



## **AGENDA**

**FOR DEVELOPMENT ASSESSMENT PANEL MEETING TO BE HELD ON**

**22 NOVEMBER 2016 AT 6:00 PM**

**IN THE COUNCIL CHAMBER, 12 JAMES STREET, SALISBURY**

### **MEMBERS**

Mr D Wallace (Presiding Member)  
Mr R Bateup  
Ms L Caruso  
Ms S Johnston  
Mr G Reynolds  
Mr J Watson  
Mr S White

### **REQUIRED STAFF**

General Manager City Development, Mr T Sutcliffe  
Manager Development Services, Mr C Zafiropoulos  
Team Leader – Planning, Mr A Curtis

### **APOLOGIES**

### **LEAVE OF ABSENCE**

### **PRESENTATION OF MINUTES**

Presentation of the Minutes of the Development Assessment Panel Meeting held on 25 October 2016.

### **PRESENTATIONS**

## REPORTS

### *Development Applications*

5.1.1	361/1443/2016/2A.....	7
	Four (4) Two Storey Dwellings on One Allotment at 3 Penelope Avenue, Valley View by F.I. Investments Pty Ltd	
5.1.2	361/11/2016/NA.....	153
	Fifteen (15) Two-Storey Dwellings with Associated Carparking Independent of Existing Hotel (Non-Complying Development) at 1572- 1582 Main North Road, Brahma Lodge by Studio Nine Architects	

## OTHER BUSINESS

- OB1 Status of Current Appeal Matters and Deferred Items
- OB2 Policy Issues is Included
- OB3 Future Meetings & Agenda Items

## CLOSE

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## **MINUTES OF DEVELOPMENT ASSESSMENT PANEL MEETING HELD IN THE COUNCIL CHAMBER, 12 JAMES STREET, SALISBURY ON**

**25 OCTOBER 2016**

### **MEMBERS PRESENT**

Mr D Wallace (Presiding Member)  
Mr R Bateup  
Ms L Caruso  
Mr G Reynolds  
Mr J Watson  
Mr S White

### **STAFF**

General Manager City Development, Mr T Sutcliffe  
Manager Development Services, Mr C Zafiropoulos  
Team Leader – Planning, Mr A Curtis

The meeting commenced at 6:00 pm

The Presiding Member welcomed the members, staff and the gallery to the meeting.

### **APOLOGIES**

Apologies were received from Ms S Johnston.

### **PRESENTATION OF MINUTES**

Ms L Caruso moved, and the Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 27 September 2016, be taken and read as confirmed.

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## REPORTS

### *Development Applications*

#### **5.1.1 361/1057/2016/2T**

Removal of a Regulated Tree on Road Reserve at Adjacent 38 Halifax Avenue, Parafield Gardens for City of Salisbury

#### **REPRESENTORS**

Mr Jason Mallia, on behalf of the J & L Mallia, spoke to their representation.

#### **APPLICANT**

Mr Michael Oborn, on behalf of the City of Salisbury, as applicant.

Ms L Caruso moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury (City) Development Plan – Consolidated 5 May 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **REFUSED** to application number 361/1057/2016/2T for Removal of a Regulated Tree on Road Reserve Adjacent 38 Halifax Avenue, Parafield Gardens for the following reasons:
  - a) The tree warrants retention as it provides important aesthetic benefit to the locality and significantly contributes to the character and visual amenity of the locality, consistent with Objective 1 and 2, Council-wide “Regulated Trees” module.
  - b) There are no relevant grounds for removal of the tree under Principle of Development Control 2, Council-wide “Regulated Trees” module.

#### **5.1.2 361/1512/2016/LD**

Land Division at 5-15 Orange Avenue, Salisbury for City of Salisbury

Mr R Bateup moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 7 July 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/1512/2016/LD for Land Division in accordance with the plans and details submitted with the application and subject to the following condition and requirements.

Development Plan Consent Condition

1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents, except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
18451-DIV	Plan of Division	Version 1	John C Bested & Associates Pty Ltd

*Reason: To ensure the proposal is established in accordance with the submitted plans.*

Council Requirement

2. All structures and materials are to be removed from proposed Allotment 2.

Land Division Requirements

3. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (S A Water H0049013). SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees. A sewer extension may be required. On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.
4. Payment of \$6676 into the Planning and Development Fund (1 allotment/s @ \$6676/allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Ground Floor, 101 Grenfell Street, Adelaide.
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.

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## OTHER BUSINESS

### 5.2.1 Status of Current Appeal Matters and Deferred Items

Mr R Bateup moved, and the Panel resolved, that it be noted that DA 361/1075/2016/2B, previously deferred by the Panel pending the receipt of legal advice on the relevant authority, has been referred by the Council administration to the Development Assessment Commission for determination as the relevant authority on the basis of legal advice received subsequent to the deferral of the application.

### 5.2.2 Policy Issues is Arising from Consideration of Development Applications

Nil

### 5.2.3 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 22<sup>nd</sup> November 2016.

The Panel requested consideration be given to holding the December DAP meeting on Tuesday 13<sup>th</sup> December 2016 (to be confirmed).

The meeting closed at 7:13 pm.

PRESIDING

MEMBER.....

DATE.....

<b>ITEM</b>	5.1.1
	<b>DEVELOPMENT ASSESSMENT PANEL</b>
<b>DATE</b>	22 November 2016
<b>APPLICATION NO.</b>	361/1443/2016/2A
<b>APPLICANT</b>	F.I. Investments Pty Ltd
<b>PROPOSAL</b>	Four (4) two storey dwellings on one allotment
<b>LOCATION</b>	3 Penelope Avenue, Valley View, SA 5093
<b>CERTIFICATE OF TITLE</b>	Allotment 161 Deposited Plan 7013 Volume 5577 Folio 154
<b>AUTHOR</b>	Chris Carrey, Development Officer, City Development

## 1. DEVELOPMENT APPLICATION DETAILS

<b>Zone/Policy Area</b>	Residential Zone
<b>Application Type</b>	Merit Category 2
<b>Public Notification</b>	Representations received: Five (5) Representations to be heard: Three (3)
<b>Referrals - Statutory</b>	Nil
<b>Referrals – Internal</b>	Development Engineering Tree Services
<b>Development Plan Version</b>	Salisbury Council Development Plan Consolidated 7 July 2016
<b>Assessing Officer</b>	Chris Carrey, Development Officer – Planning and Compliance, City Development
<b>Recommendation</b>	Grant Development Plan Consent subject to Conditions
<b>Meeting Date</b>	22 November 2016

## 2. REPORT CONTENTS

### Assessment Report

Attachment 1:	Proposal Plans and Other Supporting Documents
Attachment 2:	Shadow Drawings
Attachment 3:	Notice of Category 2 Application and Representations
Attachment 4:	Applicant Response to Representations
Attachment 5:	Relevant Development Plan Extracts and Maps - Consolidated 7 July 2016

### 3. EXECUTIVE SUMMARY

The applicant seeks Development Plan Consent for the construction of four (4) two storey dwellings at 3 Penelope Avenue, Valley View.

The subject site is an irregular shaped allotment of approximately 796m<sup>2</sup> in area. The site has a primary frontage to Penelope Avenue of 27.43m and is served by two existing crossovers to the north and south of the site.

The site is currently vacant with development approval granted for the demolition of the previous dwelling and associated structures approved by Council on 8 July 2016 (Development Application 361/128/2016/BDEM).

The site is located within the Residential Zone. The application was assessed “on-merit” and was subject to Category 2 public notification. Five (5) representations were received during the advertising period in opposition to the development, with three (3) wishing to be heard.

This report provides a detailed assessment of the application against the relevant provisions of the Salisbury Council Development Plan. The assessment found that:

- Dwellings in a range of forms are clearly envisaged within the Residential Zone;
- The proposal will constitute medium density and is proposed in close proximity to public transport routes, public open space, schools and centres – the zone encourages this type of development in this location;
- Each dwelling is provided with sufficient area of private open space;
- Adequate on-site car parking will be provided;
- Privacy of adjoining dwellings will be achieved by provision of high level windows to habitable rooms; and
- Overshadowing to adjoining properties is acceptable.

Given the above, it is recommended that Development Plan Consent be granted, subject to conditions.

### 4. SUBJECT SITE

The subject site is an irregular shaped allotment of approximately 796 m<sup>2</sup> in area. The site has a primary frontage to Penelope Avenue of 27.43m and is served by two existing crossovers to the north and south of the site. The site does not contain any Significant or Regulated trees and there is one street tree located on the road verge in front of the property.

The predominant slope of the site is from north to south-east.

There are no easements, Land Management Agreements (LMAs) or Encumbrances registered on the Certificate of Title.



## 5. LOCALITY



A locality plan and contextual plan are provided below.

Aerial View:



Figure 1

Source: Dekho

Legend	
	Subject site
	Zone boundaries

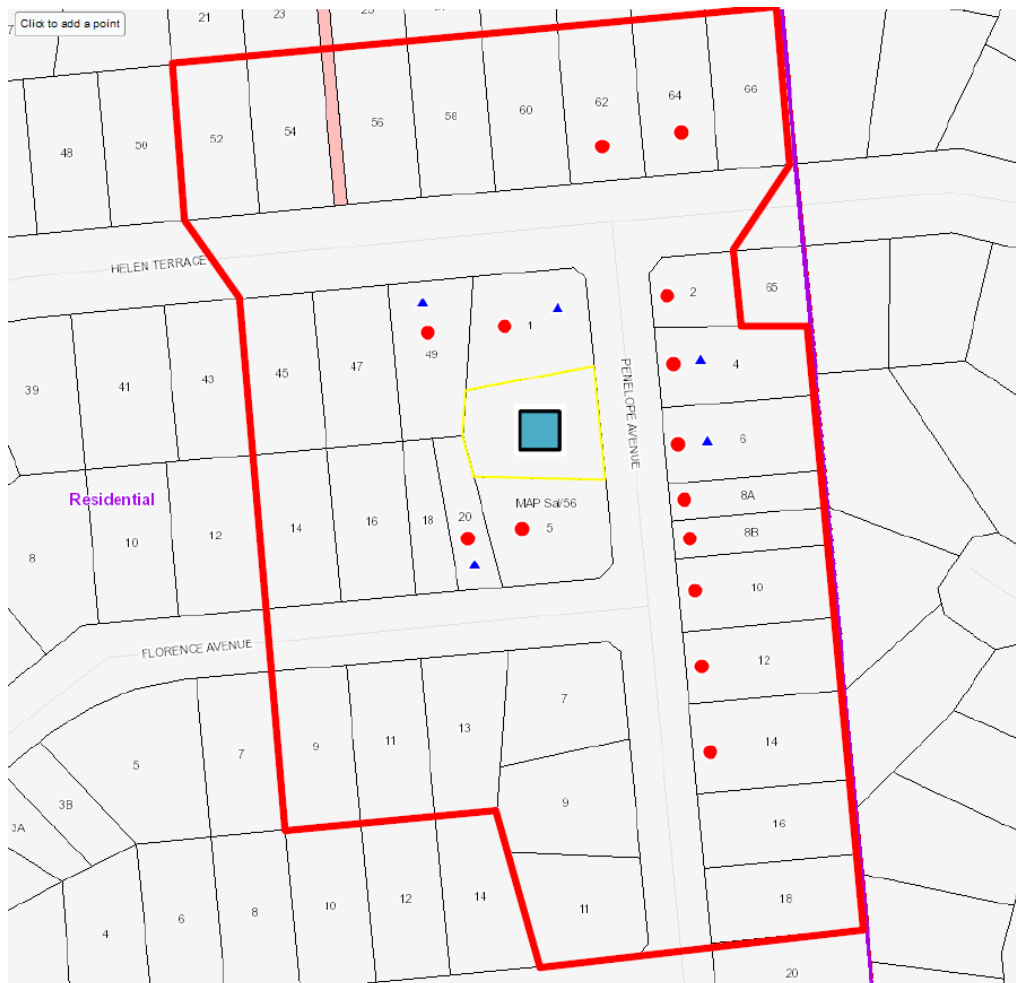


Figure 2  
Source: Dekho

Legend	
	Subject site
	Properties notified
	Representor
	Locality Boundary
	Zone / Council Boundary





Figure 3  
Source: Dekho

Legend	
	Subject site
	Properties notified
	Representor
	Zone / Council Boundary

The predominant character of the locality is single storey dwellings on large allotments with the exception of two storey dwellings located at 66 Helen Terrace, 14 Florence Avenue and 11 Penelope Avenue. There has been some recent infill development in the locality, with land divisions (and subsequent single storey dwellings) having recently been approved at 18 Florence Avenue (341m<sup>2</sup>), 20 Florence Avenue (340m<sup>2</sup>) (see Photograph 1), 8A Penelope Avenue (354m<sup>2</sup> and 8B Penelope Avenue (354m<sup>2</sup>).

Penelope Avenue slopes from the north (at Helen Terrace) to the south. Distant views of the Adelaide Hills to the east are available from several vantage points within the locality. The street has a number of large street trees and is served by a paved footpath on the western side of the street.

The majority of properties in the locality are well maintained with open, landscaped front yards.

Other two storey dwellings are evident outside of the defined locality, with five (5) two storey town houses located at 20-28 Helen Terrace which have allotment sizes of around 250m<sup>2</sup> (see Photograph 2).



Photograph 1  
18-20 Florence Avenue



Photograph 2  
20-28 Helen Terrace

### Site Photographs



Photograph 3: *Subject site (vacant) from Penelope Avenue*





Photograph 4: Looking south along Penelope Avenue from Helen Terrace – subject site on right



Photograph 5: Looking north along Penelope Avenue from junction at Florence Avenue – subject site on left

## 6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks Development Plan Consent for the construction of four (4) two storey dwellings at 3 Penelope Avenue, Valley View.

Although a land division has not been lodged, the site area for dwellings 1 and 4 is 203m<sup>2</sup> and the site coverage is 49.90%. The site area for dwellings 2 and 3 is 191.2 m<sup>2</sup> and the site coverage is 52%.

The proposed dwellings are to be semi-detached, with dwellings 1/2 and 3/4 connected via a party wall. A distance of 1.8m is proposed between dwellings 2 and 3.

There is a 200mm difference in finished floor levels between dwellings 3/4 and 1/2 and the overall development steps down (south) following the slope of Penelope Avenue.

The dwellings are of a modern contemporary design incorporating a front projecting porch, upper level parapet wall, galvanized shade canopies over upper floor windows (front and rear), single garage panel lift door and a colorbond roof. The main roof has a 22.5 degree pitch and is mostly hidden behind the parapet wall. The proposal also incorporates a flat roof verandah to the rear of each dwelling (4.3m x 3.0m x 2.55m). External materials consist of face brickwork to the front porch, rendered parapet wall and aluminum windows.

Upper floor windows to the side and rear of the dwellings are either screened with obscure glazing to a height of 1.7m above floor level or have a sill height of 1.7m above floor level.

One covered car park (garage) and one visitor car parking space (directly in front of the garage) will be provided for each dwelling. Access to the site for dwellings 1 and 4 is via the two existing crossovers (with a portion of the northern crossover to be reinstated as required) and two new crossovers to be created to service dwellings 2 and 3.

The existing street tree located close to the centre of the subject site is to be retained with the nearest crossover being 2.5m from the tree. There is also a Regulated street tree located to the south of the subject site. The applicant's site plan demonstrates the proposal will intrude into the Tree Protection Zone (TPZ) of the tree by 8%.

The floor plans for each dwelling are similar. The ground floor consists of an entry hallway, single garage, toilet, kitchen and family/meals area and flat roof verandah in the rear yard. A small laundry area is located within the garage. The upper floor consists of three bedrooms, study area, and two bathrooms (including one ensuite connected to bedroom one).

The landscaping plan provides for landscaping to the front and rear of the dwellings.

The proposal requires the construction of retaining walls as follows:

- Fill retaining wall along the southern side boundary up to 400mm.
- Cut retaining wall along the western rear boundary up to 400mm.
- Fill retaining wall along the northern side boundary up to 150mm. There is an existing concrete retaining wall along this boundary.

The proposal will involve both re-use of existing perimeter fencing and establishment of new colorbond fencing. The cumulative height of retaining walls and fencing will not exceed 2.1m in height. Colorbond fencing of 1.8m is to be used internally to separate the sites.

A copy of the proposal plans are contained in Attachment 1. The applicant has also submitted shadow diagrams for the Winter Solstice (21 June) which are contained in Attachment 2.

## 7. CLASSIFICATION

The site is located within the Residential Zone of the Salisbury Council Development Plan (consolidated 7 July 2016). Development of the kind proposed is neither listed as being a Complying or Non-Complying form of development in the Residential Zone and consequently should be assessed 'on-merit' against the relevant provisions of the Development Plan.

## 8. PUBLIC NOTIFICATION

The proposed development is neither listed as being a Category 1 or Category 2 form of development within the Residential Zone. Therefore, pursuant to Section 38 of the *Development Act 1993* ("the Act"), consideration must be given to Schedule 9 of the *Development Regulations 2008* ("the Regulations").

Schedule 9, Part 2, Clause 18 of the Regulations states:

*Except where the development falls within Part 1 of this Schedule, is within the City of Adelaide, or is classified as non-complying development under the relevant Development Plan, any development which consists of the construction of the following, or a change of land use consequent on the construction of the following:*

- (a) a building of 2 storeys comprising dwellings; or*
- (b) 2 or more dwellings on the same site where at least 1 of those dwellings is 2 storeys high, but no residential building is to be more than 2 storeys high; or*
- (c) a building in a situation referred to in clause 6 of this Schedule where the site of the proposed development is adjacent land to land in a zone under the relevant Development Plan which is different to the zone that applies to the site of the development.(emphasis added)*

The proposal comprises construction of four (4) two-storey dwellings on one allotment and therefore falls under part (b) listed above. Therefore the application is a Category 2 form of development for public notification purposes.

Whilst the proposed dwellings are to be semi-detached dwellings, they are treated as an undefined form of development until such times as a land division has occurred and new titles have been created.



The Category 2 public notification period took place between 22 August and 6 September 2016. Council received five (5) representations during the public notification period as follows:

Representations received		
Representations received		Wish to be Heard
1	Amanda Jean Hocking 20 Florence Avenue VALLEY VIEW SA 5093	
2	Peter Foley 6 Penelope Avenue VALLEY VIEW SA 5093	√
3	Garry and Cassandra McMahon 1 Penelope Avenue VALLEY VIEW SA 5093	√
4	Winston and Yvonne Folland 4 Penelope Avenue VALLEY VIEW SA 5093	√
5	Christine and Geoffrey Smith 49 Helen Terrace VALLEY VIEW SA 5093	

The representations and the applicant's response (prepared by Heynen Planning Consultants) on behalf of the applicant are provided in Attachments 3 and 4 respectively.

The content of the representations and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
The density of the development is too high and the development of two-storeys are out of character with existing development	<ul style="list-style-type: none"> <li>- The proposal will assist in creating a 'range of dwellings' within the Zone.</li> <li>- There is an expectation that the design of built form will change over time and the Zone seeks an increase in density.</li> <li>- Two storey development is appropriate and consistent with the Desired Character of the Zone.</li> <li>- This proposal is for a medium density development which is appropriate as the site is within 200 metres of the Local Centre Zone and 200 metres of Thomas Turner Reserve (within City of Port Adelaide Enfield).</li> <li>- The subject site sits with a designated Residential Code Area where two storey developments can be a form of Complying Development.</li> </ul>
The appearance of the proposed dwellings are considered to be incompatible with existing development	<ul style="list-style-type: none"> <li>- The proposed dwellings will contribute to the range of dwelling types within the Residential Zone.</li> <li>- The style of the dwellings provide a contemporary façade which presents to the streetscape in a well-articulated manner with face brick, render and galvanized window canopies.</li> <li>- The Residential Zone does not seek "more of the same", nor</li> </ul>

	<p>does it apply strict criteria with regard to materials, roof pitch, building scale, fencing form and fenestration as may be the case in a Historic Conservation or Streetscape Zone or Policy Area.</p> <ul style="list-style-type: none"> <li>- ERD Court case law has considered the concept of ‘taste’ versus ‘desired character’. The design and appearance of the buildings are highly appropriate within the Residential Zone with the bulk and scale of the proposal commensurate with the provisions of the Development Plan.</li> <li>- The design of the dwellings and materials of construction will contribute to the Desired Character by increasing in the range of architectural styles.</li> <li>- The “style” or “look” of the dwellings is in accordance with the Development Plan, noting the site is not a historic area or area where similar restrictions are sought.</li> </ul>
The development will result in excessive overlooking and loss of privacy	<ul style="list-style-type: none"> <li>- Upper level windows provide obscure glazing where window sill levels are below 1700mm and clear glazing is only provided above 1700mm floor level height for upper level windows.</li> <li>- There is no direct or indirect overlooking from lower floor windows.</li> </ul>
Overshadowing of adjoining properties	<ul style="list-style-type: none"> <li>- Shadow diagrams have been prepared which document the impact of overshadowing to adjoining dwellings.</li> <li>- The shadow cast by the development will not affect properties at 49 Helen Terrace, or 1, 4 and 6 Penelope Avenue.</li> <li>- Some shadow will be cast on 5 Penelope Avenue, however their private open space will remain largely unaffected from 12 noon onwards. With regards to the dwelling itself - only the laundry, toilet and kitchen will be shaded. The living room, dining room and all bedrooms will remain unaffected.</li> <li>- The shadow will stop at the fence and will not reach the dwelling at 20 Florence Avenue. No north facing windows will be impacted by the development.</li> </ul>
The development will result in loss of views	<ul style="list-style-type: none"> <li>- While distant views of the hills and trees may be lost, any reduction of these views is clearly not unreasonable noting the views are distant and general in nature (i.e. more akin to a vista).</li> <li>- While the general outlook of adjoining properties will change as a result of the proposal, no unreasonable loss of views are anticipated.</li> </ul>
The development will lead to additional traffic on Penelope Avenue	<ul style="list-style-type: none"> <li>- A standard of 8 to 10 vehicle movements per day is generally applied to each new residence.</li> <li>- When this rate is considered between a 15 hour time span (of 7:00 am to 10:00 pm) a resultant frequency of between 0.53 and 0.66 vehicle movements per hour can be anticipated per dwelling or approximately 2 to 3 vehicle movements per hour as a result of the proposed development.</li> <li>- The additional vehicle movements are not expected to be noticeable and will not create any adverse conditions on the road network.</li> </ul>

The development will lead to additional parking issues on Penelope Avenue	<ul style="list-style-type: none"> <li>- Each dwelling provides two parking spaces per dwelling</li> <li>- This car parking provision is highly appropriate, functional and complies with the relevant Development Plan provisions.</li> </ul>
There will be increased noise and associated impact on the amenity of existing residents	<ul style="list-style-type: none"> <li>- The noise generated from the site would come from two sources, firstly vehicles moving to and from the site and secondly, from occupants living in the dwellings and utilizing their respective private open space.</li> <li>- Noting that peak periods of vehicle movement occur when other activity is also occurring on adjacent land and the road network, it can be reasonably expected that the noise from associated vehicles will be negligible.</li> <li>- In relation to noise from occupants, presumably this stems from noise generated within open space areas, noting that the noise from residents when living in their individual residences will be no different than adjoining dwellings. The relationship between the private open space of the proposed dwellings and that of the adjoining properties is highly appropriate with “backyards” facing “backyards” in a typical residential manner.</li> <li>- Noise beyond reasonable residential tolerances is a matter for the Police and not the planning system.</li> </ul>
The dwellings may be rented out and the behavior of the tenants will have a negative effect on the area	<ul style="list-style-type: none"> <li>- The occupancy of the dwellings (that being that only owner occupied dwellings should be permitted) is not an issue that can be dealt with under the Development Act (as the type of occupants does not find “voice” in the Development Plan).</li> </ul>
The development will result in a reduction in property values	<ul style="list-style-type: none"> <li>- Any potential shift in property values as a result of the proposed development is not a valid planning concern and therefore do not alter the merit of the proposal.</li> </ul>

NOTE: The assessing officer’s considerations of the above representations are addressed within the assessment section of this report.

## 9. REFERRALS – STATUTORY

The application was not subject to any referrals under Schedule 8 of the *Development Regulations 2008*.

## 10. REFERRALS – INTERNAL

DIVISION	COMMENT
<b>Development Engineering</b>	<ul style="list-style-type: none"> <li>- <i>The finished floor levels for the buildings and stormwater drainage are acceptable. There are no traffic concerns.</i></li> <li>- <i>No stormwater contribution is payable as there is no significant net increase in stormwater discharge.</i></li> </ul>
<b>Tree Services</b>	<ul style="list-style-type: none"> <li>- <i>The Council street tree should be retained and the applicant should amend their plans to show all driveways and underground services to be a minimum of 2.5 metres from street trees (note: the applicant amended the plan as a result of this request).</i></li> </ul>



**11. DEVELOPMENT DATA**

<b>Site Characteristics</b>	<b>Guideline</b>	<b>Proposed</b>
Site Area	Not stated	Site 1 & 4 - 203m <sup>2</sup> Site 2 & 3 – 191.2m <sup>2</sup>
Site Dimensions	Not stated	Site 1 – 6.9m frontage, 32m depth Site 2 – 7m frontage, 32m depth Site 3 – 7m frontage, 32m depth Site 4 – 6.9m, 32m frontage
Site Gradient	Not stated	Site slopes downwards from north to south-east
Easement	Not Applicable	Nil
<b>Design Characteristics</b>	<b>Guideline</b>	<b>Proposed</b>
<i>Site Coverage</i>		
Buildings only	Qualitative provision only	Site 1 & 4 – 49.9% Site 2 & 3 – 52%
<i>Building Height</i>		
Storeys	Qualitative provision only	2 storeys 6.7m to apex of roof
<i>Set-backs</i>		
Primary street	Qualitative provision only	Site 1 & 4 6.25m to garage 5.65m to main wall Site 2 & 3 6.005m to garage 5.18m to main wall
Side(s)	Qualitative provision only	Site 1 Ground floor - 0.944m at closest point at front, increases to 1.632m at rear Upper floor – 2m at closest point at front, increases to 2.69m at rear  Site 2 & 3 Ground floor – 900mm Upper floor – 1.968m  Site 4 Ground floor - 0.944m at closest point at front, increases to 1.624m at rear Upper floor – 2m at closest point at front, increases to 2.66m at rear
<i>Boundary Walls</i>		
Length	< 10.0 m	Not Applicable to external boundaries
<i>Private Open Space</i>		
Site Area < 250m <sup>2</sup>	35 m <sup>2</sup>	Site 1 & 4 – 43.7m <sup>2</sup> Minimum dimension 5.8m  Site 2 & 3 - 44m <sup>2</sup> Minimum dimension 4.8m

Dimensions Site Area < 250m <sup>2</sup>	Minimum dimension of 4m and greater than 2.5 m	Site 1 & 4 – Minimum dimension 5.9m  Site 2 & 3 - Minimum dimension 4.8m
<i>Car Parking &amp; Access</i>		
Number of parks	1 undercover + 1 visitor	1 undercover + 1 visitor for each dwelling
Driveway width	Not stated	3.2m for all dwellings
Garage door width	Maximum width of 6m or 50% of the allotment or building site frontage width, whichever is the lesser distance	2.4m for all dwellings
<i>Affected Trees</i>		
Significant	Nil	Nil
Regulated	Nil	Regulated Council street tree located south of site adjacent 5 Penelope Avenue. Intrusion into the TPZ is 8%.
<i>Street Infrastructure</i>		
Crossover	Nil	Existing inverts to be utilized. New crossovers also required.
Electricity pole	Nil	Crossover 2.63m from stobie pole located south of the site.
Trees	Nil	Crossover to be 2.5m from street tree at closest point.
<i>Flooding</i>	Qualitative provision only	The finished floor levels and stormwater drainage are acceptable and no stormwater contribution is required.

## 12. ASSESSMENT

Pursuant to Section 35(2) of the *Development Act 1993* it is recommended that the Panel determine that the proposed development is not seriously at variance with the Salisbury Council Development Plan – Consolidated 7 July 2016. Residential development of the kind proposed is clearly envisaged by the Development Plan.

### Assessment against Development Plan Objectives and Principles

#### Assessment

Detailed assessment of the application has taken place against the relevant provisions of the Salisbury Development Plan and is described below under headings.

Extracts from the relevant Development Plan, Consolidated 7 July 2016 are contained in Attachment 5. The relevant provisions are also highlighted in the Attachment.

## Land Use

Principle of Development Control (PDC) 1 of the Residential Zone states that:

1 The following forms of development are envisaged in the zone:

- dwelling (emphasis added)

Residential development in the form of four dwellings is clearly an appropriate land use in the Residential Zone as highlighted above.

## Density of Development

The following extract from the Desired Character Statement for the Residential Zone states that:

*The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations...*

*Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances.*

*Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner. Typically this will involve the amalgamation of sites and will result in development that complements the prevailing character. A transition in building height will be necessary to ensure issues of overlooking is minimised and solar access maintained.*

*Development will be of a form and scale compatible with adjoining residential development. As part of the increase in residential density there will be an increase in the number of dwellings of two or more storeys. Such development will recognise the proximity of adjoining development and will be designed and sited to maintain the privacy of adjoining dwellings and their private open space areas, and will be designed to integrate with the existing built form (emphasis added).*

The proposal provides an increase in density and an alternate dwelling type specifically envisaged by the Desired Character Statement quoted above. The subject site is located within close proximity to:

- a. Public transport routes - Helen Terrace, Wright Road and Nelson Road are all within walking distance. North East Road and Grand Junction Road are also within an 800 metre radius of the subject site (see Figure 4 below).
- b. Public open space; Illberry Green, Thomas Turner Reserve are within walking distance. Valley View Golf Course is also located approximately 1.5km from the site.
- c. Schools; Valley View Secondary School, Para Vista Primary School, Modbury West School and Prescott Primary (Northern) School are all within close distance.

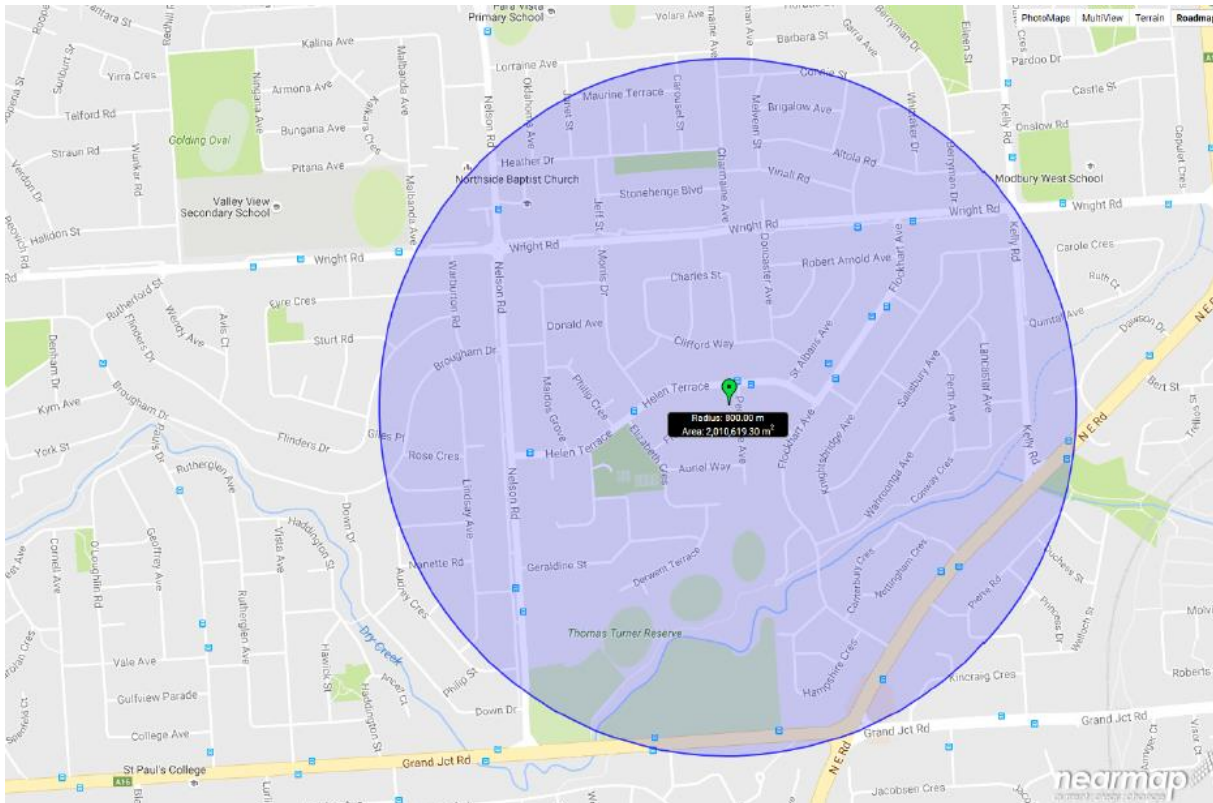


Figure 4 – 800m radius from subject site showing bus stops identified in blue

Source : NearMap

The nearest centres are situated at the corner of Grand Junction Road and North East Road (Neighbourhood Centre containing a Foodland Supermarket) at about 800m away and the Clovercrest District Centre (also containing a Foodland Supermarket) at about 1,000m. While these sites are not located within walking distance of the site, it is noted that the site is situated in close proximity to public transport routes which connect to the nearby shopping facilities as depicted in Figure 4 above.

The proposed dwelling net density will be approximately 50 dwellings per hectare which fits within the medium density category as defined in the document entitled “Understanding Residential Densities; A Pictorial Handbook of Adelaide Examples” prepared by the Government of South Australia. Medium density is defined as 34-67 net dwellings per hectare. Based on this definition the proposed development will fall within the mid-range of the medium density category.

The proposed density of development is clearly higher than existing development within the locality but when considering all relevant aspects of the design including the proposed front setback, side setbacks at ground floor and upper floor, private open space, building design and massing, is considered to be compatible with the existing character.

Medium density development is clearly encouraged in the Residential Zone in locations close to public transport routes, public open space and centres. This particular site is well located as described above, consequently the densities proposed are considered to be acceptable. Furthermore the dwelling type is envisaged within the Residential Zone and is considered to be acceptable.

**Building Height**

The following extract from the Desired Character Statement for the Residential Zone states that:

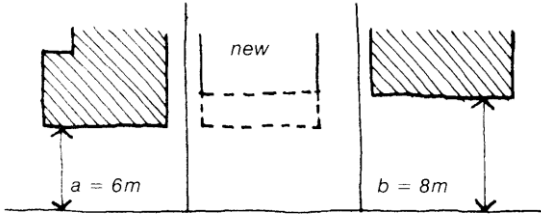
*Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner (emphasis added).*

Buildings of up to four storeys in height are clearly envisaged in the Residential Zone. The proposed building height at two storeys is acceptable.

**Front Setback**

PDC 18 of the *General Section: Design and Appearance* states:

*Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:*

<i>buildings on adjacent allotments</i>	<i>Setback of new building</i>
<i>Up to 2 metres</i>	<i>The same setback as one of the adjacent buildings, as illustrated below:</i>
	
<i>Greater than 2 metres</i>	<i>At least the average setback of the adjacent buildings.</i>

Existing dwellings on the adjoining properties are setback from the Penelope Avenue boundary at around 7m. The setback of the former dwelling on the subject site (now demolished) was setback at around 5.5m across the entire frontage of the property.

Dwellings 1 and 4 are proposed to be setback 6.25m to the garage and 5.65m to the main wall (with the open front porch projecting forward of this). Dwellings 2 and 3 are proposed to be setback 6m to the garage and 5.18m to the main wall (with the open front porch projecting forward of this).

Therefore, the proposed front setback does not accord with PDC 18.

However, there is a fairly consistent pattern of development across the Council area which recognises that ‘newer’ infill development often projects slightly forward of more established residential dwellings. The variance from PDC 18 is considered to be acceptable given:

- consistency will be maintained with the front setback of the former dwelling and the proposed development;

- the front setback is sufficient to allow for off street visitor parking and landscaping;
- the proposed setback will not result in any unreasonable loss of views from adjoining dwellings; and
- there are other examples of dwellings within the locality which have a reduced front setback – for example, 6 Penelope Avenue has a front setback of approximately 3m to its verandah and carport.

### ***Side and Rear Setbacks***

PDCs 16 and 17 under the General Section: Residential Development module provide:

- 16 *Dwellings should be set back from allotment or site boundaries to:*
- (a) *contribute to the desired character of the area*
  - (b) *provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.*
- 17 *Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:*
- (a) *minimise the visual impact of buildings from adjoining properties*
  - (b) *minimise the overshadowing of adjoining properties.*

Dwellings 1 and 4 will be setback between 944mm and 1.6m from the side boundaries at ground level and the upper floor setback will vary between 2m and 2.6m. The dwellings will be setback 7m from the rear boundary at their closest point.

Dwellings 2 and 3 will be setback 900mm from the side boundaries at ground level and the upper floor setback will be 1.968m. The dwellings will be setback 8.2m from the rear boundary at their closest point.

Dwellings 1/2 and 3/4 will share a party wall. No perimeter boundary walls are proposed and the side setbacks are increased for the upper floor as per PDC 17. Further, the side and rear setbacks are consistent with the setbacks of ‘new’ infill development in the locality.

Therefore, the side and rear setbacks are considered to be acceptable.

### ***Design and Appearance***

The following provisions contained within the *General Section: Design and Appearance* and *General Section: Residential Development* are of particular relevance:

#### ***Design and Appearance***

- *Objective 1 - Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.*
- *PDC 2 - Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.*
- *PDC 3 - Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:*
  - (a) *articulation*
  - (b) *colour and detailing*



(d) *design and placing of windows*

- *PDC 12 - 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.*

#### *Residential Development*

- *PDC 7- Where a dwelling has direct frontage to a street the dwelling should be designed to provide surveillance and address the street.*
- *PDC 8 - Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.*

The design and appearance of the proposed building will introduce a scale and intensity of development that does not presently exist in Penelope Avenue.

The building façade of each dwelling faces Penelope Avenue and has been designed to include a number of elements and external colours and materials which provide articulation to the street. The front porch projects forward of the main building line and includes face brick pillars which highlight the point of entry to each dwelling. The rendered parapet wall extends to the upper floor which mostly hides the colorbond pitched roof. This, coupled with the absence of eaves, gives each dwelling a modern and straight edged appearance. The incorporation of aluminum awning windows with galvanized shade structures also adds detail and depth to the front façade.

The applicant has also provided a detailed colour schedule which is contained within a Streetscape Elevation (Sheet 10 of 10).

Surveillance to the street will be achieved through the placement of the front door and bedroom windows on the upper floor.

The proposal is acknowledged to have some visual impact when viewed from the single storey neighbouring dwellings and their areas of private open space. However, the visual interest of each dwelling is reduced through the placement of numerous windows on the side elevation (which are suitably screened for privacy purposes). Further, the increased side setback of the upper levels, the space provided between dwellings 2 and 3, and the reasonable rear setback will reduce the overall visual bulk of the proposal.

In addition, the stepped nature of the proposal following the downward slope of Penelope Avenue will minimise the overall bulk and scale of the built form and improve the presentation to the streetscape.

In summary, while the proposed development introduces a new scale and form of development into the locality it is considered that the design and appearance of the building is acceptable and will have an acceptable impact on adjoining dwellings.

#### ***Overshadowing***

The following provisions within the *General Section – Residential Development* are of relevance:

- *PDC 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, 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.*
- *PDC 11 - Development should ensure that north-facing windows to habitable rooms 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.*
- *PDC 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 percent in cases where overshadowing already exceeds these requirements.*

Shadow diagrams have been prepared by the applicant which show that some shadow will be cast by the proposed development at the Winter Solstice upon the neighbouring properties at 20 Florence Avenue and 5 Penelope Avenue.

With regards to 5 Penelope Avenue:

- At 9.00am the private open space will be affected.
- From 12.00pm onwards, the private open space remains largely unaffected.
- The north side of the dwelling will be affected by overshadowing between 9.00am and 5.00pm. However, the applicant has provided a floor plan for 5 Penelope Avenue which confirms there are no living room windows to the north side of the dwelling (see their Response to Representations). The floor plan indicates that the overshadowing will mainly impact upon the dwelling's kitchen and laundry. Further, it notes this property has a shade sail which already covers those affected windows.

With regards to 20 Florence Avenue:

- At 9.00am a portion of the north side of the dwelling and a portion of the private open space will be affected.
- From 12.00pm onwards there will be no overshadowing of the property .

Therefore, overshadowing will have a minimal impact on both 5 Penelope Avenue and 20 Florence Avenue and, on balance, the proposal is consistent with PDCs 11 and 12.

### **Visual Privacy**

PDC 29 of the *General Section – Residential Development* states:

- *Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor*



*level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.*

All upper level windows to the side and rear of the dwellings are either screened with obscure glazing to a height of 1.7m above floor level or have a sill height of 1.7m above floor level. The obscured windows are of an awning design which can only be opened a maximum of 150mm. These design elements will prevent overlooking into habitable room windows or onto the private open space of adjoining dwellings.

The proposal therefore satisfies the requirements of PDC 29.

### ***Car Parking***

PDC 36 of the *General Section – Residential Development* states:

- *The number of driveway crossovers should be minimised and appropriately separated to optimise the provision of on-street visitor parking and preserve and enhance street character including opportunities for landscaping, tree planting and fences.*

PDC 32 of the *General Section – Transportation and Access* is also of relevance:

- *Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table Sal/2 - Off Street Vehicle Parking Requirements unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:*
  - (a) *a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the 'Car Park Fund Areas' identified on Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area and Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area.*
  - (b) *it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.*

*Table Sal/2 – Off Street Vehicle Parking Requirements* states the number of required car parking spaces for dwellings and semi-detached dwellings are as follows:

- *2 spaces per dwelling, one of which is to be covered*

PDC 35 of the *General Section – Transportation and Access* states:

*Vehicle parking areas should be designed to reduce opportunities for crime by:*

- a) *maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads*

All dwellings are served by one under cover parking space (single garage) and one visitor space directly in front of the garage. Therefore, the proposal satisfies the requirements of Table Sal/2 and PDC 32.

Whilst the development will involve the establishment of four (4) crossovers onto Penelope Avenue, the proposal will allow for one (1) on-street visitor parking space, provision of landscaping to the front of each dwelling and the retention of the existing street tree. The number of crossovers cannot be minimised given the proposed number of dwellings, however, on balance the proposal satisfies PDC 36.

The proposal is consistent with PDC 35 as the proposed visitor parking spaces are located to the front of each dwelling, which ensures they can be overlooked both from the upper floor of the proposed dwellings and nearby dwellings in the street.

### ***Private Open Space (POS)***

PDC 21 of the *General Section – Residential Development* provides:

- *Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling 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 building*
  - (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.*

PDC 24 of the *General Section – Residential Development* states

- *Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:*

<b><i>Site area of dwelling</i></b>	<b><i>Minimum area of private open space</i></b>	<b><i>Provisions</i></b>
<i>250 square metres or greater</i>	<i>20 per cent of site area</i>	<i>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 living room 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.</i>
<i><u>Less than 250 square metres</u></i>	<i><u>35 square metres</u></i>	<i>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 living room and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</i>

Each dwelling is served by an area of private open space in the rear yard, directly accessible from the rear family room.

Dwellings 1 and 4 provide an area of private open space of 43.7 m<sup>2</sup>, whilst dwellings 2 and 3 provide an area of 44m<sup>2</sup>. In all cases the minimum dimension provided exceeds 4 metres. Therefore, the proposal is consistent with the provisions of PDC 24.

A flat roof verandah of 12.9 m<sup>2</sup> is also provided at ground level to the rear of each dwelling which will offer some shade during summer months.

The shadow diagrams provided by the applicant demonstrate there will be some shading of the rear yards at 9.00am on the Winter Solstice. However, from 12.00pm onwards there will be no overshadowing of the rear yards.

The rear yards will be of a relatively level grade and will be 'private' and therefore the proposal generally satisfies the provisions of PDC 21.

### ***Landscaping***

PDC 21 of the *General Section – Landscaping, Fences and Walls* states:

*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.*

Landscaping will be provided to the front and rear of each dwelling as detailed on the landscape plan that has been submitted. Low level landscaped pockets will be provided in front of the porch/entry to each dwelling. This will enhance the appearance of the development and minimise the amount of hard pavement at the front of the property.

A small amount of hedging is also proposed along the rear boundary fence which will also contribute to the amenity of individual private yard areas.

### ***Additional matters raised by Representors***

The following concerns, which have not been addressed above were also raised by representors during the public notification process:

- loss of views
- stormwater impact
- behaviour of occupiers; and
- devaluing of property values.

### ***Loss of Views***

PDC 5 of the *General Section – Design and Appearance* provides:

- *Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.*

The proposed development is most likely to impact on the views from the front of 1 Penelope Avenue when looking south (down the hill at Penelope Avenue). As mentioned earlier, the front setback of the proposed development closely mirrors the front setback of the dwelling which formerly existed on the site. Further, the front setback is considered to be acceptable relative to buildings in the immediate locality and is consistent with infill development across the Council area. Views to the south from 1 Penelope Avenue will still be available and in accordance with PDC 5, there will be no unreasonable impact.

Although the proposed dwellings are two storey in height, they will not restrict views to the east (to the Hills) from adjoining properties any more than a single storey dwelling with pitched roof. Again, there will be no unreasonable impact.

#### *Stormwater Impact*

PDC 1(c) of the *General Section – Infrastructure* provides:

- *Development should not occur without the provision of adequate utilities and services, including:*

*(c) drainage and stormwater systems*

The proposal was reviewed by Council's Development Engineer who confirmed the finished floor levels for the buildings and the proposed method of stormwater drainage are acceptable. It was also noted there was no significant net increase in stormwater discharge.

Therefore, the proposal satisfies PDC 1(c).

#### *Behaviour of occupiers*

This matter cannot be dealt with under the *Development Act 1993* and is not addressed within Council's Development Plan.

#### *Devaluing of Property Values*

The impact of a proposal on property valuation should not form part of a planning assessment and this is a view which has been supported in the Environment, Resources and Development Court. For example, in the matter of *Boswell v Mid Murray Council & Ors (2012) SAERDC 31*, the Commissioner made the following remarks with respect to property values:

*'A peripheral issue raised by the appellant – of the impact of the proposal on the re-sale prospects and value of his adjoining property – is to be given no consideration or weight. Values of other property in a locality may fall (or rise) as a result of the outcome of planning decisions and new development or redevelopment. It is an outcome, not criteria to judge a development proposal upon, nor founded in the primary Development Plan guide for assessing development and decision making'*

### 13. CONCLUSION

The applicant seeks Development Plan Consent for the construction of four (4) two storey dwellings at 3 Penelope Avenue, Valley View.

This report has provided a detailed assessment of the application against the relevant provisions of the Salisbury Council Development Plan.

In summary, the assessment found that:

- a) Dwellings in a range of forms are clearly envisaged within the Residential Zone;
- b) The proposal will constitute medium density and is proposed in close proximity to public transport routes, public open space, schools and centres – the zone encourages this type of development in this location;
- c) Each dwelling is provided with sufficient area of private open space;
- d) Adequate on-site car parking will be provided;
- e) Privacy of adjoining dwellings will be achieved by provision of high level windows to habitable rooms; and
- f) Overshadowing to adjoining properties is acceptable.

In addition, the applicant has appropriately addressed the concerns raised by the representors, which has also been supported by the planning assessment.

Therefore, it is recommended that Development Plan Consent be granted, subject to conditions.

### 14. STAFF RECOMMENDATION

That the Development Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Council Development Plan – Consolidated 7 July 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/1443/2016/2A for *Four (4) two storey dwellings on one allotment* in accordance with the plans and details submitted with the application and subject to the following conditions:

*Development Plan Consent Conditions*

- 1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents, except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
C21931 Sheet 1 of 2	Siteworks Plan	15 July 2016 – amended 26/08/2016	RCI
C21931 Sheet 2 of 2	Siteworks Plan	15 July 2016 – amended 26/08/2016	RCI
Sheet 2 of 10 Revision D	Site Plan	Date Received 17 August 2016	ET Design
Sheet 3 of 10 Revision D	Landscape Plan	Date Received 17 August 2016	ET Design
Sheet 4 of 10 Revision D	Lower and Upper Floor Plan Res 1 & 3	Date Received 17 August 2016	ET Design
Sheet 5 of 10 Revision D	Front and Rear Elevation	Date Received 17 August 2016	ET Design
Sheet 6 of 10 Revision D	Side Elevation	Date Received 17 August 2016	ET Design
Sheet 4 of 10 Revision D	Lower and Upper Floor Plan Res 2 & 4	Date Received 17 August 2016	ET Design
Sheet 8 of 10 Revision D	Front and Rear Elevation	Date Received 17 August 2016	ET Design
Sheet 9 of 10 Revision D	Side Elevation	Date Received 17 August 2016	ET Design
Sheet 10 of 10 Revision D	Streetscape Elevation / Rear Elevations	Date Received 17 August 2016	ET Design

*Reason:* To ensure the proposal is established in accordance with the submitted plans.

- The designated landscaping areas shall be planted with shade trees, shrubs and ground covers as appropriate to achieve a high level of residential amenity. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council. All landscaping is to be completed prior to occupation.

*Reason:* To ensure the subject land is landscaped so as to enhance the visual and environmental amenity of the locality.

- Stormwater systems shall be designed and constructed to cater for minor storm flows (Residential ARI = 5yrs). The design of the stormwater system shall ensure that no stormwater is discharged onto any adjoining land. Surface stormwater is to be managed in a manner that ensures no ponding of water against buildings and structures, no creation of any insanitary condition, and no runoff into neighbouring property for the major storm event ARI = 100 years.

*Reason:* To ensure flood protection of the buildings.

4. All driveways and car parking areas shall be constructed with either brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types. Driveways and carparking areas shall be established prior to the occupation and maintained at all times to the satisfaction of Council.

*Reason: To ensure access and carparking is provided on the site in a manner that maintains and enhances the amenity of the locality.*

5. All construction is to be completed to the reasonable satisfaction of Council. Damage sustained to any new or existing infrastructure during the course of the works is to be rectified to Council satisfaction prior to the completion of development works.

*Reason: To ensure that the development complies with Standards, best Engineering Practice and Council Policy.*

6. The applicant shall ensure that any proposed driveway, stormwater and/or other underground infrastructure or services shall be built a minimum of 2.5m away from any Council street tree, otherwise the applicant shall pay for the full cost of relocation of these items.

*Reason: To ensure orderly development.*

## CO-ORDINATION

Officer:	GMCiD	MDS
Date:	09.11.16	04.11.16

## ATTACHMENTS

This document should be read in conjunction with the following attachments:

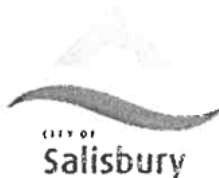
1. Proposal Plans and Other Supporting Documents
2. Shadow Drawings
3. Notice of Category 2 Application and Representations
4. Applicant Response to Representations
5. Relevant Development Plan Extracts and Maps - Consolidated 7 July 2016





Attachment 1

Proposal Plans and other supporting documents



# CITY OF SALISBURY DEVELOPMENT APPLICATION FORM

361/ 1443 /2016/1A

Please use BLOCK LETTERS and Black or Blue Ink


APPLICANT NAME: F.I. INVESTMENTS PTY LTD		
POSTAL ADDRESS: PO BOX 430 SALISBURY SOUTH SA 5106		
OWNER NAME: (This must be completed) F.I. INVESTMENTS PTY LTD <input type="checkbox"/> as above		
OWNER POSTAL ADDRESS: PO BOX 430 SALISBURY SOUTH SA 5106 <input type="checkbox"/> as above		
OWNER PHONE NO: 8250 8999	OWNER FAX NO:	OWNER EMAIL:
CONTACT PERSON FOR FURTHER INFORMATION <input type="checkbox"/> as above		
NAME: ERIC CATALANO	TELEPHONE (W): 8250 8999 (M): 0403 833 407	
EMAIL: eric.catalano@inhadelaide.com.au	FAX:	
BUILDER NAME: N/A	BUILDERS EMAIL:	
BUILDER POSTAL ADDRESS:		CONTACT NO.:
		LICENCE NO.:
CURRENT USE OF PROPERTY:		
DESCRIPTION OF PROPOSAL: 4 SEMI DETACHED DWELLINGS		DEVELOPMENT COST \$ 4 units @ 150k
LOCATION OF PROPOSAL		
Street No: 3	Street: 3 PENELOPE AVE	Suburb: VALLEY VIEW
Lot No: 161	Section: 1569	Plan: 07013
	Volume: 5571	Folio: 184
OFFICE USE ONLY		
Registration Date: 26 / 07 / 2016	Zone: R	Ward: South
BUILDING RULES CLASSIFICATION		
Classification sought:		
If Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees		Male: Female:
If Class 9a classification is sought, state the number of persons for whom accommodation is provided:		
If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:		

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations, 1993. Developments requiring public notification will be made available to the public for comment via Council's web site at [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)


SIGNATURE:

*[Signature]*

DATE: 25/07/16.


 <b>Government of South Australia</b> Department of Land Management Land Services Group		<b>Date/Time</b> 30/05/2016 04:34PM <b>Customer Reference</b> <b>Order ID</b> 20160530011685 <b>Cost</b> \$279.00	
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The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.

  
 Registrar-Gen

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### Certificate of Title - Volume 5577 Folio 154

<b>Parent Title(s)</b>	CT 3069/177	 REAL PROPERTY ACT, 1936 South Australia
<b>Dealing(s) Creating Title</b>	CONVERTED TITLE	
<b>Title Issued</b>	17/09/1998	
<b>Edition</b>	5	
<b>Edition Issued</b>	10/01/2009	

### Estate Type

FEE SIMPLE

### Registered Proprietor

PETER MICHAEL TAYLOR  
OF 3 PENELOPE AVENUE VALLEY VIEW SA 5093

### Description of Land

ALLOTMENT 161 DEPOSITED PLAN 7013  
IN THE AREA NAMED VALLEY VIEW  
HUNDRED OF YATALA

### Easements

NIL


### Schedule of Dealings

Dealing Number	Description
11087390	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (SINGLE COPY ONLY)

### Notations

**Dealings Affecting Title**  
NIL

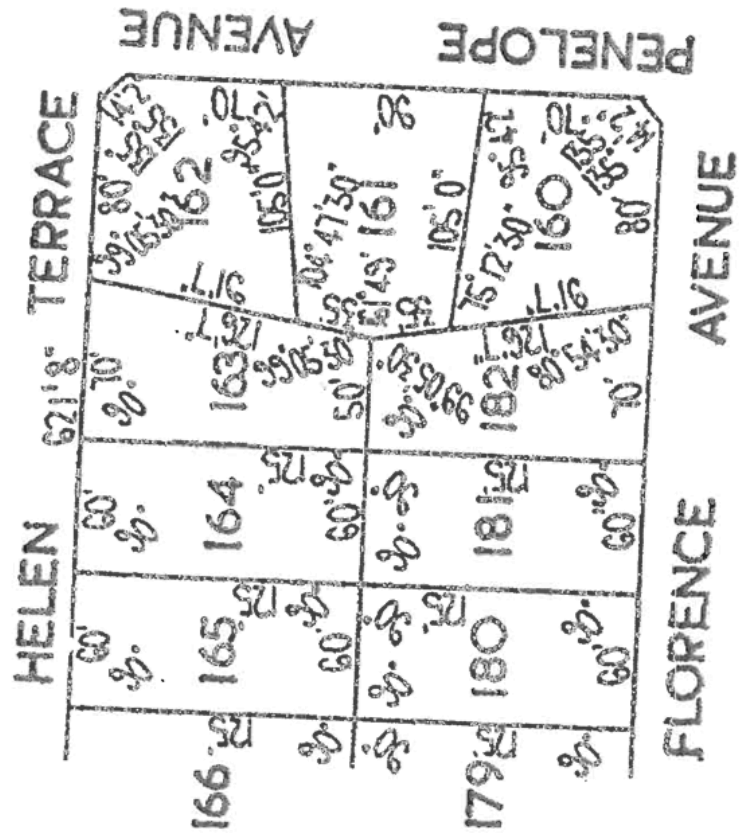
**Priority Notices**  
NIL

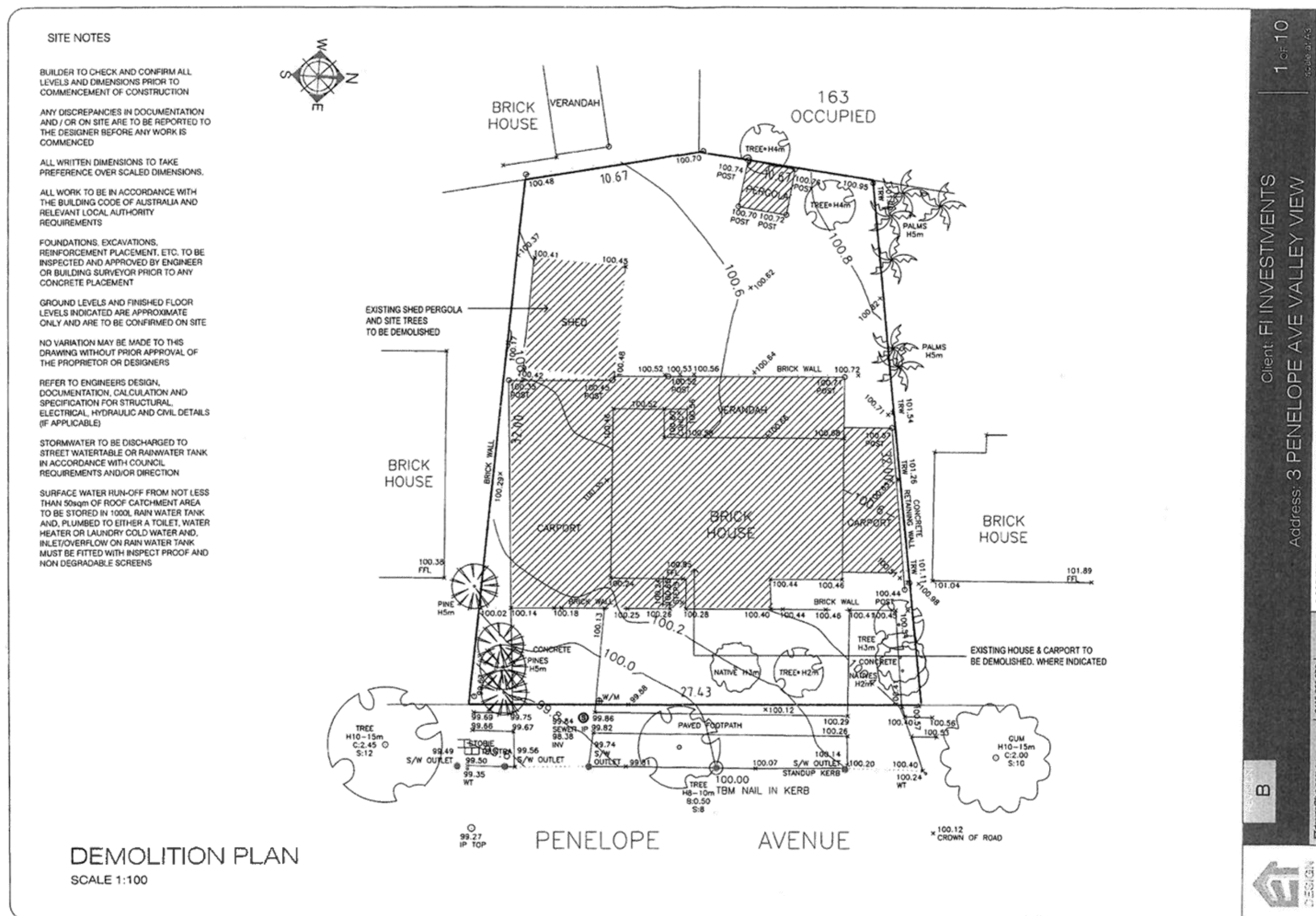


Land Services Group

Page 1 of 1

Item 5.1.1 - Attachment 1 - Proposal Plans and Other Supporting Documents










A4

**SITEWORKS NOTES**(THESE NOTES ARE TO BE READ IN CONJUNCTION  
WITH SITEWORKS PLAN – SHEET 1 OF 2)**NOTES:**

ANY SURPLUS SPOIL FROM SITEWORKS IS THE OWNERS RESPONSIBILITY AND SHOULD BE REMOVED OR DISPERSED AS APPROPRIATE, UNLESS STATED OTHERWISE IN THE BUILDING CONTRACT. THIS SPOIL SHOULD BE STOCKPILED SUCH THAT IT DOES NOT OBSTRUCT SITE ACCESS AND CAN BE EASILY REMOVED FROM THE SITE

THE RETAINING WALLS SHOWN ON THIS PLAN ARE TO BE CONSTRUCTED BY THE OWNER EXCEPT WHERE THE RETAINING WALL FORMS PART OF THE BUILDING STRUCTURE OR WHERE SPECIFIED OTHERWISE WITHIN THE BUILDING CONTRACT. ANY RETAINING WALLS ADJACENT EXCAVATIONS, A SERVICE TRENCH/EASEMENT (PROPOSED OR EXISTING) OR IF FOUND IN FILL SHOULD HAVE AN UNDERMINING COMPONENT INCORPORATED IN THE DESIGN OF THEIR FOOTING/PIER SUPPORT SYSTEM.

OWNER TO RETAIN ANY MINOR CUT/FILL ON THE BOUNDARIES WITH A CONCRETE PLINTH, SLEEPER OR SIMILAR.

 : 1.0 KILOLITRE MODULAR RAINWATER TANK (BY OWNER) AS PER THE BCA. TO BE PLUMBED TO AT LEAST A WC, WATER HEATER OR ALL LAUNDRY COLD WATER OUTLETS. TYPICAL TANK TO BE USED IS A CODE NO. TTT-1100-3 MODULAR TANK FROM ECO BUILDING SUPPLIES OR SIMILAR. WHERE A RWT IS SUPPORTED ON A STAND OR OTHER STRUCTURE, THE SUPPORTING STRUCTURE MUST COMPLY WITH AS/NZ 1170.1 AND 1170.2. TANK TO BE USED IN CONJUNCTION WITH A MAXIMUM 0.50m HIGH TANK STAND. THE TANK SHALL ALSO BE LOOPED INTO THE MAINS WATER SYSTEM.

--- : STORMWATER PIPES AS A SEALED SYSTEM USED TO CONNECT DP1 TO DP3 TO RAINWATER TANK (MINIMUM 50m<sup>2</sup> OF ROOF AREA) REFER TO FOOTING CONSTRUCTION REPORT ATTACHMENT SHEET SS1.

--- : STORMWATER PIPES UNDER GRAVITY FLOW USED TO CONNECT RAINWATER TANK OVERFLOW PIPE, SURFACE STORMWATER DRAINS & DP's NOT CONNECTED TO RAINWATER TANK TO THE STREET WATER TABLE.

ENSURE GRAVITY FLOW PIPES MAINTAIN SUFFICIENT GRADE TO MEET THE APPROPRIATE OUTLET AS SHOWN ON THIS PLAN. CONSTRUCT ANY SEALED SYSTEM PIPES SUCH THAT THEY DO NOT INTERFERE WITH THE GRAVITY FLOW SYSTEM.

WHERE GRATED SURFACE STORMWATER SUMPS ARE USED GRADE SOIL/PAVING IN TOWARDS SUMPS IN ACCORDANCE WITH THE "BENCH" NOTES ON THIS PAGE. ALTERNATIVELY CONSTRUCT LINED SPOON DRAINS WITH 0.3% GRADIENT AS PER THE DETAILS ON ATTACHMENT SHEET PD1.

SUMP SIZES AND QUANTITY ARE DIAGRAMMATIC ONLY. ADDITIONAL AND/OR LARGER SUMPS MAY BE REQUIRED DEPENDING ON AREAS THEY SERVICE AND PAVEMENT TYPE USED.

USE THE "SUBSTITUTE" VERTICAL FLEXIBLE CONNECTION SET-UP AS SHOWN ON DETAIL SHEET SD1 WHERE DP's CONNECT INTO THE DRAINPIPE (THIS SET-UP IS NOT TO BE UTILISED IN A SEALED SYSTEM)

TITLE: **SITEWORKS NOTES**ADDRESS: No.3 PENELOPE AVENUE  
VALLEY VIEW

CLIENT: INTEGRITY NEW HOMES

**Residential  
Commercial  
Industrial  
Consulting Engineers**

1 Hawke Street  
ALBERT PARK, SA 5014  
P (08) 8241 2326  
F (08) 8241 2409  
admin@rciconsulting.com.au  
www.rciconsulting.com.au

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A.B.N. 17 131 375 356

JOB No.

**C21931**

SHEET No.

2 of 2

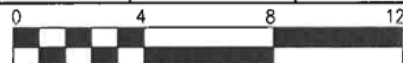
ISSUE No.

**A**

DRAWN : S.T.

DESIGN: D.A.

DATE: 15-Jul-16



SCALE 1:200

METRES

No.	REVISION	BY	DATE
A	AMENDED AS PER COUNCIL REQUEST	J.R.	26.8.16

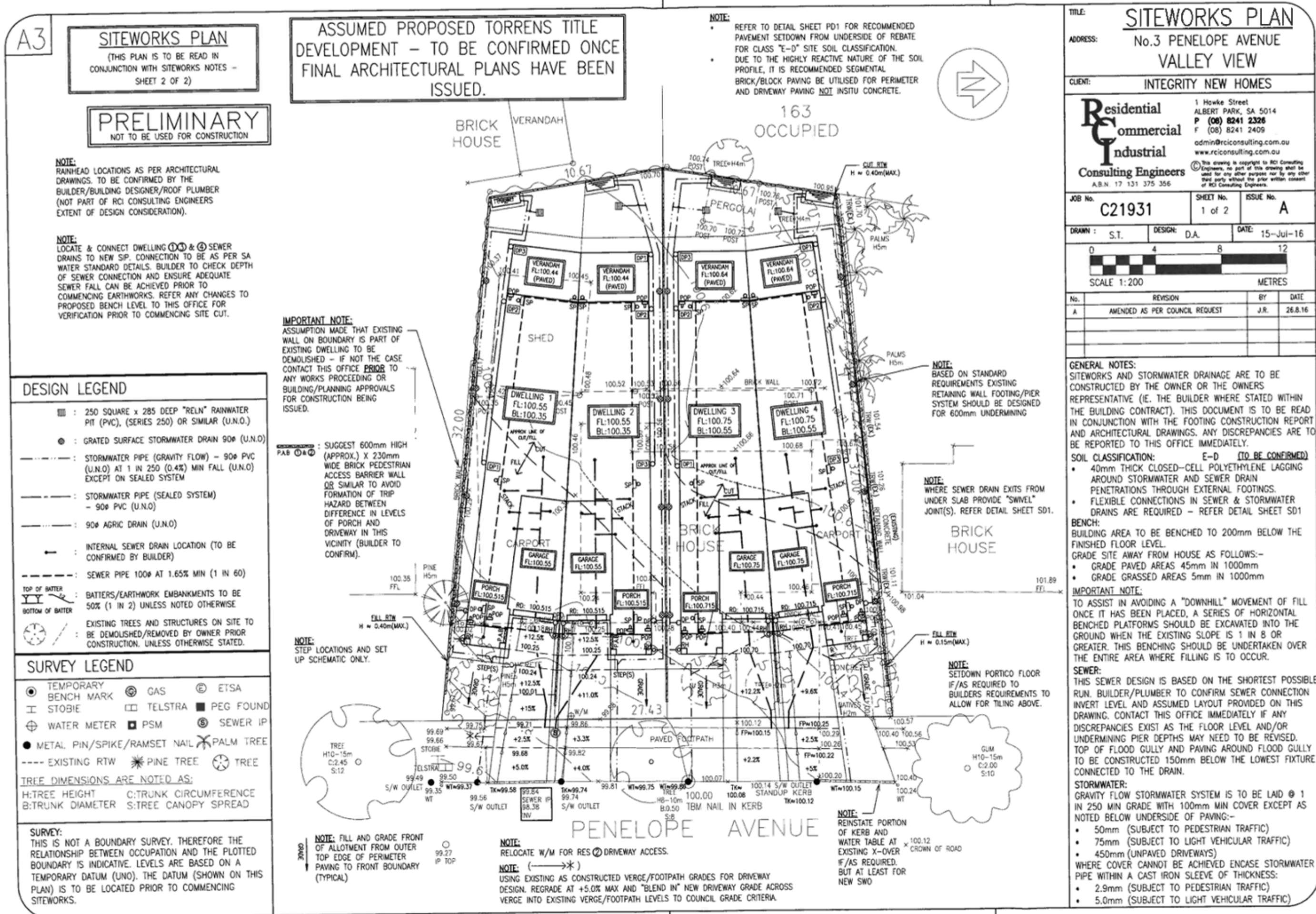
**PRELIMINARY**  
NOT TO BE USED FOR CONSTRUCTION

**KEY**

TK	TOP OF KERB
WT	WATER TABLE
BL	BENCH LEVEL
FL	FLOOR (POURED) LEVEL
AP	APPROXIMATE
RD	ROLLER DOOR REBATE
DW	DRIVEWAY
FP	FOOTPATH
(EX)	EXISTING
RWT	RAINWATER TANK
DPO	DOWNSPIPE
RH	RAINWATER HEAD
SP	SPREADER PIPE
POP	PROVIDE HORIZONTAL "POP" FROM UPPER LEVEL GUTTER ON TO LOWER LEVEL ROOF IF UPPER LEVEL GUTTER IS OPEN ENDED AT REAR THEN "POP" NOT REQUIRED. ALTERNATIVELY PROVIDE DP TO UPPER LEVEL GUTTER – ROOF PLUMBER/BUILDER TO CONFIRM.
PC	PROJECTED CONTOURS
RTW	RETAINING WALL
TRW	TOP OF RETAINING WALL
CSRW	CONCRETE SLEEPER RETAINING WALL
R	RAMP PAVING AT 12.5% (MAX) (LOCATION & SETUP SCHEMATIC ONLY)





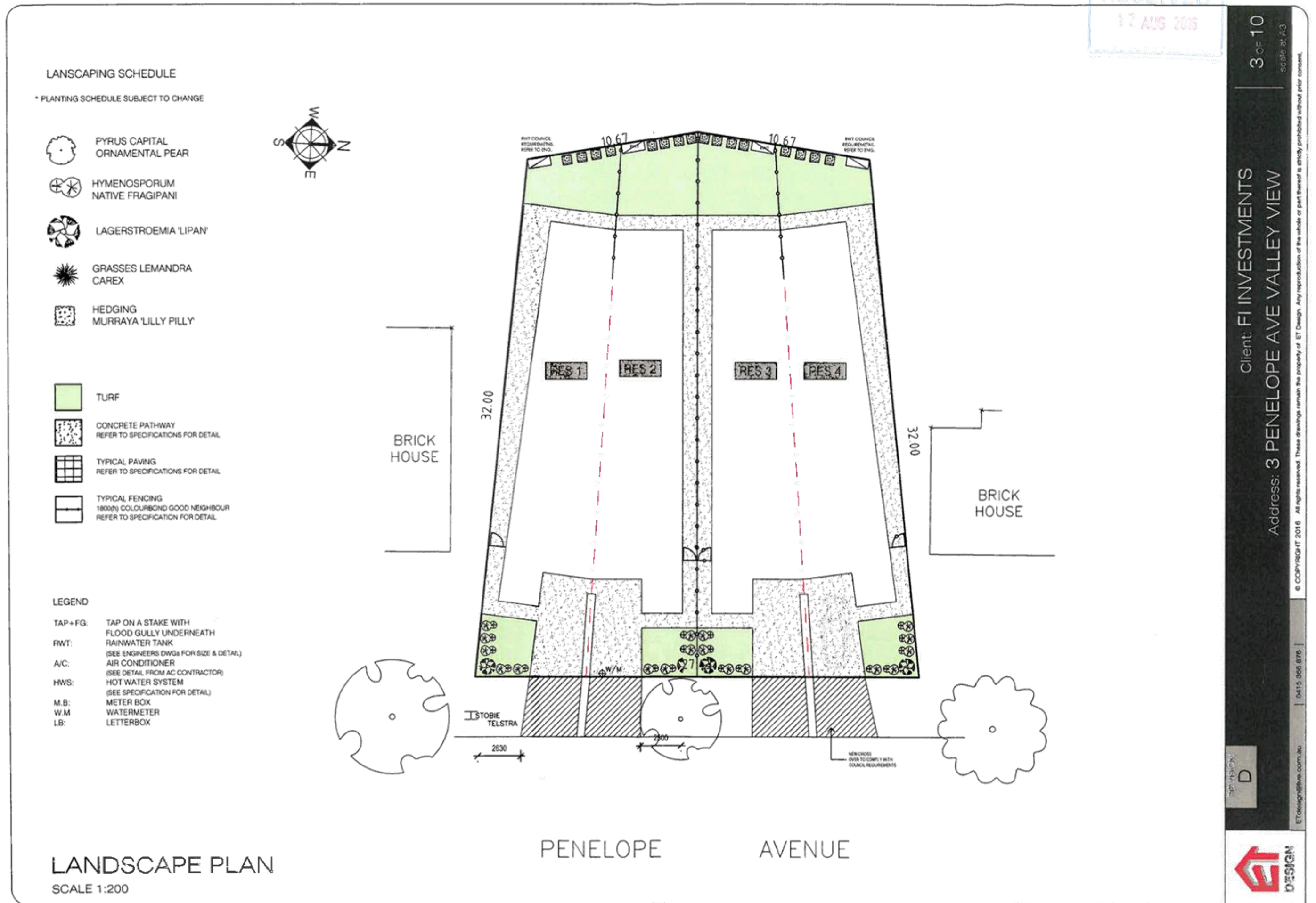
















## GENERAL NOTES

THIS DRAWING IS TO BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS, DOCUMENTATION, SCHEDULES AND SPECIFICATIONS

BUILDER TO CHECK AND CONFIRM ALL PLAN AND SITE SET OUT DIMENSIONS PRIOR TO COMMENCEMENT OF CONSTRUCTION

WRITTEN DIMENSION TO BE TAKEN IN PREFERENCE TO SCALE

GROUND LEVELS AND FINISHED FLOOR LEVELS INDICATED ARE APPROXIMATE ONLY AND ARE TO BE CONFIRMED ON SITE

ALL STEEL LINTELS ARE TO BE HOT DIPPED GALVANISED, SIZES AS PER ENGINEERS DETAILS AND DESIGN

PROVIDE WALL TIES TO ALL BRICKWORK AT MAXIMUM 600mm CENTRES IN EACH DIRECTION AND WITHIN 300mm OF ARTICULATED JOINTS. SPACING OF WALL TIES TO TOP AND SIDES OF OPENING TO BE HALVED

PROVIDE R3.0 INSULATION BATTS TO CEILING AND R1.5 INSULATION BATTS TO WALLS.

NO VARIATION MAY BE MADE TO THIS DRAWING WITHOUT PRIOR APPROVAL OF THE PROPRIETOR OR DESIGNERS

REFER TO ENGINEERS DESIGN, DOCUMENTATION, CALCULATION AND SPECIFICATION FOR STRUCTURAL, ELECTRICAL, HYDRAULIC AND CIVIL DETAILS (IF APPLICABLE)

ALL MATERIALS AND EQUIPMENT SHALL BE NEW, FREE OF BLEMISHES OR DAMAGE. ANY DEFECTIVE OR FAULTY EQUIPMENT SHALL BE REPLACED AT THE CONTRACTORS EXPENSE

ALL WORK SHALL BE CARRIED OUT IN A NEAT TRADESMAN LIKE MANNER AND TO BE CARRIED OUT BY FULLY QUALIFIED AND LICENSE TRADESPERSONS

ANY DISCREPANCIES IN DOCUMENTS AND/OR ON SITE TO BE REPORTED TO THE DESIGNER BEFORE ANY WORK IS COMMENCED

BUILDING TERMITE PROTECTION IN ACCORDANCE WITH AS 3660.1-2000

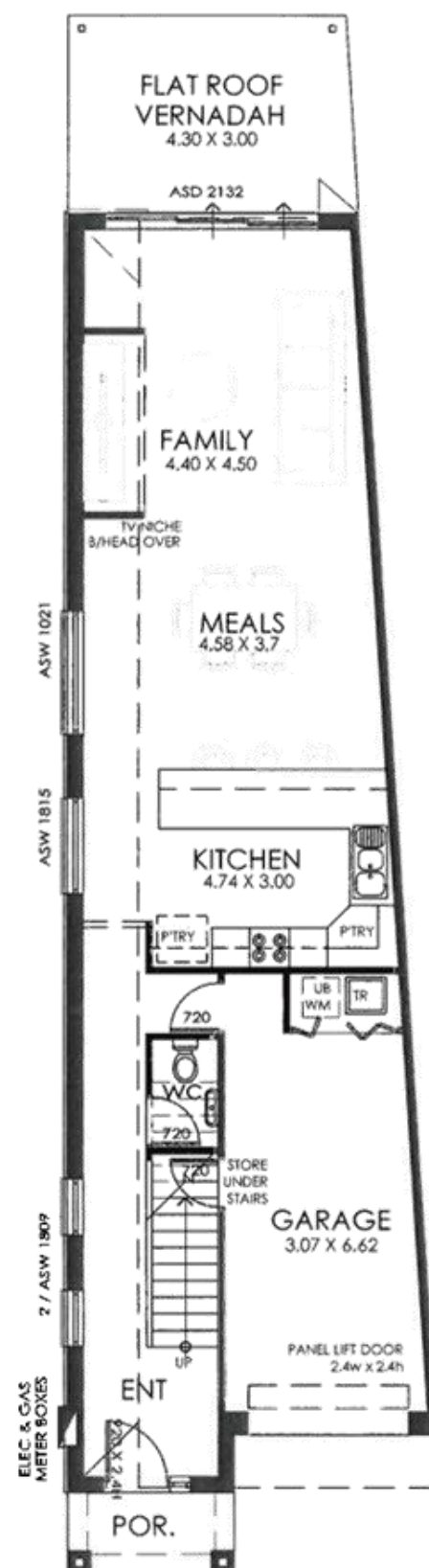
ALL GLAZING WILL BE SELECTED AND INSTALLED IN ACCORDANCE WITH AS 1286-2006 AND/OR AS 2047-2014

ALL WATERPROOFING IN WET AREAS WILL BE IN ACCORDANCE WITH AS 3740-2004 AND BCA-TABLE 3.8.1.1

SELF CONTAINED SMOKE ALARMS WILL COMPLY WITH AS 3786, CONNECTED TO CONSUMER MAINS POWER AND WILL BE INTERCONNECTED (IF MORE THAN 1)

## LOWER & UPPER FLOOR PLAN RES 1 & 3

SCALE 1:100



AREAS	m²
LOWER LIVING	73.40
UPPER LIVING	75.50
GARAGE	20.80
PORCH	3.10
VERANDAH	12.60
<b>TOTAL</b>	<b>185.40</b>

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

4 of 10

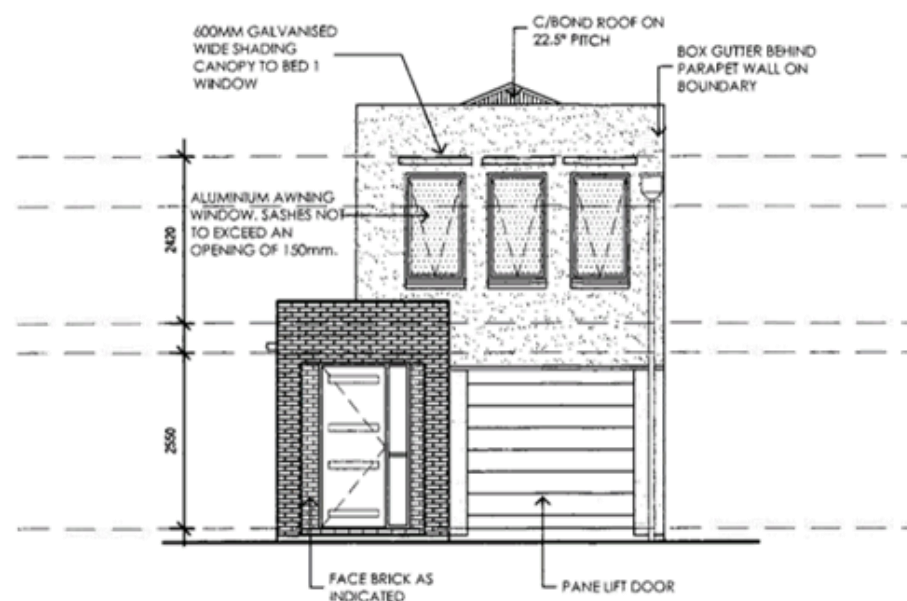
Scale at A3

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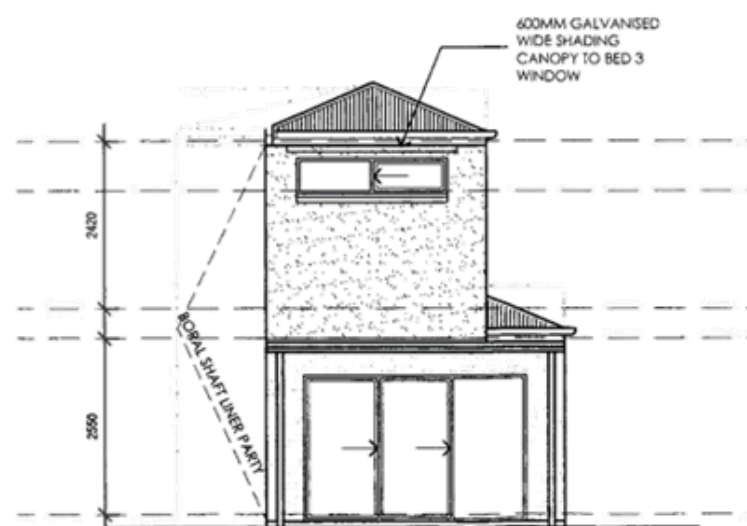
ETDesign@live.com.au | 0415 365 876







FRONT ELEVATION  
SCALE 1:100



REAR ELEVATION  
SCALE 1:100

17 AUG 2016

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

5 OF 10  
Scale: 1:100

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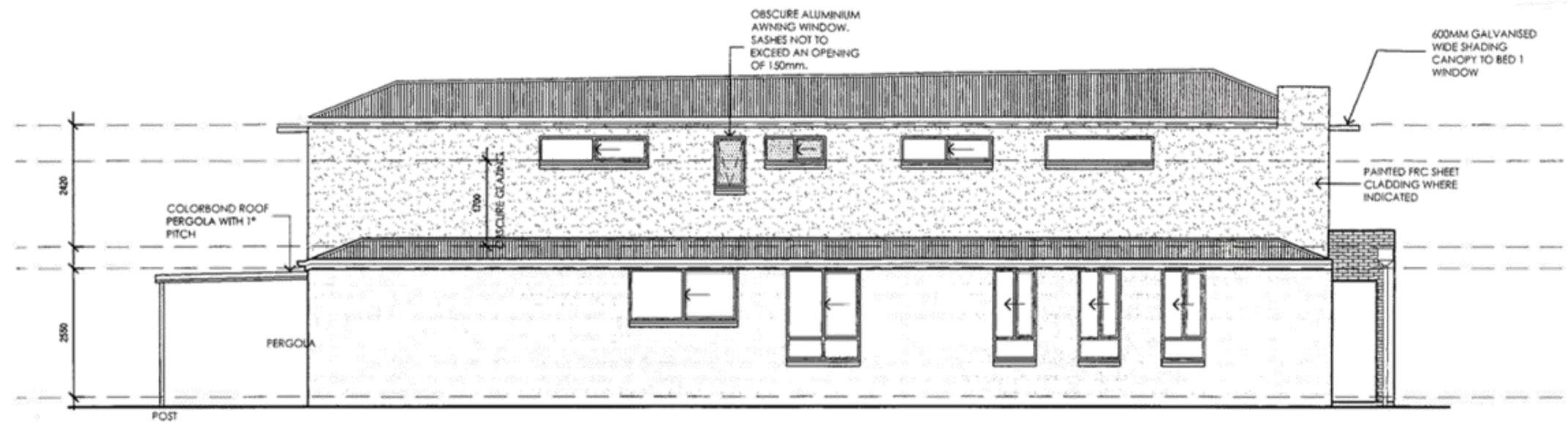
E\*Design Pty Ltd  
0415 366 876

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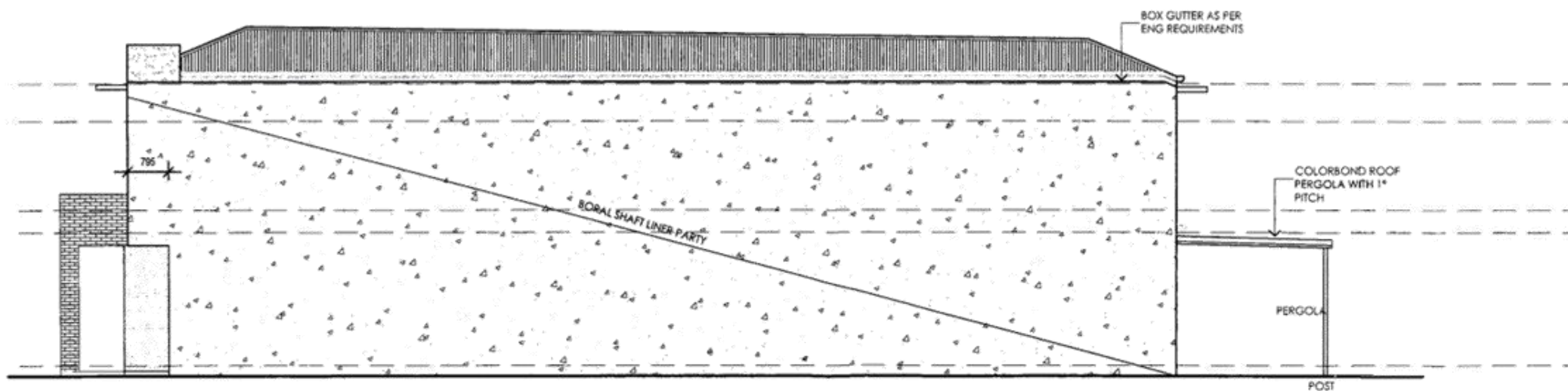








SIDE ELEVATION  
SCALE 1:100



SIDE ELEVATION  
SCALE 1:100

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17 AUG 2016

6 OF 10

SCALE: 1:100

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

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## LOWER & UPPER FLOOR PLAN RES 2 & 4

SCALE 1:100



AREAS	m <sup>2</sup>
LOWER LIVING	73.40
UPPER LIVING	75.50
GARAGE	20.80
PORCH	3.10
VERANDAH	12.60
<b>TOTAL</b>	<b>185.40</b>

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

7 OF 10  
scale at A3

PROVISION  
D

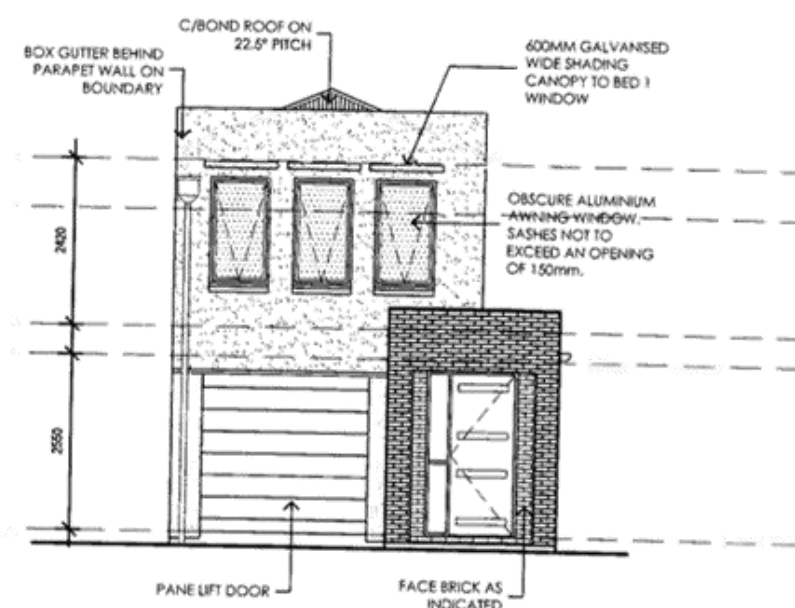


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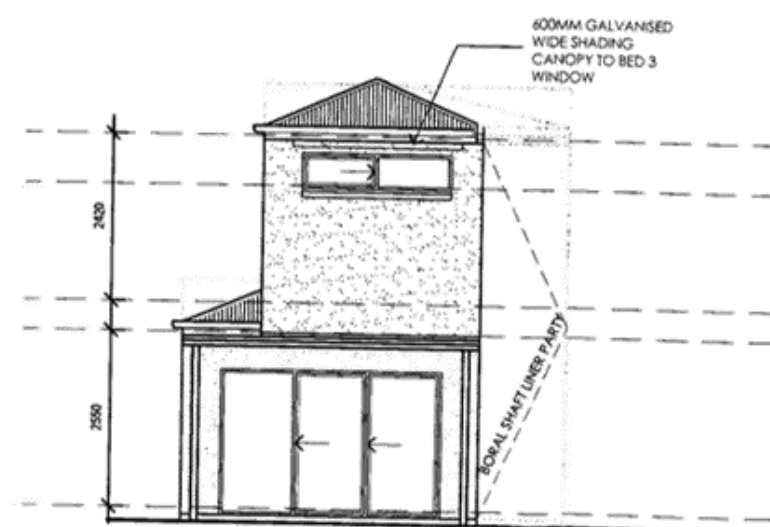






## FRONT ELEVATION

SCALE 1:100



## REAR ELEVATION

SCALE 1:100

17 AUG 2016

8 OF 10

Scale of A3

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

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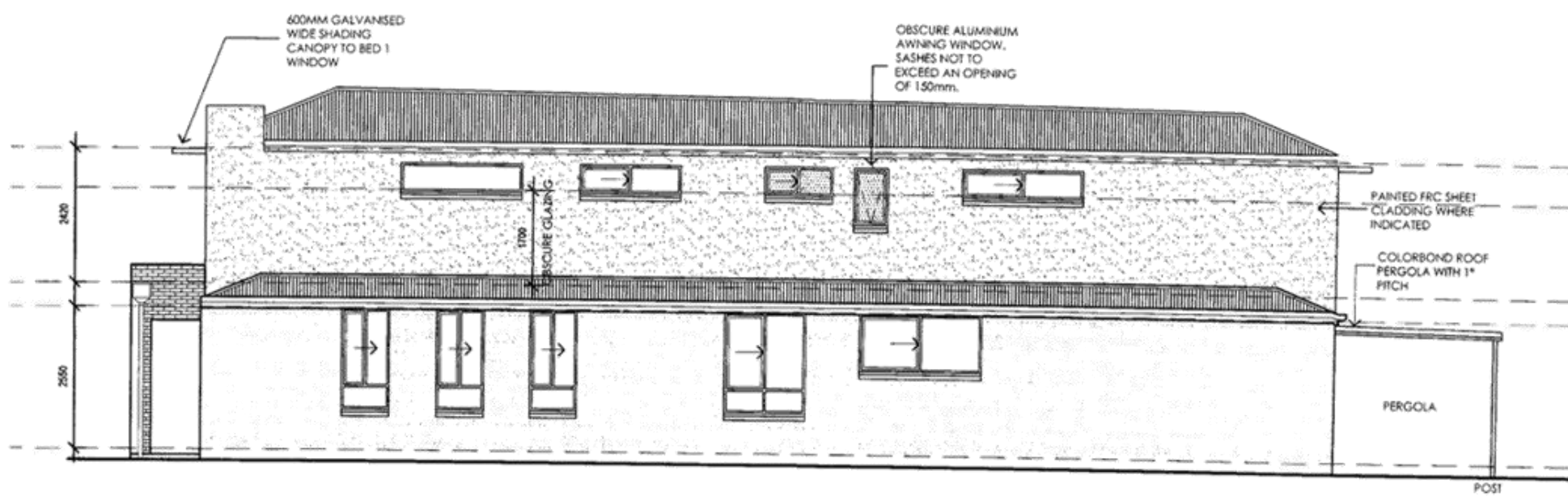
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REVISION  
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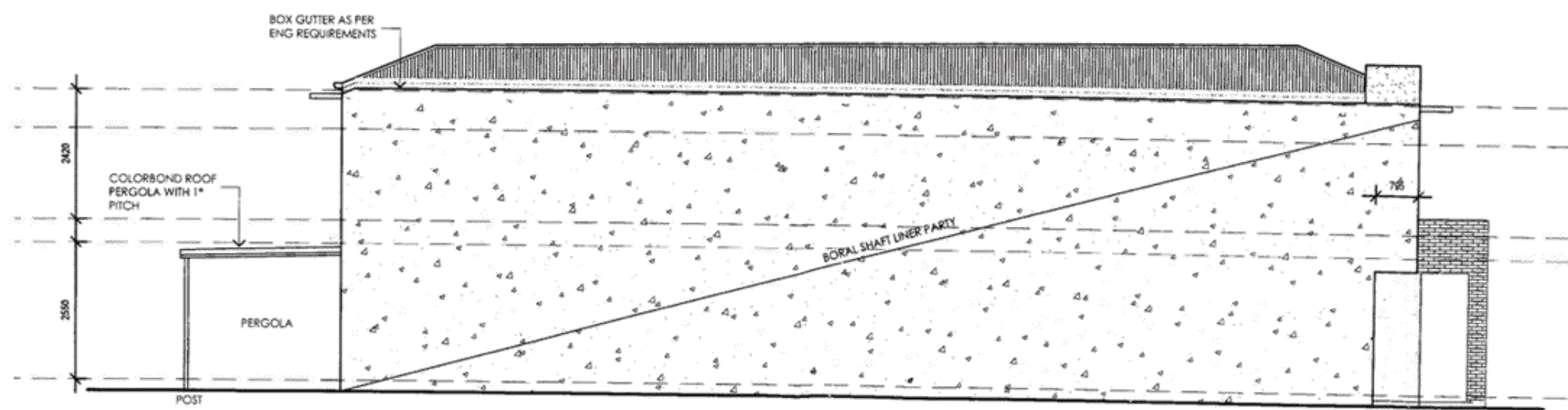




17 APR 2016



SIDE ELEVATION  
SCALE 1:100



SIDE ELEVATION  
SCALE 1:100

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

9 OF 10  
Scale: A3

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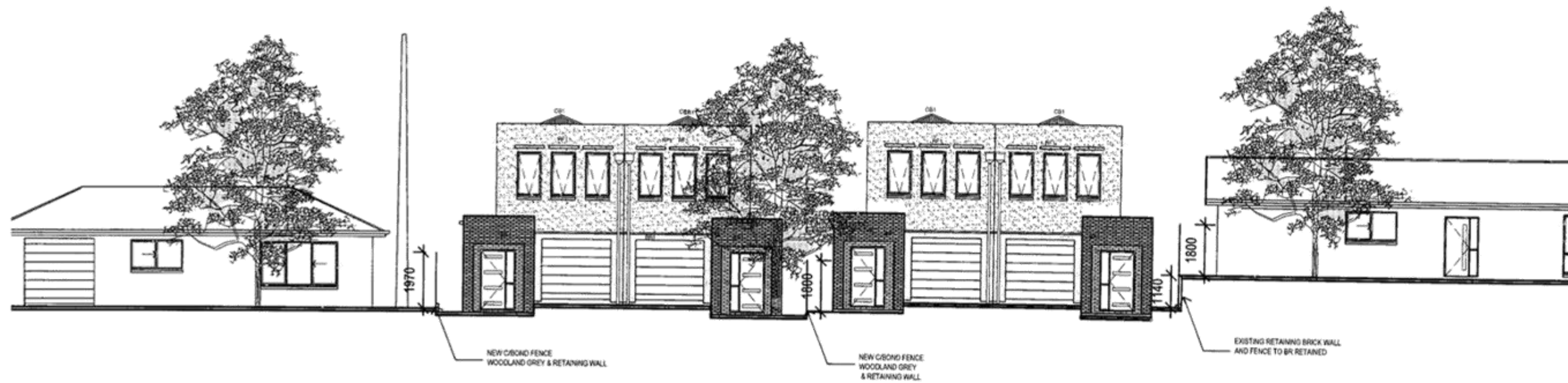
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17 AUG 2016



STREETSCAPE ELEVATION  
SCALE 1:150



REAR ELEVATIONS  
SCALE 1:150

MATERIAL / COLOUR SCHEDULE

RENDER FINISH 1 (RF1):	SOLVER "TURKISH COFFEE"
BRICK FINISH (BR1):	PGH CHOCOLATTO
ROOF (CB1):	COLOURBOND "WOODLAND GREY"
GUTTERS / FASCIA:	COLOURBOND "WOODLAND GREY"
WINDOWS:	STANDARD ALUMINUM "SILVER"
ENTRY DOOR:	CORINTHIAN "PMAD 104" DOOR SOLVER "CHARCOAL 29.10"
GARAGE DOOR:	GLIDEROL SECTIONAL OVERHEAD TUSCAN PROFILE - "WOODLAND GREY"
SIDE/ REAR FENCING:	GOOD NEIGHBOUR 1800(h) "GREY RIDGE"

Client: FI INVESTMENTS  
Address: 3 PENELOPE AVE VALLEY VIEW

10 OF 10  
SC3/16 at A3

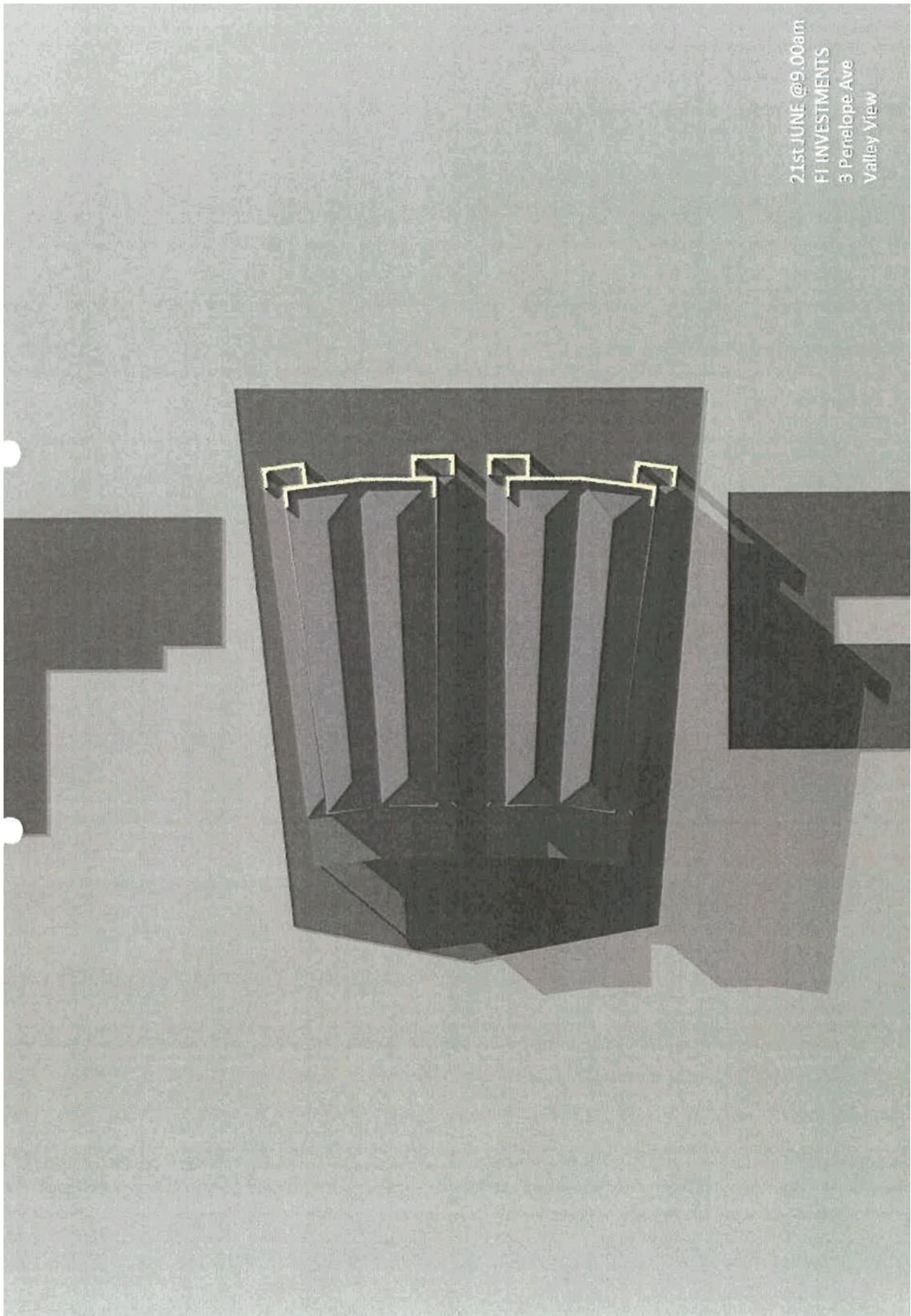
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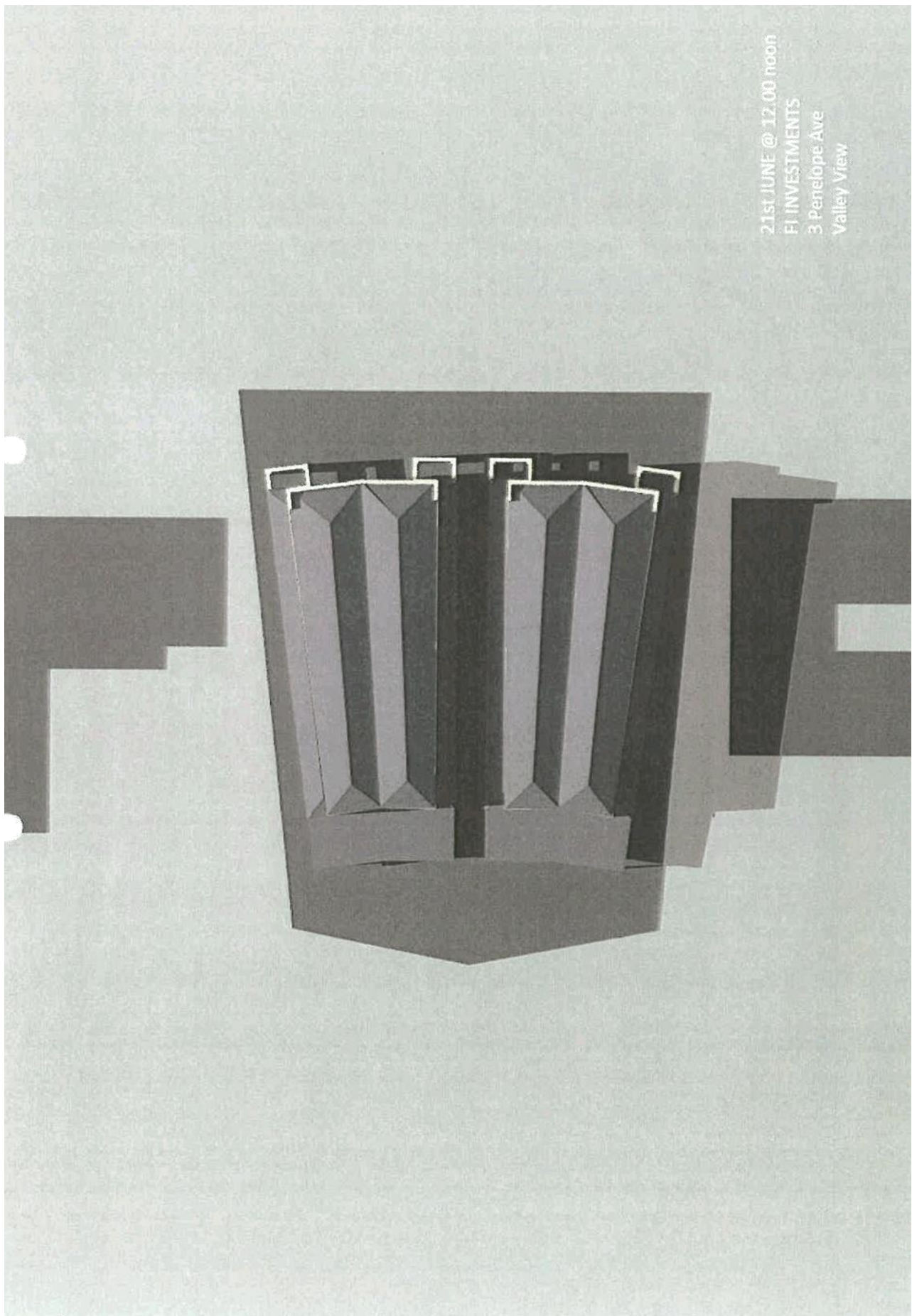


Attachment 2  
Shadow Diagrams

Item 5.1.1 - Attachment 2 - Shadow Drawings

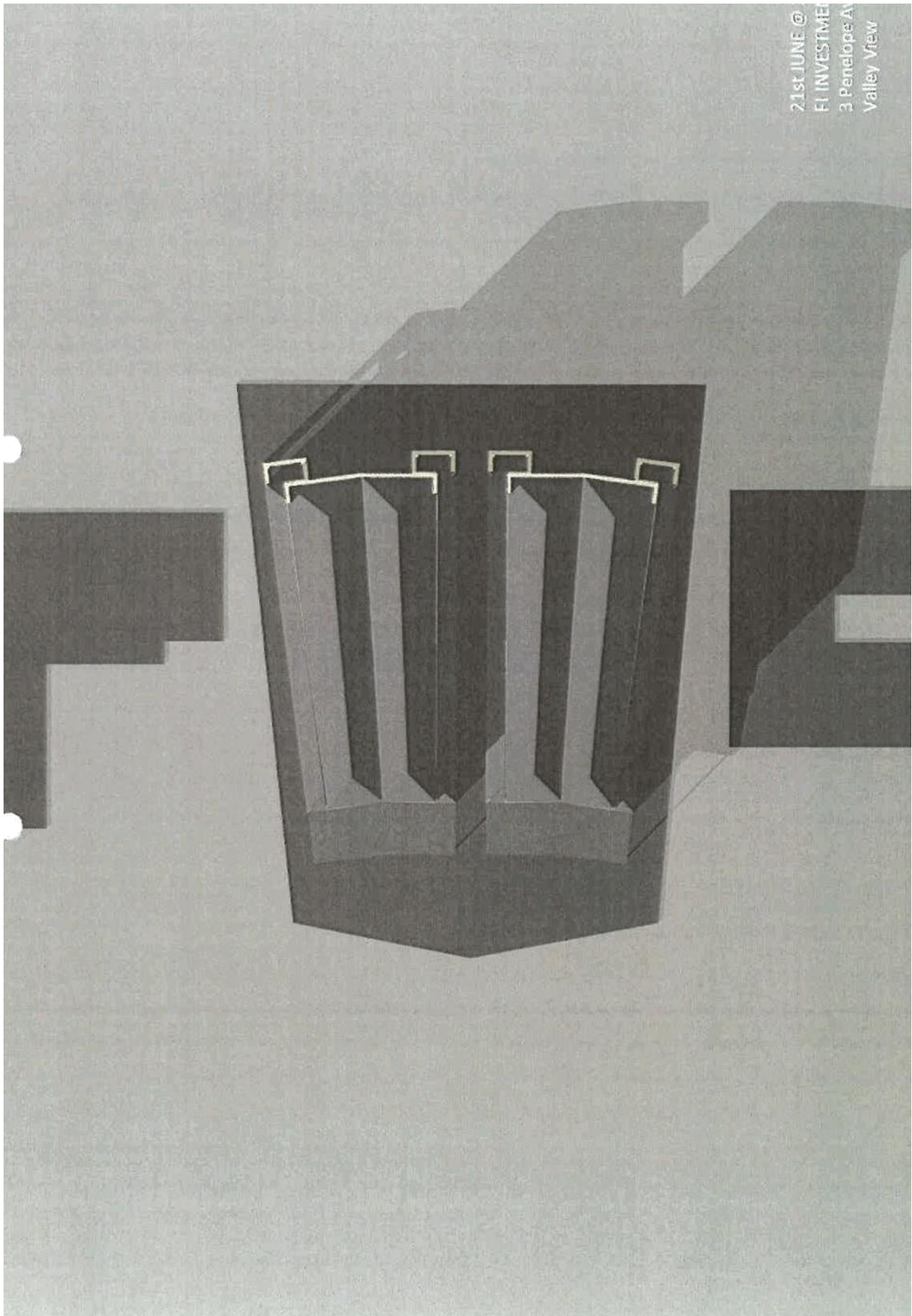








Item 5.1.1 - Attachment 2 - Shadow Drawings



Attachment 3  
Notice of Category 2 Application and Representations

**DEVELOPMENT ACT 1993  
CITY OF SALISBURY**

**NOTICE OF APPLICATION FOR CATEGORY 2 DEVELOPMENT**

Pursuant to Section 38(4) of the Development Act, 1993

An application for development has been lodged with the Council for assessment. The details are as follows:

<b>DEVELOPMENT NO:</b>	361/1443/2016/2A
<b>APPLICANT:</b>	Fazzari Investments Pty Ltd 2 Omnia Ct SALISBURY HEIGHTS SA 5109
<b>NATURE OF THE DEVELOPMENT:</b>	CONSTRUCTION OF FOUR (4) TWO STOREY DWELLINGS ON ONE ALLOTMENT
<b>LOCATED AT:</b>	3 Penelope Avenue, Valley View SA 5093
<b>CERTIFICATE OF TITLE:</b>	CT-5577/154
<b>ZONE:</b>	Residential

The application may be examined at the Office of the Council located at 12 James Street, Salisbury during normal business hours (8.30am – 5pm Monday to Friday) and on Council's web site at [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au). Any person or body may make representations in writing, or by email [development@salisbury.sa.gov.au](mailto:development@salisbury.sa.gov.au), concerning this application and should address their representation to the Chief Executive Officer at PO Box 8, Salisbury or [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au). Representations must be received **no later than Tuesday 6<sup>th</sup> September 2016**.

Each person making a submission should indicate whether they wish to appear personally, or be represented by another party, in support of their submission. Please note that should you nominate to be heard in support of your representation, you will be required to attend a Development Assessment Panel meeting held at the Council offices, scheduled on the fourth Tuesday of each month at 6.00pm (unless otherwise advised).

Please note that pursuant to Section 38(8) of the Development Act, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

This development is classified as a Category 2 development under the Development Act. Please be aware that there is no right of appeal against Council's decision.

Signed: Chris Carrey, Development Officer

Date: 22 August 2016

***THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE***



# STATEMENT OF REPRESENTATION

Pursuant to Section 38 of the Development Act

**To:** City of Salisbury  
PO Box 8, SALISBURY SA 5108  
Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/1443/2016/2A  
Applicant: Fazzari Investments Pty Ltd  
Location: 3 Penelope Avenue, Valley View SA 5093  
Proposed Development: CONSTRUCTION OF FOUR (4) TWO STOREY DWELLINGS ON ONE ALLOTMENT

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): GARRY & CASSANDRA McMAHON

ADDRESS: 1 PENELOPE AVE, VALLEY VIEW 5093

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: 1 PENELOPE AVE, VALLEY VIEW.

☐ Other (please state):

## YOUR COMMENTS:

☒ We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

~ 1 SEP 2016

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

PLEASE SEE ATTACHED NOTICE.

PTO



**My concerns are:**

- ① Height will impact on my privacy. I have a heated swimming pool in my back yard which provides entertainment for my large family, grand children and friends, in fact it is the centre of our existence in the warmer months. From the proposed plans, it appears the new units would extend some distance past my house. The height of the proposed town houses is going to block our outlook of trees and the hills and instead give us a brick wall to look at. We dislike the prospect of that.
- ② A major concern for us is car parking in the street. With limited parking available in the proposed development and with most families having at least two cars, not to mention teen aged children, it is safe to assume there will be many cars parked in the street and even more so if any of the units are rented to young people. Because of driveways causing parking restrictions, we believe most excess cars will be in front of our home. We are concerned for the safety of our grandchildren (4 under 6 years) who play on the footpath and paths around the front of our house on their bikes and trikes, particularly on Saturday and Sunday when the cars would likely be parked. While this is always under supervision of adults, children are children and accidents happen. With visibility restricted, moving vehicles would have difficulty seeing children playing on the footpath.
- ③ I have no doubt that this development would devalue our property for the reasons listed above.
- ④ With the distinct possibility of 20 or more people living in close proximity, the noise level will increase considerably causing disturbance to our family.
- ⑤ As a T.P.I. Vietnam veteran, suffering with Post Traumatic Stress Disorder, the peace and tranquillity that my yard offers is very important to my health and mental wellness. The appearance of a huge brick wall is going to create a closed in look and feeling and I am sure will be detrimental to my well being.

**My concerns would be addressed by:**

Two single story dwellings would be acceptable.



Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☐ Do not wish to be heard in support of my representation.

☒ Wish to be heard in support of my representation, and I will be:

☒ Appearing personally,

**OR**

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 6<sup>th</sup> September 2016, to ensure that it is a valid representation and taken into account.**

#### **Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature:  .....

Date: 28/8/16

#### **Please complete this checklist to ensure your representation is valid:**

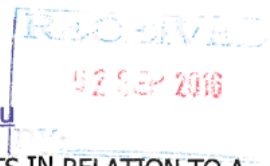
- ☒ Name and address of person (or persons).
- ☐ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 6<sup>th</sup> September 2016.**



# STATEMENT OF REPRESENTATION

## Pursuant to Section 38 of the Development Act

To: City of Salisbury  
PO Box 8, SALISBURY SA 5108  
Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)



THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/1443/2016/2A  
Applicant: Fazzari Investments Pty Ltd  
Location: 3 Penelope Avenue, Valley View SA 5093  
Proposed Development: CONSTRUCTION OF FOUR (4) TWO STOREY DWELLINGS ON ONE ALLOTMENT

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): PETER FOLEY

ADDRESS: 6 PENELOPE AVE VALLEY VIEW 5093

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: 6 PENELOPE AVE.

☐ Other (please state):

### YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

- ① AFTERNOON SHADOWS WILL IMPACT ON OUR SOLAR PANELS, TREES CAN BE LOPPED, BUILDINGS CANT.
- ② WE ARE ON THE LOWER SIDE OF THE STREET, STORM WATER RUN OFF COULD BE AN ISSUE.

PTO

361/1443/2016/2A

- ③ HIGH DENSITY HOUSING DEVALUES SURROUNDING PROPERTIES
- ④ HIGH DENSITY HOUSING ENCOURAGES ON STREET PARKING WHICH ALLOWS VANDALS THE OPPORTUNITY TO TORCH CARS, ACCORDING TO 'NEIGHBOURHOOD WATCH'
- ⑤ 4 X 2 STOREY TOWNHOUSES WILL NOT FIT INTO OUR STREETSCAPE 2 SINGLES HOUSES WOULD BE MORE SUITABLE.
- ⑥ THE POSSIBILITY OF THE 4 TOWNHOUSES BEING USED AS RENTAL IS NOT APPEALING TO US DUE TO PAST BAD EXPERIENCES.
- ⑦ HIGH DENSITY HOUSING WILL IMPACT GREATLY ON OUR PEACEFUL LIFESTYLE, WE HAVE LIVED HERE FOR OVER 40 YEARS AND ARE LOOKING FORWARD TO RETIREMENT WITHOUT HAVING TO RELOCATE.
- ⑧ SIGNIFICANT TREES HAVE ALREADY BEEN REMOVED IN THE AREA WHICH HAS IMPACTED ON THE ENVIRONMENT LET ALONE THE ADDITION OF HIGH DENSITY HOUSING

**My concerns would be addressed by:** *(state changes/actions to the proposal sought)*

PTO

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☐ Do not wish to be heard in support of my representation.

☒ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

**OR**

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 6<sup>th</sup> September 2016, to ensure that it is a valid representation and taken into account.**

#### **Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature:  .....

Date: 30 / 08 / 2016

**Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 6<sup>th</sup> September 2016.**





# STATEMENT OF REPRESENTATION

## Pursuant to Section 38 of the Development Act

**To:** City of Salisbury  
PO Box 8, SALISBURY SA 5108  
Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)



THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/1443/2016/2A  
Applicant: Fazzari Investments Pty Ltd  
Location: 3 Penelope Avenue, Valley View SA 5093  
Proposed Development: CONSTRUCTION OF FOUR (4) TWO STOREY DWELLINGS ON ONE ALLOTMENT

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): WINSTON & YVONNE FOLLANS

ADDRESS: 4 PENELOPE AVENUE VALLEY VIEW SA 5093

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

- ☒ The owner/occupier of the property located at: 4 PENELOPE AVENUE VALLEY VIEW SA 5093
- ☐ Other (please state):

### YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

- ☐ Support the proposed development.
- ☒ Oppose the proposed development.

30 AUG 2016

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

- 1) PENELOPE AVENUE IS A MAIN THOROUGHFARE TO PEOPLE GOING TO THE PARK AT THE END OF PENELOPE AVENUE.
- THE PROPOSED DEVELOPMENT WOULD INCREASE VEHICLE TRAFFIC IN PENELOPE AVENUE.
- 2) WHEN VEHICLES ARE PARKED OPPOSITE OUR DRIVEWAY, AND OUR NEIGHBOUR AT

PTO



361/1443/2016/2A

NUMBER 6, IT IS SOMETIMES DIFFICULT TO GET OUT OF OUR DRIVEWAYS. THIS WOULD BECOME A GREATER PROBLEM WITH THE PROPOSED DEVELOPMENT AND DEPENDING UPON WHERE CARS ARE PARKED IT MAY BE EXTREMELY DIFFICULT TO GET OUT OF OUR DRIVEWAYS.

3) WE HAVE CONCERNS FOR OUR NEIGHBOURS AT NUMBER 1 AS TO THEIR VIEW WITH THE PROPOSED DEVELOPMENT FROM THE REAR OF THEIR PROPERTY

4) WE WILL HAVE TWO NEW NEIGHBOURS AT 18 AND 20 FLORENCE AVENUE. WE ARE LIKELY TO HAVE TWO NEW NEIGHBOURS AT NUMBER 8 PENELOPE AVENUE AND WITH THE PROPOSED DEVELOPMENT ANOTHER 4 DIRECTLY OPPOSITE US.

SOMETIMES IT IS DIFFICULT TO HAVE ONE NEW NEIGHBOUR, BUT TO HAVE 8 IN SUCH A SMALL SPACE OF TIME IS JUST NOT RIGHT.

THIS IS A PEACEFUL AND HARMONIOUS STREET AND WE HAVE GREAT CONCERNS THAT IF THE PROPOSED DEVELOPMENT GOES AHEAD THIS MAY NO LONGER BE THE CASE.

**My concerns would be addressed by:** (state changes/actions to the proposal sought)

NOT ALLOWING THE PROPOSED DEVELOPMENT TO GO AHEAD AT ALL OR ALLOWING ONLY TWO SINGLE STOREY DWELLINGS

PTO

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☐ Do not wish to be heard in support of my representation.

☒ Wish to be heard in support of my representation, and I will be:

☒ Appearing personally,

OR

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 6<sup>th</sup> September 2016, to ensure that it is a valid representation and taken into account.**

**Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature:  .....

Date: 29 / 8 / 2016

**Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 6<sup>th</sup> September 2016.**



# STATEMENT OF REPRESENTATION

## Pursuant to Section 38 of the Development Act

**To:** City of Salisbury  
 PO Box 8, SALISBURY SA 5108  
 Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/1443/2016/2A  
 Applicant: Fazzari Investments Pty Ltd  
 Location: 3 Penelope Avenue, Valley View SA 5093  
 Proposed Development: CONSTRUCTION OF FOUR (4) TWO STOREY DWELLINGS ON ONE ALLOTMENT

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): Christine & Geoffrey Smith  
 ADDRESS: 49 Helen Tce, Valley View 5093  
 PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

- ☒ The owner/occupier of the property located at: 49 Helen Tce Valley View 5093  
☐ Other (please state): .....

### YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

- ☐ Support the proposed development.  
☒ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

please see attachment  
 .....  
 .....  
 .....  
 .....

PTO



**Opposition to the construction of 4 two storey town houses at 3 Penelope Ave Valley View, Development Application No 361/1443/2016/2A**

Attachment to Statement of representation by Chris & Geoff Smith whose house at 49, Helen Tce., Valley View 5093 abuts the western end of the proposed development

We are totally and absolutely opposed to the proposed development detailed above. Our position on this is not because we are opposed to change or through fear of the unknown, but rather is based upon actual previous experience. We did not invest our life's savings building our current house, in order to get away from the ghetto like developments that surrounded our former house in Windsor Gardens, for exactly the same thing to happen to us again just four years later. In overview we believe this proposal to be no more than a greedy, unscrupulous attempt to extract maximum profit and occupancy from a relatively small area and the neighbours be damned.

1. The size of the block is barely suitable for the development of two single storey dwellings let alone four.
2. The height of the proposed townhouses, at two storeys, is going to intrude into the visual environment that we had when we first moved into our house.
3. The height and proximity of the proposal will decrease the amenity of our property as well as those of surrounding neighbours.
4. The sheer size of the development, particularly in the vertical planes, will reduce the levels of sunlight coming into our yard. The shadow diagrams contained in the development application are, in our opinion, optimistic.
5. The design of the proposals is intrinsically hideous; tall, skinny tapered buildings finished in dark tonings will have minimal appeal.
6. Having the entire block filled with a tall structure immediately adjacent to all surrounding boundaries will minimise privacy to all neighbours as well as to the new occupants themselves.
7. The likelihood of having between 8 and perhaps as many as 20 people living on one small block in such close proximity will undoubtedly increase noise disturbance levels to all neighbours including those in the proposed development.
8. If this level of urban infill is approved there is nothing to say that this type of high density housing will not become the norm as other local older dwellings are demolished and replaced.
9. Having a large increase in the immediate population will undoubtedly lead to car parking and other social problems in Penelope Avenue and the local environment.
10. The proposal will inevitably lower the value of surrounding properties.
11. The proposed changes to boundary fencing are unacceptable to us. We have recently paid to have decent fences (and these have been damaged already through the demolition of the previous dwelling).
12. The likelihood of these buildings being rented even further fills us with dread, given our previous experience with just one neighbouring rental house being occupied by drug addicted criminals, whose behaviour led to multiple police and ambulance visits, day and night over many months.

361/1443/2016/2A

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**My concerns would be addressed by:** *(state changes/actions to the proposal sought)*

- ① Rejection of the proposed development
- ② Approval for no more than two (2) single storey dwellings

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PTO



Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☒ Do not wish to be heard in support of my representation.

☐ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

**OR**

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 6<sup>th</sup> September 2016, to ensure that it is a valid representation and taken into account.**

**Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: .....

Date: 28 / 8 / 2016

**Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☐ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 6<sup>th</sup> September 2016**.

**STATEMENT OF REPRESENTATION**  
**Pursuant to Section 38 of the Development Act**



**To:** City of Salisbury  
 PO Box 8, SALISBURY SA 5108  
 Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)



THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/1443/2016/2A  
 Applicant: Fazzari Investments Pty Ltd  
 Location: 3 Penelope Avenue, Valley View SA 5093  
 Proposed Development: CONSTRUCTION OF FOUR (4) TWO STOREY DWELLINGS ON ONE ALLOTMENT

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): AMANDA JEAN HOCKING

ADDRESS: PO BOX 2629, COOLWA SA 5214

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: .....

☐ Other (please state): .....

**YOUR COMMENTS:**

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

Please see attached submission

PTO

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

- ☒ Do not wish to be heard in support of my representation.
- ☐ Wish to be heard in support of my representation, and I will be:

-  Appearing personally.

**OR**

- Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 6<sup>th</sup> September 2016, to ensure that it is a valid representation and taken into account.**

**Representor's Declaration:**

I am aware that the representation **will** become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: Chloë

Date: 5/9/16

**Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☐ If more than one person, details of person making the representation. *~1A*
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 6<sup>th</sup> September 2016.**

Please find below the detailed reasons for my objection to the proposed development on 3 Penelope Avenue, Valley View SA 5093 (Development Number 361/1443/2016/2A) with reference to the Development Plan for the City of Salisbury.

In summary, my objection primarily relates to the fact that the proposed development would be extremely close to the main living area and open space of my property, and would:

- completely eliminate the views from these areas towards the east,
- overlook these areas and eliminate privacy, and
- significantly reduce the natural light and winter sunlight available to my property.

I also believe the density of the proposed development would likely have negative consequences for the enjoyment of the neighbourhood by surrounding residents due to the lack of proximate on-street parking available to visitors of the dwellings.

Two main sections of the Development Plan will be addressed, being Design and Appearance (page 35) and Residential Development (page 76).

#### **Design and Appearance**

*Item 1* under the Principles of Development Control requires a development to be "sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour". The density of the proposed development and the lack of space surrounding the development on its site are not sympathetic to the surrounding neighbourhood, which consists of predominantly single storey dwellings on separately-titled allotments. Whilst acknowledging a desire to increase the range of dwelling types available within urban boundaries, I feel that 4 double storey dwellings on the site will not be sympathetic to its immediate locality.

*Item 4* requires a building sited on or close to a side boundary to be limited in length and height to minimise both the visual impact of the building as viewed from adjoining properties and overshadowing of these properties. The rear of the proposed development site is actually the side boundary of my property, and the placement of the proposed dwellings will dominate my property from a visual perspective and completely overshadow it.

*Item 5* dictates that a development should not unreasonably restrict existing views available from neighbouring properties.

I have attached at Appendix 1 photographs of the existing views from my property, including towards the proposed development. At Appendix 2, I have provided scale diagrams demonstrating the impact of the proposed development. The pleasant views of the sky and distant trees would be replaced with high walls and overlooking windows.



### **Residential Development**

*Item 2* under the Principles of Development Control notes that buildings on battleaxe allotments **or the like** (my emphasis) should be single storey and be designed to maintain the privacy of adjoining allotments. The proximity of the proposed development to my property is equivalent to building on a battleaxe allotment, and the height of any building close to my dwelling should be restricted to a single storey.

In its present configuration, the proposed development significantly overshadows my property, to the particular detriment of the main living area and the open space at the rear of my property, which would lose all sense of privacy and comfort.

*Item 10* deals with overshadowing, and requires the design and location of buildings to ensure that direct winter sunlight is available to adjacent buildings, with particular consideration being given to windows of habitable rooms, especially living areas and ground-level private open space.

The scale diagrams contained within Appendix 2 clearly demonstrate the overshadowing that would occur to my property, given the proximity and height of the proposed dwellings. Little or no direct sunlight would enter through the kitchen window at any time of the year. This window currently provides the most morning sunlight to the main living area. Sunlight entering the north-facing window in the same room would be extremely compromised.

*Item 11* specifically requires developments to ensure that north-facing windows to habitable rooms of existing dwellings on adjacent allotments will receive at least 3 hours of direct sunlight over a portion of their surface between 9am and 5pm on the 21 June. The large sliding door/window leading from the open plan living/dining/kitchen in my property forms the only north-facing window in a habitable room in the dwelling.

The sun position diagrams at Appendix 3 show that, on 21 June, the sun will rise directly behind the proposed dwellings, and remain obstructed by them until late morning. With a maximum angle above the horizon on that day of only 30 degrees, while the proposed dwellings are between my property and the sun, no direct sunlight would touch the north-facing window. When the sun does move beyond the proposed dwellings sufficiently to just touch the western edge of the window, the low angle of the sun in the sky combined with the gradient of the surrounding land means that the substantially higher buildings on the northern side of my allotment will prevent access to direct sunlight until late in the afternoon. It is very unlikely that the window will receive the stipulated 3 hours of direct sunlight to any part of the window without the morning sun being available.

To confirm this situation, although we are presently somewhat later than the 21<sup>st</sup> June, I have noted the amount of direct sunlight entering the north-facing window. It is clear that, without the morning sun that would be blocked by the proposed development, this window would not receive 3 hours of direct sunlight. With a current angle above the horizon somewhat higher than 30 degrees, no direct sunlight enters the window from the time it would have passed the proposed dwellings until after 3pm. Clearly, with a lower angle above the horizon on 21 June, the existing properties to the north and northwest will



prevent direct sunlight entering the north-facing window. With slightly different sun positions on 21 June, these times will vary somewhat, but the impact of the proposed development is clear. Photographs to illustrate this are included in Appendix 4.

A requirement for 2 hours of direct sunlight between 9am and 3pm exists for ground-level open space under *item 12*, and this may be similarly problematic with the morning sunlight being blocked and the sun angle over the horizon being lower.

*Item 29* deals with visual privacy, which has already been addressed. However, I note that it requires upper level windows to have a sill height of not less than 1.7 metres (or be permanently screened) to avoid overlooking habitable rooms or useable private open space of other dwellings. The drawings provided indicate that the sill height of the proposed upper level windows may be lower than this.

#### Other comments

While it does not appear that a formal land division is being effected, I note that the Land Division section of the Development Plan requires that there should be sufficient space for on-street visitor parking for the number and size of allotments (*item 18*). It appears that there will only be one on-street visitor park available in front of the 4 proposed dwellings. Despite the availability of 2 off-street parks per dwelling, this does not appear adequate, and may cause inconvenience to residents of surrounding streets.

The suggested size of the water tanks required are insufficient to adequately drain water from the overall site given the dramatically increased roof area proposed, compared to the previous single dwelling on the site, and based on the Council's requirements for the recent development of my site. The limited outdoor space available would make the use of a sufficiently large water tank and detention tank system for each property difficult to incorporate into the open space available without compromising the utility of the space.

Finally, I note that I have recently invested a significant amount of time and money to develop 20 Florence Avenue, including the cost of having a significant tree removed from 5 Penelope Avenue, directly adjacent to 3 Penelope Avenue. Ironically, the costs incurred to have the tree removed were a result of attempting to avoid losing money through buying a separate allotment which I could not develop. However, it now appears that the value of my investment would in any event be significantly reduced, if the development to 3 Penelope Avenue proceeds as currently proposed (which it definitely could not have done, had the tree not been removed). In this regard, a real estate agent has recommended that I sell my property before 3 Penelope Avenue is developed, as the proposed development would lower its value. Section 3 of the *Development Act 1993*, in sub paragraph (c)(iii), provides that the Development Plans should advance the social and economic interests of the community. Approval of the current development plan for 3 Penelope Avenue would certainly not advance my economic interest.

I submit that the development application should be rejected as the issues arising from an assessment against the Development Plan for the City of Salisbury are unable to be resolved through simple amendments to the proposed development.

**Cassandra White**

---

**From:** Amanda Hocking [mailto:ahocking@salisbury.gov.uk]  
**Sent:** Monday, 5 September 2016 1:43 PM  
**To:** Development  
**Subject:** 361/1443/2016/2A - follow up

Thank you for considering my submission. I have just realised that I omitted to complete my full details on the cover page. I am the owner of 20 Florence Avenue Valley View, which is nearing completion.

Kind regards  
Amanda

Appendix 1



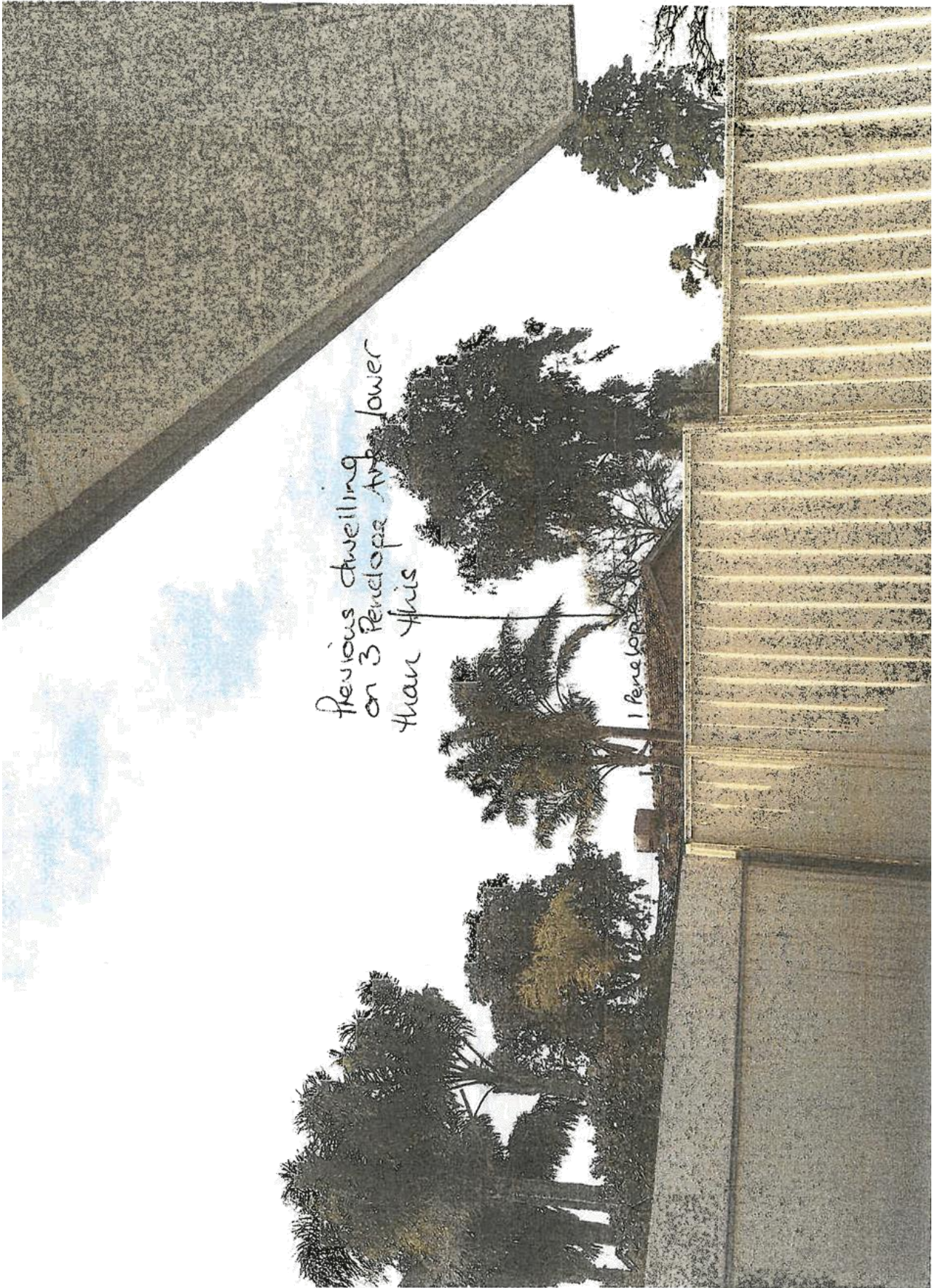
Item 5.1.1 - Attachment 3 - Notice of Category 2 Application and Representations





Appendix 4

Item 5.1.1 - Attachment 3 - Notice of Category 2 Application and Representations







Approx. 3:15 pm 3/9/16



North facing outlook

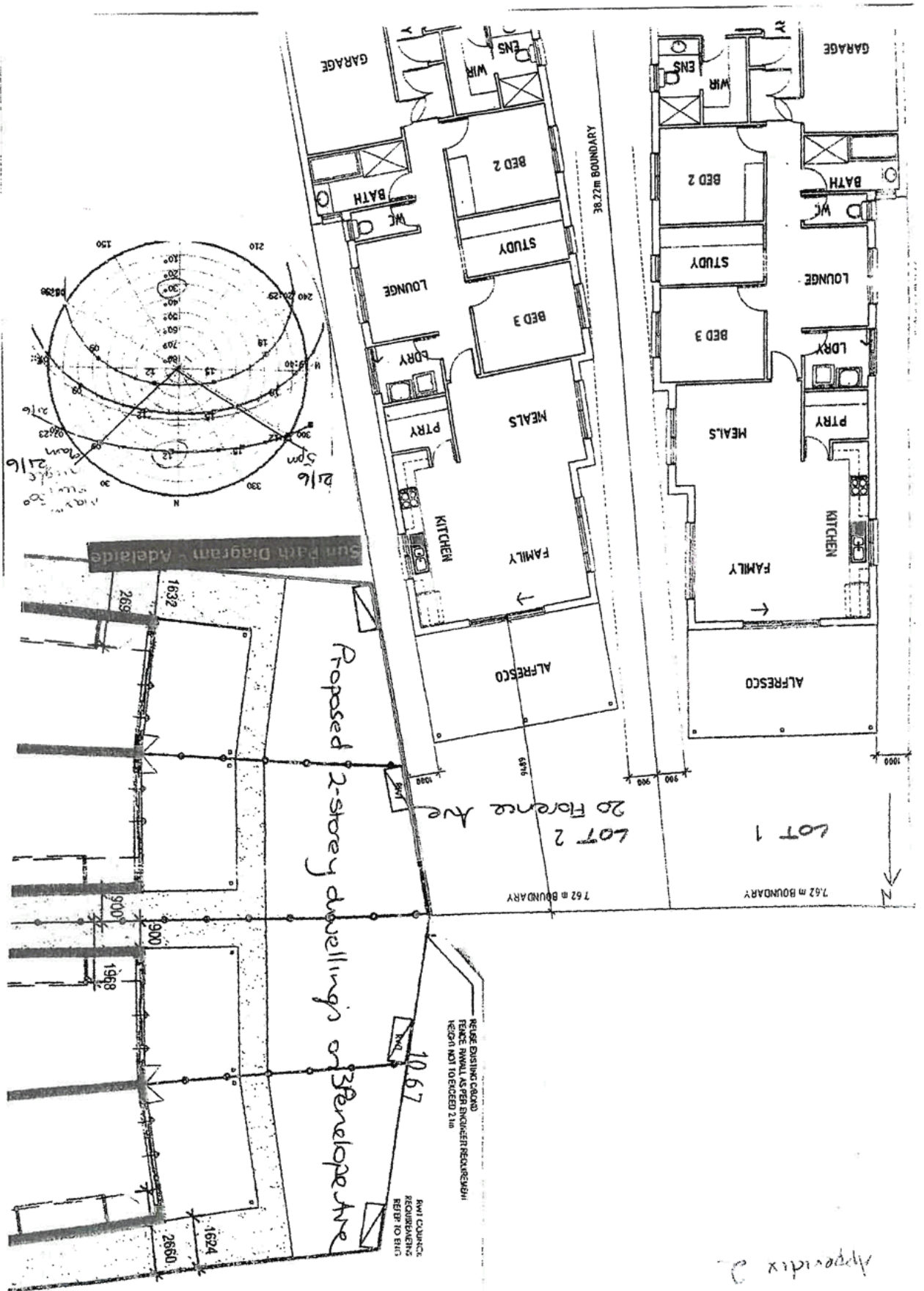




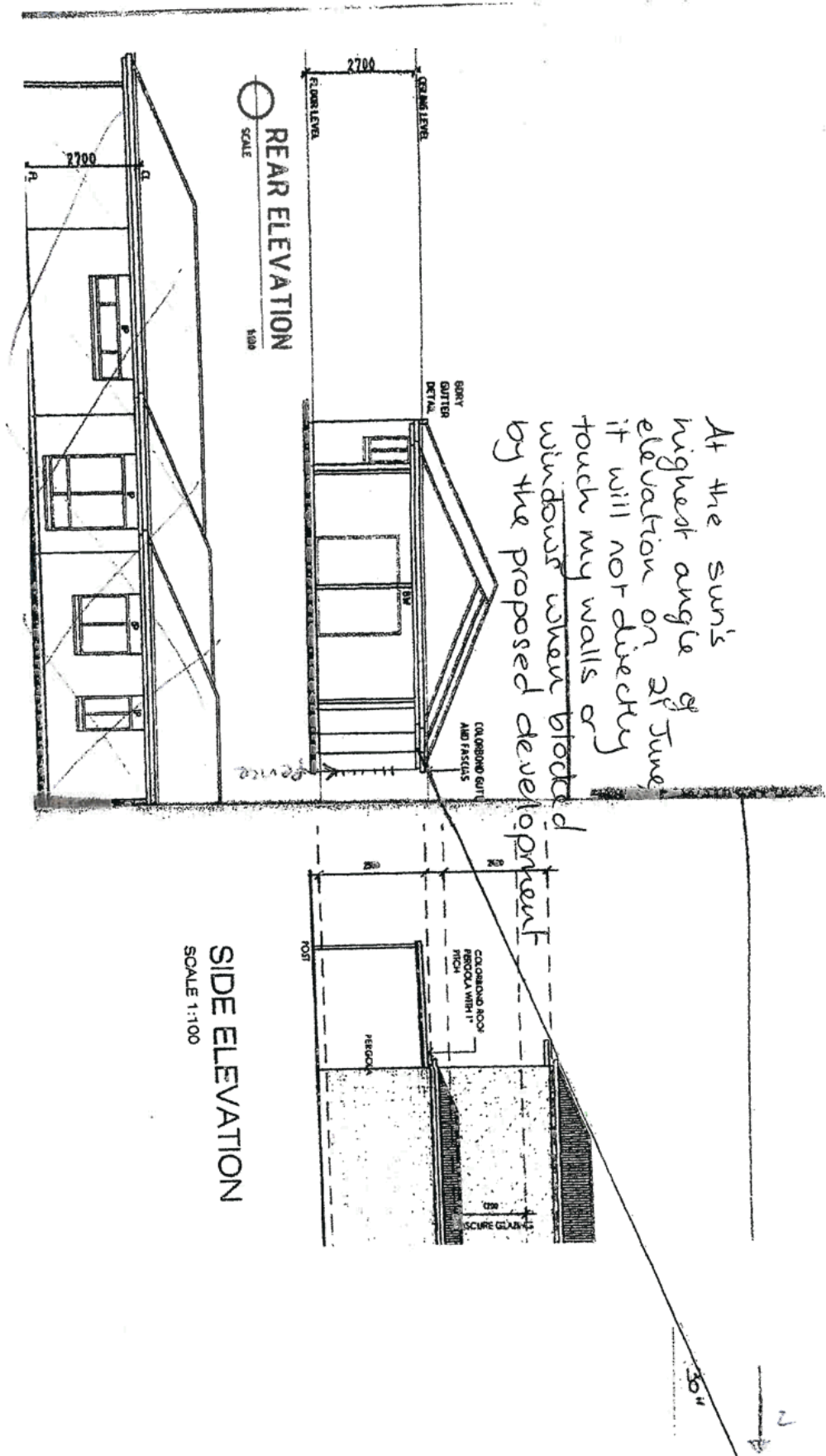
Western outlook



Appendix 2

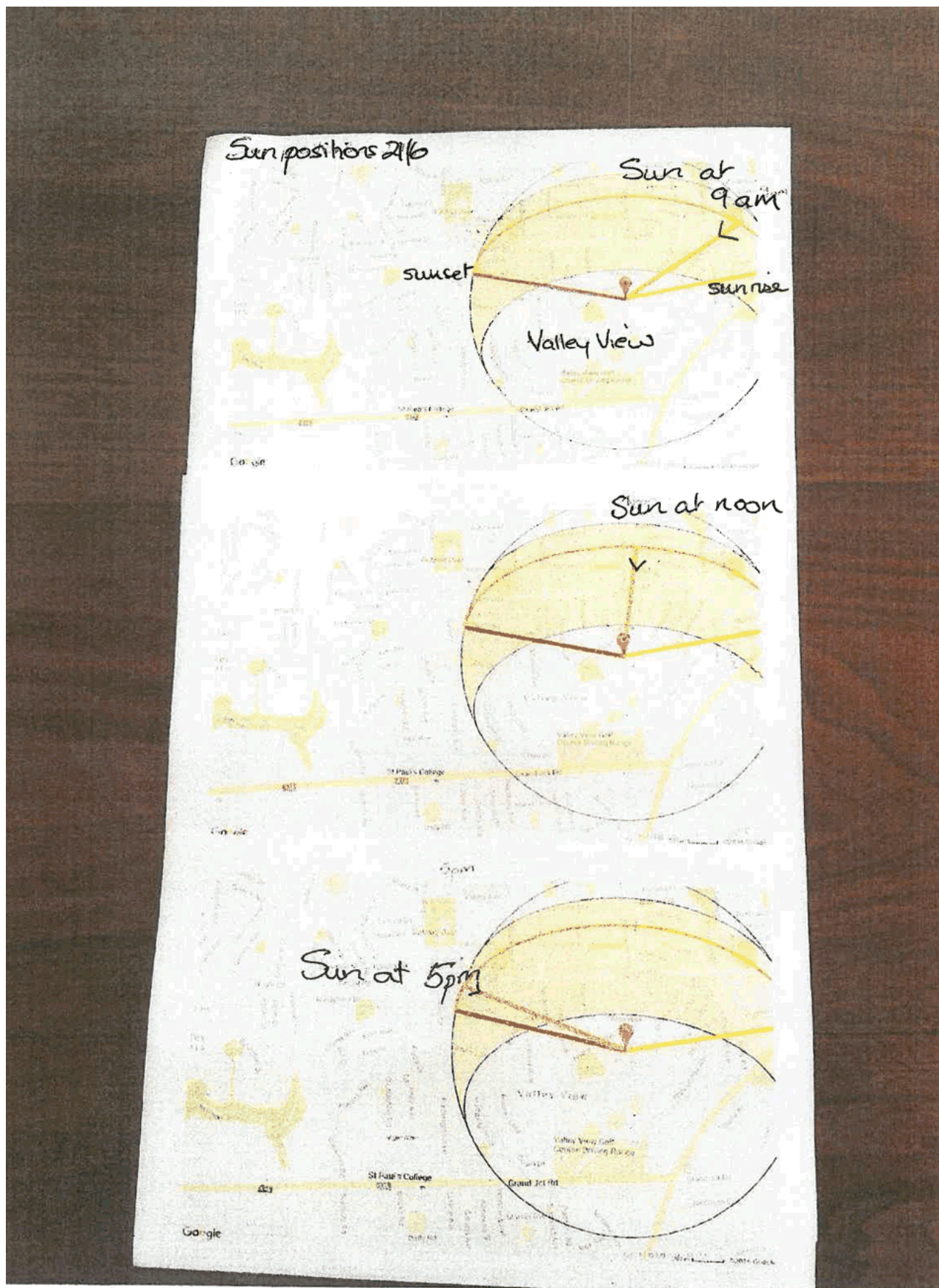


Item 5.1.1 - Attachment 3 - Notice of Category 2 Application and Representations



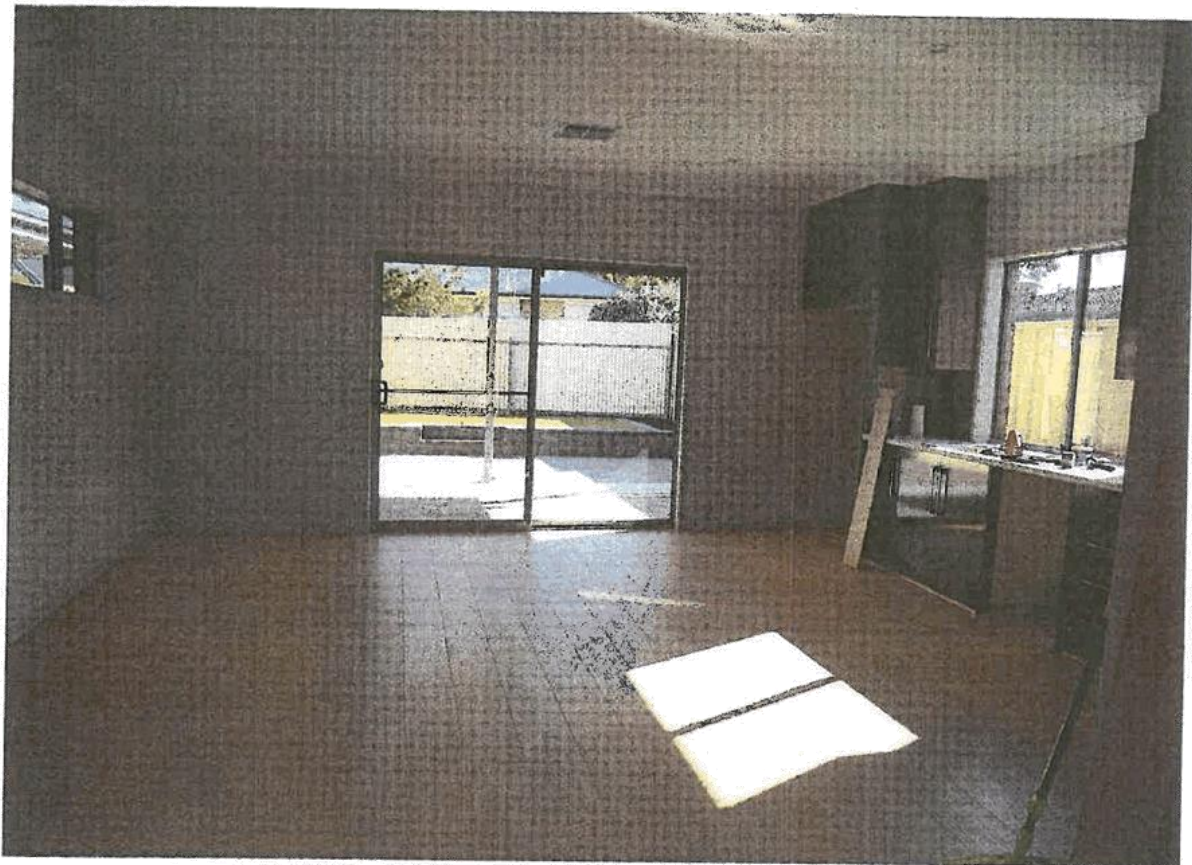
Appendix 5







North facing  
↓  
window



Approx 9.30 am 3/9/16



Approx. 10am 3/9/16



Approx 12-30 pm, 11/9/16





Approx. 4pm 3/9/16

Attachment 4  
Applicant Response to Representations





**HEYNEN**  
PLANNING CONSULTANTS

T: 08 9377 0440  
F: 08 9377 0470  
E: [info@heynenplanning.com.au](mailto:info@heynenplanning.com.au)  
P: 20/210  
114/112, MYNERS, SA 5000  
[www.heynenplanning.com.au](http://www.heynenplanning.com.au)

6 October 2016

City of Salisbury  
ATT: Chris Carrey  
Po Box 8  
SALISBURY SA 5108

**By Email**

Dear Chris

**RE: 3 PENELOPE AVENUE, VALLEY VIEW**  
**DA: 361/1441/2016/2A**

I understand that pursuant to Section 38 of the *Development Act* Council has undertaken Category 2 public notification in relation to the proposal to construct four two storey dwellings on one allotment at 3 Penelope Avenue, Valley View.

I confirm that the applicant has requested my opinion on the issues raised in the five (5) representations received by Council, noting three (3) wish to be heard personally, and in particular whether any of the issues mentioned affect the planning merit of the development.

I have also provided three amended shadow diagrams which detail the impact of overshadowing from the proposal versus that which is currently provided, which the applicant has prepared to assist Councils assessment.

The location of the representations relative to the subject site is provided as Appendix 1 on page 8.

Upon review of the representations for brevity the comments made have been grouped and summarised, in relation to:

- o *Additional traffic load on Penelope Avenue;*
- o *Density and two storey nature of the proposed dwellings;*
- o *Overlooking;*
- o *Car parking;*
- o *Amenity of existing residents;*
- o *Ownership/tenure of dwellings;*
- o *Loss of views of trees and hills;*
- o *Appearance of proposed dwellings;*
- o *Overshadowing; and*
- o *Property values being reduced.*

I have addressed each point itemized above hereafter in order:

*Additional traffic load on Penelope Avenue*

It is reasonable to consider that an increase in residential density will result in an increase in traffic movements. These effects are all considered at a strategic level when a Council Development Plan Amendment is drafted.

With regard to the proposed dwellings, I am also aware that a standard of 8 to 10 vehicle movements per day is generally applied to each new residence. When this rate is considered between a 15 hour time span (of 7:00 am to 10:00 pm) a resultant frequency of between 0.53 and 0.66 vehicle movements per hour can be anticipated per dwelling or approximately 2 to 3 vehicle movements per hour will result from all four dwellings as a result of the proposed development. It is not anticipated that the additional vehicle movements will be noticeable and will not create any adverse conditions on the road network.

*Density, setback and two storey nature of the proposed dwellings*

Respectfully, comment regarding the lack of suitability of medium density housing (referenced in the representations as high density housing) fails to consider the context in which the development is couched, that is the Residential Zone anticipates and facilitates change, see for example: (my underlining added for clarity)

**Residential Zone**

**Objective 3** A zone primarily accommodating a range of dwellings to meet the diverse needs and preferences of the community.

**Desired Character**

The zone covers a substantial portion of the Council area and is home to a large and diverse population. The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations.

Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner.

In creating “a range of dwellings” within the zone this will naturally bring with it different types of built form solutions. That is, the application should not be judged against the original housing stock, but rather with an understanding that the built form will change over time. I also note that the residential zone seeks a significant shift in increasing the density of residential dwellings and that “more of the same”, or single storey low density housing, is expressly not sought.

I also note that the two storey nature of the proposed buildings is highly appropriate and consistent with the desired character of the zone. Furthermore the two storey nature of the buildings will further progress the general intent for Residential Development with the following provisions:

**General Section Residential Development**

**Objective 3** Higher dwelling densities in areas close to centres, public and community transport and public open spaces

**PDC 5** 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 typically be in the form of 2 to 4 storey buildings.

Additionally, I am aware that a Local Centre Zone is located approximately 200 metres southwest of the subject site, while over 220 hectares of open space is available 200 metres south of the subject site<sup>1</sup>.

<sup>1</sup> Within the Metropolitan Open Space System within the City of Port Adelaide Enfield

Turning to the medium density housing in the form of 2 to 4 storey dwellings as sought, (see PDC 5 above) the proposed sites of 191.2 m<sup>2</sup> and 203 m<sup>2</sup> result in a net residential density of between 49 and 52 dwellings per hectare, therefore sitting comfortably within the range of medium density envisaged by the City of Salisbury.

Furthermore, I am aware the subject land is located within an area “determined” for the purposes of Schedule 4, Clause 2B. The relevance of this designation is that dwellings have the potential to either be assessed pursuant to the provisions of the City of Salisbury Development Plan or Clause 2B of Schedule 4 (“residential code complying development”). Within the “Residential Code” determined area a two storey dwelling is able to be approved as a form of complying development<sup>2</sup>. Further highlighting the acceptable nature of a two storey dwelling, a two storey residential code dwelling would be Category 1 and no public notification would take place. For example a Complying Development inclusive of a 3 metre high wall (from the top of the footing) being 8 metre long could be situated on a side boundary while a 5.5 metre high upper level wall on the northern side boundary could be located 1.73 metres from the side boundary “as of right”.

In summary the two storey dwellings are an appropriate form of development when considered against the provisions of the Development Plan, noting that two storey dwellings are “available as of right”. Turning to density the proposed allotments sit comfortably within the guideline of medium density and will further advance the intent for the Residential Zone which desires an increase in density within close proximity to a Center Zone and open space.

#### *Overlooking/loss of privacy*

I note several representations raise concerns with regard to a loss of privacy and overlooking. Upon review of the plans it is evident that all upper level windows provide obscure glazing where window sill levels are below 1700 mm while clear glazing is only provided where the ffl is 1700 mm above ffl or greater for the upper levels.

Therefore compliance with the following Development Plan provision is achieved:

#### **General Section Residential Development**

**PDC 29** Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.

In this instance the attainment of a reasonable level of privacy is clearly achieved with no direct overlooking and no windows or significant changes in ground level allowing direct or indirect overlooking.

#### *Car parking*

Turning to car parking the provided car parking rates of two spaces per dwelling are entirely appropriate and comply with Table Sal/2 pertaining to semi-detached dwellings<sup>3</sup>.

The car parking provided is both highly appropriate and functional and compliant with the relevant Development Plan provisions. Any concerns with regard to car parking in my opinion are suitably resolved and no amendments are necessary.

<sup>2</sup> Subject to compliance with the standards of Schedule 4 Clause 2B.

<sup>3</sup> The applicant has advised a future land division will be lodged to create semi-detached dwellings

*Amenity of existing residents*

The noise generated from the site would come from two sources, firstly vehicles moving to and from the site and secondly, from occupants living in the dwellings and utilizing their respective private open space.

Noting that peak periods of vehicle movement occur when other activity is also occurring on adjacent land and the road network it can be reasonably expected that the noise from associated vehicles will be negligible.

In relation to noise from occupants, presumably this stems from noise generated within open space areas, noting that the noise from residents when living in their individual residences will be no different than adjoining dwellings. The relationship between the private open space of the proposed dwellings and that of the adjoining properties is highly appropriate with “backyards” facing “backyards” in a typical residential manner. Arguably, noise beyond reasonable residential tolerances is a matter for the Police and not the planning system in this instance.

I am of the opinion that no amendment to the proposal is necessary in this respect.

*Ownership/tenure of dwellings*

Concern about the nature of the occupancy of the dwellings, that being that only owner occupied dwellings should be permitted, is not an issue that can be dealt with under the Development Act (as the type of occupants does not find “voice” in the Development Plan) and therefore does not warrant consideration.

*Loss of views of trees*

One representation raises concern regarding a potential loss of views of the hills and trees. Upon review of Appendix 1 it is evident that some mature trees remain within the locality, with the majority of large trees notable on Council land. Turning to the potential for a loss of views of the hills Figure 1 provides a street view image looking towards the hills from the street adjacent 1 Penelope Street, looking towards the distant views of the hills.



**Figure 1: Street View of Distant Hills Views**

With respect to the question of “protection of views”, this issue was previously considered in the matter between *Sowik and the City of Victor Harbor and Saris Family Trust* (No 2) [2002] SAERDC 57. An extract from the judgement is provided (my underlining added).

58. Zone Principle 7 refers to building siting to minimise disturbance to views enjoyed on adjoining properties. This of course is a question of degree and in the context of this zone (and locality) where this particular development meets the height, setback, coverage, plot ratio, open space and all numerical guidelines, the degree of view loss must take this into account, whether or not the proposal is for two group dwellings (or a very large dwelling)... In any event, it is not appropriate to place heavy weight on a “first in best dressed” approach as this would be inconsistent with the reasonable rights that should be available to other owners and the fact that there is no single view nor right to no change to any particular view. Use of the word “minimise” suggests a much more generalised approach.

More recently, views were considered in the case of *Hutchens & Anor v City of Holdfast Bay & Anor* [2007] SASC 238. The Court emphasised the following (my underlining added):

21. A planning authority must, therefore, have regard to the views enjoyed by residents of existing development when determining whether to grant development consent to a new building which will obstruct those views. Regard must be had to the nature and extent of the view, the extent to which the view will be obstructed by the proposed development, and the reasonableness of the proposal as determined by reference to the planning controls.

That is whilst distant views of the hills and trees may be possible, any reduction of these views is clearly not unreasonable noting the views are distant and general in nature (i.e. more akin to a vista).

Once again, it is highly relevant that the subject land is located within an area “determined” for the purposes of Schedule 4, Clause 2B. Therefore a two-storey dwelling(s) could be approved as of right (as complying development) with a 8 metre long 3 metres high wall located on a side boundary with an upper level wall setback 1.73 metres from the northern boundary as of right and as a Category 1 application.



Whilst the general outlook of adjoining properties will change as a result of the proposal, no unreasonable loss of views is anticipated.

In my opinion the proposal will not result in any unreasonable loss of views and is highly appropriate.

*Appearance of proposed dwellings*

I note that the appearance of the dwellings has been raised within the representations. Upon review of the City of Salisbury Development Plan I am aware of the following: (my underlining added)

**Residential Zone**

**Objective 1** A residential zone comprising a range of dwelling types....

And

**General Section Design and Appearance**

**Objective 1** Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.

That is the proposed dwellings will contribute to the range of dwelling types within the Residential Zone, while the style of the dwellings provide a contemporary façade which presents to the streetscape in a well-articulated manner with face brick, render and galvanized window canopies.

Clearly, the Residential Zone does not seek “more of the same”, as provided below within the Desired Character Statement, nor does it apply strict criteria with regard to construction materials, roof pitch, building scale, fencing form and fenestration as may be the case in a Historic Conservation or Streetscape Zone or Policy Area.

**Residential Zone Desired Character**

Housing form will be diverse and cater for different household sizes, life cycle stages and housing preferences and will be cost-effective, energy efficient and will make efficient use of available sites. Older neighbourhoods will experience change through turnover in population and ageing of existing residents which will generate a need for more housing diversity as well as changes in density and different services and facilities to complement these changes.

In considering the concept of taste versus desired character within a particular zone or policy area I am mindful of the matter of *Fabris & Fotinos T/AS Fini Designs and CC Adelaide* (No. ERD-98-1526 Judgment No. OE24 [1999] SAERDC 24 (18 June 1999)), Commissioner Hutchings stated: (my underlining added for emphasis)

*With regard to the appearance of the proposed building, its size, shape and detailing are, as I have said, in line with the requirements of the [Development] Plan and fits into the character of the locality. Taste in architectural style is very personal, a point that is underlined strongly by the wide variety of building styles in Stanley Street and unless planning policies demand a particular recognized architectural style, the issue cannot be taken further.*

Likewise the matter of *M & M Morrow & Young and City of Mitcham* (No. ERD-96-26, ERD-96-152, ERD-96-184 Judgment No. OE366 [1997] SAERDC 366 (17 January 1997)), provides further clarification on the issue with the following: the Full Bench comprised of His Honour Judge Bowering, Commissioner Hutchings and Commissioner Davies noted: (my underlining added for emphasis)

*Notwithstanding the extensive provisions of the Development Plan to which we have referred, there is little doubt that, in the final analysis, the issues raised in these proceedings relate to matters of taste. In making the judgements which we are now required to make we must, as we do, have regard to the relevant provisions of the Development Plan, the nature of the premises involved ..., the residential nature of the locality and the impact upon the locality*

To summarize it is my opinion that the design and appearance of the buildings are highly appropriate within the Residential Zone with the bulk and scale of the proposal commensurate with the provisions of the Development Plan. The semi-detached dwellings utilized traditional construction materials with a contemporary and well considered manner with the design achieving the desired character by providing for an increase in the range of architectural styles.

Therefore the “style” or “look” of the dwellings is in accordance with the Development Plan, noting the site is not a historic area or area where similar restrictions are sought and is highly appropriate.

#### *Overshadowing*

Turning to the issue of overshadowing as a result of the proposed development, three detailed shadow diagrams have been prepared by Eric Catalano, Architect, on behalf of the applicant. Uniquely the prepared shadow diagrams show the shadow cast from the proposed dwelling as a 3 dimensional model relative to the adjoining dwellings and fences. By doing so the full impact of the proposed development can correctly be considered in context of the existing shadows and vertical structures such as walls and fences as opposed to a shadow being cast onto a 2 dimensional image of the adjoining dwellings.

Turning to the Development Plan the following provisions are highly relevant:

#### **General Section Residential Development**

**PDC 11** Development should ensure that north-facing windows to habitable rooms 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.

**PDC 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.

As a result of the orientation of the allotment and positioning of the dwellings it is self-evident that 49 Helen Street, 1, 4 and 6 Penelope Street are not impacted upon by any overshadowing as a result of the proposed development.

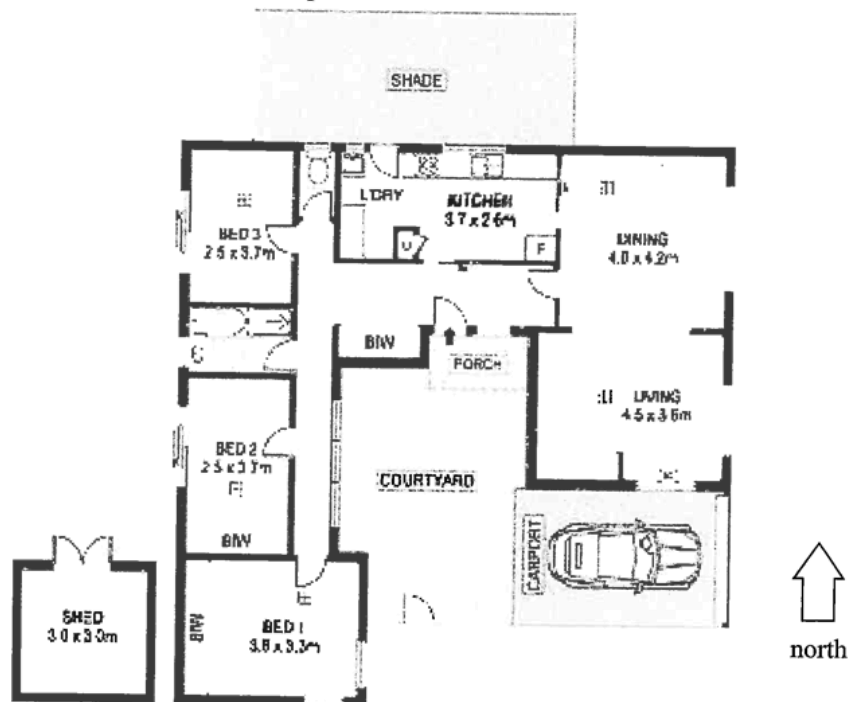
Turning to how the shadow will effect 5 Penelope Avenue (noting no representation was received by 5 Penelope Avenue) it is clear that the private open space will remain largely unaffected from 12 noon onwards, thus the intent of PDC 12 is upheld. This then leaves the impact of the proposed dwellings on the north facing habitable rooms of 5 Penelope Avenue to be considered.

Upon review of the floor plan (see Figure 1) and image of the dwelling (see Figure 2) it is clear that the dwelling is orientated towards the south with only the laundry, WC and kitchen receiving shading as a result of the proposed dwellings.

That is, the living room, dining room and all bedrooms will all remain unaffected, noting none of these rooms have north facing windows. Upon review of the floor plan for 5 Penelope Avenue it is clear that the occupants seek shading on the northern side with a large structure measuring approximately 3.5 metres by 10 metres placed along the kitchen, laundry and WC windows. With all main living and sleeping rooms remaining unaltered by shadow, the minor degree of overshadowing on the north facing kitchen, when considered in context of the proposal is appropriate, while the functionality and amenity remains high.

Turning to the potential for shadow to impact 20 Florence Avenue, and upon review of the provided shadow diagrams, it is clear that shadow from the proposed dwellings will be cast in a southwest direction at 9:00 am towards 20 Florence Avenue. However, due to the distance from the proposed dwelling to 20 Florence Avenue, the shadow will be low and will stop when it reaches the fence which borders 5 Penelope Avenue and 20 Florence Avenue. Put simply, the shadow will reach the fence and stop short of the reaching the dwelling at 20 Florence Avenue in a worst case scenario at 9:00 am.

Figure 1: Floor Plan 5 Penelope Avenue



8(10)



**Figure 2: Dwelling Orientation 5 Penelope Avenue, view from Florence Avenue Frontage**



Likewise no north facing windows of 20 Florence Avenue will be impacted upon and the minimum quantitative guide of 3 hours of direct sunlight for north facing windows of adjoining properties is therefore clearly exceeded.

Finally, the provided shadow diagrams clearly details that all shadow from the proposed dwellings will be well clear of 20 Florence Avenue, ensuring compliance with PDC 11 and PDC 12 is achieved in full.

*Reduction in property values*

Any potential shift in property values as a result of the proposed development is not a valid planning concern and therefore do not alter the merit of the proposal.

*Summary*

In my opinion, no amendment to the proposal is warranted, while the representations do not raise aspects regarding the proposal which diminish the substantial planning merit displayed having regard to the relevant Development Plan provisions.

The applicant looks forward to the proposal being considered as expeditiously as possible. In this regard can you please advise of the date of the DAP meeting at which the application will be considered.

Should the opportunity arise, I have been requested to reply to any verbal representations in relation to this matter at the subsequent DAP meeting.

I welcome discussion in relation to my comments, if you so require.  
Yours faithfully

  
**Gregg Jenkins**  
BUrbRegPlan (Hons)







Attachment 5  
Relevant Development Plan Extracts and Maps,  
Consolidated 7 July 2016

## Crime Prevention

### OBJECTIVES

- 1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 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.
- 2 Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.
- 3 Development should provide a robust environment that is resistant to vandalism and graffiti.
- 4 Development should provide lighting in frequently used public spaces including those:
  - (a) along dedicated cyclist and pedestrian pathways, laneways and access routes
  - (b) around public facilities such as toilets, telephones, bus stops, seating, litter bins, automatic teller machines, taxi ranks and car parks.
- 5 Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within sites.
- 6 Landscaping should be used to assist in discouraging crime by:
  - (a) screen planting areas susceptible to vandalism
  - (b) planting trees or ground covers, rather than shrubs, alongside footpaths
  - (c) planting vegetation other than ground covers a minimum distance of two metres from footpaths to reduce concealment opportunities.
- 7 Site planning, buildings, fences, landscaping and other features should clearly differentiate public, communal and private areas.
- 8 Buildings should be designed to minimise and discourage access between roofs, balconies and windows of adjoining dwellings.
- 9 Public toilets should be located, sited and designed:
  - (a) to promote the visibility of people entering and exiting the facility (eg by avoiding recessed entrances and dense shrubbery that obstructs passive surveillance)
  - (b) near public and community transport links and pedestrian and cyclist networks to maximise visibility.
- 10 Development should avoid pedestrian entrapment spots and movement predictors (eg routes or paths that are predictable or unchangeable and offer no choice to pedestrians).



**Salisbury Council**  
**General Section**  
**Crime Prevention**

- 11 Development should be designed to maximise surveillance of open space, pedestrian routes, centres and residential areas by:
- (a) orienting the frontages and entrances of buildings towards the public street
  - (b) avoiding screens, high walls, carports and landscaping that obscure direct views to public areas
  - (c) placing the entrances of buildings opposite each other across a street, or group entrances of multiple dwelling developments onto a commonly visible area to provide maximum mutual surveillance
  - (d) arranging living areas, windows, access ways and balconies to overlook open space and recreation areas and provide observation points to all areas of a site, particularly entrances and car parks.

## Design and Appearance

### OBJECTIVES

- 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.
- 2 Roads, open spaces, buildings and land uses laid out and linked so that they are easy to understand and navigate.

### PRINCIPLES OF DEVELOPMENT CONTROL

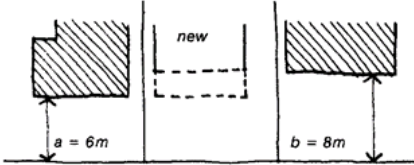
- 1 The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.
- 2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.
- 3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:
  - (a) articulation
  - (b) colour and detailing
  - (c) small vertical and horizontal components
  - (d) design and placing of windows
  - (e) variations to facades.
- 4 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:
  - (a) the visual impact of the building as viewed from adjoining properties
  - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.
- 5 Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.
- 6 Transportable buildings and buildings which are elevated on stumps, posts, piers, columns or the like, should have their suspended footings enclosed around the perimeter of the building with brickwork or timber, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.
- 7 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.
- 8 Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.
- 9 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

Salisbury Council  
General Section  
Design and Appearance

- 10 Development should provide clearly recognisable links to adjoining areas and facilities.
- 11 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 12 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.
- 13 Where applicable, development should incorporate verandas over footpaths to enhance the quality of the pedestrian environment.
- 14 Development should be designed and sited so that outdoor storage, loading and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.
- 15 Outdoor lighting should not result in light spillage on adjacent land.
- 16 Balconies should:
  - (a) be integrated with the overall architectural form and detail of the building
  - (b) be sited to face predominantly north, east or west to provide solar access
  - (c) have a minimum area of 2 square metres.

#### Building Setbacks from Road Boundaries

- 17 The setback of buildings from public roads should:
  - (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
  - (b) contribute positively to the streetscape character of the locality
  - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.
- 18 Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
 <p>When <math>b - a \leq 2</math>, setback of new dwelling = <math>a</math> or <math>b</math></p>	
Greater than 2 metres	At least the average setback of the adjacent buildings.

- 19 Except where specified in a particular zone, policy area, or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in [Table Sal/1 - Building Setbacks from Road Boundaries](#).

- 20 Except where specified in a zone, policy area or precinct, the setback of development from a secondary street frontage should reflect the setbacks of the adjoining buildings and other buildings in the locality.
- 21 Development likely to encroach within a road widening setback under the *Metropolitan Adelaide Road Widening Plan Act 1972* should be set back sufficiently from the boundary required for road widening.



Salisbury Council  
General Section  
Energy Efficiency

## Energy Efficiency

### OBJECTIVES

- 1 Development designed and sited to conserve energy.
- 2 Development that provides for on-site power generation including photovoltaic cells and wind power.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should provide for efficient solar access to buildings and open space all year around.
- 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.

### On-site Energy Generation

- 3 Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:
  - (a) taking into account overshadowing from neighbouring buildings
  - (b) designing roof orientation and pitches to maximise exposure to direct sunlight.
- 4 Public infrastructure and lighting, should be designed to generate and use renewable energy.

## Infrastructure

### OBJECTIVES

- 1 Infrastructure provided in an economical and environmentally sensitive manner.
- 2 Infrastructure, including social infrastructure, provided in advance of need.
- 3 Suitable land for infrastructure identified and set aside in advance of need.
- 4 The visual impact of infrastructure facilities minimised.
- 5 The efficient and cost-effective use of existing infrastructure.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not occur without the provision of adequate utilities and services, including:
  - (a) electricity supply
  - (b) water supply
  - (c) drainage and stormwater systems
  - (d) waste disposal
  - (e) effluent disposal systems
  - (f) formed all-weather public roads
  - (g) telecommunications services
  - (h) social infrastructure, community services and facilities
  - (i) gas services.
- 2 Development should only occur where it provides, or has access to, relevant easements for the supply of infrastructure.
- 3 Development should incorporate provision for the supply of infrastructure services to be located within common service trenches where practicable.
- 4 Development should not take place until adequate and co-ordinated drainage of the land is assured.
- 5 Development in urban areas should not occur without provision of an adequate reticulated domestic quality mains water supply and an appropriate waste treatment system.
- 6 In areas where no reticulated water supply is available, buildings whose usage is reliant on a water supply should be equipped with an adequate and reliable on-site water storage system.
- 7 Electricity infrastructure should be designed and located to minimise its visual and environmental impacts.
- 8 Development and landscaping within 25 metres of the 275 kV overhead electricity lines should ensure that all clearances and safety restrictions are met.

**Salisbury Council  
General Section  
Infrastructure**

- 9 In urban areas, electricity supply serving new development should be installed underground.
- 10 Utilities and services, including access roads and tracks, should be sited on areas already cleared of native vegetation. If this is not possible, their siting should cause minimal interference or disturbance to existing native vegetation and biodiversity.
- 11 Utility buildings and structures should be grouped with non-residential development where possible.
- 12 Development in proximity to infrastructure facilities should be sited and be of a scale to ensure adequate separation to protect people and property.

## Landscaping, Fences and Walls

### OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 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.
- 2 Landscaping should:
  - (a) include the planting of locally indigenous species where appropriate
  - (b) be oriented towards the street frontage
  - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- 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



Salisbury Council  
General Section  
*Landscaping, Fences and Walls*

- (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.

**4 Fences and walls, including retaining walls, should:**

- (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.

## Orderly and Sustainable Development

### OBJECTIVES

- 1 Orderly and economical development that creates a safe, convenient and pleasant environment in which to live.
- 2 Development occurring in an orderly sequence and in a compact form to enable the efficient provision of public services and facilities.
- 3 Development that does not jeopardise the continuance of adjoining authorised land uses.
- 4 Development that does not prejudice the achievement of the provisions of the Development Plan.
- 5 Development abutting adjoining Council areas having regard to the policies of that Council's Development Plan.
- 6 Urban development contained within existing townships and settlements and located only in zones designated for such development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not prejudice the development of a zone for its intended purpose.
- 2 Land outside of townships and settlements should primarily be used for primary production and conservation purposes.
- 3 The economic base of the region should be expanded in a sustainable manner.
- 4 Urban development should form a compact extension to an existing built-up area.
- 5 Ribbon development should not occur along the coast, water frontages or arterial roads shown in *Overlay Maps - Transport*.
- 6 Development should be located and staged to achieve the economical provision of public services and infrastructure, and to maximise the use of existing services and infrastructure.
- 7 Where development is expected to impact upon the existing infrastructure network (including the transport network), development should demonstrate how the undue effect will be addressed.
- 8 Vacant or underutilised land should be developed in an efficient and co-ordinated manner to not prejudice the orderly development of adjacent land.

## Residential Development

### OBJECTIVES

- 1 Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community.
- 2 An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.
- 3 Higher dwelling densities in areas close to centres, public and community transport and public open spaces.
- 4 The regeneration of selected areas identified at zone and/or policy area levels.
- 5 Affordable housing and housing for aged persons provided in appropriate locations.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Residential allotments and sites should have the appropriate orientation, area, configuration and dimensions to accommodate:
  - (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 access and off street parking
  - (d) passive energy design.
- 2 Buildings on battleaxe allotments or the like should be single storey and be designed to maintain the privacy of adjoining properties.
- 3 Residential allotments should be of varying sizes to encourage housing diversity.
- 4 Dwellings constituting affordable housing should be located to optimise access to shops, social services and facilities, or public transport.
- 5 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 typically be in the form of 2 to 4 storey buildings.
- 6 High density development that achieves gross densities of more than 45 dwellings per hectare (which translates to net densities of more than 67 dwellings per hectare) should typically be in the form of over 4 storey buildings.

### Design and Appearance

- 7 Where a dwelling has direct frontage to a street the dwelling should be designed to provide surveillance and address the street.
- 8 Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.

- 9 The design of residential flat buildings should:
- (a) define individual dwellings in the external appearance of the building
  - (b) provide transitional space around the entry
  - (c) ensure building entrances provide shelter, are visible and easily identifiable from the street.

### **Overshadowing**

- 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, 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.
- 11 Development should ensure that north-facing windows to habitable rooms 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.
- 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.

### **Garages, Carports and Outbuildings**

- 13 Garages, carports and outbuildings should have a roof form and pitch, building materials and detailing that complement the associated dwelling.
- 14 Garages and carports facing the street should not dominate the streetscape.
- 15 Residential outbuildings, including garages and sheds, should not be constructed unless in association with an existing dwelling.

### **Street and Boundary Setbacks**

- 16 Dwellings should be set back from allotment or site boundaries to:
- (a) contribute to the desired character of the area
  - (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.
- 17 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:
- (a) minimise the visual impact of buildings from adjoining properties
  - (b) minimise the overshadowing of adjoining properties.



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18 Side boundary walls in residential areas should be limited in length and height to:

- (a) minimise their visual impact on adjoining properties
- (b) minimise the overshadowing of adjoining properties.

19 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.

**Site Coverage**

20 Site coverage should be limited to ensure sufficient space is provided for:

- (a) pedestrian and vehicle access and vehicle parking
- (b) domestic storage
- (c) outdoor clothes drying
- (d) a rainwater tank
- (e) private open space and landscaping
- (f) front, side and rear boundary setbacks that contribute to the desired character of the area
- (g) convenient storage of household waste and recycling receptacles.

**Private Open Space**

21 Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling 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.

22 Dwellings should have associated private open space of sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site.

23 Where an onsite wastewater disposal system is required, areas required for soakage trenches or similar should not be included in private open space calculations.

- 24 Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:

Site area of dwelling	Minimum area of private open space	Provisions
250 square metres or greater	20 per cent of site area	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 living room 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.
Less than 250 square metres	35 square metres	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 living room and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.

- 25 Private open space should not include driveways, 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 in residential flat buildings and group dwellings, and should have a minimum dimension of:

- (a) 2.5 metres for ground level or roof-top private open space
- (b) 2 metres for upper level balconies or terraces.

- 26 Balconies should make a positive contribution to the internal and external amenity of residential buildings and should be sited adjacent to the main living areas, such as the living room, dining room or kitchen, to extend the dwelling's living space.

- 27 Rooftop gardens should be incorporated into residential flat buildings.

#### Site Facilities and Storage

- 28 Site facilities for group dwellings, residential parks and residential flat buildings should include:
- (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.

#### Visual Privacy

- 29 Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.
- 30 Permanently fixed external screening devices should be designed and coloured to blend with the associated building's external material and finishes.

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**Noise**

- 31 Noise generated by fixed noise sources such as air conditioning units and pool pumps should be located, designed and attenuated to avoid causing potential noise nuisance to adjoining landowners and occupiers.
- 32 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.
- 33 Residential development on sites abutting established collector or higher order roads should include front fences and walls that will supplement the noise control provided by the building facade.
- 34 The number of dwellings sharing a common internal pedestrian entry within a residential flat building should be minimised to limit noise generation in internal access ways.
- 35 External noise and light intrusion to bedrooms should be minimised by separating or shielding these rooms from:
  - (a) active communal recreation areas, parking areas and vehicle access ways
  - (b) service equipment areas and fixed noise sources on the same or adjacent sites.

**Car Parking and Access**

- 36 The number of driveway crossovers should be minimised and appropriately separated to optimise the provision of on-street visitor parking and preserve and enhance street character including opportunities for landscaping, tree planting and fences.
- 37 On-site 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 (eg an increase in number of driveway crossovers).
- 38 Parking areas and internal driveways 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 to manoeuvre between the street and the parking area
  - (c) reinforce or contribute to attractive streetscapes.
- 39 On-site visitor parking spaces for group and multiple dwellings and residential flat buildings should be sited and designed to:
  - (a) serve users efficiently and safely
  - (b) not dominate internal site layout



- (c) be clearly defined as visitor spaces not specifically associated with any particular dwelling
  - (d) ensure they are not sited behind locked garages and are accessible to visitors at all times.
- 40 Driveways on arterial roads that serve more than one dwelling should be designed to cater for the simultaneous two-way movements of the largest vehicles expected to enter and exit the site.
- 41 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.

### **Undercroft Garaging of Vehicles**

- 42 Undercroft garaging of vehicles should occur only where:
- (a) the overall height and bulk of the development does not adversely impact on streetscape character or the amenity of adjacent properties
  - (b) vehicles can safely exit from the site without compromising pedestrian safety or causing conflict with other vehicles
  - (c) driveway gradients provide for safe and functional entry and exit
  - (d) driveways and adjacent walls, fencing and landscaping are designed to provide adequate sightlines from vehicles to pedestrians using the adjacent footpath
  - (e) openings into undercroft garage areas are designed to integrate with the main building so as to minimise visual impact
  - (f) landscaping, mounding and/or fencing is incorporated to improve its presentation to the street and to adjacent properties
  - (g) the overall streetscape character of the locality is not adversely impaired (eg visual impact, building bulk, front setbacks relative to adjacent development).
- 43 Buildings with four storeys or more above natural surface level should include provision for undercroft parking.
- 44 Semi-basement or undercroft car parking should be suitably integrated with building form.
- 45 In the case of semi-basement car parks where cars are visible, adequate screening and landscaping should be provided.

### **Dependent Accommodation**

- 46 Dependent accommodation (ie accommodation where the living unit is connected to the same services of the main dwelling) should be developed on the same allotment as the existing dwelling only where:
- (a) the site is of adequate size and configuration
  - (b) the accommodation has a small floor area relative to the associated main
  - (c) adequate outdoor space
  - (d) adequate on-site car parking is provided
  - (e) the building is designed to, and comprises colours and materials that will, complement the original dwelling.

### **Swimming Pools and Outdoor Spas**

- 47 Swimming pools, outdoor spas and associated ancillary equipment and structures should be sited so as to protect the privacy and amenity of adjoining residential land.



## Transportation and Access

### OBJECTIVES

- 1 A comprehensive, integrated, affordable and efficient air, rail, sea, road, cycle and pedestrian transport system that will:
  - (a) provide equitable access to a range of public, community and private transport services for all people
  - (b) ensure a high level of safety
  - (c) effectively support the economic development of the State
  - (d) have minimal negative environmental and social impacts
  - (e) maintain options for the introduction of suitable new transport technologies.
- 2 Development that:
  - (a) provides safe and efficient movement for all motorised and non-motorised transport modes
  - (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
  - (c) provides off street parking
  - (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks.
- 3 A road hierarchy that promotes safe and efficient transportation in an integrated manner throughout the State.
- 4 Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks.
- 5 Safe and convenient freight movement throughout the State.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

#### Movement Systems

- 2 Development should be integrated with existing transport networks, particularly major rail and road corridors as shown on *Location Maps* and *Overlay Maps - Transport*, and designed to minimise its potential impact on the functional performance of the transport networks.
- 3 Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.
- 4 Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.

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- 5 Land uses that generate large numbers of visitors such as shopping centres and areas, places of employment, schools, hospitals and medium to high density residential uses should be located so that they can be serviced by existing transport networks and encourage walking and cycling.
- 6 Development generating high levels of traffic, such as schools, shopping centres and other retail areas, entertainment and sporting facilities, should incorporate passenger pick-up and set down areas. The design of such areas should ensure interference to existing traffic is minimised and give priority to pedestrians, cyclists and public and community transport users.
- 7 The location and design of public and community transport set-down and pick-up points should maximise safety and minimise the isolation and vulnerability of users.
- 8 Development should provide safe and convenient access for all anticipated modes of transport including cycling, walking, public and community transport, and motor vehicles.
- 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.
- 10 Driveway crossovers affecting pedestrian footpaths should maintain the level of the footpath.
- 11 Development should discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive land uses such as schools.
- 12 Industrial/commercial vehicle movements should be separated from passenger vehicle car-parking areas.
- 13 Development should make sufficient provision on site for the loading, unloading and turning of all traffic likely to be generated.

#### **Cycling and Walking**

- 14 Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, public and community transport stops and activity centres.
- 15 Development should provide access, and accommodate multiple route options, for cyclists by enhancing and integrating with:
  - (a) open space networks, recreational trails, parks, reserves and recreation areas
  - (b) Adelaide's Metropolitan Open Space System.
- 16 Cycling and pedestrian networks should be designed to be permeable and facilitate direct and efficient passage to neighbouring networks and facilities.
- 17 New developments should give priority to and not compromise existing designated bicycle routes.
- 18 Where development coincides with, intersects or divides a proposed bicycle route or corridor, development should incorporate through-access for cyclists.
- 19 Developments should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:
  - (a) showers, changing facilities, and secure lockers
  - (b) signage indicating the location of bicycle facilities

- (c) secure bicycle parking facilities provided at the rate set out in [Table Sal/3 - Off Street Bicycle Parking Requirements](#).
- 20 Pedestrian facilities and networks should be designed and provided in accordance with relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 13*.
- 21 Cycling facilities and networks should be designed and provided in accordance with the relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 14*.

### Access

- 22 Development should have direct access from an all weather public road.
- 23 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.
- 24 Development should not restrict access to publicly owned land such as recreation areas.
- 25 The number of vehicle access points onto arterial roads shown on *Overlay Maps - Transport* should be minimised, and where possible access points should be:
  - (a) limited to local roads
  - (b) shared between developments.
- 26 The number of access points for cyclists and pedestrians onto all adjoining roads should be maximised.
- 27 Development with access from roads with existing or projected traffic volumes exceeding 6000 vehicles per day should be sited to avoid the need for vehicles to reverse on to or from the road.
- 28 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.
- 29 Driveways, access tracks and parking areas should be designed and constructed to:
  - (a) follow the natural contours of the land
  - (b) minimise excavation and/or fill
  - (c) minimise the potential for erosion from run-off
  - (d) avoid the removal of existing vegetation
  - (e) be consistent with *Australian Standard AS 2890 Parking facilities*.

### Access for People with Disabilities

- 30 Development should be sited and designed to provide convenient access for people with a disability.
- 31 Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.

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### Vehicle Parking

- 32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with [\*Table Sal/2 - Off Street Vehicle Parking Requirements\*](#) unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:
- (a) a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the 'Car Park Fund Areas' identified on [\*Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area\*](#), [\*Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area\*](#) and [\*Concept Plan Map Sal/32 - Mawson Lakes Town Centre Car Parking Fund Area\*](#)
  - (b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.
- 33 Development should be consistent with *Australian Standard AS 2890 Parking facilities*.
- 34 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 to public roads
  - (g) avoid the necessity for backing onto public roads
  - (h) where reasonably possible, 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.
- 35 Vehicle parking areas should be designed to reduce opportunities for crime by:
- (a) maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads
  - (b) incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places
  - (c) being appropriately lit
  - (d) having clearly visible walkways.
- 36 Where parking areas are not obviously visible or navigated, signs indicating the location and availability of vehicle parking spaces associated with businesses should be displayed at locations readily visible to customers.



- 37 Parking areas that are likely to be used during non daylight hours should provide floodlit entrance and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the car park.
- 38 Parking areas should be sealed or paved in order to minimise dust and mud nuisance.
- 39 To assist with stormwater detention and reduce heat loads in summer, vehicle parking areas should include soft (living) landscaping.
- 40 Parking areas should be line-marked to indicate parking bays, movement aisles and direction of traffic flow.

## Residential Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

### OBJECTIVES

- 1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.
- 2 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- 3 A zone primarily accommodating a range of dwellings to meet the diverse needs and preferences of the community.
- 4 Revitalisation of under-utilised suburbs, particularly public housing areas, to facilitate the provision of a greater mix of housing types and improved residential amenity.
- 5 Residential development designed and insulated to minimise effects of predicted aircraft noise and industrial noise.
- 6 Development that contributes to the desired character of the zone.

### DESIRED CHARACTER

The zone covers a substantial portion of the Council area and is home to a large and diverse population. The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations. In addition to housing and open space, the zone will also contain a variety of community related, non-residential land uses that contribute to the creation of pleasant, connected, well serviced and socially inclusive neighbourhoods.

A full range of dwelling types on a variety of allotment sizes will be provided, including affordable housing, special needs housing and housing for the aged in appropriate locations. Housing form will be diverse and cater for different household sizes, life cycle stages and housing preferences and will be cost-effective, energy efficient and will make efficient use of available sites. Older neighbourhoods will experience change through turnover in population and ageing of existing residents which will generate a need for more housing diversity as well as changes in density and different services and facilities to complement these changes.

Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances. A cohesive built form will be achieved through design elements such as interesting roof forms, articulated buildings, recessed vehicle garaging, and landscaped spaces between buildings and the public road. Buildings will include windows, doors and balconies that overlook the street and areas of public open space to promote surveillance and community interaction.

Setbacks to local streets will be used to enable landscaping to be provided to soften the built form and improve amenity for residents and pedestrians. The visual and physical impact of vehicle access points will be minimised by reducing both the number of access points and the width of associated crossovers and driveways. Sealed surfaces will be minimised to reduce stormwater run-off and to also provide opportunities for landscaping to improve visual amenity. Development will seek to protect and retain regulated trees that contribute to the character of the area.

In order to achieve a compact urban form an overall increase in the residential density is desirable in select locations, in keeping with the objectives for development in the Zone, although it is anticipated that the predominant form of housing will remain detached dwellings at low to medium density throughout much of the zone. Co-ordinated infill housing, redevelopment and refurbishment of existing housing are encouraged

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to maximise use of the community investment in facilities and services in existing residential areas that are located close to centres and community services. Opportunities exist to gradually develop under-utilised and vacant land within established areas, particularly when a specific housing need arises within the population, but also as an opportunity for improving access to existing services and facilities. Co-ordinated and efficient development of larger sites containing multiple allotments is encouraged in order to achieve greater housing density and diversity.

Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner. Typically this will involve the amalgamation of sites and will result in development that compliments the prevailing character. A transition in building height will be necessary to ensure issues of overlooking is minimised and solar access maintained.

Development will be of a form and scale compatible with adjoining residential development. As part of the increase in residential density there will be an increase in the number of dwellings of two or more storeys. Such development will recognise the proximity of adjoining development and will be designed and sited to maintain the privacy of adjoining dwellings and their private open space areas, and will be designed to integrate with the existing built form.

Development of land with a known history of a potentially contaminating activity will occur once the site has been assessed and remediated to the standard necessary to ensure it is safe and suitable for the proposed use.

Development in areas which adjoin industrial land uses and areas affected by aircraft noise as identified in *Concept Plan Map Sal/2 - Edinburgh Defence Airfield Aircraft Noise Exposure* should be designed, sited and constructed to minimise the effects of noise.

## PRINCIPLES OF DEVELOPMENT CONTROL

### Land Use

1 The following forms of development are envisaged in the zone:

- 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:
  - child care facility
  - health and welfare service
  - open space
  - primary or secondary school
- recreation area
- supported accommodation.

2 Development listed as **non-complying** is generally inappropriate.

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 in form, scale and design with adjoining residential development.

4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:

- (a) serves the local community
- (b) is consistent with the character of the locality



- (c) does not detrimentally impact on the amenity of nearby residents
  - (d) will not undermine the efficient operation of nearby centres.
- 5 The use and placement of outbuildings should be ancillary to and in association with a dwelling or dwellings.

### Form and Character

- 6 Development should be undertaken in accordance with the following Concept Plan Maps:
- (a) [Concept Plan Map Sal/21 - Paralowie Residential Area 3](#)
  - (b) [Concept Plan Map Sal/22 - Burton Residential Area 1](#)
  - (c) [Concept Plan Map Sal/23 - Direk Residential Area](#)
  - (d) [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#)
  - (e) [Concept Plan Map Sal/25 - Paralowie Residential Area 1](#)
  - (f) [Concept Plan Map Sal/26 - Paralowie Residential Area 2](#)
  - (g) [Concept Plan Map Sal/27 - Salisbury Downs Residential Area 1.](#)
- 7 Residential development should only occur within the area marked 'Lot 23' or 'Lot 24' on [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#) where it is developed in accordance with all of the following:
- (a) the construction of a 2.4 metre high acoustical fence, which is comprised of double-sided fibre cement sheeting that has a density of not less than 12.5 kilograms per square metre, along the north-west and south-west boundaries of the land
  - (b) service areas are located between the noise source and the living areas of the dwelling
  - (c) dwellings utilise suitable sound insulation methods such as double-glazing to windows, roof and wall insulation
  - (d) the number of wall openings facing the noise source are minimised.
- 8 Direct vehicular access should not be provided onto Smith Road, Barker Road or Bridge Road.
- 9 Where remnant vegetation is located within road reserves it should be preserved and protected against loss, damage and disfigurement.
- 10 Garages and carports facing the street (other than an access lane way) should be designed with a maximum width of 6 metres or 50 per cent of the allotment or building site frontage width, whichever is the lesser distance.
- 11 Sheds, garages and similar outbuildings should be designed within the following parameters:

Parameter	Value
Maximum floor area for allotments less than 450 square metres	60 square metres
Maximum floor area for allotment greater than 450 square metres	72 square metres
Maximum building height (from natural ground level)	5 metres
Maximum wall height (from natural ground level)	3 metres



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**Affordable Housing**

- 12 Development should include a minimum 15 per cent of residential dwellings for affordable housing.
- 13 Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area.

**Land Division**

- 14 Land division should create a 5 metre landscaped reserve to limit direct vehicle access where allotments are created fronting the following roads:
  - (a) Martins Road, Parafield Gardens and Paralowie
  - (b) Burton Road, Burton and Paralowie
  - (c) Bolivar Road, Burton and Paralowie
  - (d) Willochra Road, Salisbury.

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## PROCEDURAL MATTERS

### Complying Development

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

### Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of Development	Exceptions
Advertisement and/or advertising hoarding	Except where it complies with all of the following: (a) it does not move, rotate or incorporate flashing lights (b) it does not wholly or partly consists of bunting, streamers, flags, wind vanes and the like (c) if attached to a building, it does not wholly or partly extend above the top of the wall or the fascia.
Amusement machine centre	
Consulting room	Except where: (a) the total floor area is less than 100 square metres (b) the site does not front an arterial road.
Crematorium	
Dairy	
Dwelling where it is contained within the 'Concept Area Boundary' identified on <a href="#">Concept Plan Map Sal/22 - Burton Residential Area 1</a>	Except where the dwelling has a maximum height of no more than one-storey above natural ground level.
Farming	
Fuel depot	
Horse keeping	
Horticulture	
Industry	
Intensive animal keeping	
Motor repair station	
Office	Except where: (a) the total floor area is less than 100 square metres (b) the site does not front an arterial road.
Petrol filling station	Except where it comprises alterations or additions to a petrol filling station existing at 20 January 1994.
Prescribed mining operations	
Public service depot	
Residential flat building within the <a href="#">Salisbury Residential Policy Area 18</a>	

Form of Development	Exceptions
Restaurant	
Road transport terminal	
Service trade premises	
Shop or group of shops	Except where: <ul style="list-style-type: none"> <li>(a) the gross leasable area is less than 250 square metres</li> <li>(b) the site does not front an arterial road.</li> </ul>
Stock sales yard	
Stock slaughter works	
Store	
Warehouse	
Waste reception, storage, treatment or disposal	
Wrecking yard	

**Public Notification**

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

## Table Sal/2 - Off Street Vehicle Parking Requirements

The following vehicle parking requirements do not apply:

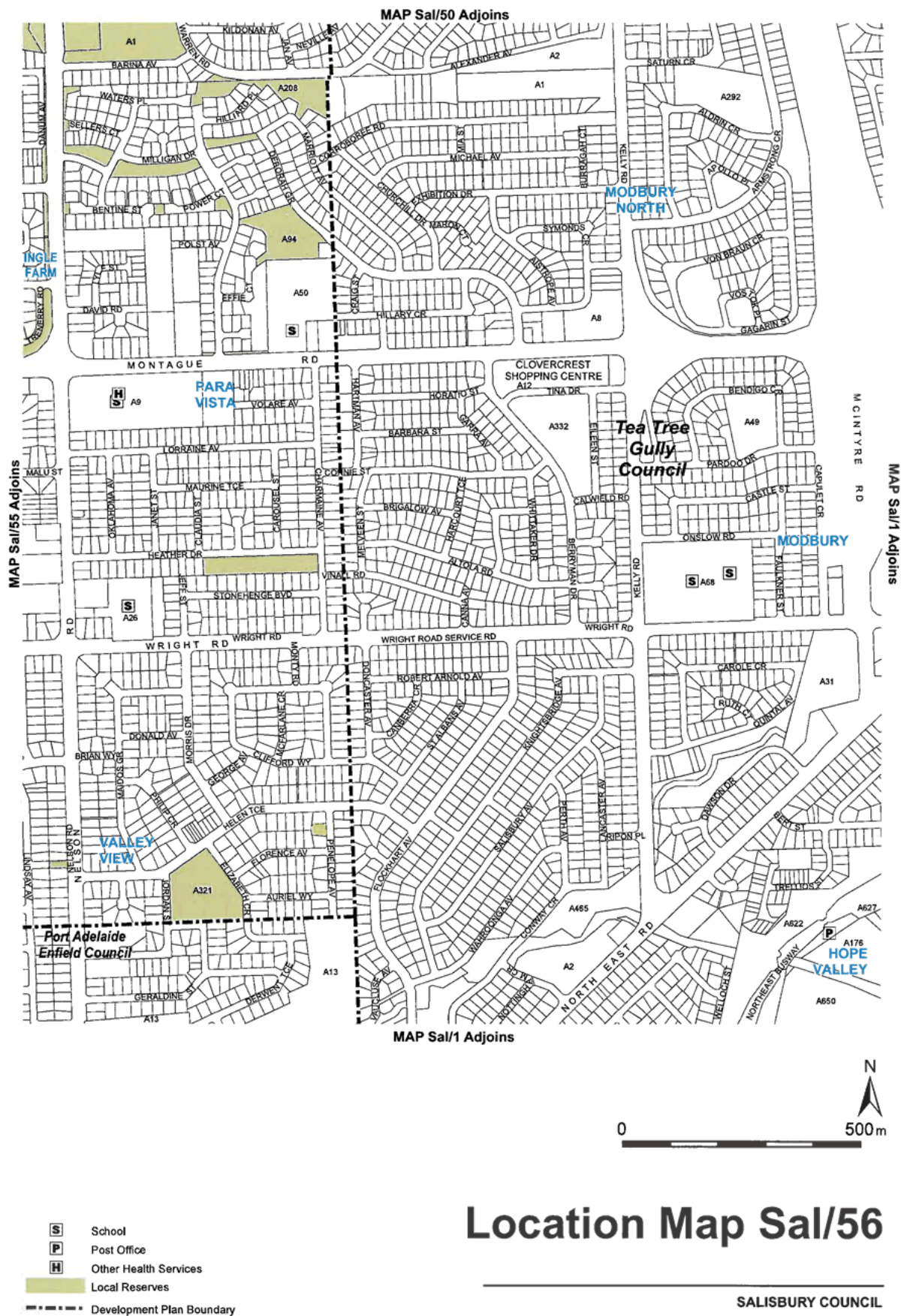
- (a) to the Mixed Use (Bulky Goods, Entertainment, Leisure) Zone except where the form of development is light industry whereby the rates for Industry, warehouse, stores are applicable
- (b) to development that is subject to the requirements in [Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas](#).

Form of Development	Number of Required Car Parking Spaces
Accommodation	
Aged Care / retirement home	1 space per unit
Serviced apartment	1 space per unit plus 1 space per employee
Motel	1 space per unit
Commercial	
Bulky goods outlet	3 spaces per 100 square metres of gross leasable floor area
Cinema	1 space per 4 cinema seats
Hotel	1 space per 2 square meters of floor area available to the public
Public bar	
Lounge or beer garden	1 space per 6 square metres of floor area available to the public
Gaming room	1 space per 2 machines
Office	1 space per 25 square metres, with a minimum of 4 spaces per office
Restaurant	Greater of 1 space for every 3 seats or 1 space for every 15 square metres of dining area
Service trade premises	3 spaces per 100 square metres
Shop	7 spaces per 100 square metres of gross leasable area for shops outside of centre zones 5 spaces per 100 square metres of gross leasable area for shops within centre zones
Community/civic	
Child care centre	1 space per 4 children
Community centre	10 spaces per 100 square metres of total floor area
Library	4 spaces per 100 square metres
Place of worship	Greater of 1 space for every 3 seats or every 3 attendees
Dwellings	



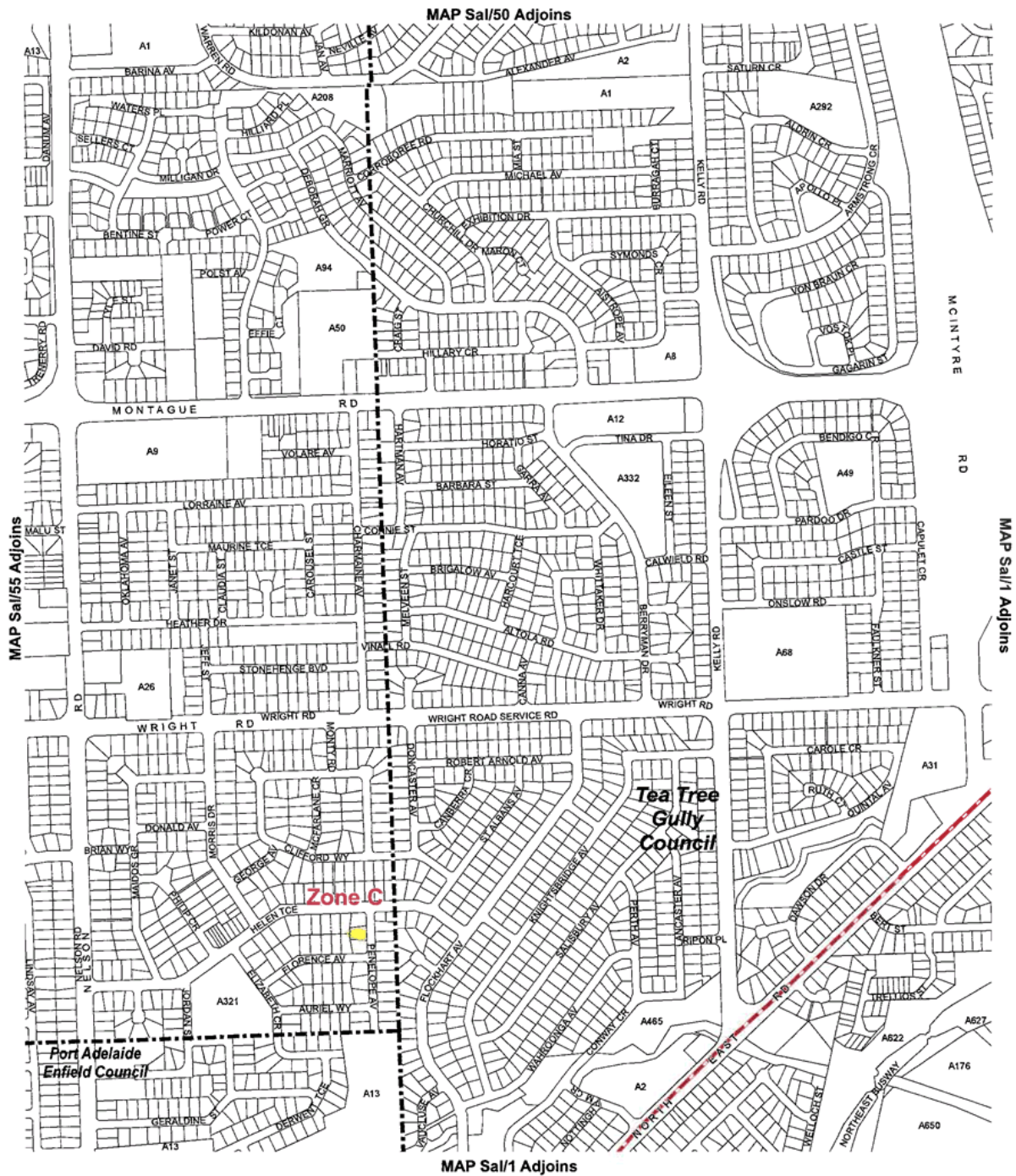
Salisbury Council  
Table Section  
Table Sal/2 - Off Street Vehicle Parking Requirements

Form of Development	Number of Required Car Parking Spaces
Detached dwelling Semi Detached Dwelling Row Dwelling	2 spaces per dwelling, one of which is to be covered
Residential flat building Multiple dwelling Group dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
Industry, warehouses, stores	
Office component	1 space per 30 square metres
Plus	Plus
Non-office component	
Up to 200 square metres	1 space per 50 square metres
Plus 200-2000 square metres	1 additional space for every 75 square metres
Plus greater than 2000 square metres	1 additional space for every 150 square metres
Or	Or
For labour intensive industries, inclusive of office component (whichever ever is greater)	0.75 car parking spaces per employee
Medical	
Consulting room	10 per 100 square metres of total floor area, with a minimum of 3 spaces per tenancy
Hospital	2.5 spaces per bed
Nursing home	1 space for every 4 beds
The following vehicle parking requirements apply to development specifically within the <b>Mixed Use (Bulky Goods, Entertainment and Leisure) Zone</b> :	
Form of Development	Minimum number of required vehicle parking spaces
All forms of development (except Light Industry)	3 spaces per 100 square metres of gross leasable floor area









NOTE: Airport Building Heights should be read in conjunction with concept plan map showing heights for Edinburgh Defence Airfield

Airport Building Heights  
Referral to Commonwealth Secretary  
for Dept. of Transport and Regional Services  
Zone C All Structures Exceeding 15 metres above existing ground level

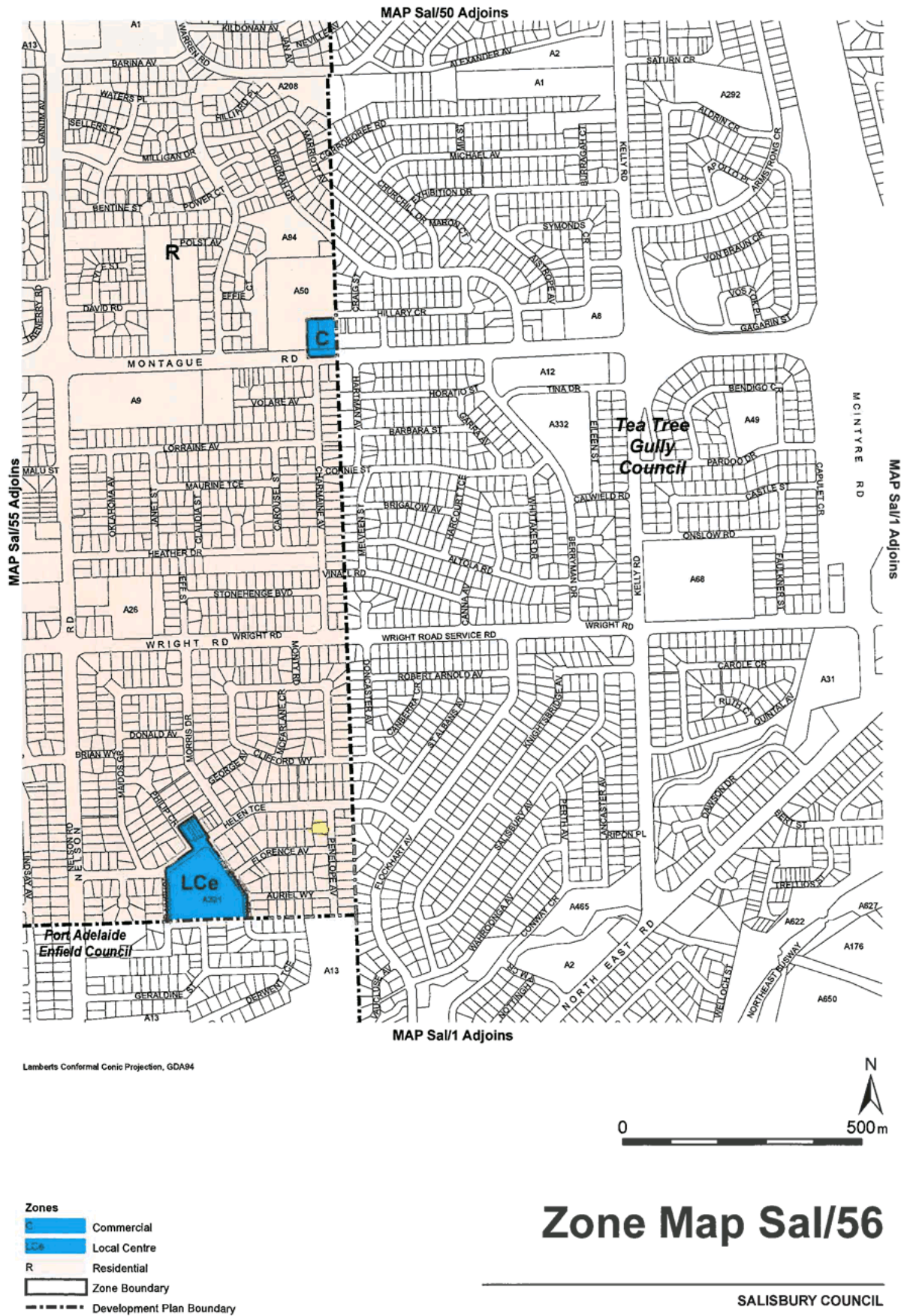


## Overlay Map Sal/56 DEVELOPMENT CONSTRAINTS

Airport Building Heights  
 Development Plan Boundary

SALISBURY COUNCIL  
Consolidated - 7 July 2016







<b>ITEM</b>	5.1.2
	<b>DEVELOPMENT ASSESSMENT PANEL</b>
<b>DATE</b>	22 November 2016
<b>APPLICATION NO.</b>	361/11/2016/NA
<b>APPLICANT</b>	Studio Nine Architects
<b>PROPOSAL</b>	FIFTEEN (15) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL (NON-COMPLYING DEVELOPMENT)
<b>LOCATION</b>	1572-1582 Main North Road, Brahma Lodge
<b>CERTIFICATE OF TITLE</b>	Volume 5145 Folio 150, Volume 5145 Folio 76 and Volume 5743 Folio 407
<b>AUTHOR</b>	George Pantelos, Principal Planner, City Development

## 1. DEVELOPMENT APPLICATION DETAILS

<b>Zone/Policy Area</b>	Commercial
<b>Application Type</b>	Non-Complying
<b>Public Notification</b>	Representations received: 3 Representations to be heard: Nil
<b>Referrals - Statutory</b>	Nil
<b>Referrals – Internal</b>	Economic Development and Urban Policy Development Engineering
<b>Development Plan Version</b>	Salisbury Development Plan Consolidated 7 <sup>th</sup> January 2016
<b>Assessing Officer</b>	George Pantelos Principal Planner
<b>Recommendation</b>	Grant Development Plan Consent and seek concurrence from the Development Assessment Commission.
<b>Meeting Date</b>	Tuesday 22 <sup>nd</sup> November 2016

## 2. REPORT CONTENTS

### Assessment Report

Attachment 1:	Proposal Plans
Attachment 2:	Supporting Documentation
Attachment 3:	Statement of Effect and Traffic and Carparking Assessment Report
Attachment 4:	Notice of Category 3 Notification and Representations
Attachment 5:	Applicant's Response to Representations
Attachment 6:	Relevant Development Plan Extracts, Consolidated 7th January 2016

### 3. EXECUTIVE SUMMARY

The applicant seeks Development Plan Consent for fifteen two-storey dwellings with associated carparking independent of the existing Brahma Lodge Hotel on land situated at 1572-1582 Main North Road, Brahma Lodge.

The subject land is a rectangular shaped parcel of land located on the north side of the junction of Main North Road and Frost Road, Brahma Lodge. The land covers an area of 12,159m<sup>2</sup> and supports the Brahma Lodge Hotel which is located in the southern portion of the site. Formalised carparks associated with the hotel are located to the north, east and west of the site.

Vehicle access to the subject land is achieved by way of existing cross overs from Francis Road, Frost Road, and the Main North Road service road. The subject land does not support any regulated or significant trees.

The site of the proposed development will be on the west side of the subject land between the existing Hotel and Francis Road property boundary. The proposed development will cover approximately 3,630m<sup>2</sup> (30%) of the subject land.

The site of the proposed development is located within a Commercial Zone. Dwellings are non-complying within a Commercial Zone. The application was lodged in January 2016. The application was initially for eighteen (18) two –storey dwellings and included plans, elevations and a statement in support of the proposal. Council’s Development Assessment Unit on the 9<sup>th</sup> June 2016 considered the proposal as a non-complying form of development and resolved under Regulation 17(3)(b) to proceed with the assessment of the application.

The application has subsequently been amended reducing the number of dwellings from eighteen to fifteen and modifying the overall layout of the proposed development.

The application has been assessed as a “non-complying” form of development and was subject to Category 3 public notification. Three representations were received during the notification period, one in support and two against. None of the representors requested to be heard by the Panel.

The following report provides a detailed assessment against the relevant provisions of the Salisbury Council Development Plan Consolidated 7<sup>th</sup> January 2016. The assessment found that, on balance:

- a) The redevelopment of a portion of the underutilised carpark associated with the existing hotel for residential development will not detrimentally impact or erode the integrity of the Commercial Zone;
- b) The location of the proposed residential development and consequent reduction in on site Hotel carparking will not detrimentally impact on the operations of the existing hotel;
- c) The proposed residential development, whilst in a Commercial Zone, is a more appropriate development at the interface of the zone boundary with existing residential development located to the west and north of the site than further possible commercial development;



Given the above, it is recommended that Development Plan Consent be granted and Council seek the concurrence of the Development Assessment Commission.

#### 4. SUBJECT LAND AND SITE

The subject land is a rectangular shaped parcel of land covering 12,159m<sup>2</sup> and located on the north side of the Main North Road and Frost Road junction. The subject land supports the Brahma Lodge Hotel with associated bottle shop and drive through and onsite carparking. The subject land has road frontage on three sides, Francis Road to the north-west, Frost Road to the south-west and the Main North Road service road to the north-east.

Vehicle access to the subject land currently occurs via five crossovers, two off Francis Road, two off Frost Road and one off the Main North Road service road. The subject land supports minimal landscaping, predominantly adjacent all property boundaries. Within the landscaped area adjacent the Francis Road/Frost Road junction exists a large Monterey Cypress (*Cupressus macrocarpa*) with a circumference of 2.7 metres as measured 1 metre above the natural ground level. The tree is of a species not subject to development controls and can be removed.

The proposed development will be located on the north-west side of the subject land, between the north eastern property boundary and Frost Road extending 33.2 metres in from the Francis Road property boundary. The site of the proposed development will cover an area of 3,630m<sup>2</sup>.

The following site photographs are provided.



Photo 1: View of site from Francis Road facing south-east



Photo 2: *View of site (left) and existing streetscape from Francis Road facing south-west*



Photo 3: *View of site from carpark rear of the Hotel*





Photo 4: *View of site from the front Hotel carpark adjacent Frost Road*



Photo 5: *Existing two-storey residential development corner of Francis and Frost Roads*



Photo 6: Residential development adjacent the north-eastern boundary of the site



Photo 7: Residential development adjacent the north-eastern boundary of the site



5. LOCALITY

The locality although mixed use in character, is predominantly residential. To the northwest and north east is found residential development of varying density, comprising detached dwellings, group dwellings and a residential flat building, both single and two storey in scale. Residential development, predominantly detached dwellings at low density, is also located on the south side of the Clayson Road/ Main North Road junction.




On the southwest side of Frost Road, within the Commercial Zone is located a small single storey (in scale) Centre on the corner with Main North Road supporting consulting rooms, a real estate office and weight watching Centre . A nursing home, independent living accommodation and serviced apartments, all single storey in scale, are located off Frost Road, west of the Centre, within the Commercial Zone.

The Commercial Zone extends onto the south east side of Main North Road and supports a variety of commercial/ retail development which includes an Indoor Bowling Centre, Indoor Soccer Centre, Childs Play Centre and Place of Worship.

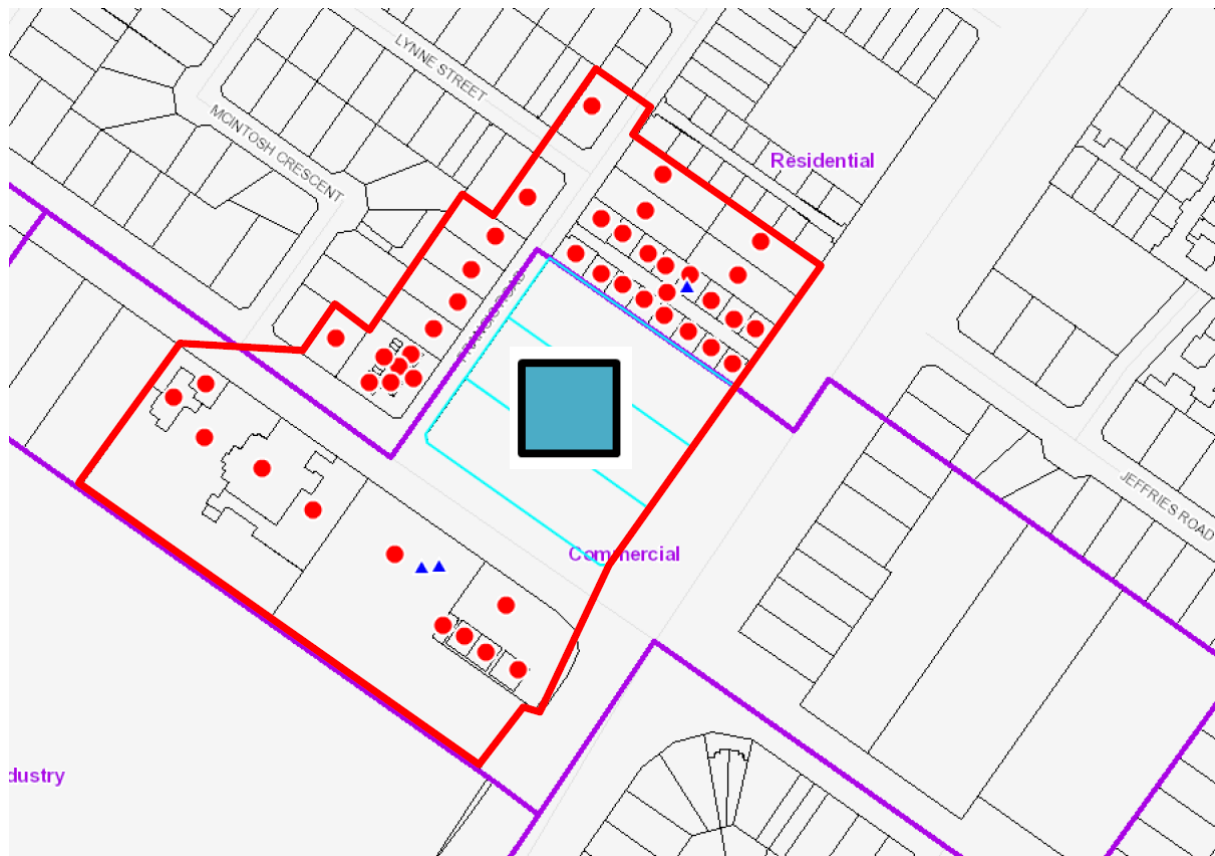
A locality plan and contextual plan are provided below.





Locality Plan – Aerial



Legend (Source: Dekho)	
	Subject site
	Site boundary
	Locality boundary

Locality Plan – Cadastre



**Legend (Source: Dekho)**

	Subject site
	Site boundary
	Locality boundary
	Properties notified (occupiers within the subject site were also notified)



Contextual Plan:



Legend (Source: Nearmap)	
	Subject site
	Zone boundary

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant is seeking Development Plan Consent for fifteen (15) two storey dwellings with associated carparking independent of the existing hotel on the northwest side of the subject land located at 1572-1582 Main North Road, Brahma Lodge.

The site of the proposed development extends from the north-east property boundary of the subject land to Frost Road and some 33.2 metres in from the Francis Street property boundary. The proposed development will have a site area of 3,640m2. One hundred and eighteen (118) of the two hundred and eighteen (218) onsite carparks associated with the hotel will be lost to the development. Vehicle access to the hotel will be restricted to the existing access points off Frost Road and the Main North Road service road.

The applicant proposes fifteen two-storey dwellings, eleven with frontage to Francis Road, and four with frontage and access off common driveways.

Key aspects of the proposal can be summarised as follows;

- Site area per dwelling will range from 190.8m<sup>2</sup> to 451.8m<sup>2</sup>
- Building area per dwelling (two-storey) will range from 130.8 m<sup>2</sup> to 157.7m<sup>2</sup> and includes garage/carport.
- Private open space per dwelling will range from 40.5m<sup>2</sup> to 199.5m<sup>2</sup>
- All dwellings are two-storey;
- All dwellings will be provided with one covered and one visitor space;
- Dwelling heights will be 7.2m overall with a wall height of 6.4m;
- All dwellings will contain three bedrooms;
- Dwellings with frontage to Francis Road will have their own driveway and crossover. Rear dwelling will be serviced by a shared driveway;
- Dwellings fronting Francis Road will be setback 6.0m from the street property boundary. Dwelling 1 will be located 1metre from the northern property boundary. Dwelling 15 will be located 6.75m from the Frost Road property boundary. Carports of dwellings 4,7,10 and 13 will abut the new south-eastern property boundary with the hotel;
- Material finishes of the dwellings will comprise face and rendered brick, expressed fibre-cement, Hebel power panels, tongue and groove timber panels, powder coated steel and clear glass;
- Each dwelling will have thickened glass and insulation to the rear elevation to reduce noise generated by traffic and patrons within the adjacent hotel carpark .

A copy of the proposal plans are contained in Attachment 1 and supporting documentation contained in Attachment 2. The Statement of Effect and Traffic and Carparking Assessment Report are contained within Attachment 3

## **7. CLASSIFICATION**

The site is located within the Commercial Zone as identified within the Salisbury Council Development Plan (Consolidated 7<sup>th</sup> January 2016). Dwellings are a non-complying form of development with the Commercial Zone. As the application is for a residential development comprising fifteen two-storey dwellings, it has be assessed as a non-complying form of development against the relevant provisions of the Development Plan

## **8. PUBLIC NOTIFICATION**

The application is for a non-complying form of development. The proposed development does not fall within Part 1 or Part 2 of Schedule 9 of the Development Regulations 2008 and as such in accordance with Section 38(2)(c) of the Development Act 1993, is to be taken to be a Category 3 form of development.

Public notification took place between the 19th September and 4<sup>th</sup> October 2016. Three representations were received, 1 in support and 2 against the proposal. None of the representors with to be heard.

A copy of the Category 3 public notice, copies of submissions from representors are contained within Attachment 4.

A copy of the Applicant's response to the representations is contained within Attachment 5.



Representations received		
Representations received		Wish to be Heard
1	Terence Snell 147 Frost Road, Salisbury South	
2	Mathew Snell 147 Frost Road, Salisbury South	
3	Shibhon Eskau 7/1584 Main North Road, Brahma Lodge	

The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
<ul style="list-style-type: none"> <li>Zoning</li> </ul>	
<ul style="list-style-type: none"> <li>The site is not suitable for residential development as occupiers will be impacted on by the hotel's operations</li> </ul>	The site is on the periphery with residential development and an appropriate form of development
<i>Density</i>	
<ul style="list-style-type: none"> <li>The residential development will result in over development of the site.</li> </ul>	<p>The number of dwellings was reduced from 18 to 15.</p> <p>The lots now range in size from 190.8 square metres to 451.9 square metres, and the average lot size, excluding those areas that have been set aside as common property, has increased to 216.7 square metres. The average lot size in this development (216.7 square metres) now compares favourably to the average lot size in the adjoining development to the north of the site (192.0 square metres). The site areas satisfies the requirements of the assessing Officer</p>
<i>Traffic and Vehicle Parking</i>	
<ul style="list-style-type: none"> <li>Reduced onsite carparking available to the hotel will result in an increase in onstreet carparking and possibly on adjacent properties.</li> </ul>	<p>According to Table Sal/2 of the Development Plan, this development generates a theoretical demand for 23 spaces (15 spaces for the prospective occupants and eight for their respective guests).</p> <p>Given that each dwelling will come equipped with two spaces, one of which is to be covered, it is quite clear that this development comfortably exceeds the</p>

	<p>requirements of Table Sal/2 by seven spaces.</p> <p>In addition to this, the survey recently undertaken by Mr Phil Weaver, a qualified and experienced traffic engineer, indicates that even though this development will reduce the number of spaces associated with the hotel from 218 to 98, there should still be a surplus of 22 spaces when the hotel's patronage peaks.</p>
<i>Built form</i>	
<ul style="list-style-type: none"> <li>The bulk and scale of the development and the external appearance of the proposed dwellings is inappropriate.</li> </ul>	<p>The dwellings have been carefully designed to ensure that each and every façade will be expressive but not overpowering. The use of contemporary materials and the application of contrasting colours will greatly assist in this regard. So too for that matter will the parapet walls, canopies and porticos.</p> <p>None of the façades will contain any bland or highly reflective surfaces. Instead, they will be brought to life by small vertical and horizontal components which will also serve to break up the width of each dwelling whilst reducing its apparent height.</p> <p>The height of each dwelling is also consistent with the height of those dwellings which form part of the adjoining development to the north of the site, and the quantitative guidance provided under Principle 5 of the 'Residential Development' Module.</p> <p>None of the residents on the western (opposite) side of Francis Road have raised concerns about the external appearance of the dwellings. They are the ones who will have to stare straight at these dwellings, not the residents of the retirement village on the opposite side of Frost Road.</p>
<i>Street setback</i>	
Concerns with the setback of the dwelling to Frost Road.	<p>The dwelling on Lot 6 will be set back 6.8 metres from the northern boundary of Frost Road and 18.8 metres from the closest section of the adjacent carriageway.</p> <p>The latter of these two distances complies with Principle 19 of the 'Design and</p>

	<p>Appearance' Module and the minimum quantitative guideline expressed under Table Sal/1 of the Development Plan.</p> <p>It also compares favourably to the distance between the aforementioned carriageway and the southern façade of the two storey residential flat building on the north western corner of the T – junction between Francis and Frost Roads, conservatively equating to 13.0 metres</p>
<i>Noise</i>	
Noise associated with the hotel will detrimentally impact on the amenity of dwelling occupiers.	<p>Firstly, and in accordance with Principles 4 and 5 of the 'Interface between Land Uses' Module, my client has commissioned their architects to minimise the effects of those noises associated with the hotel and the adjoining car park to the east by:</p> <ul style="list-style-type: none"> <li>• locating all three of the bedrooms on the first floor level of each dwelling;</li> <li>• providing each dwelling with thickened glass and insulation to the point where they comfortably satisfy the minimum requirements of the National Construction Code; and</li> <li>• including a powder coated steel fence along the eastern boundary of the site for its entire length.</li> </ul> <p>Secondly, Mr Jason Turner, a qualified and experienced acoustic engineer, was recently asked to undertake an assessment of the acoustic environment between the site and the hotel. Whilst Mr Turner's findings were appended to my Statement of Effect, I take this opportunity to reiterate that he opines that:</p> <ul style="list-style-type: none"> <li>• the prospective occupants "<i>will have suitable residential amenity and the ongoing lawful operation of the Lodge Hotel will not be compromised by the proposal;</i>" and</li> <li>• "<i>with the incorporation of specific building constructions, the noise from all sources at the Hotel will achieve the Environment Protection (Noise) Policy</i></li> </ul>

	<i>2007 and the noise from music will achieve the EPA Guidelines – Music noise from indoor venues and the South Australian Planning System – July 2015, within the proposed residences.”</i>
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## 9. REFERRALS – STATUTORY

There were no statutory referrals under Schedule 8 of the Development Regulations 2008

## 10. REFERRALS – INTERNAL

DIVISION	COMMENT
Urban Policy	There are no strategic issues with what is proposed. Carpark assessment does not reference the Development Plan Table Sal/2 carparking for the hotel.
Development Engineering	The proposed drainage/ site works plan prepared by MQZ is generally satisfactory.

## 11. DEVELOPMENT DATA

Site Characteristics	Guideline	Proposed
Site Area	Not stated	3,640m <sup>2</sup>
Site Dimensions	Not stated	33.2 m x 109.7m <sup>2</sup>
Site Gradient	Not stated	Generally level
Easement	Not applicable	nil
Design Characteristics	Guideline	Proposed
<i>Site Coverage</i>		
Buildings only	Qualitative provision only	Approx. 1200m <sup>2</sup> (33%)
<i>Building Height</i>		
Storeys	Qualitative provision only	Two-storey
<i>Set-backs</i>		
Primary street	Qualitative provision only	6.0m
Secondary street	Qualitative provision only	8.75m ( Dwelling 15 to Frost Road)
Side(s)	Qualitative provision only	1.0m ( dwelling 1 to north property boundary)
Garage / Carport		Carports of dwellings 4, 7, 10 and 13 to side boundary (5.5m overall length)
<i>Boundary Walls</i>		
Length	< 10.0 m	Walls to one side boundary for dwellings 1,2,5,6,8,9,11,12,14 and 15
Height		Two-storey



<i>Private Open Space</i>		
Site Area >250m <sup>2</sup>	20%	Dwellings 14 and 15 have POS > 20%
Site Area <250m <sup>2</sup>	35 m <sup>2</sup> min	41.34m <sup>2</sup> minimum for all dwellings
Dimensions	> 4.0 m	
<i>Car Parking &amp; Access</i>		
Number of parks	1 covered+1 visitor / detached/semidetached dwelling 1 undercover + 0.5 visitor/ group dwelling	1 covered and 1 visitor space provided per dwelling.
Driveway width	6.0m for driveways that service >1 dwelling.	Shared driveways will be 4.82m wide at narrowest point
Garage door width	6.0m or 50% of allotment frontage	Garage/carport doors will be less than the 6.0m or 50% requirement
Access gradient	1 : 5	Complies
<i>Affected Trees</i>		
Significant		n/a
Regulated		n/a
<i>Street Infrastructure</i>		
Crossover	Nil	New crossovers proposed. Existing crossovers made redundant by proposal should be removed and kerb reinstated.
SEP	Nil	None affected by the proposal
Electricity pole	Nil	None affected by the proposal
Telecommunication pit	Nil	None affected by the proposal
Trees	Nil	None affected by the proposal
<i>Flooding</i>	Qualitative provision only	

## 12. ASSESSMENT

Pursuant to Section 35(2) of the *Development Act 1993*, it is recommended that the Panel determine that the proposed development is not seriously at variance with the Salisbury Development Plan, Consolidated 7<sup>th</sup> January 2016. The following reasons are given in support of this recommendation:

- a) The proposed residential development is on the periphery of the Commercial Zone adjacent existing residential development to the west and north of the site;

- b) The proposal will not detrimentally impact on the ongoing operations of the Hotel and other existing uses within the Commercial Zone;
- c) The proposed residential development reinforces the residential character of Francis Road and will provide a buffer from existing hotel operations and the residential development on the northwest side of Francis Road;
- d) The Zone currently supports other forms of residential development within the zone on the southwest side of Frost Road. ( Independent living and serviced accommodation)

### **Assessment**

Detailed assessment of the application has taken place against the relevant provisions of the Salisbury Council Development Plan and is described below under headings.

An extract of the relevant sections and provisions of the Development Plan, Consolidated 7<sup>th</sup> January 2016 is contained within Attachment 6.

The subject land is located within the Commercial Zone.

The Commercial Zone has limited policies that apply for this site. The policies generally support commercial and business uses that minimise adverse impacts on the amenity of the locality.

### ***Zoning and Land Use***

#### ***Commercial Zone***

- Obj 1        A zone accommodating a range of commercial and business land uses.*
- Obj 2        Development that minimises any adverse impacts upon the amenity of the locality within the zone.*
- Obj3        Development that contributes to the desired character of the zone.*

The proposed development, being residential is at odds with Objective 1 and 3 in that it is not commercial or business related and does not contribute to the desired character of the Zone. That said it could be argued the proposed residential development achieves the requirements of Objectives 2 in that the development is adjacent a Commercial /Residential Zone boundary where the character appears mixed in use (residential and commercial) and not in the heart of the Commercial Zone. The proposed development reinforces the residential character of Francis Road and provides a buffer between the hotel's operations and existing residential development on the northwest side of Francis Road, but introduces a new interface between the hotel use and residential use that is not separated by Francis Road, as is currently the case.

Principle of Development Control 1 of the Zone further identifies the following forms of development as being envisaged within the zone;

- PDC1 The following forms of development are envisaged in the zone:*
- bulky goods outlet
  - caravan park within **Precinct 20 Globe Derby Park Commercial**
  - consulting room
  - harness racing associated facilities within **Precinct 20 Globe Derby Park Commercial**
  - light industry
  - motel within **Precinct 20 Globe Derby Park Commercial**
  - motor vehicle related business other than wrecking yard
  - non-residential club
  - office
  - petrol filling station
  - service trade premises
  - shop with a gross leasable area less than 250 square metres (except in **Precinct 20 Globe Derby Park Commercial** where shops should have a gross leasable area 2500 square metres in area, with no single tenancy greater than 1500 square metres in area)
  - store
  - tavern/hotel within **Precinct 20 Globe Derby Park Commercial**
  - warehouse

Residential development is not envisaged within the Commercial Zone.

*PDC 2 Development listed as non-complying is generally inappropriate.*

Under Procedural Matters within the Commercial Zone, a dwelling is deemed a non-complying form of development.

The proposed development is at variance with the above provision. That said, the impact of the proposed development on the function of the zone is not in my opinion fatal and at the lower range given the proposed development is on a zone boundary with existing residential development to the north and west. The proposed residential development is not likely to have a detrimental impact on the ongoing operations of the hotel nor given it's location, impact on other Commercial uses within the Zone.

### ***Interface between land Uses***

General Section "Interface between Land Uses" module

*Obj1 Development located and designed to minimise adverse impact and conflict between land uses.*

*PDC2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.*

The proposed residential development will provide a buffer between existing residential development to the northwest and the operations of the existing hotel. The proposed residential development will not detrimentally impact on the operations of the Hotel as it will incorporate acoustic treatment to protect the residential amenity and enable the continued operation of the hotel. (Refer to discussion under 'Noise').

*PDC3 Development adjacent to a **Residential Zone** should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.*

The proposed residential development will not detrimentally impact on residential properties on the northwest side of Francis Road. Dwelling 1 adjacent existing residential development to the northeast of the site will have minimal impact by way of overshadowing on the adjacent residential development. Side and rear windows on the upper floor will have minimum sill height of 1700mm above the finished floor level ensuring privacy is retained.

*PDC4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.*

*PDC 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.*

The proposed dwellings will incorporate acoustic treatments that reduce the risk of occupiers being detrimentally impacted on by the adjacent hotel's operations and activity in the carpark.

In addition, a landscape strip is proposed adjacent the fence and between the carpark to the hotel.

### **Contamination**

General Section "Hazards – Site Contamination" module:

*PDC 22 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.*

The applicant proposes a residential development over what is currently bitumen carpark associated with the existing Lodge Hotel.

A preliminary site investigation was undertaken by Ms. Lauren Harvey of Tierra Environmental P/L of the past history of the site to determine whether there was a likelihood of contamination on the site that would preclude the site from being developed for residential purposes. The desk top assessment concluded that the likelihood of contaminated fill was low. Contamination from asphalt laid over the land was however possible. (expected to be present sometimes) ( Refer Attachment 3 – Appendix D of the Statement of Effect)

The statement whilst suggesting the risk is low, is not definitive in saying the site is suitable for residential development. The consultant has suggested that there could be minor contamination from the bitumen. I do not believe the level envisaged would be fatal to the application. Given this a condition (reserved matter) is recommended requiring a report from a qualified Environment Engineer be submitted that investigates the level of contamination under the bitumen and provides a management plan for it's removal.



### **Residential Character statement**

Whilst the proposed residential development is to be located within a Commercial Zone and not a Residential Zone, in considering the functional aspects of the proposed development, assessment should also consider the relevant Residential Zone and General Section Objectives and Principles of the Development Plan relating to residential development.

The following extract from the Desired Character Statement for the Residential Zone states that:

*The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations...*

*Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances.*

*Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner. Typically this will involve the amalgamation of sites and will result in development that compliments the prevailing character. A transition in building height will be necessary to ensure issues of overlooking is minimised and solar access maintained.*

*Development will be of a form and scale compatible with adjoining residential development. As part of the increase in residential density there will be an increase in the number of dwellings of two or more storeys. Such development will recognise the proximity of adjoining development and will be designed and sited to maintain the privacy of adjoining dwellings and their private open space areas, and will be designed to integrate with the existing built form (emphasis added).*

The desired character statement does not apply to the subject land as it is in a commercial zone. However, if the proposed development is to be approved, some consideration should be given to the form and density sought in the adjacent residential zone to ensure a level of consistent and compatibility of the Residential/Commercial zone interface.

### ***Density of Development***

Although not in a Residential Zone, the proposal provides an increase in density and an alternate dwelling type as envisaged by the Desired Character Statement. The subject site is located within close proximity to public transport and facilities:

- Public transport routes;  
Main North Road, Frost Road and Clayson Road support public transport routes which are within walking distance of the development site;
- Public open space;  
Brahma Lodge Oval (290 metres) and Cockburn Green (approximately 540 metres) are within walking distance of the subject site;

- Centres:  
Salisbury Town Centre, (approximately 2.8km), Northbri Neighbourhood Centre (approximately 900metres) , Dansie Crescent Neighbourhood Centre (approximately 800metres) and Daphne Street Local Centre (approximately. 1.0km);
- Schools:  
Salisbury Junior Primary School, (approximately 2.5km), Brahma Lodge Junior Primary School ( approximately 1.1 km), Madison Park Junior School (approximately 1.0km) and Thomas More College ( approximately 2.4km).

The proposed dwelling net density will be 41.2 dwellings per hectare which fits within the medium density category as defined in the document entitled “Understanding Residential Densities; A Pictorial Handbook of Adelaide Examples” prepared by the Government of South Australia. Medium density is defined as 34-67 net dwellings per hectare. Based on this definition the proposed development will fall within the low range of the medium density category.

Medium density development in the form of two storey detached, semi-detached and group dwellings is clearly encouraged in the Residential Zone in locations close to public transport routes, public open space and centres. This particular site, whilst not in a Residential Zone, is well serviced as described above. As such, the density proposed is considered to be acceptable. Furthermore the dwelling types proposed are compatible with those envisaged within the adjacent Residential Zone.

### ***Building Height***

The following extract from the Desired Character Statement for the Residential Zone states that:

*Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner (emphasis added).*

There is no building height maximum within the Commercial Zone. Buildings of up to four storeys in height are envisaged in the Residential Zone in appropriate locations. The proposed development is two storey which is considered appropriate and in keeping with existing residential development in the immediate locality.

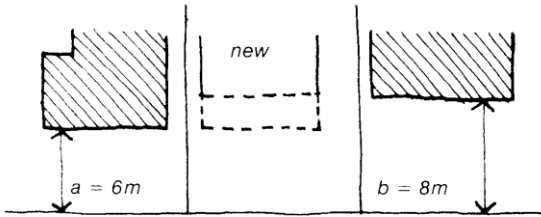
### ***Setbacks***

There are no minimum setback requirements for development within a Commercial Zone.

General Section “Design and Appearance – Building Setbacks from Road Boundaries” module;

Front Setback

- PDC 17    The setback of buildings from public roads should:*  
    *(a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality*  
    *(b) contribute positively to the streetscape character of the locality*  
    *(c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.*
- PDC 18    Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:*

<i>buildings on adjacent allotments</i>	<i>Setback of new building</i>
<i>Up to 2 metres</i>	<i>The same setback as one of the adjacent buildings, as illustrated below:</i>
	
<i>Greater than 2 metres</i>	<i>At least the average setback of the adjacent buildings.</i>

All dwellings to Francis Road will have a minimum setback of 6.0 metres, further back than the recently approved dwellings located northeast of the subject land. The setback of dwelling 15 to the Frost Road property boundary is 6.75metres, a greater setback than the residential flat building on the northwest side of Francis Road opposite the proposed development. Dwelling 15 will be well forward of the existing hotel which is located some 16 metres from the Frost Road property boundary. As Frost Road will be the secondary street to dwelling 15, the proposed setback is deemed acceptable.

The setback of the proposed dwellings to Francis Road enhances the appearance of the development from the street by allowing for landscaping between the building and property boundaries.

General Section “Residential Development –Street and Boundary Setbacks” module:

Side and Rear Setbacks

- PDC 16 Dwellings should be set back from allotment or site boundaries to:*
- (a) contribute to the desired character of the area*
  - (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.*
- PDC 17 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:*
- (a) minimise the visual impact of buildings from adjoining properties*
  - (b) minimise the overshadowing of adjoining properties.*

Dwelling 1, both levels, will be setback 1.0 metre from the northern property boundary. This is at odds with the requirement of PDC 17 which requires the upper level to be set in further to reduce the visual impact of the dwelling from adjoining properties. That said, the length of the wall is not excessive (12.5 metres) and will comprise face brick and texture painted power panel wall and window to provide visual interest. As the proposed dwelling is to the south-west of the existing residential development adjacent the site, the proposal will have negligible overshadowing impact.

Within the site, all dwellings with frontage to Francis Road and dwelling 4 have been designed with a zero setback on one side and at least 1.0 metre on the other side boundary. The built form to Francis Road provides an appearance of a residential development comprising both detached and semi- detached dwellings sympathetic to the existing residential development west and north of the site.

Rear setbacks are consistent with recently approved residential development north of the site.

On balance, the proposed setbacks are considered to be acceptable.

***Design and Appearance***

General Section “Design and Appearance” module

- Obj1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.*
- PDC2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.*
- PDC3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:*
- (a) articulation*
  - (b) colour and detailing*
  - (d) design and placing of windows*
- PDC12 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.*



General Section “Residential Development - Design and Appearance” module

*PDC7 Where a dwelling has direct frontage to a street the dwelling should be designed to provide surveillance and address the street.*

*PDC8 Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.*

The design and appearance of the proposed residential development will introduce a scale and built form to Francis Road that will complement and reinforce the predominant residential character of the street in the immediate locality whilst at the same time not detracting from the commercial nature (hotel) of the remainder of the subject land. The built form to Francis Road will be two- storey and present as detached and semi-detached dwellings.

Individual dwellings will be distinguished through differing form comprising vertical and horizontal elements, street setback, portico entry and window treatments, colours and materials finishes. External materials will be a combination of face brick, rendered texture coated cladding and glass. A low pitched colorbond roof is proposed for each dwelling reducing the perception of visual bulk.

All dwellings with frontage to Francis Road will enable surveillance of the street through windows from both ground and upper levels. Doorways will be clearly identified from Francis Road.

Details of the finishes can be found within Attachment 1 – external elevations

As stated earlier in the report the proposed development has been designed to appear to Francis road as a residential development comprising two storey detached and semidetached dwellings in a form and with finishes that will provide visual interest.

The development is of a high architectural standard reinforcing the residential character of Francis Road. The proposed development introduces a new scale and form of development into the locality that is considered acceptable.

**Noise**General Section “Residential Development - Noise” module:

*PDC 32 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.*

The applicant engaged the services of Jason Turner of Sonus to prepare an Environmental Noise Assessment Report to determine the extent of acoustic treatments required to the proposed dwellings to enable, the continued unimpeded operations of the Hotel and provide a reasonable level of residential amenity within the proposed dwellings.

The Engineer concluded that with the incorporation of specific building constructions, as outlined in the report, the noise from all sources at the hotel will achieve the requirements of the Environment Protection (Noise) Policy 2007 and noise from music will achieve the EPA Guidelines – Music noise from indoor venues and the South Australian Planning System – July 2015. Refer Attachment 3 – Statement of Effect Appendix E

The requirements of the Acoustic report are critical to the mitigation of the interface and it is recommended that these requirements are reinforced by conditions of approval.

### ***Overshadowing***

#### General Section “Residential Development- Overshadowing” module:

*PDC11 Development should ensure that north-facing windows to habitable rooms 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.*

*PDC12 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.*

The proposed development is to the south west of the adjacent existing two-storey residential development. Dwelling 1 of the proposed development is the nearest dwelling and will have minimal detrimental impact (from mid afternoon) by way of overshadowing on Units 1 and 3 of the adjacent residential development. Dwellings 1 and 2 create more overshadowing on their own private open space than the proposed development.

The development generally satisfies the requirements of the above Principles of Development Control.

### ***Visual Privacy***

#### General Section “Residential Development- Visual Privacy ” module;

*PDC29 Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.*

All upper floor side and rear windows to habitable rooms will have a minimum sill height of 1.7m above upper floor level.

The proposal satisfies the requirements of the Principle of Development Control.

**Car Parking**General Section “Residential Development” module:

*PDC39 On-site visitor parking spaces for group and multiple dwellings and residential flat buildings should be sited and designed to:*

- (a) serve users efficiently and safely*
- (b) not dominate internal site layout*
- (c) be clearly defined as visitor spaces not specifically associated with any particular dwelling*
- (d) ensure they are not sited behind locked garages and are accessible to visitors at all times.*

General Section “Transportation and Access” module:

*PDC32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table Sal/2 - Off Street Vehicle Parking Requirements unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:*

- (a) a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the ‘Car Park Fund Areas’ identified on Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area and Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area.*
- (b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.*

Table Sal/2 – Off Street Vehicle Parking Requirements states the number of required car parking spaces for the residential development;

- Detached and semi detached dwellings is;  
*2 spaces per dwelling, 1 of which is covered*
- Group dwelling is:  
*1 space per dwelling, plus 0.5 on-site visitor spaces per dwelling.*

The proposed development will provide two carparking spaces, one covered space and one visitor space per dwelling. Car parking associated with the proposed development complies with the requirements of Table Sal/2.

Table Sal/2 – Off Street Vehicle Parking Requirements states the number of required car parking spaces for the Lodge Hotel:

*Hotel**Public bar*

*1 space per 2 square metres of floor area available to the public*

*Lounge or beer garden*

*1 space per 6 square metres of floor area available to the public*

*Gaming room*

*1 space per 2 machines*

The Lodge Hotel supports a main bar, lounge areas, TAB and sports bar areas, a gaming room, beer gardens, bistro, drive through and bottle shop together with service areas and amenity areas. The number of car parks that would be required to satisfy Table Sal/2 is 186,

compared to the 121 that are proposed to be provided. The carparks will be accessed via the existing driveways. Some alteration to the existing car park is required and as a result of these alterations, 21 additional car parking spaces will be provided for the hotel. The existing hotel carpark layout and the proposed hotel car park layout are provided in Attachment 1.

The applicant engaged the services of Phil Weaver, Consultant Traffic Engineer to review the parking and manoeuvring arrangements of the proposed development and considered whether adequate onsite carparking remained for the Hotel. The report considered the requirements of Table Sal/2 relating to hotels and concluded through surveys conducted during peak trading periods of the hotel that, whilst not complying with the requirements of Table Sal/2, the reduced capacity of the carpark will be more than adequate to meet the peak parking demands of the hotel. The report by Phil Weaver can be found at the end of Attachment 3.

### ***Access and Manoeuvring***

#### General Section “Residential Development – Carparking and Access” module:

- PDC38      Parking areas and internal driveways 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 to manoeuvre between the street and the parking area*
  - (c)    reinforce or contribute to attractive streetscapes.*

Eleven of the fifteen dwellings will have direct vehicle access to Francis Road. Two common driveways are proposed, each servicing two dwellings. The common driveways will have a width of 6.12 metres at the street property boundary narrowing to 4.82 metres before widening to 9.23 metres at the rear of the site to enable vehicles to enter and exit carparking spaces for the rear group dwellings in a forward motion.

Whilst at the narrowest point two way vehicle movement is possible, although extremely difficult, it is more likely passing will occur within the 6.12m metre wide driveway area at the street front.

Council’s Development Engineer has reviewed the car parking layout and has confirmed that this aspect of the development is acceptable. All vehicles are able to enter and exit the site in a forward direction consistent with Principle of Development Control 38.

Phil Weaver, Consultant Traffic Engineer in his report reviewed the parking and manoeuvring arrangements of the proposed development. The consultant concluded that adequate onsite carparking would be provided in a safe manner and the volume of traffic generated by the proposed residential development will not adversely impact on the adjoining road network.

The proposal complies with the requirements of the above Principle of Development Control.



***Private Open Space***General Section “Residential Development-Private Open Space” module:

*PDC24 Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:*

<i>Site area of dwelling</i>	<i>Minimum area of private open space</i>	<i>Provisions</i>
<i>250 square metres or greater</i>	<i>20 per cent of site area</i>	<i>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 living room 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.</i>
<i>Less than 250 square metres</i>	<i>35 square metres</i>	<i>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 living room and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.</i>

All proposed dwellings have access to an area of private open space in the rear yard, directly accessible from the rear living area.

Thirteen of the fifteen dwellings will have site areas less than 250m<sup>2</sup>. All of these dwellings provide open space in excess of the 35m<sup>2</sup> required in the above provision.

The remaining two dwellings will have site areas greater than 250m<sup>2</sup>. Private open space associated with both dwellings exceeds the 20% minimum required by the above provision.

The proposal satisfies the requirements of the above Principle of development Control.

***Site Facilities and Storage***General Section “Residential Development- Site facilities and storage” module:

*PDC28 Site facilities for group dwellings, residential parks and residential flat buildings should include:*

- (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.*

No details have been provided with regards the location of letterboxes facilities. Letterboxes servicing the group dwellings could be provided adjacent the common driveway / Francis Road property boundary.

No details on the plan have been provided regarding on site bicycle parking facilities. Mr Fabian Barone, Planning Consultant has indicated that provision could be made within the garage or under the carports. I agree with this view.

Domestic rubbish bins for each dwelling will be accommodated within the rear yards. The size and dimensions of the rear yard space is sufficient to allow for external clothes drying and will not impact on the usability of the private open space.

The proposed development complies with the requirements of the above Principle of Development Control

### ***Landscaping***

General Section “Landscaping, Fences and Walls” module;

*PDC1 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.*

Landscaping will be provided at the front and rear of the dwellings and on 1 side of the common driveways as detailed in the landscape plan prepared by Yardstick Landscape Services contained in attachment 1. The proposed landscaping will enhance the streetscape appearance and soften the overall appearance of the development.

## **13. CONCLUSION**

The applicant seeks approval to construct fifteen (15) two-storey dwellings with associated carparking independent of the existing Lodge Hotel at 1572-1582 Main North Road, Brahma Lodge. The proposed residential development is non-complying form of development within a Commercial Zone.

This report has provided a detailed assessment of the application against the relevant provisions of the Salisbury Council Development Plan. In summary, the assessment found that:

- a) The residential development whilst non-complying in nature, is an acceptable form of development on the subject site given that it is to be located on the periphery of the Commercial Zone, adjacent residential development and will act as

- a buffer between existing residential development on the north west side of Francis Road and the Hotel and its subsequent operation;
- b) The proposed residential development will not unduly impinge on the lawful operations of the existing Hotel;
- c) Adequate onsite carparking will remain for the Hotel, should the residential development proceed;
- d) Vehicle access to the hotel off Frost Road and the Service Road will be unaffected and adequately service the hotel;
- e) The proposed residential development is in a range of forms that would be clearly envisaged within the adjacent Residential Zone, if located in such zone;
- f) The proposal will constitute medium density in close proximity to public transport routes, public open space, schools and centres;
- g) Each dwelling is provided with sufficient area of private open space;
- h) Adequate on-site car parking will be provided;
- i) Privacy of adjoining dwellings will be achieved by provision of high level windows to habitable rooms;
- j) Overshadowing to adjoining properties north east of the site will be minimal;
- k) Acoustic treatments proposed for the dwellings will enable, the continued unimpeded operations of the hotel and provide a reasonable level of residential amenity within the proposed dwellings.

Accordingly, it is recommended that Development Plan Consent be granted with conditions and Council seek the concurrence of the Development Assessment Commission.

#### 14. STAFF RECOMMENDATION

That the Development Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 7<sup>th</sup> January 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/11/2016/NA for FIFTEEN (15) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL (NON-COMPLYING DEVELOPMENT) in accordance with the plans and details submitted with the application, subject to the concurrence of the Development Assessment Commission and subject to the following conditions:

##### Reserved Matters:

The following matter/s shall be submitted for further assessment and approval by the Manager – Development Services, as delegate of the Development Assessment Panel, as Reserved Matters under Section 33(3) of the Development Act 1993:

- 1. The applicant shall engage a qualified Environmental Engineer to carry out further testing of soil under the existing bitumen hardstand on the subject site to determine the level of contamination that may exist and prepare a management plan for its removal if so required. The report is to be prepared to the reasonable satisfaction of

Council and shall be submitted to Council for approval prior to Development Act 1993 Approval being granted.

Development Plan Consent Conditions

1. The development shall be carried out in accordance with the details submitted with the application and the following approved plans and documents, except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
0901-291-PA01	Locality and perspectives	2.09.2016	Studio Nine Architects
0901-291-PA02	Site Plan	31.10.2016	Studio Nine Architects
0901-291-PA07 Rev A	Car Park Plan	09.11.2016	Studio Nine Architects
0901-291-PA03 Rev.3	Floor Plan	2.09.2016	Studio Nine Architects
0901-291-PA04 Rev.1	External Elevations 1	2.09.2016	Studio Nine Architects
0901-291-PA05 Rev 1	External Elevations 2	2.09.2016	Studio Nine Architects
Not Stated	Amended Traffic and Parking Review	10 November 2016	Phil Weaver and Associates
Not Stated	Statement of Effect and attachments	September 2016	Masterplan
Not Stated	Civil report and details	5 September 2016	MCZ Consulting Engineers
SK01	Landscaping Plan	6 September 2016	Yardstick Landscaping Services P/L
Not Stated	Preliminary Site Investigation	23 August 2016	Tierra Environment
S4882C1	Environmental Noise Report	September 2016	Sonus

*Reason: To ensure the proposal is established in accordance with the submitted plans.*

2. Stormwater systems shall be designed and constructed to cater for minor storm flows (Residential ARI = 5yrs). The design of the stormwater system shall ensure that no stormwater is discharged onto any adjoining land. Surface stormwater is to be managed in a manner that ensures no ponding of water against buildings and structures, no creation of any insanitary condition, and no runoff into neighbouring property for the major storm event ARI = 100 years.

*Reason: To ensure flood protection of the buildings.*



3. All driveways and car parking areas shall be constructed with either brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types. Driveways and carparking areas shall be established prior to the approved use commencing and maintained at all times to the satisfaction of Council.

*Reason: To ensure access and carparking is provided on the site in a manner that maintains and enhances the amenity of the locality.*

4. The remaining carpark of Lodge Hotel, not affected by the proposed development, shall be re-line marked in accordance with the relevant Australian standard, clearly identifying individual carparking bays and driveways. Driveways and carparking areas shall be established prior to the approved use commencing and maintained at all times to the satisfaction of Council.

*Reason: To ensure access and carparking is provided on the site in a manner that maintains and enhances the amenity of the locality.*

5. All construction is to be completed to the reasonable satisfaction of Council. Detailed designs and specifications for all civil works are to be provided to Council for comment prior to construction and no construction is to commence until requirements have been met. Damage sustained to any new or existing infrastructure during the course of the works is to be rectified to Council satisfaction prior to the completion of development works.

*Reason: To ensure that the development complies with Standards, best Engineering Practice and Council Policy.*

6. The proposed development shall incorporate the noise attenuation measures outlined in the Environmental Assessment Report S4882C1 prepared by Jason Turner of Sonus and dated September 2006 submitted with the Statement of Effect.

*Reason: To protect the amenity of future dwelling occupiers.*

7. Prior to Approval being granted, the applicant shall submit a final landscape plan to Council for Approval. The landscaping plan shall provide:

- a) Location of all proposed landscape plantings;
- b) Species of all landscaping to be used;
- c) Landscaped buffer on the hotel side of the new dividing fence (between the hotel and residential development);
- d) A mix of shade trees, shrubs and groundcovers;
- e) An appropriate irrigation system.

Once approved, the designated landscaping areas shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council at all times. All landscaping is to be completed prior to the commencement of use.

*Reason: To ensure the subject land is landscaped so as to enhance the visual and environmental amenity of the locality.*

Advice Notes

1. The applicant shall ensure that any proposed driveway shall be built a minimum of 1m away from any public infrastructure or services and 2.5m away from any Council street tree, otherwise the applicant shall pay for the full cost of relocation of these items. Such works may include but are not limited to light poles, pram ramps and stormwater entry pits.

**CO-ORDINATION**

Officer:	GMCiD	MDS
Date:	09.11.16	04.11.16

**ATTACHMENTS**

This document should be read in conjunction with the following attachments:

1. Proposal Plans
2. Supporting Documentation
3. Statement of Effect and Traffic and Carparking Assessment Report
4. Notice of Category 3 Notification and Representations
5. Applicant's Response to Representations
6. Relevant Development Plan Extracts, Consolidated 7th January 2016

Attachment 1  
Proposal Plans and Elevations







3D View 1



3D View 2



3D View 3

LOCALITY PLAN  
SCALE 1:1000



© 2015. Copyright of these drawings is vested in Studio Nine Architects. All drawings shall be checked on site. Any alterations shall be referred to the Architect for clarification. No other drawings shall have precedence over these drawings.

These drawings shall be used in conjunction with all associated specifications, documents and reports.

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Gungahlin, SA 5087  
Australia

11 Gungahlin Drive  
Gungahlin, SA 5087  
Australia

Salisbury@studio9.net.au  
STUDIO NINE

DATE	PK	DA PLAN	12/2016
SHEET	01	02	08
SHEET NO.	1	TOTAL	1
PROJECT	11	02	08
DATE	12/2016	DATE	12/2016
CHECKED	AS	CHECKED	AS

REV	DATE	REVISION
1	12/2016	REVISION 1: REVISION 1
2	12/2016	REVISION 2: REVISION 2
3	12/2016	REVISION 3: REVISION 3
4	12/2016	REVISION 4: REVISION 4
5	12/2016	REVISION 5: REVISION 5
6	12/2016	REVISION 6: REVISION 6
7	12/2016	REVISION 7: REVISION 7

PRELIMINARY  
DATED 12/2016

PROJECT  
BRAHMA LODGE  
RESIDENTIAL

CNR FRANCIS RD & FROST RD - BRAHMA LODGE

CLIENT  
INDEPENDENT PLS GROUP  
521 BAYVIEW RD - MINGALL

DRAWING TITLE  
LOCALITY &  
PERSPECTIVES

DRAWING NUMBER  
09/1.201.01.01

REVISION  
1



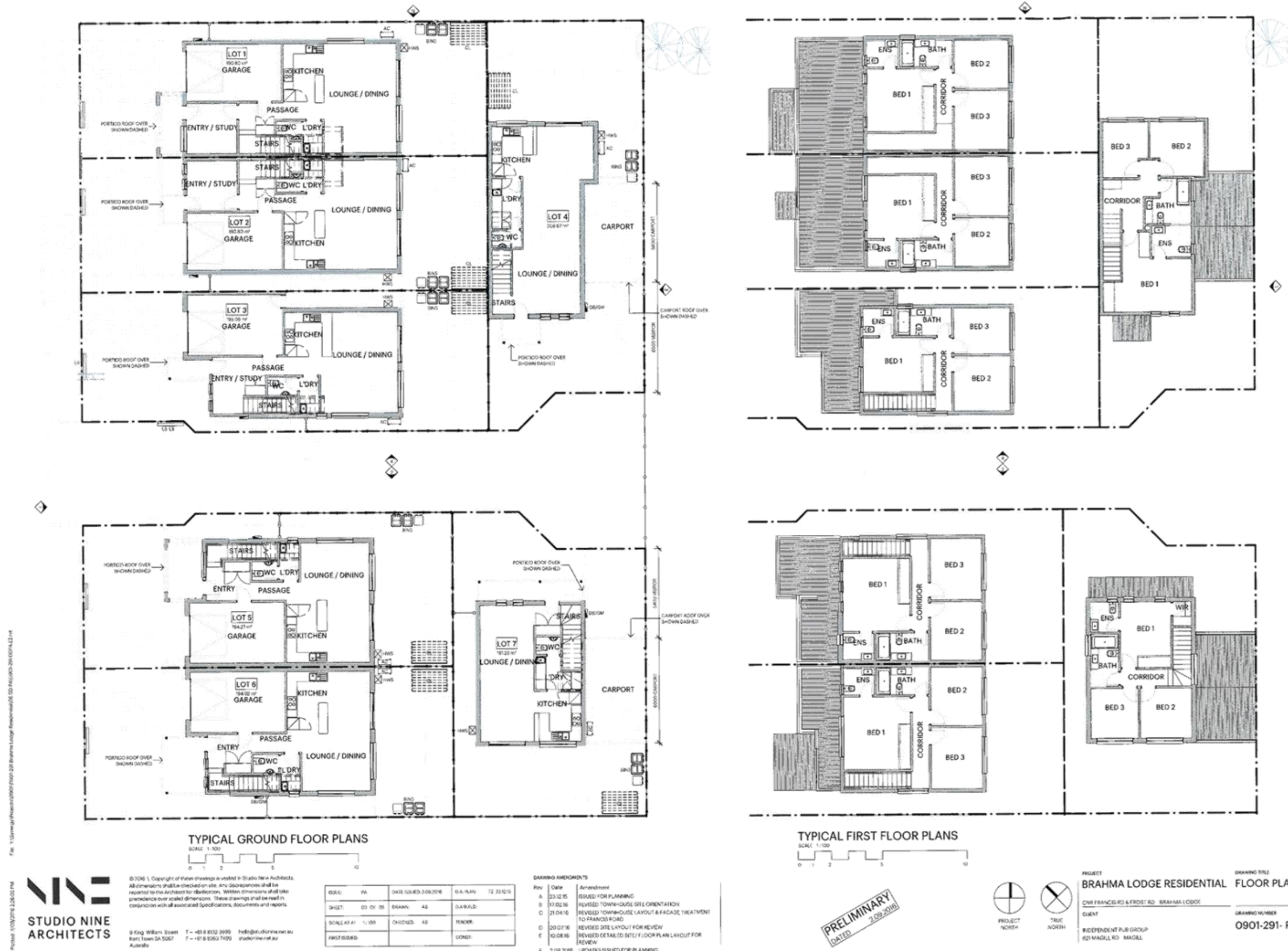
























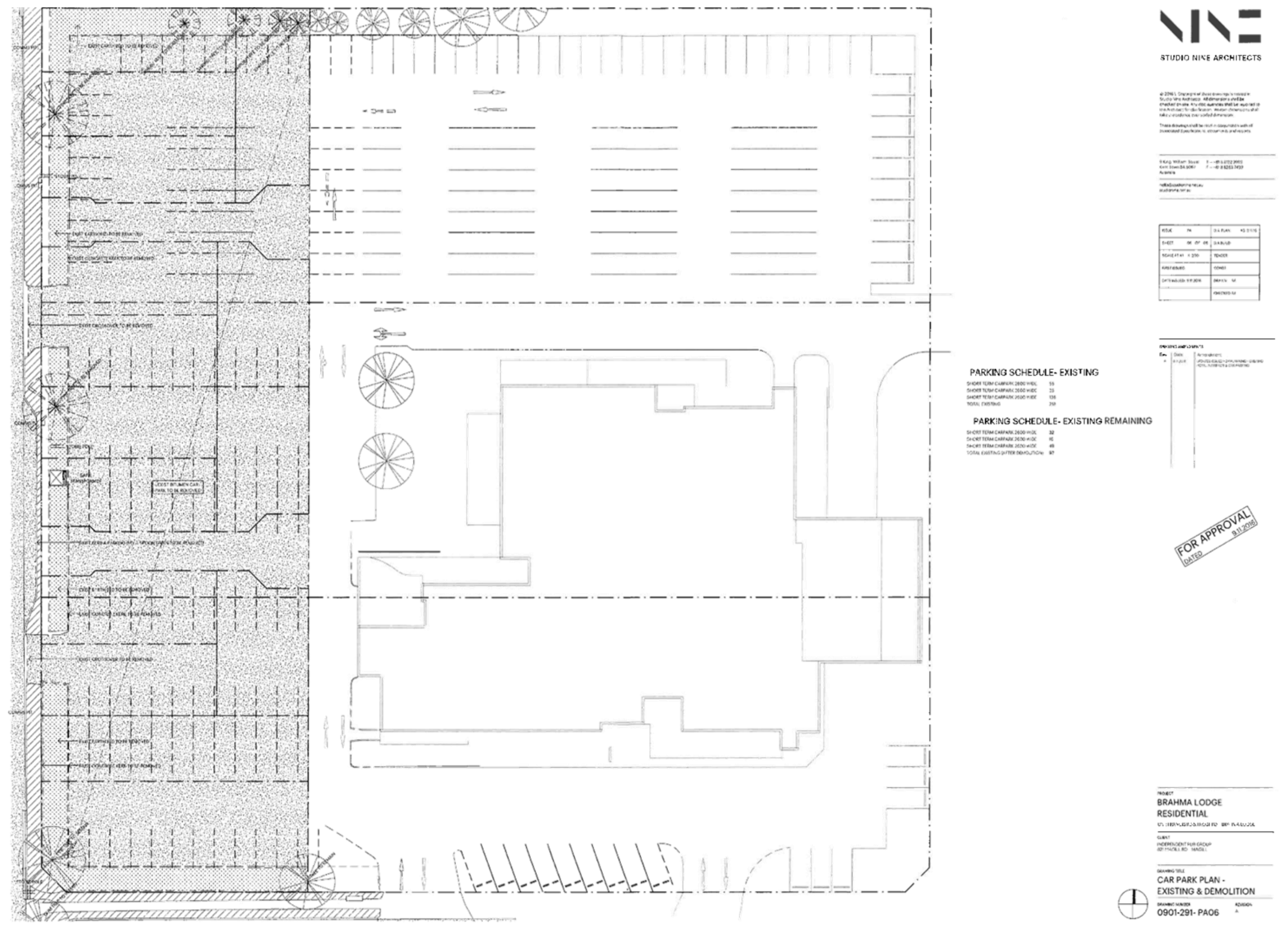












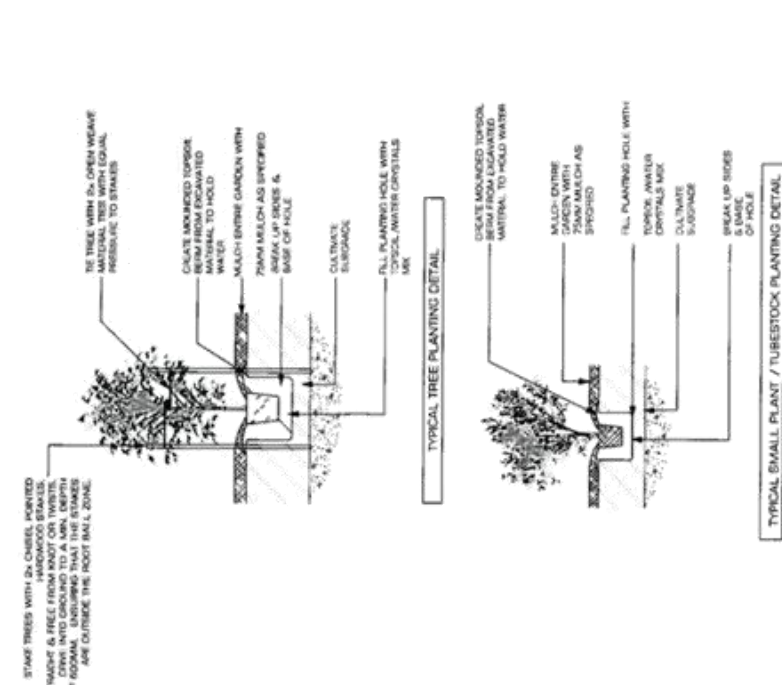


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DATE	DAY	MONTH	YEAR
11/01/2012			
<b>BRAHMA LODGE RESIDENTIAL</b> 4018 BRUCE STREET, BENDIGO VIC 3486 18-659			
DATE	DAY	MONTH	YEAR
11/01/2012			
<b>INDEPENDANT PUB GROUP</b> 4018 BRUCE STREET, BENDIGO VIC 3486 18-659			
DATE	DAY	MONTH	YEAR
11/01/2012			
<b>LOTS 1-10</b> 4018 BRUCE STREET, BENDIGO VIC 3486 18-659			
DATE	DAY	MONTH	YEAR
11/01/2012			
<b>YABOSK LANDSCAPE SERVICES PTY LTD</b> 4018 BRUCE STREET, BENDIGO VIC 3486 18-659			







1. IRRIGATION:  
AUTOMATIC IN-LINE DRIPPER SYSTEM BENEATH MULCH TO SATURE BEDS WITH VACUUM RELEASE AND FLUSHING VALVES FITTED.  
AUTOMATIC CONTROL VALVES TO BE FITTED WHERE APPROPRIATE.  
IRRIGATION SYSTEM TO BE COMPLETED BY 15/05/2007.  
SUGGESTED IRRIGATION DESIGNERS AND SUPPLIER: WATERPROOF, 25 KING WILLIAM STREET, KENT TOWN, SA 9007  
ALLOW 2 WEEKS FOR PLANNING
2. SUB-SURFACE HANDLED JOS COPPER SHIELD DRIP LINE TO LAMNED AREAS WITH VACUUM RELEASE, AND FLUSHING DEVICES FITTED.  
ALLOW 2 WEEKS FOR PLANNING
3. MULCH:  
WITH EFFERES FOREST MULCH OR SIMILAR TO A DEPTH OF 70mm BAKED TO AN EVEN SURFACE. KEEP CLEAN OF PLANT STEMS AND CROWN. KEEP MULCH LAYER 20mm BELOW FINISHED FAVE LEVEL.
4. PLANTING:  
PLANTING TO BE DONE USING RELEASE FERTILISERS AND WATER TONING POLYMER CRYSTALS AS PER MANUFACTURERS' INSTRUCTIONS
5. SOIL MOVEMENT:  
SOIL TO BE MOVED TO A DEPTH OF 100mm TO 150mm TO BE FITTED WITH ORGANIC COMPOST AT A RATE OF 1 CUBIC METER PER 20 SQUARE METERS AND DRYSPILLUM AT A RATE OF 1KG PER SQUARE METER. LAY THE COMPOST 100mm DEEP OVER THE SOIL AND BROADCAST THE CRYSTAL OVER THIS. INTERGRATE IN TO THE SOIL TO A DEPTH OF 50mm.

- Creating a garden design inspired by
- All elements and trends to be drawn on site. Any discrepancies to be marked to designer.
- Owner/consultant to take responsibility for scaled dimensions.
- Design to be read in conjunction with all content of plans, specifications, statements and reports.
- Please note that this is a working drawing.
- Dimensions are given in metric units only. Note correspondence of scaled pricing units or style.
- Dimensions to include: gardens, of various types for construction.
- Changes and extra's to be agreed and constructed by relevant professionals, namely with holding cost.
- All drawings to be kept on file and constructed by relevant professionals, namely with holding cost.

© COPYRIGHT WARDLECK LANDSCAPE SERVICES PTY LTD 2010



DATE	DATE	TIME
<b>BRAHMA LODGE RESIDENTIAL</b>		
<b>CNR FRANCIS AND FROST ROUNDS</b>		
ADDRESS	LOT	PRICE
INDEPENDENT PUB GROUP	LOTS 11-15	16-659
ACRES	SQ FT	02
1.78	76,800	2
SCALE @ A1	1.78	76,800

VANOSTOCK LANDSCAPE SERVICES PVT LTD  
 27 Portland Road, Pretoria 0001, South Africa  
 Tel: +27 (0)11 447 4444 Fax: +27 (0)11 447 4445  
[www.vanostock.co.za](http://www.vanostock.co.za) E-mail: [info@vanostock.co.za](mailto:info@vanostock.co.za)



Attachment 2  
Supporting Documentation

# CITY OF SALISBURY DEVELOPMENT APPLICATION FORM



361/ 11 /2016/NA

Please use BLOCK LETTERS and Black or Blue Ink

<b>APPLICANT NAME:</b> STUDIO NINE ARCHITECTS			
<b>POSTAL ADDRESS:</b> LVL 1, 9 KING WILLIAM STREET KENT TOWN, SA 5067			
<b>OWNER NAME: (This must be completed)</b>		BLUE SKY HOTEL ASSETS PTY LTD	<input type="checkbox"/> as above
<b>OWNER POSTAL ADDRESS:</b>		621 MAGILL ROAD MAGILL, SA 5072	<input type="checkbox"/> as above
<b>OWNER PHONE NO:</b>	<b>OWNER FAX NO:</b>	<b>OWNER EMAIL:</b>	
<b>CONTACT PERSON FOR FURTHER INFORMATION</b> <input type="checkbox"/> as above			
<b>NAME:</b> AARON SCHINTLER C/O STUDIO NINE ARCHITECTS		<b>TELEPHONE (W):</b> 08 8132 3999 <b>(M):</b>	
<b>EMAIL:</b> aaron@studionine.net.au		<b>FAX:</b>	
<b>BUILDER NAME:</b> TBA		<b>BUILDERS EMAIL:</b>	
<b>BUILDER POSTAL ADDRESS:</b>		<b>CONTACT NO.:</b> <b>LICENCE NO.:</b>	
<b>CURRENT USE OF PROPERTY:</b>			
<b>DESCRIPTION OF PROPOSAL:</b>		<b>DEVELOPMENT COST</b>	
<del>18 RESIDENTIAL DWELLINGS &amp; ASSOCIATED WORKS</del> <del>- CLASS 1 &amp; 10 STRUCTURES.</del> INDEPENDENT OF EXISTING HOTEL NON-COMPLYING		\$ 2,500,000	
<b>LOCATION OF PROPOSAL</b>			
<b>Street No:</b>	<b>Street:</b> FRANCIS ROAD	<b>Suburb:</b> BRAHMA LODGE	
<b>Lot No:</b> 245, 260, 261	<b>Section:</b> 4276/032 2200	<b>Plan:</b> 6620	<b>Volume:</b> 5145 5145 5743
		<b>Folio:</b> 150 76 407	
<b>OFFICE USE ONLY</b>			
<b>Registration Date:</b> 5 / 1 / 2016	<b>Zone:</b> C	<b>Ward:</b> Central	
<b>BUILDING RULES CLASSIFICATION</b>			
<b>Classification sought:</b> CLASS 1 & 10			
If Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees			<b>Male:</b> <b>Female:</b>
If Class 9a classification is sought, state the number of persons for whom accommodation is provided:			
If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:			

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations, 1993. Developments requiring public notification will be made available to the public for comment via Council's web site at [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

**SIGNATURE:** **DATE:** 04 / 01 / 2016



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

**To:** SA POWER NETWORKS

**From:** STUDIO NINE ARCHITECTS

**Date of Application:** 04 / 01 / 2016

**Location of Proposed Development:** .....

House No: ..... Lot No: ..... Street: 245, 260, 261 FRANCIS ROAD Town/Suburb BRAHMA LODGE

Section No (full/part): 4276/632 Hundred: BRAHMA LODGE

Volume: 5145..... Folio: 150.....

**Nature of Proposed Development:**

I AARON SCHINTLER REPRESENTING STUDIO NINE ARCHITECTS .....being the ~~applicant~~  
a person acting on behalf of the applicant (delete the inapplicable statement) for  
the development described above declare that the proposed development will  
involve the construction of a building which would, if constructed in accordance  
with the plans submitted, not be contrary to the regulations prescribed for the  
purposes of section 86 of the *Electricity Act 1996*. I make this declaration under  
clause 2A(1) of Schedule 5 of the *Development Regulations 2008*.

**Date:** 04 / 01 / 2016

**Signed:**  .....

**Note 1**

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

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

**Note 2**

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

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

**Note 3**

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

**Note 4**

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

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

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

**Note 5**

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

**Note 6**

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

PLN/06/0024



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:45AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004269
Cost	\$27.75

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



Registrar-General

## Certificate of Title - Volume 5743 Folio 407

Parent Title(s) CT 5145/149  
Dealing(s) TG 8809363  
Creating Title  
Title Issued 14/03/2000  
Edition 4  
Edition Issued 14/10/2015



## Estate Type

FEE SIMPLE

## Registered Proprietor

BLUE SKY HOTEL ASSETS PTY. LTD. (ACN: 606 696 191)  
OF L 46 111 EAGLE STREET BRISBANE QLD 4000

## Description of Land

ALLOTMENT 260 DEPOSITED PLAN 6620  
IN THE AREA NAMED BRAHMA LODGE  
HUNDRED OF YATALA

## Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A TO ETSA UTILITIES PTY. LTD. (TG 8809363)

## Schedule of Dealings

Dealing Number	Description
12394009	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL



Product	Register Search
Date/Time	01/08/2016 11:45AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004269
Cost	\$27.75

## NIL

NIL

NIL

\* Denotes the dealing has been re-lodged.

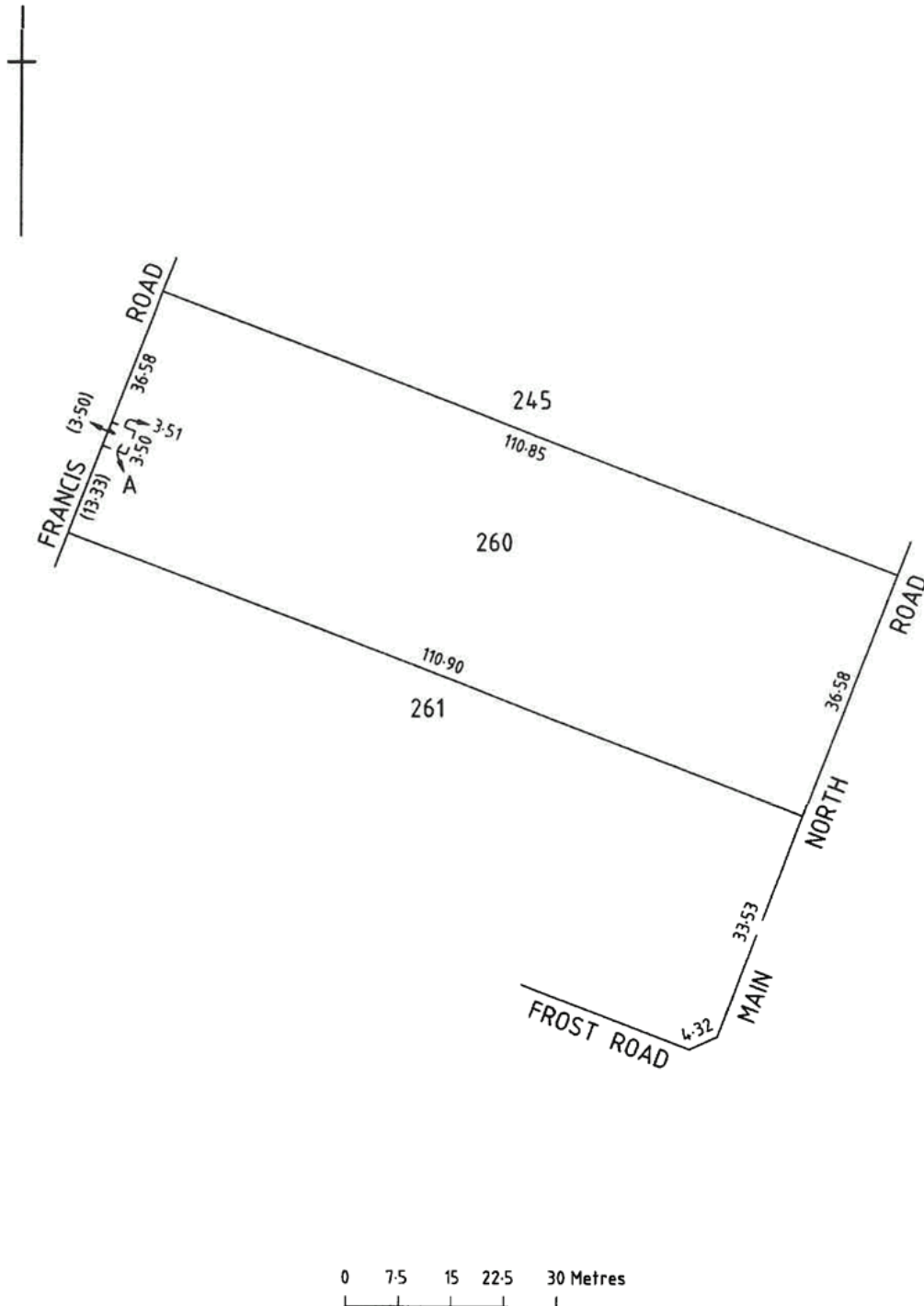




Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product  
Date/Time  
Customer Reference  
Order ID  
Cost

Register Search  
01/08/2016 11:45AM  
AIQ 17 002.01  
20160801004269  
\$27.75





Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:39AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004121
Cost	\$27.75

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



Registrar-General

## Certificate of Title - Volume 5145 Folio 150

Parent Title(s) CT 4276/632  
Dealing(s) CONVERTED TITLE  
Creating Title  
Title Issued 23/09/1993  
Edition 8  
Edition Issued 14/10/2015

REAL PROPERTY ACT, 1886



South Australia

## Estate Type

FEE SIMPLE

## Registered Proprietor

BLUE SKY HOTEL ASSETS PTY. LTD. (ACN: 606 696 191)  
OF L 46 111 EAGLE STREET BRISBANE QLD 4000

## Description of Land

ALLOTMENT 245 DEPOSITED PLAN 6620  
IN THE AREA NAMED BRAHMA LODGE  
HUNDRED OF YATALA

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
12394009	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

<b>Product</b>	Register Search
<b>Date/Time</b>	01/08/2016 11:39AM
<b>Customer Reference</b>	AIQ 17 002.01
<b>Order ID</b>	20160801004121
<b>Cost</b>	\$27.75

#### Notations on Plan

NIL

#### Registrar-General's Notes

NIL

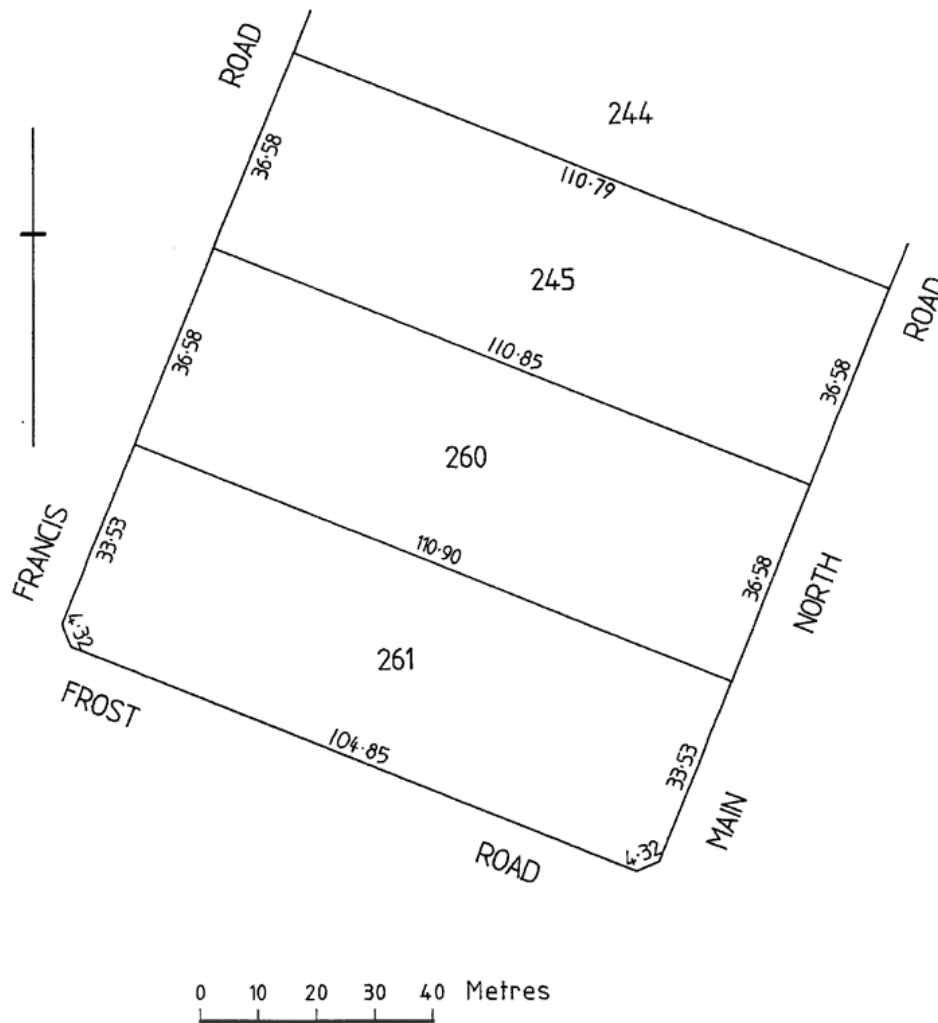
#### Administrative Interests

NIL

\* Denotes the dealing has been re-lodged.



Register Search  
01/08/2016 11:39AM  
AIQ 17 002.01  
20160801004121  
\$27.75







Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:47AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004326
Cost	\$27.75

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



Registrar-General

## Certificate of Title - Volume 5145 Folio 76

Parent Title(s) CT 4276/634  
Dealing(s) CONVERTED TITLE  
Creating Title  
Title Issued 23/09/1993  
Edition 8  
Edition Issued 14/10/2015



## Estate Type

FEE SIMPLE

## Registered Proprietor

BLUE SKY HOTEL ASSETS PTY. LTD. (ACN: 606 696 191)  
OF L 46 111 EAGLE STREET BRISBANE QLD 4000

## Description of Land

ALLOTMENT 261 DEPOSITED PLAN 6620  
IN THE AREA NAMED BRAHMA LODGE  
HUNDRED OF YATALA

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
12394009	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL

City of Salisbury





16 May 2016

Mr George Pantelos  
Principal Planner – Development Services  
City of Salisbury  
PO Box 8  
SALISBURY SA 5108

Dear George

Re: Development Application 361/11/2016

We act for GM Hotels in relation to the above matter.

Our client recently applied to the City of Salisbury (the 'Council') via their Architects, Studio Nine, for Development Plan Consent to construct 18 two storey dwellings over a portion of the car park associated with their Hotel on the north-western corner of the intersection between Frost and Main North Roads.

They have since asked us to supply the Council with a brief statement in support of their proposal which satisfies Regulation 17, Subregulation (1) of the *Development Regulations 2008* (the '*Regulations*').

In preparing this brief statement, we have:

- inspected the land and its surroundings;
- identified and reviewed what we consider to be the relevant provisions of the Salisbury Council Development Plan (the 'Development Plan');
- examined the certificates of title;
- examined the plans, elevations and perspectives that were officially lodged with the Council on Tuesday, 2 February 2016; and
- had regard to the traffic and parking assessment carried out by Mr Weaver.

This brief statement describes the land, its surroundings and the proposal before going on to outline the merits associated with the latter.

<b>SOUTH AUSTRALIA</b>	<b>NORTHERN TERRITORY</b>
33 Carrington Street	Unit 33, 16 Charlton Court
Adelaide, 5000	Woolner, 0820
P (08) 8193 5600	P (08) 8942 2600
masterplan.com.au	ISO 9001:2008 Certified

ABN 30 007 755 277  
14943SIS01





### **The Land**

The land is bounded by 16 two storey dwellings to the north, a service road which runs parallel with the northbound lanes on Main North Road to the east, Frost Road to the south and Francis Road to the west.

The land consists of three contiguous allotments which combine to produce a predominantly rectangular holding with an area of 12,159 square metres or thereabouts.

The land is presently anchored by the Lodge Hotel and a drive through bottle shop, both of which are orientated to Frost Road. The Hotel is flanked on its northern, southern and western sides by a sealed and line marked car park which, according to Mr Weaver, contains a total of 218 spaces.

The car park is presently accessible via five crossovers, two to Francis Road, two to Frost Road and one to the service road which runs parallel with the northbound lanes on Main North Road.

### **The Site**

The site of the proposed development (the 'site') runs parallel with the western boundary of the land, and stretches from the northern boundary of the land to the southern boundary of the land.

The site also extends approximately 33.2 metres inwards from the western boundary of the land and accounts for approximately 30.0 percent of the overall area of the land.

The site is presently used as a car park and contains 120 of the 218 spaces associated with the Hotel.

Although the certificates of title indicate that there is an easement on the western boundary of the site, approximately halfway between the northern and southern boundaries of the site, we are extremely confident that this easement will not impede the proposal in any way, shape or form.

There are no regulated or significant trees for our client to contend with either.



### The Locality

Whilst inspecting the land and its surroundings, we noticed, amongst other things, that:

- there are four, two storey detached dwellings and 12 two storey group dwellings on the northern side of the land;
- two of the aforementioned detached dwellings are orientated to, and appear to be set-back approximately 5.0 metres from, Frost Road;
- the Hotel car park is separated from the two storey dwellings on the northern side of the land by a 2.5 metre wide garden bed which features a handful of randomly planted trees and bushes;
- there is a two storey residential flat building containing four dwellings on the north-western corner of the T – junction between Frost and Francis Roads;
- there are five single storey detached dwellings on the western side of Francis Road between Lynne Street to the north and the aforementioned residential flat building to the south;
- the closest commercial premises on the eastern side of Main North Road are located approximately 75.0 metres to the east of the eastern boundary of the land, and are partially shielded from view by three rather large medians;
- there is a manufacturing premises containing two large warehouses approximately 35.0 metres to the north of the land;
- there are two offices and a consulting room on the south-western corner of the intersection between Frost and Main North Roads; and
- there is a retirement village on the southern side of Frost Road which contains a nursing home and several independent living units.

The land, in relation to its immediate surroundings, is captured on Drawing 0901 – 291 – SK01, Revision C.

### The Proposal

Our client seeks Development Plan Consent from the Council to construct two, two storey group dwellings, two, two storey residential flat buildings, each of which will contain two dwellings, and four, two storey residential flat buildings, each of which will contain three dwellings.

The particulars of our client's proposal are captured across the compendium of plans, elevations and perspectives assembled by Studio Nine. They are also disclosed overleaf.



#### *Land Use*

Due to a recent judgement handed down in the Environment, Resources and Development Court and the fact that a plan of division has not yet been lodged with, or approved by, the Council, it is our view that the proposal involves two, two storey group dwellings and six, two storey residential flat buildings.

#### *Dwelling Density*

The gross density of this development equates to 49.4 dwellings per hectare, and the average site area per dwelling equates to 202.4 square metres.

#### *Dwelling Mix*

All of the dwellings will contain three rooms that are capable of being used as bedrooms. The prospective occupants will therefore have the choice of using all three rooms as bedrooms or two of the rooms as bedrooms and the remaining room as a study.

#### *Dwelling Size*

The dwellings will range in size from 111.8 square metres to 149.0 square metres.

#### *Setbacks*

The dwellings will be set-back between 1.0 metre and 4.0 metres from the northern boundary of the site, 3.0 metres from the eastern boundary of the site, between 1.0 metre and 4.0 metres from the southern boundary of the site, and between 3.8 metres and 6.0 metres from the western boundary of the site.

#### *Private Open Space*

The amount of private open space assigned to each dwelling will range from 39.0 square metres to 40.1 square metres.

#### *Building Height*

The dwellings will range from 7.3 metres to 7.5 metres in height due to the gentle slope of the site.



### *External Materials*

The palette of materials selected by our client includes:

- exposed bricks;
- rendered bricks;
- expressed fibre cement sheets;
- hebel power panels;
- tongue and groove timber panels;
- powder coated steel; and
- clear glass.

### *Noise*

In order to minimise the effects of noise from the Hotel and the adjacent car park to the east, our client has commissioned Studio Nine to:

- locate all three of the bedrooms on the first floor level of each dwelling;
- provide each dwelling with thickened glass and insulation to the point where they comfortably satisfy the minimum requirements of the National Construction Code; and
- include a powder coated steel fence along the western boundary of the site for its entire length.

Indeed, the first and third measures should also minimise the effects of the glare generated by the headlights of those cars being driven by patrons of the Hotel and bottle shop.

### *Access*

By rotating all four of the two storey residential flat buildings which will contain three dwellings inwards, our client has managed to limit the number of crossovers to Francis Road to seven.

This is a good outcome insofar as it will continue to allow as many as 13 cars to be parked in front of the site without sacrificing the development's overall presentation to Francis Road. It will also negate the need for our client to remove trees from the verge and to relocate stobie poles.

The two, two storey group dwellings and those dwellings which form part of the four centrally located residential flat buildings will be accessible via a common driveway.





The dwellings which form part of the residential flat buildings at the northern and southern ends of the site will be accessible via their very own crossover to Francis Road.

#### *Car Parking*

Those dwellings orientated to Francis Road will come equipped with a single car garage and a paved driveway that is capable of accommodating another parked car.

Those dwellings orientated to a common driveway will come equipped with either a single car garage or carport and a paved driveway that is also capable of accommodating another parked car.

#### *Bicycle Parking*

There will be sufficient room within each garage and carport for at least one bicycle to be stored in a secure and convenient manner.

#### *Stormwater*

All of the dwellings will come equipped with a 1,000 litre stormwater tank despite the fact that the proposal will actually reduce the extent of impervious surfaces within the confines of the site.

Stormwater captured by the tanks will be diverted to cold taps, and any excess will be discharged at an appropriate rate to the Council's existing stormwater network via Francis Road.

#### *Waste*

The service courtyards belonging to each dwelling will be large enough to accommodate three plastic bins, one for general waste, one for recyclables and one for organic matter.

All of the bins will need to be wheeled to the kerb by the prospective occupants on the appropriate days so that the Northern Adelaide Waste Management Authority can collect them as part of the kerbside collection service presently offered by the Council to its ratepayers.

#### *Landscaping*

The common property and curtilage of each dwelling will be neatly landscaped with a suitable selection of trees, shrubs and grasses. Whilst the extent of landscaping proposed is shown on Drawing 0901 – 291 – SK02, Revision C, the exact species have not yet been chosen by our client.

Be that as it may, it is important for the Council to note that our client always takes into account each species' suitability to local conditions, sustainability with minimal supplementary irrigation, growth rate, spread characteristics, propensity to drop leaves and aesthetic qualities.



### *The Relevant Development Plan*

The relevant Development Plan for procedural and assessment purposes was gazetted and subsequently consolidated on Thursday, 7 January 2016.

The site, under this Development Plan, is situated at the periphery of a Commercial Zone. As a consequence, the northern boundary of the site abuts a Residential Zone and the western boundary of the site lies adjacent to the same Residential Zone.

According to the Procedural Matters Section of the Commercial Zone, group dwellings and residential flat buildings are both non-complying forms of development.

### *The Merits*

We have concluded from our brief but balanced assessment of the proposal that it is worthy of further consideration by the Council because:

- it will not erode any envisaged uses from the Commercial Zone;
- it will not prejudice the continuing operations of the Hotel or drive through bottle shop;
- it will lessen the impacts at the interface of the two Zones by replacing part of a commercial car park with a rather benign use that is expressly contemplated and encouraged in the adjacent Residential Zone to the north and to the west of the land;
- the proposed use represents a far better outcome for the interface between the two Zones, especially when one compares it to some of the other uses that are expressly contemplated on this parcel of land, such a bulky goods outlet, a petrol filling station or light industry;
- it makes the most of land that is considered to be surplus to the Hotel's future requirements, and caters for young couples and families who meet the eligibility criteria for 'affordable housing;'
- group dwellings and residential flat buildings are envisaged to the north of the land and on the opposite side of Francis Road, particularly if they are 'affordable;'
- the distance between the western-most dwellings and Francis Road is commensurate with, and complementary to, the distance between the two, two storey detached dwellings on the northern side of the land and Francis Road, and will allow for the provision of landscaping which helps to soften the built form whilst improving the level of amenity presently experienced by the residents from across the road;
- the western-most dwellings which have been orientated internally to the common driveways are still designed to address Francis Road;



- the dwellings have been orientated and designed to minimise the effects of noise and glare, and to provide opportunities for passive surveillance over the Hotel car park and Francis Road;
- the dwellings have been carefully designed to ensure that each façade will be expressive but not overpowering (the use of contemporary building materials and the application of complementary colour tones will greatly assist in this regard);
- neither the habitable room windows nor the private open spaces associated with the two storey dwellings on the northern side of the land will be overlooked, as the sills of the upper level windows on the northern side of the dwellings at the northern end of the site will be positioned 1.7 metres above the finished floor level;
- the shadows cast by these dwellings will not reach the habitable room windows or private open spaces associated with the two storey dwellings on the northern side of the land or the single storey dwellings on the western side of Francis Road;
- there will be enough room leftover within the confines of each allotment for paths to be laid, cars to be parked, domestic goods to be stored, clothes to be dried, stormwater tanks to be installed, functional pockets of private open space to be created and three plastic bins to be provided;
- the amount of private open space assigned to each dwelling exceeds the minimum quantitative guideline (35.0 square metres) prescribed under Principle 24 of the 'Residential Development' Module of the Development Plan;
- each dwelling will come equipped with two on-site spaces (one of which will be covered) which means that there will be a total of 36 on-site spaces despite the fact that Table Sal/2 of the Development Plan only calls for 27 on-site spaces to be provided;
- even though this development will reduce the number of spaces associated with the Hotel from 218 to 98, the survey recently undertaken by Mr Weaver indicates that there should still be a surplus of 22 spaces when the Hotel's patronage peaks;
- by limiting the number of new crossovers to Francis Road to seven, as many as 13 cars will continue to be able to be parked on the western side of the site;
- the volume of traffic associated with this development (approximately 12 trips per hour) is not expected to have an adverse impact on the surrounding road network;
- this development will reduce the extent of impervious surfaces within the confines of the site;
- surplus stormwater will be discharged in a clean state and at an appropriate rate to the Council's existing stormwater network via Francis Road;
- waste will be stored and disposed of in an environmentally sound manner;



- none of the trees within the verge on the eastern side of Francis Road will need to be cleared to make way for the new crossovers; and
- no retaining will be required to support the earthworks associated with this development.

Should you wish to discuss any aspect of this matter in more detail, please do not hesitate to contact the undersigned by phone (0413 832 607) or email (fabianb@masterplan.com.au).

Yours sincerely

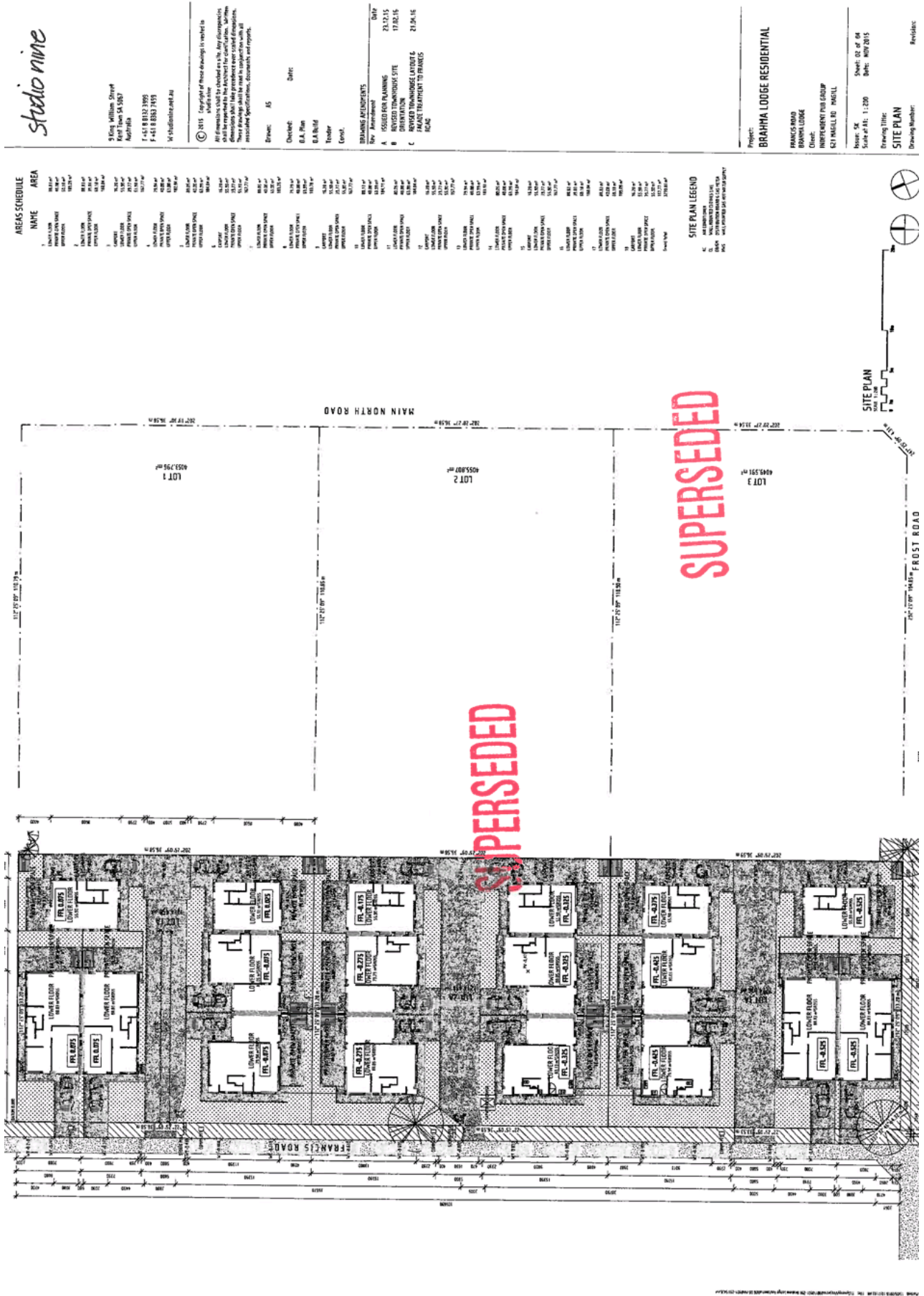
Fabian Barone  
MasterPlan SA Pty Ltd

enc: Plans, Elevations and Perspectives.  
Traffic and Parking Assessment.  
cc: GM Hotels – Mr Greg Maitland.  
Studio Nine Architects – Mr Tony Zappia.



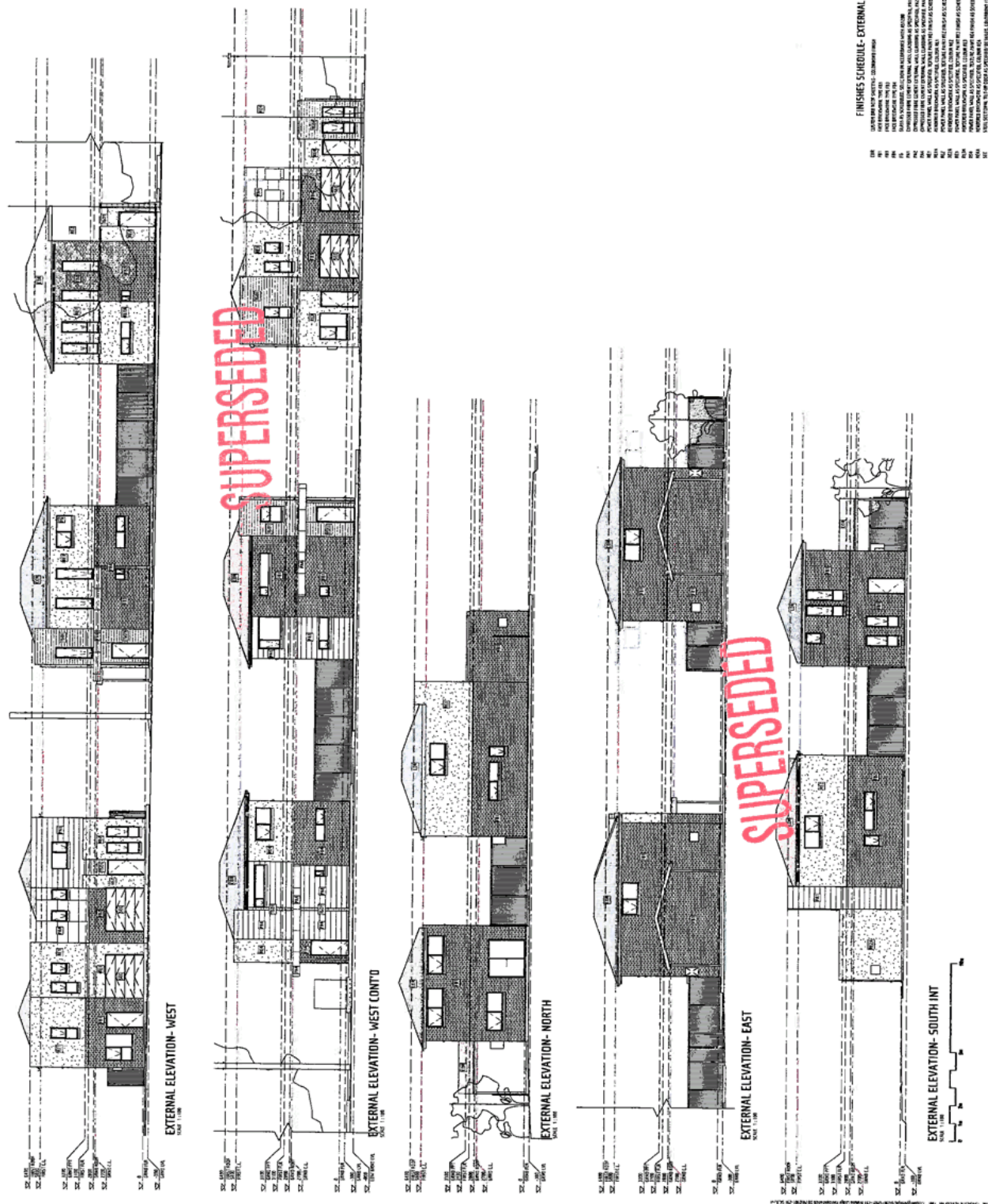


# 5.1.2 Supporting Documentation













Consultant Traffic Engineers  
ABN 67 093 665 680  
204 Young Street  
Unley SA 5061  
P: 08 8271 5999  
F: 08 8271 5866  
E: mail@philweaver.com.au

File: 012-16

13 May 2016

Mr Aaron Schintler  
Studio Nine  
9 King William Street  
KENT TOWN SA 5067

**SUPERSEDED**

Dear Mr Schintler,

**PROPOSED RESIDENTIAL DEVELOPMENT - THE LODGE HOTEL, 1572 MAIN NORTH ROAD, BRAHMA LODGE - TRAFFIC AND PARKING ASSESSMENT**

I refer to our previous discussions relating to the proposed construction of 18 dwellings on a parcel of land that is also occupied by The Lodge Hotel.

As requested, I have undertaken the following review of the traffic and parking related aspects of the subject development.

**EXISTING SITUATION**

The hotel site is located on the north-western corner of the intersection of Main North Road with Frost Road, Brahma Lodge.

The hotel site currently accommodates The Lodge Hotel, which incorporates a drive through bottle shop (Cellarbrations) and an on-site car parking area providing 218 spaces.

The site is bounded on three sides by existing roads, namely:-

- Francis Road to the west,
- Frost Road to the south, and
- The service road of Main North Road to the immediate east of the hotel.

There are five existing access points into the site, including:-

- Two access points off Francis Road, approximately 7.5m and 6m wide. These access points are located approximately 34m and 76m from the northern boundary of the site, respectively,

- Two access points off Frost Road, approximately 10m and 8m in width. These access points are located approximately 58m and 25m from the eastern boundary of the site, respectively, and
- A single access point off the service road of Main North Road, approximately 7m wide and located approximately 35m from the northern boundary of the site.

The intersection of Main North Road, Frost Road and Clayson Road is controlled by traffic signals.

Main North Road, in the vicinity of the hotel, provides two traffic lanes in each direction separated by a central median. A service road is located on the western side of Main North Road, directly adjacent to the subject site.

Frost Road, adjacent to the hotel, provides two traffic lanes in each direction. A right turn lane is provided for traffic turning from Frost Road onto Main North Road.

Francis Road has a kerb to kerb width of approximately 9m. There are no parking restrictions on either side of this roadway in the vicinity of the site.

Details of traffic volumes on Main North Road have been obtained from the Department of Planning, Transport and Infrastructure, (DPTI). From a traffic count undertaken at the intersection of Main North Road with Frost Road and Clayson Road, Salisbury East, on 14<sup>th</sup> April 2016, it is identified that the two-way Annual Average Daily Traffic (AADT) volume on Frost Road in the vicinity of the subject site is approximately 7000 vpd.

#### **PARKING SURVEYS**

The proposed dwellings are to be constructed on an area of the site currently occupied by the western section of the existing hotel car park, thereby resulting in a reduction in the capacity of this car park. Consequently, surveys of parking demand within the existing hotel car park have been conducted in order to determine the current level of on-site parking occurring during the following peak trading periods:-

- From 11.30am to 2.30pm on Friday 19<sup>th</sup> February 2016,
- From 5.00pm to 10.00pm on Friday 19<sup>th</sup> February 2016, and
- From 5.00pm to 10.00pm on Saturday 20<sup>th</sup> February 2016.

The results of the above parking surveys are included as an attachment to this report.

From reviews on-site, it was identified that the capacity of the on-site car park is 218 spaces.

Analysis of the parking surveys has identified that:-

- The maximum number of vehicles parked during the Friday lunchtime period was 76 vehicles. This level of parking demand occurred variously at 1.00pm, 2.00pm and 2.30pm. Based on the capacity of 218 spaces, the minimum number of vacant spaces throughout the survey period within the car park was 142 spaces,

- The maximum number of vehicles parked during the Friday evening period was 66 vehicles. This occurred at 6.45pm. Based on the capacity of 218 spaces, the number of spaces available was 152 spaces, and
- The maximum number of vehicles parked during the Saturday lunchtime period was 60 vehicles. This occurred variously at 5.15pm, 7.00pm and 7.30pm. Based on the capacity of 218 spaces, the number of vacant spaces within the car park was 158 spaces.

### PROPOSED DEVELOPMENT

The proposed development is to be located along the western boundary of the site and extends approximately 33m in an easterly direction. As identified above, this area is currently occupied by part of the hotel car park and will result in the loss of 120 parking spaces.

The proposed development is identified on a series of plans prepared by your office including a Site Plan (Drawing No. 0901-291 SK-B).

I note that the development includes:-

- Construction of 18, three bedroom residential dwellings, comprising:-
  - Four dwellings providing a single garage and visitor space to be accessed directly off Francis Road,
  - Eight dwellings providing a single garage and visitor space to be accessed off driveways linked to Francis Road, and
  - Six dwellings providing a double length car port to be accessed off driveways linked to Francis Road,
- Closure of the two existing access points off Francis Road.

The internal dimensions of the proposed single garages provide:-

- Widths of 3.4m, and
- Lengths of 5.6m.

The dimensions of the proposed car ports provide:-

- Widths of approximately 3.0m, and
- Lengths of approximately 12.3m.

As such, I consider that the design of the on-site car parking spaces would conform to the spatial requirements of the relevant off-street car parking standard (AS/NZS 2890.1:2004).

## PARKING ASSESSMENT

**Table Sal/2 - Off Street Vehicle Parking Requirements** within the Salisbury (City) Development Plan identifies car parking provisions as follows:-

Residential Flat Building - Group Dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
---	---

On the above basis, the proposed development would require 27 parking spaces. The proposed on-site parking provides a total of 36 spaces i.e. 12 single garages with a visitor space in front of each garage = 24 spaces and 6 double length car ports = 12 spaces.

As identified above, the proposed dwellings are to be constructed on an area currently occupied by the western section of the existing hotel car park. This will result in the loss of 120 spaces. The current capacity of the hotel car park is 218 spaces, which would result in a capacity of 98 spaces when the proposed development is complete.

Based on the parking surveys, the maximum number of cars parked within the on-site car park during peak trading periods was 76 vehicles, which would result in 22 vacant spaces, when the subject development has been constructed.

I note that the architects have orientated a number of the dwellings to negate the loss of on-street parking along Francis Road. I consider that this would permit at least 10 cars to be parked in front of the subject development. In my opinion, such a level of car parking would more than accommodate typical levels of visitor parking associated with the proposed development.

While the design results in narrowing of two of the driveways at the invert with Francis Road, I consider that this is acceptable given that:-

- there would remain passing opportunities within these driveways.
- clear lines of sight are to be provided between drivers entering and exiting these driveways, and
- the volumes of traffic entering and exiting each driveway will be low with typically no more than 3 vehicles accessing each driveway in any one hour period.

## TRAFFIC ASSESSMENT

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 0.4 to 0.5 trips per dwelling for a smaller dwelling and 0.5 to 0.65 trips per dwelling for a larger dwelling within a medium density residential development. I therefore consider that the proposed dwellings would generate of the order of 12 trips in peak hour periods i.e. (18 dwellings by an average of 0.65 trips per dwelling).

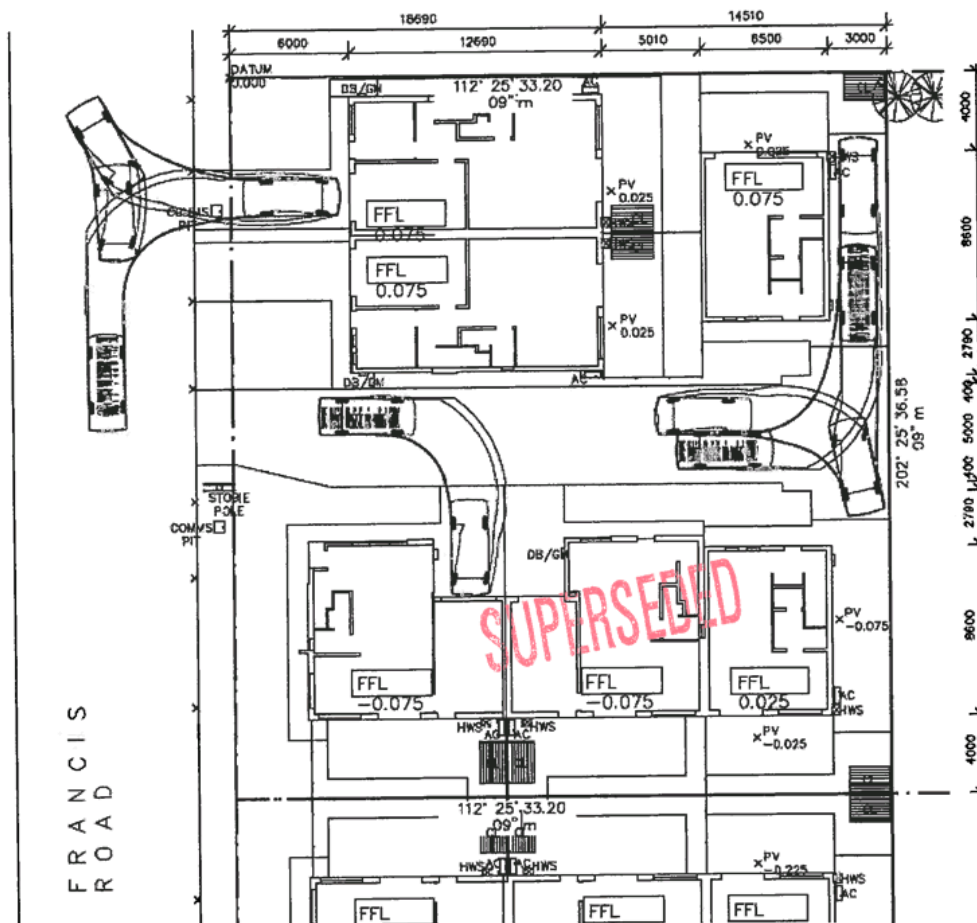
The overall weekday traffic generation of the subject development would be of the order of 120 trips on a weekday.

During other periods, there will be lower volumes of traffic entering the subject site and there should not be any significant traffic impacts on the adjacent road network.



It is proposed that collection of general waste and recycling will be serviced by Council's waste contractor with bins placed on the verge on collection nights.

Copies of turning path drawings showing vehicles showing the potential for cars to access the various on-site car parking areas have been included with this report. Representative turning path diagrams are included in Figure 1 below.



**Figure 1: Representative turning paths of B85 design vehicles accessing the car parking areas of the subject development**

The above turning paths identify that the design vehicle could readily access the site from both directions without any need for multiple turns.

However, I recommend that the visitor spaces associated with the two dwellings at the eastern end of the long driveways be shifted back from the edge of the aisle in order to accommodate reversing movements from these spaces. This is reflected within the above figure.

#### SUMMARY AND CONCLUSIONS

As identified above the proposed development will provide a total of 18 residential dwellings on land located on the western side of the car parking area of the Lodge Hotel. While this would reduce the capacity of the on-site car parking area to a total of 98 spaces, it is clearly identified from surveys conducted during peak trading periods of the hotel that the reduced capacity of the car park will be more than adequate to meet the peak parking demands of the existing hotel.

I estimate that, at most, there would be of the order of 12 trips generated by the subject development in any one hour period including both entry and exit movements.

I consider that the volumes of traffic to be generated by the subject development will not adversely impact on the adjoining road network.

Yours sincerely



Phil Weaver  
Phil Weaver and Associates Pty Ltd

SUPERSEDED

Attachment 3  
Statement of Effect and Traffic and Parking Assessment



9 September 2016

Mr George Pantelos  
Principal Planner – Development Services  
City of Salisbury  
PO Box 8  
SALISBURY SA 5108

Dear George

Re: Development Application 361/11/2016

Thank you for advising me that the City of Salisbury has decided to proceed with an assessment of Development Application 361/11/2016.

The statement of effect which you have requested is **enclosed** with this letter and fulfils the requirements of Regulation 17, Subregulation (5) of the *Development Regulations 2008*.

Now that you have everything, would you kindly proceed to notify the public of this proposal.

Yours sincerely

A handwritten signature in dark ink, appearing to read "Fabian Barone". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Fabian Barone  
MasterPlan SA Pty Ltd

enc: Statement of Effect.  
cc: Mr Aaron Schintler (Studio Nine Architects).

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# STATEMENT OF EFFECT

## 15 Two Storey Dwellings

At: Corner of Frost and Francis Roads, Brahma Lodge  
For: GM Hotels



Prepared by  
MasterPlan SA Pty Ltd  
ABN 30 007 755 277, ISO 9001:2008 Certified  
33 Carrington Street, Adelaide SA 5000  
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**September 2016**



## 1.0 INTRODUCTION

This statement of effect has been prepared to accompany Development Application 361/11/2016.

It describes the land in question, its surroundings and the proposal, then assesses the extent to which the proposal complies with the relevant provisions of the Salisbury Council Development Plan.

It also fulfils the requirements of Regulation 17, Subregulation (5) of the *Development Regulations 2008*.

## 2.0 THE LAND

The land in question, referred to herein as 'the land', is bounded by 16 two storey dwellings to the north, a sealed service road which runs parallel with the northbound lanes on Main North Road to the east, Frost Road to the south and Francis Road to the west.

The land consists of three contiguous allotments which combine to produce a predominantly rectangular holding with an area of 12,159 square metres or thereabouts.

The land is presently anchored by the Lodge Hotel and a drive through bottle shop, both of which are orientated to Frost Road. The Hotel is also flanked on its northern, southern and western sides by a sealed and line marked car park which, according to Mr Phil Weaver, contains a total of 218 spaces.

The car park is presently accessible via five crossovers (two to Francis Road, two to Frost Road and one to the sealed service road which runs parallel with the northbound lanes on Main North Road).

## 3.0 THE SITE

The site of the proposed development, referred to herein as 'the site', runs parallel with the western boundary of the land, and stretches all the way from the northern boundary of the land to the southern boundary of the land.

The site also extends approximately 33.2 metres inwards from the western boundary of the land and accounts for approximately 30.0 percent of the overall area of the land.

The site is presently used as a car park and contains 120 of the 218 spaces associated with the Hotel.

Although the certificates of title indicate that there is an easement on the western boundary of the site, approximately halfway between the northern and southern boundaries of the site, we are extremely confident that this easement, which accommodates a transformer, will not impede the proposal.

There are no regulated or significant trees for GM Hotels to contend with either.



#### 4.0 THE LOCALITY

Whilst inspecting the land and its surroundings, we noticed, amongst other things, that:

- there are four, two storey detached dwellings and 12 two storey group dwellings on the northern side of the land;
- two of the detached dwellings on the northern side of the land are orientated to, and appear to be set back approximately 5.0 metres from, Francis Road;
- the Hotel car park is separated from the two storey dwellings on the northern side of the land by a 2.5 metre wide garden bed which features a handful of randomly planted trees and bushes;
- there is a two storey residential flat building containing four dwellings on the north western corner of the T – junction between Frost and Francis Roads;
- there are five single storey detached dwellings on the western side of Francis Road between Lynne Street to the north and the aforementioned residential flat building to the south;
- the closest commercial premises on the eastern side of Main North Road are located approximately 75.0 metres to the east of the eastern boundary of the land, and are partially shielded from view by a rather large median and two densely vegetated verges;
- there is a manufacturing premises containing two large warehouses approximately 35.0 metres to the north of the land;
- there are two offices and a consulting room on the south western corner of the intersection between Frost and Main North Roads; and
- there is a retirement village on the southern side of Frost Road which contains a nursing home and several independent living units.

The land, in relation to its immediate surroundings, is captured on Drawing 0901 – 291 – SK01, Revision F.

The Drawing to which we refer can be found at **Appendix A**.

#### 5.0 THE PROPOSAL

GM Hotels has applied to the Council for Development Plan Consent to construct seven, two storey group dwellings and four, two storey residential flat buildings, each of which will contain two dwellings.

The particulars of their proposal are captured across the revised compendium of plans, elevations and perspectives at **Appendix A**. They are also expanded upon overleaf.

#### 5.1 Land Use



Due to a recent judgement handed down in the Environment, Resources and Development Court and the fact that a plan of division has not yet been lodged with, or approved by, the Council, it is our view that the proposal involves seven, two storey group dwellings and four, two storey residential flat buildings, each of which will contain two dwellings.

If it were not for this judgement, then we would say that the proposal involves three, two storey detached dwellings, four, two storey pairs of semi-detached dwellings and four, two storey group dwellings.

## **5.2 Dwelling Density**

The gross density of this development equates to 41.2 dwellings per hectare.

The average site area per dwelling equates to 216.7 square metres.

## **5.3 Dwelling Mix**

All of the dwellings will contain three rooms that are capable of being used as bedrooms. The prospective occupants will therefore have the ability to use all three rooms as bedrooms or two of the rooms as bedrooms and the remaining room as a study or a private retreat.

## **5.4 Dwelling Sizes**

The dwellings will range in size from 111.6 square metres to 151.1 square metres.

## **5.5 Dwelling Setbacks**

The dwellings will be set back between 1.0 metre and 6.0 metres from the northern boundary of the site, between 2.8 metres and 3.5 metres from the eastern boundary of the site, 6.8 metres from the southern boundary of the site, and between 6.0 metres and 7.0 metres from the western boundary of the site.

## **5.6 Dwelling Heights**

The dwellings will range from 6.4 metres to 7.2 metres in height due to the gentle slope of the site.

## **5.7 Private Open Spaces**

The amount of private open space assigned to each dwelling will range from 40.6 square metres to 199.5 square metres.





### 5.8 External Materials

The palette of materials selected by GM Hotels includes:

- exposed bricks;
- rendered bricks;
- expressed fibre cement sheets;
- hebel power panels;
- tongue and groove timber panels;
- powder coated steel; and
- clear glass.

### 5.9 Noise

In order to minimise the effects of noise from the Hotel and the adjoining car park to the east, GM Hotels has commissioned Studio Nine to:

- locate all three of the bedrooms on the first floor level of each dwelling;
- provide each dwelling with thickened glass and insulation to the point where they comfortably satisfy the minimum requirements of the National Construction Code; and
- include a powder coated steel fence along the eastern boundary of the site for its entire length.

Indeed, the first and third measures should also minimise the effects of the glare generated by the headlights of those cars being driven by patrons of the Hotel and bottle shop.

### 5.10 Access

The dwellings on Lots 1, 2, 3, 5, 6, 8, 9, 11, 12, 14 and 15 will be accessible via new 3.6 metre wide crossovers Francis Road.

The dwellings on Lots 4 and 7 will be accessible via the northernmost common driveway.

The dwellings on Lots 10 and 13 will be accessible via the southernmost common driveway.

Both of the common driveways will be 6.0 metres wide at the western boundary of the site to allow simultaneous two way movements to occur. They will then open up to 9.2 metres at the eastern boundary of the site to ensure that standard passenger cars can exit onto Francis Road in a forward direction.



### 5.11 Car Parking

Those dwellings orientated to Francis Road will come equipped with a single car garage and a paved driveway that is capable of accommodating another parked car.

Those dwellings orientated to one of the common driveways will come equipped with a single carport and a paved driveway that is also capable of accommodating another parked car.

The prospective occupants of each dwelling will, therefore, have access to two on site spaces.

### 5.12 Bicycle Parking

There will be enough room within each garage and carport for at least one bicycle to be stored in a safe and convenient manner.

### 5.13 Stormwater

A civil design report has been prepared by Mr Marco Zanatta of MQZ Consulting Engineers.

Mr Zanatta's report, which can be found at **Appendix B**, comes with a drainage plan and stormwater calculations for each lot. It is clear from Mr Zanatta's drainage plan that:

- all of the dwellings will come equipped with a 1,000 litre tank despite the fact that the proposal will actually reduce the extent of impervious surfaces within the confines of the site; and
- surplus stormwater will be discharged in a clean state and at an appropriate rate to the Council's existing stormwater network via Francis Road.

### 5.14 Waste

The service courtyards belonging to each dwelling will be large enough to accommodate three plastic bins, one for putrescibles, one for recyclables and one for organics.

All of the bins will need to be wheeled to the kerb by the prospective occupants on the appropriate days so that the Northern Adelaide Waste Management Authority can collect them as part of the kerbside collection service presently offered by the Council to its ratepayers.

### 5.15 Landscaping

A landscaping plan has been prepared by Mr Peter Adley of Yardstick Landscape Services Pty Ltd.

It is clear from Mr Adley's landscaping plan and the accompanying plant list, both of which can be found at **Appendix C**, that the common property and curtilage of each dwelling will be neatly landscaped with a suitable selection of trees, shrubs, perennials, and grasses.



### 5.16 Letterboxes

Each letter box will form part of a small, freestanding masonry structure, and is now shown on the 'site plan' on Drawing 0901 – 291 – SK02, Revision F.

## 6.0 THE RELEVANT DEVELOPMENT PLAN

The relevant version of the Salisbury Council Development Plan for procedural and assessment purposes was gazetted and subsequently consolidated on Thursday, 7 January 2016.

The site, under this particular version of the Salisbury Council Development Plan, is situated at the periphery of a Commercial Zone. As a direct consequence of this, the northern boundary of the site also abuts a Residential Zone and the western boundary of the site lies adjacent to the same Residential Zone.

According to the Procedural Matters Section of the Commercial Zone, group dwellings and residential flat buildings are both non-complying forms of development.

## 7.0 THE EXTENT TO WHICH THE PROPOSAL COMPLIES

In order to determine the extent to which the proposal complies with the Salisbury Council Development Plan, we believe that regard must be had to those provisions listed below.

### Commercial Zone

Objectives: 1, 2 and 3.

Principles: 1 and 2.

### Residential Zone

Objectives: 1, 2, 3 and 4.

Principles: 1, 3, 10, 12 and 13.

### 'Crime Prevention' Module

Objectives: 1.

Principles: 1, 2, 3 and 11.

### 'Design and Appearance' Module

Objectives: 1.

Principles: 1, 2, 3, 5, 7, 9, 11, 12, 17, 18, 19, 20 and 21.



**'Energy Efficiency' Module**

Objectives: 1.

Principles: 1, 2 and 3.

**'Hazards' Module**

Objectives: 9.

Principles: 22.

**'Interface between Land Uses' Module**

Objectives: 1, 2 and 3.

Principles: 1, 2, 3, 4 and 5.

**'Landscaping, Fences and Walls' Module**

Objectives: 1 and 2.

Principles: 1, 2, 3 and 4.

**'Natural Resources' Module**

Objectives: 6.

Principles: 5, 7, 8, 10, 11, 12 and 14.

**'Orderly and Sustainable Development' Module**

Objectives: 1, 2, 3 and 4.

Principles: 1, 6 and 8.

**'Residential Development' Module**

Objectives: 1, 2, 3 and 5.

Principles: 1, 3, 5, 7, 8, 10, 11, 12, 13, 14, 16, 17, 20, 21, 22, 24, 25, 28, 29, 30, 31, 32, 33, 35, 36 and 37.





#### **'Transportation and Access' Module**

Objectives: 2.

Principles: 8, 22, 23, 25, 32, 33 and 38.

#### **'Waste' Module**

Objectives: 1.

Principles: 1, 2, 5 and 6.

In order for the Council to grant Development Plan Consent, it should be satisfied that:

- the site is not contaminated;
- the intended use of the site and the density of this development is appropriate;
- there will be enough room leftover within the confines of each lot for this development to fulfil the fairly rudimentary expectations of Principle 20 of the 'Residential Development' Module;
- the dwellings will be set back far enough from Frost and Francis Roads;
- the position, height and external design and appearance of each dwelling is acceptable;
- the amount of private open space assigned to each dwelling is sufficient;
- the dwellings will not overlook or overshadow the habitable room windows or private open spaces associated with the two storey dwellings on the northern side of the land or the single storey dwellings on the western side of Francis Road;
- the prospective occupants will not be exposed to unreasonable levels of external noise;
- the proposed access arrangements will not interfere with the adjoining road network;
- the prospective occupants and their respective guests will have access to a sufficient number of on site car parking spaces;
- there will be enough spaces left within the confines of the reconfigured Hotel car park to accommodate the Hotel's patrons and personnel during peak times; and
- stormwater and waste will be managed in an environmentally sound manner.

Accordingly, our assessment will focus on these key considerations.



### 7.1 Site Contamination

Principle 22 of the 'Hazards' Module provides guidance as far as site contamination is concerned.

It recommends that:

- 22 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.**

A preliminary site investigation has been undertaken by Ms Lauren Harvey of Tierra Environment Pty Ltd.

The findings of Ms Harvey's investigation can be found at **Appendix D** and suggest that the site is suitable for the intended use.

### 7.2 Land Use

Although residential development is not expressly contemplated in the Commercial Zone, we are of the view that the intended use of this site is appropriate because:

- it will not erode any envisaged uses from the Commercial Zone;
- it will not prejudice the ongoing operations of the Hotel or the drive through bottle shop;
- it will lessen the impacts at the interface of the two Zones by replacing part of a commercial car park with a rather benign use that is envisaged and encouraged in the adjacent Residential Zone to the north and to the west of the site;
- it represents a far better outcome for the interface of the two Zones, particularly when one compares it to some of the other uses that are expressly contemplated on this parcel of land, such as a bulky goods outlet, a petrol filling station, a car yard or light industry;
- it will make the most of land that is considered to be surplus to the Hotel's ongoing requirements and, in the process, increase the opportunity for low income earners in this area to finally become a homeowner; and
- group dwellings and residential flat buildings are envisaged to the north of the site and on the opposite side of Francis Road, particularly if they are 'affordable'.

It could therefore be said that the proposal is also consistent with Principle 1 of the 'Orderly and Sustainable Development' Module. For clarity, this Principle advises that *"development should not prejudice the development of a zone for its intended purposes"*.



### 7.3 Dwelling Density

Although the Commercial Zone does not provide any quantitative guidance as far as the gross or net density of residential development is concerned, we are of the view that the gross density of this development is appropriate because:

- the Desired Character Statement for the adjacent Residential Zone advises, in part, that *"concentrated nodes of medium density development of up to four storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner"*;
- the Desired Character Statement for the adjacent Residential Zone also advises, in part, that *"this will involve the amalgamation of sites and will result in development that compliments the prevailing character"*;
- the gross density of this development (41.2 dwellings per hectare), is properly classed as medium density, not high density, and a substantial portion of three contiguous allotments will be amalgamated to create the site of this development;
- there are three bus stops within 100 metres of the site and the Brahma Lodge Oval is located on the opposite side of Francis Road, some 290 metres to the north of this site;
- the lots now range in size from 190.8 square metres to 451.9 square metres, and the average lot size, excluding those areas that have been earmarked as common property, has increased to 216.7 square metres; and
- the average lot size in this development (216.7 square metres) now compares favourably to the average lot size in the adjoining development to the north of the site (192.0 square metres).



#### 7.4 Site Coverage

Principle 20 of the 'Residential Development' Module provides guidance as far as site coverage is concerned. It recommends that:

- 20 Site coverage should be limited to ensure sufficient space is provided for:**
- (a) pedestrian and vehicle access and vehicle parking.
  - (b) domestic storage.
  - (c) outdoor clothes drying.
  - (d) a rainwater tank.
  - (e) private open space and landscaping.
  - (f) front, side and rear boundary setbacks that contribute to the desired character of the area.
  - (g) convenient storage of household waste and recycling receptacles.

In accordance with Principle 20, there will be enough room leftover within the confines of each lot for paved driveways and perimeter paths to be laid, domestic goods to be stored, clothes to be dried, a slim rainwater tank to be installed, functional pockets of private open space to be created, consistent setbacks to be established, and putrescibles, recyclables and organics to be temporarily stored.

#### 7.5 Dwelling Setbacks

Principle 17 of the 'Design and Appearance' Module provides guidance as far as the distance between the westernmost dwellings and Francis Road is concerned. It recommends that:

- 17 The setback of buildings from public roads should:**
- (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality;
  - (b) contribute positively to the streetscape character of the locality;
  - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.

In accordance with Principle 15, the dwellings on Lots 1, 2, 3, 5, 6, 8, 9, 11, 12 and 14 will now be set back at least 6.0 metres from Francis Road.

Principle 19 of the 'Design and Appearance' Module provides guidance as far as the distance between the southernmost dwelling and Frost Road is concerned. It recommends that:

- 19 Except where specified in a particular zone, policy area, or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in Table Sal/1 - Building Setbacks from Road Boundaries.**

According to Table Sal/1 of the Salisbury Council Development Plan, the southernmost dwelling should be set back 14 metres from Frost Road.

In accordance with Table Sal/1, the southernmost dwelling will now be set back 6.8 metres from Frost Road and 18.8 metres from the closest section of the adjacent carriageway.





## 7.6 Dwelling Heights

Whilst the Commercial Zone does not provide any quantitative guidance as far as the vertical profile of new dwellings is concerned, we are of the view that the vertical profile of each dwelling is entirely acceptable because:

- the dwellings which form part of the land on the northern side of the site are all two storeys tall and the Desired Character Statement for the adjacent Residential Zone advises, in part, that *"development will be of a form and scale compatible with adjoining residential development. As part of the increase in residential density, there will be an increase in the number of dwellings of two or more storeys"*; and
- Principle 5 of the 'Residential Development' Module also recommends that *"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 typically be in the form of 2 to 4 storey buildings"*.

## 7.7 Private Open Spaces

Principles 24 and 25 of the 'Residential Development' Module provide guidance as far as private open space is concerned. They recommend that:

- 24 Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:**

Site Area of Dwelling	Minimum Area of POS
250 square metres or greater	20 percent of the site area
Less than 250 square metres	35 square metres

- 25 Private open space should not include driveways, 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 in residential flat buildings and group dwellings, and should have a minimum dimension of:**

- (a) 2.5 metres for ground level or roof-top private open space;
- (b) 2 metres for upper level balconies or terraces.



According to Principle 24, the dwellings on Lots 1 through to 13 should come equipped with 35.0 square metres of private open space, the dwelling on Lot 14 should come equipped with 54.2 square metres of private open space and the dwelling on Lot 15 should come equipped with 90.4 square metres of private open space.

In accordance with Principle 24, the dwellings on Lots 1 through to 13 will come equipped with between 40.6 and 64.7 square metres of private open space, the dwelling on Lot 14 will come equipped with 118.3 square metres of private open space and the dwelling on Lot 15 will come equipped with 199.5 square metres of private open space.

### 7.8 External Design and Appearance

Principles 1, 2, 3, 7, 9 and 12 of the 'Design and Appearance' Module provide guidance as far as the external design and appearance of each dwelling is concerned. They recommend that:

- 1 **The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.**
- 2 **Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.**
- 3 **Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:**
  - (a) articulation;
  - (b) colour and detailing;
  - (c) small vertical and horizontal components;
  - (d) design and placing of windows;
  - (e) variations to facades.
- 7 **The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.**
- 9 **Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.**
- 12 **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.**

The dwellings have been carefully designed to ensure that each and every façade will be expressive but not overpowering. The use of contemporary materials and the application of contrasting colours will greatly assist in this regard. So too for that matter will the parapet walls, canopies and porticos.

None of the façades will contain any bland or highly reflective surfaces. Instead, they will be brought to life by small vertical and horizontal components which will also serve to break up the width of each dwelling whilst reducing its apparent height.



The westernmost dwellings have been rotated to address Francis Road. The upper level windows along the primary façade of these dwellings will also provide the opportunity for passive surveillance of the surrounding road network.

It is for all of these reasons that we consider the proposal to satisfy the aforementioned Principles.

### 7.9 Overlooking

Principle 3 of the 'Interface between Land Uses' Module and Principle 29 of the 'Residential Development' Module provide guidance as far as overlooking is concerned. They recommend that:

- 3** Development adjacent to a Residential Zone should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 29** Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.

In accordance with Principle 29, all of the upper level windows, except for those which face Francis Road, have recently had their sills raised to 1.7 metres above the relevant finished floor level.

### 7.10 Overshadowing

Principle 3 of the 'Interface between Land Uses' Module and Principles 10, 11 and 12 of the 'Residential Development' Module provide guidance as far as overshadowing is concerned.

They recommend that:

- 3** Development adjacent to a Residential Zone should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 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, 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.
- 11** Development should ensure that north facing windows to habitable rooms 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.



- 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.**

Whilst we do not have access to shadow diagrams, it is clear to us, based on the angle of the sun at this time of year, that those shadows that are likely to be cast by these dwellings will not reach the habitable room windows, private open spaces or solar panels associated with the two storey dwellings on the northern side of the site or the single storey dwellings on the western side of Francis Road.

#### **7.11 Noise**

Principles 4 and 5 of the 'Interface between Land Uses' Module provide guidance as far as noise is concerned. They recommend that:

- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.**
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.**

In accordance with Principles 4 and 5, GM Hotels has commissioned Studio Nine to:

- locate all three of the bedrooms on the first floor level of each dwelling;
- provide each dwelling with thickened glass and insulation to the point where they comfortably satisfy the minimum requirements of the National Construction Code; and
- include a powder coated steel fence along the eastern boundary of the site for its entire length.

Further to this, Mr Jason Turner of Sonus Pty Ltd was recently asked to undertake an assessment of the acoustic environment between the site and the Hotel. Whilst Mr Turner's findings can be found at

**Appendix E**, it is important to note that he believes that:

- the prospective occupants *"will have suitable residential amenity and the ongoing lawful operation of the Lodge Hotel will not be compromised by the proposal"*; and
- *"with the incorporation of specific building constructions, the noise from all sources at the Hotel will achieve the Environment Protection (Noise) Policy 2007 and the noise from music will achieve the EPA Guidelines – Music noise from indoor venues and the South Australian Planning System – July 2015, within the proposed residences"*.





### 7.12 Access

Principles 22 and 23 of the 'Transportation and Access' Module provide guidance as far as access is concerned. They recommend that:

- 22 Development should have direct access from an all weather public road.**
- 23 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.

In accordance with Principle 22, all of the carports and garages will be accessible via Francis Road. Francis Road is a local and suitably sealed public road.

In accordance with Principle 23, both of the common driveways will be 6.0 metres wide at the western boundary of the site to allow simultaneous two way movements to occur. They will then open up to 9.2 metres at the eastern boundary of the site to ensure that standard passenger cars can exit onto Francis Road in a forward direction.

As an aside, it is also worth noting that no crossovers are proposed to Frost Road.

### 7.13 Car Parking

Principle 32 of the 'Transportation and Access' Module provides guidance as far as car parking is concerned. It recommends that:

- 32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table Sal/2 - Off Street Vehicle Parking Requirements unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:**
  - (a) a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the 'Car Park Fund Areas' identified on *Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area* and *Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area*;
  - (b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.

According to Table Sal/2 of the Salisbury Council Development Plan, the proposal generates a theoretical demand for 23 spaces (15 spaces for the prospective occupants and eight (8) spaces for their guests).

Each dwelling will come equipped with two (2) spaces, one (1) of which is to be covered. The proposal therefore comfortably exceeds the requirements of Table Sal/2 by seven (7) spaces.



Further to this, the survey recently undertaken by Mr Weaver indicates that, whilst this development will reduce the number of spaces associated with the Hotel from 218 to 98, there should still be a surplus of 22 spaces when the Hotel's patronage peaks.

#### 7.14 Bicycle Parking

Principle 28 of the 'Residential Development' Module provides guidance as far as bicycle parking is concerned. It recommends that:

- 28 Site facilities for group dwellings, residential parks and residential flat buildings should include:**
- (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.

In accordance with Principle 28, there will be enough room within each garage and carport for at least one bicycle to be stored in a safe and convenient manner.

The provision of one bicycle park per dwelling comfortably exceeds the requirements of Table Sal/3 of the Salisbury Council Development Plan. The requirement to which we refer amounts to two bicycle parks.

#### 7.15 Stormwater

Principles 11, 12 and 14 of the 'Natural Resources' Module provide guidance as far as the management of stormwater is concerned. They recommend that:

- 11 Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.**
- 12 Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.**
- 14 Stormwater management systems should:**
- (a) maximise the potential for stormwater harvesting and re-use, either on-site or as close as practicable to the source;
  - (b) utilise, but not be limited to, one or more of the following harvesting methods:
    - (i) the collection of roof water in tanks;
    - (ii) the discharge to open space, landscaping or garden areas, including strips adjacent to car parks;
    - (iii) the incorporation of detention and retention facilities;
    - (iv) aquifer recharge.



In accordance with Principle 12, the common driveways have been designed to ensure that surface water falls towards grated sumps, then discharges at an appropriate rate to Francis Road via galvanised box culverts.

In accordance with Principle 14, some of the stormwater collected from the roof of each dwelling will be diverted to a cold tap via a slim rainwater tank.

In accordance with Principle 11, surplus stormwater from each lot will be discharged in a clean state and at an appropriate rate to the Council's existing stormwater network via Francis Road.

#### 7.16 Waste

Principles 1, 5 and 6 of the 'Waste' Module provide guidance as far as the management of waste is concerned. They recommend that:

- 1 Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:**
  - (a) avoiding the production of waste;
  - (b) minimising waste production;
  - (c) reusing waste;
  - (d) recycling waste;
  - (e) recovering part of the waste for re-use;
  - (f) treating waste to reduce the potentially degrading impacts;
  - (g) disposing of waste in an environmentally sound manner.
- 5 Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.**
- 6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:**
  - (a) screened and separated from adjoining areas;
  - (b) located to avoid impacting on adjoining sensitive environments or land uses;
  - (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system;
  - (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water;
  - (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours;
  - (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.

In accordance with Principle 5, the service courtyards belonging to each dwelling will be large enough to accommodate three plastic bins, one for putrescibles, one for recyclables and one for organics.

In accordance with Principle 6, all three of these bins will be able to be temporarily stored atop a paved area that is sufficiently screened from the public realm.



In accordance with Principle 1, the prospective occupants will be required to wheel all three of these bins to the eastern kerb on Francis Road so that the Northern Adelaide Waste Management Authority can collect them as part of the kerbside collection service presently offered by the Council to its ratepayers.

## **8.0 THE EXPECTED SOCIAL, ECONOMIC AND ENVIRONMENTAL EFFECTS**

### **8.1 The Expected Social Effects**

The proposal is expected to have a positive social effect because:

- it will introduce 15 new dwellings to the market at very affordable prices and, in the process, increase the opportunity for low income earners to finally become a homeowner; and
- it will allow for passive surveillance of the Hotel car park and Francis Road.

### **8.2 The Expected Economic Effects**

The proposal is expected to have a positive economic effect because:

- it will increase the amount of rate revenue collected by the Council;
- the prospective occupants of each dwelling may end up patronising the Hotel; and
- it will generate work for various trades during the site preparation and construction phases.

### **8.3 The Expected Environmental Effects**

The proposal is not expected to have an adverse effect on the local environment because:

- earthworks will be kept to a minimum;
- no regulated or significant trees will need to be removed; and
- surplus stormwater will be discharged in a clean state and at an appropriate rate.





## **9.0 SUPPLEMENTARY INFORMATION REQUESTED BY THE COUNCIL**

This section of our statement of effect relates to, and should be read in conjunction with, the letter at **Appendix F**.

### **9.1 Site History**

The findings of Ms Harvey's preliminary site investigation can be found at **Appendix D**.

### **9.2 Dwelling Density**

The number of dwellings has been reduced from 18 to 15.

As a consequence of this rather significant change, the lots now range in size from 190.8 square metres to 451.9 square metres, and the average lot size, excluding those areas that have been earmarked as common property, has increased to 216.7 square metres.

The average lot size in this development (216.7 square metres) now compares favourably to the average lot size in the adjoining development to the north of the site (192.0 square metres).

### **9.3 Common Driveways**

The common driveways will be 6.0 metres wide at the western boundary of the site to allow simultaneous two way movements to occur. They will then open up to 9.2 metres at the eastern boundary of the site to ensure that standard passenger cars can exit onto Francis Road in a forward direction.

### **9.4 Garages**

Canopies, porticos and verandahs have now been introduced to lessen the visual prominence of those garages which face Francis Road.

### **9.5 Carports**

The carports associated with the dwellings on Lots 4, 7, 10 and 13 will be 6.0 metres in length and 3.5 metres in width. They will also be recessed to create enough space for a second car. This space will end up being 5.4 metres in length and 3.5 metres in width.

### **9.6 Windows**

All of the upper level windows, except for those which face Francis Road, have recently had their sills raised to 1.7 metres above the relevant finished floor level.



### 9.7 Setbacks

The dwellings on Lots 1, 2, 3, 5, 6, 8, 9, 11, 12 and 14 will now be set back at least 6.0 metres from Francis Road, and the dwelling on Lot 15 will now be set back 6.8 metres from Frost Road and 18.8 metres from the closest section of the adjacent carriageway.

### 9.8 Elevations

All of the elevations are now captured on Drawings 0901 – 291 – SK04, Revision F and 0901 – 291 – SK05, Revision F.

### 9.9 Trees near the Western Boundary

According to the 'Demolition Plan' on Drawing 0901 – 291 – SK02, Revision F, a total of six trees will be removed. None of these trees are regulated or significant.

### 9.10 Landscaping Plan

Mr Adley's landscaping plan can be found at **Appendix C**.

### 9.11 Drainage Plan

Mr Zanatta's civil design report can be found at **Appendix B**. It is accompanied by a drainage plan and stormwater calculations for each lot.

### 9.12 Acoustic Report

Mr Turner's acoustic report can be found at **Appendix E**.



## 10.0 CONCLUSIONS

We have concluded from our detailed and balanced assessment of the proposal that it is worthy of Development Plan Consent and the Development Assessment Commission's concurrence of that Consent.

In support of our conclusion, we take this opportunity to reiterate that:

- the site is not contaminated;
- the intended use of the site and the density of this development is appropriate;
- there will be enough room leftover within the confines of each lot for this development to fulfil the fairly rudimentary expectations of Principle 20 of the 'Residential Development' Module;
- the dwellings will be set back the recommended distance from Frost and Francis Roads;
- the position, height and external design and appearance of each dwelling is acceptable;
- the amount of private open space assigned to each dwelling is more than sufficient;
- the dwellings will not overlook or overshadow the habitable room windows or private open spaces associated with the two storey dwellings on the northern side of the land or the single storey dwellings on the western side of Francis Road;
- the prospective occupants will not be exposed to unreasonable levels of external noise;
- the proposed access arrangements will not interfere with the adjoining road network;
- the prospective occupants and their respective guests will have access to more than the recommended number of on site car parking spaces;
- there should still be a surplus of 22 spaces within the confines of the reconfigured Hotel car park when the Hotel's patronage peaks; and
- stormwater and waste will be managed in an environmentally sound manner.

**Fabian Barone** MPlA  
Bachelor of Urban and Regional Planning

Friday, 9 September 2016



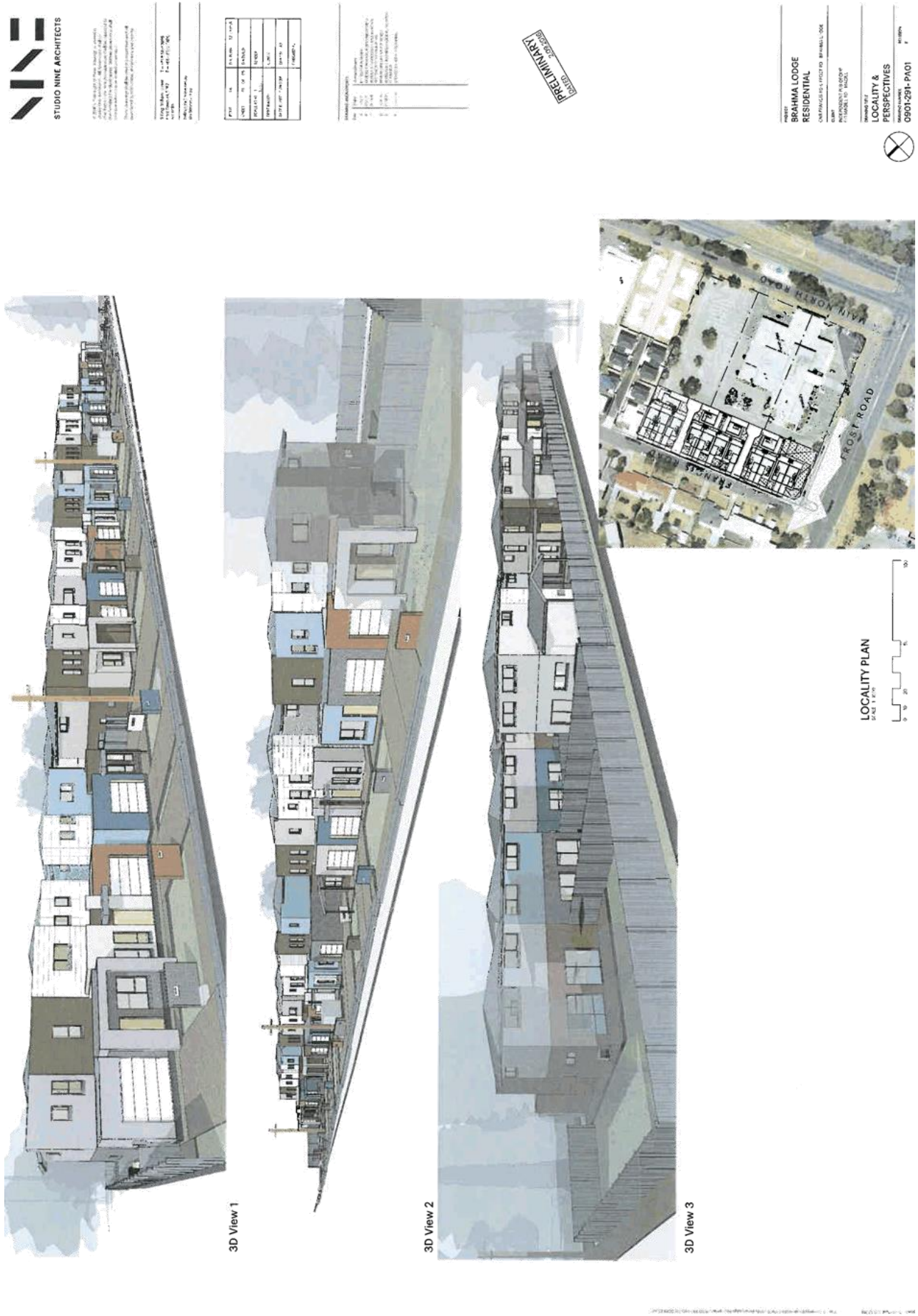
## APPENDIX A

### Revised Plans, Elevations and Perspectives

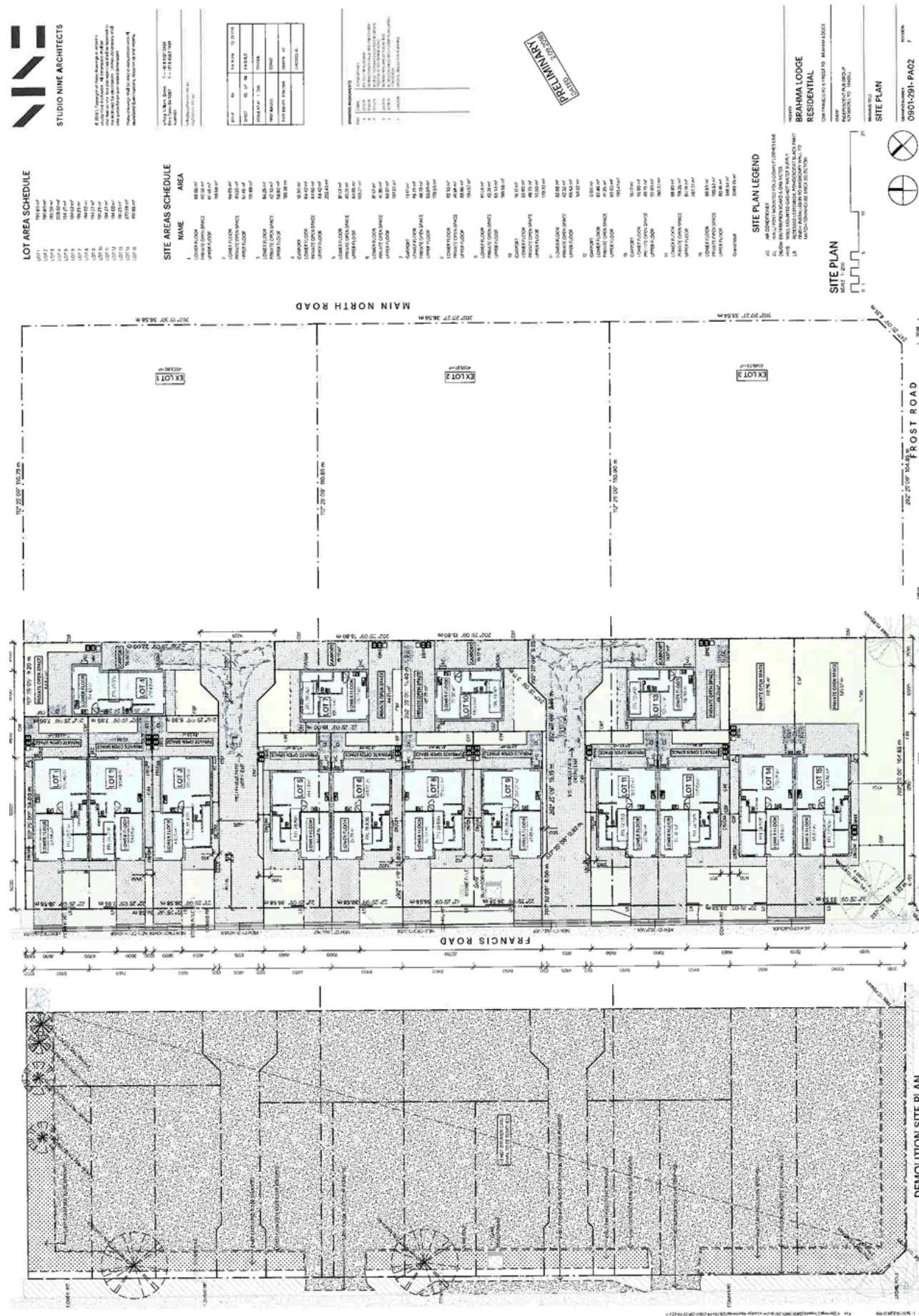
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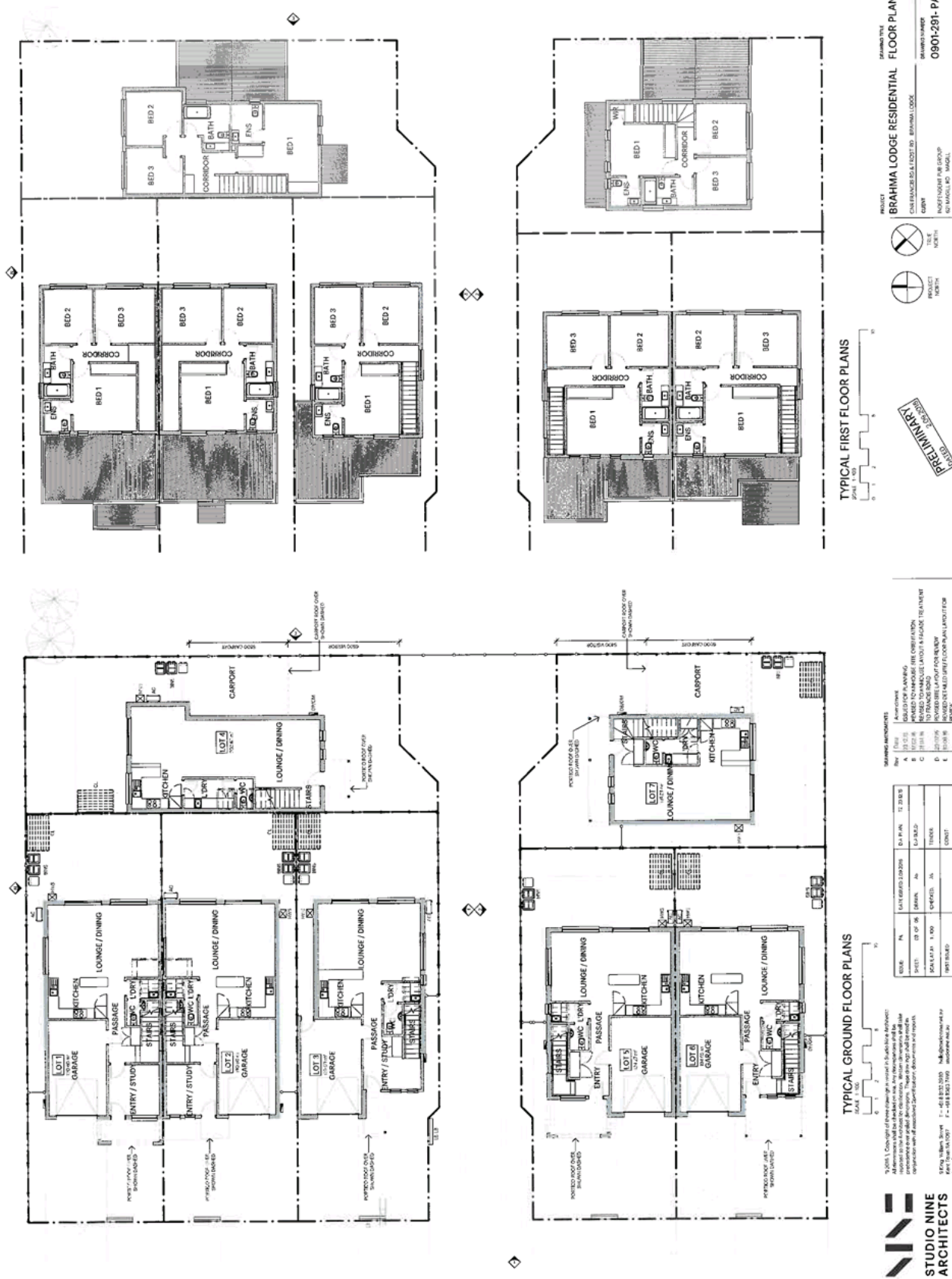




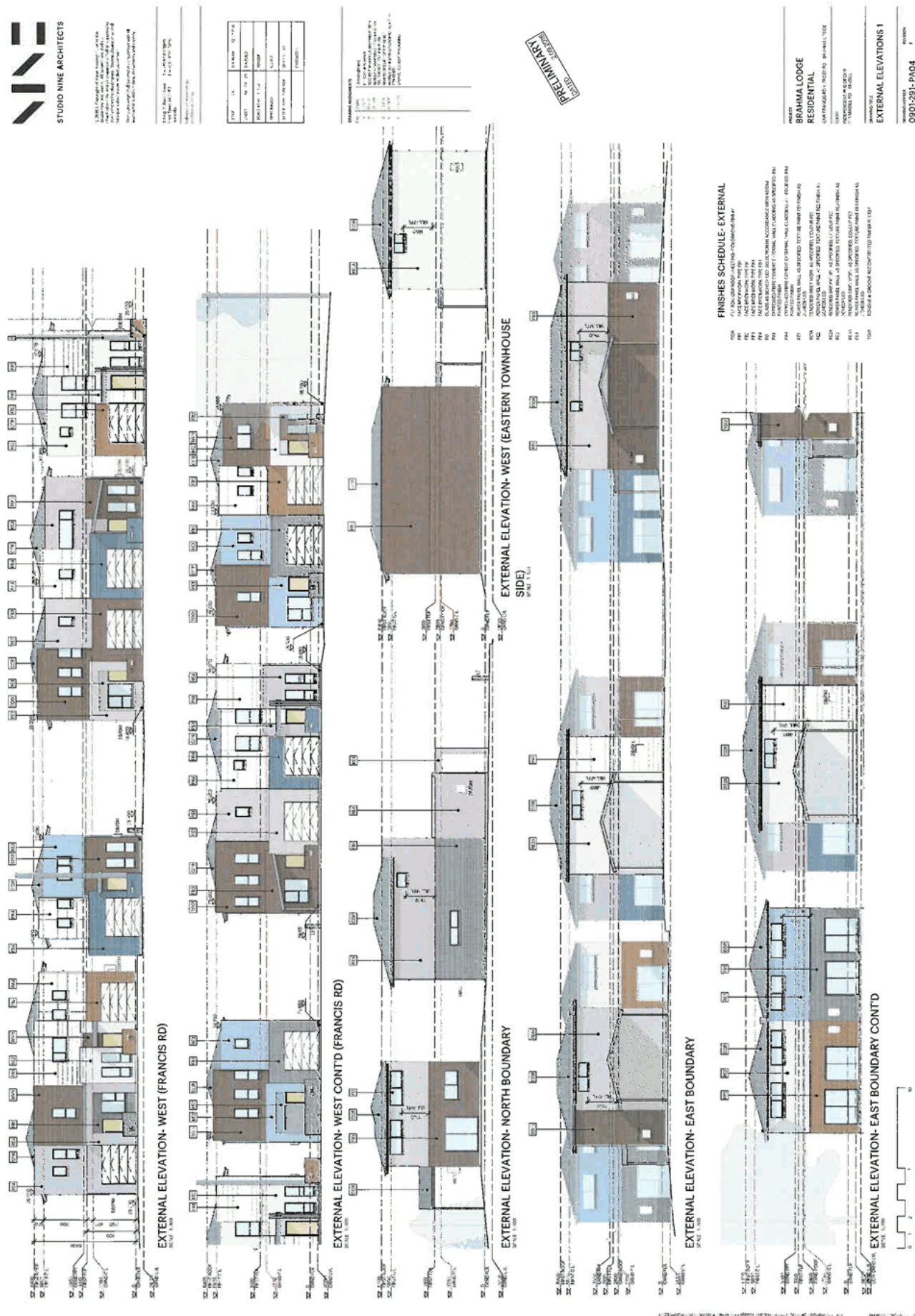
















### Item 5.1.2 - Attachment 3 - Statement of Effect and Traffic and Carparking Assessment Report



## **APPENDIX B**

### **Civil Design Report**

14943SOE01 - FINAL

...



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Clarence Park SA 5034

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DATE: 5 SEPTEMBER 2016

CD01

## CIVIL REPORT & DETAILS

**PROJECT NO:** 160805  
**CLIENT:** STUDIO NINE ARCHITECTS  
**OWNER:** INDEPENDENT PUB GROUPS  
**SITE:** CORNER FROST AND FRANCIS ROAD, BRAHMA LODGE  
**PROJECT:** PROPOSED RESIDENTIAL DEVELOPMENT

This is a **Civil Design Report** giving specific recommendations for the above mentioned project. This report must be read in conjunction with all the listed attachments and any relevant Australian Standards mentioned in this report or on any attachment provided. This report is based on the current standards and regulations and will require reviewing as the standards and regulations are updated.

**ATTACHMENTS:** (A1 Drawings C1/P1, C2/P1), SD3, SD5, CC1-CC12.

### SITE INSPECTIONS:

1. As required by the Engineer or as requested by the client/contractor.

### NOTES:

1. Flexible connections for all sewer and stormwater pipes are required for this site, provide in accordance with attachment SD5.
2. Plans and details provided within this report are for planning approval only, further review of the documentation may be required prior to building approval and/or construction.
3. All proposed fill on site is to be placed and compacted in layers in accordance with AS1289.5.1.1 to provide 98% standard compaction. The loose thickness of each layer before compaction should not exceed 200mm, provide compaction tests for the new fill in accordance with AS1289.5.1.1/AS1289.5.1.2. The frequency of the tests shall be in accordance with AS3798-1996. Test results shall be forwarded to the Engineer for approval prior to the commencement of any works.
4. Any retaining walls and or plinths less than 600mm in height required on the boundary are to the discretion of the builder/owner/client. This office does not take any responsibility for the construction of any such retaining walls.



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CD01

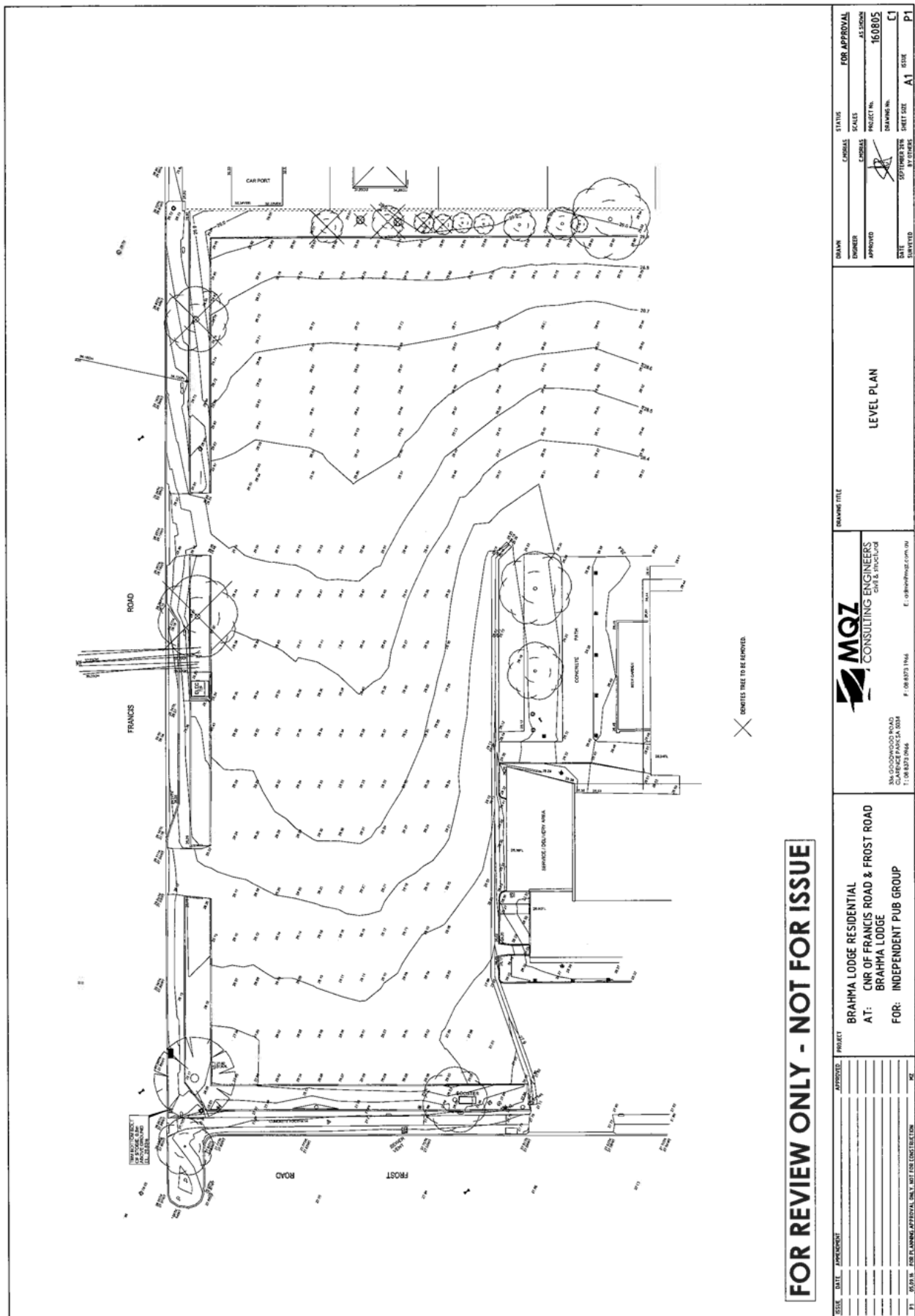
## CIVIL REPORT & DETAILS

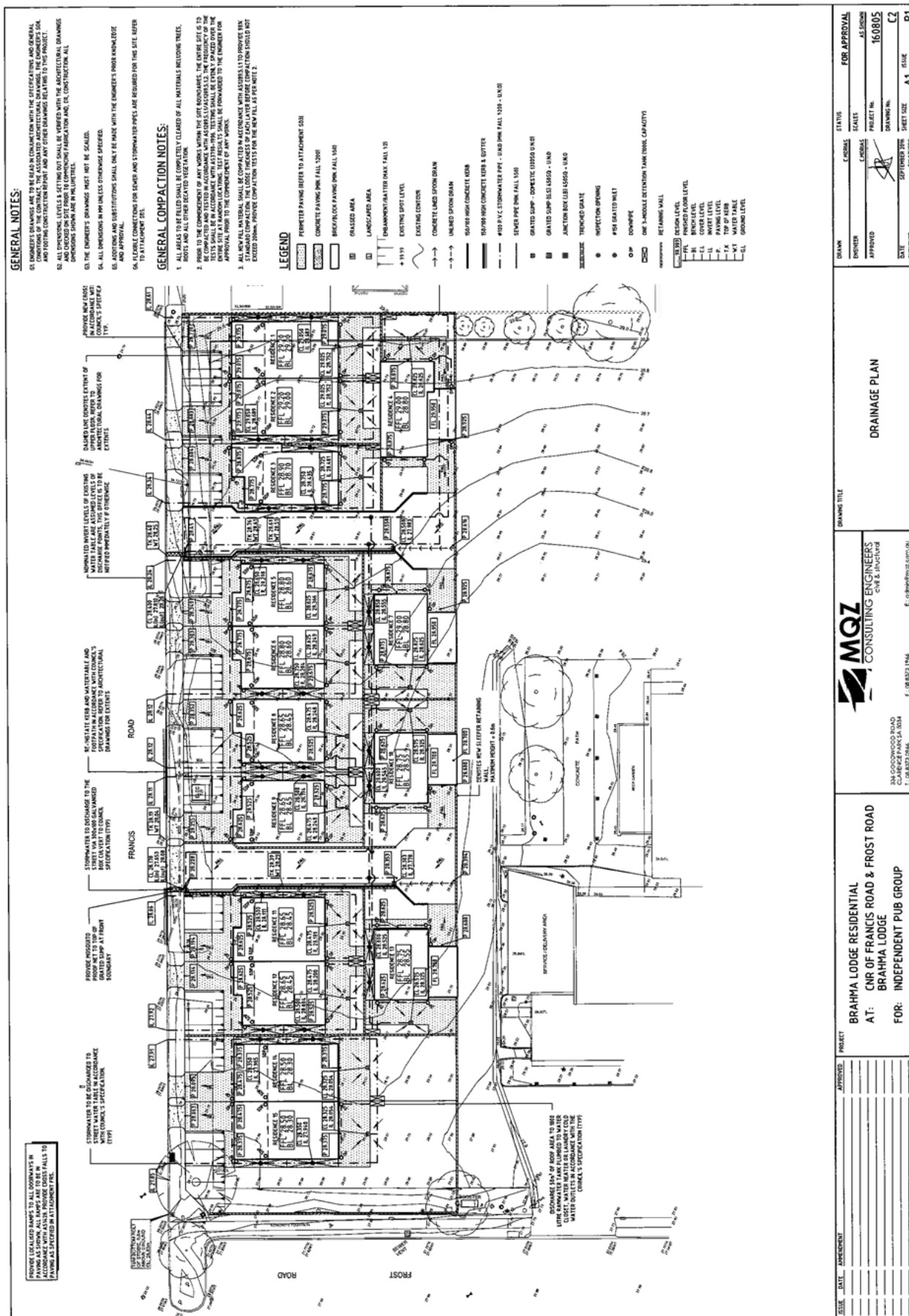
### NOTES: (CONTINUED)

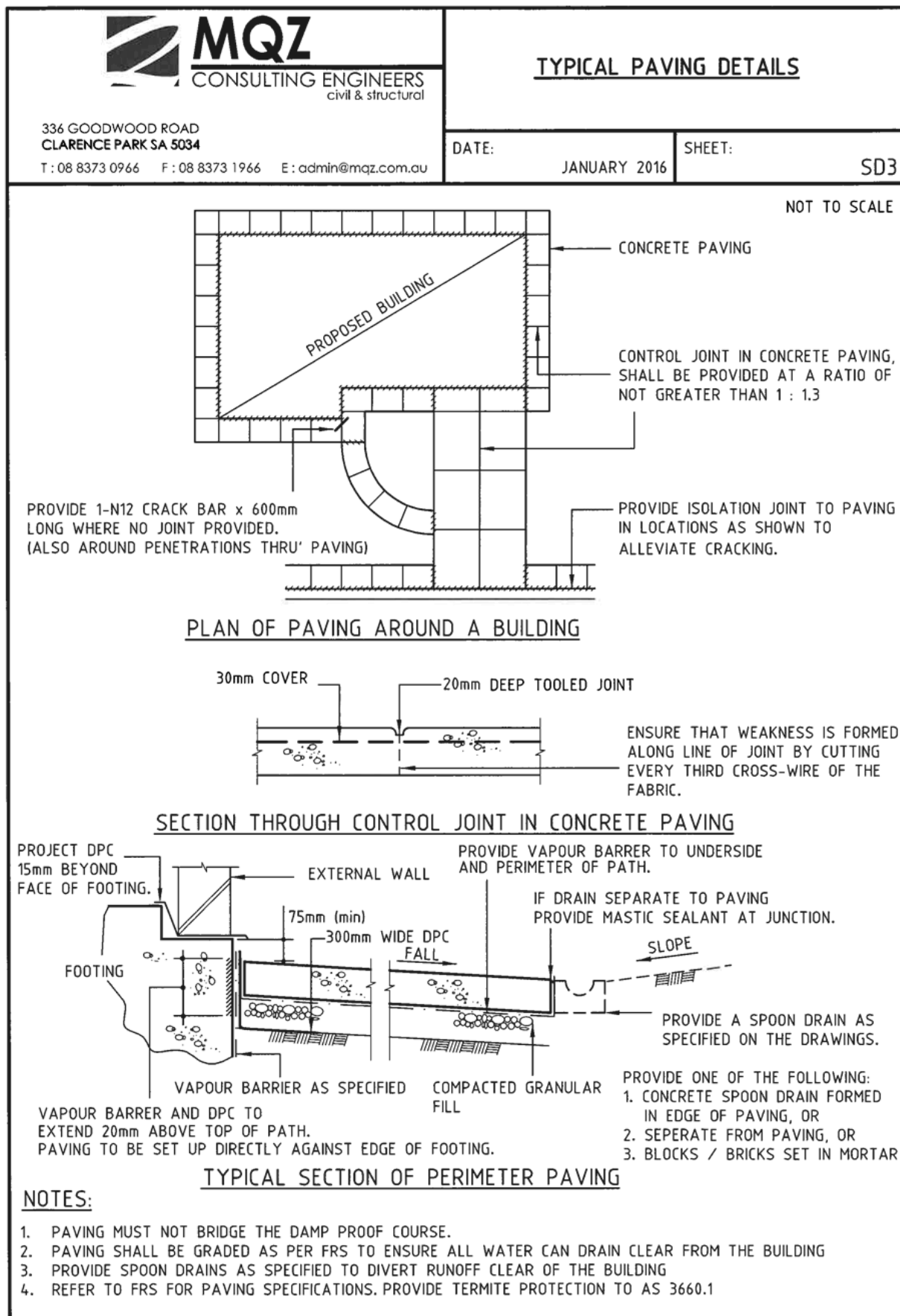
5. The location and extents of retaining walls are indicative only and the client/builder is to ensure that adjoining structures will not be compromised by the construction or compromise the construction of the proposed retaining walls.
6. All proprietary items denoted on the listed attachments or plans are to be installed in accordance with the manufacturer's specifications.
7. All drainage systems have been designed in accordance with the council's recommendations and guidelines, installation of all drainage systems shall be in accordance with the council's recommendations and specifications.

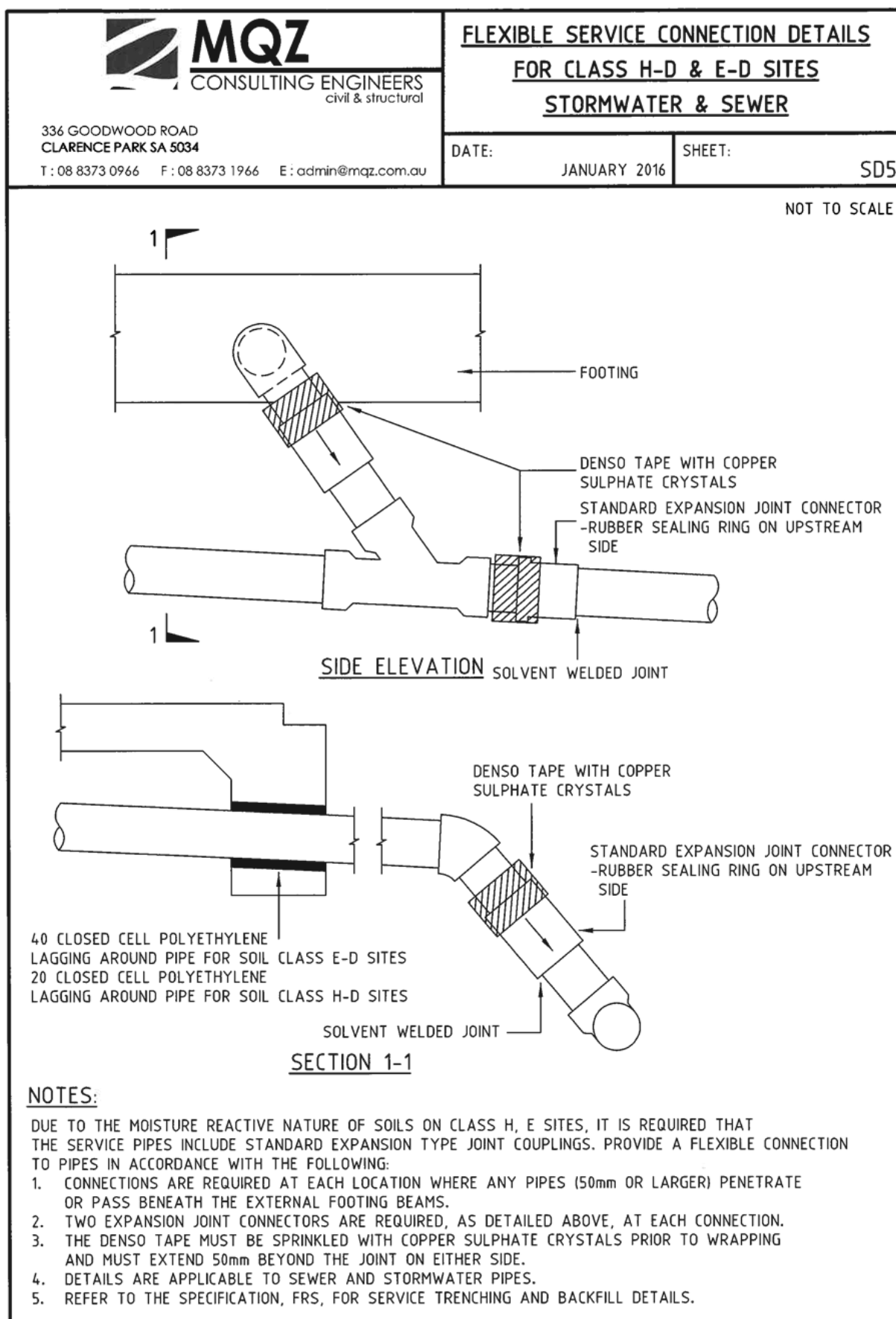
**Marco Zanatta**  
BE (Hons) MIEAust CPEng  
per  
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DATE: 5 SEPTEMBER 2016

CC1

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## CIVIL CALCULATIONS & DETAILS FOR PROPOSED DEVELOPMENT

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PROJECT NO: 160805

CLIENT: STUDIO NINE ARCHITECTS

OWNER: INDEPENDENT PUB GROUPS

SITE: CORNER FROST AND FRANCIS ROAD, BRAHMA LODGE



Page: CC2  
 Job No: 160805  
 Date: 29/08/2016  
 Eng: CM  
 Project: Brahma Lodge  
 Residential

### Stormwater Drainage Requirements

#### Pre Development

The existing site is a car park for the Lodge Hotel located at the corner of Francis Road and Frost Road. The site currently has a single point of discharge located at the South Eastern corner of the carpark. This enters Council's system via a side entry pit on Frost Road.

Site Area = 3645 m<sup>2</sup>

Roof Area = 0 m<sup>2</sup>

Asphalt pav. Area = 3645 m<sup>2</sup>

Pervious Area = 0 m<sup>2</sup>

Cr = 0.9

C asphalt pav = 0.9

Cp = 0.7

Cn = 0.9  $((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$

$t_c = 0.03 \times (1.1 - C) \times L^{0.5} / S^{0.333}$

C = 0.9

L = 107 (length of run, m)

S = 1 (slope of pavement, %)

$t_c = 0.11$  hrs

= 6.50 mins

i = 75 mm/hr for 5 year event, 6 min  $t_c$

I = 172 mm/hr for 100 year event, 6 min  $t_c$

Q pre 5 = 68.34 L/s  $(C*A*i)/(0.36)$

Q pre 100 = 156.74 L/s  $(C*A*i)/(0.36)$

#### Post Development to reach kerb side outlet

Post development the site will be a residential subdivision separated into 15 lots with 2 communal road ways through the subdivision. The lots with frontage onto Francis Road (lots 1, 2, 3, 5, 6, 8, 9, 11, 12, 14 and 15) have self contained stormwater drainage systems which will discharge to Francis Road via kerb outlets in accordance with council requirements. The lots that have frontage onto the communal road ways within the subdivision will discharge onto Francis Road via communal drainage systems. The following calculations have been separated for the individual lot and the communal drainage systems. Refer to the following pages for the calculations and the final page of this report for a mark up of the calculated areas.



Page: CC3  
 Job No: 160805  
 Date: 29/08/2016  
 Eng: CM  
 Project: Brahma Lodge  
 Residential

Stormwater runoff calculations for Area 1 (Lot 1)

Site Area = 190.8 m<sup>2</sup>

Roof Area = 89.65 m<sup>2</sup>  
 Paved Area = 67.2 m<sup>2</sup>  
 Pervious Area = 33.95 m<sup>2</sup>

Cr = 0.9  
 Cpav = 0.75  
 Cp = 0.7  
 Cn = 0.81  $((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$

$t_c = 0.03x(1.1-C)xL^{0.5}/S^{0.333}$   
 C = 0.81  
 L = 32 (length of run, m) (typical for all lots)  
 S = 0.5 (slope of pipe, %)  
 t<sub>c</sub> = 0.11 hrs  
 = 6.46 mins

i = 75 mm/hr for 5 year event, 6 min t<sub>c</sub>  
 I = 172 mm/hr for 100 year event, 6 min t<sub>c</sub>

Q post 5 = 3.23 L/s (C\*A\*i)/(0.36)  
 Q post 100 = 7.40 L/s (C\*A\*i)/(0.36)

Stormwater runoff calculations for Area 2 (Lot 2)

Site Area = 190.8 m<sup>2</sup>

Roof Area = 89.65 m<sup>2</sup>  
 Paved Area = 67.2 m<sup>2</sup>  
 Pervious Area = 33.95 m<sup>2</sup>

Cr = 0.9  
 Cpav = 0.75  
 Cp = 0.7  
 Cn = 0.81  $((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$

i = 75 mm/hr for 5 year event, 6 min t<sub>c</sub>  
 I = 172 mm/hr for 100 year event, 6 min t<sub>c</sub>

Q post 5 = 3.23 L/s (C\*A\*i)/(0.36)  
 Q post 100 = 7.40 L/s (C\*A\*i)/(0.36)



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 Eng: CM  
 Project: Brahma Lodge  
 Residential

Stormwater runoff calculations for Area 3 (Lot 3)

Site Area =	195 m <sup>2</sup>	
Roof Area =	84.5 m <sup>2</sup>	
Paved Area =	69.6 m <sup>2</sup>	
Pervious Area =	33.95 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.78	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	3.17 L/s	$(C*A*i)/(0.36)$
Q post 100 =	7.26 L/s	$(C*A*i)/(0.36)$

Stormwater runoff calculations for Area 4

Site Area =	596 m <sup>2</sup>	
Roof Area =	167.5 m <sup>2</sup>	
Paved Area =	336 m <sup>2</sup>	
Pervious Area =	92.5 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.78	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
$t_c = 0.03 \times (1.1 - C) \times L^{0.5} / S^{0.333}$		
C =	0.78	
L =	67	(length of run, m)
S =	0.5	(slope of pipe, %)
$t_c =$	0.17	hrs
=	10.23	mins
i =	60 mm/hr	for 5 year event, 10 min tc
I =	136 mm/hr	for 100 year event, 10 min tc
Q post 5 =	7.79 L/s	$(C*A*i)/(0.36)$
Q post 100 =	17.66 L/s	$(C*A*i)/(0.36)$





Page: CC5  
 Job No: 160805  
 Date: 29/08/2016  
 Eng: CM  
 Project: Brahma Lodge  
 Residential

Stormwater runoff calculations for Area 5 (Lot 5)

Site Area =	194 m <sup>2</sup>	
Roof Area =	81 m <sup>2</sup>	
Paved Area =	68.5 m <sup>2</sup>	
Pervious Area =	44.5 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.80	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	3.24 L/s	$(C*A*i)/(0.36)$
Q post 100 =	7.43 L/s	$(C*A*i)/(0.36)$

Stormwater runoff calculations for Area 6 (Lot 6)

Site Area =	194 m <sup>2</sup>	
Roof Area =	81 m <sup>2</sup>	
Paved Area =	75.3 m <sup>2</sup>	
Pervious Area =	37.7 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.80	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	3.25 L/s	$(C*A*i)/(0.36)$
Q post 100 =	7.44 L/s	$(C*A*i)/(0.36)$



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Stormwater runoff calculations for Area 7 (Lot 8)

Site Area =	194 m <sup>2</sup>	
Roof Area =	82 m <sup>2</sup>	
Paved Area =	74 m <sup>2</sup>	
Pervious Area =	38 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.80	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	3.25 L/s	$(C*A*i)/(0.36)$
Q post 100 =	7.45 L/s	$(C*A*i)/(0.36)$

Stormwater runoff calculations for Area 8 (Lot 9)

Site Area =	194 m <sup>2</sup>	
Roof Area =	81 m <sup>2</sup>	
Paved Area =	70.6 m <sup>2</sup>	
Pervious Area =	42.4 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.80	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	3.24 L/s	$(C*A*i)/(0.36)$
Q post 100 =	7.43 L/s	$(C*A*i)/(0.36)$



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#### Stormwater runoff calculations for Area 9

Site Area = 578 m<sup>2</sup>  
 Roof Area = 155.8 m<sup>2</sup>  
 Paved Area = 353 m<sup>2</sup>  
 Pervious Area = 69.2 m<sup>2</sup>  
 Cr = 0.9  
 Cpav = 0.75  
 Cp = 0.7  
 Cn = 0.78  $((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$   
 $t_c = 0.03 \times (1.1 - C) \times L^{0.5} / S^{0.333}$   
 C = 0.78  
 L = 45 (length of run, m)  
 S = 0.5 (slope of pipe, %)  
 $t_c = 0.14$  hrs  
 = 8.38 mins  
 i = 67 mm/hr for 5 year event, 8 min  $t_c$   
 I = 151 mm/hr for 100 year event, 8 min  $t_c$   
 Q post 5 = 8.44 L/s  $(C*A*i)/(0.36)$   
 Q post 100 = 19.02 L/s  $(C*A*i)/(0.36)$

#### Stormwater runoff calculations for Area 10 (Lot 11)

Site Area = 194 m<sup>2</sup>  
 Roof Area = 82.6 m<sup>2</sup>  
 Paved Area = 66.7 m<sup>2</sup>  
 Pervious Area = 44.7 m<sup>2</sup>  
 Cr = 0.9  
 Cpav = 0.75  
 Cp = 0.7  
 Cn = 0.80  $((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$   
 i = 75 mm/hr for 5 year event, 6 min  $t_c$   
 I = 172 mm/hr for 100 year event, 6 min  $t_c$   
 Q post 5 = 3.24 L/s  $(C*A*i)/(0.36)$   
 Q post 100 = 7.44 L/s  $(C*A*i)/(0.36)$



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Stormwater runoff calculations for Area 11 (Lot 12)

Site Area =	194 m <sup>2</sup>	
Roof Area =	82.5 m <sup>2</sup>	
Paved Area =	73.7 m <sup>2</sup>	
Pervious Area =	37.8 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.80	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	3.25 L/s	$(C*A*i)/(0.36)$
Q post 100 =	7.45 L/s	$(C*A*i)/(0.36)$

Stormwater runoff calculations for Area 12 (Lot 14)

Site Area =	270 m <sup>2</sup>	
Roof Area =	88.8 m <sup>2</sup>	
Paved Area =	73 m <sup>2</sup>	
Pervious Area =	108.2 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.78	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	4.38 L/s	$(C*A*i)/(0.36)$
Q post 100 =	10.05 L/s	$(C*A*i)/(0.36)$





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Stormwater runoff calculations for Area 13 (Lot 15)

Site Area =	452 m <sup>2</sup>	
Roof Area =	89 m <sup>2</sup>	
Paved Area =	70.2 m <sup>2</sup>	
Pervious Area =	292.8 m <sup>2</sup>	
Cr =	0.9	
Cpav =	0.75	
Cp =	0.7	
Cn =	0.75	$((Cr*Ar)+(Cpav*Apav)+(Cp*Ap))/A$
i =	75 mm/hr	for 5 year event, 6 min tc
I =	172 mm/hr	for 100 year event, 6 min tc
Q post 5 =	7.04 L/s	$(C*A*i)/(0.36)$
Q post 100 =	16.14 L/s	$(C*A*i)/(0.36)$



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Post Development tc to reach existing underground stormwater system

Area	C	L	S	tc	tc
1	0.81	134	1	0.17	10.49
2	0.81	119	1	0.16	9.89
3	0.78	111.5	1	0.18	10.63
4	0.78	139.6	1	0.20	11.72
5	0.80	105	1	0.16	9.62
6	0.80	88	1	0.15	8.76
7	0.80	79	1	0.14	8.28
8	0.80	78	1	0.14	8.28
9	0.78	77.5	1	0.15	8.73
10	0.80	64	1	0.12	7.48
11	0.80	47.5	1	0.11	6.41
12	0.78	46	1	0.11	6.84
13	0.75	32	1	0.10	6.27
Units		m	%	hrs	mins

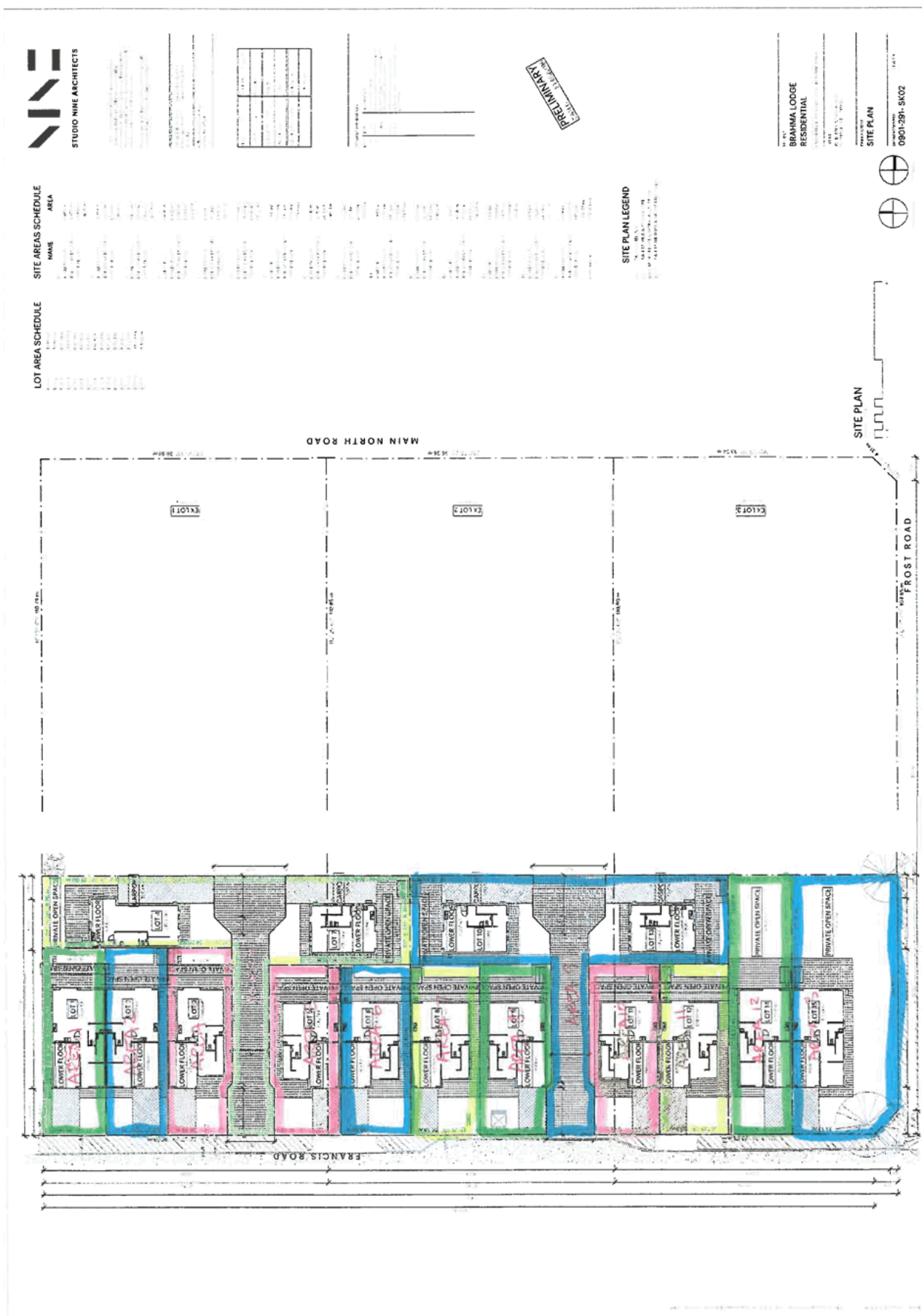
Area	Total Area	i (1:5)	i (1:100)	Q (1:5)	Q (1:100)
1	190.8	60	136	2.58	5.85
2	190.8	60	136	2.58	5.85
3	195	60	136	2.53	5.74
4	596	57	129	7.40	16.75
5	194	63	143	2.72	6.17
6	194	67	151	2.90	6.53
7	194	67	151	2.90	6.54
8	194	67	151	2.89	6.52
9	578	67	151	8.44	19.02
10	194	70	161	3.03	6.96
11	194	75	172	3.25	7.45
12	270	75	172	4.38	10.05
13	452	75	172	7.04	16.14
Total				52.65	119.58
Untis		mm/hr	mm/hr	L/s	L/s



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Through the calculations, the following items are shown:

- the existing runoff is greater than the post development runoff, therefore the runoff that is reaching council's system is reduced.
- each area has a 1 in 100 year flow less than 20 L/s
- the use of multiple discharge points post development reduces the stress on the system by increasing the time of concentration for the runoff to reach council's below ground system
- based on the above points and the calculations, the stress on the existing stormwater infrastructure system is being reduced as a result of the development, the development will not require detention





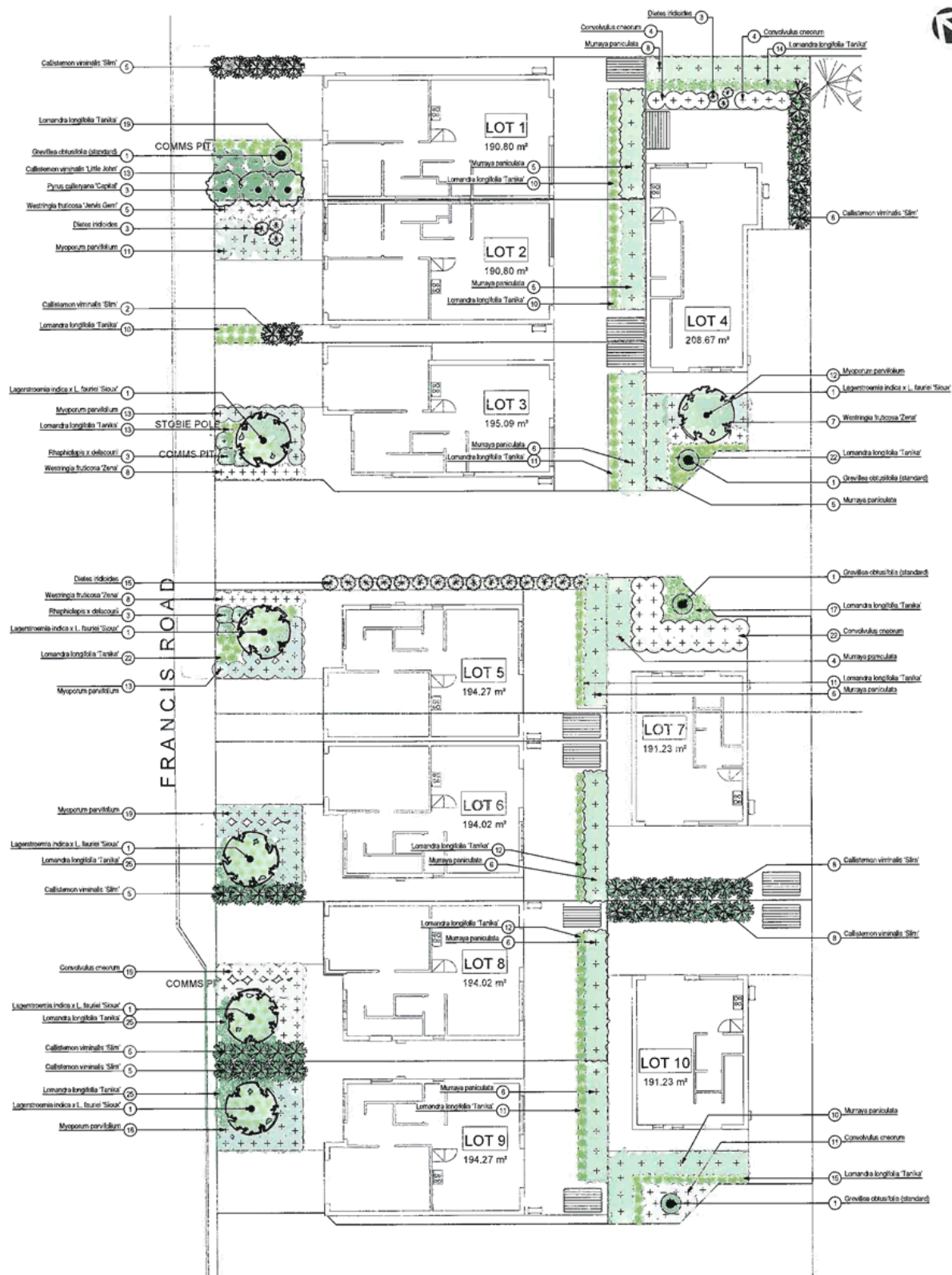


## APPENDIX C

### Landscaping Plan

14943SOE01 - FINAL

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\*SEE SK02 FOR PLANT LIST AND DETAIL

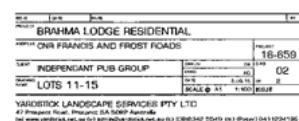
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DATE: 10/10/16  
PROJECT: BRAHMA LODGE RESIDENTIAL  
CLIENT: OUR FRANCIS AND FRIDG ROADS  
DRAWN BY: INDEPENDANT PLS GROUP  
CHECKED BY: SK 01  
SCALE: 1:1000  
YARDSTICK LANDSCAPE SERVICES PTY LTD  
4/7 FRIDGESS ROAD, FRIDGES, VIC 3085 AUSTRALIA  
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TYPICAL SMALL PLANT / TUBESTOCK PLANTING DETAIL





## **APPENDIX D**

### **Preliminary Site Investigation**

14943SOE01 - FINAL

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**Brahma Lodge Hotel  
Residential Development  
Preliminary Site Investigation**

Prepared for  
GM Hotels Management Pty Ltd

**23 August 2016**

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Tierra Environment Pty. Ltd.  
ABN: 84 111 615 680

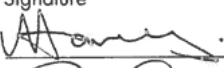

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**Brahma Lodge Hotel  
Residential Development  
Preliminary Site Investigation**

Prepared for  
GM Hotels Management Pty Ltd

**23 August 2016**

**Document Status**

	Name	Signature	Date
Approved for Issue <input checked="" type="checkbox"/>	Prepared by <u>Lauren Harvey</u>		<u>23/08/2016</u>
Revision <u>B</u>	Reviewed by <u>Elmar Schaffeler</u>		<u>23/08/2016</u>

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23 August 2016



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## 1 INTRODUCTION

### 1.1 General

This preliminary site investigation (PSI) report has been prepared by Terra Environment (Terra) for GM Hotels Management Pty Ltd (GM Hotels). The site subject to investigation is a portion of the car park for the Brahma Lodge Hotel located at 1572-1582 Main North Road, Brahma Lodge, South Australia. A site location plan is presented as Figure 1 in Appendix A.

This PSI was undertaken due to a request by Studio Nine Architects on behalf of GM Hotels as part of residential development works on a portion of the Brahma Lodge Hotel site. The proposed design concept for the future site consists of 15 two storey residential townhouses.

As part of the PSI the following was reviewed:

- Current land uses
- Surrounding land uses
- Title search
- Historical aerial photographs
- Topography and drainage
- Soil and geology
- Regional and local groundwater
- Council development plan
- EPA 'Section 7' summary
- Dangerous substance licence search
- Site contamination groundwater notifications index
- Human and environmental receptors
- Environmentally significant features

In addition a site visit was undertaken.

### 1.2 Site Description

The site subject to investigation consists of a portion the following:

<b>Address</b>	1572 - 1582 Main North Road, Brahma Lodge
<b>Approx Area</b>	0.32ha
<b>Certificate of title</b>	Community Title Volume 5145 Folio 76 Community Title Volume 5743 Folio 407 Community Title Volume 5145 Folio 150
<b>Plan Reference</b>	Deposited Plan 6620 Allotment 261 Deposited Plan 6620 Allotment 260 Deposited Plan 6620 Allotment 245
<b>Council</b>	City of Salisbury
<b>Zoning</b>	Commercial

Title boundaries are summarised on Figure 1 in Appendix A.

### 1.3 Current Land Uses

The site is currently a car park for the Brahma Lodge Hotel. It appears to have been a car park since the hotel was established around 1960.





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#### **1.4 Surrounding Land Uses**

The site is surrounded by:

- Francis Road to the north west with residential low and medium density housing beyond.
- Frost Road to the south west with a nursing home and industrial land beyond.
- Brahma Lodge Hotel to the south east with Main North Road and residential and commercial land beyond that.
- Medium density residential housing to the north east with Main North Road and more housing beyond that.

Photographs of the surrounding land are presented in Appendix F.

#### **1.5 Client Provided Information**

The current owner of the site provided the following documents for use in the preparation of this report:

- Current certificate of titles

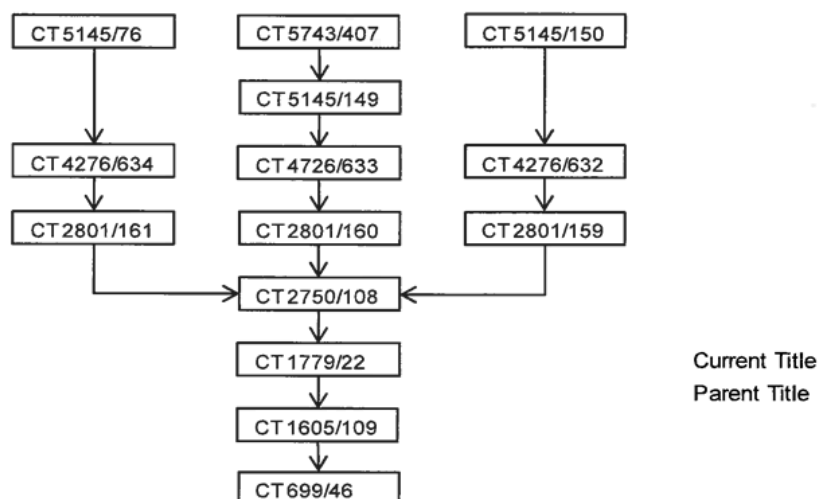


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## 2 SITE HISTORY

### 2.1 Title Search Review

A historical title search was undertaken for certificates of titles listed in the table in Section 1.2. The relationship between the titles is presented in the title chart below:



The above titles were reviewed and the owners and occupations were assessed for potential relevance in relation to potentially contaminating activities or potential site contamination.

The site is currently owned by Blue Sky Hotel Assets Pty Ltd. It has been owned by numerous companies since 1960 and appears to have been run as a hotel throughout this time. Prior to 1960 and the development of the land, the site was owned by grain merchants, graziers and farmers since 1903.

The current and historical certificates of titles presented above are provided in Appendix B.

### 2.2 Historical Aerial Photograph Review

A review of available historical aerial photographs of the site and surrounding land was undertaken. A summary of the photographs is provided below.

Year	Survey	Frame	Notes
1949	6	66	Site - The site appears to be an empty paddock. Surrounding Land - Land is generally vacant cropping or grazing land with some homes scattered around predominately along Main North Road.
1959	326	9526	Site - The site appears unchanged. Surrounding Land - Generally unchanged however appears to be slightly more residential homes and some possible sub divisional works occurring to the south east of the site.
1968	1125	9995	Site - The site appears to be sealed and forms part of the car park for the Brahma Lodge Hotel.



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Year	Survey	Frame	Notes
			Surrounding Land <ul style="list-style-type: none"> <li>- The Brahma Lodge Hotel has been constructed adjacent the site.</li> <li>- Land to the north and east appears to have been sub divided and residential homes have been constructed.</li> <li>- Some commercial land also appears to have constructed to the east.</li> <li>- Land to the south and south west still appears to be used for agricultural purposes.</li> </ul>
1979	2409	48	Site <ul style="list-style-type: none"> <li>- No significant changes.</li> </ul> Surrounding Land <ul style="list-style-type: none"> <li>- Land to the south west and west appears to be used for industrial purposes.</li> <li>- Land to the north east and south east appears predominately residential with some commercial along Main North Road.</li> </ul>
1989	4108	50	Site <ul style="list-style-type: none"> <li>- No significant changes.</li> </ul> Surrounding Land <ul style="list-style-type: none"> <li>- Slightly more industries to the south west and west.</li> <li>- No other significant changes.</li> </ul>
1999	5724	584	Site <ul style="list-style-type: none"> <li>- No significant changes.</li> </ul> Surrounding Land <ul style="list-style-type: none"> <li>- Increased commercial/ high density residential and industrial land uses to the south west.</li> <li>- No other significant changes.</li> </ul>
2008	Google Earth		Site <ul style="list-style-type: none"> <li>- No significant changes.</li> </ul> Surrounding Land <ul style="list-style-type: none"> <li>- No significant changes.</li> </ul>
Nov 2014	Google Earth		Site <ul style="list-style-type: none"> <li>- The surface of the car park appears to have been resurfaced.</li> </ul> Surrounding Land <ul style="list-style-type: none"> <li>- No significant changes.</li> </ul>

### 2.3 Topography and Drainage

The topography of the site is generally flat. The site is sealed with asphalt; any water falling on the site is likely to run off the sealed areas and collect in the local stormwater system with little chance for it to infiltrate site soils.

### 2.4 Geology

The underlying Quaternary geology according to the South Australian Resources Information GeoServer (SARIG) database and the SA Geological Atlas Series Adelaide, Sheet SI 54-9, Zones 5&6 consists of Pooraka Formation; silty clay, sand and carbonate earth with gravel lenses.



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## 2.5 Groundwater Review

The WaterConnect groundwater data system was searched to identify groundwater wells bores within 1km of the site and 26 wells were identified. WaterConnect data along with local groundwater information held by the SARIG database were reviewed and are summarised as follows:

- 15 of the groundwater wells appear to be constructed into the upper Quaternary aquifers at depths below the surface ranging from 6m to 29m. 11 other wells appear to be installed in Tertiary aquifers as they are drilled between 45m and 525m below the surface.
- Of the 26 wells 4 were listed as being backfilled or abandoned.
- Of the 26 wells 2 were classified as domestic, 1 was classified as industrial, 5 were classified as investigation, 4 were classified as irrigation and 1 was classified as an observation well. The remaining wells/bores did not have a purpose recorded.
- 1 well is recorded as being located on the site.
- The standing water levels (SWL) and reduced standing water levels (RSWL) within the Quaternary wells ranged from 0.61m to 18m below the surface and 11.5m AHD to 26.3m AHD.
- Electrical conductivities (EC) in Quaternary wells ranged from 1,551 $\mu$ S/cm to 8,755 $\mu$ S/cm.
- Total dissolved solids (TDS) in Quaternary wells ranged from 855mg/L to 4,964mg/L. TDS levels for the region are expected to be between 1,500ppm to 3,000ppm.
- Yields ranged from 1.3L/sec to 10.1L/sec in the Quaternary wells. Yield levels for the region are expected to be between 2.5L/sec to 5L/sec.

A plan showing the location of groundwater wells is provided as Figure 2 in Appendix C.

Regional groundwater flow is expected to follow local topology and be towards west north west.

A copy of the registered well search is provided in Appendix C.

## 2.6 EPA 'Section 7' Summary

A review of Land and Business (Sale and Conveyancing) Act 1994 Section 7 summary information, supplied by the Environment Protection Authority, was undertaken. The Section 7 summaries showed that there were no records held for the site.

A copy of the Section 7 documentation is provided in Appendix D.

## 2.7 Dangerous Substance Licence Search

A SafeWork SA dangerous substance licences search was undertaken for 1572-1582 Main North Road, Brahma Lodge. SafeWork SA advised that there are no current or historical records for the site. A copy of the dangerous substance licence search is provided in Appendix E.

## 2.8 Site Contamination Index

An online search of the EPA's Public Register Directory Site contamination index was performed for Brahma Lodge. The search indicated there were no records related Brahma Lodge. The search was extended to the adjacent suburbs Salisbury South and Salisbury East. The following records were obtained.

Address	Notification Type	PCA	Distance from site boundary
3-55 Frost Road, Salisbury South	S83A	Listed Substances (storage); Tyre manufacture or retreading	1.1km north west
Lot 300 Frost Road, Salisbury South	S83A	Tyre manufacture or retreading	1.2km north west





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Address	Notification Type	PCA	Distance from site boundary
1461 & 1467 Main North Road, Salisbury East	Audit Notification, Audit Termination, S83A	Fill or soil importation; Service stations	1.1km south west
32-58 Smith Road, Salisbury East	S83A	Listed Substances (storage)	1.2km north east

Due to the distance between the site and the above properties it is unlikely that they are impacting on the site.

## 2.9 Human and Environmental Receptors

The following significant receptors were identified on or in proximity of the site:

Receptor	Detail	Distance to site boundary
Nearest human receptors	On site – Workers, general public and future residents	-
	Off site – Residents	10m
Nearest environmental receptors	On site – Groundwater below the site	10-20m
	Off site – Little Para River	3km

## 2.10 Environmentally Significant Features

No environmentally significant features were identified at the site.

## 2.11 Site Visit

A site visit was undertaken by an experienced environmental scientist on 4 August 2016. The following was observed during the site inspection.

- The site was generally sealed with the exception of the garden beds around the perimeter of the site.
- General litter and rubbish (bottles, plastic, clothing, mattresses and paper) was observed in the garden beds.
- No unusual features were observed across the car park, although some oil stains and tyre marks were present on the surface of the bitumen.
- Evidence of underground storage tanks was not observed.
- A suspected plant room was observed on the western side of the hotel. Staining was observed on the concrete adjacent the plant room and in the adjacent stormwater drain.

A photographic log with photos taken during the site inspection is provided in Appendix F.

## 2.12 Development Plan

The Salisbury Council development plan was reviewed. The site is currently zoned as commercial. The objectives of this zone are:

- "A zone accommodating a range of commercial and business land uses".
- "Development that minimises any adverse impacts upon the amenity of the locality within the zone".
- "Development that contributes to the desired character of the zone".



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### 3 SITE HISTORY SUMMARY

A review of available reports and information resulted in the following findings:

- The site is currently used as car parking for the Brahma Lodge Hotel.
- A review of historical certificates of titles indicated that the site has been a car park for the Brahma Lodge Hotel since 1960. Prior to this the site was used for farming purposes.
- A review of historical aerial photography showed that the site was developed as a car park between 1959 and 1968. Since this time the site has been largely unchanged. Resurfacing of the car park was observed in the 2014 aerial photograph.
- A site inspection undertaken identified the following:
  - General litter and rubbish, some oil stains and tyre marks present on the surface of the bitumen and Staining on concrete and stormwater drain adjacent a suspected plant room.
  - No evidence of underground storage tanks was observed during the site visit.
- A review of Water Connect and SARIG groundwater records identified that shallow groundwater may be present at the site as 15 registered groundwater wells were recorded within 1km of the site (one well was recorded as being on the site) with standing water levels ranging from 0.6m to 16m below ground level. Regional groundwater flow is expected to follow local topography and be to towards the west north west.
- SafeWork SA dangerous substance licences search found there were no records related to the site.
- EPA Section 7 summary information showed that there were no records held by the EPA relating to the site.
- An online search of the EPA's Public Register Directory Site contamination indicated there were no records for the site or for the suburb of Brahma Lodge. A search of the adjacent suburbs found records for four properties however given the distance between the site and the properties it is unlikely that they would impact the site.

A table summarising the desktop assessment of potentially contaminating activities (PCAs) as defined in Appendix 1 of Planning Advisory Notice 20 is provided below in Table 1.

**Table 1 – Potentially contaminating activities**

Issue	Relevant chemicals	Persistence/mobility	Potential location	Likelihood of site contamination <sup>1</sup>
Contaminated fill	PAH, metals but also others	High persistence/ Low mobility	Below asphalt	Unlikely

Notes: (1) Refer Table 3 for definitions

The following table summarises the issues in terms of 'other issues related to potential site contamination'.

**Table 2 – Other issues related to potential site contamination**

Issue	Relevant chemicals	Persistence/mobility	Potential location	Likelihood of site contamination <sup>1</sup>
Old asphalt or spray seal below asphalt	PAH and TRH	High persistence/ Low mobility	Asphalt surfaces or below asphalt surfaces	Possible

Notes: (1) Refer Table 3 for definitions



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**Table 3 – Definitions of likelihood of site contamination**

Description	Definition
Rare	May be present only in exceptional circumstances
Unlikely	Improbable but may be present sometimes
Possible	Expected to be present sometimes
Likely	Will be present in most circumstances
Confirmed	Know site contamination based on intrusive investigations or inspection



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#### 4 LIMITATIONS OF USE

Site contamination is generally a product of man-made processes and therefore exhibits characteristics and properties that vary from place to place and can change with time. Contamination assessments involve gathering and assimilating limited facts about these characteristics and properties in order to better understand or predict the status of contamination on a particular site under certain conditions.

The facts reported and utilised in this document were obtained by inspection, excavation, sampling, testing, and other means of investigation or from the client. They are directly relevant only to the ground at the place where and time when an investigation was carried out.

Any interpretation or recommendation given in this report is based on judgment and experience and not on greater knowledge of the facts than the sources of information indicate. The interpretations and recommendations are opinions provided for the sole use by GM Hotel Management Pty Ltd and in accordance with a specific brief.

Tierra Environment does not represent that the information or interpretation contained in this document addresses completely existing features such as surface and subsurface contamination, groundwater and geotechnical conditions or ground or contamination behaviour on a subject site or of particular materials.

The responsibility of Tierra Environment Pty Ltd is solely to GM Hotel Management Pty Ltd. It is not intended that this document be relied upon by any third party, other than the Environment Protection Authority or a Site Contamination Auditor (engaged by GM Hotel Management Pty Ltd) for the purpose of a contaminated land audit. Tierra Environment does not undertake any duty or accept any responsibility to any other parties who may rely upon this document.





Consulting Engineers and Scientists

**APPENDIX A  
SITE PLAN**



Approximate Scale (m)  
0 10 20

Figure 1 - Site Boundary and Title Plan  
Brahma Lodge Hotel, Residential Development  
Preliminary Site Investigation  
AD17002.01, Rev A, 19 August 2016

Legend  
Title boundaries  
Site Boundary

Notes:  
1. Aerial photograph by Aerometrex, taken April 2016.  
2. Site boundary from data provided by client.



Consulting Engineers and Scientists

**APPENDIX B**  
**CERTIFICATES OF TITLE**



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:45AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004269
Cost	\$27.75

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



Registrar-General

## Certificate of Title - Volume 5743 Folio 407

Parent Title(s) CT 5145/149  
Dealing(s) TG 8809363  
Creating Title  
Title Issued 14/03/2000  
Edition 4  
Edition Issued 14/10/2015



## Estate Type

FEE SIMPLE

## Registered Proprietor

BLUE SKY HOTEL ASSETS PTY. LTD. (ACN: 606 696 191)  
OF L 46 111 EAGLE STREET BRISBANE QLD 4000

## Description of Land

ALLOTMENT 260 DEPOSITED PLAN 6620  
IN THE AREA NAMED BRAHMA LODGE  
HUNDRED OF YATALA

## Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A TO ETSA UTILITIES PTY. LTD. (TG 8809363)

## Schedule of Dealings

Dealing Number	Description
12394009	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL





<b>Product</b>	Register Search
<b>Date/Time</b>	01/08/2016 11:45AM
<b>Customer Reference</b>	AIQ 17 002.01
<b>Order ID</b>	20160801004269
<b>Cost</b>	\$27.75

#### Notations on Plan

NIL

#### Registrar-General's Notes

NIL

#### Administrative Interests

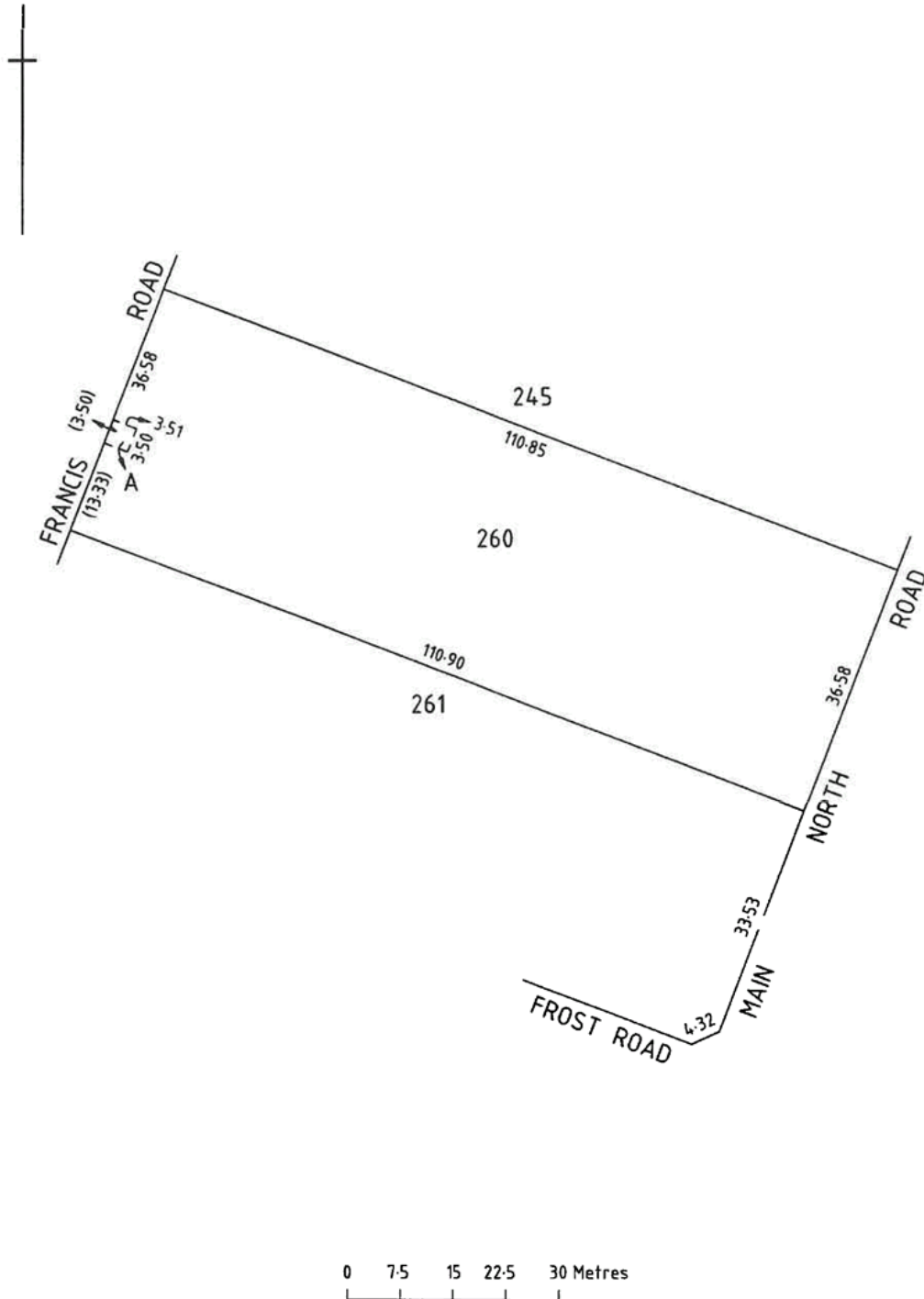
NIL

\* Denotes the dealing has been re-lodged.



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

<b>Product</b>	Register Search
<b>Date/Time</b>	01/08/2016 11:45AM
<b>Customer Reference</b>	AIQ 17 002.01
<b>Order ID</b>	20160801004269
<b>Cost</b>	\$27.75





Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:39AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004121
Cost	\$27.75

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



Registrar-General

## Certificate of Title - Volume 5145 Folio 150

Parent Title(s) CT 4276/632  
Dealing(s) CONVERTED TITLE  
Creating Title  
Title Issued 23/09/1993  
Edition 8  
Edition Issued 14/10/2015



## Estate Type

FEE SIMPLE

## Registered Proprietor

BLUE SKY HOTEL ASSETS PTY. LTD. (ACN: 606 696 191)  
OF L 46 111 EAGLE STREET BRISBANE QLD 4000

## Description of Land

ALLOTMENT 245 DEPOSITED PLAN 6620  
IN THE AREA NAMED BRAHMA LODGE  
HUNDRED OF YATALA

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
12394009	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

<b>Product</b>	Register Search
<b>Date/Time</b>	01/08/2016 11:39AM
<b>Customer Reference</b>	AIQ 17 002.01
<b>Order ID</b>	20160801004121
<b>Cost</b>	\$27.75

#### Notations on Plan

NIL

#### Registrar-General's Notes

NIL

#### Administrative Interests

NIL

\* Denotes the dealing has been re-lodged.







## Certificate of Title

**Title Reference:** CT 5145/149  
**Status:** CANCELLED  
**Parent Title(s):** CT 4276/633  
**Dealing(s) Creating Title:** CONVERTED TITLE  
**Title Issued:** 23/09/1993  
**Title Cancelled:** 14/03/2000  
**Edition:** 5

## Child Titles

Title Reference	Status	Estate Type	Plan / Parcel	Proprietors/Lesseees/ Custodians at time of issue
CT 5743/406	CANCELLED	Easement Only	D6620 Allotment 260	ETSA UTILITIES PTY. LTD.
CT 5743/407	CURRENT	Fee Simple	D6620 Allotment 260	EVIAN PROPERTIES (AUST) PTY. LTD.



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:47AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004326
Cost	\$27.75

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



Registrar-General

## Certificate of Title - Volume 5145 Folio 76

Parent Title(s) CT 4276/634  
Dealing(s) CONVERTED TITLE  
Creating Title  
Title Issued 23/09/1993  
Edition 8  
Edition Issued 14/10/2015



## Estate Type

FEE SIMPLE

## Registered Proprietor

BLUE SKY HOTEL ASSETS PTY. LTD. (ACN: 606 696 191)  
OF L 46 111 EAGLE STREET BRISBANE QLD 4000

## Description of Land

ALLOTMENT 261 DEPOSITED PLAN 6620  
IN THE AREA NAMED BRAHMA LODGE  
HUNDRED OF YATALA

## Easements

NIL

## Schedule of Dealings

Dealing Number	Description
12394009	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (ACN: 005 357 522)

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	01/08/2016 11:47AM
Customer Reference	AIQ 17 002.01
Order ID	20160801004326
Cost	\$27.75

**Notations on Plan**

NIL

**Registrar-General's Notes**

NIL

**Administrative Interests**

NIL

\* Denotes the dealing has been re-lodged.

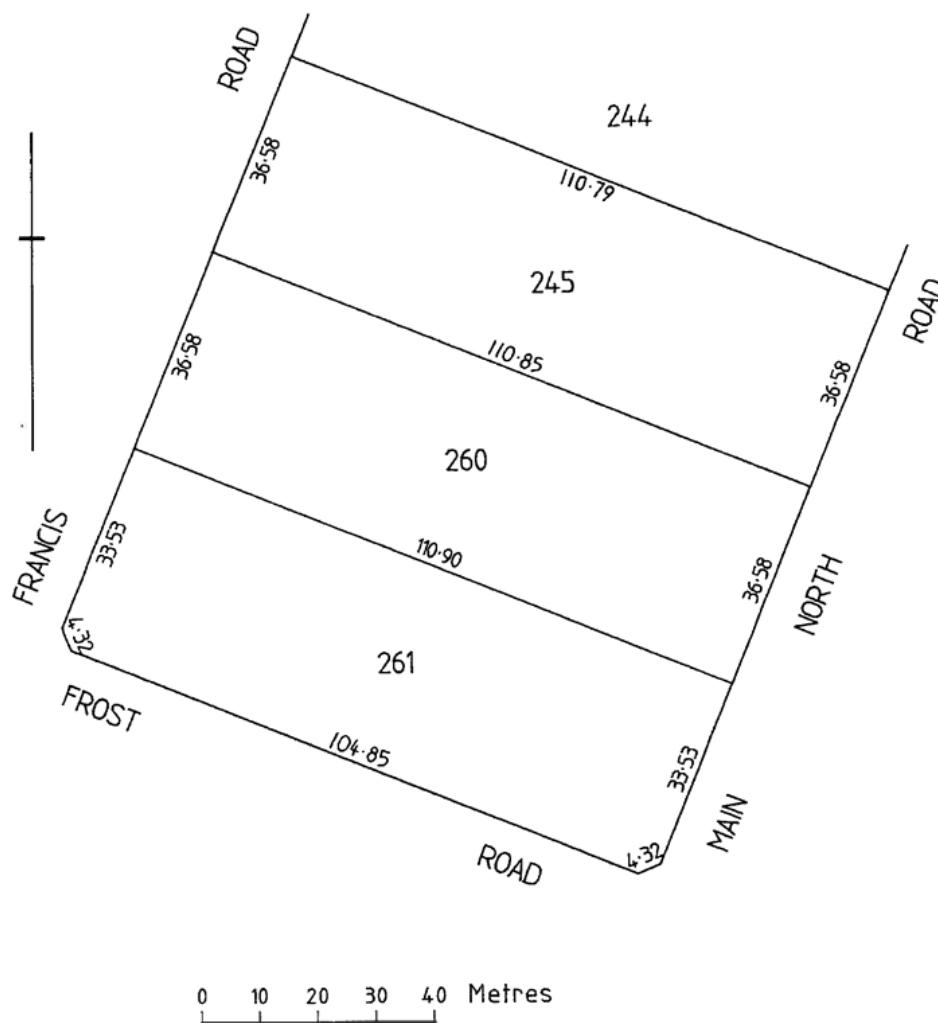















Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product  
Date/Time  
Customer Reference  
Order ID  
Cost

Register Search  
01/08/2016 11:47AM  
AIQ 17 002.01  
20160801004326  
\$27.75



<b>ORIGINAL</b> <b>CERTIFICATE OF TITLE</b>	<b>South Australia</b> 	Register Book, Volume <b>4276 Folio 634</b>
New Certificate for the whole of the Land in Vol.2801 Folio 161		
<p> <u>PANDYA NOMINEES PROPRIETARY LIMITED</u> of 170 Greenhill Road Eastwood 5063 is the proprietor of an estate in fee simple subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in <u>ALLOTMENT 261</u> of portion of Section 2200 <u>HUNDRED OF YATALA</u> laid out as <u>SALISBURY</u> (L.T.R.O. DEPOSITED PLAN No.6620)         </p> <p>         In witness whereof I have signed my name and affixed my seal this <u>18<sup>th</sup></u> day of July 1986       </p> <p>         Signed the <u>18<sup>th</sup></u> day of July 1986, in the presence of <u>H. Clemente</u> </p>		
 Acting Deputy Registrar-General		
<p>         MORTGAGE 5390819 to COMMONWEALTH BANK OF AUSTRALIA Produced 27.2.1985 at 12.20 p.m. (Including other land)       </p> 	<p>         CAVEAT 6130744 lodged by MUTUAL COMMUNITY HEALTH SERVICES PTY. LTD. over the within land Produced 18.12.1985 at 14:40 (Including other land)       </p> 	<p>         CAVEAT 6130744 has been withdrawn vide 6212847 Produced 30.6.1986 at 15:40       </p> 
<p> <del>DM 6212846 WX 6212847 T 6212848</del>  <del>M 6212849 L 6212850 ML 6212851</del>          P.A. 6037310          The within land is discharged from Mortgage 5390819 vide 6212846 Produced 30.6.1986 at 15:40       </p> 	<p>         TRANSFER 6212848 to ELINGA ENTERPRISES PTY. LTD. of 33 King William Street Adelaide 5000 of the within land Produced 30.6.1986 at 15:40       </p> 	<p>         MORTGAGE 6212849 to NATWEST AUSTRALIA BANK LIMITED Produced 30.6.1986 at 15:40 (Including other land)       </p> 
<p>         LEASE 6212850 to EAGLEVIEW PTY. LTD. of the within land Term of 5 years commencing on 1.7.1986 Produced 30.6.1986 at 15:40 (Including other land)       </p> 		
OVER. 		

**VOL 4276 FOL 634**

MORTGAGE 6212851 to NATWEST AUSTRALIA BANK LIMITED  
of the within Lease 6212850 Produced 30.6.1986 at  
15:40 (Including other land)



*M6377270 ML 6377271*

MORTGAGE 6377270 to HINDMARSH & ADELAIDE BUILDING  
SOCIETY Produced 2.7.1987 at 11:40  
(Including other land)



MORTGAGE 6377271 to HINDMARSH & ADELAIDE BUILDING  
SOCIETY of the within Lease 6212850  
Produced 2.7.1987 at 11:40  
(Including other land)



MORTGAGE 6753635 to NATIONAL AUSTRALIA BANK  
LIMITED Produced 19.6.1989 at 11:20 (Including  
Other Land)



**CANCELLED**

CONVERTED TO A COMPUTERISED TITLE



**ORIGINAL**  
**CERTIFICATE OF TITLE**

**South Australia**

Register Book,  
Volume 4276 Folio 633



New Certificate for the whole of the Land in Vol.2801 Folio 160

PANDYA NOMINEES PROPRIETARY LIMITED of 170 Greenhill Road Eastwood 5063 is the proprietor of an estate in fee simple subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in ALLOTMENT 260 of portion of Section 2200 HUNDRED OF YATALA laid out as SALISBURY (L.T.R.O. DEPOSITED PLAN No.6620)

In witness whereof I have signed my name and affixed my seal this 18<sup>th</sup> day of July 1986

Signed the 18<sup>th</sup> day of July

1986, in the presence of R. Clemente }

*[Signature]*

Acting Deputy Registrar-General



MORTGAGE 5390819 to COMMONWEALTH BANK OF AUSTRALIA Produced 27.2.1985 at 12.20 p.m. (Including other land)



CAVEAT 6130744 has been withdrawn vide 6212847 Produced 30.6.1986 at 15:40



CAVEAT 6130744 lodged by MUTUAL COMMUNITY HEALTH SERVICES PTY. LTD. over the within land Produced 18.12.1984 at 14:40 (Including other land)



TRANSFER 6212848 to ELINGA ENTERPRISES PTY. LTD. of 33 King William Street Adelaide 5000 of the within land Produced 30.6.1986 at 15:40



~~DM 6212846 WX 6212847 TG 6212848~~  
~~M 6212849 L 6212850 ML 6212851~~

MORTGAGE 6212849 to NATWEST AUSTRALIA BANK LIMITED Produced 30.6.1986 at 15:40 (Including other land)



P.A. 6037310  
The within land is discharged from Mortgage 5390819 vide 6212846 Produced 30.6.1986 at 15:40



LEASE 6212850 to EAGLEVIEW PTY. LTD. of the within land Term of 5 years commencing on 1.7.1986 Produced 30.6.1986 at 15:40 (Including other land)



OVER. *[Signature]*



VOL 4276 FOL 633

MORTGAGE 6212851 to NATWEST AUSTRALIA BANK LIMITED  
of the within Lease 6212850 Produced 30.6.1986 at  
15:40 (Including other land)



~~M6377270~~ M6377271

MORTGAGE 6377270 to HINDMARSH & ADELAIDE BUILDING  
SOCIETY Produced 2.7.1987 at 11:40  
(Including other land)



MORTGAGE 6377271 to HINDMARSH & ADELAIDE BUILDING  
SOCIETY of the within Lease 6212850  
Produced 2.7.1987 at 11:40  
(Including other land)














MORTGAGE 6753635 to NATIONAL AUSTRALIA BANK  
LIMITED Produced 19.6.1989 at 11:20 (Including  
Other Land)



**CANCELLED**  
CONVERTED TO A COMPUTERISED TITLE



<b>ORIGINAL</b> <b>CERTIFICATE OF TITLE</b>	<b>South Australia</b> 	Register Book, Volume <b>4276</b> Folio <b>632</b>
New Certificate for the whole of the Land in Vol.2801 Folio 159		
<p><u>PANDYA NOMINEES PROPRIETARY LIMITED</u> of 170 Greenhill Road Eastwood 5063 is the proprietor of an estate in fee simple subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in <u>ALLOTMENT 245</u> of portion of Section 2200 <u>HUNDRED OF YATALA</u> laid out as <u>SALISBURY</u> (L.T.R.O. DEPOSITED PLAN No.6620)</p> <p>In witness whereof I have signed my name and affixed my seal this <u>18<sup>th</sup></u> day of July 1986</p> <p>Signed the <u>18<sup>th</sup></u> day of July 1986, in the presence of <u>H. Clemente</u> }</p>		
 Acting Deputy Registrar-General		
MORTGAGE 5390819 to COMMONWEALTH BANK OF AUSTRALIA Produced 27.2.1985 at 12.20 p.m. (Including other land) 	CAVEAT 6130744 has been withdrawn vide 6212847 Produced 30.6.1986 at 15:40 	
CAVEAT 6130744 lodged by MUTUAL COMMUNITY HEALTH SERVICES PTY. LTD. over the within land Produced 18.12.1985 at 14:40 (Including other land) 	TRANSFER 6212848 to ELINGA ENTERPRISES PTY. LTD. of 33 King William Street Adelaide 5000 of the within land . Produced 30.6.1986 at 15:40 	
<del>DM 6212846 WX 6212847 T 6212848</del> <del>M 6212849 L 6212850 ML 6212851</del> P.A. #037310 The within land is discharged from Mortgage 5390819 vide 6212846 Produced 30.6.1986 at 15:40 	MORTGAGE 6212849 to NATWEST AUSTRALIA BANK LIMITED Produced 30.6.1986 at 15:40 (Including other land) 	
	LEASE 6212850 to EAGLEVIEW PTY. LTD. of the within land Term of 5 years commencing on 1.7.1986 Produced 30.6.1986 at 15:40 (including other land) 	
OVER. 		

VOL4276 FOL 632

MORTGAGE 6212851 to NATWEST AUSTRALIA BANK LIMITED  
of the within Lease 6212850 Produced 30.6.1986 at  
15:40 (Including other land)



*M6377270 M6377271*

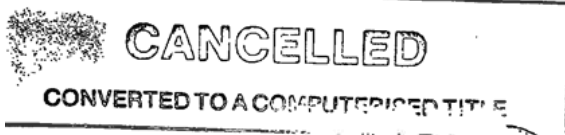
MORTGAGE 6377270 to HINDMARSH & ADELAIDE BUILDING  
SOCIETY Produced 2.7.1987 at 11:40  
(Including other land)




MORTGAGE 6377271 to HINDMARSH & ADELAIDE BUILDING  
SOCIETY of the within Lease 6212850  
Produced 2.7.1987 at 11:40  
(Including other land)



MORTGAGE 6753635 to NATIONAL AUSTRALIA BANK  
LIMITED Produced 19.6.1989 at 11:20 (Including  
Other Land)



**South Australia** (CERTIFICATE OF TITLE)



Register Book,  
Vol. 2801 Folio 161

— New Certificate of Title for portion of the Land in Vol. 2750 Folio 108 —

PROGRESSIVE ESTATES LIMITED whose registered office is situated at 46 Currie Street Adelaide

is the proprietor of an estate in fee simple

subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in


THAT piece of land situate in the HUNDRED of YATALA COUNTY of SOUTHERN


being the ALLOTMENT 261 containing one acre or thereabouts of the subdivision of portion of Section 2200 laid out as SALISBURY and


bounded as appears in the plan in the margin hereof and therein coloured green and in the plan deposited in the Lands Titles Registration Office, No. 6620 which said Section is delineated in the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this fifth day of October 1966

Signed the 5<sup>th</sup> day of October 1966, in the presence of P. Brady

  
Registrar-General.





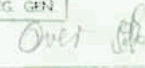
MORTGAGE No. 2245254

TO AUSTRALIA AND NEW ZEALAND BANK LIMITED.  
PRODUCED 10.11.1966 AT 3pm (including other land)  
B. L. Nairn DEP. REG. GEN.

1699681  
TS/A 1897807 W. Hughes D.R.G.  
THE WITHIN LAND IS DISCHARGED FROM MORTGAGE  
No. 2245254 BY ENDORSEMENT THEREON.  
PRODUCED 8.7.1966 AT 2.40pm  
W. Hughes DEP. REG. GEN.

MORTGAGE No. 2240970

TO AUSTRALIA AND NEW ZEALAND BANK LIMITED.  
PRODUCED 8.7.1966 AT 2.40pm  
W. Hughes (INCLUDING OTHER LAND)  
DEP. REG. GEN.

Over 

100 50 0 100 FT



**P/A 1699681 1897807** *fat Hughes* **D.R.G.**  
 THE WITHIN LAND IS DISCHARGED FROM MORTGAGE  
 No. 2740970 VIDE No. 2795119 PRODUCED 7.2.1967 AT 3.5  
*fat Hughes* DEP. REG. GEN.

**TRANSFER No. 2795119 TO**  
**Mandurana Pty. Ltd. of care of**  
**Messrs. Bevan Smith & Co 195**  
**Victoria Square Adelaide**  
 OF THE WITHIN LAND PRODUCED 7.2.1967 AT 3.5 PM  
*fat Hughes* DEP. REG. GEN.

**MORTGAGE No. 2838381**  
 TO LENS WORTH FINANCE LIMITED  
 PRODUCED 17/7/67 AT 11.40 AM  
*fat Hughes* (INCLUDING OTHER LAND) DEP. REG. GEN.

**MORTGAGE No. 2838381**  
 TO LENS WORTH FINANCE LIMITED  
 PRODUCED 26.2.1968 AT 12.10 PM  
*fat Hughes* (INCLUDING OTHER LAND) DEP. REG. GEN.

**MORTGAGE No. 2961404**  
 TO COMMONWEALTH BANK OF AUSTRALIA  
 PRODUCED 22.11.1968 AT 11.15 AM  
*fat Hughes* (INCLUDING OTHER LAND) DEP. REG. GEN.

**THE WITHIN LAND IS DISCHARGED FROM MORTGAGE**  
 No. 2973106 BY ENDORSEMENT THEREON.  
 PRODUCED 13.1970 AT 11.55 AM  
*fat Hughes* (C.T. not produced) DEP. REG. GEN.

**THE WITHIN LAND IS DISCHARGED FROM MORTGAGE**  
 No. 2838381 VIDE 3338441  
 PRODUCED 12/7/72 AT 3.5 PM  
*fat Hughes* DEP. REG. GEN.

**THE WITHIN LAND IS DISCHARGED FROM MORTGAGE**  
 No. 2961404 BY ENDORSEMENT THEREON.  
 PRODUCED 12/7/72 AT 3.5 PM  
*fat Hughes* DEP. REG. GEN.

**MORTGAGE No. 3338442**  
 ASSOCIATED SECURITIES (SA) LIMITED  
 PRODUCED 12/7/72 AT 3.5 PM  
*fat Hughes* (INCLUDING OTHER LAND) DEP. REG. GEN.

**DISCHARGE OF MORTGAGE No. 3338442**  
 VIDE No. 3711812 PRODUCED 14.2.1973 AT 3.0 PM  
*fat Hughes* DEP. REG. GEN.

**MORTGAGE No. 3711812**  
 TO COMMONWEALTH TRADING BANK  
 OF AUSTRALIA  
 PRODUCED 10.2.1973 AT 10.20 AM  
*fat Hughes* (INCLUDING OTHER LAND) DEP. REG. GEN.

**CAVEAT 5251901** Lodged 9.8.1984 at 3.25 PM

**CAVEAT No. 5251901** LODGED BY Transacted  
 Messrs. P. J. L. L. L.  
 OVER THE WITHIN LAND PRODUCED 9.8.1984 AT 3.25 PM

**INCLUDING OTHER LAND**  
 No. 5251901 - VIDE 5334534  
 P/A 4794436

**THE WITHIN LAND IS DISCHARGED FROM MORTGAGE**  
 No. 3711812 VIDE 5334534  
 PRODUCED 14.11.1984 AT 10.45

**CAVEAT No. 5251901 HAS BEEN WITHDRAWN VIDE**  
 No. 5342231 PRODUCED 27.10.1984 AT 11.30

**TRANSFER No. 5390918 TO**  
**PANDYA NOMINEES PTY. LTD. OF 170**  
**GREENHILL ROAD EASTWOOD 5063**  
 OF THE WITHIN LAND. PRODUCED 27.2.1985 AT 12.20 PM

**MORTGAGE No. 5390918** TO  
 COMMONWEALTH BANK OF AUSTRALIA  
 PRODUCED 27.2.1985 AT 12.20 PM  
 (INCLUDING OTHER LAND)

**MORTGAGE No. 6082961** TO  
 Citicorp Australia Limited  
 PRODUCED 13.11.1985 AT 11.00  
 (INCLUDING OTHER LAND)


**CAVEAT No. 6130949** LODGED BY Patrick Cunningham  
 Messrs. Cunningham & Co.  
 OVER THE WITHIN LAND PRODUCED 18.12.1985 AT 10.45  
 (INCLUDING OTHER LAND)

**RA 5328042E**  
**DISCHARGE OF MORTGAGE 6082961**  
**VIDE 6130949 PRODUCED 18.12.1985 AT 10.45**  
 (C.T. not produced)

**AND New** CERTIFICATE OF TITLE  
**ISSUED VIDE 6212846 VOL 4276** Plan 634

**South Australia**  
(CERTIFICATE OF TITLE)

Register Book,  
Vol. 2891 Folio 160



— Say Certificate of Title for portion of the Land in Vol. 2750 Folio 108 —

PROGRESSIVE ESTATES LIMITED whose registered office is situated at 46 Currie Street Adelaide

is the proprietor of an estate in fee simple

subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in


THAT piece of land situate in the HUNDRED of YATALA COUNTY of ADELAIDE


being the ALLOTMENT 260 containing one acre or thereabouts of the subdivision of portion of Section 2200 laid out as SALISBURY and

bounded as appears in the plan in the margin hereof and therein coloured green and in the plan deposited in the Lands Titles Registration Office, No. 6620 which said Section is delineated in the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this fifth day of October 1966

Signed the 5th day of October 1966 in the presence of P. Brady

  
Registrar-General.




MORTGAGE No. 2740970

TO AUSTRALIA AND NEW ZEALAND BANK LIMITED.

PRODUCED 10.11.1966 AT 3.40pm.

C. H. Nairn including other land

DEP. REG. GEN.



MORTGAGE No. 2740970

TO AUSTRALIA AND NEW ZEALAND BANK LIMITED.

PRODUCED 8.7.1966 AT 2.40pm.

C. H. Nairn including other land

DEP. REG. GEN.



25/A 1699681 1897807 *Logbock* D.R.G.

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE No. 2740970 VIDE No. 2795119 PRODUCED 17.2.1967 AT 5.5pm

TRANSFER No. 2795120 TO: *Mandurama Pty. Ltd. of care of Messrs. Bevan Schmidt & Co. 195 Victoria Square Adelaide 3.5pm*

OF THE WITHIN LAND. PRODUCED 17.2.1967 AT 3.5pm

*Logbock* DEP. REG. GEN.

AGI No. 2838381 TO: LENS WORTH FINANCE LIMITED PRODUCED 17.7.1967 AT 11.40am

*Logbock* DEP. REG. GEN.

MORTGAGE No. 2838381 TO LENS WORTH FINANCE LIMITED PRODUCED 20.2.1968 AT 12.10pm

*Logbock* (INCLUDING OTHER LAND) DEP. REG. GEN.

MORTGAGE No. 2961404 TO COMMONWEALTH BANK OF AUSTRALIA PRODUCED 22.1.1968 AT 11.15am

*Logbock* (INCLUDING OTHER LAND) DEP. REG. GEN.

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE No. 2931112 BY ENDORSEMENT THEREON PRODUCED 1.3.1970 AT 11.55am

*Logbock* DEP. REG. GEN.

P/A 3238314 *Logbock* D.R.G.

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE No. 2838381 VIDE 3238441 PRODUCED 12.7.1970 AT 3.5pm

*Logbock* DEP. REG. GEN.

P/A 2177147 *Logbock* D.R.G.

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE No. 2961404 BY ENDORSEMENT THEREON PRODUCED 12.7.1972 AT 3.5pm

*Logbock* DEP. REG. GEN.

MORTGAGE No. 3338442 ASSOCIATED SECURITIES (SA) LIMITED PRODUCED 12.7.1972 AT 3.5pm

*Logbock* (INCLUDING OTHER LAND) DEP. REG. GEN.

DISCHARGE OF MORTGAGE No. 3338442 VIDE No. 3711812 PRODUCED 15.2.1975 AT 4.45pm

*Logbock* DEP. REG. GEN.

MORTGAGE No. 3711812 TO COMMONWEALTH BANK OF AUSTRALIA PRODUCED 10.3.1975 AT 10.30am

*Logbock* DEP. REG. GEN.

CAVEAT No. 5251901 LODGED 9.8.1975 AT 3.25pm

CAVEAT No. 5251901 LODGED BY THE COMMONWEALTH BANK OF AUSTRALIA OVER THE WITHIN LAND PRODUCED 9.8.1975 AT 3.25pm

INCLUDING OTHER LAND

DA 5334534 VIDE 5334534 P/A 4194436

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE No. 3711812 VIDE 5234534 PRODUCED 14.11.1974 AT 10.45pm

*Logbock* DEP. REG. GEN.

CAVEAT No. 5334534 HAS BEEN WITHDRAWN VIDE No. 5334534 PRODUCED 19.7.1975 AT 11.30am

*Logbock* DEP. REG. GEN.

TRANSFER No. 5810818 TO PANDORA NOMINEES PTY. LTD. OF 170 GREENHILL ROAD EASTWOOD 5063

OF THE WITHIN LAND. PRODUCED 27.2.1985 AT 12.20pm

MORTGAGE No. 5810818 TO COMMONWEALTH BANK OF AUSTRALIA PRODUCED 27.2.1985 AT 12.20pm

INCLUDING OTHER LAND

MORTGAGE No. 6085701 TO Citicorp Australia Limited PRODUCED 11.9.1985 AT 11.05pm

INCLUDING OTHER LAND

CAVEAT No. 6130744 LODGED 11/2/1985 AT 14.00

CAVEAT No. 6130744 LODGED BY Mutual Community Health Services Pty. Ltd. OVER THE WITHIN LAND PRODUCED 11.2.1985 AT 14.00

INCLUDING OTHER LAND

P/A 5823042E DISCHARGE OF MORTGAGE 6082961 VIDE 6130744 PRODUCED 18.2.1985 AT 5.15pm

(Dup C.T. not prod)

AND New CERTIFICATE OF TITLE ISSUED VIDE 6212846 VOL 4216

6212846 6212847 6212848 6212849 6212850 6212851

CANCELLED

**South Australia** (CERTIFICATE OF TITLE)

AND New **CANON** **ISSUED VIDE 6212846 VOL. 4276 FOLIO 632**


Register Book,  
Vol. 2801 Folio 159


- New Certificate of Title for portion of the Land in Vol. 2750 Folio 108 -

PROGRESSIVE ESTATES LIMITED whose registered office is situated at 46 Currie Street Adelaide  
is the proprietor of an estate in fee simple  
subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in  
THAT piece of land situate in the HUNDRED of YATALA COUNTY of ADELAIDE  
being the ALLOTMENT 245 containing one acre or therabouts of the subdivision of portion of Section  
2200 laid out as SALISBURY and

bounded as appears in the plan in the margin hereof and therein coloured green and in the plan deposited in the Lands Titles  
Registration Office, No. 6620 which said Section is delineated in the public map of the said Hundred deposited in  
the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this 5<sup>th</sup> day of October 1960  
Signed the 5<sup>th</sup> day of October  
1960, in the presence of P. Brady

Registrar-General.  




244  
245  
260

FRANCIS RD  
SERVICE RD


100 50 0 100 FT

MORTGAGE No. 2245251  
TO AUSTRALIA AND NEW ZEALAND BANK LIMITED.  
PRODUCED 10-11-19 60 AT 3 pm  
G. H. Nairn (including other land)  
DEP. REG. GEN.



City of Salisbury  
Development Assessment Panel Agenda - 22 November 2016

**South Australia** (CERTIFICATE OF TITLE)



Register Book,  
Vol. 2750 Folio 108

New Certificate of Title for portion of the Land in Vol.1779 Folio 22

FRANK WILLIAM REISS of 50 Clifton Street Maylands Grain Merchant

is the proprietor of an estate in fee simple

subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in


THOSE pieces of land situate in the HUNDRED of YATALA COUNTY of ADELAIDE


being the ALLOTMENTS 175,176,177,178,179,180,181,182,183,184,185,186,187,188,189,190,191,192,193,194,  
195,196,197,198,199,200,201,202,203,204,205,206,215,219,220,221,222,223,224,225,226,227,228,229,230,  
231,232,233,234,235,236,237,238,239,240,241,242,243,244,245,246,247,248,249,250,251,252,253,254,255,  
256,257,258,259,260,261,262,263,264,265,266,267,268,269,270,271,272,273,274,275,276,277,278,279,280,281,  
282,283,284,285,286,287,288,289,290,291,292,293,294,295,296,314,315,316,317,318,319,320,321,322,323,324,  
325,326,327,328,329,330,336,337,338,339 and 340 of the subdivision of portion of Section 2200 laid out  
as SALISBURY and

bounded as appears in the plan deposited in the Lands Titles Registration Office No. 6620 Which said Section is  
delineated in the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this second day of May 1960

Signed the 2 day of May  
1960, in the presence of Officiarius

  
Registrar-General.



caveat

TRANSFER No. 226733 FROM  
Frank William Reiss  
to Progressive Estates Limited of 46  
Currie Street, Adelaide  
OF THE WITHIN LAND. PRODUCED 2.6.1960 AT 12.5 pm  
Dep. Reg. Gen.

MORTGAGE No. 226733 FROM  
Progressive Estates Limited  
TO FINANCE CORPORATION OF AUSTRALIA LIMITED  
PRODUCED 2.6.1960 AT 12.5 pm  
(Including other land)  
Dep. Reg. Gen.

OVER



2-11-858  
 Jan Kers Limited  
 Col. 23/6/60 3pm  
 O.K. Lamin  
 TRANSFER No. 221558 FROM  
 Progressive Estates Limited to  
 186, 188, 189, 190, 191, 192, 193, 195, 231, 232, 242, 254, 264, 265  
 276, 279, 284, 285, 294, 295, 323, 336, 337, 338, 339, 340, 345, 360, 361, 362, 363, 364, 365  
 OF THE WITHIN Lot 242  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 172  
 DEP. REG. GEN.

7/8 2180470  
 Lot 186, 188, 189, 190, 191, 192, 193, 195, 231, 232, 242, 254, 264, 265  
 276, 279, 284, 285, 294, 295, 323, 336, 337, 338, 339, 340, 345, 360, 361, 362, 363, 364, 365  
 OF THE WITHIN Lot 242  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 173  
 DEP. REG. GEN.

TRANSFER No. 2209893 FROM  
 Progressive Estates Limited to  
 Francis Walter Sheppard and  
 Barbara Jean Sheppard  
 OF THE WITHIN Lot 264 and 265  
 PRODUCED 15/6/60 AT 1:50am  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 174  
 DEP. REG. GEN.

TRANSFER No. 2211560 FROM  
 Progressive Estates Limited to  
 Gerard Daly and  
 Catherine Margaret Anne Daly  
 OF THE WITHIN Lot 323  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 175  
 DEP. REG. GEN.

TRANSFER No. 2211561 FROM  
 Progressive Estates Limited to  
 Edna Jill Smith  
 OF THE WITHIN Lot 195  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 176  
 DEP. REG. GEN.

TRANSFER No. 2211564 FROM  
 Progressive Estates Limited to  
 Bergele Ozols and  
 Antonia Ozols  
 OF THE WITHIN Lot 276  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 177  
 DEP. REG. GEN.

TRANSFER No. 2211568 FROM  
 Progressive Estates Limited to  
 Alfred Tunga and  
 Alesandra Tunga  
 OF THE WITHIN Lot 242  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 178  
 DEP. REG. GEN.

TRANSFER No. 2211577 FROM  
 Progressive Estates Limited to  
 Clement Hugh Hall and  
 Barbara Ruth Hall  
 OF THE WITHIN Lot 284 and 285  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 179  
 DEP. REG. GEN.

TRANSFER No. 2211578 FROM  
 Progressive Estates Limited to  
 John Sturgeon and  
 Rosemary Valda Sturgeon  
 OF THE WITHIN Lot 294  
 PRODUCED 22/6/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 180  
 DEP. REG. GEN.

Lot 363 is  
 OF THE WITHIN Lot 363 is DISCHARGED FROM MORTGAGE  
 No. 2207334 VIDE No. 2215342 PRODUCED 7/7/60 AT 4:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 181  
 DEP. REG. GEN.

TRANSFER No. 2211583 FROM  
 Progressive Estates Limited to  
 William Edward Roger Hawke  
 and Beale Hawke  
 OF THE WITHIN Lot 263  
 PRODUCED 7/7/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 182  
 DEP. REG. GEN.

TRANSFER No. 2211591 FROM  
 Progressive Estates Limited to  
 Siegfried Walter Roemer  
 OF THE WITHIN Lot 188  
 PRODUCED 18/7/60 AT 11:45am  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 183  
 DEP. REG. GEN.

TRANSFER No. 2211593 FROM  
 Progressive Estates Limited to  
 Frank O'Brien  
 OF THE WITHIN Lot 295  
 PRODUCED 4/8/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 184  
 DEP. REG. GEN.

Lot 226, 227, 230, 316, 317, 319, and 321 are  
 OF THE WITHIN Lot 226, 227, 230, 316, 317, 319, and 321 are DISCHARGED FROM MORTGAGE  
 No. 2207334 VIDE No. 2211786 PRODUCED 4/8/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 185  
 DEP. REG. GEN.

TRANSFER No. 2211777 FROM  
 Progressive Estates Limited to  
 Emily Buscat  
 OF THE WITHIN Lot 226  
 PRODUCED 4/8/60 AT 2:30pm  
 CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
 VOL. 2801 FOL. 186  
 DEP. REG. GEN.

SHEET No. 2

<p>TRANSFER No. 222178 FROM Progressive Estates Limited to Mary O'Connell</p> <p>OF THE WITHIN Lot 227 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 178</p>	<p>CANCELLED Angelesda Lots 245, 260, 261, 336, 337, 338, 339, 340 AND 8 others ISSUED VIDE 2928 OF 1960</p> <p><i>[Signature]</i> DEP. REG. GEN. CERTIFICATE OF MORTGAGE VOL. 2801 FOL 159 (1960)</p>
<p>TRANSFER No. 222179 FROM Progressive Estates Limited to Charles O'Connell</p> <p>OF THE WITHIN Lot 230 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 179</p>	<p>TRANSFER No. 222180 FROM Progressive Estates Limited to Elizabeth Mary Walling</p> <p>OF THE WITHIN Lot 232 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2815 FOL 118</p>
<p>TRANSFER No. 222181 FROM Progressive Estates Limited to John O'Connell</p> <p>OF THE WITHIN Lot 316 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 180</p>	<p>TRANSFER No. 222182 FROM Progressive Estates Limited to Sigurd O'Connell</p> <p>OF THE WITHIN Lot 229 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2815 FOL 189</p>
<p>TRANSFER No. 222183 FROM Progressive Estates Limited to Pulok O'Connell</p> <p>OF THE WITHIN Lot 317 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 181</p>	<p>THE WITHIN FUND IS DISCHARGED FROM MORTGAGE No. 222183 VIDE No. 222183 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN.</p>
<p>TRANSFER No. 222184 FROM Progressive Estates Limited to Joseph Pella</p> <p>OF THE WITHIN Lot 319 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 182</p>	<p>TRANSFER No. 222185 FROM Progressive Estates Limited to Rita May Kelly</p> <p>OF THE WITHIN Lot 245 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2815 FOL 190</p>
<p>TRANSFER No. 222186 FROM Progressive Estates Limited to Charles O'Connell</p> <p>OF THE WITHIN Lot 321 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 183</p>	<p>1/2 2430216 <i>[Signature]</i> SAC</p> <p>DATE 20/4/83, 242, 349, 348, 347, 346, 345, 344, 343, 342, 341, 340, 339, 338, 337, 336, 335, 334, 333, 332, 331, 330, 329, 328, 327, 326, 325, 324, 323, 322, 321, 320, 319, 318, 317, 316, 315, 314, 313, 312, 311, 310, 309, 308, 307, 306, 305, 304, 303, 302, 301, 300, 299, 298, 297, 296, 295, 294, 293, 292, 291, 290, 289, 288, 287, 286, 285, 284, 283, 282, 281, 280, 279, 278, 277, 276, 275, 274, 273, 272, 271, 270, 269, 268, 267, 266, 265, 264, 263, 262, 261, 260, 259, 258, 257, 256, 255, 254, 253, 252, 251, 250, 249, 248, 247, 246, 245, 244, 243, 242, 241, 240, 239, 238, 237, 236, 235, 234, 233, 232, 231, 230, 229, 228, 227, 226, 225, 224, 223, 222, 221, 220, 219, 218, 217, 216, 215, 214, 213, 212, 211, 210, 209, 208, 207, 206, 205, 204, 203, 202, 201, 200, 199, 198, 197, 196, 195, 194, 193, 192, 191, 190, 189, 188, 187, 186, 185, 184, 183, 182, 181, 180, 179, 178, 177, 176, 175, 174, 173, 172, 171, 170, 169, 168, 167, 166, 165, 164, 163, 162, 161, 160, 159, 158, 157, 156, 155, 154, 153, 152, 151, 150, 149, 148, 147, 146, 145, 144, 143, 142, 141, 140, 139, 138, 137, 136, 135, 134, 133, 132, 131, 130, 129, 128, 127, 126, 125, 124, 123, 122, 121, 120, 119, 118, 117, 116, 115, 114, 113, 112, 111, 110, 109, 108, 107, 106, 105, 104, 103, 102, 101, 100, 99, 98, 97, 96, 95, 94, 93, 92, 91, 90, 89, 88, 87, 86, 85, 84, 83, 82, 81, 80, 79, 78, 77, 76, 75, 74, 73, 72, 71, 70, 69, 68, 67, 66, 65, 64, 63, 62, 61, 60, 59, 58, 57, 56, 55, 54, 53, 52, 51, 50, 49, 48, 47, 46, 45, 44, 43, 42, 41, 40, 39, 38, 37, 36, 35, 34, 33, 32, 31, 30, 29, 28, 27, 26, 25, 24, 23, 22, 21, 20, 19, 18, 17, 16, 15, 14, 13, 12, 11, 10, 9, 8, 7, 6, 5, 4, 3, 2, 1</p>
<p>Lot 219 THE WITHIN FUND IS DISCHARGED FROM MORTGAGE No. 2207334 VIDE No. 2225307 PRODUCED 18/8/1960 AT 1:50pm</p> <p><i>[Signature]</i> DEP. REG. GEN.</p>	<p>TRANSFER No. 222187 FROM Progressive Estates Limited to Vasilios Doukoulas</p> <p>OF THE WITHIN Lot 322 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2815 FOL 191</p>
<p>TRANSFER No. 2225309 FROM Progressive Estates Limited to James O'Connell</p> <p>OF THE WITHIN Lot 219 PRODUCED 18/8/1960 AT 1:50pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2801 FOL 184</p>	<p>TRANSFER No. 222188 FROM Progressive Estates Limited to Domenico Tulladine</p> <p>OF THE WITHIN Lot 242 PRODUCED 4/8/1960 AT 2:30pm</p> <p><i>[Signature]</i> DEP. REG. GEN. CANCELLED AS REGARDS ABOVE LAND AND NEW CT. ISSUED VOL. 2815 FOL 192</p>



*Progressive Estates Limited to Ruth Patricia Jones*

TRANSFER No. 2235 FROM  
OF THE WITHIN lot 203  
PRODUCED 24/11/1960 AT 2:45 pm  
CANCELLLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL. 1815 FOL 193  
D.P. REG. GEN.  
D.P. REG. GEN.

*Progressive Estates Limited to Ruth Patricia Robinson*

TRANSFER No. 2235 FROM  
OF THE WITHIN lot 203  
PRODUCED 24/11/1960 AT 2:45 pm  
CANCELLLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL. 1815 FOL 193  
D.P. REG. GEN.  
D.P. REG. GEN.

*Progressive Estates Limited to Gladys Florence Winifred Edwards.*

TRANSFER No. 2235 FROM  
OF THE WITHIN lot 191  
PRODUCED 20/11/1960 AT 2:30 pm  
CANCELLLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL. 2927 FOL 260  
D.P. REG. GEN.  
D.P. REG. GEN.

*93 new and a balance letter 278/1961*

CANCELLED  
AND 93 new and a balance letter 278/1961  
VOL. 2876 FOL 45 to 138 incl  
D.P. REG. GEN.

*Lot 177 and 201 are*

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE  
No. 2207314 VIDE No. 2449498 PRODUCED 29/11/1960 AT 2:45 pm  
D.P. REG. GEN.

*Lot 24*

TRANSFER No. 2249 FROM  
OF THE WITHIN lot 24  
PRODUCED 29/11/1960 AT 2:45 pm  
CANCELLLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL. 2938 FOL 64  
D.P. REG. GEN.

*Lot 177*

TRANSFER No. 2251 FROM  
OF THE WITHIN lot 177  
PRODUCED 29/11/1960 AT 2:45 pm  
CANCELLLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL. 2938 FOL 13  
D.P. REG. GEN.


*Lot 208*

THE WITHIN LAND IS DISCHARGED FROM MORTGAGE  
No. 2207314 VIDE No. 2449498 PRODUCED 29/11/1960 AT 2:45 pm  
D.P. REG. GEN.

**South Australia.**

(CERTIFICATE OF TITLE.)

Register Book,  
Vol. 1779 Folio 22



Balance Certificate of Title from Vol. 1805 Folio 109

**JOHN CLIFTON MARTIN** of Salisbury Grazier

is the proprietor of an estate in fee simple

subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in

THAT Piece of land situated in the HUNDRED of YATALA COUNTY of ADELAIDE

being PORTION OF SECTION 2200 and bounded as appears in the plan in the margin hereof and


therein coloured green: Which said piece of land contains seventy seven acres and one rood or thereabouts and is more particularly delineated in the said plan

which said Section is delineated on the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this fifteenth day of August 1941

Signed the 15th day of August 1941, in the presence of George Brown

Robt McFarlane  
Registrar-General.



ROAD PLAN 2200 AFFECTS THIS CT

RESERVE, ROADS in Deposited Plan 6619 & 6620 now REDESIGNATED as Allocation(s) & lotment numbers refer to plan for

Agreement 11/10/41  
Reck the 15th  
+ 10/11/41

Mortgage No. 1143479 from John Clifton Martin to The State Bank of South Australia Produced for registration the 28 day of October 1932 at 2.10 p.m.

Robt McFarlane  
Reg. Genl.


DISCHARGE OF THE WITHIN MORTGAGE No. 1143479 SETTLEMENT THEREON PRODUCED FOR REGISTRATION THE 15 DAY OF September 1948 AT 11.35 am.

Robt McFarlane  
REG. GENL.

TRANSFER No. 1850333 FROM John Clifton Martin to Frank William Rees of 50 Blifton Street Maylands Transferee of an estate in fee simple in the within land

PRODUCED FOR REGISTRATION THE 28 DAY OF October 1948 AT 11.35 am

Robt McFarlane  
REG. GENL.



2201

2209

Pt 2200

10 20 30 40 50 60 70 80 90 100 C.H.S.

CANCELLED AS REGARDS PORTION OF THE WITHIN LAND (LAND NOW IN PLAN No. 6619) AND A NEW CERTIFICATE OF TITLE ISSUED VIDE L.T.O. 2109 OF 1960 VOL 2750 FOL 109

*[Signature]* DEP. REG. GENL.

Part of the WITHIN LAND *Street stand*  
IN DEPOSITED PLAN No. 6619 is VESTED IN  
THE *District Council of Salisbury*  
BY VIRTUE OF SEC. 14 SUB SEC 1 OF ACT 1945  
OF 1929 VIDE L.T.O. DOCKET No. 2109 OF 1960

*[Signature]* DEP. REG. GENL.

CANCELLED AS REGARDS PORTION OF THE WITHIN LAND (LAND NOW IN PLAN No. 6620) AND A NEW CERTIFICATE OF TITLE ISSUED VIDE L.T.O. 2109 OF 1960 VOL 2750 FOL 108

*[Signature]* DEP. REG. GENL.

Part of the WITHIN LAND *Cont. way street*  
IN DEPOSITED PLAN No. 6620 is VESTED IN  
THE *District Council of Salisbury*  
BY VIRTUE OF SEC. 14 SUB SEC 1 OF ACT 1945  
OF 1929 VIDE L.T.O. DOCKET No. 2109 OF 1960

*[Signature]* DEP. REG. GENL.

TRANSFERED FROM  
FROM *William Reed* to  
*Bahma Lodge Limited*  
OF THE WITHIN LAND  
PRODUCED 10/5/1960 AT 12.20 pm  
*[Signature]* DEP. REG. GENL.  
CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL 2751 FOL 116  
*[Signature]* DEP. REG. GENL.  
H-6364542  
(being walkway in DP 6620)

NOTIFICATION NO. 134944 received THE WITHIN LAND IS  
VESTED IN *City of Salisbury*  
AS A PUBLIC STREET PURSUANT TO SECTION 305 (2) OF THE  
LOCAL GOVERNMENT ACT AS AMENDED VIDE GOVERNMENT  
GAZETTE DATED 7-5-1957 ALL RIGHTS EASEMENTS  
PROVISIONS TRUSTS ENCUMBRANCES LIMITATIONS OR  
RESTRICTIONS EXISTING OR CLAIMED OVER THE SAID LAND  
ARE THEREBY DISCHARGED  
PRODUCED 5-6-1957 AT 15:40

CANCELLED AS REGARDS ABOVE LAND AND NEW C.T. ISSUED  
VOL. FOL.

CANCELLED as regards through of the  
within land: Walkway in DP 6620  
Closed vide notification of Road Order  
in Gazette dated 7/4/88  
(L.T.O. Road Plan No. 8920)  
Entered 18/4/88

CANCELLED AS REGARDS  
BALANCE OF  
THE WITHIN LAND AND  
NEW COMPUTERISED TITLE(S) ISSUED

*[Circular Stamp]*

**South Australia.** (CERTIFICATE OF TITLE.)

Register Book,  
Vol. 1605 Folio 109

Balance Certificate of Title from Vol. 899 Folio 48

CARL FRIEDRICH FIEDLER of Salisbury Farmer is

the proprietor of an estate in fee simple

subject nevertheless to such encumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in

TRAT SECTION of land situated in the HUNDRED of YATALA COUNTY of ADELAIDE

Mod. 2200 containing eighty acres or thereabouts


and bounded as appears in the plan in the margin hereof


which said Section is delineated in the public map of the said Hundred deposited in the Land Office at Adelaide.

In witness whereof I have hereunto signed my name and affixed my seal this *fifth* day of *August* 19*27*

Signed the *5<sup>th</sup>* day of *August* 19*27*, in the presence of *hy Surge*

*W. H. C. Arnold*  
Registrar General.





Mortgage No. 980431 from Carl Friedrich Fiedler to Walter Theodore Frost Produced for registration the 9 day of February 1927 at 2.15 p.m.

*W. H. C. Arnold* Reg. Genl.

The time for payment of the within Mortgage No. 980431 is extended for one year from the 8 day of February 1931 with interest at the rate of 57 per centum per annum as appears by Memorandum No. 1114373 Produced for registration the 12 day of February 1931 at 11.10 a.m.

*W. H. C. Arnold* Reg. Genl.

The within Mortgage No. 980431 is discharged from the sum of £600 as appears by Memorandum No. 1138619 Produced for registration the 20 day of July 1932 at 3 p.m.

*W. H. C. Arnold* Reg. Genl.



**TRANSFER No. 1141185** FROM  
 Carl Friedrich Fiedler to  
 John Clifton Martin of Woodville  
 OF AN ESTATE IN FREE SIMPLE IN THE WITHIN LAND  
 PRODUCED FOR REGISTRATION THE 9 DAY OF  
 September 1932 AT 1:20 pm  
 DEP. REG. GENL.

*Extension* The time for payment of the within  
 Mortgage No. 990431 is extended for three  
 years from the 8 day of February 1931 with  
 interest at the rate of six pounds per centum  
 per annum as appears by Memorandum  
 No. 1141186 Produced for registration the  
 9 day of September 1932 at 1:20 pm  
 DEP. REG. GENL.

**MORTGAGE No. 1143479** FROM  
 John Clifton Martin of  
 The State Bank of South Australia  
 PRODUCED FOR REGISTRATION THE 28 DAY OF  
 October 1932 AT 1:10 pm  
 DEP. REG. GENL.

*Extension* — The time for payment of the  
 within Mortgage No. 990431 is extended for  
 3 years from the 8 day of February 1931  
 with interest at the rate of 6 per centum  
 per annum as appears by Memorandum  
 No. 1141186 Produced for registration the  
 13 day of June 1932 at 1:45 am  
 A. J. Seabert

The within Mortgage No. 990431 is discharged  
 from the sum of £400 as appears by Memorandum  
 No. 1141187 Produced for registration the 13  
 day of June 1932 at 1:45 am  
 A. J. Seabert

**TRANSFER No. 1207370** FROM  
 Walter Theodore Frost to  
 Alan Sylvester Frost of Jupon  
 Lock and Contractor  
 OF THE WITHIN Mortgage No. 990431  
 PRODUCED FOR REGISTRATION THE 31 DAY OF  
 March 1933 AT 11:50 am  
 DEP. REG. GENL.

**DISCHARGE OF THE within MORTGAGE**  
 No. 990431  
 BY ENDORSEMENT THEREON  
 PRODUCED FOR REGISTRATION THE 22 DAY OF  
 July 1934 AT 2:00 pm  
 DEP. REG. GENL.

*Transfer No. 124972 from John Clifton  
 Martin and The State Bank of South Australia  
 as Mortgage to His Majesty King George  
 the Sixth of portion of the within land for  
 road purposes produced for registration the  
 30 day of July 1934 at 11 am  
 DEP. REG. GENL.*

**CANCELLED**  
 AND Balance  
 CERTIFICATE OF TITLE ISSUED  
 VIDE  
 Vol. 1779 Fol. 32  
 DEP. REG. GENL.

South Australia.  
(CERTIFICATE OF TITLE.)

Register Book,  
Vol. 699 Folio 46

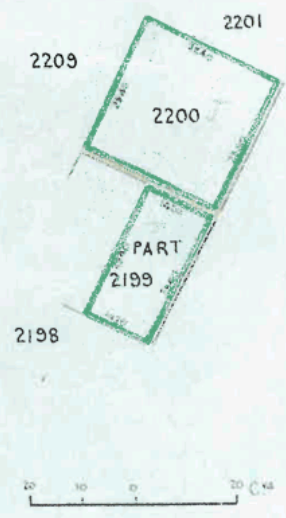
Pursuant to Memorandum of Transfer No. 38435.

Walter Theodore Frost of Salisbury Farmer  
is the proprietor of an estate in fee simple  
subject nevertheless to such incumbrances liens and interests as are notified by memorial underwritten or endorsed hereon in  
those pieces of land situated in the Hundred of Yatala County of Adelaide being the  
Section 2200 containing eighty acres or thereabouts and portion of Section 2199 containing forty  
acres or thereabouts as more particularly delineated and bounded as appears on the plan on the  
marginal leaf and therein colored green

which said Sections are delineated in the public map of the said Hundred deposited in the office of the Surveyor-General.

In witness whereof I have hereunto signed my name and affixed my seal this fourteenth day of January 1907

Signed the fourteenth day of January 1907 in the presence of W. T. Frost  
W. T. Frost  
Registrar-General.



Transfer No 990430 from Walter Theodore  
Friedrich Frost to  
Carl Friedrich Friedrich of Goolwa Farmer  
of an estate in fee simple in the within  
Land Producers for registration the 9 day  
of February 1927 at 2:15 pm  
W. T. Frost  
Registrar-General

Mortgage No 990431 from Carl Friedrich  
Friedrich to Walter Theodore Frost Producers  
for registration the 9 day of February 1927  
at 2:15 pm  
W. T. Frost  
Registrar-General

over

**MORTGAGE No. 10563** FROM  
*Carl Friedrich Dieder*  
*Walter Theodore Frost*  
 PRODUCED FOR REGISTRATION THE 18 DAY OF  
*December* 1930  
*[Signature]* DEP. REG. GENL.

**DISCHARGE OF THE within MORTGAGE**  
 No. 1056327  
 BY ENDORSEMENT THEREON  
 PRODUCED FOR REGISTRATION THE 20 DAY OF  
*March* 1930 AT 11:25 am  
*[Signature]* DEP. REG. GENL.

The time for payment of the within  
 Mortgage No. 990431 is extended for  
 one year from the 8 day of February  
 1930 with interest at the rate of 17-00  
 per centum per annum as appears  
 by Memorandum No. 1114873 Produced  
 for registration the 12 day of February  
 1931 at 11:00 am  
*[Signature]* Dep. Reg. Genl.

The within Mortgage No. 990431 is  
 discharged from the sum of \$600  
 and the within part section 2199 is  
 discharged from the whole of the  
 principal sum hereby secured as  
 appears by Memorandum No. 1135619  
 produced for registration the 20 day of  
 July 1932 at 3 pm  
*[Signature]* Dep. Reg. Genl.

*Transfer* No. 1135620 from Carl Friedrich  
 Dieder to Clement Richard Elles  
 Rundle of the within part section 2199  
 produced for registration the 20 day of  
 July 1932 at 3 pm  
*[Signature]* Dep. Reg. Genl.

**CANCELLED AS REGARDS LAND IN TRANSFER**  
 No. 1138620 AND NEW CERTIFICATE  
 OF TITLE ISSUED VOL. 1605 FOLIO 108  
*[Signature]* DEP. REG. GENL.

**CANCELLED**  
 AND Balance  
 CERTIFICATE OF TITLE ISSUED  
 VIDE  
 No. 1605 FOLIO 108  
*[Signature]* DEP. REG. GENL.



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**APPENDIX C**  
**GROUNDWATER WELL SUMMARY INFORMATION**





Legend  
— Approximate Site Boundary

Approximate Scale (m)  
0 75 150

Figure 2 - Groundwater Wells Within 1km of Site  
Brahma Lodge Hotel, Residential Development  
Preliminary Site Investigation  
AND17002.01, Rev A, 18 August 2016

Note:  
1. Photomaps by Nearmap, taken April 2016.  
2. Well coordinates from Department of Environment, Water and Natural Resources Water Connect online database, downloaded 2 August 2016.

**Brahma Lodge Hotel  
Residential Development  
Preliminary Site Investigation**

**Summary of Groundwater Wells  
within 1km of the Site**



Unit No	max drill depth	max drill date	late open depth	late open date	purpose	latest status	swi	rswl	water level date	TDS	EC	salinity date	yield	yield date	mga easting	mga northing	plan	parcel	Title
6628-5246	6.3	1/02/1990	6.3	1/02/1990			0.61	21.39	16/04/1934				1.26	16/04/1934	284464.78	6148194.33	D27205	A8	CT 5118 528
6628-5250	6.86		6.86				6.4	17.6	1/05/1934	1766	3183	1/05/1934			284903.8	6148000.3	F113385	A1	CT 5599 436
6628-5254	10.67		10.67							855	1551				285321.78	6148560.23	D6620	A261	CT 5145 76
6628-5245	10.97	1/01/1934	10.9	1/01/1990			6.3	16.7	1/01/1990	1933	3479	16/04/1934	3.79	1/01/1962	284667.77	6147984.33			
6628-5289	10.97	11/04/1934	10.97	11/04/1934						2986	5336	11/04/1934	1.26	11/04/1934	285559.72	6148711.31			
6628-5270	11.28	29/01/1969	0	29/01/1969		BKF	8.53	18.47	29/01/1969						284681.8	6148947.25	D23564	A100	CT 5437 78
6628-5288	12.5	1/01/1965	12.5	1/02/1969	IRR		9.14	19.86	11/02/1969	3423	6100	11/02/1969			285634.75	6147890.33	D7003	A169	CT 5608 503
6628-5271	12.8	11/04/1934	12.8	11/04/1934						1783	3213	11/04/1934			284624.75	6148900.3	D23564	A101	CT 5199 799
6628-5264	13.72	11/04/1934	13.72	11/04/1934			9.75	17.25	11/04/1934	1305	2360	11/04/1934			284650.75	6149076.27	F101539	A9	CT 5110 426
6628-5274	14.02	23/07/1958	14.02	23/07/1958						4964	8755	23/07/1958			285218.78	6147918.22	D7955	A65	CT 5542 36
6628-5273	19.2	1/10/1931	19.2	1/10/1931		ABD									285450.75	6148159.27	D7003	A50	CT 5118 682
6628-24328	24	2/10/2008	24	2/10/2008	INV					285426.09					285426.09	6148640.67	D6620	A244	CT 5625 885
6628-5265	24.38	24/08/1953	24.38	24/08/1953	DOM		3.66	26.34	24/08/1953	1455	2627	24/08/1953	10.1	24/08/1953	284715.72	6149297.32	D7841	A86	CT 5588 124
6628-24326	25	2/10/2008	25	2/10/2008	INV		18	11.45	2/10/2008						285345.63	6148686.98	D6620	A244	CT 5625 885
6628-24327	29	3/10/2008	29	3/10/2008	INV		16	13.24	3/10/2008						285413.94	6148621.62	D6620	A244	CT 5625 885
6628-5247	45.72	31/01/1969	45.72	31/01/1969			6.71	16.29	31/01/1969	2115	3802	30/01/1969	1.26	1/01/1930	284790.8	6147860.25	D30240	A120	CT 5067 646
6628-5268	45.72	2/08/1968	45.72	2/08/1968			13.11	19.89	18/07/1968	971	1760	2/08/1968	4	2/08/1968	285042.75	6149398.33	D58226	A122	CT 5864 697
6628-5272	49.68	1/01/1952	0	30/03/1967		BKF							7.58	30/03/1967	284623.77	6148989.29	D23564	A101	CT 5199 799
6628-5258	54.86	11/12/1962	54.86	11/12/1962	IRRSTK								1	11/12/1962	285624.79	6149340.24	D7267	A113	CT 5611 31
6628-5266	61	17/04/1967		17/04/1967	IRRSTK										284839.74	6149038.3	D10120	A127	CT 4030 256
6628-5275	74.07	29/06/1933	74.07	11/12/1962	OBS	ABD	16.15	22.75	11/12/1962	665	1207	29/06/1933	1.89	11/12/1962	285969.76	6149183.25	D7346	A20	CT 5064 542
6628-5276	107.9	1/01/1960	107.9	18/10/1962	DOMIRR					790	1433	11/12/1962	1.26	11/12/1962	285911.74	6148875.24	D13334	A72	CT 5466 69
6628-5290	169.16	6/05/1953	169.16	6/05/1953	IRR		12.24	17.89	6/05/1962	1155	2090	19/11/1962	5.68	6/05/1962	285544.72	6148679.22			
6628-13323	174	16/05/1985	168	31/01/1997	INDOBS	OPR	17.49	5.51	17/12/2009	2613	4680	9/12/1997	3	31/01/1997	284660.78	6148180.29	F113386	A2	CT 5572 782
6628-18153	203.4	18/12/1996	203	18/12/1996	INV		15.07	9.83	20/09/2013	1200	2110	24/02/1998	1.5	18/12/1996	284792	6148383.36	F113386	A2	CT 5572 782
6628-5253	525	19/09/1977	400	28/02/1985	INV	RHB	8.01	13.89	17/06/2016	42400	34000	28/02/1985	2	28/02/1985	284723.09	6148083.06	F113386	A2	CT 5572 782

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Page 1 of 1

5/08/2016



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**APPENDIX D**  
**EPA SECTION 7 DOCUMENTATION**



Environment Protection Authority  
www.epa.sa.gov.au



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Country areas 1800 623 446

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71 Belair Road  
KINGSWOOD SA 5062

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Email: epasection7@sa.gov.au

Contact: Public Register  
Telephone: (08) 8204 9128  
Email: epa.publicregister@sa.gov.au

05 August, 2016

#### **EPA STATEMENT TO FORM 1 - CONTRACTS FOR SALE OF LAND OR BUSINESS**

The EPA provides this statement to assist the vendor meet its obligations under section 7(1)(b) of the *Land and Business (Sale and Conveyancing) Act 1994*. A response to the questions prescribed in Schedule 1-Contracts for sale of land or business-forms (Divisions 1 and 2) of the *Land and Business (Sale and Conveyancing) Act 1994* is provided in relation to the land.

I refer to your enquiry concerning the parcel of land comprised in

Title Reference CT Volume 5145 Folio 150

Address Allotment 245, 1572-1582 Main North Road, BRAHMA LODGE SA 5109

#### **Schedule – Division 1 – *Land and Business (Sale and Conveyancing) Regulations 2010***

#### **PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND**

##### ***7. Environment Protection Act 1993***

Does the EPA hold any of the following details relating to the *Environment Protection Act 1993*:

7.1	Section 59 - Environment performance agreement that is registered in relation to the land.	NO
7.2	Section 93 - Environment protection order that is registered in relation to the land.	NO
7.3	Section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land.	NO
7.4	Section 99 - Clean-up order that is registered in relation to the land.	NO
7.5	Section 100 - Clean-up authorisation that is registered in relation to the land.	NO
7.6	Section 103H - Site contamination assessment order that is registered in relation to the land.	NO
7.7	Section 103J - Site remediation order that is registered in relation to the land.	NO



7.8	Section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination).	NO
7.9	Section 103P - Notation of site contamination audit report in relation to the land.	NO
7.10	Section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land.	NO

**Schedule – Division 2 – Land and Business (Sale and Conveyancing) Regulations 2010**

**PARTICULARS RELATING TO ENVIRONMENT PROTECTION**

**3-Licences and exemptions recorded by EPA in public register**

Does the EPA hold any of the following details in the public register:

a)	details of a current licence issued under Part 6 of the <i>Environment Protection Act 1993</i> to conduct, at the land-	
i)	a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or	NO
ii)	activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or	NO
iii)	any other prescribed activity of environmental significance under Schedule 1 of that Act?	NO
b)	details of a licence no longer in force issued under Part 6 of the <i>Environment Protection Act 1993</i> to conduct, at the land-	
i)	a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or	NO
ii)	activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or	NO
iii)	any other prescribed activity of environmental significance under Schedule 1 of that Act?	NO
c)	details of a current exemption issued under Part 6 of the <i>Environment Protection Act 1993</i> from the application of a specified provision of that Act in relation to an activity carried on at the land?	NO
d)	details of an exemption no longer in force issued under Part 6 of the <i>Environment Protection Act 1993</i> from the application of a specified provision of that Act in relation to an activity carried on at the land?	NO
e)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> to operate a waste depot at the land?	NO
f)	details of a licence issued under the repealed <i>Waste Management Act 1987</i> to operate a waste depot at the land?	NO
g)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> to produce waste of a prescribed kind (within the meaning of that Act) at the land?	NO

- h) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land? NO

**4-Pollution and site contamination on the land - details recorded by the EPA in public register**

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)? NO
- b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*? NO
- c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register? NO
- d) a copy of a site contamination audit report? NO
- e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies? NO
- f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*? NO
- g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*? NO
- h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit? NO
- i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit? NO
- j) details of records, held by the former *South Australian Waste Management Commission* under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995? NO

**5-Pollution and site contamination on the land - other details held by EPA**

Does the EPA hold any of the following details in relation to the land or part of the land:

- a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the *South Australian Health Commission* (under the repealed *South Australian Health Commission Act 1976*)? NO
- b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*? NO
- c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*? NO

- |    |  |    |
|----|--|----|
| d) | a copy of a pre-1 July 2009 site audit report?   | NO |
| e) | details relating to the termination before completion of a pre-1 July 2009 site audit? | NO |

All care and diligence has been taken to access the above information from available records. Historical records provided to the EPA concerning matters arising prior to 1 May 1995 are limited and may not be accurate or complete and therefore the EPA cannot confirm the accuracy of the historical information provided.

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Email: epa.publicregister@sa.gov.au

05 August, 2016

#### **EPA STATEMENT TO FORM 1 - CONTRACTS FOR SALE OF LAND OR BUSINESS**

The EPA provides this statement to assist the vendor meet its obligations under section 7(1)(b) of the *Land and Business (Sale and Conveyancing) Act 1994*. A response to the questions prescribed in Schedule 1-Contracts for sale of land or business-forms (Divisions 1 and 2) of the *Land and Business (Sale and Conveyancing) Act 1994* is provided in relation to the land.

I refer to your enquiry concerning the parcel of land comprised in

Title Reference CT Volume 5743 Folio 407

Address Allotment 260, 1572-1582 Main North Road, BRAHMA LODGE SA 5109

#### **Schedule – Division 1 – *Land and Business (Sale and Conveyancing) Regulations 2010***

#### **PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND**

##### **7. *Environment Protection Act 1993***

Does the EPA hold any of the following details relating to the *Environment Protection Act 1993*:

7.1	Section 59 - Environment performance agreement that is registered in relation to the land.	NO
7.2	Section 93 - Environment protection order that is registered in relation to the land.	NO
7.3	Section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land.	NO
7.4	Section 99 - Clean-up order that is registered in relation to the land.	NO
7.5	Section 100 - Clean-up authorisation that is registered in relation to the land.	NO
7.6	Section 103H - Site contamination assessment order that is registered in relation to the land.	NO
7.7	Section 103J - Site remediation order that is registered in relation to the land.	NO

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page 1 of 4



7.8	Section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination).	NO
7.9	Section 103P - Notation of site contamination audit report in relation to the land.	NO
7.10	Section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land.	NO

**Schedule – Division 2 – Land and Business (Sale and Conveyancing) Regulations 2010**

**PARTICULARS RELATING TO ENVIRONMENT PROTECTION**

**3-Licences and exemptions recorded by EPA in public register**

Does the EPA hold any of the following details in the public register:

a)	details of a current licence issued under Part 6 of the <i>Environment Protection Act 1993</i> to conduct, at the land-	
i)	a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or	NO
ii)	activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or	NO
iii)	any other prescribed activity of environmental significance under Schedule 1 of that Act?	NO
b)	details of a licence no longer in force issued under Part 6 of the <i>Environment Protection Act 1993</i> to conduct, at the land-	
i)	a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or	NO
ii)	activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or	NO
iii)	any other prescribed activity of environmental significance under Schedule 1 of that Act?	NO
c)	details of a current exemption issued under Part 6 of the <i>Environment Protection Act 1993</i> from the application of a specified provision of that Act in relation to an activity carried on at the land?	NO
d)	details of an exemption no longer in force issued under Part 6 of the <i>Environment Protection Act 1993</i> from the application of a specified provision of that Act in relation to an activity carried on at the land?	NO
e)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> to operate a waste depot at the land?	NO
f)	details of a licence issued under the repealed <i>Waste Management Act 1987</i> to operate a waste depot at the land?	NO
g)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> to produce waste of a prescribed kind (within the meaning of that Act) at the land?	NO

- h) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land? NO

**4-Pollution and site contamination on the land - details recorded by the EPA in public register**

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)? NO
- b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*? NO
- c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register? NO
- d) a copy of a site contamination audit report? NO
- e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies? NO
- f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*? NO
- g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*? NO
- h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit? NO
- i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit? NO
- j) details of records, held by the former *South Australian Waste Management Commission* under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995? NO

**5-Pollution and site contamination on the land - other details held by EPA**

Does the EPA hold any of the following details in relation to the land or part of the land:

- a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the *South Australian Health Commission* (under the repealed *South Australian Health Commission Act 1976*)? NO
- b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*? NO
- c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*? NO

- |    |  |    |
|----|--|----|
| d) | a copy of a pre-1 July 2009 site audit report?   | NO |
| e) | details relating to the termination before completion of a pre-1 July 2009 site audit? | NO |

All care and diligence has been taken to access the above information from available records. Historical records provided to the EPA concerning matters arising prior to 1 May 1995 are limited and may not be accurate or complete and therefore the EPA cannot confirm the accuracy of the historical information provided.

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05 August, 2016

#### **EPA STATEMENT TO FORM 1 - CONTRACTS FOR SALE OF LAND OR BUSINESS**

The EPA provides this statement to assist the vendor meet its obligations under section 7(1)(b) of the *Land and Business (Sale and Conveyancing) Act 1994*. A response to the questions prescribed in Schedule 1-Contracts for sale of land or business-forms (Divisions 1 and 2) of the *Land and Business (Sale and Conveyancing) Act 1994* is provided in relation to the land.

I refer to your enquiry concerning the parcel of land comprised in

Title Reference CT Volume 5145 Folio 76

Address Allotment 261, 1572-1582 Main North Road, BRAHMA LODGE SA 5109

#### **Schedule – Division 1 – *Land and Business (Sale and Conveyancing) Regulations 2010***

#### **PARTICULARS OF MORTGAGES, CHARGES AND PRESCRIBED ENCUMBRANCES AFFECTING THE LAND**

##### ***7. Environment Protection Act 1993***

Does the EPA hold any of the following details relating to the *Environment Protection Act 1993*:

7.1	Section 59 - Environment performance agreement that is registered in relation to the land.	NO
7.2	Section 93 - Environment protection order that is registered in relation to the land.	NO
7.3	Section 93A - Environment protection order relating to cessation of activity that is registered in relation to the land.	NO
7.4	Section 99 - Clean-up order that is registered in relation to the land.	NO
7.5	Section 100 - Clean-up authorisation that is registered in relation to the land.	NO
7.6	Section 103H - Site contamination assessment order that is registered in relation to the land.	NO
7.7	Section 103J - Site remediation order that is registered in relation to the land.	NO



7.8	Section 103N - Notice of declaration of special management area in relation to the land (due to possible existence of site contamination).	NO
7.9	Section 103P - Notation of site contamination audit report in relation to the land.	NO
7.10	Section 103S - Notice of prohibition or restriction on taking water affected by site contamination in relation to the land.	NO

**Schedule – Division 2 – Land and Business (Sale and Conveyancing) Regulations 2010**

**PARTICULARS RELATING TO ENVIRONMENT PROTECTION**

**3-Licences and exemptions recorded by EPA in public register**

Does the EPA hold any of the following details in the public register:

a)	details of a current licence issued under Part 6 of the <i>Environment Protection Act 1993</i> to conduct, at the land-	
i)	a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or	NO
ii)	activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or	NO
iii)	any other prescribed activity of environmental significance under Schedule 1 of that Act?	NO
b)	details of a licence no longer in force issued under Part 6 of the <i>Environment Protection Act 1993</i> to conduct, at the land-	
i)	a waste or recycling depot (as referred to in clause 3(3) of Schedule 1 Part A of that Act); or	NO
ii)	activities producing listed wastes (as referred to in clause 3(4) of Schedule 1 Part A of that Act); or	NO
iii)	any other prescribed activity of environmental significance under Schedule 1 of that Act?	NO
c)	details of a current exemption issued under Part 6 of the <i>Environment Protection Act 1993</i> from the application of a specified provision of that Act in relation to an activity carried on at the land?	NO
d)	details of an exemption no longer in force issued under Part 6 of the <i>Environment Protection Act 1993</i> from the application of a specified provision of that Act in relation to an activity carried on at the land?	NO
e)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> to operate a waste depot at the land?	NO
f)	details of a licence issued under the repealed <i>Waste Management Act 1987</i> to operate a waste depot at the land?	NO
g)	details of a licence issued under the repealed <i>South Australian Waste Management Commission Act 1979</i> to produce waste of a prescribed kind (within the meaning of that Act) at the land?	NO

- h) details of a licence issued under the repealed *Waste Management Act 1987* to produce prescribed waste (within the meaning of that Act) at the land? NO

**4-Pollution and site contamination on the land - details recorded by the EPA in public register**

Does the EPA hold any of the following details in the public register in relation to the land or part of the land:

- a) details of serious or material environmental harm caused or threatened in the course of an activity (whether or not notified under section 83 of the *Environment Protection Act 1993*)? NO
- b) details of site contamination notified to the EPA under section 83A of the *Environment Protection Act 1993*? NO
- c) a copy of a report of an environmental assessment (whether prepared by the EPA or some other person or body and whether or not required under legislation) that forms part of the information required to be recorded in the public register? NO
- d) a copy of a site contamination audit report? NO
- e) details of an agreement for the exclusion or limitation of liability for site contamination to which section 103E of the *Environment Protection Act 1993* applies? NO
- f) details of an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*? NO
- g) details of an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*? NO
- h) details of a notification under section 103Z(1) of the *Environment Protection Act 1993* relating to the commencement of a site contamination audit? NO
- i) details of a notification under section 103Z(2) of the *Environment Protection Act 1993* relating to the termination before completion of a site contamination audit? NO
- j) details of records, held by the former *South Australian Waste Management Commission* under the repealed *Waste Management Act 1987*, of waste (within the meaning of that Act) having been deposited on the land between 1 January 1983 and 30 April 1995? NO

**5-Pollution and site contamination on the land - other details held by EPA**

Does the EPA hold any of the following details in relation to the land or part of the land:

- a) a copy of a report known as a "Health Commission Report" prepared by or on behalf of the *South Australian Health Commission* (under the repealed *South Australian Health Commission Act 1976*)? NO
- b) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site contamination assessment proposal under section 103I of the *Environment Protection Act 1993*? NO
- c) details (which may include a report of an environmental assessment) relevant to an agreement entered into with the EPA relating to an approved voluntary site remediation proposal under section 103K of the *Environment Protection Act 1993*? NO

- |    |  |    |
|----|--|----|
| d) | a copy of a pre-1 July 2009 site audit report?   | NO |
| e) | details relating to the termination before completion of a pre-1 July 2009 site audit? | NO |

All care and diligence has been taken to access the above information from available records. Historical records provided to the EPA concerning matters arising prior to 1 May 1995 are limited and may not be accurate or complete and therefore the EPA cannot confirm the accuracy of the historical information provided.



Consulting Engineers and Scientists

**APPENDIX E**  
**SAFEWORK SA DANGEROUS SUBSTANCES LICENCE SEARCH**





Government of South Australia

SafeWork SA

Attorney-General's Department

**Licensing, Customer Services Team**

Level 4 World Park A  
33 Richmond Road  
Keswick SA 5035

GPO Box 465  
Adelaide SA 5001

DX 715 Adelaide

**Phone** 1300 365 255

**Fax** 08 8303 9903

**Email** [licensing.safework@sa.gov.au](mailto:licensing.safework@sa.gov.au)

**ABN** 50-560-588-327

[www.safework.sa.gov.au](http://www.safework.sa.gov.au)

11 August 2016

Lauren Harvey  
Tierra Environment  
71 Belair Road  
KINGSWOOD SA 5062

Dear Ms Harvey,

**DANGEROUS SUBSTANCES LICENCE SEARCH**

**PROPERTY DETAILS: 1572-1582 Main North Road, Brahma Lodge SA**

Further to your Application for a Dangerous Substance Search dated **05/08/2016** for the abovementioned site, I advise that there are no current or historical records for this site.

Yours sincerely

A handwritten signature in black ink, appearing to read "K. Huff".

**MANAGER  
LICENSING, CUSTOMER SERVICES TEAM  
SAFEWORK SA**

For general enquiries please call the SafeWork SA Help Centre on 1300 365 255

009/DSL



Consulting Engineers and Scientists

**APPENDIX F**  
**PHOTOGRAPHIC LOG**

**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**1**



View along northern title and development boundary looking north west.

**2**



View along eastern development boundary looking south west.

J:\17\AIQ 17 002\01\Photo log.docx

1 of 11

5/08/2016

**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**3**



Oil stains on asphalt in northern corner of the car park.

**4**



View along northern title and development boundary looking north east.

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2 of 11

5/08/2016



**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**5**



View along western title and development boundary looking south west.

**6**



View along western title and development boundary looking north.

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3 of 11

5/08/2016

**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



7



View across site looking north east.

8



View along southern title and development boundary looking south east.

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5/08/2016



**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**9**



Surrounding land to the south of the site. Frost road with a nursing home beyond that.

**10**



Surrounding land to the south west of the site. Frost road with a nursing home beyond that.

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5/08/2016

**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



11



View along southern title and development boundary looking west.

12



View across the site looking north.

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5/08/2016



**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**13**



View along eastern development boundary looking north east.

**14**



View along southern title boundary looking west.

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5/08/2016

**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**15**



View of the southern side of the Brahma Lodge Hotel.

**16**



View along eastern title boundary looking north east.

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5/08/2016



**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**17**



Surrounding land uses to the east of the site. Main North Road with commercial businesses beyond that.

**18**



View along eastern title boundary looking south.

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5/08/2016

**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**19**



View of the north eastern side of the Brahma Lodge Hotel.

**20**



View along northern title boundary looking north west.

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5/08/2016



**Brahma Lodge Hotel - Residential Development  
Preliminary Site Investigation  
Photographic Log of Site Inspection**



**21**



View across the site looking west. Surrounding land uses to the west of the site is Francis Road and a mix of low and medium density residential housing beyond that.

**22**



View along eastern development boundary looking north east. Surrounding land uses to the north of the site is medium density residential housing.

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5/08/2016



## **APPENDIX E**

### **Acoustic Report**

14943SOE01 - FINAL

...

# Brahma Lodge Residential Francis Road

Environmental Noise  
Assessment

September 2016

S4882C1

# sonus.

Jason Turner  
Senior Associate  
Phone: +61 (0) 410 920 122  
Email: [jturner@sonus.com.au](mailto:jturner@sonus.com.au)  
[www.sonus.com.au](http://www.sonus.com.au)

**Prepared by**  
Jason Turner (MAAS)

**Reviewed by**  
Chris Turnbull (MAAS)

Brahma Lodge – Residential Development  
Environmental Noise Assessment  
S4882C1  
September 2016

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## INTRODUCTION

An environmental noise assessment has been made of the proposed Residential development at Francis Road, Brahma Lodge.

The proposal relates to redeveloping a portion of the existing Lodge Hotel car park for residential use. A total of 15 residences are proposed in the locations shown in Appendix A.

Residences are already located in close proximity to the Lodge Hotel within a Residential Zone. Notwithstanding, the proposed dwellings are closer to the Lodge Hotel but within a Commercial Zone. An assessment has therefore been conducted which considers the noise level at the residences from music within the Lodge Hotel, patrons within the outdoor area, car park activity and roof mounted mechanical plant operation.

The assessment determines the extent of acoustic treatment to the dwellings which will provide for the ongoing lawful operation of the Lodge Hotel and a reasonable level of residential amenity within the dwellings.

The assessment has been based on the following;

- Drawings of the proposed residences numbered “0901-291-PA01” to “0901-291-PA05” inclusive, dated August 2016;
- A site visit and inspection of the Lodge Hotel and proposed residences location on 29 July 2016;
- Continuous noise logging conducted within the Lodge Hotel between 29 July and 5 August 2016;
- Short term noise measurements of the noise transfer from within the Lodge Hotel to the eastern (nearest) facade of the proposed residences, conducted on 5 August 2016;
- The number of patrons in the outdoor area being in the order of 200; and
- The Lodge Hotel continuing to operate as it is currently licensed and without any changes to its building structure.



Brahma Lodge – Residential Development  
 Environmental Noise Assessment  
 S4882C1  
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## CRITERIA

### Development Plan

The subject site, including the proposed development and the Lodge Hotel, is located within the Commercial Zone of the Salisbury Council Development Plan<sup>1</sup>. The Development Plan has been reviewed and particular regard has been given to the following relevant provisions;

### Council Wide

#### **Interface Between Land Uses**

*Objective 1: Development located and designed to minimise adverse impact and conflict between land uses.*

*Objective 2: Protect community health and amenity from adverse impacts of development.*

*Objective 3: Protect desired land uses from the encroachment of incompatible development.*

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

*1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:*

...

*(b) noise;*

...

*4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.*

*5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.*

### **Residential Development**

#### **PRINCIPLES OF DEVELOPMENT CONTROL**

*32 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.*

<sup>1</sup> Consolidated 7 January 2016

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Environmental Noise Assessment  
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#### Environment Protection (Noise) Policy 2007

To ensure the residences are “*designed to protect ... from potential adverse impacts from non-residential activities*”, reference is made to the *Environment Protection (Noise) Policy 2007* (the Policy).

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference. It provides an objective measure of acceptable noise levels for residential amenity and, if achieved, reduces the risk of adverse impacts on the operation of the Lodge Hotel.

The Policy provides goal noise levels to be achieved at a noise receiver (residence) based on the principally promoted land use in the Development Plan Zones of both the noise source (existing Lodge Hotel) and the receiver. Based on the Commercial Zone, the Policy recommends the following goal noise levels to be achieved outside residences;

- 62 dB(A) to be achieved at the surrounding residences during the day (7am to 10pm), and;
- 55 dB(A) to be achieved at the surrounding residences during the night (10pm to 7am).

Where a proposed residence is adjacent an existing noise source the Policy enables acoustic treatment to be incorporated into the design of the facade subject to noise criteria being achieved inside, with the windows closed. In these circumstances, the applicable goal noise levels are the higher of 20 dB(A) less than that outside the residence or the minimum design level recommended by *Australian Standard 2107: 'Acoustics – Recommended design sound levels and reverberation times for building interiors'* (the Standard). Given that the Standard recommends a noise level of 30 dB(A) or less for rooms of a residence in the vicinity of minor roads, the applicable goal noise levels are derived from the Policy.

When predicting noise levels for comparison with the Policy, adjustments may also be made for noise characteristics that are considered to be “annoying”. These characteristics include tone, impulse, low frequency, and modulation. In many circumstances the noise from music, patrons and car park activity attract at least a 5 dB(A) adjustment for noise character due to its modulating nature, and in some circumstances may attract higher adjustments due to the combination of characteristics. To provide a conservative assessment, an 8 dB(A) adjustment has been applied at the residences, effectively reducing the goal noise levels to be achieved within a “habitable room” of the residences to the following;

- 34 dB(A) to be achieved at the surrounding residences during the day (7am to 10pm), and;
- 27 dB(A) to be achieved at the surrounding residences during the night (10pm to 7am).

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Environmental Noise Assessment  
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#### EPA Music Noise Guidelines

Notwithstanding the criteria of the *Environment Protection (Noise) Policy 2007*, in some circumstances music from an entertainment venue can be assessed against the requirements of the South Australian EPA Music Noise Guidelines<sup>2</sup>. Indeed, it is considered that the criteria in the guidelines should be met in order to protect the Lodge Hotel from action under the *Environment Protection Act 1993*.

The guidelines provide music noise criteria for residences which are adjacent an existing entertainment venue, as follows;

*Noise from any music venue must not exceed 43 dB  $L_{eq}$  in any one-third octave band between and including 31.5Hz and 125Hz when assessed inside a noise sensitive development, including a bedroom and living room of a residential or short term accommodation premises-with windows closed.*

The transmission loss of materials (being the ability of a material to attenuate the sound which passes through it) within the 31.5Hz octave band is not readily available. In addition, the noise within this octave band is rarely of concern, and so the assessment has concentrated on the other octave bands which include the bass beat component of music.

#### Summary

In order to ensure an adequate level of amenity is achieved within the “habitable rooms” of the proposed dwellings and to provide for the ongoing lawful operation of the Lodge Hotel, all noise sources are assessed against the Policy and music noise is assessed against the more onerous requirements of the EPA Music Noise Guidelines.

The Policy requires noise levels within the rooms to be no more than 34 dB(A) during the daytime hours and 27 dB(A) during the night time hours. Music has been assessed in accordance with the EPA Guidelines such that the level in the 63 Hz and 125 Hz octave bands (the bass beat component of music) is no more than 43 dB (Linear).

<sup>2</sup> EPA Guidelines – Music noise from indoor venues and the South Australian Planning System – July 2015



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Environmental Noise Assessment  
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## ASSESSMENT

### Music

Continuous noise logging was conducted within the Lodge Hotel, for the period 29 July to 5 August 2016, to determine the maximum noise level from music at the proposed residences. To assist, a noise transfer test was then conducted between the logging location within the hotel and the line of the eastern facades of the proposed residences on 5 August to determine the noise level at the residences, from the highest logged music level inside. The noise transfer test enables the level of music to be determined at any façade of the future residences.

Based on the above, the following acoustic treatment will be required in order to achieve the 43 dB criterion in both the 63 Hz and 125 Hz octave bands at the residences, thereby achieving the Music Noise Guidelines;

- Provide the following minimum constructions to the proposed residences in accordance with the following facade mark-up;





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Applicable Areas		63 Hz Transmission Loss	Example which will achieve acoustic rating
Roof	Sections facing west <sup>3</sup>	31	<ul style="list-style-type: none"> <li>Sheet steel ("Colorbond" or similar) and 4.5mm thick fibre cement sheet above the purlins</li> <li>100mm thick acoustic insulation with minimum density of 60kg/m<sup>3</sup> within the cavity</li> <li>16mm thick fire rated plasterboard ceiling resiliently mounted</li> </ul>
	All other	32	<ul style="list-style-type: none"> <li>Sheet steel ("Colorbond" or similar) and 6mm thick fibre cement sheet above the purlins</li> <li>100mm thick acoustic insulation with minimum density of 60kg/m<sup>3</sup> within the cavity</li> <li>16mm thick fire rated plasterboard ceiling resiliently mounted</li> </ul>
Walls	Red	35	<ul style="list-style-type: none"> <li>Minimum 90mm thick brickwork</li> <li>Minimum 90mm cavity with 50mm thick acoustic insulation with minimum density of 32kg/m<sup>3</sup></li> <li>16mm thick fire rated plasterboard resiliently mounted to the studwork</li> </ul>
	Blue	30	<ul style="list-style-type: none"> <li>Minimum 75mm thick Hebel Powerpanel</li> <li>Minimum 90mm cavity with 100mm thick acoustic insulation with minimum density of 60kg/m<sup>3</sup></li> <li>16mm thick fire rated plasterboard resiliently mounted to the studwork</li> </ul>
	Green	25	<ul style="list-style-type: none"> <li>Minimum 75mm thick Hebel Powerpanel</li> <li>Minimum 90mm cavity with 50mm thick acoustic insulation with minimum density of 32kg/m<sup>3</sup></li> <li>16mm thick fire rated plasterboard</li> </ul>
Windows	Red	29	<ul style="list-style-type: none"> <li>Double glazing of minimum 10mm thick and 6mm thick glass at a cavity of 200mm</li> </ul>
	Blue	24	<ul style="list-style-type: none"> <li>Double glazing of minimum 6mm thick and 4mm thick glass at a cavity of 150mm or 6mm thick and 10mm thick at a 100mm cavity; OR,</li> <li>Single glazing of 12.5mm thick VLam Hush glass</li> </ul>
	Green	20	<ul style="list-style-type: none"> <li>Single glazing of 10.38mm thick laminated glass</li> </ul>

<sup>3</sup> For the northern most residence, the sections facing north may also be included in this category

Brahma Lodge – Residential Development  
Environmental Noise Assessment  
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- Ensure music noise levels within the Lodge Hotel are no more than the highest measured during the logging period at the logging location (adjacent the mixer desk and to the side of the sub-woofer speaker):

Total Noise Level (dB(A))	Octave Band Noise Level (dB)						
	63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz
86	102	88	82	84	80	77	73

- Ensure that all doors remain normally closed during events of elevated levels of music or install an air lock access arrangement into the smoking courtyard at the north western side of the hotel.

#### Patron Noise

The noise from patrons within the outdoor area has been predicted based on a range of previous noise measurements and a noise transfer test between different parts of the outdoor area to the line of the proposed residences. A speaker of known volume was placed at a number of locations and orientations throughout the outdoor area and the noise level measured at the line of the proposed residences. The results of the transfer test were adjusted to correspond to 200 patrons being located within the outdoor area.

Based on the acoustic treatments required to achieve the music noise guidelines, a noise level of 17 dB(A) is predicted within the residences with 200 patrons in the outdoor area whilst background music is being played. That is, the noise from the outdoor area will easily achieve the goal noise level of 27 dB(A).

#### Car Park Noise

The noise from activity within the car park has been predicted based on a range of previous noise measurements which include;

- people talking as they vacate or approach their vehicles, the opening and closing of vehicle doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their park position; and,
- general vehicle movements through a car park.

Based on the noise measurements described above and an assumed worst case activity level of 15 vehicle movements in the closest car parks within a 15 minute period, a noise level of 18 dB(A) is predicted within the residences. That is, the noise from car park activity will easily achieve the goal noise level of 27 dB(A), subject to the implementation of the acoustic treatments required to achieve the music noise guidelines.

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Environmental Noise Assessment  
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#### **Mechanical Plant Noise**

The noise from existing mechanical plant on the roof of the Lodge Hotel has been predicted based on noise measurements conducted on 5 August 2016.

Due to the extensive acoustic treatments required to achieve the music noise guidelines, a noise level of 18 dB(A) is predicted within the closest residence to the mechanical plant. That is, the noise from existing air conditioning and ventilation equipment will easily achieve the goal noise level of 27 dB(A).

#### **Combined Noise Level**

In addition to the above assessment, the combined noise level from music, patron, car park and mechanical plant noise has been predicted. Based on the incorporation of the above acoustic treatments, a noise level of 23 dB(A) is predicted with all areas of the hotel operating in accordance with the above operational assumptions, easily achieving the *Environment Protection (Noise) Policy 2007* night time criterion of 27 dB(A).

The predictions indicate that the design will provide an adequate level of residential amenity in the “habitable rooms” of the dwellings and that the ongoing lawful operation of the Lodge Hotel will not be compromised by the proposed development.

Brahma Lodge – Residential Development  
Environmental Noise Assessment  
S4882C1  
September 2016

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## CONCLUSION

An environmental noise assessment has been made of the proposed residential development at Francis Road, Brahma Lodge.

The assessment has considered the noise at the proposed residences from music, patrons in the outdoor areas, car park activity and mechanical plant noise at the adjacent Lodge Hotel and compares the predicted levels to the goal noise levels of the Policy and the requirements of the South Australian EPA Music Noise Guidelines.

In achieving the relevant criteria, it is ensured that future residents will have suitable residential amenity and that the ongoing lawful operation of the Lodge Hotel will not be compromised by the proposal.

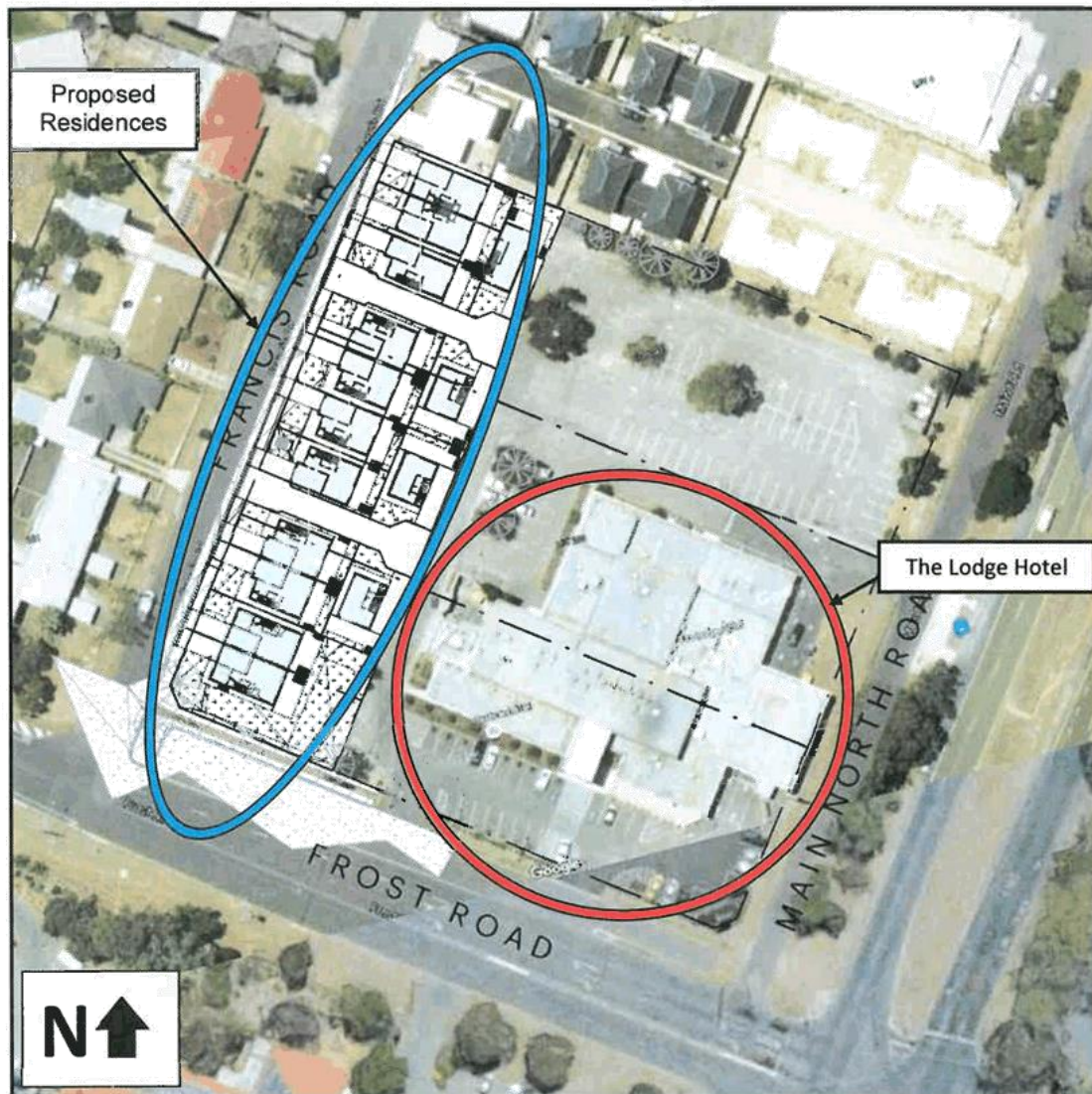
With the incorporation of specific building constructions, the noise from all sources at the Hotel will achieve the *Environment Protection (Noise) Policy 2007* and the noise from music will achieve the *EPA Guidelines – Music noise from indoor venues and the South Australian Planning System – July 2015*, within the proposed residences.

Therefore, the development will be *designed to minimise adverse impact and conflict between land uses and protect desired land uses from the encroachment of incompatible development*, thereby achieving the relevant provisions of the Salisbury Council Development Plan.



Brahma Lodge – Residential Developement  
Environmental Noise Assessment  
S4882C1  
September 2016

**APPENDIX A: Site Locality**





## **APPENDIX F**

### **Council's Request for Supplementary Information**

14943SOE01 - FINAL

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City of Salisbury  
ABN 82 615 416 895  
  
12 James Street  
PO Box 8  
Salisbury SA 5108  
Australia

Telephone 08 8406 8222  
Facsimile 08 8281 5466  
city@salisbury.sa.gov.au  
TTY 08 8406 8596  
(for hearing impaired)  
www.salisbury.sa.gov.au

11 July 2016

Aaron Schintler  
Studio 9 Architects Pty Ltd  
9 King William St  
KENT TOWN SA 5067

Dear Aaron

**APPLICANT:** Studio 9 Architects Pty Ltd  
**APPLICATION NO:** 361/11/2016/NA  
**SUBJECT SITE:** The Lodge Hotel, 1572-1582 Main North Road , Brahma Lodge SA 5109  
**PROPOSED DEVELOPMENT:** EIGHTEEN (18) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL

Further to my letter dated 15<sup>th</sup> June, 2016 and our conversation on Friday 8<sup>th</sup> July 2016, I provide the following additional comments in relation to the above application.

The density proposed is high given the locality. The average lot size (excluding future common property) is approximately 174.5m<sup>2</sup> which is quite low in this location. A number of the proposed dwellings (10) have site areas less than 160m<sup>2</sup>. The adjoining residential development to the north has average lot sizes of 192m<sup>2</sup> (excluding common property). Given the locality and given the proposal will be similar to the new two storey residential developments to the north of the site, lot sizes should be in the vicinity of 190m<sup>2</sup>. The plan will need to be amended accordingly.

Council's requirements for common driveways servicing the dwellings on lots 1A, 2A and 3A is that they should have a minimum width of 6 metres. All vehicles should be able to enter and exit the site in a forward motion. The crossover arrangements onto Francis Road for Lots 1A and 2A are restricted and unacceptable. All crossovers need to be a minimum of 6 metres in width and unrestricted. The plan will need to be amended accordingly.

Carparking arrangements for the rear dwellings (no unit numbers provided) of Lots 1A, 2A and 3A are not clear. I am not clear how long the proposed carports are as there are no lines on the site identifying the dimensions of the carport and where it separates from the visitor carparking space. The locality and perspective plan shows differing sizes for carports. I assume given the area of the carport is highlighted as 16.2m<sup>2</sup> that the length will be 5.4 metres leaving the remainder as visitor space. Could you please confirm this is the case and identify this on the site plan.

The head at the end of each common driveway is 5.8 metres in width. It is not clear where the future common property/ lot boundaries will be. All manoeuvring will need to occur on the common property without impacting on other properties or landscaping. I'm not convinced this will work with the proposal as currently presented. I do not believe the turning arrangements for the rear units as outlined in Phil Weavers Traffic and Parking Assessment will achieve the above requirements. Could you please review and amend the site plan if this is the case.



There are a number of existing trees on the western property boundary that are likely to be affected by the proposed development. Can you please confirm whether the trees are regulated or significant and if your client intends to retain them. The trees could be exempt species as outlined in regulation 6A (5b) of the Development Regulations 2008.

Council will require a detailed landscaping plan for the proposed development.

I am concerned with the appearance of the development to Francis and Frost Roads. The front of the proposed semi-detached dwellings will be dominated by the garages. The garages should not be the primary focus of the development. The elevations need to be amended to address this. A portico over the front door entry may reduce the visual impact of the garage. I'm not clear why the two storey component of those dwellings is setback a further 4 metres. A well-articulated two storey building which compliments the streetscape could be designed with a 6 metre setback.

Upper level windows to the rear and side of each dwelling (except where facing Francis Street) should comprise fixed obscure glazing to a height of 1700mm from finished floor level of the upper level, or sill heights of 1700mm. If awning windows are proposed for the upper level, obscure glazing will also need to be provided to a height of 1700mm on those sides. The awning windows should not open out more than 150mm.

The appearance to Francis Road of the dwellings that have access off the common driveways and the setback to the street property boundary needs to be reviewed. The setback of those dwellings is approximately 3.6m to the street property boundary. I believe this is too close for a two storey development given what is in the locality. The walls should be a minimum of 5.0m metres from the Francis Road property boundary. The small ground floor windows proposed on the elevations to the street should be replaced with full size windows to reduce the visual impact of the walls.

In terms of streetscape, I am concerned with the setback of the corner dwelling to Frost Road. Given it is 2 storey, the upper level at the very least should be setback in line with Council's Development Plan requirements.

I have no external elevations (north or south) or rear elevations of those dwellings in Lot 2A as identified on the site plan. I also have no external elevation – south of the dwellings adjacent Frost Road. Could you please provide them.

Council will require a site works/ drainage plan for both the proposed development site and the existing hotel to ensure drainage from one site will not impact on the other.

The applicant is proposing to convert a portion of the site from retail/commercial (Hotel) to residential being a more sensitive use. The applicant will need to ensure that that portion of the site (from a contamination point of view) meets EPA guidelines and is suitable for the intended use, residential. The applicant will need to provide documented evidence that this is the case.

Council will also require an Acoustic report from a qualified Acoustic Engineer that considers the impact of the existing hotel operations on future occupants of the dwellings and include any recommendations that may be appropriate. It might be that what you propose might be adequate

This information is required pursuant to Section 39 of the *Development Act 1993*.




Please be advised that you can return your further information electronically to [development@salisbury.sa.gov.au](mailto:development@salisbury.sa.gov.au) quoting your application number, as above.

If no information is received by Council within **thirty (30) days** of the date of this letter Council may refuse your application.

Should you require any assistance or further advice please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'George Pantelos', with a large loop at the start and a trailing flourish.

**George Pantelos**  
Principal Planner  
Phone: 08 8406 8277  
Email: [gpantelos@salisbury.sa.gov.au](mailto:gpantelos@salisbury.sa.gov.au)



Consultant Traffic Engineers  
ABN 67 093 665 680

204 Young Street  
Unley SA 5061

P: 08 8271 5999  
F: 08 8271 5666  
E: mail@philweaver.com.au

File: 012-16

10 November 2016

Mr Aaron Schintler  
Studio Nine  
9 King William Street  
KENT TOWN SA 5067

Dear Mr Schintler,

**PROPOSED RESIDENTIAL DEVELOPMENT - THE LODGE HOTEL, 1572 MAIN NORTH ROAD, BRAHMA LODGE - TRAFFIC AND PARKING ASSESSMENT**

I refer to our previous discussions relating to the proposed construction of residential dwellings on a parcel of land currently occupied by The Lodge Hotel. I had previously reviewed the traffic and parking related aspects of the subject development in a letter dated 13<sup>th</sup> May 2016. That letter related to an application to construct 18 residential dwellings on the subject land. Since that time the Development Application has been amended and will now provide 15 residential dwellings on the subject land.

As requested, I have undertaken the following review of the traffic and parking related aspects of the subject development based upon the most recent amendments to the design dated 10<sup>th</sup> November 2016.

**EXISTING SITUATION**

The hotel site is located on the north-western corner of the intersection of Main North Road with Frost Road, Brahma Lodge.

The hotel site currently accommodates The Lodge Hotel, which incorporates a drive through bottle shop and an on-site car parking area providing 218 spaces. The design of this car park is identified in the **Car Park Plan – Existing and Demolition** prepared by your office (**Drawing No. 0901-291-PA06**).

The site is bounded on three sides by existing roads, namely:-

- Francis Road to the west,
- Frost Road to the south, and

- The service road of Main North Road to the immediate east of the hotel.

There are five existing access points into the hotel site, including:-

- Two access points off Francis Road, approximately 7.5m and 6m wide. These access points are located approximately 34m and 76m from the northern boundary of the site, respectively,
- Two access points off Frost Road, approximately 10m and 8m in width. These access points are located approximately 58m and 25m from the eastern boundary of the site, respectively, and
- A single access point off the service road of Main North Road, approximately 7m wide and located approximately 35m from the northern boundary of the site.

The intersection of Main North Road, Frost Road and Clayson Road is controlled by traffic signals.

Main North Road, in the vicinity of the hotel, provides two traffic lanes in each direction separated by a central median. A service road is located on the western side of Main North Road, directly adjacent to the subject site.

Frost Road, adjacent to the hotel, provides two traffic lanes in each direction. A right turn lane is provided for traffic turning from Frost Road onto Main North Road.

Francis Road has a kerb to kerb width of approximately 9m. There are no parking restrictions on either side of this roadway in the vicinity of the site.

Details of traffic volumes on Main North Road have been obtained from the Department of Planning, Transport and Infrastructure, (DPTI). From a traffic count undertaken at the intersection of Main North Road with Frost Road and Clayson Road, Salisbury East, on 14<sup>th</sup> April 2016, it is identified that the two-way Annual Average Daily Traffic (AADT) volume on Frost Road in the vicinity of the subject site is approximately 7000 vpd.

#### **PARKING SURVEYS**

The proposed dwellings are to be constructed on an area of the site currently occupied by the western section of the existing hotel car park, thereby resulting in a reduction in the capacity of this car park. Consequently, surveys of parking demand within the existing hotel car park have been conducted in order to determine the current level of on-site parking occurring during the following peak trading periods:-

- From 11.30am to 2.30pm on Friday 19<sup>th</sup> February 2016,
- From 5.00pm to 10.00pm on Friday 19<sup>th</sup> February 2016, and
- From 5.00pm to 10.00pm on Saturday 20<sup>th</sup> February 2016.

The results of the above parking surveys are included as an attachment to this report.

From reviews on-site, it was identified that the capacity of the on-site car park is 218 spaces.

Analysis of the parking surveys has identified that:-

- The maximum number of vehicles parked during the Friday lunchtime period was 76 vehicles. This level of parking demand occurred variously at 1.00pm, 2.00pm and 2.30pm. Based on the capacity of 218 spaces, the minimum number of vacant spaces throughout the survey period within the car park was 142 spaces,
- The maximum number of vehicles parked during the Friday evening period was 66 vehicles. This occurred at 6.45pm. Based on the capacity of 218 spaces, the number of spaces available was 152 spaces, and
- The maximum number of vehicles parked during the Saturday lunchtime period was 60 vehicles. This occurred variously at 5.15pm, 7.00pm and 7.30pm. Based on the capacity of 218 spaces, the number of vacant spaces within the car park was 158 spaces.

#### PROPOSED DEVELOPMENT

The proposed development is to be located along the western boundary of the site and extends approximately 33m in an easterly direction. As identified above, this area is currently occupied by part of the hotel car park and will result in the removal of 120 of car parking spaces associated with the hotel.

The proposed development is identified on a series of plans prepared by your office including a **Site Plan (Drawing No. 0901-291 PA02.F)**.

I note that the development includes:-

- Construction of 15 - three bedroom residential dwellings, comprising:-
  - Eleven dwellings providing a single garage and visitor space to be accessed directly off Francis Road,
  - Four dwellings providing a double length car port to be accessed off two driveways linked to Francis Road,
- Closure of the two existing access points off Francis Road.

The internal dimensions of the proposed single garages provide:-

- Widths of 3.4m, and
- Lengths of 5.6m.

The dimensions of the proposed car ports provide:-

- Widths of approximately 3.0m, and
- Lengths of approximately 12.3m.



As such, I consider that the design of the on-site car parking spaces would conform to the spatial requirements of the relevant off-street car parking standard (AS/NZS 2890.1:2004).

I also note that you have prepared a drawing showing the proposed changes to the hotel car park namely **Car Park Plan – Proposed Hotel (Drawing No. 0901 291 PA07 Revision A)**.

This plan identifies minor alterations to car parking on the (residual) hotel site and identifies the provision of a total of 128 spaces including a combination of 90° angle car parking spaces and parallel spaces.

The additional car parking spaces have been designed in accordance with the relevant off-street car parking standards (including AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009).

### PARKING ASSESSMENT

**Table Sal/2 - Off Street Vehicle Parking Requirements** within the Salisbury (City) Development Plan identifies car parking provisions as follows:-

Residential Flat Building - Group Dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
---	---

On the above basis, the proposed development would require the provision of 23 (rounded up) parking spaces. The proposed on-site parking provides a total of 30 spaces i.e. 11 single garages with a visitor space in front of each garage = 11 spaces and 4 double length car ports = 8 spaces.

I also note that the amended design of the residential dwellings will retain an opportunity for some on-street car parking to continue along the eastern side of Francis Road, directly in front of the subject site.

As identified above, the proposed dwellings are to be constructed on an area currently occupied by the western section of the existing hotel car park. This will result in the loss of 120 spaces. The current capacity of the hotel car park is 218 spaces. However, the relatively minor changes to the layout of the (residual) hotel car park will provide for a capacity of 128 spaces when the proposed development is complete.

Based on the parking surveys, the maximum number of cars parked within the on-site car park during peak trading periods was 76 vehicles, which would result in 52 vacant spaces, when the subject development has been constructed.

Table Sal/2 within the Salisbury Council Development Plan also identifies car parking provisions for hotel developments as follows:-

- Public bar: 1 space per 2 square metres of floor area available to the public.
- Lounge or beer garden: 1 space per 6 square metres of floor area available to the public.
- Gaming room: 1 space per 2 machines.

Based on my understanding of the licensed areas of the hotel, there would be a theoretical parking requirement associated with the existing hotel equivalent to some 186 spaces. This is based upon the following calculations:-

Area	Licensed component	Area/No. of Units	Car Parking Rate	Theoretical car parking requirement
1	Bistro	134.5m <sup>2</sup>	1 space/6m <sup>2</sup>	22.4 spaces
2	Gaming room	34 machines	1 space/ 2 machines	17.0 spaces
3	Main Bar	167.0m <sup>2</sup>	1 space/2m <sup>2</sup>	83.5 spaces
4	Sports Bar	71.4m <sup>2</sup>	1 space/2m <sup>2</sup>	35.7 spaces
5	Beer Garden	85.3m <sup>2</sup>	1 space/6m <sup>2</sup>	14.2 spaces
6	Drive through bottle shop			
7	Front courtyard	36.1m <sup>2</sup>	1 space/6m <sup>2</sup>	6.0 spaces
8	Side courtyard	19.7m <sup>2</sup>	1 space/6m <sup>2</sup>	3.3 spaces
9	Rear courtyard	21.3m <sup>2</sup>	1 space/6m <sup>2</sup>	3.6 spaces
	<b>Total</b>			<b>186 spaces</b>

In addition to the hotel, the 12 accommodation units would theoretically generate a demand for one space per unit.

However, the surveys of car parking demand conducted on site and more recent observations have identified that the actual car parking demand generated by the hotel, during peak periods of trading, is significantly lower than the theoretical car parking requirement based upon Council's Development Plan provisions. This would reflect a variety of aspects including:-

- The change in nature of the main bar and sports bar over time from a typical "front" bar to essentially less intense use i.e. similar to a lounge. This is reflected by the Liquor Licensing Plan which identifies areas of mostly Lounge within this "Bar" area,
- The courtyard areas (Areas 7 to 9) which are essentially breakout areas for the adjoining licensed areas,
- a potential for shared use of dining and bar facilities by hotel guests staying within the accommodation units,
- the various licensed areas would be unlikely to all generate peak parking demand simultaneously, and
- The seasonal nature of the Beer Garden. This is notwithstanding that this area would have been in use at the time of the February surveys.

#### TRAFFIC ASSESSMENT

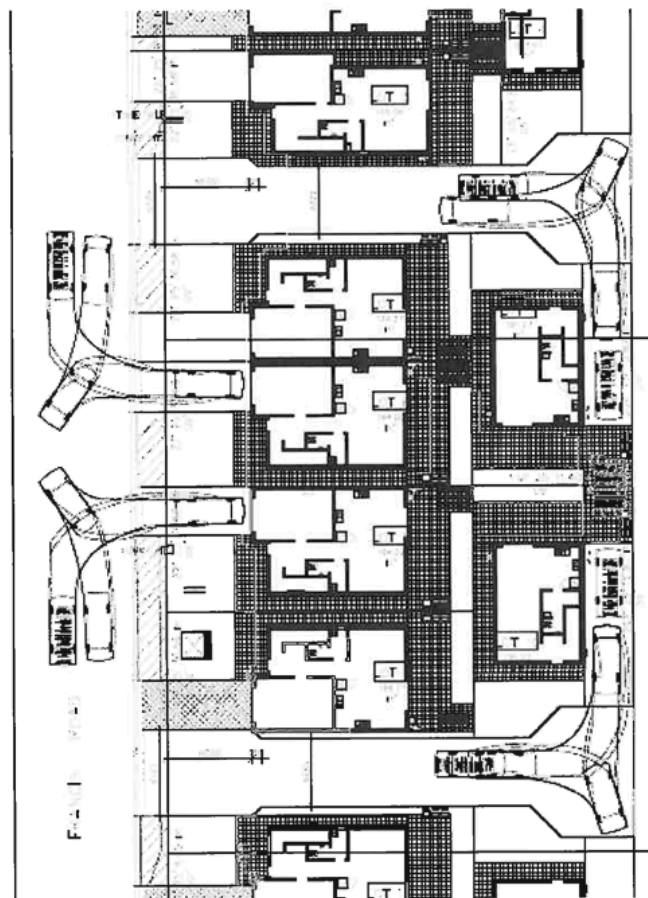
The "Guide to Traffic Generating Developments" report produced by the former Roads and Traffic Authority of NSW identifies a peak hour traffic generation rate of 0.4 to 0.5 trips per dwelling for a smaller dwelling and 0.5 to 0.65 trips per dwelling for a larger dwelling within a medium density residential development. I therefore consider that the proposed dwellings would generate of the order of 10 trips in peak hour periods i.e. (15 dwellings by an average of 0.65 trips per dwelling).

The overall weekday traffic generation of the subject development would be of the order of 100 trips on a weekday.

During other periods, there will be lower volumes of traffic entering the subject site and there should not be any significant traffic impacts on the adjacent road network.

It is proposed that collection of general waste and recycling will be serviced by Council's waste contractor with bins placed on the verge on collection nights.

The ability to access the various car parking spaces has been assessed using Autotrack turning path software. This assessment, which is based upon the B85 design vehicle, has identified that drivers would be able to manoeuvre into and out of each space without the need for multiple turns above and beyond "three-point" typically required for such manoeuvres. Representative turning path diagrams are included within Figure 1 below.



**Figure 1: Representative turning paths of B85 design vehicles accessing the car parking areas of the subject development**

The above turning paths identify that the design vehicle could readily access the site from both directions without any need for multiple turns.

#### **SUMMARY AND CONCLUSIONS**


As identified above the proposed development will provide a total of 15 residential dwellings on land located on the western side of the car parking area of the Lodge Hotel. While the proposed development would reduce the capacity of the on-site car parking area to a total of 128 spaces, it is clearly identified from the results of surveys conducted during peak trading periods of the hotel that the reduced capacity of the car park will be more than adequate to meet the typical peak parking demands of the existing hotel.

The proposed residential development will result in a total of 30 car parking spaces associated with the 15 dwellings or 2 spaces per dwelling. Such a level of car parking would more than meet the car parking requirements of each dwelling based upon council's Development Plan provisions.

In relation to traffic movements associated with the subject development, I estimate that, at most, there would be of the order of 10 trips generated by the subject development in any one hour period including both entry and exit movements.

I consider that the volumes of traffic to be generated by the subject development will not adversely impact on the adjoining road network.

Yours sincerely



Phil Weaver  
Phil Weaver and Associates Pty Ltd



Attachment 4

Notice of Category 3 Application and Representations

**DEVELOPMENT ACT 1993  
CITY OF SALISBURY**

**NOTICE OF APPLICATION FOR CATEGORY 3 DEVELOPMENT**

Pursuant to Section 38(5) of the Development Act, 1993

An application for development has been lodged with the Council for assessment. The details are as follows:

<b>DEVELOPMENT NO:</b>	361/11/2016/NA
<b>APPLICANT:</b>	Studio 9 Architects Pty Ltd 9 King William St KENT TOWN SA 5067
<b>NATURE OF THE DEVELOPMENT:</b>	FIFTEEN (15) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL (NON-COMPLYING DEVELOPMENT)
<b>LOCATED AT:</b>	The Lodge Hotel, 1572-1582 Main North Road , Brahma Lodge SA 5109
<b>CERTIFICATE OF TITLE:</b>	CT-5145/150 CT-5145/76 CT-5743/407
<b>ZONE:</b>	Commercial

The application may be examined at the Office of the Council located at 12 James Street, Salisbury during business hours (8.30am – 5pm Monday to Friday) and on Council's web site at [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au). Any person or body may make representations in writing, or by email to [development@salisbury.sa.gov.au](mailto:development@salisbury.sa.gov.au), concerning this application and should address their representation to the Chief Executive Officer at PO Box 8, Salisbury or [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au). Representations must be received **no later than Tuesday 4<sup>th</sup> October 2016**.

Each person making a submission should indicate whether they wish to appear personally, or be represented by another party, in support of their submission. Please note that should you nominate to be heard in support of your representation, you will be required to attend a Development Assessment Panel meeting held at the Council offices, scheduled on the fourth Tuesday of each month at 6.00pm (unless otherwise advised).

Please note that, pursuant to Section 38(8) of the Development Act, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: George Pantelos, Principal Planner

Date: 19 September 2016

***THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE***



## STATEMENT OF REPRESENTATION

### Pursuant to Section 38 of the Development Act

To: City of Salisbury  
 PO Box 8, SALISBURY SA 5108  
 Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au) 4 OCT 2016

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/11/2016/NA  
 Applicant: Studio 9 Architects Pty Ltd  
 Location: The Lodge Hotel, 1572-1582 Main North Road, Brahma Lodge SA 5109  
 Proposed Development: FIFTEEN (15) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL (NON-COMPLYING DEVELOPMENT)

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): TERENCE SNEILL

ADDRESS: 147 FROST ROAD, SALISBURY SOUTH SA 5109

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: 147 FROST ROAD SALISBURY SOUTH SA 5109

☐ Other (please state): .....

### YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

SEE BELOW FOR THE REASONS OPPOSE THE PROPOSED DEVELOPMENT.

"SEE NEXT PAGE"

PTO

361/11/2016/NA

1. CAR PARK CONGESTION WILL OVERFLOW INTO 147 FROST ROAD, SALISBURY SOUTH SA 5109.
2. REFER TO SITE PLAN, WE OBJECT TO JUST THE LOT 4, LOT 7, LOT 10 AND LOT 13 TWO STOREY DWELLINGS (FOUR UNITS).
3. AS IT SOMETIMES OCCURS NOW WITH OCCASSIONAL DAMAGE TO AND THEFT FROM OUR/VISITORS VEHICLES.

**My concerns would be addressed by:** (state changes/actions to the proposal sought)

WE PROPOSE THAT THE CONSTRUCTION OF 11 UNITS FACING FRANCIS ROAD PROCEED, BUT NOT THE FOUR UNITS BEHIND THEM AS THE CONSEQUENT BULK AND SCALE WILL PRODUCE A SHORTAGE OF CAR PARKING ON THE HOTEL'S LAND.

PTO



Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

/We:

☒ Do not wish to be heard in support of my representation.

☐ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

**OR**

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 4<sup>th</sup> October 2016, to ensure that it is a valid representation and taken into account.**

#### **Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: .....  .....

Date: 28 / 9 / 2016

#### **Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 4<sup>th</sup> October 2016.**



## STATEMENT OF REPRESENTATION

### Pursuant to Section 38 of the Development Act

**To:** City of Salisbury  
 PO Box 8, SALISBURY SA 5108  
 Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)

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 Applicant: Studio 9 Architects Pty Ltd  
 Location: The Lodge Hotel, 1572-1582 Main North Road,  
 Brahma Lodge SA 5109  
 Proposed Development: FIFTEEN (15) TWO-STOREY DWELLINGS WITH ASSOCIATED  
 CARPARKING INDEPENDENT OF EXISTING HOTEL (NON-COMPLYING  
 DEVELOPMENT)

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): MATTHEW SNELL

ADDRESS: 147 FROST ROAD, SALISBURY SOUTH SA 5109

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: 147 FROST ROAD  
 SALISBURY SOUTH SA 5109

☐ Other (please state):

### YOUR COMMENTS:

4 OCT 2016

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

BE BELOW FOR THE REASONS OPPOSE THE PROPOSED DEVELOPMENT:  
 1. FIFTEEN (15) TWO STOREY DWELLINGS IN THE COMMERCIAL ZONE  
 SEE NEXT PAGE"

PTO

361/11/2016/NA

2. DOWNSIZE ON-SITE CARPARKING SPACES AT THE LODGE HOTEL AND MORE CUSTOMER VISITING THE LODGE HOTEL WILL USE OFF STREET PARKING.
3. NOT A GOOD LOCATION FOR 15 NEW STOREY DWELLINGS WHERE NOISE FROM THE LODGE HOTEL AT LATE HOURS.
4. OVERDEVELOPMENT OF THE SUBJECT SITE.
5. THE EXTERNAL APPEARANCE TO FIFTEEN (15) TWO STOREY DWELLINGS.
6. BE OF EXCESSIVE BULK AND SCALE.
7. CAR PARK CONGESTION WILL OVERFLOW INTO 147 FROST ROAD, SALISBURY SOUTH SA 5109.
8. SET BACK FROM FROST ROAD.

**My concerns would be addressed by:** *(state changes/actions to the proposal sought)*

PTO

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☒ Do not wish to be heard in support of my representation.

☐ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

**OR**

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 4<sup>th</sup> October 2016, to ensure that it is a valid representation and taken into account.**

#### **Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature:                     *MBH*                    

Date: 26 / 9 / 2016

#### **Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Tuesday 4<sup>th</sup> October 2016.**





**STATEMENT OF REPRESENTATION**  
Pursuant to Section 38 of the Development Act

**To:** City of Salisbury  
PO Box 8, SALISBURY SA 5108  
Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)

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Development Number: 361/11/2016/NA  
Applicant: Studio 9 Architects Pty Ltd  
Location: The Lodge Hotel, 1572-1582 Main North Road, Brahma Lodge SA 5109  
Proposed Development: FIFTEEN (15) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL (NON-COMPLYING DEVELOPMENT)

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): Shibhon Eskau

ADDRESS: 7/1584 Main north Rd Brahma lodge

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: 7/1584 Main N<sup>th</sup> Rd

☐ Other (please state):

**YOUR COMMENTS:**

I/We: (please tick the most appropriate box below)

☒ Support the proposed development.

☐ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

happy with it all going ahead.

Would be very happy if you hired my fiancée to do the brickwork.

PTO

361/11/2016/NA

he is a well respected worker in the field and  
always has a positive response from building  
companies.  
very heat in his work and we are happy to  
give references.

**My concerns would be addressed by:** *(state changes/actions to the proposal sought)*

PTO

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☒ Do not wish to be heard in support of my representation.

☐ Wish to be heard in support of my representation, and I will be:

☐ Appearing personally,

**OR**

☐ Represented by the following person: .....

Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Tuesday 4<sup>th</sup> October 2016, to ensure that it is a valid representation and taken into account.**

#### **Representor's Declaration:**

I am aware that the representation **will** become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature: .....

Date: 22 / 9 / 16

#### **Please complete this checklist to ensure your representation is valid:**

- ☐ Name and address of person (or persons).
- ☐ If more than one person, details of person making the representation.
- ☐ Detail of reasons for making the representation.
- ☐ Indication whether or not the person (or persons) wishes to be heard.
- ☐ Submitted no later than 11.59pm on **Tuesday 4<sup>th</sup> October 2016.**





Attachment 5  
Applicant Response to Representations



6 October 2016

Mr George Pantelos  
Principal Planner – Development Services  
City of Salisbury  
PO Box 8  
SALISBURY SA 5108

Dear George

**Re: Development Application 361/11/2016**

I have been asked by my client, GM Hotels, to review and respond to all three of the representations that were received by the City of Salisbury ('the Council') within the prescribed time for such purposes.

Before doing so, I would like to point out that:

- one of the representors supports the proposal;
- two of the representors do not support the proposal; and
- those representors who do not support the proposal share the same surname and reside, presumably together, in the retirement village on the southern (opposite) side of Frost Road.

My response is set out in no particular order below.

#### **Density**

It has been asserted that the density of this development is too high.

The number of dwellings was recently reduced from 18 to 15.

As a consequence of this rather significant change, the lots now range in size from 190.8 square metres to 451.9 square metres, and the average lot size, excluding those areas that have been set aside as common property, has increased to 216.7 square metres.

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Unit 33, 16 Charlton Court  
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**QUEENSLAND**  
104/139 Commercial Road  
Teneriffe, 4005  
P (07) 3852 2670  
plan@masterplan.com.au

ABN 30 007 755 277  
14943LET03



The average lot size in this development (216.7 square metres) now compares favourably to the average lot size in the adjoining development to the north of the site (192.0 square metres).

It also satisfies the Council's request by letter dated Monday, 11 July 2016.

A copy of the letter to which I refer is **attached**.

#### **External Appearance**

The external appearance of each dwelling has been called into question but for no apparent reason.

The dwellings have been carefully designed to ensure that each and every façade will be expressive but not overpowering. The use of contemporary materials and the application of contrasting colours will greatly assist in this regard. So too for that matter will the parapet walls, canopies and porticos.

None of the façades will contain any bland or highly reflective surfaces. Instead, they will be brought to life by small vertical and horizontal components which will also serve to break up the width of each dwelling whilst reducing its apparent height.

The height of each dwelling is also consistent with the height of those dwellings which form part of the adjoining development to the north of the site, and the quantitative guidance provided under Principle 5 of the 'Residential Development' Module.

As an aside, I note that none of the residents on the western (opposite) side of Francis Road have raised concerns about the external appearance of the dwellings. They are the ones who will have to stare straight at these dwellings, not the residents of the retirement village on the opposite side of Frost Road.

#### **Setback from Frost Road**

The distance between the dwelling on Lot 6 and Frost Road has been called into question by one of the representors but for no apparent reason either.

The dwelling on Lot 6 will be set back 6.8 metres from the northern boundary of Frost Road and 18.8 metres from the closest section of the adjacent carriageway.

The latter of these two distances complies with Principle 19 of the 'Design and Appearance' Module and the minimum quantitative guideline expressed under Table Sal/1 of the Development Plan.

It also compares favourably to the distance between the aforementioned carriageway and the southern façade of the two storey residential flat building on the north western corner of the T – junction between Francis and Frost Roads, which I rather conservatively say equates to 13.0 metres.



### Noise

It has been asserted that the prospective occupants of the dwellings will be adversely affected by those noises associated with the hotel.

I disagree with this assertion for two reasons.

Firstly, and in accordance with Principles 4 and 5 of the 'Interface between Land Uses' Module, my client has commissioned their architects to minimise the effects of those noises associated with the hotel and the adjoining car park to the east by:

- locating all three of the bedrooms on the first floor level of each dwelling;
- providing each dwelling with thickened glass and insulation to the point where they comfortably satisfy the minimum requirements of the National Construction Code; and
- including a powder coated steel fence along the eastern boundary of the site for its entire length.

Secondly, Mr Jason Turner, a qualified and experienced acoustic engineer, was recently asked to undertake an assessment of the acoustic environment between the site and the hotel. Whilst Mr Turner's findings were appended to my Statement of Effect, I take this opportunity to reiterate that he opines that:

- the prospective occupants "*will have suitable residential amenity and the ongoing lawful operation of the Lodge Hotel will not be compromised by the proposal;*" and
- "*with the incorporation of specific building constructions, the noise from all sources at the Hotel will achieve the Environment Protection (Noise) Policy 2007 and the noise from music will achieve the EPA Guidelines – Music noise from indoor venues and the South Australian Planning System – July 2015, within the proposed residences.*"

### Car Parking

It has been asserted that there will not be enough spaces within the confines of the reconfigured hotel car park, and that patrons will soon be forced to park along the surrounding road network and within the private car park associated with the retirement village on the opposite side of Frost Road.

According to Table Sal/2 of the Development Plan, this development generates a theoretical demand for 23 spaces (15 spaces for the prospective occupants and eight for their respective guests).

Given that each dwelling will come equipped with two spaces, one of which is to be covered, it is quite clear that this development comfortably exceeds the requirements of Table Sal/2 by seven spaces.





In addition to this, the survey recently undertaken by Mr Phil Weaver, a qualified and experienced traffic engineer, indicates that even though this development will reduce the number of spaces associated with the hotel from 218 to 98, there should still be a surplus of 22 spaces when the hotel's patronage peaks.

**Summary**

I remain of the view, despite the concerns that have been raised, that this proposal is deserving of Development Plan Consent for the myriad of reasons listed on Page 22 of my Statement of Effect.

Although none of the representors wish to appear before the Council's Development Assessment Panel at the forthcoming Meeting, I take this opportunity to confirm that I will be on hand to answer any questions which may arise.

If, in the meantime, you require anything else, please do not hesitate to contact me by phone (0413 832 607) or email (fabianb@masterplan.com.au).

Yours sincerely

**Fabian Barone**  
MasterPlan SA Pty Ltd

enc: Council's request for further information.  
cc: Studio Nine Architects, Attention: Messrs Schintler and Zappia.

14943LET03

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www.salisbury.sa.gov.au

11 July 2016

Aaron Schintler  
Studio 9 Architects Pty Ltd  
9 King William St  
KENT TOWN SA 5067

Dear Aaron

**APPLICANT:** Studio 9 Architects Pty Ltd  
**APPLICATION NO:** 361/11/2016/NA  
**SUBJECT SITE:** The Lodge Hotel, 1572-1582 Main North Road , Brahma Lodge SA 5109  
**PROPOSED DEVELOPMENT:** EIGHTEEN (18) TWO-STOREY DWELLINGS WITH ASSOCIATED CARPARKING INDEPENDENT OF EXISTING HOTEL

Further to my letter dated 15<sup>th</sup> June, 2016 and our conversation on Friday 8<sup>th</sup> July 2016, I provide the following additional comments in relation to the above application.

The density proposed is high given the locality. The average lot size (excluding future common property) is approximately 174.5m<sup>2</sup> which is quite low in this location. A number of the proposed dwellings (10) have site areas less than 160m<sup>2</sup>. The adjoining residential development to the north has average lot sizes of 192m<sup>2</sup> (excluding common property). Given the locality and given the proposal will be similar to the new two storey residential developments to the north of the site, lot sizes should be in the vicinity of 190m<sup>2</sup>. The plan will need to be amended accordingly.

Council's requirements for common driveways servicing the dwellings on lots 1A, 2A and 3A is that they should have a minimum width of 6 metres. All vehicles should be able to enter and exit the site in a forward motion. The crossover arrangements onto Francis Road for Lots 1A and 2A are restricted and unacceptable. All crossovers need to be a minimum of 6 metres in width and unrestricted. The plan will need to be amended accordingly.

Carparking arrangements for the rear dwellings (no unit numbers provided) of Lots 1A, 2A and 3A are not clear. I am not clear how long the proposed carports are as there are no lines on the site identifying the dimensions of the carport and where it separates from the visitor carparking space. The locality and perspective plan shows differing sizes for carports. I assume given the area of the carport is highlighted as 16.2m<sup>2</sup> that the length will be 5.4 metres leaving the remainder as visitor space. Could you please confirm this is the case and identify this on the site plan.

The head at the end of each common driveway is 5.8 metres in width. It is not clear where the future common property/ lot boundaries will be. All manoeuvring will need to occur on the common property without impacting on other properties or landscaping. I'm not convinced this will work with the proposal as currently presented. I do not believe the turning arrangements for the rear units as outlined in Phil Weavers Traffic and Parking Assessment will achieve the above requirements. Could you please review and amend the site plan if this is the case.

There are a number of existing trees on the western property boundary that are likely to be affected by the proposed development. Can you please confirm whether the trees are regulated or significant and if your client intends to retain them. The trees could be exempt species as outlined in regulation 6A (5b) of the Development Regulations 2008.

Council will require a detailed landscaping plan for the proposed development.

I am concerned with the appearance of the development to Francis and Frost Roads. The front of the proposed semi-detached dwellings will be dominated by the garages. The garages should not be the primary focus of the development. The elevations need to be amended to address this. A portico over the front door entry may reduce the visual impact of the garage. I'm not clear why the two storey component of those dwellings is setback a further 4 metres. A well-articulated two storey building which compliments the streetscape could be designed with a 6 metre setback.

Upper level windows to the rear and side of each dwelling (except where facing Francis Street) should comprise fixed obscure glazing to a height of 1700mm from finished floor level of the upper level, or sill heights of 1700mm. If awning windows are proposed for the upper level, obscure glazing will also need to be provided to a height of 1700mm on those sides. The awning windows should not open out more than 150mm.

The appearance to Francis Road of the dwellings that have access off the common driveways and the setback to the street property boundary needs to be reviewed. The setback of those dwellings is approximately 3.6m to the street property boundary. I believe this is too close for a two storey development given what is in the locality. The walls should be a minimum of 5.0m metres from the Francis Road property boundary. The small ground floor windows proposed on the elevations to the street should be replaced with full size windows to reduce the visual impact of the walls.

In terms of streetscape, I am concerned with the setback of the corner dwelling to Frost Road. Given it is 2 storey, the upper level at the very least should be setback in line with Council's Development Plan requirements.

I have no external elevations (north or south) or rear elevations of those dwellings in Lot 2A as identified on the site plan. I also have no external elevation – south of the dwellings adjacent Frost Road. Could you please provide them.

Council will require a site works/ drainage plan for both the proposed development site and the existing hotel to ensure drainage from one site will not impact on the other.

The applicant is proposing to convert a portion of the site from retail/commercial (Hotel) to residential being a more sensitive use. The applicant will need to ensure that that portion of the site (from a contamination point of view) meets EPA guidelines and is suitable for the intended use, residential. The applicant will need to provide documented evidence that this is the case.

Council will also require an Acoustic report from a qualified Acoustic Engineer that considers the impact of the existing hotel operations on future occupants of the dwellings and include any recommendations that may be appropriate. It might be that what you propose might be adequate

This information is required pursuant to Section 39 of the *Development Act 1993*.

Please be advised that you can return your further information electronically to [development@salisbury.sa.gov.au](mailto:development@salisbury.sa.gov.au) quoting your application number, as above.

If no information is received by Council within **thirty (30) days** of the date of this letter Council may refuse your application.

Should you require any assistance or further advice please do not hesitate to contact me.

Yours sincerely

A handwritten signature in black ink, appearing to read 'George Pantelos', with a large loop at the start and a trailing flourish.

**George Pantelos**  
Principal Planner  
Phone: 08 8406 8277  
Email: [gpantelos@salisbury.sa.gov.au](mailto:gpantelos@salisbury.sa.gov.au)



Attachment 6  
Relevant Development Plan Extracts and Maps,  
Consolidated 7 January 2016

# Development Plan

## Salisbury Council

Consolidated – 7 January 2016

Please refer to the Salisbury Council page at [www.sa.gov.au/developmentplans](http://www.sa.gov.au/developmentplans) to see any amendments not consolidated.



**Government of South Australia**  
Department of Planning,  
Transport and Infrastructure

Consolidated – 7 January 2016

## Design and Appearance

### OBJECTIVES

- 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.
- 2 Roads, open spaces, buildings and land uses laid out and linked so that they are easy to understand and navigate.

### PRINCIPLES OF DEVELOPMENT CONTROL

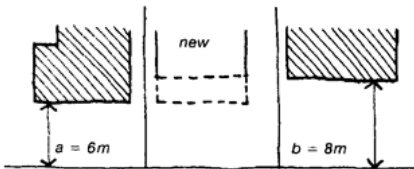
- 1 The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.
- 2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.
- 3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:
  - (a) articulation
  - (b) colour and detailing
  - (c) small vertical and horizontal components
  - (d) design and placing of windows
  - (e) variations to facades.
- 4 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:
  - (a) the visual impact of the building as viewed from adjoining properties
  - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.
- 5 Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.
- 6 Transportable buildings and buildings which are elevated on stumps, posts, piers, columns or the like, should have their suspended footings enclosed around the perimeter of the building with brickwork or timber, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.
- 7 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.
- 8 Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.
- 9 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

Salisbury Council  
General Section  
Design and Appearance

- 10 Development should provide clearly recognisable links to adjoining areas and facilities.
- 11 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 12 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.
- 13 Where applicable, development should incorporate verandas over footpaths to enhance the quality of the pedestrian environment.
- 14 Development should be designed and sited so that outdoor storage, loading and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.
- 15 Outdoor lighting should not result in light spillage on adjacent land.
- 16 Balconies should:
  - (a) be integrated with the overall architectural form and detail of the building
  - (b) be sited to face predominantly north, east or west to provide solar access
  - (c) have a minimum area of 2 square metres.

#### Building Setbacks from Road Boundaries

- 17 The setback of buildings from public roads should:
  - (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
  - (b) contribute positively to the streetscape character of the locality
  - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.
- 18 Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
 <p>When <math>b - a \leq 2</math>, setback of new dwelling = <math>a</math> or <math>b</math></p>	
Greater than 2 metres	At least the average setback of the adjacent buildings.

- 19 Except where specified in a particular zone, policy area, or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in [Table Sal/1 - Building Setbacks from Road Boundaries](#).



- 20 Except where specified in a zone, policy area or precinct, the setback of development from a secondary street frontage should reflect the setbacks of the adjoining buildings and other buildings in the locality.
- 21 Development likely to encroach within a road widening setback under the *Metropolitan Adelaide Road Widening Plan Act 1972* should be set back sufficiently from the boundary required for road widening.

## Hazards

### OBJECTIVES

- 1 Maintenance of the natural environment and systems by limiting development in areas susceptible to natural hazard risk.
- 2 Development located away from areas that are vulnerable to, and cannot be adequately and effectively protected from the risk of natural hazards.
- 3 Critical community facilities such as hospitals, emergency control centres, major service infrastructure facilities, and emergency service facilities located where they are not exposed to natural hazard risks.
- 4 Development located and designed to minimise the risks to safety and property from flooding.
- 5 Development located to minimise the threat and impact of bushfires on life and property.
- 6 Expansion of existing non-rural uses directed away from areas of high bushfire risk.
- 7 The environmental values and ecological health of receiving waterways and marine environments protected from the release of acid water resulting from the disturbance of acid sulphate soils.
- 8 Protection of human health and the environment wherever site contamination has been identified or is suspected to have occurred.
- 9 Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment.
- 10 Minimisation of harm to life, property and the environment through appropriate location of development and appropriate storage, containment and handling of hazardous materials.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards.
- 2 Development located on land subject to hazards as shown on the *Overlay Maps - Development Constraints* should not occur unless it is sited, designed and undertaken with appropriate precautions being taken against the relevant 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.

### Flooding

- 4 Development should not occur on land where the risk of flooding is likely to be harmful to safety or damage property.
- 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.

**Salisbury Council  
General Section  
Hazards**

- 6 Development, including earthworks associated with development, should not do any of the following:
  - (a) impede the flow of floodwaters through the land or other surrounding land
  - (b) increase the potential hazard risk to public safety of persons during a flood event
  - (c) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood
  - (d) cause any adverse effect on the floodway function
  - (e) increase the risk of flooding of other land
  - (f) obstruct a watercourse.

**Bushfire**

- 7 The following bushfire protection principles of development control apply to development of land identified as General, Medium and High bushfire risk areas as shown on the *Bushfire Protection Area BPA Maps - Bushfire Risk*.
- 8 Development in a Bushfire Protection Area should be in accordance with those provisions of the *Minister's Code: Undertaking development in Bushfire Protection Areas* that are designated as mandatory for Development Plan Consent purposes.
- 9 Buildings and structures should be located away from areas that pose an unacceptable bushfire risk as a result of one or more of the following:
  - (a) vegetation cover comprising trees and/or shrubs
  - (b) poor access
  - (c) rugged terrain
  - (d) inability to provide an adequate building protection zone
  - (e) inability to provide an adequate supply of water for fire-fighting purposes.
- 10 Residential, tourist accommodation and other habitable buildings should:
  - (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect
  - (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation
  - (c) have a dedicated and accessible water supply available at all times for fire fighting.
- 11 Extensions to existing buildings, outbuildings and other ancillary structures should be sited and constructed using materials to minimise the threat of fire spread to residential, tourist accommodation and other habitable buildings in the event of bushfire.
- 12 Buildings and structures should be designed and configured to reduce the impact of bushfire through using simple designs that reduce the potential for trapping burning debris against the building or structure, or between the ground and building floor level in the case of transportable buildings.
- 13 Land division for residential or tourist accommodation purposes within areas of high bushfire risk should be limited to those areas specifically set aside for these uses.

- 14 Where land division does occur it should be designed to:
- (a) minimise the danger to residents, other occupants of buildings and fire fighting personnel
  - (b) minimise the extent of damage to buildings and other property during a bushfire
  - (c) ensure each allotment contains a suitable building site that is located away from vegetation that would pose an unacceptable risk in the event of bushfire
  - (d) ensure provision of a fire hazard separation zone isolating residential allotments from areas that pose an unacceptable bushfire risk by containing the allotments within a perimeter road or through other means that achieve an adequate separation.
- 15 Vehicle access and driveways to properties and public roads created by land division should be designed and constructed to:
- (a) facilitate safe and effective operational use for fire-fighting and other emergency vehicles and residents
  - (b) provide for two-way vehicular access between areas of fire risk and the nearest public road.
- 16 Olive orchards should be located and developed in a manner that minimises their potential to fuel bushfires.

**Salinity**

- 17 Development should not increase the potential for, or result in an increase in, soil and water salinity.
- 18 Preservation, maintenance and restoration of locally indigenous plant species should be encouraged in areas affected by dry land salinity.
- 19 Irrigated horticulture and pasture should not increase groundwater-induced salinity.

**Acid Sulfate Soils**

- 20 Development and activities, including excavation and filling of land, that may lead to disturbance of potential or actual acid sulfate soils (including land identified on the *Overlay Maps – Development Constraints*) should be avoided unless such disturbances are managed in a way that effectively avoids the potential for harm or damage to any of the following:
- (a) the marine and estuarine environment
  - (b) natural water bodies and wetlands
  - (c) agricultural or aquaculture activities
  - (d) buildings, structures and infrastructure
  - (e) public health.
- 21 Development, including primary production, aquaculture activities and infrastructure, should not proceed unless it can be demonstrated that the risk of releasing acid water resulting from the disturbance of acid sulfate soils is minimal.

**Site Contamination**

- 22 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.



## Interface between Land Uses

### OBJECTIVES

- 1 Development located and designed to minimise adverse impact and conflict between land uses.
- 2 Protect community health and amenity from adverse impacts of development.
- 3 Protect desired land uses from the encroachment of incompatible development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:
  - (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
  - (b) noise
  - (c) vibration
  - (d) electrical interference
  - (e) light spill
  - (f) glare
  - (g) hours of operation
  - (h) traffic impacts.
- 2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.
- 3 Development adjacent to a Residential Zone should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.
- 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.

### Noise Generating Activities

- 7 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant *Environment Protection (Noise) Policy* criteria when assessed at the nearest existing noise sensitive premises.
- 8 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.

**Salisbury Council**  
**General Section**  
*Interface between Land Uses*

- 9 Outdoor areas (such as beer gardens or dining areas) associated with licensed premises should be designed or sited to minimise adverse noise impacts on adjacent existing or future noise sensitive development.
- 10 Development proposing music should include noise attenuation measures that achieve the following desired noise levels:

Noise level assessment location	Desired noise level
Adjacent existing <i>noise sensitive development</i> property boundary	Less than 8 dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum and Less than 5 dB(A) above the level of background noise ( $LA_{90,15min}$ ) for the overall (sum of all octave bands) A-weighted level
Adjacent <i>land</i> property boundary	Less than 65dB(Lin) at 63Hz and 70dB(Lin) in all other octave bands of the sound spectrum or Less than 8 dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum and 5 dB(A) overall (sum of all octave bands) A-weighted level

#### **Air Quality**

- 11 Development with the potential to emit harmful or nuisance-generating air pollution should incorporate air pollution control measures to prevent harm to human health or unreasonable interference with the amenity of sensitive uses within the locality.
- 12 Chimneys or exhaust flues associated with commercial development (including cafes, restaurants and fast food outlets) should be designed to ensure they do not cause a nuisance or health concerns to nearby sensitive receivers by:
  - (a) incorporating appropriate treatment technology before exhaust emissions are released to the atmosphere
  - (b) ensuring that the location and design of chimneys or exhaust flues maximises dispersion and takes into account the location of nearby sensitive uses.

#### **Rural Interface**

- 13 The potential for adverse impacts resulting from rural development should be minimised by:
  - (a) not locating horticulture or intensive animal keeping on land adjacent to townships
  - (b) maintaining an adequate separation between horticulture or intensive animal keeping and townships, other sensitive uses and, where desirable, other forms of primary production.
- 14 Traffic movement, spray drift, dust, noise, odour and the use of frost fans and gas guns associated with primary production should not lead to unreasonable impact on adjacent land uses.
- 15 Existing primary production and mineral extraction should not be prejudiced by the inappropriate encroachment of sensitive uses such as urban development.
- 16 Development that is adjacent to land used for primary production (within either the zone or adjacent zones) should include appropriate setbacks and vegetative plantings designed to minimise the potential impacts of chemical spray drift and other impacts associated with primary production.

## Landscaping, Fences and Walls

### OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 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.
- 2 Landscaping should:
  - (a) include the planting of locally indigenous species where appropriate
  - (b) be oriented towards the street frontage
  - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- 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

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- (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.
- 4 Fences and walls, including retaining walls, should:
- (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.



## Residential Development

### OBJECTIVES

- 1 Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community.
- 2 An increased mix in the range and number of dwelling types available within urban boundaries to cater for changing demographics, particularly smaller household sizes and supported accommodation.
- 3 Higher dwelling densities in areas close to centres, public and community transport and public open spaces.
- 4 The regeneration of selected areas identified at zone and/or policy area levels.
- 5 Affordable housing and housing for aged persons provided in appropriate locations.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Residential allotments and sites should have the appropriate orientation, area, configuration and dimensions to accommodate:
  - (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 access and off street parking
  - (d) passive energy design.
- 2 Buildings on battleaxe allotments or the like should be single storey and be designed to maintain the privacy of adjoining properties.
- 3 Residential allotments should be of varying sizes to encourage housing diversity.
- 4 Dwellings constituting affordable housing should be located to optimise access to shops, social services and facilities, or public transport.
- 5 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 typically be in the form of 2 to 4 storey buildings.
- 6 High density development that achieves gross densities of more than 45 dwellings per hectare (which translates to net densities of more than 67 dwellings per hectare) should typically be in the form of over 4 storey buildings.

### Design and Appearance

- 7 Where a dwelling has direct frontage to a street the dwelling should be designed to provide surveillance and address the street.
- 8 Entries to dwellings should be clearly visible from the streets that they front to enable visitors to identify a specific dwelling easily.

- 9 The design of residential flat buildings should:
  - (a) define individual dwellings in the external appearance of the building
  - (b) provide transitional space around the entry
  - (c) ensure building entrances provide shelter, are visible and easily identifiable from the street.

### **Overshadowing**

- 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, 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.
- 11 Development should ensure that north-facing windows to habitable rooms 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.
- 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.

### **Garages, Carports and Outbuildings**

- 13 Garages, carports and outbuildings should have a roof form and pitch, building materials and detailing that complement the associated dwelling.
- 14 Garages and carports facing the street should not dominate the streetscape.
- 15 Residential outbuildings, including garages and sheds, should not be constructed unless in association with an existing dwelling.

### **Street and Boundary Setbacks**

- 16 Dwellings should be set back from allotment or site boundaries to:
  - (a) contribute to the desired character of the area
  - (b) provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.
- 17 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:
  - (a) minimise the visual impact of buildings from adjoining properties
  - (b) minimise the overshadowing of adjoining properties.

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- 18 Side boundary walls in residential areas should be limited in length and height to:
  - (a) minimise their visual impact on adjoining properties
  - (b) minimise the overshadowing of adjoining properties.
- 19 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.

**Site Coverage**

- 20 Site coverage should be limited to ensure sufficient space is provided for:
  - (a) pedestrian and vehicle access and vehicle parking
  - (b) domestic storage
  - (c) outdoor clothes drying
  - (d) a rainwater tank
  - (e) private open space and landscaping
  - (f) front, side and rear boundary setbacks that contribute to the desired character of the area
  - (g) convenient storage of household waste and recycling receptacles.

**Private Open Space**

- 21 Private open space (land available for exclusive use by residents of each dwelling) should be provided for each dwelling 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.
- 22 Dwellings should have associated private open space of sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site.
- 23 Where an onsite wastewater disposal system is required, areas required for soakage trenches or similar should not be included in private open space calculations.

- 24 Dwellings, particularly those with ground-level habitable rooms should include private open space that conforms to the requirements identified in the following table:

Site area of dwelling	Minimum area of private open space	Provisions
250 square metres or greater	20 per cent of site area	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 living room 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.
Less than 250 square metres	35 square metres	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 living room and has an area of 16 square metres with a minimum dimension of 4 metres and a maximum gradient of 1-in-10.

- 25 Private open space should not include driveways, 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 in residential flat buildings and group dwellings, and should have a minimum dimension of:
- (a) 2.5 metres for ground level or roof-top private open space
  - (b) 2 metres for upper level balconies or terraces.
- 26 Balconies should make a positive contribution to the internal and external amenity of residential buildings and should be sited adjacent to the main living areas, such as the living room, dining room or kitchen, to extend the dwelling's living space.
- 27 Rooftop gardens should be incorporated into residential flat buildings.

#### Site Facilities and Storage

- 28 Site facilities for group dwellings, residential parks and residential flat buildings should include:
- (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.

#### Visual Privacy

- 29 Upper level windows, balconies, terraces and decks should have a sill height of not less than 1.7 metres or be permanently screened to a height of not less than 1.7 metres above finished floor level to avoid overlooking into habitable room windows or onto the useable private open spaces of other dwellings.
- 30 Permanently fixed external screening devices should be designed and coloured to blend with the associated building's external material and finishes.



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### Noise

- 31 Noise generated by fixed noise sources such as air conditioning units and pool pumps should be located, designed and attenuated to avoid causing potential noise nuisance to adjoining landowners and occupiers.
- 32 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.
- 33 Residential development on sites abutting established collector or higher order roads should include front fences and walls that will supplement the noise control provided by the building facade.
- 34 The number of dwellings sharing a common internal pedestrian entry within a residential flat building should be minimised to limit noise generation in internal access ways.
- 35 External noise and light intrusion to bedrooms should be minimised by separating or shielding these rooms from:
  - (a) active communal recreation areas, parking areas and vehicle access ways
  - (b) service equipment areas and fixed noise sources on the same or adjacent sites.

### Car Parking and Access

- 36 The number of driveway crossovers should be minimised and appropriately separated to optimise the provision of on-street visitor parking and preserve and enhance street character including opportunities for landscaping, tree planting and fences.
- 37 On-site 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 (eg an increase in number of driveway crossovers).
- 38 Parking areas and internal driveways 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 to manoeuvre between the street and the parking area
  - (c) reinforce or contribute to attractive streetscapes.
- 39 On-site visitor parking spaces for group and multiple dwellings and residential flat buildings should be sited and designed to:
  - (a) serve users efficiently and safely
  - (b) not dominate internal site layout

## Transportation and Access

### OBJECTIVES

- 1 A comprehensive, integrated, affordable and efficient air, rail, sea, road, cycle and pedestrian transport system that will:
  - (a) provide equitable access to a range of public, community and private transport services for all people
  - (b) ensure a high level of safety
  - (c) effectively support the economic development of the State
  - (d) have minimal negative environmental and social impacts
  - (e) maintain options for the introduction of suitable new transport technologies.
- 2 Development that:
  - (a) provides safe and efficient movement for all motorised and non-motorised transport modes
  - (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
  - (c) provides off street parking
  - (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks.
- 3 A road hierarchy that promotes safe and efficient transportation in an integrated manner throughout the State.
- 4 Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks.
- 5 Safe and convenient freight movement throughout the State.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

#### Movement Systems

- 2 Development should be integrated with existing transport networks, particularly major rail and road corridors as shown on *Location Maps* and *Overlay Maps - Transport*, and designed to minimise its potential impact on the functional performance of the transport networks.
- 3 Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.
- 4 Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.

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- 5 Land uses that generate large numbers of visitors such as shopping centres and areas, places of employment, schools, hospitals and medium to high density residential uses should be located so that they can be serviced by existing transport networks and encourage walking and cycling.
- 6 Development generating high levels of traffic, such as schools, shopping centres and other retail areas, entertainment and sporting facilities, should incorporate passenger pick-up and set down areas. The design of such areas should ensure interference to existing traffic is minimised and give priority to pedestrians, cyclists and public and community transport users.
- 7 The location and design of public and community transport set-down and pick-up points should maximise safety and minimise the isolation and vulnerability of users.
- 8 Development should provide safe and convenient access for all anticipated modes of transport including cycling, walking, public and community transport, and motor vehicles.
- 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.
- 10 Driveway crossovers affecting pedestrian footpaths should maintain the level of the footpath.
- 11 Development should discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive land uses such as schools.
- 12 Industrial/commercial vehicle movements should be separated from passenger vehicle car-parking areas.
- 13 Development should make sufficient provision on site for the loading, unloading and turning of all traffic likely to be generated.

**Cycling and Walking**

- 14 Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, public and community transport stops and activity centres.
- 15 Development should provide access, and accommodate multiple route options, for cyclists by enhancing and integrating with:
  - (a) open space networks, recreational trails, parks, reserves and recreation areas
  - (b) Adelaide's Metropolitan Open Space System.
- 16 Cycling and pedestrian networks should be designed to be permeable and facilitate direct and efficient passage to neighbouring networks and facilities.
- 17 New developments should give priority to and not compromise existing designated bicycle routes.
- 18 Where development coincides with, intersects or divides a proposed bicycle route or corridor, development should incorporate through-access for cyclists.
- 19 Developments should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:
  - (a) showers, changing facilities, and secure lockers
  - (b) signage indicating the location of bicycle facilities

- (c) secure bicycle parking facilities provided at the rate set out in [Table Sal/3 - Off Street Bicycle Parking Requirements](#).
- 20 Pedestrian facilities and networks should be designed and provided in accordance with relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 13*.
- 21 Cycling facilities and networks should be designed and provided in accordance with the relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 14*.

**Access**

- 22 Development should have direct access from an all weather public road.
- 23 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.
- 24 Development should not restrict access to publicly owned land such as recreation areas.
- 25 The number of vehicle access points onto arterial roads shown on *Overlay Maps - Transport* should be minimised, and where possible access points should be:
  - (a) limited to local roads
  - (b) shared between developments.
- 26 The number of access points for cyclists and pedestrians onto all adjoining roads should be maximised.
- 27 Development with access from roads with existing or projected traffic volumes exceeding 6000 vehicles per day should be sited to avoid the need for vehicles to reverse on to or from the road.
- 28 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.
- 29 Driveways, access tracks and parking areas should be designed and constructed to:
  - (a) follow the natural contours of the land
  - (b) minimise excavation and/or fill
  - (c) minimise the potential for erosion from run-off
  - (d) avoid the removal of existing vegetation
  - (e) be consistent with *Australian Standard AS 2890 Parking facilities*.

**Access for People with Disabilities**

- 30 Development should be sited and designed to provide convenient access for people with a disability.
- 31 Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.



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**Vehicle Parking**

- 32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with [\*Table Sal/2 - Off Street Vehicle Parking Requirements\*](#) unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:
  - (a) a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the 'Car Park Fund Areas' identified on [\*Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area\*](#) and [\*Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area\*](#).
  - (b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.
- 33 Development should be consistent with *Australian Standard AS 2890 Parking facilities*.
- 34 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 to public roads
  - (g) avoid the necessity for backing onto public roads
  - (h) where reasonably possible, 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.
- 35 Vehicle parking areas should be designed to reduce opportunities for crime by:
  - (a) maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads
  - (b) incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places
  - (c) being appropriately lit
  - (d) having clearly visible walkways.
- 36 Where parking areas are not obviously visible or navigated, signs indicating the location and availability of vehicle parking spaces associated with businesses should be displayed at locations readily visible to customers.

- 37 Parking areas that are likely to be used during non daylight hours should provide floodlit entrance and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the car park.
- 38 Parking areas should be sealed or paved in order to minimise dust and mud nuisance.
- 39 To assist with stormwater detention and reduce heat loads in summer, vehicle parking areas should include soft (living) landscaping.
- 40 Parking areas should be line-marked to indicate parking bays, movement aisles and direction of traffic flow.

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Waste

## Waste

### OBJECTIVES

- 1 Development that, in order of priority, avoids the production of waste, minimises the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.
- 2 Development that includes the treatment and management of solid and liquid waste to prevent undesired impacts on the environment including, soil, plant and animal biodiversity, human health and the amenity of the locality.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:
  - (a) avoiding the production of waste
  - (b) minimising waste production
  - (c) reusing waste
  - (d) recycling waste
  - (e) recovering part of the waste for re-use
  - (f) treating waste to reduce the potentially degrading impacts
  - (g) disposing of waste in an environmentally sound manner.
- 2 The storage, treatment and disposal of waste materials from any development should be achieved without risk to health or impairment of the environment.
- 3 Development should avoid as far as practical, the discharge or deposit of waste (including wastewater) onto land or into any waters (including processes such as seepage, infiltration or carriage by wind, rain, sea spray, stormwater or by the rising of the water table).
- 4 Untreated waste should not be discharged to the environment, and in particular to any water body.
- 5 Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.
- 6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:
  - (a) screened and separated from adjoining areas
  - (b) located to avoid impacting on adjoining sensitive environments or land uses
  - (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system
  - (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water

## Commercial Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

### OBJECTIVES

- 1 A zone accommodating a range of commercial and business land uses.
- 2 Development that minimises any adverse impacts upon the amenity of the locality within the zone.
- 3 Development that contributes to the desired character of the zone.

### DESIRED CHARACTER

#### Precinct 20 Globe Derby Park Commercial

The **Precinct 20 Globe Derby Park Commercial** will be a vibrant commercial area that provides a range of commercial based employment opportunities and facilities for local residents and workers in the area taking advantage of the proximity and visual exposure to Port Wakefield Road. Due to the controlled access and strategic nature of Port Wakefield Road, direct driveway access to individual sites to/from Port Wakefield Road is not envisaged. Rather access should be provided via a common roadway from Port Wakefield Road along with access points to/from Globe Derby Drive and Daniel Avenue.

Landscaping (including the use of taller vegetation) will be used extensively along site boundaries and within car parks and public areas to provide shade, enhance amenity and mitigate building bulk and scale. Landscaping will incorporate Water Sensitive Urban Design measures and be linked to on-site stormwater detention and reuse or regional schemes.

The following statements apply to those portions of the zone located at Salisbury Highway, Greenfields, (identified as **Precinct 23 Greenfields Commercial**) and at Main North Road, Para Hills West and Pooraka (identified as **Precinct 21 Para Hills West Commercial** and **Precinct 24 Pooraka Commercial**).

Development within the precincts will occur in a co-ordinated, integrated and holistic manner.

Given the former industrial zoning of these portions of the zone and the continuing industrial development in the adjacent **Industry Zone**, sensitive development is expected to occur on a precautionary basis where a site contamination audit verifies that a site or sites are suitable and safe for the intended use. Similarly, development will not occur that impedes activities of established industrial activities in proximity or sensitive residential areas.

Access to the precincts will require upgrading as traffic generated by development in the precinct areas increases. Access options that will be considered include:

- (a) provision of a new junction with Salisbury Highway to the north of Nucera Court incorporating left in/out turns as well as right turn entry (with appropriate storage lanes) from Salisbury Highway
- (b) provision of a connection between Nucera Court and Greenfields Drive and from the northern land parcel in the Precinct to Watervale Drive.

#### Precinct 23 Greenfield Commercial

Road works external to the precinct may also be required, including provision of a third northbound through lane on the Salisbury Highway approach to the intersection with Elder Smith Road.



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### Precinct 21 Para Hills West Commercial and Precinct 24 Pooraka Commercial

Road works external to the Precinct may be required, including provision of a second right turn lane from the southern approach on Main North Road at the intersection with McIntyre Road/Kings Road.

Car parks will allow a direct visual connection to the front of tenancies and facilitate safe and convenient pedestrian movement. Within developments that incorporate areas accessible to the public, generously dimensioned and designated pedestrian routes will be developed between car parking areas and buildings. They will be clearly defined by landscaping, pavement treatment, verandas, lighting and street furniture.

It is essential that buildings are well designed and developed to complement each other. Development will deliver a positive visual impact incorporating articulation, high quality materials, texture and colour. Buildings facing onto public roads or thoroughfares will avoid large expanses of solid unarticulated walling or blank facades by incorporating design elements to increase the void to solid ratio of external surfaces and will incorporate landscaping to soften their appearance.

Development will incorporate design and layout that minimises adverse operational noise, traffic, light-spill or other amenity impacts. This may include the construction of high screen fencing or other mitigation measures to reduce impact on adjoining properties. Servicing areas and loading bays will be positioned to the rear or side of tenancies and should be allocated separate vehicle access. These areas will be screened from general public view.

It is particularly important that development in **Precinct 23 Greenfields Commercial** does not adversely impact on residential development on the northern side of Ryans Road. In addition to measures undertaken on private land, a public reserve could be established on the southern side of Ryans Road, providing significant setbacks to that road while facilitating stormwater management in a pleasant landscaped environment.

Particular attention is required to ensure that development within each of the precinct areas incorporate a uniform, consistent and integrated approach to outdoor lighting, advertising displays and advertisements.

Landscaping (including the use of taller vegetation) will be used extensively along site boundaries and within car parks and public areas to provide shade, enhance amenity and mitigate building bulk and scale. Landscaping will incorporate Water Sensitive Urban Design measures.

Stormwater management is an issue in both precinct areas and new development will be required to manage stormwater in a coordinated manner with links to on-site stormwater detention and reuse or wider area or regional schemes.

## PRINCIPLES OF DEVELOPMENT CONTROL

### Land Use

- 1 The following forms of development are envisaged in the zone:
  - bulky goods outlet
  - caravan park within **Precinct 20 Globe Derby Park Commercial**
  - consulting room
  - harness racing associated facilities within **Precinct 20 Globe Derby Park Commercial**
  - light industry
  - motel within **Precinct 20 Globe Derby Park Commercial**
  - motor vehicle related business other than wrecking yard
  - non-residential club
  - office
  - petrol filling station
  - service trade premises
  - shop with a gross leasable area less than 250 square metres (except in **Precinct 20 Globe Derby Park Commercial** where shops should have a gross leasable area 2500 square metres in area, with no single tenancy greater than 1500 square metres in area)
  - store

- tavern/hotel within **Precinct 20 Globe Derby Park Commercial**
  - warehouse.
- 2 Development listed as non-complying is generally inappropriate.
  - 3 Retail development in the zone should not hinder the development or function of any centre zone.
  - 4 Shops, other than a bulky goods outlet, should have a gross leasable area less than 250 square metres, (other than within **Precinct 20 Globe Derby Park Commercial**).

**Form and Character**

- 5 Offices should not:
  - (a) hinder the development or function of any centre zone or centres generally
  - (b) occupy a gross leasable floor area in excess of 250 square metres (except in **Precinct 20 Globe Derby Park Commercial**).
- 6 Freestanding advertisements and advertising displays should not exceed 4 metres in height.

**Land Division**

- 7 Land division should create allotments that vary in size and are suitable for a variety of commercial and business activities.

**PRECINCT SPECIFIC PROVISIONS**

Refer to the [Map Reference Tables](#) for a list of the maps that relate to these precincts.

**Precinct 1 Salisbury Plains Commercial**

- 8 Development in the precinct should principally comprise service trade premises, bulky goods outlets, consulting rooms, offices, low-scale industry and limited retail activities.
- 9 Development of uses such as offices, consulting rooms, bulky goods outlets and shops should not hinder the function of nearby centre zones.
- 10 Bulky goods outlets should have a minimum retail floor area of 500 square metres per individual tenancy.
- 11 New development should not rely on direct access to or from Main North Road.

**Precinct 20 Globe Derby Park Commercial**

- 12 Development in the precinct should principally comprise service trade premises, bulky goods outlets, consulting rooms, offices, low-scale industry and small scale retail activities.
- 13 Development of uses such as offices, consulting rooms, bulky goods outlets and shops should not hinder the function of nearby centre zones.
- 14 Shops, other than a bulky goods outlet, should have a gross leasable area 2500 square metres in area, with no single tenancy greater than 1500 square metres in area.

**Precinct 22 Park Terrace and Stanbel Road Commercial**

- 15 No additional retail development should occur within the precinct, except where it is a bulky goods outlet or replacing existing retail.

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**Precinct 23 Greenfields Commercial**

- 16 Development in the precinct should principally comprise service trade premises, bulky goods outlets, light industry, offices in association with these activities, and limited non-bulky goods retail activities.
- 17 Shops in the form of fast food restaurants and take away food outlets should have a maximum in the order of 500 square metres gross leasable area may be established in the precinct, including on corner allotments where suitable traffic management measures can be implemented.
- 18 Bulky goods outlets and large format retail (liquor) stores should have a minimum retail floor area in the order of 500 square metres per individual tenancy.
- 19 Development should contribute to the creation of an attractive amenity through extensive tree planting, landscaping and retention of existing trees and other significant vegetation.
- 20 Development should provide landscaped areas comprising at least 10 per cent of the site area and having a minimum width of 1.5 metres or 3 metres where the site abuts a road or a reserve.
- 21 Development should demonstrate and ensure that the management of all vehicular movement and location of site access promotes safe and convenient traffic flows both within and onto adjacent roads.
- 22 Advertisements and/or advertising hoardings should:
  - (a) only be provided at the rate of one free standing advertisement per the major road frontage of Salisbury Highway
  - (b) be located in close proximity to the major entry points or major intersections.
- 23 Advertisements attached to buildings should:
  - (a) cover no more than 15 per cent of a single wall face
  - (b) in the case where the building contains more than one tenancy, not consist of more than one wall mounted advertisement per tenancy.

**Precinct 21 Para Hills West Commercial and Precinct 24 Pooraka Commercial**

- 24 Development in the precincts should principally comprise service trade premises, bulky goods outlets, light industry, offices in association with these activities, and limited non-bulky goods retail activities.
- 25 Development of uses such as bulky goods outlets and shops should not hinder the function of nearby centre zones.
- 26 Bulky goods outlets should have a minimum retail floor area of 500 square metres per individual tenancy.
- 27 Development should contribute to the creation of an attractive amenity through extensive tree planting, landscaping and retention of existing trees and other significant vegetation.
- 28 Development should provide landscaped areas comprising at least 10 per cent of the site area and having a minimum width of 1.5 metres or 3 metres where the site abuts a road or a reserve.
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31 Advertisements attached to buildings should:

- (a) cover no more than 15 per cent of a single wall face
- (b) in the case where the building contains more than one tenancy, not consist of more than one wall mounted advertisement per tenancy.

## PROCEDURAL MATTERS

### Complying Development

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

### Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of development	Exceptions
Dairy	
Dwelling	
Educational establishment	Except where located in <b>Precinct 23 Greenfields Commercial</b> .
Farm building	
Farming	
Fuel depot	
General industry	Except where it is located within <b>Precinct 1 Salisbury Plains Commercial</b> , or <b>Precinct 21 Para Hills West Commercial</b> , or <b>Precinct 23 Greenfields Commercial</b> or <b>Precinct 24 Pooraka Commercial</b> .
Horticulture	
Hospital	
Intensive animal keeping	
Nursing home	
Place of worship	Except where it is located in within <b>Precinct 20 Globe Derby Park Commercial</b> or <b>Precinct 23 Greenfields Commercial</b> .
Pre-school	Except child care where it is located in within <b>Precinct 20 Globe Derby Park Commercial</b> or <b>Precinct 23 Greenfields Commercial</b> .
Prescribed mining operations	
Residential flat building	
Road transport terminal	



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Commercial Zone

Form of development	Exceptions
Shop or group of shops	Except where it achieves one of the following: <ul style="list-style-type: none"> <li>(a) it is located within <b>Precinct 1 Salisbury Plains Commercial</b> and the total gross leasable floor area of all shops in the Precinct does not exceed 6130 square metres</li> <li>(b) it is located outside of <b>Precinct 1 Salisbury Plains Commercial</b> and/or <b>Precinct 22 Park Terrace and Stanbel Road Commercial</b> and the gross leasable area is less than 250 square metres</li> <li>(c) it is located within <b>Precinct 20 Globe Derby Park Commercial</b> and will not result in shops in the precinct exceeding a total gross leasable area of 2500 square metres in area, with no single tenancy greater than 1500 square metres in area</li> <li>(d) it is located within <b>Precinct 23 Greenfields Commercial</b> and is in the form of a fast food restaurant or take away food premise or a large format retail (liquor) store</li> <li>(e) it is a bulky goods outlet.</li> </ul>
Special industry	
Stadium	
Stock sales yard	
Stock slaughter works	
Waste reception, storage, treatment, or disposal	
Winery	
Wrecking yard	

### Public Notification

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

Further, the following forms of development within **Precinct 20 Globe Derby Park Commercial** and **Precinct 23 Greenfields Commercial** (except where the development is classified as non-complying) are designated:

Category 1	Category 2
Bulky goods outlet	All forms of development that are not Category 1.
Caravan park	
Consulting room	
Harness racing associated facilities (except in <b>Precinct 23 Greenfields Commercial</b> )	
Light industry	
Motel	
Motor vehicle related business other than wrecking yard	
Non-residential club	

Category 1	Category 2
Office	
Petrol filling station	
Service trade premises	
Shop with a gross leasable area less than 250 square metres (except in <b>Precinct 20 Globe Derby Park Commercial</b> where shops should have a gross leasable area of 2500 square metres, in an area with no single tenancy greater than 1500 square metres in area) or is located in <b>Precinct 23 Greenfields Commercial</b> and is in the form of a fast food restaurant or take away food premise).	
Store	
Tavern/hotel	
Warehouse	

## Residential Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

### OBJECTIVES

- 1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.
- 2 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- 3 A zone primarily accommodating a range of dwellings to meet the diverse needs and preferences of the community.
- 4 Revitalisation of under-utilised suburbs, particularly public housing areas, to facilitate the provision of a greater mix of housing types and improved residential amenity.
- 5 Residential development designed and insulated to minimise effects of predicted aircraft noise and industrial noise.
- 6 Development that contributes to the desired character of the zone.

### DESIRED CHARACTER

The zone covers a substantial portion of the Council area and is home to a large and diverse population. The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations. In addition to housing and open space, the zone will also contain a variety of community related, non-residential land uses that contribute to the creation of pleasant, connected, well serviced and socially inclusive neighbourhoods.

A full range of dwelling types on a variety of allotment sizes will be provided, including affordable housing, special needs housing and housing for the aged in appropriate locations. Housing form will be diverse and cater for different household sizes, life cycle stages and housing preferences and will be cost-effective, energy efficient and will make efficient use of available sites. Older neighbourhoods will experience change through turnover in population and ageing of existing residents which will generate a need for more housing diversity as well as changes in density and different services and facilities to complement these changes.

Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances. A cohesive built form will be achieved through design elements such as interesting roof forms, articulated buildings, recessed vehicle garaging, and landscaped spaces between buildings and the public road. Buildings will include windows, doors and balconies that overlook the street and areas of public open space to promote surveillance and community interaction.

Setbacks to local streets will be used to enable landscaping to be provided to soften the built form and improve amenity for residents and pedestrians. The visual and physical impact of vehicle access points will be minimised by reducing both the number of access points and the width of associated crossovers and driveways. Sealed surfaces will be minimised to reduce stormwater run-off and to also provide opportunities for landscaping to improve visual amenity. Development will seek to protect and retain regulated trees that contribute to the character of the area.

In order to achieve a compact urban form an overall increase in the residential density is desirable in select locations, in keeping with the objectives for development in the Zone, although it is anticipated that the predominant form of housing will remain detached dwellings at low to medium density throughout much of the zone. Co-ordinated infill housing, redevelopment and refurbishment of existing housing are encouraged

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**Zone Section**  
**Residential Zone**

to maximise use of the community investment in facilities and services in existing residential areas that are located close to centres and community services. Opportunities exist to gradually develop under-utilised and vacant land within established areas, particularly when a specific housing need arises within the population, but also as an opportunity for improving access to existing services and facilities. Co-ordinated and efficient development of larger sites containing multiple allotments is encouraged in order to achieve greater housing density and diversity.

Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner. Typically this will involve the amalgamation of sites and will result in development that compliments the prevailing character. A transition in building height will be necessary to ensure issues of overlooking is minimised and solar access maintained.

Development will be of a form and scale compatible with adjoining residential development. As part of the increase in residential density there will be an increase in the number of dwellings of two or more storeys. Such development will recognise the proximity of adjoining development and will be designed and sited to maintain the privacy of adjoining dwellings and their private open space areas, and will be designed to integrate with the existing built form.

Development of land with a known history of a potentially contaminating activity will occur once the site has been assessed and remediated to the standard necessary to ensure it is safe and suitable for the proposed use.

Development in areas which adjoin industrial land uses and areas affected by aircraft noise as identified in [Concept Plan Map Sal/2 - Edinburgh Defence Airfield Aircraft Noise Exposure](#) should be designed, sited and constructed to minimise the effects of noise.

## **PRINCIPLES OF DEVELOPMENT CONTROL**

### **Land Use**

- 1 The following forms of development are envisaged in the zone:
  - 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:
    - child care facility
    - health and welfare service
    - open space
    - primary or secondary school
  - recreation area
  - supported accommodation.
- 2 Development listed as non-complying is generally inappropriate.
- 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 in form, scale and design with adjoining residential development.
- 4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:
  - (a) serves the local community
  - (b) is consistent with the character of the locality



- (c) does not detrimentally impact on the amenity of nearby residents
  - (d) will not undermine the efficient operation of nearby centres.
- 5 The use and placement of outbuildings should be ancillary to and in association with a dwelling or dwellings.

### Form and Character

- 6 Development should be undertaken in accordance with the following Concept Plan Maps:
- (a) [Concept Plan Map Sal/21 - Parlowie Residential Area 3](#)
  - (b) [Concept Plan Map Sal/22 - Burton Residential Area 1](#)
  - (c) [Concept Plan Map Sal/23 - Direk Residential Area](#)
  - (d) [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#)
  - (e) [Concept Plan Map Sal/25 - Parlowie Residential Area 1](#)
  - (f) [Concept Plan Map Sal/26 - Parlowie Residential Area 2](#)
  - (g) [Concept Plan Map Sal/27 - Salisbury Downs Residential Area 1.](#)
- 7 Residential development should only occur within the area marked 'Lot 23' or 'Lot 24' on [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#) where it is developed in accordance with all of the following:
- (a) the construction of a 2.4 metre high acoustical fence, which is comprised of double-sided fibre cement sheeting that has a density of not less than 12.5 kilograms per square metre, along the north-west and south-west boundaries of the land
  - (b) service areas are located between the noise source and the living areas of the dwelling
  - (c) dwellings utilise suitable sound insulation methods such as double-glazing to windows, roof and wall insulation
  - (d) the number of wall openings facing the noise source are minimised.
- 8 Direct vehicular access should not be provided onto Smith Road, Barker Road or Bridge Road.
- 9 Where remnant vegetation is located within road reserves it should be preserved and protected against loss, damage and disfigurement.
- 10 Garages and carports facing the street (other than an access lane way) should be designed with a maximum width of 6 metres or 50 per cent of the allotment or building site frontage width, whichever is the lesser distance.
- 11 Sheds, garages and similar outbuildings should be designed within the following parameters:

Parameter	Value
Maximum floor area for allotments less than 450 square metres	60 square metres
Maximum floor area for allotment greater than 450 square metres	72 square metres
Maximum building height (from natural ground level)	5 metres
Maximum wall height (from natural ground level)	3 metres

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Zone Section  
*Residential Zone*

**Affordable Housing**

- 12 Development should include a minimum 15 per cent of residential dwellings for affordable housing.
- 13 Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area.

**Land Division**

- 14 Land division should create a 5 metre landscaped reserve to limit direct vehicle access where allotments are created fronting the following roads:
  - (a) Martins Road, Parafield Gardens and Paralowie
  - (b) Burton Road, Burton and Paralowie
  - (c) Bolivar Road, Burton and Paralowie
  - (d) Willochra Road, Salisbury.

Table Sal/2 - Off Street Vehicle Parking Requirements

## Table Sal/2 - Off Street Vehicle Parking Requirements

The following vehicle parking requirements do not apply to the Mixed Use (Bulky Goods, Entertainment, Leisure) Zone except where the form of development is Light Industry whereby the rates for *Industry, warehouse, stores* are applicable.

Form of Development	Number of Required Car Parking Spaces
<b>Accommodation</b>	
Aged Care / retirement home	1 space per unit
Serviced apartment	1 space per unit plus 1 space per employee
Motel	1 space per unit
<b>Commercial</b>	
Bulky goods outlet	3 spaces per 100 square metres of gross leasable floor area
Cinema	1 space per 4 cinema seats
Hotel	1 space per 2 square metres of floor area available to the public
Public bar	
Lounge or beer garden	1 space per 6 square metres of floor area available to the public
Gaming room	1 space per 2 machines
Office	1 space per 25 square metres, with a minimum of 4 spaces per office
Restaurant	Greater of 1 space for every 3 seats or 1 space for every 15 square metres of dining area
Service trade premises	3 spaces per 100 square metres
Shop	7 spaces per 100 square metres of gross leasable area for shops outside of centre zones 5 spaces per 100 square metres of gross leasable area for shops within centre zones
<b>Community/civic</b>	
Child care centre	1 space per 4 children
Community centre	10 spaces per 100 square metres of total floor area
Library	4 spaces per 100 square metres
Place of worship	Greater of 1 space for every 3 seats or every 3 attendees
<b>Dwellings</b>	
Detached dwelling Semi Detached Dwelling Row Dwelling	2 spaces per dwelling, one of which is to be covered

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Table Sal/2 - Off Street Vehicle Parking Requirements

Form of Development	Number of Required Car Parking Spaces
Residential flat building Multiple dwelling Group dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
Industry, warehouses, stores	
Office component Plus Non-office component	1 space per 30 square metres Plus
Up to 200 square metres Plus 200-2000 square metres Plus greater than 2000 square metres	1 space per 50 square metres 1 additional space for every 75 square metres 1 additional space for every 150 square metres
Or For labour intensive industries, inclusive of office component (whichever ever is greater)	Or 0.75 car parking spaces per employee
Medical	
Consulting room	10 per 100 square metres of total floor area, with a minimum of 3 spaces per tenancy
Hospital	2.5 spaces per bed
Nursing home	1 space for every 4 beds

The following vehicle parking requirements apply to development specifically within the **Mixed Use (Bulky Goods, Entertainment and Leisure) Zone**:

Form of Development	Minimum number of required vehicle parking spaces
All forms of development (except Light Industry)	3 spaces per 100 square metres of gross leasable floor area





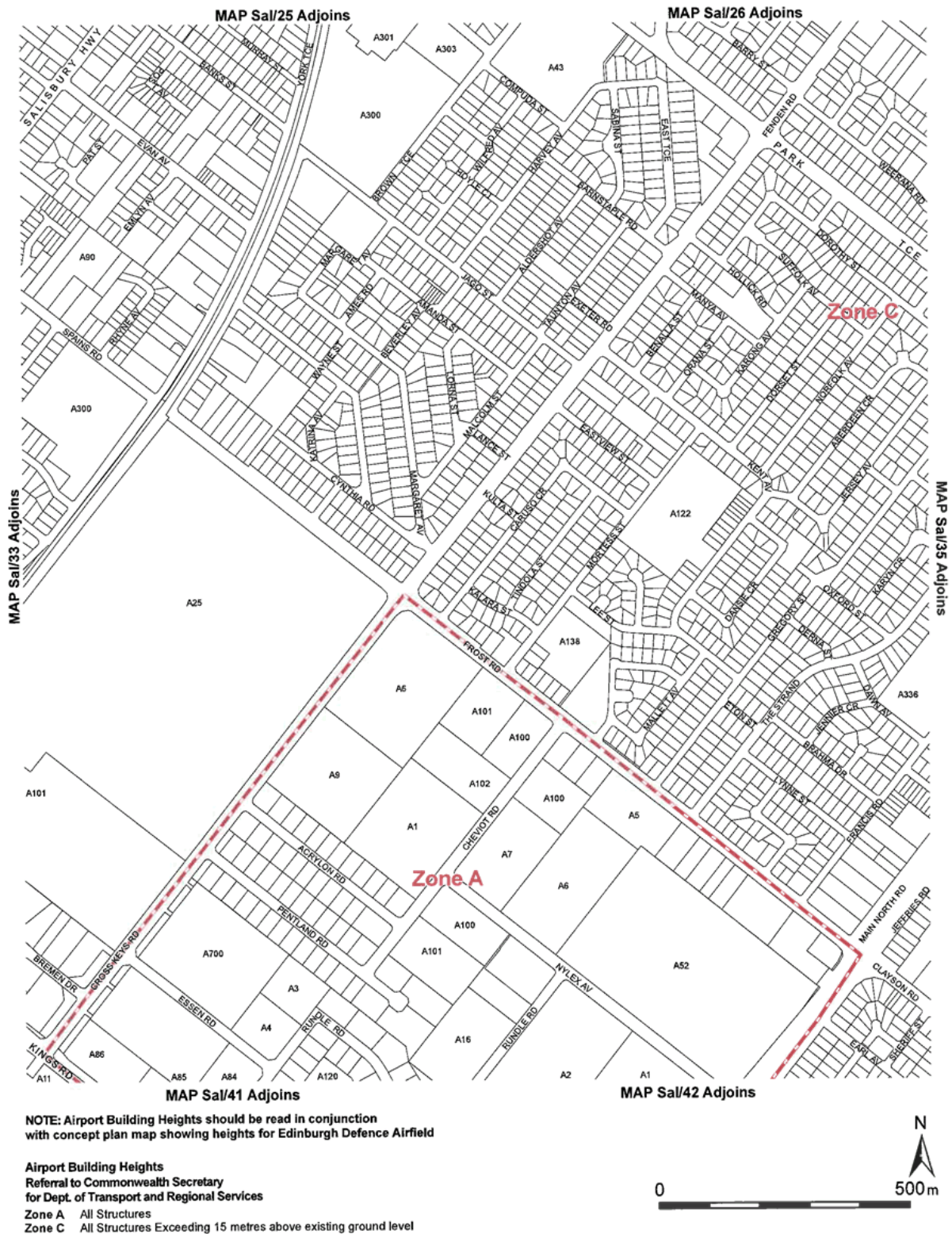
## Location Map Sal/34

**SALISBURY COUNCIL**

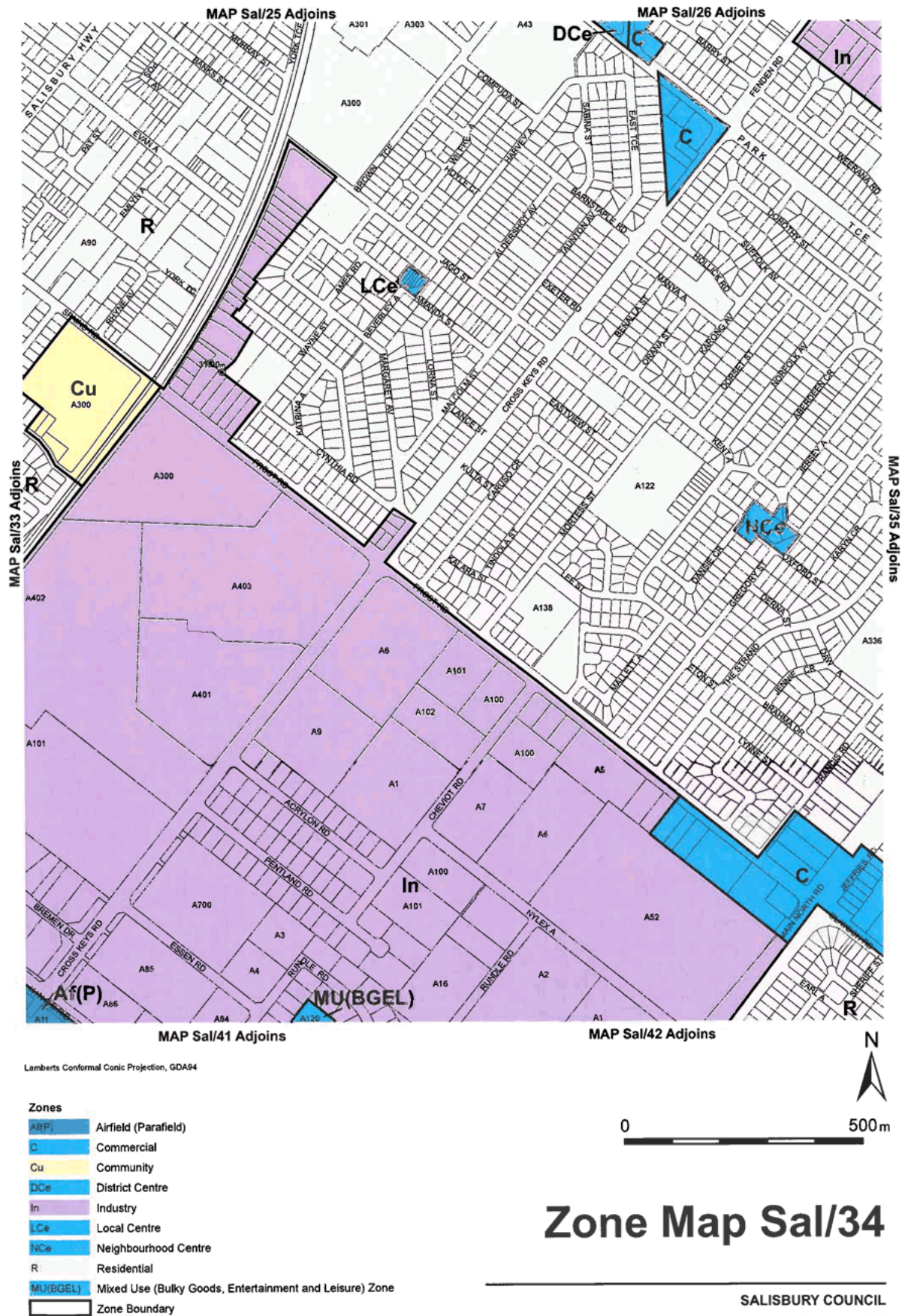
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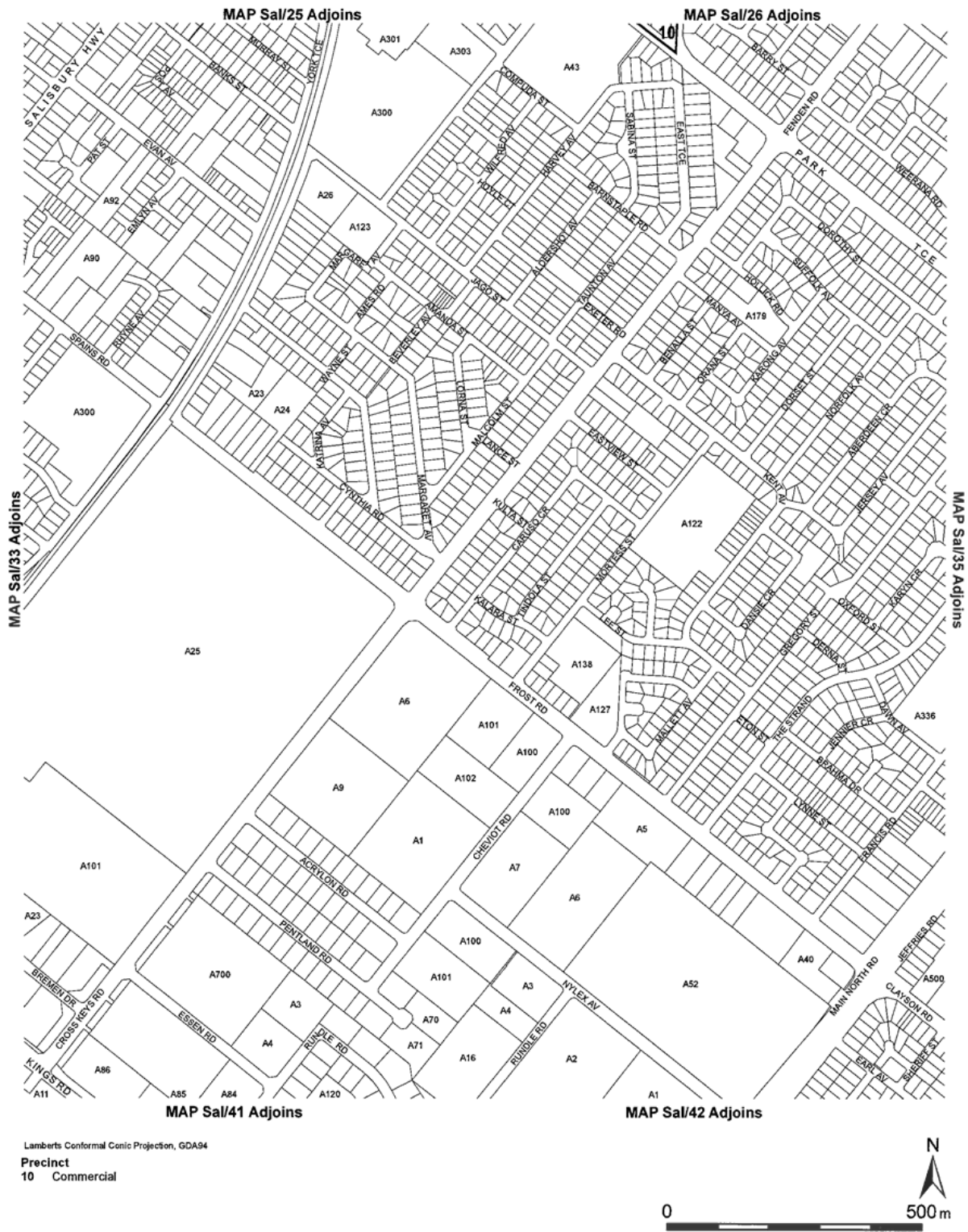




## Policy Area Map Sal/34

 Policy Area Boundary

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## Precinct Map Sal/34

 Precinct Boundary

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