

TO: **COUNCIL ASSESSMENT PANEL**
 DATE: **24 JULY 2019**
 SUBJECT: **COUNCIL ASSESSMENT PANEL REPORT**
 AUTHOR: **ALEXANDER STAMATOPOULOS**
 ATTACHMENTS: **1. LOCALITY PLAN**
2. PROPOSED PLANS INCLUDING LAND DIVISION PLAN
3. REPRESENTATIONS
4. APPLICANT'S RESPONSE TO REPRESENTATIONS
5. DPTI REFERRAL

HEARING OF REPRESENTORS **J CLARKE**
 HEARING OF APPLICANT **MATTHEW FALCONER ON BEHALF OF APPLICANT**

DA NO.	:	<u>110/00350/19</u>
APPLICANT	:	<u>SCOTT VASEY</u>
LOCATION	:	<u>1 HELEN STREET, GLENELG NORTH</u>
DEVELOPMENT PLAN	:	<u>CONSOLIDATED 2 JUNE 2016</u>
ZONE AND POLICY AREA	:	<u>RESIDENTIAL, MEDIUM DENSITY POLICY AREA 5</u>
NATURE OF DEVELOPMENT: PROPOSAL	:	<u>MERIT</u> <u>COMMUNITY TITLE LAND DIVISION CREATING 6 LOTS FROM ONE</u> <u>ALLOTMENT AND THE CONSTRUCTION OF A RESIDENTIAL FLAT</u> <u>BUILDING COMPRISING 6 TWO STOREY DWELLINGS</u>
EXISTING USE	:	<u>DETACHED DWELLING</u>
REFERRALS	:	<u>DPTI</u>
CATEGORY	:	<u>TWO</u>
REPRESENTATIONS	:	<u>SEVEN</u>
RECOMMENDATION	:	<u>DEVELOPMENT APPROVAL (LAND DIVISION) AND DEVELOPMENT</u> <u>PLAN CONSENT WITH CONDITIONS</u>

1. Site and Locality

The subject site comprises one allotment on the northern side of Anzac Highway and Helen Street with a combined frontage of 40 metres to Anzac Highway, 21 metres to Helen Street and a total area of 1127m². The allotment currently comprises a detached dwelling which gains access from a driveway off Helen Street.

The locality comprises a majority of single-storey dwellings dominated by group and residential flat buildings with medium densities. Similar developments to the proposed have recently been constructed at 590 Anzac Highway (corner Keen Avenue) and 2 Sixth Avenue (corner Anzac Highway) and 574 to 578 Anzac Highway (corner Miller Street).

2. Background and Development Assessment Process

The application was lodged through EDALA as a combined land use and land division application. Through the submission, the application was referred to the State Commission Assessment Panel and the Department for Planning, Transport and Infrastructure. No concerns were raised from either department concerning the development. Any suggested conditions are listed in the recommendation. The application is a Category 2 development subject to Schedule 9 Part 2 18(a) of the Development Regulations. The application received seven representations during the consultation period.

3. Proposed Development

The development proposes the demolition of existing buildings and the construction of a two storey residential flat building comprising six dwellings. The dwellings gain access off Helen Street from a common driveway at the rear of the site. A 2.1 metre high masonry fence will be constructed along Anzac Highway and Helen Street. The dwellings will comprise a mix of selected face brickwork, rendered surfaces, RendaPanel cladding and colorbond roofing.

Development Data

Aspect	Proposed	Required/Allowed	Compliance
Site Area	Average 156m ²	200m ²	No
Site Frontage	6.35m to 8.14m	7m	No (minor)
Building Height (walls)	6m	7m	Yes
Site Coverage	55% to 65%	60%	No (minor)
Front Setbacks	Anzac Highway – 4m to 5m Helen Street – 2m to 3.3m	Reduced setbacks. 7m (adjacent dwelling)	Yes No
Side Boundaries	Upper storey – 2.3m	2.5m	No (minor)
Rear Boundary	6.5m to ground and 8.2m upper floor.	4m to ground and 6m to upper floor.	Yes
Car Parking Provision	2 spaces/dwelling	1.5 spaces/dwelling	Yes
Private Yard Space	30m ² to 39m ²	35m ²	No (minor)

4. Public Consultation

The application was subject to Category 2 public notification. Seven representations were received. A summary of the representations are shown below:

M Maynard Unit 14, 7-10 Helen Street, Glenelg North:

- Increased traffic and parking in Helen Street adding to existing congestion; and
- Limited space for the location of garbage bins in its current state. An additional 12 bins on Helen Street will exacerbate current issues;

R Hoff 4/507a Anzac Highway, Glenelg North

- Western windows should be obscured to protect the privacy of neighbouring western property;
- Appropriate stormwater measures should be implemented to prevent flooding;
- Boundary fencing should be replaced at the cost of the developer;
- Work times and noise must not inconvenience immediate neighbours; and
- High-density developments along Anzac Highway have decreased streetscape appeal and living standards. A maximum of 3 x two storey townhouses should be considered.

I Khan and A Hasan 1/507b Anzac Highway, Glenelg North

- Addition of six dwellings will further increase congestion in Helen Street; and
- Access should be from Anzac Highway as opposed to Helen Street, and people do not tend to park in garages and instead on side streets.

R Colegate 3/507a Anzac Highway, Glenelg North

- Western windows should be obscured to protect the privacy of neighbouring western properties;
- A sump and stormwater pipe to Anzac Highway is essential;
- Work times and noise must not inconvenience immediate neighbours; and
- Parking along Helen Street will become chaotic due to existing unit complexes and limited car parking provided on the site.

J Clarke Unit 11, 7-10 Helen Street, Glenelg North

- The additional 12 cars will add to the existing traffic and visibility issues;
- Vehicles entering and exiting the site will block the road while the electronic gate is opening; and
- Helen Street cannot accommodate additional parking for the visitors of the units.

S Chambers 5/7 Helen Street, Glenelg North

- Helen Street does not have enough on-street car parking;
- The narrow width of the road only enables one car to pass at a time when cars parked on the street; and
- The development would set a precedent for more infill to occur in the street.

F and A Fazza Unit 10, 7-10 Helen Street, Glenelg North

- The ambience of the local area will be negatively affected as low-density houses are predominant in the locality;
- The streetscape will be compromised as the proposal has short setbacks;
- There is already insufficient parking on Helen Street, and the proposed dwellings will further aggravate the issue; and
- Traffic flow is limited to a single lane when cars are parked on either side of Helen Street. Traffic issues will increase with the influx of vehicles numbers of proposed dwellings.

- Traffic noise will increase, particularly along the common driveway, which will be used for access into the garaging.
- Garbage collection will place increased stress on parking and traffic flow as an additional ten bins will be added to the Helen Street frontage.

Refer to Attachment 3

The applicant has provided a written response to the representation.

Refer to Attachment 4

5. Referrals

The application was referred to DPTI given the proximity of the Helen Street access to Anzac Highway. DPTI advises:

- DPTI does not object to the proposed access arrangement;
- All vehicular access to/from the site shall be in general accordance with the plan of division provided by Weber Frankiw Surveyors, Reference 7919div, dated 15 May 2019; and
- Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Refer to Attachment 5

HOLDFAST BAY (CITY) DEVELOPMENT PLAN – ASSESSMENT – RESIDENTIAL – COUNCIL WIDE – PRINCIPLES OF DEVELOPMENT CONTROL

Crime Prevention	
1. Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.	Solid fences to both streets proposed. That along Anzac Highway is encouraged by the Development Plan to assist in noise reduction.
2. Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.	Complies.
3. Development should provide a robust environment that is resistant to vandalism and graffiti.	Complies.
7. Site planning, buildings, fences, landscaping and other features should clearly differentiate public, communal and private areas.	Complies.
8. Buildings should be designed to minimise and discourage access between roofs, balconies and windows of adjoining dwellings.	Generally complies.
Design and Appearance	
1. Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following: (a) building height, mass and proportion (b) external materials, patterns, colours and decorative elements (c) roof form and pitch (d) façade articulation and detailing (e) verandahs, eaves, parapets and window screens.	Complies. Contemporary design, well-articulated with appropriate height and mass.
3. The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.	Complies.
5. Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.	Complies.

Design and Appearance (Cont)	
10. The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of: (a) windows of habitable rooms (b) upper-level private balconies that provide the primary open space area for a dwelling (c) solar collectors (such as solar hot water systems and photovoltaic cells).	Complies.
11. Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as: (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct (b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.	Complies – obscured glass to relevant upper storey windows.
13. Buildings (other than ancillary buildings or group dwellings) should be designed so that their main façade faces the primary street frontage of the land on which they are situated.	Complies.
14. Buildings, landscaping, paving and signage should have a coordinated appearance that maintains and enhances the visual attractiveness of the locality.	Complies.
15. Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.	Complies.
16. Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.	Complies.
Energy Efficiency	
1. Development should provide for efficient solar access to buildings and open space all year around.	Generally complies – rear private yards to south of building will unavoidably be shadowed.
2. Buildings should be sited and designed: (a) to ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings (b) so that open spaces associated with the main activity areas face north for exposure to winter sun (c) to promote energy conservation by maintaining adequate access to winter sunlight to the main ground level of living areas of existing dwellings on adjoining land.	Complies.
3. Except for buildings that take advantage of coastal views, development should promote the efficient consumption of energy through the use of larger but appropriately shaded windows on the north and east building surfaces and smaller windows on the south and west building surfaces.	Complies.
Hazards	
1. Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards.	Complies.
2. Development located on land subject to hazards as shown on the <i>Overlay Maps - Development Constraints</i> should not occur unless it is sited, designed and undertaken with appropriate precautions being taken against the relevant hazards.	Complies.

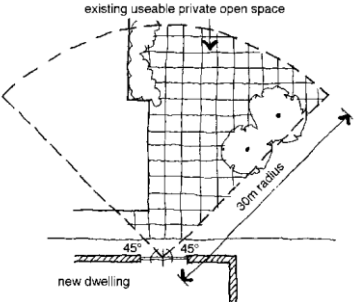
Hazards	
3. There should not be any significant interference with natural processes in order to reduce the exposure of development to the risk of natural hazards.	Complies.
4. Development should not occur on land where the risk of flooding is likely to be harmful to safety or damage property.	City Asset's Department had no concern with the stormwater management
5. Development should not be undertaken in areas liable to inundation by tidal, drainage or flood waters unless the development can achieve all of the following: (a) it is developed with a public stormwater system capable of catering for a 1-in-100 year average return interval flood event (b) buildings are designed and constructed to prevent the entry of floodwaters in a 1-in-100 year average return interval flood event.	See above.
14. Development, including land division, should not occur where site contamination has occurred unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed use.	Complies.
Interface between Land Uses	
2. Development should be sited and designed to minimise negative impact on existing and potential future land uses considered appropriate in the locality.	Complies.
Landscaping, Fences and Walls	
1. Development should incorporate open space and landscaping and minimise hard paved surfaces in order to: (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components) (b) enhance the appearance of road frontages (c) screen service yards, loading areas and outdoor storage areas (d) minimise maintenance and watering requirements (e) enhance and define outdoor spaces, including car parking areas (f) maximise shade and shelter (g) assist in climate control within and around buildings (h) minimise heat absorption and reflection (i) maintain privacy (j) maximise stormwater re-use (k) complement existing vegetation, including native vegetation (l) contribute to the viability of ecosystems and species (m) promote water and biodiversity conservation (n) establish buffers to adjacent development and areas.	Complies.
2. Landscaping should: (a) include mature vegetation, the planting of locally indigenous species where appropriate and species tolerant of salt-laden winds near the coast (b) be oriented towards the street frontage (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.	Some existing trees to be removed. Proposed landscaping along site perimeter and internal drive considered reasonable.
3. Landscaping should not: (a) unreasonably restrict solar access to adjoining development (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding (c) introduce pest plants (d) increase the risk of bushfire (e) remove opportunities for passive surveillance (f) increase leaf fall in watercourses (g) increase the risk of weed invasion (h) obscure driver sight lines (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.	Complies.

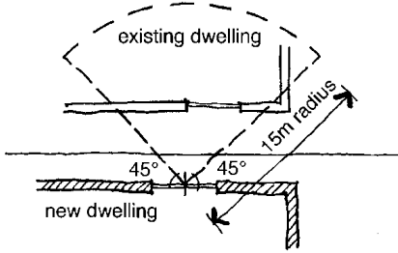
Landscaping, Fences and Walls	
<p>5. Fences and walls, including retaining walls, should:</p> <ul style="list-style-type: none"> (a) not result in damage to neighbouring trees (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street (e) assist in highlighting building entrances (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land (h) be constructed of non-flammable materials. 	Complies.
<p>7. Front fencing should be open in form to allow cross ventilation and access to sunlight.</p>	Does not comply but solid fence anticipated by Development Plan along Anzac Highway and considered acceptable along Helen Street as it provides privacy to courtyards.
Orderly and Sustainable Development	
<p>1. Development should not prejudice the development of a zone for its intended purpose.</p>	Complies.
<p>7. Vacant or underutilised land should be developed in an efficient and co-ordinated manner to not prejudice the orderly development of adjacent land.</p>	Complies.
<p>9. Development should be undertaken in accordance with the following Structure Plan Map and Concept Plan Maps:</p> <ul style="list-style-type: none"> (a) <i>Structure Plan Map HoB/1 - Holdfast Bay</i> (b) <i>Structure Plan Map HoB/2 - Brighton and Hove District Centre</i> (c) <i>Concept Plan Map HoB/1 - Jetty Road and Moseley Square</i> (d) <i>Concept Plan Map HoB/2 - Car Parking Areas</i> (e) <i>Concept Plan Map HoB/3 - Foreshore and Patawalonga</i> (f) <i>Concept Plan Map HoB/4 - Buckle Street</i> (g) <i>Concept Plan Map HoB/5 - Extent - Glenelg Foreshore and Patawalonga Zone.</i> 	Complies.
Residential Development	
<p>1. Residential allotments and sites should maximise solar orientation and have the area and dimensions to accommodate:</p> <ul style="list-style-type: none"> (a) the siting and construction of a dwelling and associated ancillary outbuildings (b) the provision of landscaping and private open space (c) convenient and safe vehicle, pedestrian and cycling access and parking (d) water sensitive design systems that enable the storage, treatment and reuse of stormwater. 	Generally complies
<p>3. Residential allotments should be of varying sizes to encourage housing diversity.</p>	Complies.
<p>4. Dwellings and accommodation at ground floor level should contribute to the character of the locality and create active, safe streets by incorporating one or more of the following:</p> <ul style="list-style-type: none"> (a) front landscaping or terraces that contribute to the spatial and visual structure of the street while maintaining adequate privacy for occupants (b) individual entries for ground floor accommodation (c) opportunities to overlook adjacent public space. 	Less activation at street level due to solid front fences.
<p>5. Residential development should be designed to ensure living rooms have an external outlook.</p>	Complies.

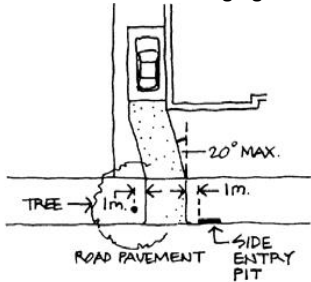
Residential Development (Cont)	
6. Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.	Complies.
8. The vertical distance between any lower floor of a building and the natural ground level should not exceed 1.5 metres at any point to minimise the depth of excavation and/or height of filling of land, as illustrated by the figure below:	Complies.
10. The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to: (a) windows of habitable rooms (all rooms excluding bathrooms, laundries and hallways), particularly living areas (b) ground-level private open space (c) upper-level private balconies that provide the primary open space area for any dwelling (d) access to solar energy.	Complies.
11. Development should ensure that north-facing windows to habitable rooms (all rooms excluding bathrooms, laundries and hallways) of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9 am and 5 pm on the 21 June.	Complies.
12. Development should ensure that ground-level open space of existing buildings receives direct sunlight for a minimum of two hours between 9 am and 3 pm on 21 June to at least the smaller of the following: (a) half of the existing ground-level open space (b) 35 square metres of the existing ground-level open space (with at least one of the area's dimensions measuring 2.5 metres). Development should not increase the overshadowed area by more than 20 per cent in cases where overshadowing already exceeds these requirements.	Complies.
13. Garages, carports and outbuildings should have a roof form and pitch, building materials and detailing that complement the associated dwelling.	Complies.
14. Garages and carports facing the street should not dominate the streetscape and should be designed in accordance with the following: (a) have a maximum total width of garage or carport openings of 6 metres or 50 per cent of the dwelling frontage width, whichever is the lesser (b) be located at least 0.5 metres behind the main face of the associated dwelling (c) where it is in the form of an enclosed double carport or garage, be setback at least 8 metres from the primary road frontage and incorporate one of the following: (i) two individual doors with a distance of not less than 300 millimetres between them (ii) double tilt-up doors with moulded door panels having a maximum width of no more than 5 metres (d) be constructed of materials that integrate with those of the associated dwelling, or pre-coloured treated metal.	Complies. No garages directly face the streets.
15. Garages, carports and domestic outbuildings should be set back from the secondary road frontage in line with or greater than the setback of the associated dwelling.	Complies
16. Residential outbuildings, including garages and sheds, should not be constructed unless in association with an existing dwelling.	Complies.

Residential Development (Cont)														
<p>19. Except where specified in a particular zone, policy area or precinct or Residential High Density Zone, the main face of a building should be set back from the primary road frontage in accordance with the following table:</p> <table border="1"> <thead> <tr> <th>Setback difference between buildings on adjacent allotments with frontage to the same primary street</th> <th>Setback of new building</th> </tr> </thead> <tbody> <tr> <td>Up to 2 metres</td> <td>The same setback as one of the adjacent buildings, as illustrated below:</td> </tr> <tr> <td>Greater than 2 metres</td> <td>At least the average setback of the adjacent buildings.</td> </tr> </tbody> </table>		Setback difference between buildings on adjacent allotments with frontage to the same primary street	Setback of new building	Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:	Greater than 2 metres	At least the average setback of the adjacent buildings.	<p>Anzac Highway setback considered reasonable given reduced setbacks envisaged in Desired Character and similar to recent development setbacks at 590 Anzac Highway and 574 to 578 Anzac Highway.</p> <p>Helen Street setbacks are considered reasonable as the development is stepped back as it approaches the adjoining northern property.</p>						
Setback difference between buildings on adjacent allotments with frontage to the same primary street	Setback of new building													
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:													
Greater than 2 metres	At least the average setback of the adjacent buildings.													
<p>20. Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:</p> <p>(a) minimise the visual impact of buildings from adjoining properties (b) minimise the overshadowing of adjoining properties.</p>		Complies.												
<p>21. Residential development (other than where located on a boundary) should be setback from side and rear boundaries in accordance with the following parameters:</p> <table border="1"> <thead> <tr> <th>Parameter</th> <th>Value</th> </tr> </thead> <tbody> <tr> <td>Side walls with a height up to (and including) 3 metres at any point above the natural ground level.</td> <td>1 metre</td> </tr> <tr> <td>Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground.</td> <td>1.5 metres plus an additional 500mm for every metre in height above 4 metres.</td> </tr> <tr> <td>Side walls greater than 6 metres at any point above the natural ground level</td> <td>2.5 metres plus the increase in wall height above 6 metres</td> </tr> <tr> <td>Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level</td> <td>4 metres</td> </tr> <tr> <td>Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level</td> <td>6 metres</td> </tr> </tbody> </table>		Parameter	Value	Side walls with a height up to (and including) 3 metres at any point above the natural ground level.	1 metre	Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground.	1.5 metres plus an additional 500mm for every metre in height above 4 metres.	Side walls greater than 6 metres at any point above the natural ground level	2.5 metres plus the increase in wall height above 6 metres	Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level	4 metres	Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level	6 metres	<p>Minor shortfall of 130mm to western upper level side setback. Rear setbacks comply.</p>
Parameter	Value													
Side walls with a height up to (and including) 3 metres at any point above the natural ground level.	1 metre													
Side walls with a height exceeding 3 metres and up to (and including) 6 metres at any point above the natural ground.	1.5 metres plus an additional 500mm for every metre in height above 4 metres.													
Side walls greater than 6 metres at any point above the natural ground level	2.5 metres plus the increase in wall height above 6 metres													
Rear boundary setback for single storey buildings with a wall height 3 metres or less above natural ground level	4 metres													
Rear boundary setback for a building of two or more storeys with a wall height more than 3 metres above natural ground level	6 metres													
<p>23. Side boundary walls in residential areas should be limited in length and height to:</p> <p>(a) minimise their visual impact on adjoining properties (b) minimise the overshadowing of adjoining properties</p>		Complies.												
<p>25. Walls with a height of up to (and including) 3 metres above natural ground level (excluding veranda, porch and balcony structures) should be setback 2 metres from the secondary street frontage</p>		Complies.												
<p>26. Walls with a height of more than 3 metres above natural ground level (excluding verandah, porch and balcony structures) should be setback 4 metres from the secondary street frontage.</p>		Does not comply – 3.3 metres for residence 6 but considered reasonable.												

Residential Development (Cont)								
27. Carports and garages should be set back from road and building frontages so as to: (a) contribute to the desired character of the area (b) not adversely impact on the safety of road users (c) provide safe entry and exit (d) not dominate the appearance of dwellings from the street		Side walls of garages step back from dwelling façade resulting in no negative visual impact in context with overall development.						
28. Site coverage (the proportion of a site covered by ground floor level buildings and structures including dwelling, garage, carport, verandas and outbuildings but excluding unroofed pergolas and unroofed balconies) should not exceed the following values: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Parameter</th> <th style="text-align: left;">Value</th> </tr> </thead> <tbody> <tr> <td>Site with an area less than or equal to 300 square metres</td> <td>60 per cent</td> </tr> <tr> <td>Site with an area greater than 300 square metres</td> <td>50 per cent</td> </tr> </tbody> </table>	Parameter	Value	Site with an area less than or equal to 300 square metres	60 per cent	Site with an area greater than 300 square metres	50 per cent		Does not comply – varies from 55% to 65%. Considered reasonable as useable private open space, parking and setbacks provided.
Parameter	Value							
Site with an area less than or equal to 300 square metres	60 per cent							
Site with an area greater than 300 square metres	50 per cent							
29. Site coverage should be limited to ensure sufficient space is provided for: (a) vehicle parking (b) domestic storage (c) outdoor clothes drying (d) a rainwater tank (e) private open space and landscaping (f) convenient storage of household waste and recycling receptacles		Complies.						
30. Site coverage determinations for group dwellings and residential flat building sites should not include common areas such as access ways, driveways and landscaping.		Complies – above figures do not include driveways.						
31. Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling (including a dwelling within a residential flat building) and should be sited and designed: (a) to be accessed directly from the internal living areas of the dwelling (b) generally at ground level to the side or rear of a dwelling and screened for privacy (c) to take advantage of but not adversely affect natural features of the site (d) to minimise overlooking from adjacent buildings (e) to achieve separation from bedroom windows on adjoining sites (f) to have a northerly aspect to provide for comfortable year-round use (g) to not be significantly shaded during winter by the associated dwelling or adjacent development (h) to be shaded in summer.		Complies.						
32. Dwellings and residential flat buildings at ground level should include private open space that conforms to the requirements identified in the following table:								
Site area of dwelling - 250 square metres or greater.								
Minimum area of private open space - 20 per cent of site area.		Not applicable.						
Provisions Balconies, roof patios, decks and the like, can comprise part of this area provided the area of each is 10 square metres or greater. One part of the space should be directly accessible from a kitchen, lounge room, dining room or living room (excluding a bedroom) and have an area equal to or greater than 10 per cent of the site area with a minimum dimension of 5 metres and a maximum gradient of 1-in-10.								
Site area of dwelling - Less than 250 square metres.								
Minimum area of private open space - 35 square metres.		Does not comply – varies from 30m ² to 39m ² . Residences 1 to 5 contain a 5sqm shortfall which is not considered to detrimentally impact the function of the private open space.						

Provisions	
<p>Balconies, roof patios and the like can comprise part of this area provided the area of each is 8 square metres or greater. One part of the space is directly accessible from a kitchen, lounge room, dining room or living room (excluding a bedroom) and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</p>	
<p>33. Private open space should not include driveways, front yards (except where it is a group dwelling that has no frontage to a public road and the private open space is screened from adjacent dwellings), effluent drainage areas, rubbish bin storage, sites for rainwater tanks and other utility areas and common areas such as parking areas and communal open space.</p>	Complies.
<p>34. Private open space at ground level should be designed to provide a consolidated area of deep soil (an area of natural ground which excludes areas where there is a structure underneath, pools and non-permeable paved areas) to: (a) assist with ease of drainage (b) allow for effective deep planting (c) reduce urban heat loading and improve micro-climatic conditions around sites and buildings.</p>	Complies.
<p>40. Except for buildings of 3 or more storeys in the Minda Incorporated Brighton Campus, upper level windows, balconies, terraces and decks that overlook habitable room windows or private open space of dwellings should maximise visual privacy through the use of measures such as sill heights of not less than 1.7 metres or permanent screens having a height of 1.7 metres above finished floor level.</p>	Complies.
<p>41. Where development is greater than single storey (excluding the Minda Incorporated Brighton Campus): (a) any upper storey window that directly overlooks the private open space of an adjoining residential property that is within 30 metres from the vertical centre line of the overlooking window and beyond a 45 degree angle from the plane of the wall containing the overlooking window (as illustrated by the figure below) should be glazed in fixed obscure glass or have window sills a minimum of 1.7 metres above the upper floor level:</p> 	Complies.

Provisions (Cont)	
<p>(b) any upper storey window that directly overlooks habitable rooms (all rooms excluding bathrooms, laundries and hallways) of residential buildings that are within 15 metres from the vertical centre line of the overlooking window and beyond a 45 degree angle from the plane of the wall containing the overlooking window (as illustrated by the figure below) should be glazed in fixed obscure glass or have window sills a minimum of 1.7 metres above the upper floor level:</p>  <p>(c) any upper storey balcony should be located and/or designed to avoid directly overlooking the private open space of adjoining residential properties and into habitable rooms (all rooms excluding bathrooms, laundries and hallways) of other dwellings.</p>	Complies.
<p>44. Residential development close to high noise sources (eg major roads, railway lines, tram lines, industry, and airports) should be designed to locate bedrooms, living rooms and private open spaces away from those noise sources, or protect these areas with appropriate noise attenuation measures.</p>	Noise abatement features recommended as condition.
<p>47. Site facilities for group dwellings, residential parks and residential flat buildings and should include:</p> <ul style="list-style-type: none"> (a) mail box facilities sited close to the major pedestrian entrance to the site (b) bicycle parking for residents and visitors (c) household waste and recyclable material storage areas away from dwellings (d) external clothes drying areas, which are readily accessible to each dwelling and complement the development and streetscape character for dwellings which do not incorporate ground level private open space (e) a storage area of not less than 8 square metres for each dwelling. 	Complies. However, bicycle storage is not provided.
Siting and Visibility	
<p>4. Buildings and structures should be designed to minimise their visual impact in the landscape, in particular:</p> <ul style="list-style-type: none"> (a) the profile of buildings should be low and the rooflines should complement the natural form of the land (b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land (c) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas that reduce the bulky appearance of buildings. 	Complies – significant building articulation in design.

Siting and Visibility (Cont)	
8. Development should be screened through the establishment of landscaping using locally indigenous plant species: (a) around buildings and earthworks to provide a visual screen as well as shade in summer, and protection from prevailing winds (b) along allotment boundaries to provide permanent screening of buildings and structures when viewed from adjoining properties and public roads (c) along the verges of new roads and access tracks to provide screening and minimise erosion.	Reasonable perimeter landscaping.
Transport and Access	
8. Development should provide safe and convenient access for all anticipated modes of transport.	Complies.
9. Development at intersections, pedestrian and cycle crossings, and crossovers to allotments should maintain or enhance sightlines for motorists, cyclists and pedestrians to ensure safety for all road users and pedestrians.	Complies.
10. Driveway cross-overs affecting pedestrian footpaths should maintain the level of the footpath.	Complies.
11. Driveway crossovers should be separated and the number minimised to optimise the provision of on- street visitor parking (where on-street parking is appropriate).	Complies – one only crossover.
21. On-site secure bicycle parking facilities should be: (a) located in a prominent place (b) located at ground floor level (c) located undercover (d) located where surveillance is possible (e) well lit and well signed (f) close to well used entrances (g) accessible by cycling along a safe, well lit route.	Sufficient area on each site to accommodate bicycle parking.
23. Driveway crossovers should be: (a) single width and appropriately separated, to preserve and enhance street character, and facilitate opportunities for landscaping, fencing and street tree planting (b) minimised in number so as to optimise the provision of on-street visitor parking (c) placed to avoid relocation of street trees, utility and infrastructure inspection points, poles and equipment (d) a maximum of 30 per cent of the frontage of the site (except in Institution Policy Area 4, South West Policy Area 7 and Seacliff Policy Area 12). (e) located a minimum of 1 metre from property boundaries, existing street trees, stormwater side entry pits and above ground utility and infrastructure equipment and poles. Where trees or infrastructure require deviation in the crossover, the maximum deviation between the garage / carport and the crossover at the boundary is 20 degrees, as illustrated in the following figure: 	One only, 5.5 metre wide crossover considered reasonable.
<p><i>Crossovers should have a 1m clearance to street trees, stobie poles and stormwater side entry pits</i></p>	

Transport and Access (Cont)			
24. Paving and driveway surfaces should not constitute more than 50 percent of the area between the front property boundary and the forward most building alignment of a dwelling.		Complies.	
26. On-site parking and manoeuvring areas servicing development abutting arterial roads should be designed to enable all vehicles to enter and exit the site in a forward direction.		Complies.	
27. Except where located within the Residential Character Zone , a dwelling should only be developed on an allotment in the form of a hammer head or battleaxe configuration (including for group dwellings), where all of the following is achieved: (a) sufficient area is provided for a vehicle to enter and exit the allotment in a forward direction (b) the driveway or 'handle' portion of the allotment is located in a manner that is compatible with the prevailing pattern of development and would not result in multiple access points onto the road in order to minimise the impact of access points on the amenity of the streetscape (c) the driveway or 'handle' portion of the allotment has a maximum deviation angle for driveway tapering of no more than 20 degrees (d) the minimum width of the driveway or 'handle' portion of the allotment (including a landscaped strip on each side of the driveway, which is at least 0.5 metres wide or 1 metre wide where the driveway provides access to 8 or more dwellings) is not less than that shown in the following table:		500mm shortfall. The 5.5m width is considered appropriate for cars to enter and exit the site simultaneously.	
Dwellings or allotments to be served by the driveway (whichever is the greater)	At the front property boundary and for the first 6 metres	Width beyond the first 6 metres	Widening required for passing
1	4 metres	3.5 metres	Not required
At least 2 and no more than 7	8 metres where the site is adjacent to an arterial road 6 metres in all other	4 metres	The minimum width is increased to 6 metres for a length of 6 metres at a point 25 metres from the front property boundary and every 25 metres thereafter
8 or more	8 metres	6 metres	Not required
29. Development should be provided with safe and convenient access which: (a) avoids unreasonable interference with the flow of traffic on adjoining roads (b) provides appropriate separation distances from existing roads or level crossings (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties		Complies.	
34. Development with access from arterial roads or roads as shown on Overlay Maps - Transport should be sited to avoid the need for vehicles to reverse on to or from the road.		Complies.	

Transport and Access (Cont)	
40. Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with zone requirements or, if not specified by the zone, <i>Table HoB/1 - Off Street Vehicle Parking Requirements</i> (with resultant numerical figure rounded to the nearest whole number) unless all the following conditions are met: (a) the site is located within the Glenelg Policy Area 2 (b) an agreement is reached between the Council and the applicant for a reduced number of parking spaces (c) a financial contribution is paid into the Council Car Parking Fund specified by the Council, in accordance with the gazetted rate per car park.	Complies. Although no dedicated visitor parking the total on-site parking (2 spaces/dwelling) exceeds the total required (1.5 spaces/dwelling).
41. Development should be consistent with Australian Standard AS: 2890 - Parking facilities.	Complies.
42. Vehicle parking areas should be sited and designed in a manner that will: (a) facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development (b) include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network (c) not inhibit safe and convenient traffic circulation (d) result in minimal conflict between customer and service vehicles (e) avoid the necessity to use public roads when moving from one part of a parking area to another (f) minimise the number of vehicle access points onto public roads (g) avoid the need for vehicles to reverse onto public roads (h) where practical, provide the opportunity for shared use of car parking and integration of car parking areas with adjoining development to reduce the total extent of vehicle parking areas and the requirement for access points (i) not dominate the character and appearance of a site when viewed from public roads and spaces (j) provide landscaping that will shade and enhance the appearance of the vehicle parking areas (k) include infrastructure such as underground cabling and connections to power infrastructure that will enable the recharging of electric vehicles.	Complies.
45. Parking areas should be sealed or paved in order to minimise dust and mud nuisance.	Complies.
46. To assist with stormwater detention and reduce heat loads in summer, vehicle parking areas should include soft (living) landscaping.	Complies.
49. On-site vehicle parking should be provided having regard to: (a) the number, nature and size of proposed dwellings (b) proximity to centre facilities, public and community transport within walking distance of the dwellings (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons. (d) availability of on-street car parking. (e) any loss of on-street parking arising from the development (e.g. an increase in number of driveway crossovers).	Complies.
50. Vehicle parking areas servicing more than one dwelling should be of a size and location to: (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area (c) reinforce or contribute to attractive streetscapes.	Complies.

Transport and Access (Cont)	
51. The provision of ground level vehicle parking areas, including garages and carports (other than where located along a rear lane access way), should: <ul style="list-style-type: none"> (a) not face the primary street frontage (b) be located to the rear of buildings with access from a shared internal laneway (c) ensure vehicle park entries are recessed at least 0.5 metres behind the main face of the building. 	Garage locations will not impact the streetscapes.

HOLDFAST BAY (CITY) DEVELOPMENT – ASSESSMENT – GENERAL SECTION – LAND DIVISION

General Section – Land Division	
Objectives	Assessment
1 Land division that occurs in an orderly sequence allowing efficient provision of new infrastructure and facilities and making optimum use of existing under-utilised infrastructure and facilities.	Complies.
2 Land division that creates allotments appropriate for the intended use.	Complies. The proposed allotments are intended for residential use.
3 Land division layout that is optimal for energy efficient building orientation.	Complies.
Principles of Development Control	Assessment
1 When land is divided: <ul style="list-style-type: none"> (a) stormwater should be capable of being drained safely and efficiently from each proposed allotment and disposed of from the land in an environmentally sensitive manner (b) a sufficient water supply should be made available for each allotment (c) provision should be made for the disposal of wastewater, sewage and other effluent from each allotment without risk to health (d) proposed roads should be graded, or be capable of being graded to connect safely and conveniently with an existing road or thoroughfare. 	Complies

General Section – Land Division (Cont)	
Principles of Development Control	Assessment
<p>2 Land should not be divided if any of the following apply:</p> <ul style="list-style-type: none"> (a) the size, shape, location, slope or nature of the land makes any of the allotments unsuitable for the intended use (b) any allotment will not have a frontage to one of the following: <ul style="list-style-type: none"> (i) an existing road (ii) a proposed public road (iii) access to a public road via an internal roadway in a plan of community division (c) the intended use of the land is likely to require excessive cut and/or fill (d) it is likely to lead to undue erosion of the subject land or land within the locality (e) the wastewater treatment plant to which subsequent development will be connected does not have sufficient capacity to handle the additional wastewater volumes and pollutant loads generated by such development (f) the area is unsewered and cannot accommodate an appropriate onsite wastewater disposal system within the allotment that complies with (or can comply with) the relevant public and environmental health legislation applying to the intended use(s) (g) any allotments will straddle more than one zone, policy area or precinct (h) the allotments unreasonably restrict access to publicly owned land such as recreation areas. 	Complies.
7 Land division should result in allotments of a size suitable for their intended use.	Complies.
8 Land division should facilitate optimum solar access for energy efficiency.	Complies.
General Section – Land Division	
Objectives	Assessment
<p>11 Allotments should have an orientation, size and configuration to encourage development that:</p> <ul style="list-style-type: none"> (a) minimises the need for earthworks and retaining walls (b) maintains natural drainage systems (c) faces abutting streets and open spaces (d) does not require the removal of native vegetation to facilitate that development (e) will not overshadow, dominate, encroach on or otherwise detrimentally affect the setting of the surrounding locality. 	Complies.
<p>13 The arrangement of roads, allotments, reserves and open space should enable the provision of a stormwater management drainage system that:</p> <ul style="list-style-type: none"> (a) contains and retains all watercourses, drainage lines and native vegetation (b) enhances amenity (c) integrates with the open space system and surrounding area. 	Complies.
<p>17 The design of the land division should provide space sufficient for on-street visitor car parking for the number and size of allotments, taking account of:</p> <ul style="list-style-type: none"> (a) the size of proposed allotments and sites and opportunities for on-site parking (b) the availability and frequency of public and community transport (c) on-street parking demand likely to be generated by nearby uses. 	Complies

General Section – Land Division (Cont)	
Objectives	Assessment
18 The design of the land division should provide at least one readily accessible on-street car parking space adjacent to every two allotments created, except along an arterial road.	Complies

HOLDFAST BAY (CITY) DEVELOPMENT – ASSESSMENT – RESIDENTIAL ZONE AND POLICY AREAS– OBJECTIVES AND PRINCIPLES OF DEVELOPMENT CONTROL

RESIDENTIAL ZONE	
Objectives	
1. A residential zone comprising a range of dwelling types, including a minimum of 15% affordable housing.	Complies.
2. Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.	Complies.
3. Development that contributes to the desired character of the zone.	Complies with Policy Area 5 Desired Character.
Principles of Development Control	
1. The following forms of development are envisaged in the zone: <ul style="list-style-type: none"> • affordable housing • domestic outbuilding in association with a dwelling • domestic structure • dwelling • dwelling addition • small scale non-residential use that serves the local community, for example: <ul style="list-style-type: none"> • child care facility • health and welfare service • open space • primary and secondary school • recreation area • supported accommodation. 	Complies.
3. Vacant or underutilised land should be developed in an efficient and co-ordinated manner to increase housing choice by providing dwellings at densities higher than, but compatible with adjoining residential development.	Complies.
6. Development should not be undertaken unless it is consistent with the desired character for the zone.	Complies.
9. Dwellings and/or residential flat buildings should be setback a minimum of 1 metre from one side boundary to incorporate pedestrian access.	Complies.
11. Development comprising 20 or more dwellings should include a minimum of 15 percent affordable housing (as defined by Notice under the <i>South Australian Housing Trust Regulations 2010</i> as amended).	Development is less than 20 dwellings.
MEDIUM DENSITY POLICY AREA 5	
Objectives	
1. A residential policy area comprising a range of medium-density dwellings, including a minimum of 15 per cent affordable housing, designed to integrate with areas of open space, neighbouring centres or public transport nodes.	Complies.
2. Development that minimises the potential impact of garaging of vehicles on the character of the area.	Complies.

MEDIUM DENSITY POLICY AREA 5	
Objectives (Cont)	
3. Development that supports the viability of community services and infrastructure and reflects good residential design principles.	Complies.
4. Development that contributes to the desired character of the policy area.	Complies.
MEDIUM DENSITY POLICY AREA 5 (Cont)	
Desired Character	
<p>Development within the policy area will progressively include small and medium-scale redevelopment at medium densities as opportunities arise to meet demand for smaller, conveniently located housing. Consolidation of land holdings into larger sites that accommodate integrated medium-density housing development is encouraged through density and design that achieves efficient use of sites in appropriate infill locations, and minimises vehicle access points, particularly along the arterial road frontages. There is a reduced need for on-site car parking and private open space for well-located medium density dwellings.</p> <p>All medium density housing forms are appropriate within the policy area, including accommodation for the aged, boarding homes, student accommodation and affordable housing, which take advantage of the proximity of the policy area to transport services and facilities. This will ultimately result in a mix of housing forms, together with semi-detached and detached dwellings that contribute significantly to the range of housing choice in the Council area. To limit the need for vehicle crossovers onto arterial roads, redevelopment of individual allotments for detached dwellings or semi-detached dwellings is not appropriate on arterial road frontages.</p> <p>Development will contribute positively to the policy area’s image and optimise access to public transport, centres and facilities through well-designed medium density residential buildings up to a maximum of 2 storeys (except along the northern side of Buckle Street Glenelg North, with a maximum height of three storeys) and a variety of dwelling styles and sizes. Building design will be domestic in character particularly in the areas adjacent to the Brighton and Hove railway stations and along Jetty Road Brighton. Building siting and design will minimise negative impacts on the existing residential amenity of adjacent zones.</p> <p>Development will incorporate reduced front setbacks with intensive landscaping and other building treatments such as solid masonry fencing up to 2.2 metres in height along arterial road frontages to facilitate and optimise the practical use of common on-site areas by dwelling occupants. Access points to arterial roads will be restricted and access to sites will preferably be provided to the rear from side streets, where applicable.</p> <p>Development will incorporate noise attenuation techniques, including into building facades, to minimise traffic noise of arterial roads and the railway line. Buildings will also be designed and sited to limit impact to the existing residential amenity of adjacent zones. Building design will be domestic in character, particularly in the areas adjacent to the Brighton and Hove railway stations and along Jetty Road Brighton.</p>	<p>Complies. Smaller and conveniently located housing proposed.</p> <p>Complies. No access onto Anzac Highway.</p> <p>Complies. Does not exceed height requirements and boundary setbacks appropriate.</p> <p>Complies. Front setbacks appropriate, high front fence and no access to Anzac Highway.</p> <p>Complies subject to condition.</p>

Principles of Development Control			
1. The following forms of development are envisaged in the policy area: <ul style="list-style-type: none"> • affordable housing • detached dwelling • domestic outbuilding in association with a dwelling • domestic structure • dwelling addition • group dwelling • verandah in association with a dwelling • residential flat building • row dwelling • semi-detached dwelling • supported accommodation. 		Complies.	
3. Development should not be undertaken unless it is consistent with the desired character for the policy area.		Complies.	
4. Medium density development that achieves gross densities of between 23 and 45 dwellings per hectare (which translates to net densities of between 40 and 67 dwellings per hectare) should be in the form of two or three storey buildings on the northern side of Buckle Street, Glenelg North as indicated within <i>Concept Plan Map HoB/4 - Buckle Street</i> .		Considered appropriate. Site areas equivalent to approximately 68 to 69 dwellings per hectare.	
6. In the case of multiple dwellings on one site, access to parking and garaging areas from public streets should primarily be via a minimum number of common driveways		Complies – one driveway only.	
9. A dwelling should, except where specified in a particular policy area or precinct, have a minimum site area (and in the case of group dwellings and residential flat buildings, an average site area per dwelling) and a minimum frontage to a public road not less than that shown in the following table:	Site area other than sites in the form of battle axe/hammerhead (square metres)	Minimum frontage other than sites in the form of battle axe/hammerhead (metres)	
Detached	250 minimum	9 metres	Does not comply with site area – average 156m ² . Minor non-compliance with some frontages at 6.35 metres.
Semi-detached	200 minimum	9 metres	
Group dwelling	200 average	7 metres	
Residential flat building	200 average	7 metres	
Row dwelling	200 minimum	7 metres	

Principles of Development Control (Cont)	
11. The minimum site area for row dwellings and group dwellings should only be reduced to 150 square metres, excluding the area used to accommodate a driveway or access way, where either (a) or (b) applies: (a) a site has a frontage to an arterial road and any of the following are satisfied: (i) access is provided from the rear of the allotment (ii) access is available from a collector road (iii) access is via a common driveway designed to allow vehicles to enter and exit the site in a forward direction, to avoid a proliferation of access points onto busy main roads (b) for all other sites, access is via a common driveway, which is designed to allow vehicles to enter and exit the site in a forward direction, to improve efficiencies in site usage and enhance streetscapes.	Residential flat buildings not mentioned.
12. Development should have a maximum height of: (a) three storeys and no more than 10.5 metres in vertical wall height measured at any point (excluding gables) above natural ground level, within that area shown on <i>Concept Plan Map HoB/4 - Buckle Street</i> ; or otherwise (b) two storeys and no more than 7 metres in vertical wall height measured at any point (excluding gables) above natural ground level.	Complies – 2 storeys and 6 to 6.5 metre high walls.

6. Summary of Assessment

Land Division and Density

The Development Plan anticipates medium density development up to 67 dwellings per hectare (Policy Area 5 Principle 4) and specifically an average of 200m²/dwelling (Policy Area 5 Principle 11). The site areas range from 143m² to 183m² with an average of 156m², which translate to approximately 64 to 70 dwellings per hectare. The non-compliance (44sqm shortfall) is not considered so severe as to warrant refusal given general compliance with other provisions of the Development Plan and having regard to the character of development along Anzac Highway. For example, a recent development approved by the Council Assessment Panel located at 574-578 Anzac Highway contained lots varying in size from 132sqm to 199sqm, averaging 146sqm. Furthermore, if the proposed dwellings did not contain party walls and were constructed independently of each with abutting walls, they would be classified as group dwellings. If this were the case, they would satisfy the criteria to allow for 150sqm allotments and the built form would remain the same as what is proposed.

Building Scale and Setbacks

The Desired Character for the Policy Area encourages development up to two storeys in height, reduced setbacks to Anzac Highway and appropriate design to minimise impacts on adjacent properties. Specifically Policy Area 5 Principle 12 requires a maximum wall height of 7 metres and Residential Development Principle 21 and 24 request side and rear boundary setbacks of 2.5 metres (based on wall height) and 6 metres respectfully to upper storeys. The development complies with most of the above. The development is not more than two storeys with wall heights less than 7 metres. The design incorporates significant articulation, varied wall heights and boundary setbacks and a mix of building materials that will help reduce the visual scale and massing. The setbacks are compatible with recent developments along Anzac Highway. Those to Helen Street, although also forward of the adjacent dwelling are considered acceptable having regard to the more intense nature of the Policy Area, the stepping back of the development as it approaches the northern boundary

and improved streetscape appeal having regard to building design. Upper storey setbacks to the western side boundary contain a minor shortfall which is not considered to impact on the immediate neighbour. The upper storey rear boundary setbacks are more than sufficient.

Site Coverage and Private Open Space

The development does not meet the maximum site coverage requirements of Residential Development Principle 28 (maximum 60%). The site coverages range from 55% to 65%. However, each dwelling site is large enough to accommodate private open space, which is functional despite dwellings 2 to 5 containing 5sqm shortfalls. The site coverage is similar to other recent developments along Anzac Highway and non-compliance with relevant criteria is not considered as serious as to warrant refusal.

Access and Parking

Many of the representations received concern the access location in Helen Street and impacts on traffic and parking in that street. The access location, however, is consistent with the Development Plan, which encourages the minimisation of access on arterial roads and the use of side roads where possible. DPTI also supports the access location. The “Guide to Traffic Generating Developments” report produced by the former Roads and Traffic Authority of NSW identifies a peak hour traffic generation rate of 0.24 trips per unit for medium to high-density residential development. The development would, therefore, generate three trips in the peak hour. Even if six trips in the peak hour (i.e. one/ dwelling) were generated, the capacity of Helen Street would not be exceeded.

It is noted that Helen Street is narrow in comparison to other side streets which branch off Anzac Highway. Subject to the application receiving planning consent, it is recommended that the Council’s traffic engineers review the parking arrangements if deemed necessary. The access is located a safe distance from Anzac Highway (approximately 22 metres). The width of the crossover and driveway will accommodate two-way traffic movements and on-site vehicle manoeuvring to allow all vehicles to exit in a forward direction. Although separate visitor parking spaces are not provided, each dwelling exceeds the minimum resident parking (2 spaces/dwelling provided, 1.5 spaces/dwelling recommended) so that theoretically visitor parking could be accommodated within each garage.

Conclusion

Although there are some non-compliances with the Development Plan the proposal is not considered to be seriously at variance with the Development Plan. The development achieves the intent of the Development Plan by providing medium density residential development that:

- Provides appropriate road and other boundary setbacks;
- Achieves a quality design that minimises visual bulk and adds interest to the streetscapes;
- Provides functional private open space;
- Will not substantially overshadow or overlook adjoining properties;
- Provides appropriate perimeter landscaping and landscaping along the driveway where possible;
- Contains access points supported by DPTI;
- Will not compromise the capacity of Helen Street to accommodate traffic movements associated with the development and those existing; and
- Exceeds the minimum total on-site parking requirements.

Having regard to the above it is considered the development has merit for approval.

7. RECOMMENDATION

- 1. The proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 2. Following a detailed assessment of the proposal against the provisions of the Holdfast Bay (City) Development Plan the Council Assessment Panel resolves to grant Development Plan Consent (land use) and Development Approval (land division) to Development Application 110/00350/19, subject to the following conditions:**

Land Use Conditions

- 1. That the design and siting of all buildings and structures and site works shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.**
- 2. That the following noise control features shall be incorporated or exceeded in the development relating to Dwellings 7 to 12:**
 - ceiling insulation to have a density of at least 40kg/m³ with a minimum of 90mm thickness.
 - windows to be comprised of 6mm laminated glass.
 - any ventilation openings to be acoustically treated.
- 3. That stormwater from each dwelling shall be collected and connected to a 1000 litre (minimum) rainwater tank with a sealed system over flow connection to the street water table. Final details of the location and size of the tank(s) shall be submitted to Council for approval prior to the issue of full Development Approval. Furthermore, all stormwater from the dwelling and the site shall be collected and disposed of in a manner that does not adversely affect any properties adjoining the site or the stability of any building on adjacent sites.**

NOTE: Stormwater shall not be disposed of over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure, is subject to any necessary approvals from Council and will be at the applicant's cost.

- 4. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site to the reasonable satisfaction of Council.**
- 5. That all upstairs windows on the western and northern elevations shall have minimum window sill heights of 1.7 metres above the finished floor level, or any glass below shall be manufactured obscured glass and fixed shut.**

Land Division Conditions**DPTI Conditions**

1. All vehicular access to/from the site shall be in general accordance with the plan of division provided by Weber Frankiw Surveyors, Reference 7919div, dated 15 May 2019.
2. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicants cost.

State Commission Assessment Panel Conditions

3. Payment of \$36,265.00 into the Planning and Development Fund (5 allotment/s @ \$7,253.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.
4. The financial requirements of the S A Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0084650).

The developer must inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

For SA Water to assess this application, the developer must advise SA Water the preferred servicing option. Information can be found at:

<http://www.sawater.com.au/developers-and-builders/building,-developing-and-renovating-your-property/subdividing/community-title-development-factsheets-and-information>. For queries call SAW Land Developments on 74241119

5. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes

Council Conditions

6. That the proposed division shall be as shown on the plans submitted to and approved by Council unless varied by any subsequent conditions imposed herein.
7. That all existing structures be removed from the subject land prior to the issue of Section 51 Clearance.