



## Development Assessment Panel Meeting Agenda

Tuesday 01 November 2016 at 6pm  
Council Chambers, 401 Greenhill Road, Tasmore

<b>Members:</b>	Bill Chandler (Presiding Member) Don Donaldson (Deputy Presiding Member) Ross Bateup, Graeme Brown, Peter Cornish, Grant Piggott and Di Wilkins
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**1 APOLOGIES**

Nil

**2 KAURNA ACKNOWLEDGEMENT**

The Presiding Member will take the opportunity to acknowledge the Kurna people.

**3 CONFIRMATION OF MINUTES**

Recommendation: That the minutes of the meeting held on Tuesday 04 October 2016 be taken as read and confirmed.

**4 APPLICATIONS WITHDRAWN FROM THE AGENDA**

Nil

**5 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – PERSONS WISH TO BE HEARD**

**(A) NON-COMPLYING DEVELOPMENT APPLICATIONS (HEARING)**

Nil

**(B) CATEGORY 3 DEVELOPMENT APPLICATIONS (HEARING)**

Nil

**(C) CATEGORY 2 DEVELOPMENT APPLICATIONS (HEARING)**

Recommendation: As the opportunity to make a verbal presentation for Category 2 applications is at the Panel's discretion, that the Panel provide an opportunity to be heard.

<b>Report Number:</b>	<b>5711.1</b>
<b>Page:</b>	<b>4</b>
Application Number:	180\0818\16
Applicant:	Lares Homes
Location:	13 Anglesey Avenue, St Georges
Proposal:	Two-storey residential flat building comprising two dwellings, including double garage (x2), entry portico (x2), rear verandah (x2), boundary retaining walls and fencing
Recommendation:	Development Plan Consent be granted
Representors:	• 15 Anglesey Avenue (wish to be heard)
Applicant:	• 45 King William Road, Unley

**6 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD****(A) NON-COMPLYING DEVELOPMENT APPLICATIONS (NO HEARING)**

Nil

**(B) CATEGORY 3 DEVELOPMENT APPLICATIONS (NO HEARING)**

Nil

**(C) CATEGORY 2 DEVELOPMENT APPLICATIONS (NO HEARING)**

Nil

**7 CATEGORY 1 DEVELOPMENT APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD**

Nil

**8 OTHER BUSINESS**

Nil

**9 ORDER FOR EXCLUSION OF THE PUBLIC FROM THE MEETING TO DEBATE CONFIDENTIAL MATTERS**

That, pursuant to Section 56A(12) of the Development Act, 1993, the public be excluded from this part of the meeting of the City of Burnside Development Assessment Panel dated Tuesday 01 November 2016 (with the exception of members of Council staff who are hereby permitted to remain), to enable the Panel to receive, discuss or consider legal advice, or advice from a person who is providing specialist professional advice.

**10 CONFIDENTIAL MATTERS****10.1 LEGAL MATTER APPEAL**

Nil

**NOTES FOR THE READER****Purpose**

The purpose of each report prepared for the Development Assessment Panel is to assist the applicant, those assessing the application and members of the public alike, to understand all of the relevant factors and considerations involved in the assessment of each particular development application.

**Development Plan Assessment**

Development in South Australia is regulated under the Development Act, 1993 and the Development Regulations, 2008.

This legislation requires Council, which is a relevant planning authority under this legislation, to assess most applications for development against the provisions of Council's "Development Plan".

The Development Plan is a policy document. The policy is formulated by the Council. It uses some "planning language" but is intended to form a useful and practical guide for the public and those responsible for the assessment of development. It is a practical policy document which the planning authority must apply to development assessment in a practical way.

When assessing development, the relevant provisions within the Development Plan are identified. The planning authority will then usually be required to consider whether those provisions speak for or against a proposed development. Quite often the assessment task will require the planning authority to weigh the "pros and cons" of a proposed development by reference to the relevant policies within the Development Plan.

The process involved in the assessment of each development application is contained within the above legislation. Depending on a variety of factors, including the nature of the development and the Zone within which it is proposed, applications may be classified as "complying", "non-complying" or "merit" development. The classification of the application will determine the procedure to be followed under the legislation. Classification will also determine the public notification protocol, that is, whether the planning authority is able to provide public notification and if so, the extent of the public notification.

**Representations**

Representors will usually be provided with an opportunity to address the planning authority at its relevant meeting if they wish to be heard. In this case the relevant planning authority will hear and consider the representations prior to making its decision. It is the role of the planning authority to act as a mediator or arbitrator between representor(s) and applicant.

The reports prepared by the Council's staff will not separately address the content of each representation, but rather will deal with relevant town planning issues raised in any representation, together with all other relevant considerations involved in the assessment of a proposed development.

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## DEVELOPMENT APPLICATION

<b>Application Number:</b>	180\0818\16
<b>Applicant:</b>	Lares Homes
<b>Location:</b>	13 Anglesey Avenue, St Georges
<b>Proposal:</b>	Two storey residential flat building comprising two dwellings, including double garage (x2), entry portico (x2), rear verandah (x2), boundary retaining walls and fencing
<b>Zone/Policy Area:</b>	Residential Zone Residential Policy Area 25 – St Georges Development Plan consolidated 28 April 2016
<b>Kind of Assessment:</b>	Merit
<b>Public Notification:</b>	Category 2 One (1) representation received
<b>Appeal Opportunity</b>	Applicant only, no third party appeal rights
<b>Referrals – Statutory:</b>	NA
<b>Referrals – Non Statutory:</b>	Traffic Management Engineer Tree Management Officer
<b>Delegations Policy:</b>	Unresolved representations
<b>Recommendation:</b>	Development Plan Consent be granted
<b>Recommending Officer:</b>	James Moss

## REPORT CONTENTS

- Assessment report:
  - Appendix 1 – Aerial Locality Map
  - Appendix 2 – Detailed Planning Assessment
  - Appendix 3 – Development Data Table

**Please note that due to Federal Copyright Law restrictions, attachments associated with the proposed development are not made available to the public.**

Documentation provided as attachments to the report to members of the Development Assessment Panel to facilitate decision making:

- Plans and supporting documents
- Internal agency referral reports
- Representations received
- Applicant's response to representations
- Photographs

## **1. DESCRIPTION OF PROPOSAL**

The applicant seeks Development Plan Consent for the construction of a two-storey residential flat building containing two dwellings on a single existing residential allotment within Residential Policy Area 25 – St Georges (RPA 25).

Each dwelling features three bedrooms (one with ensuite and walk in robe), two bathrooms, double garage, home theatre room, open plan living areas, an upstairs living room, front entry portico and rear verandah.

The proposed building will be clad with rendered external walls, a central stone blade wall and a hipped roof with overhanging eaves and Colorbond sheeting.

Also included in the application are side and rear boundary concrete sleeper retaining walls with 1.8 metre high Colorbond fencing.

## **2. BACKGROUND**

Development Application 180\0818\16 was lodged on 08 September 2016 by Lares Homes on behalf of the registered owner of the land. The proposal was determined to be a Category 2 development pursuant to the Burnside (City) Development Plan, to be assessed on merit.

The application was made available for public consultation from 27 September 2016 and 12 October 2016 (inclusive), during which time Council received one (1) written submission identifying concerns relating primarily to overshadowing, building size and fencing matters.

The applicant has responded to the representation by providing additional shadow diagrams to clarify the extent of shadow cast on the adjoining land, as well as a response on the question of building set-backs and the indication they are happy to liaise directly with the representor regarding common boundary fencing issues.

As part of the assessment process the application was also referred to Council's Engineering Services department and Open Space department to assess the suitability of access arrangements, as well as general impacts on Council infrastructure.

An assessment against the relevant provisions of the Development Plan has now been completed and the application is presented to the Development Assessment Panel (the Panel) with a staff recommendation that consent be granted, subject to conditions.

## **3. SUBJECT LAND AND LOCALITY ATTRIBUTES**

### **3.1. Subject Land**

The subject land is an existing rectangular shaped residential allotment fronting Anglesey Avenue towards the northwest corner of RPA 25. The land has a single frontage to the public road measuring approximately 21.3m, a depth of approximately 46.9 metres and a total area of approximately 1000.8 square metres.

The land has a descending slope from the front northeast corner to the rear southwest corner of approximately 3.2 metres and is currently occupied by a single storey detached dwelling constructed during the early 1950's in the Conventional style. A masonry pillar and plinth front fence runs along the front boundary and vehicle access is obtained via a single crossover at the northeast corner of the property.

A modest degree of vegetation is observable about the allotment curtilage and a Council stormwater pipe runs parallel along the rear boundary.

### 3.2. Locality

The locality comprises both sides of Anglesey Avenue as far as Highfield Avenue to the north and Woodcroft Avenue to the south. Properties with frontage to Inverness Avenue also contribute to a lesser extent on account of the proximity of the subject land to the intersection of the two roads.

The pattern of subdivision varies between the north and south sides of Anglesey Avenue, with irregular shaped allotments on the northern side of the street and more conventional rectangular shaped allotments on the southern side.

The locality is comprised predominantly of 1950's Conventional dwellings on single allotments, however examples of other dwelling styles and recent site redevelopments are also noticeable. Buildings on the southern side of Anglesey Avenue share a relatively consistent front set-back and orientation, while buildings on the northern side of the street are far less uniform in terms of orientation and sit closer towards the road.

## 4. KIND OF ASSESSMENT

<b>Kind:</b>	Merit
<b>Reason:</b>	Development Act 1993, Section 35(5)
<b>Applicant Appeal Opportunity:</b>	Yes

## 5. PUBLIC NOTIFICATION

<b>Category:</b>	Category 2
<b>Reason:</b>	Residential Policy Area 25 Principle of Development Control 7 (a) and (d)
<b>Representations Received:</b>	<ul style="list-style-type: none"> <li>15 Anglesey Avenue, St Georges (wish to be heard)</li> </ul>
<b>Third Party Appeal Opportunity:</b>	No

- Representations received are provided as an attachment to the Panel.
- Applicant's response(s) to representations are provided as an attachment to the Panel.

## 6. AGENCY REFERRALS

- Internal agency referrals are provided as an attachment to the Panel.

## 7. EXECUTIVE SUMMARY

### 7.1. Land Use

The development maintains and continues the established residential use of the site and is not considered to be seriously at variance with the policies of the Burnside (City) Development Plan.

### 7.2. Character and Amenity

The Development Plan seeks to maintain and enhance a low scale, low density residential character derived from single storey or split level detached dwellings in a variety of post-war styles, with open front gardens and in certain areas, tall trees including indigenous

eucalyptus. The proposed development is generally compatible with these characteristics and is anticipated to enhance the streetscape character by introducing a new building of a suitably high design standard.

The proposal complies with minimum subdivision guidelines prescribed for new dwellings within the policy area and has been centrally sited away from both side boundaries to provide visual balance and preserve the continuity of vistas between buildings along Anglesey Avenue. This is an improvement on the siting of the existing dwelling on the land, which is positioned hard against the eastern side boundary.

The proposed two storey form is compatible with the scale and siting of existing dwellings within the locality, providing a stepped floorplan to correspond with the slope of the street and satisfying upper level side set-backs and incorporating appropriate fenestration to minimise the visual massing of the building. The modern design is also considered to be of a suitably high standard and will contribute to the variety of architectural styles envisaged for the policy area and includes a roof form that takes cues from existing Conventional-styled dwellings in the locality.

In terms of its visual impact from adjoining properties either side of the subject land, the proposed building includes vertical wall heights that are compatible with existing housing stock and an upper level that appears somewhat sunken within the roof of the ground floor component, thereby limiting the appearance of vertical walls and massing.

In terms of overlooking opportunities, the proposed building incorporates upper level side windows set at a minimum sill height of 1.6 metres, as per the preference of the Development Plan. There are no upper level windows across the rear elevation of either residence and the front 'wrap around' corner windows provide direct views of the street and only oblique views of neighbouring front yards.

### **7.3. Site Functionality**

The development is largely consistent with the relevant quantitative guidelines of the Development Plan and is not considered to be an overdevelopment of the site. Despite exceeding the total floor area guideline the dwelling achieves appropriate boundary set-backs and is compatible with the dominant character of the street. The land also retains a private open rear yard that complies with the desired floor area ratio and conforms to the various qualitative standards.

The development provides generous space for on-site car parking for each dwelling to meet the needs of residents and visitors and to avoid on-street parking that would restrict the free flow of traffic (including pedestrian traffic) along Anglesey Avenue or cause significant nuisance to nearby residents or other users of land. Council's Engineering Services and Open Space departments have reviewed the proposal and are satisfied with the design.

### **7.4. Public Notification**

The proposal was determined to be a Category 2 development pursuant to Residential Policy Area 25 Principle of Development Control 7, which states:

*"The following kinds of development are assigned to Category 1:*

*Dwelling, except where*



*(a) the dwelling or outbuilding is two or more storeys in height (where “two storeys” is defined as a total of one habitable floor level directly above another, not including an understorey garage), or more than 6.5 metres building height above natural ground level;*

*(d) the development will result in more than one dwelling within the area of the site of the development at the time the development is proposed”*

The proposal was placed on public notification towards the end of September 2016, during which time Council received one written submission from the adjoining neighbour to the southeast (15 Anglesey Avenue).

The primary issues raised through this process relate to the extent to which the proposal may overshadow a recent dwelling extension, granny flat and outdoor private open space areas on the representor’s land, as well as the front set-back, fencing height details and logistical matters concerning the construction process.

The applicant has responded to the overshadowing concerns with an updated set of shadow diagrams which clarify the degree of shadow expected for each of the items identified in the representation.

A review of the updated diagrams suggests these areas will be overshadowed to some degree from lunchtime onwards, but overall the extent of shadow cast by the proposed development complies with Development Plan guidelines, specifically Council Wide Principle of Development Control 184 (a) and (b).

The applicant has also provided commentary on the siting of existing dwellings within the streetscape to demonstrate the suitability of their design. Council is satisfied that proposed building has been sited in a manner that accords with the policies of the Development Plan and ensures the development makes a positive contribution to the character of the locality.

With regard to fencing, the applicant has advised Council they are open to liaising directly with the representor over the issue of fencing heights and notifications required during construction. The details submitted to Council show 1.8 metre high Colorbond fencing within the front yard of the subject land, which is a standard and acceptable fencing height.

Council is satisfied that the planning matters raised through the public notification process are sufficiently addressed through the overall design of the development insofar as they are to be determined under the Development Act 1993.

## **7.5. Conclusion**

Having regard to all of the relevant Objectives and Principles of Development Control of the Burnside (City) Development Plan, the proposed development is not considered seriously at variance with, and is generally in accordance with, the policies of the Development Plan.

## **8. RECOMMENDATIONS**

It is recommended that the Development Assessment Panel resolve that:

1. The proposed development is not seriously at variance with the policies in the Development Plan; and

2. Development Application 180\0818\16, by Lares Homes, is **granted** Development Plan Consent subject to the following conditions:

### Conditions

- 1 The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the Council that are relevant to the consent to the reasonable satisfaction of the Council, except where varied by conditions below.

**Reason:**

To ensure the development is undertaken in accordance with the plans and details submitted.

- 2 The driveway servicing each dwelling shall be tapered to a maximum width of 4.5m at the property boundary.

**Reason:**

To ensure minimal impacts to Council verge.

### Advisory Notes

- 1 **Engineering Requirements:**
- Unless approved otherwise, construction of the driveway crossover shall be in accordance with Council's Standard Specification and General Conditions and completed to the reasonable satisfaction of Council.
  - A driveway width of 4.5 metres is permitted across the verge and a crossover width of 5.5 metres (maximum) is permitted at the kerb and gutter.
  - A minimum driveway width of 3 metres must be maintained across the verge
  - A minimum distance of 1.5 metres shall be maintained from the closest point of the driveway to the adjacent street tree.
  - A minimum distance of 1.0 metre shall be maintained from the closest point of the driveway to the stobie pole.
  - If you elect to carry out the works yourself (or via a contractor) evidence of Public Liability Insurance must be provided to Council before any works can commence on the public verge/road.
  - Existing footpath levels, grades etc. shall not be altered as a result of the new works associated with the development.
  - Due to the significant increase of the impermeable area, detention shall be provided to limit post development flows. Calculations shall be provided to verify the ability of the proposed detention quantity to meet the Council's default detention and discharge requirements below:
    - The volume of any detention device shall be equal to the volume of water generated on the site with an impervious ( $C_p = 0.9$ ) site coverage of 75% and pervious ( $C_p = 0.1$ ) area of 25%, during a 1 in 20 year flood event for a 10 minute duration.
    - The maximum rate of discharge from the site shall be equal to the volume of water generated on the site with an impervious ( $C_p = 0.9$ ) site coverage of 40% and pervious ( $C_p = 0.1$ ) area of 60%, during a 1 in 5 year flood event for a 10 minute duration.
  - For stormwater management purposes, it is desirable that:
    - An additional detention storage of 1,000Ltrs be provided in addition to the standard 1,000Ltrs retention tank provided; and
    - The development utilises permeable paving for the proposed external paving

work within the development site.

- The stormwater pipe across the road verge should terminate at an approved galvanised steel kerb adaptor.
- If the cover to the stormwater pipe across the Council verge is less than 65mm, steel pipe housing is to be used as per Council's standards.
- The developer is responsible for locating all existing services and to consult with the necessary service providers if there is a conflict when placing stormwater infrastructure.
- Construction of the stormwater infrastructure is in accordance with Council's Standard Specification and General Conditions and to the overall satisfaction of Council.
- Trenching and connections are to be undertaken as per Australian Plumbing Standards.
- Excess stormwater runoff from surfaces within the subject land shall be controlled and managed within the subject land.
- Excess stormwater runoff from the roof catchment shall be discharged to the street water table through a sealed system to the satisfaction of the Council.
- Excess stormwater runoff from the roof catchment can be connected to the Council's main underground drainage system. Required permits from the Council are to be obtained prior to undertaking the connection to the main drainage pipe.



#### **RECOMMENDING OFFICER**

James Moss  
Development Officer – Planning

**AERIAL LOCALITY MAP**



**Legend**

-  **Subject Land**
-  **Representor's Land**

APPENDIX 2

DETAILED PLANNING ASSESSMENT

**Summary of Policy Area Objectives and Principles**

**Primary Residential Policy Area 25 Objectives:**

Objective 1:

*Maintenance and enhancement of the low scale, low density residential character that is derived particularly from:*

- (a) primarily one-storeyed, or split-level, detached dwellings in a variety of post-war period styles (typically conventional);*
- (b) streetscapes enhanced by well-established, open, front gardens, and grassed verges; and*
- (c) in certain areas, tall trees, including indigenous eucalypts.*

*Acknowledged, significant variations from the desired character, or the prevailing character or environmental conditions, forming, nevertheless, part of the character that is to be maintained and enhanced, are found:*

- (a) along eastern Wootona Terrace and Olde Coach Lane, where bulky, recently built, two-storeyed dwellings dominate the streetscape, contrasting with older substantial single-storeyed dwellings with a lower floor area ratio and height;*
- (b) on land with frontage to Portrush Road; and*
- (c) adjacent to the Community Zone and the Historic (Conservation) Zone.*

<b>Subject:</b> DP Ref	<b>Assessment:</b>
<b>Desired Land Use</b> O 1	Satisfied. <ul style="list-style-type: none"> <li>• The proposal seeks to continue the established and desired residential use of the subject land.</li> </ul>
<b>Local Compatibility</b> PDC 1	Satisfied. <ul style="list-style-type: none"> <li>• The proposed density is consistent with the low density residential character of the policy area and complies with the minimum area and frontage guidelines for new dwellings in this location.</li> <li>• Although two-storey in form, the proposed building exhibits appropriate external wall heights and proportions to be considered compatible with a single storey scale.</li> <li>• The locality comprises a mix of single and two-storey development, as well as a mix of dwelling densities.</li> <li>• The modern design takes visual cues from the roof form and pitch of existing dwellings in the street.</li> <li>• The front set-back contributes to the open character of the streetscape while remaining compatible with adjacent buildings on neighbouring land.</li> <li>• The siting of the proposed building enables future landscaping to contribute to the visual amenity of the streetscape.</li> </ul>
<b>Site Areas and Frontages</b> PDC 2-5	Satisfied.



**Summary of Residential Zone Objectives and Principles**

**Primary Residential Zone Objectives:**

Objective 1:

*A zone primarily for residential use with a range of dwelling types in appropriate policy areas to accommodate varied socio-economic needs.*

Objective 2:

*Protection and enhancement of the amenity of residential areas, with particular reference to the objectives for the relevant policy area.*

Objective 3:

*Residential densities varied having regard to topography, the objectives for the relevant policy area, and proximity to centres and major transport routes.*

Objective 5:

*Enhancement of the attractive qualities of streetscapes and particularly areas of cohesive character or visual sensitivity, through good design.*

Objective 8:

*Use of design, management and other techniques to improve all aspects of the environmental performance of development.*

<b>Subject:</b>	<b>Assessment:</b>
DP Ref	
<b>Zoning and Land Use</b> O 1-8 PDC 1	Satisfied.
<b>Building Appearance</b> PDC 2-4	Satisfied.
<b>Design for Topography</b> PDC 5-6	Satisfied.

## Summary of Council Wide Objectives and Principles

### **Primary Residential Development Objectives:**

Objective 11:

*Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.*

Objective 52:

*A compact metropolitan area.*

Objective 53:

*A variety and choice of dwelling types to meet the needs and preferences of all sections of the community.*

Objective 54:

*Containment of housing costs through the encouragement of a full range of design and development techniques.*

Objective 55:

*Safe, pleasant, accessible and convenient residential areas.*

Objective 56:

*Residential development which moderates adverse climatic conditions, takes advantage of solar energy, does not unreasonably overshadow adjacent development, and protects the natural environment.*

Objective 58:

*The revitalisation of residential areas to support the viability of community services and infrastructure.*

Objective 60:

*Increased affordable housing opportunities through land division and the conversion of buildings to a residential use.*

<b>Subject:</b>	<b>Assessment:</b>
DP Ref	
<b>Zoning and Land Use</b> O 52-60	Satisfied.
<b>Design and Appearance</b> O 11 PDC 14-18, 23-28	Satisfied. <ul style="list-style-type: none"> <li>The proposed development is considered to be of a high design standard and appearance that responds to positive aspects of the locality.</li> </ul>
<b>Building Set-backs</b> PDC 161-163	<p><b>Front Set-backs</b> Minor departure.</p> <ul style="list-style-type: none"> <li>All portions of the proposed building will comply with and exceed the 6 metre front set-back guideline with the exception of a blade wall feature dividing the two residences down the middle of the building.</li> <li>The protruding feature is minimal in mass and visual prominence, providing an element of articulation and visual interest.</li> </ul> <p><b>Side Set-backs</b> Minor departure</p> <ul style="list-style-type: none"> <li>The ground floor of the proposed building will be set back just over 1 metre from each external side boundary, which signifies a departure from the 2 metre guideline.</li> <li>The first floor of the proposed building will be predominantly set back at a distance of 4 metres from each external side boundary, which satisfies the guideline.</li> <li>A portion of the first floor will have a lesser set-back of 3 metres.</li> <li>The proposed siting is not anticipated to cause a significant loss of amenity, in terms of visual impact, overshadowing or access to sunlight, to occupants of adjoining land and buildings.</li> </ul>

	<ul style="list-style-type: none"> <li>The proposed siting does not disrupt the established pattern of space between buildings along Anglesey Avenue, but instead offers a balanced presentation when viewed from the road to which the site has frontage.</li> </ul> <p><b>Rear Set-backs</b> Satisfied.</p>
<p><b>Building Height</b> PDC 164</p>	<p>Minor departure.</p> <ul style="list-style-type: none"> <li>The proposed building does not exceed two-storeys in form and therefore is consistent with PDC 164 (a).</li> <li>When viewed in 2D the proposed building will have a maximum height of 9.4m, which moderately exceeds the PDC 164 (b) guideline.</li> <li>The excess in height can largely be attributed to the applicant's decision to pursue a stepped design to better align with the slope of the land.</li> <li>The additional height is not considered excessive in this case.</li> </ul>
<p><b>Site Coverage</b> PDC 165</p>	<p>Minor departure.</p> <ul style="list-style-type: none"> <li>The proposal is largely consistent with PDC 165 (a) and (b).</li> <li>The total floor area of the proposed building has been calculated to be 57% of the area of the subject land, which exceeds the PDC 165 (c) guideline.</li> <li>The excess in total floor area in this instance does not translate into problems of bulk, scale or land use intensity and the design appears to compensate through the use of appropriate design techniques which create articulation and visual interest across the external facades.</li> </ul>
<p><b>Private Open Space</b> PDC 166, 169</p>	<p>Satisfied.</p>
<p><b>Amenity</b> O11, 20-22 PDC 14-18, 52-69, 170-173</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> <li>The proposed building is considered suitable to the site and locality in terms of scale and proportions and is not anticipated to impair the amenity of the locality through the appearance of land, buildings or other conditions or factors.</li> <li>The proposed development is considered to protect and enhance the visual amenity of the locality by providing a new development of a high design standard and appearance.</li> <li>The central siting of the proposed building maintains the continuity of vistas between buildings within the streetscape.</li> <li>The proposed front set-back is compatible with the siting of adjacent buildings and, in the absence of a specific set-back prescribed in the zone and policy area, is predominantly consistent with the council wide set-back guideline.</li> </ul>
<p><b>Privacy</b> PDC 22, 174-176</p>	<p>Satisfied.</p> <ul style="list-style-type: none"> <li>The proposal involves a two-storey building with floor levels that could overlook adjacent properties.</li> <li>The proposal addresses this issue with the use of high sill windows on both sides of each dwelling and no rear upper level windows.</li> </ul>



	<ul style="list-style-type: none"> <li>The front “wrap around” corner windows are orientated towards the public road and are not anticipated to directly or unreasonably overlook the windows or private open space areas of adjacent dwellings.</li> </ul>
<b>Access and On-Site Car Parking</b> PDC 177–182	<p>Satisfied.</p> <ul style="list-style-type: none"> <li>Each dwelling is provided three off-street car parking spaces; two within the garage and one on the driveway.</li> <li>The driveway design for each residence accords with DP guidelines regarding safe and convenient access.</li> <li>Council’s traffic engineer and street tree officer are satisfied with the location and design of each driveway and have advised Section 221 authorisation will be issued should the Panel see fit to approve the proposal.</li> </ul>
<b>Access to Sunlight</b> PDC 21, 183–186	<p>Satisfied.</p> <ul style="list-style-type: none"> <li>Each dwelling is two-storeys in height and therefore could reasonably be expected to impose a degree of shadow over adjoining properties at certain times of the day.</li> <li>The applicant has provided shadow diagrams to demonstrate the extent of shadow cast at different time on the winter solstice.</li> <li>The shadow diagrams provided indicate the amount of sunlight afforded to each adjoining property will remain consistent with DP guidelines.</li> </ul>
<b>Fences and Retaining Walls</b> PDC 190–194	<p>Satisfied.</p> <ul style="list-style-type: none"> <li>The proposal includes details of boundary fencing and retaining walls.</li> <li>The proposed retaining walls are appropriate in scale and not out of character with the locality, in which stepped allotments are a typical response to the slope of the road.</li> <li>The proposed side and rear boundary fencing (1.8 metre high Colorbond) is regarded as standard within the Residential Zone and suitable in providing reasonable privacy without appearing visually dominant of large in scale.</li> </ul>
<b>Safety and Security</b> PDC 195–198	<p>Satisfied.</p> <ul style="list-style-type: none"> <li>The proposed dwellings have been designed to facilitate casual surveillance over the public road and footpath.</li> <li>Although no front fencing is proposed at this time, the development does not compromise future proposals to differentiate public and private land through appropriate fencing.</li> <li>The central siting of the building and its built form set-backs prevent access between roofs and windows of adjoining dwellings.</li> </ul>
<b>Water Conservation</b> PDC 200–201	<p>Satisfied.</p>
<b>Energy Conservation</b> PDC 31-32	<p>Satisfied.</p>

**APPENDIX 3**
**DEVELOPMENT DATA TABLE**

<b>Attribute</b>	<b>Residence 1 (w)</b>	<b>Residence 2 (e)</b>	<b>Guideline</b>
<i>Site Characteristics</i>			
Street Frontage	10.67m	10.67m	10m
Site Area	500.4m <sup>2</sup>	500.4m <sup>2</sup>	450m <sup>2</sup>
<i>Site Coverage</i>			
Ground Floor Area	41.3%	41.3%	40%
Ground Floor Area + Impervious	50.2%	50.2%	50%
Total Floor Area	57.3%	57.3%	50%
<i>Building Height</i>			
Storeys	2 storeys	2 storeys	2 storeys
Metres	9.4m (Courts method) 8.4m (actual)	9.4m (Courts method) 8.05m (actual)	9m
<i>Ground Floor Set-Backs</i>			
Front	5.9m (blade wall) 7.3m (garage)	5.9m (blade wall) 7.3m (garage)	6m
Side	1.07m (w)	1.07m (e)	1.5m - 2m
Rear	12.56m	12.56m	4m
<i>Upper Level Set-Backs</i>			
Front	7m	7m	6m
Side	3m – 4m (w)	3m – 4m (e)	4m
Rear	20m	20m	8m
<i>Private Open Space</i>			
Percentage	59.7%	59.7%	50%
Dimensions	10.6m x 12.56m	10.6m x 12.56m	5m x 8m
<i>Parking/Access</i>			
On-Site Car Parks	3	3	2
Driveway width at Boundary	4.4m	4.4m	4.5m
Garage/Carport Door Width	45%	45%	33%