to Sussex Street without affecting the dwellings. Dwellings are elevated 820mm above the street water table of Sussex Street, exceeding the desired minimum 300mm. 	✓

Heritage Adjacency Overlay

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Proposal will change the setting of nearby Local Heritage Places through its large physical form and bulk, however this is counterbalanced by the high-quality design, materials, articulation and setbacks. 	✓
PO 1.1	<ul style="list-style-type: none"> The buildings incorporate significant design techniques aimed at reducing the impact to acceptable levels. The use of complementary materials, ground level setback with landscaped gardens and an upper storey setback all contribute towards improving the amenity of the locality. 	✓

Historic Area Overlay

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Achieved. 	✓
All Development PO 1.1	<ul style="list-style-type: none"> Achieved. 	✓
Built Form PO 2.1 – PO 2.5	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓

Context & Streetscape Amenity PO 6.1 – PO 6.2	<ul style="list-style-type: none"> Proposed driveway will not dominate streetscape. Establishment of a high quality front gardens will contribute to the existing pattern of Sussex Street where small ornamental front yards predominate. 	✓
Demolition PO 7.1 – PO 7.3	<ul style="list-style-type: none"> There are no buildings which possess historic value on site, thus demolition of all structures is accepted. 	✓

Stormwater Management Overlay

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Achieved. 	✓
PO 1.1	<ul style="list-style-type: none"> Permeable pavers proposed to allow infiltration of stormwater into the soil. A 2,000 litre rainwater tank proposed underground to detain stormwater flows, lessening the peak of water disposal into Council's drainage system. A 3,000 litre tank is located underground for the purpose of on-site reuse within the dwellings. Eighty per cent of roof drains into the system, satisfying Code requirements. 	✓

Urban Tree Canopy Overlay

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Retention of existing trees and planting of new trees proposed to enhance the urban tree canopy. 	✓
DPF 1.1	<ul style="list-style-type: none"> Achieved. The development retains one medium tree and proposes the planting of six small trees. 	✓

9.4 General Development Policies

The following General Development policies are relevant to the assessment:

Clearance from Overhead Powerlines

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Achieved. 	✓
DPF 1.1	<ul style="list-style-type: none"> Powerlines proposed are underground. 	✓

Design in Urban Areas

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
Desired Outcome DO1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
External Appearance PO 1.1 - PO 1.5	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Safety PO 2.1 – PO 2.5	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Landscaping PO 3.1	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Environmental Performance PO 4.1 – PO 4.3	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓/✗
Car Parking Appearance PO 7.1 – PO 7.7	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Earthworks and Sloping Land PO 8.1 – PO 8.5	<ul style="list-style-type: none"> Refer to Section 9.5. 	✓
Fences and Walls PO 9.1 – PO 9.2	<ul style="list-style-type: none"> Achieved. 	✓

<p>Overlooking / Visual Privacy (Low rise Buildings) PO 10.1 – PO 10.</p>	<ul style="list-style-type: none"> • Windows facing adjacent land have sills over 1.7 metres above internal finished floor level, balustrades of 1.7 metres height or incorporate obscure glazing to a minimum height of 1.7 metres. • The upper level windows and decks fronting Sussex Street do not require screening as this is a public street. 	<p>✓</p>
<p>Site Facilities / Waste Storage PO 11.1 – 11.5, PO 24.1</p>	<ul style="list-style-type: none"> • Each dwelling is provided with space within the garages for storage of standard domestic bins. • Adequate storage areas are provided within dwellings. 	<p>✓</p>
<p>Front Elevations and Passive Surveillance PO 17.1 – PO 17.2</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓</p>
<p>Outlook and Amenity PO 18.1 – PO 18.2</p>	<ul style="list-style-type: none"> • Living rooms have an external outlook to the street frontage and long-range views. 	<p>✓</p>
<p>External Appearance PO 20.1 – PO 20.3</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓</p>
<p>Private Open Space PO 21.1 – PO 21.2</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓</p>
<p>Landscaping PO 22.1</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓/✗</p>
<p>Car Parking, Access and Manoeuvrability PO 23.1 – PO 23.6</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓</p>
<p>Waste Storage PO 24.1</p>	<ul style="list-style-type: none"> • Achieved. 	<p>✓</p>
<p>Amenity PO 31.1 – PO 31.4</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓</p>
<p>Car Parking, Access and Manoeuvrability PO 33.1 – PO 33.5</p>	<ul style="list-style-type: none"> • Refer to Section 9.5. 	<p>✓</p>

Soft Landscaping PO 34.1 – PO 34.2	<ul style="list-style-type: none"> Narrow landscaped planter bed lines the central driveway, however its short length mitigates against this area appearing stark. The front and side yards are sufficient to provide pleasant outlook for occupants. Paving to common areas is composed of permeable paving. 	✓/✗
Site Facilities / Waste Storage PO 35.1 – PO 35.6	<ul style="list-style-type: none"> Achieved. 	✓
Water Sensitive Urban Design PO 36.1 – PO 36.2	<ul style="list-style-type: none"> Achieved. 	✓

Interface between Land Uses

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
General Land Use Compatibility PO 1.1 - PO 1.2	<ul style="list-style-type: none"> Achieved. 	✓
Overshadowing PO 3.1 - PO 3.3	<ul style="list-style-type: none"> Achieved. 	✓

Site Contamination

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
DO1	<ul style="list-style-type: none"> Land suitable for its intended purpose. 	✓
DPF 1.1	<ul style="list-style-type: none"> No change of land use to a more sensitive use, therefore no site soil testing or decontamination processes are required. 	✓

Transport, Access and Parking

Subject Code Ref	Assessment	Achieved ✓ Not Achieved ✗
DO1	<ul style="list-style-type: none"> Safe, convenient and accessible. 	✓
Sightlines DPF 2.1 - 2.2	<ul style="list-style-type: none"> Fencing and landscaping provide adequate sightlines between vehicles and pedestrians. 	✓

Vehicle Access PO 3.1 - PO 3.8	<ul style="list-style-type: none"> • Central driveway improves safety by minimising the number of crossovers and providing visibility for pedestrians, cyclists and motorists. • The headlights of vehicles exiting the site will shine into one window of the dwelling at 53 Sussex Street. • The new driveway requires removal of one street tree. 	✓/✗
Access for People with Disabilities PO 4.1	<ul style="list-style-type: none"> • Steps between the dwelling entries and front gates diminish accessibility for persons who are mobility impaired. 	✗
Vehicle Parking Rates DPF 5.1	<ul style="list-style-type: none"> • Refer to Section 9.5. 	✓/✗

9.5 Detailed Discussion

Density

The subject land is one of the largest land parcels within the locality with an approximate area of 1,550m². Approximately 78% of the land is not built upon and the existing buildings upon the land are unoccupied and of substandard appearance. The allotment, therefore, has significant redevelopment potential and is capable of accommodating development at a scale larger than currently exists in the locality.

Up to four dwellings in the form of a residential flat building is possible under Code requirements, as guided by minimum desired dwelling unit size relative to land area. The proposal for six dwellings, whilst higher than the desired density, is not considered over development as the impacts to adjacent land and the locality are not unreasonable.

Excavation of the site to create a flattened bench reaches a maximum of 1.8 metres at the rear of the site and will require the installation of concrete retaining walls. The excavation reduces the bulk and scale impacts of the buildings upon adjacent land.

The proposed development results in site coverage of 55%, marginally exceeding the desired maximum of 50%. The degree of excess building coverage is considered trifling and is successfully managed by the design through articulation, modelling and setbacks.

Land Use

The subject site is located within the City Living Zone where low-rise, low-density dwellings with associated domestic structures are anticipated. The proposal seeks to demolish the existing vacant structures previously used as a residential flat building and a group dwelling, and construct two new residential flat buildings separated by a central common driveway, with each building containing three attached dwellings and car parking. This land use and its low to medium density are desired in the Code.

Setbacks

The City Living Zone seeks 'predominantly low-rise, low to medium-density housing in identified areas'. The proposal is not the first instance of a residential flat building in this locality, with three existing flat buildings present. The design successfully integrates into the area by having a front setback (at ground level) of 3.5 metres, generally exceeding that of existing dwellings which range between zero to 3 metres in most instances. The upper level is setback 6.3 metres from the street, exceeding that of adjacent dwellings which generally have a setback of 3 to 4 metres.

The internal living areas at first floor level are set back 3 metres behind the decks which feature solid balustrades, ensuring that there is no line of sight to the rooms of the single storey dwellings on the opposite side of Sussex Street. The proposed setback is therefore reasonable from both a streetscape and privacy perspective and is appropriate given the building scale.

Side setbacks satisfy the Code, being limited in their extent on the boundary, incorporating significant articulation and variation in materiality. The adjacent dwelling on the western boundary (66 Sussex Street) has no windows facing the subject site, whilst the adjacent dwelling to the east (48 Sussex Street) has a carport along the boundary, which limits sunlight access and views from the dwelling. For these reasons the development is not easily perceived by occupants of the abovementioned dwellings.

The setback from the rear boundary is 7 metres at ground level and 5 metres at upper level. Separation from the rear boundary meets Code requirements. The setback does not create an unreasonable sense of enclosure for adjacent dwellings that front Stanley Street, noting the site is excavated to a depth of 1.5 to 1.8 metres relative to the Stanley Street properties, further reducing their bulk and visual prominence.

Building Height

The proposed buildings do not exceed the maximum building height of two storey as desired in this locality. As stated above, excavation of the site up to 1.4 to 1.8 metres relative to adjacent land to the north results in the new built form being 900mm lower than the existing building, reducing the overall bulk, scale and impact upon the locality.

Landscaping

Landscaping within the locality is generally limited to small garden beds planted with flowers, shrubs and occasionally small trees. The proposed landscaped areas are sufficient in size to provide a reasonable level of landscaping including the planting of small to medium size trees which will serve to soften the appearance of the development. Preservation of an existing large tree in the front yard will occur. A condition is proposed seeking further details of the depth of the planter beds and a suitable planting scheme along with the environmental performance of the permeable paved areas.

The proposal does not satisfy the desired minimum 20% landscaped open space with approximately 15% provided. As noted above, the proposed level of landscaping is commensurate with the established level of landscaping within the locality, which is typical of the denser subdivision pattern typical of the side streets rather than the large grand allotments found on the east-west streets of North Adelaide.

The applicant's preservation of one medium sized tree acts as a 'credit' under the Urban Tree Canopy Off-set Scheme, thus a minimum of only two additional small trees or one medium sized tree is required. The undertaking to plant six small trees in each front garden is therefore exceeds the minimum requirement and is supported.

The large expanse of paved driveway at the rear will be shaded by vines growing on trellises overhead, providing shade, reducing heat absorption and enhancing appearance of the land.

Heritage and Conservation

Council's Heritage Advisor is satisfied with the proposal apart from the expansive glazing at the upper level facing Sussex Street.

Overall, the design is of a high quality, with the large built form being well articulated and modelled to break-up the building mass. The setback from Sussex Street at ground level matches or exceeds that of existing structures, whilst the upper level setback ensures that the building will not dominate the adjacent small scale cottages.

The use of unpainted brick and limestone at ground level integrates well with the materiality of brick, stone and rendered cottages in Sussex Street. Modern materials such as large-pane glazing, Axon wall cladding and unpainted concrete shrouds are used on areas that are setback from the street, thus reasonably lessening their visual impact. As these modern elements are setback and will appear as recessive elements in the streetscape, the glazing although not characteristic/discordant in this character area, is acceptable. Drawing Number 031 and the perspectives on the Drawing Cover Page illustrate the recessive nature of the upper level.

There is no impact upon the State Heritage listed St Cyprian's Anglican Church at 70-72 Melbourne Street, as the church is located close to Melbourne Street, with a number of additions located in between it and Sussex Street.

Built Form / External Appearance and Design

Building composition along Sussex Street is varied containing a mix of low scale historic cottages and newer two-storey residential buildings built in a variety of contemporary styles. The proposal is considered to adequately satisfy the Desired Outcome statement in that it proposes two contemporary buildings with some design features that are reminiscent of traditional building forms.

Contextual integration with the existing small-scale development in Sussex Street is successful due to the following:

- development is of a similar scale to existing residential flat buildings located in the street and whilst large, is not of an incongruous scale or form in the locality
- building mass is reduced by varied setbacks, articulation and a mix of materials, colours and finishes
- front fence emulating traditional fencing through its open nature and low height, reflecting traditional white timber picket fences prevalent in North Adelaide
- dwellings are clearly segmented from one another other with individual front gates, path and front doors and recessed separation at ground level
- use of granite and brick at ground level is complementary to the traditional materials featured in historic and heritage places in Sussex Street
- preponderance of masonry with a high solid to void ratio with vertically proportioned windows at ground level.

The proposal features strong concrete shrouds and large windows at the upper level that contrast with the traditional built form. However, the three metre setbacks behind solid balustrades ensures visibility from the public realm is reduced.

The juxtaposition of traditional and modern forms is acceptable given the eclectic mix of dwellings from all eras in Sussex Street. The high degree of built form variation in Sussex Street reduces the need for new buildings to “fit in” to a traditional streetscape in this situation.

Environmental Performance

All north and south facing windows are provided with generous shading devices, whilst east and west facing windows are limited in size, reducing heat gain. All habitable rooms are provided with access to natural light and natural cross ventilation.

The kitchens, living and dining rooms are south-facing, receiving direct natural light from south facing windows.

Rainwater will be collected from roofs for on-site reuse whilst paving to the driveway and garage forecourts consists of permeable pavers, maximising on-site rainwater infiltration, thus enabling recharge of the groundwater aquifer.

On site stormwater detention and re-use is addressed by six 3,000 litre underground tanks. These tanks will capture 80% of roof stormwater runoff, with 1,000 litres always being retained within for domestic use in laundry and toilet or hot water use.

The roof has been designed to accommodate photovoltaic cells and garages have identified spaces for inverters and batteries. Glazed skylights are located above the stairwells which will provide improved natural light to the centre of each dwelling.

Overshadowing

Overshadowing to solar panels on 64 Sussex Street occurs from 9am to 11am on 22 June, ensuring the panels will receive four hours of clear sunlight access, in excess of the minimum of the two hours required. Overshadowing to the front yards and north facing windows of dwellings opposite on the south side of Sussex Street occurs after 2pm on 22 June, which ensures that such dwellings receive well over the minimum of two hours of clear sunlight between 9am to 3pm required.

Residential Amenity

The level of residential amenity for occupants of the proposed dwellings will be high with good levels of natural light and ventilation, generously sized units with well dimensioned rooms and decks, reasonable outlook, natural light and ventilation and adequate storage. Large skylights over the stairs provides natural light to kitchen and dining areas of the dwellings.

The living, dining and kitchen areas directly open up to the large decks facing the street. The decks provide ample open space for occupants; at 48.6 square metres, these spaces will exceed the minimum of 15 square metres permitted.

All dwellings exceed recommended minimum sizes, address Sussex Street and have safe and secure access for pedestrians and vehicles.

Traffic and Car Parking

The development adequately addresses access and manoeuvring. Access via the central driveway maximises space for the planting of front landscaped gardens and enables closure of the two existing crossovers on Sussex Street, with all movements to and from the site to occur in a forward direction. This arrangement does not add or diminish existing on-street car parking since none exists on the north side of Sussex Street.

The central location of the driveway requires removal of an existing street tree. This must be compensated for by the applicant providing the requisite monetary compensation to Council to enable the planting of a replacement tree in the locality.

The level of the manoeuvring area is below that of adjacent properties to the rear and sides, ensuring no visibility of the space, thereby not resulting in a loss of visual amenity. Establishment of an arbour overhead will serve to improve visual amenity whilst lessening heat loading to the ground below.

Two on-site visitor car parking spaces are required, however none are provided. This lack of visitor is not considered large and on-street spaces are available in the locality.

Parking for residents in the garages exceeds the minimum dimensions, providing comfortable manoeuvring for users and storage space for rubbish bins and sundry possessions.

10. CONCLUSION

The proposal is considered to achieve the relevant principles of the Planning and Design Code as:

- residential land use is desired
- dwelling sizes are generous, providing good internal amenity
- floor to ceiling heights of three metres will maximise internal sunlight and daylight penetration
- materials and finishes are durable and of a high quality with the use of natural materials in lieu of painted finishes
- the quality of architectural design, materials and scale of the building will achieve a high quality urban design outcome and reinforce the City Living Zone as an attractive residential area of low to medium scale
- landscaped areas are of sufficient size to provide a reasonable level of landscaping at ground level with vehicular and pedestrian access arrangements resulting in positive impacts to Sussex Street
- the setback of the upper level successfully diminishes the buildings' bulk and maintain a reasonable sense of openness to adjacent dwellings and to Sussex Street
- the shortfall of ground level landscaped open space is counterbalanced by the provision of generous upper-level decks
- the high density, relative to the maximum desired is acceptable given that off-site impacts have been mostly resolved.

Whilst it is acknowledged the proposal exceeds the maximum desired site coverage, a marginal shortfall in landscaped open space and no on-site visitor car parking, it has been determined that, on balance, the proposal warrants the granting of Planning Consent.

11. RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21017667, by Genworth Group is granted Planning Consent subject to the following conditions and advices:

Conditions

1. **The Development shall be undertaken in accordance with the plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent as listed below:**
 - **Genworth Group Site Survey / Demo Plan Drawing No: SK04 Issue A**
 - **Site and Landscape Plan Drawing SK05 Issue G**
 - **Ground Floor Plan Drawing SK06 Issue G**
 - **First Floor Plan Drawing SK07 Issue G**
 - **Roof Plan Drawing SK08 Issue F**
 - **Materials Palette Drawing SK09 Issue G**
 - **Streetscape Elevations Drawing SK10 Issue G**
 - **Elevations 1 Drawing Number SK11 Issue G**
 - **Elevations 2 Drawing Number SK12 Issue G**
 - **Elevations 1 Drawing Number SK13 Issue E**
 - **Structural Systems Hydrological Analysis Job No DT200108 dated 27 October 2021 as marked up**
 - **Structural Systems Drawing SW01 Stage PA Issue 0**
 - **Structural Systems Drawing SW02 Stage PA Issue 0**
 - **Structural Systems Drawing SW03 Stage PA Issue 0**

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

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 Relevant Authority.**

3. **Trees shall be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.**

4. **Rainwater tanks shall be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwellings.**

5. **The privacy screening as depicted on the plans granted consent described as Elevation 1 Drawing No: SK11 - Revision G, Elevations 2 Drawing No: SK12 – Revision G, Elevations 3 Drawing No: SK11 - Revision G shall be installed prior to the occupation or use of the Development and thereafter shall be maintained to the reasonable satisfaction of the Council at all times.**

6. **All car parks, driveway and vehicle manoeuvring areas on the Land shall be, drained, paved and sealed to the reasonable satisfaction of the Council so as to ensure that no surface water or rubble on the Land is transported across the adjacent public footpath.**

7. **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 Relevant Authority.**

8. **All collected drainage water from any planter boxes, seepage collection systems, water features, swimming pools and/or spas located on the Land shall be discharged to the sewer to the reasonable satisfaction of the Relevant Authority.**

9. **Further details regarding the depth of the planter beds and a suitable planting scheme along with the environmental performance of the permeable paved areas shall be provided to the reasonable satisfaction of the Relevant Authority. The establishment of all landscaping shall be undertaken within three months of the substantial completion of the Development and in any event prior to the occupation or use of the Development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of the Relevant Authority at all times.**

10. **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 comply with the EPA Noise Policy 2007.**

Advisory Notes

1. Development Approval

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

2. Appeal Rights

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

3. Expiration of Consent

Pursuant to the provisions of Regulation 67 of the Planning, Development and Infrastructure (General) Regulations 2017, this consent / approval will lapse at the expiration of 2 years 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 2 years, 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.

4. Compensation for removal of street tree

The applicant shall meet all costs associated with removing the existing street tree located where the driveway is proposed on Sussex Street and the planting of a replacement tree including modifications to the irrigation system.

5. 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.

6. 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.

7. Parking Permits

No on-street residential parking permits will be issued for use by occupants of, or visitors to, the development herein approved.

8. 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

Unsecure building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership.

9. Damage to Council's Footpath/Kerbing/Road Pavement

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.

10. Fences

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 8463 3555.

11. Consultation with adjacent owners/occupiers

In addition to notification and other requirements under the Development Act and Fences Act, it is recommended that the applicant/owner consult with adjoining owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needing resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

12. Construction Noise

Demolition and construction at the site should be carried out so that it complies with the construction noise provisions of Part 6, Division 1 of the Environment Protection (Noise) Policy 2007. A copy of the Policy can be viewed at the following site: www.legislation.sa.gov.au

13. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. This includes activities that have received Development Approval.

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/business/permits-licences/city-works/

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.