

**DEVELOPMENT ASSESSMENT PANEL
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WEDNESDAY 2 AUGUST 2017**

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DEVELOPMENT ASSESSMENT PANEL
Wednesday 2 August 2017

Agenda Ref No: DAP020817 – 2.1
Previously deferred item DAP030517 – 2.1

Originating Officer: Alex Wright
Acting Team Leader - Planning

Applicant: Mr Benjamin Pitman

Development Description: Demolition of existing dwelling and construction of a three storey detached dwelling, swimming pool, detached garage with attached verandah, associated earthworks, retaining walls and landscaping

Site Location: 19-21 Shaftesbury Terrace, Marino

Zone: Residential

Policy Area: Hills Policy Area 11

Application Type: Category 2/ Consent

Lodgement Date: 07/07/2016

Development Plan: Consolidated – 28 April 2016

Application No: 100/1229/2016

Recommendation: That Development Plan Consent be **GRANTED**
subject to conditions

BACKGROUND

As members will recall, the subject application was considered by the Panel at its meeting of 5 May 2017, whereby a decision upon the application was deferred for the following reason;

1. To provide the applicant an opportunity to increase the setback of the building from the western (Esplanade) frontage of the property to provide greater separation from Esplanade and reduce the impact upon the adjoining property to the south.

The applicant has revisited the design of the proposal in light of the Panel's position, and amended the proposal where practicable.

The original report, plans and attachments can be found in Member's previous agenda from the 3 May 2017 meeting, on the online DAP agenda on Council's website www.marion.sa.gov.au/development-assessment-panel, or by contacting the author of this report.

DISCUSSION

The applicant has amended the proposal by reducing the overall building height by 300mm and increasing the setback afforded to the southern boundary by 400mm. The following amendments have been provided;

- Decrease in ceiling height of Second Floor (Third Level) by 300mm to achieve a floor to ceiling height of 2.7 metres.
- Increase in southern setback of First and Second Floor (Second and Third Level - walls of the study and Guest Bedroom) by 400mm.

Assessment

The changes nominated above have resulted in a reduction in the overall built form height by 300mm and an increase in southern side setbacks of the First and Second Floor (and subsequent decrease in wall height and setback requirements). Table 1 below indicates the difference in finished floor levels and maximum roof/structure height proposed in the original application compared to the proposed amended plans.

	Original	Amended	Change
Third Level Roof Height	100.05	99.75	300mm decrease
Third Level Finished Floor Level	96.05	nil	No change

Table 1. Roof Height & Finished Floor Level

Table 2 below indicates the increase in southern side setbacks of the First and Second Floor and subsequent decrease in wall height and setback requirements as a result of the amended plans.

Side Setbacks & Wall height				
Ground Level	Maximum wall height above natural ground level	Proposed Setback	Required setback	Non-compliance
Ground Floor (Level 1) – NO CHANGE				
91.7	1.05m	3m	2m	Nil
92.4	350mm	700mm	1m	300mm
First Floor (Level 2) – NO CHANGE				
89.4	6.65m	10m	3.65m	Nil
91.5	4.55m	4.52m	3m	Nil
89.6	6.45m	8.3m	3.45m	Nil
92.25	3.8m	3.7m	3m	Nil
91.5	4.55m	6.9m	3m	Nil
95.5	550mm	2.2m	2m	Nil
Second Floor (Level 3) – ORIGINAL				
91.6	8.45m	4.6m	5.45m	850mm
92.3	7.75m	2.8m	4.75m	1.95m
Second Floor (Level 3) – AMENDED PLANS				
91.4	8.35m	5m	5.35m	350mm
92.3	7.45m	3.2m	4.45m	1.25m

Table 2. Southern side setback and wall heights.

Building Height

The proposed dwelling is three storeys in height and achieves a maximum building height of 10.25 metres at its highest point above ground level (ground level – 89.5, dwelling at highest point 99.75) which is some 300mm lower than what was previously proposed.

Given the upwards slope of the topography and flat roof of the dwelling, the non-compliance is largely limited to the front-centre portion of the dwelling. The excess in height over 9 metres is due to the existing cut of the site which is a result of the previous earthworks required to accommodate the original dwelling.

In my opinion, the excess in building height is not considered unreasonable as the third level roof is essentially lower than Shaftesbury Terrace (roof: 99.75, Shaftesbury Tce 100.00) and does not result in the loss of western views from allotments located to the east of Shaftesbury Terrace, nor create unreasonable overshadowing of the allotment to the south. It should also be noted, the excess in height is limited to the centre of the dwelling and the northern and southern portions of the dwelling are within the maximum 9 metre building height requirements.

The reduction in building height by 300mm will somewhat assist in reducing the overall bulk and scale of the proposal and lessen the visual impacts experienced by occupants of adjacent dwellings, particularly to the south (23 Shaftesbury Tce).

Southern Side Setbacks

As discussed in the original report, due to the sloping nature of the topography, the construction of built form over multiple levels and the angled nature of the southern boundary, the proposed wall heights in comparison to the proposed setbacks vary. The ground floor setbacks, whilst technically achieving a non-compliance of 300mm is considered acceptable given a majority of this level has been set into the slope and therefore results in no visual or amenity impacts. No changes are proposed to this element of the proposal.

The applicant has amended the proposal to increase the southern side setbacks of the First and Second (Second and Third Level) storey by 400mm.

The portion of southern façade exceeding 6 metres in height measures between 7.45m (western end) and 8.35 metres (eastern end). Although an increase in setbacks has been proposed, the setback of this façade does not meet the minimum setbacks sought in Zone Principle 6 and compliant setbacks would achieve setbacks of between 350mm to 1.25 metres greater than proposed.

The upper level is approximately 6.7 metres long and achieves a wall height of 3.7 metres. The proposed upper level achieves a finished floor level of 96.45 whilst the wall itself begins at a height of 96.05. The adjacent dwelling to the south achieves an approximate upper finished floor level of 95.66; approximately 390mm lower than the proposed upper level.

Whilst the second floor façade does not meet the numerical setback requirements in relation to the wall heights proposed, it is worthy to note the adjacent dwelling is situated on an allotment that achieves a west-east orientation, and therefore the dwelling is primarily orientated to face west but incorporates windows along its northern façade. A small courtyard area is positioned to the north of the dwelling and a range of window sizes and types are incorporated into the northern façade. From Council's assessment, the proposed upper level façade of the dwelling will approximately align with the eastern two thirds of this courtyard area.

The original report suggested the visual impacts caused by the height and design of the built form and non-compliant southern setbacks, whilst not fatal to the merits of the application, will considerably change the outlook currently experienced by the occupants on the adjacent allotment to the south (23 Shaftesbury). In this regard, whilst additional separation has been afforded and therefore the visual impacts will be lessened, the outlook experienced by the occupants will nonetheless be significantly altered.

Nevertheless, in my opinion, the additional extent of separation afforded, combined with the reduction in overall building height will assist in reducing the visual impacts experienced by the

adjacent occupants. As previously suggested, the anticipated visual and amenity impacts, whilst considerable, are not considered to be fatal to the overall merits of the application.

Views

For members' reference the original DAP report contained a highly detailed and comprehensive views assessment. As stated in the original report, the proposed development will have an impact on the northern and north-easterly views that are currently experienced from the adjacent site at 23 Shaftesbury Terrace. These views are primarily achieved from the side of the dwelling, and therefore over that property's side boundary and over the subject land to the north.

Due to the proposed setbacks of the dwelling, and protruding nature of the second level, existing north and north-eastern views achieved from within the kitchen, living area and north facing balcony/terrace of the coastline and ocean, will be lost or altered (dependent on where a person is standing to achieve view).

The increase in side setbacks will marginally increase the extent of view gained to the north and north-west (additional portions of Brighton will be visible from certain vantage points) but will not result in any meaningful increase in views to the northeast.

The above notwithstanding, as stated in the original report I am of the opinion the proposed development will not have such an adverse impact upon the amenity of the property at 23 Shaftesbury Tce when taking into consideration existing views, the extent of likely view loss and the overall reasonableness of the proposal as a whole as to warrant refusal of the application.

Whilst existing northern and north-eastern views will be removed or significantly reduced and the amenity of occupants of 23 Shaftesbury Terrace subsequently affected, it will not, in my opinion, be so eroded as to have a devastating impact upon the liveability and enjoyment of the occupants. The view currently enjoyed by adjacent properties will not be "obliterated" and views from the northwest through to the southwest in addition to partial northern and north-eastern (from particular vantage points) views will be retained.

ANALYSIS & CONCLUSION

The applicant has sought to address the Panel's reason for deferral by reducing the overall height of the built form by 300mm and increasing the southern first and second storey (Second and Third Levels) setbacks, thereby reducing the overall bulk and scale impacts attributed to the built form.

Whilst these amendments will assist in reducing the overall visual bulk and scale of the proposal, particularly when viewed from the adjacent property at 23 Shaftesbury Tce (as discussed earlier in this report), they do not directly address the DAP's reasons for deferral, which was *to provide the applicant an opportunity to increase the setback of the building from the western (Esplanade) frontage of the property to provide greater separation from Esplanade and reduce the impact upon the adjoining property to the south.*

In this regard, no attempt has been made to increase the front (western) setback.

As stated in the original report, the cantilevered portion of the dwelling, with minimum western (front) setback of 4.1 metres, does not comply with the 8 metres required within the Hills Policy Area 11. From a quantitative perspective, given there is no existing or consistent streetscape within the immediate locality, the lack of a compliant front setback is not considered to negatively impact on the existing streetscape or desired character of the locality. Whilst the minimum front setback proposed is forward of that permitted within the Hills Policy Area 11, it is

not considered to result in unreasonable bulk/scale or amenity impacts on adjacent allotments or the wider streetscape to the extent where refusal is warranted.

The minimum front setback from the dwelling to the Esplanade of 4.1 metres is attained as a result of the 6.3 metre wide living room being cantilevered over the ground level, and protruding from the remainder of the second level which achieves a minimum setback of 10 metres (increasing to 10.7 metres). This portion of the building is well forward of the minimum 8 metres required, and as discussed in the original report, will have an impact in terms of northern view loss by occupants of the dwelling to the south. The extent of view lost however is not of an adverse nature as to warrant refusal of the application. Furthermore, this element provides considerable articulation to the front façade and assists in providing an attractive and varied visual streetscape presentation.

When considering the impact the cantilevered portion of built form will have on views, I am of the opinion the proposed setback is acceptable. It is acknowledged the proposed dwelling will have an impact on the view currently enjoyed by the adjacent property to the south at 23 Shaftesbury Terrace. As indicated in the original report, views directly outwards over the cantilevered portion will be maintained, whilst horizontal downwards views of the foreground will be lost – these views include the ocean and coastline south of the Brighton, which includes Seacliff and Kingston Park. It should be noted, the extent of view loss correlates with where the view is obtained.

The cantilevered section, whilst not meeting the minimum setback of 8 metres, achieves a roof height marginally above the second storey finished floor level of 23 Shaftesbury Tce and a person of average height standing on the north-western side of the dwelling or balcony/terrace could therefore achieve a northern view over the roof of the proposed development. Downwards views would be lost.

As suggested in the previous report, increasing the setback of the cantilevered portion to a minimum 8 metres would assist in lessening the potential visual impacts and loss of view caused by the built form. Given the remainder of the second and third levels exceed the minimum front setback, removing the cantilevered portion of the dwelling would significantly alter the architectural design of the dwelling and result in a less attractive and unique streetscape design/outcome.

Whilst the proposed dwelling will interrupt the current views available, when viewed from the western side of the upper storey of 23 Shaftesbury Terrace a high degree of the attractive elements of the view (Adelaide coastline north of Brighton Jetty, including partial views of Glenelg) will remain largely unaffected.

In my opinion, the proposed development will not have such an adverse impact upon the amenity of this property when taking into consideration existing views, the extent of likely view loss and the overall reasonableness of the proposal as a whole as to warrant refusal of the application.

The changes will contribute to a lessening in the visual bulk and scale impacts attributed to the dwelling's built form though the reduction in overall structure height and non-compliance in setbacks. In my opinion, the combination of amendments to reduce the overall building height and increase in southern side setbacks will also assist in lessening the extent of view loss experienced by occupants of 23 Shaftesbury Tce. The above notwithstanding, no change to the western (front) setback has been proposed and the impacts attributed to this portion of non-compliance will remain.

It is my view that, although the proposed reason for deferral has not been met, the proposed development is not seriously at variance to the Development Plan. Further, the proposed development sufficiently accords with the relevant provisions of the Development Plan, and warrants Development Plan Consent subject to conditions.

RECOMMENDATION

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and
- (c) That Development Plan Consent for Development Application No: 100/2016/1229 for Demolition of existing dwelling and construction of a three storey detached dwelling, swimming pool, detached garage with attached verandah, associated earthworks, retaining walls and landscaping at 19-21 Shaftesbury Terrace, Marino be GRANTED subject to the following conditions:

CONDITIONS

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2016/1229 dated 14.07.17 and prepared by Benjamin Pitman Architects and PT Design, except when varied by the following conditions of consent.
2. Amended plans (architectural and engineering) shall be provided to Council prior to the issuing of Development Approval removing reference to any and all works outside the bounds of the subject site.
3. All privacy materials proposed freestanding pavilion/garage privacy screens shall be provided to Council for consideration and approval prior to the issuing of Development Approval.
4. All areas nominated as landscaping or garden areas on the approved plans shall be planted and maintained with a suitable mix and density of native trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
5. A minimum of 50% of the trees indicated to be planted on the approved plan shall be at least 1.5 metres in height at the time of planting.
6. All car parking areas, driveways and vehicle manoeuvring areas must be constructed, sealed and drained in accordance with recognised engineering practices prior to the occupation of the premises or the use of the development herein approved.
7. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
8. All ancillary swimming pool plant/equipment shall be located a minimum 5.0 metres from any adjoining neighbouring dwelling and shall be contained within a sound reducing enclosure.
9. The pavilion/garage has been granted consent as a domestic outbuilding only and therefore shall not be used for human habitation or for purposes not reasonably incidental to the use of the land for residential purposes, unless the further development approval of the Council is obtained.

10. All devices/treatments proposed as part of the Development Application to protect the privacy of adjoining properties shall be installed and in use prior to occupation of the premises and maintained for the life of the building.
11. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
12. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
13. Stormwater must be disposed of in such a manner that does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

NOTES

1. Any variation/amendment to the plans and documentation granted Development Plan Consent will require further approval from the Council. If the amendments are deemed to be minor in nature in the opinion of the Council, they may be accepted as part of the current application pursuant to Regulation 47A of the Development Regulations 2008. Alternatively, if in the opinion of the Council, the variation(s) are not considered to be minor in nature, a new variation application must be lodged with the Council for assessment against the relevant Marion Council Development Plan.
2. You are undertaking work that may affect the stability of adjoining land. Section 60 of the Development Act 1993 and Regulation 75 of the Development Regulations 1993, prescribe that your neighbour has a right to be notified by you 28 days prior to you undertaking that work. This is to enable your neighbour to obtain a report for which you are obliged to pay, that specifies any work that is required to be undertaken to ensure the stability of your neighbour's property is maintained during and following the undertaking of the work you propose. You should make yourself aware of these requirements before proceeding.
3. Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.
4. Before commencing any site works, a temporary vehicular access to the property for machinery, delivery of building materials and general vehicles should be provided. In the case where no driveway invert exists, the kerb can be saw cut and removed at the intended location for the new driveway invert to provide the necessary temporary access. In addition, if a paved Council footpath exists, this should also be removed in alignment with the removed section of kerb. The applicant should also take note of other information provided regarding use of, damage to and construction on Council owned land.
5. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.

6. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
7. Measures to prevent silt and mud from vehicle tyres and machinery being transported onto the road shall be installed and maintained at all times during the construction phase of the development, to the reasonable satisfaction of the Council (a suggested measure is to install a gravelled construction exit with wash down facilities).
8. Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.
9. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.
10. Any additional excavated material not required as fill for the site must be removed immediately after excavation to prevent bogging and soil washing away.

Attachments

Attachment I: Aerial Photograph/Site Locality Plan

Attachment II: Proposal Plans and supporting documentation (Applicants Response to DAP Deferral and DAP Response Information)

DEVELOPMENT ASSESSMENT PANEL

Wednesday 2 August 2017

Agenda Ref No: DAP020817- 2.2

Originating Officer: Justin Clisby
Development Officer - Planning

Applicant: BMV Outdoor Solutions

Development Description: Application to vary 100/349/2017 to increase width and overall size of previously approved carport forward of the dwelling

Site Location: 47 Limbert Avenue, Seacombe Gardens

Zone: Residential

Policy Area: Medium Density Policy Area 12

Application Type: Category 1 / Consent

Lodgement Date: 07/06/2017

Development Plan: Consolidated – 28/04/2016

Application No: 100/1021/2017

Recommendation: That Development Plan Consent be **REFUSED**

CATEGORISATION & DELEGATION

The subject application is a Category 1 form of development by virtue of Schedule 9 of the Development Regulations 2008, which assigns the construction of a carport that is ancillary to a dwelling as Category 1 development. The application is being presented to the Development Assessment Panel by virtue of previous application 100/349/2017 being determined by Council's Development Assessment Panel. Council has delegated applications that seek to vary applications previously determined by Council's Development Assessment Panel to Council's Development Assessment Panel for determination.

BACKGROUND

The proposal was previously granted Development Plan Consent by Council's Development Assessment Panel on 21/12/2016 under Development Application 100/349/2017. A copy of this report can be found on Council's website at the following web address;
<http://www.marion.sa.gov.au/contentFile.aspx?filename=DAP-050417-Agenda.pdf>

The subject application seeks to vary the previously approved application by increasing the overall size, shape and dimensions of the proposed carport.

SUBJECT LAND & LOCALITY

The subject land is situated at 47 (lot 2) Limbert Avenue, Seacombe Gardens. The land incorporates a frontage width of 12.45 metres, an average depth of 43.46 metres and a total site area of (approximately) 401 square metres.

The existing dwelling on the land is single storey and was constructed in 2006.

A single-width, under-main-roof garage is located adjacent the western side boundary, and is serviced by a single-width driveway.

The land is relatively flat, with medium height vegetation occupying approximately 40% of the front yard of the property. No vegetation is 'regulated' pursuant to the Development Regulations, 2008.

Refer Attachment I & II

PROPOSED DEVELOPMENT

The previously approved carport comprises a flat roof measuring 5.0 metres deep by 4.6 metres wide and is proposed forward of the main face of the dwelling and setback 2.1 metres from the primary street frontage. The carport structure is a standard steel framed construction comprising 90mm square columns and a Colorbond steel roof deck at a 1.5 degree pitch sloping away from the existing dwelling. The overall height of the carport is 2.7 metres and it has an area of 23m².

The current application to vary the previously approved application is for a similar flat-roofed carport measuring 5.1 metres deep by 6.27 metres wide (reducing to 5.4m) positioned forward of the main face of the dwelling and setback 2.0 metres from the primary street frontage. The carport has an irregular shape with the western edge angled to align with the western boundary of the allotment. The carport structure is a standard steel framed construction comprising 90mm square columns and a Colorbond steel roof deck with skylights at a nominal pitch sloping away from the existing dwelling. The overall height of the proposed carport is 2.6 metres and it has an area of 32m².

Refer Attachment III

DEVELOPMENT ASSESSMENT

The relevant provisions of the Marion Council Development Plan are listed in the following table and discussed in further detail below:

Principles of Development Control:

Assessment:

Garages, Carports, Verandas and Outbuildings

Garages, carports, verandas and outbuildings should have a roof form and pitch, building materials and detailing that complements the associated dwelling.

General Section: Residential Development: PDC 10

Does Not Comply

The proposed carport incorporates a Colorbond roof with a nominal slope towards the primary street frontage. The existing dwelling incorporates a hipped roof with Colorbond roof sheeting at a 22.5 degree pitch

<p><i>Garages, carports, verandahs and outbuildings, whether freestanding or not, should not dominate the streetscape and (except where otherwise specified) be designed within the following parameters:</i></p> <p><i>General Section: Residential Development: PDC 12</i></p>		
Parameter	Value	
Maximum floor area	60 square metres	Complies 32.0m ²
Maximum wall or post height	3 metres	Complies 2.4m
Maximum building height	5 metres	Complies 2.6m
Maximum height of finished floor level	0.3 metres	Complies Utilising existing paving level.
Minimum setback from a primary road frontage	Garages and carports; 5.5 metres and at least 0.5 metres behind the main face of the dwelling, or in line with the main face of the dwelling if the dwelling incorporates minor elements such as projecting windows, verandas, porticos, etc which provide articulation to the building as it presents to the street. Outbuildings should not protrude forward of any part of the associated dwelling.	Does Not Comply The carport will be located 2.0 metres from the front boundary of the property and 3.55 metres forward of the closest part of the dwelling to the street. It is noted that the application that received Development Plan Consent under Development Application 100/349/2017 comprised a flat-roofed carport setback 2.1 metres from the front boundary of the property and 4 metres forward of the closest part of the dwelling to the street.
Minimum length on the boundary	8 metres or 45 per cent of the length on that boundary (whichever is the lesser)	Complies The carport structure has a length of 5.17 metres on the western (side) boundary of the allotment.
Maximum frontage width of garage or carport with an opening facing the street	6 metres or 50 per cent of the width of the front façade of the dwelling to which the garage or carport is associated (whichever is the lesser)	Does Not Comply 6.27m (50% of the width of the front boundary = 6.21 metres).
Carports and garages should be setback from road and building frontages so as to: (a) not adversely impact on the safety of road users (b) provide safe entry and exit. <i>General Section: Residential Development: PDC 13</i>		Complies The proposed carport is unlikely to adversely impact on the safety of road users and safe entry and exit is likely to be maintained.
Site Coverage		
<p><i>Dwellings should be designed to have a maximum site coverage of 40 per cent of the allotment area.</i></p> <p><i>Medium Density Policy Area 12: PDC 7</i></p>		Does Not Comply 58%
<p><i>Site coverage should not exceed the amount specified by the relevant policy area unless it is demonstrated that doing so:</i></p> <p><i>(a) would not be contrary to the relevant setback and private open space provisions</i></p> <p><i>(b) would not adversely affect the amenity of adjoining properties</i></p> <p><i>(c) would not conflict with other relevant criteria of this Development Plan.</i></p> <p><i>Residential Zone: PDC 9</i></p>		Complies Although site coverage is 18% greater than the maximum site coverage envisaged in the policy area, the proposed carport will not impact on the current provision of private open space as it is forward of the existing dwelling. Approximately 25% of the total site area is maintained as private open space. In addition the proposed carport is unlikely to adversely impact on the amenity of adjoining properties.

<p>Site coverage should ensure sufficient space is provided for:</p> <p>(a) pedestrian and vehicle access and vehicle parking (b) domestic storage (c) outdoor clothes drying (d) rainwater tanks (e) private open space and landscaping (f) convenient storage of household waste and recycling receptacles.</p> <p>General Section: Residential Development: PDC 14</p>	<p>Complies</p> <p>The proposal provides sufficient space for vehicle access and parking, domestic storage, outdoor clothes drying, rainwater tanks, POS, landscaping and waste storage.</p>
<p>Except within the Suburban Activity Node Zone, a minimum of 20 per cent of the area of the development site should be pervious, remain undeveloped and be free from driveways, car parking areas, paved areas and other like surfaces.</p> <p>General Section: Residential Development: PDC 15</p>	<p>Partially Complies</p> <p>Although the proposed development will not reduce the amount of pervious area on the site, the site currently achieves approximately 17% of the total site area, 3% below the minimum standard.</p>
<p>Vehicle Parking</p>	
<p>Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with Table Mar/2 - Off-street Vehicle Parking Requirements.</p> <p>General Section: Transportation & Access: PDC 34</p>	<p>Complies</p> <p>Two covered car parking spaces are provided. One within the existing garage and one beneath the proposed carport situated forward of the existing garage.</p>
<p>Detached Semi-detached Row</p>	<p>2 per dwelling containing up to 3 bedrooms one of which is to be covered.</p>
<p>Table Mar/2 - Off-street Vehicle Parking Requirements.</p>	
<p>A minimum of one on-street car parking space should be provided for every 2 allotments unless separately defined shared visitor parking spaces exist on-site and at the same ratio (e.g. for group dwellings or residential flat buildings).</p> <p>General Section: Land Division: PDC 22</p>	<p>Complies</p> <p>One on-street car parking space exists in front of the dwelling.</p>

TABLE DISCUSSION

The subject application seeks to vary the previously approved application by increasing the overall size, shape and dimensions of the proposed carport. The differences between the approved carport and the proposed carport are summarised in the following table;

	Approved carport under DA: 100/349/2017	Proposed carport under DA: 100/1021/2017 (to vary DA: 100/349/2017)
Dimensions	5.0m (deep) x 4.6m (wide)	5.1m (deep) x 6.27m (wide)
Shape	Rectangular	Irregular (western side aligns with angle of western boundary of allotment)
Area	23m ²	32m ²
Front setback	2.1m	2.0m
Height	2.7m	2.6m
Position	4.0m forward of the existing dwelling	3.75m forward of the existing dwelling

Whilst the proposal satisfies a number of the applicable quantitative and qualitative criteria contained within the Marion Council Development Plan, the proposal fails to comply with the following provisions:

- Site coverage
- Maximum frontage width for garages and carports
- Minimum setback for garages and carports from primary street frontage

Site coverage

Council's Development Plan envisages a maximum site coverage of 40% in the Residential Zone, Medium Density Policy Area 12 for allotments with a site area of more than 325m².

Whilst the proposed development would increase the overall site coverage to 58% it is not considered fatal to the application given that the current amount of private open space at the rear of the dwelling is maintained.

Minimum setback for garages and carports from primary street frontage

Council's Development Plan seeks garages and carports setback from the primary street frontage at a minimum distance of 5.5 metres and at least 0.5 metres behind the main face of the dwelling, or in line with the main face of the dwelling if the dwelling incorporates minor projecting elements to ensure the residential portion of the dwelling is the most prominent and visible, and not dominated in appearance by car parking structures which should be subservient and ancillary to the main building.

The proposed carport is setback 2.0 metres from the primary street frontage which is likely to make it highly visible from the street. Whilst the flat roof and open nature of the carport is likely to display less dominance than a similar structure with a gable or hip end roof (or enclosed on its sides or via a roller door), attention will nonetheless be drawn to the carport, rather than the habitable elements/function of the dwelling due to the structure being situated at close proximity to the primary street boundary.

Although it is acknowledged a gable-ended carport structure exists forward of the dwelling on adjoining land at 47A Limbert Avenue, this structure is setback approximately 6.0 metres from the front boundary and aligns with the front face of the dwelling on the subject land.

It is also acknowledged that the adjoining land to the east of the subject land at 15 Glamis Avenue, Seacombe Gardens incorporates a carport with a roller door on the secondary street boundary. However, this structure does not dominate the streetscape of Limbert Avenue as it is integrated with the existing metal fencing that forms the side boundary of the property.

Maximum frontage width for garages and carports

The proposed carport has a width of 6.27 metres and is setback 2.0 metres for the primary street frontage. As such it has a width presenting to the street that is 65% of the width of the dwelling, some 15% greater than the numerical standard of 50% specified in the Development Plan.

Given the open nature of the proposed carport, this departure from the Development Plan standard is unlikely to have a significant impact on the amenity of the adjoining land. This minor departure from Development Plan criteria, in my opinion, is not fatal to the application and should be given little weight.

ANALYSIS/CONCLUSION

The proposed carport is to be situated forward of the existing dwelling and will be setback from the primary street frontage at a distance of 2.0 metres.

There currently exists two off-street car parking spaces on the subject land, one of which is covered within the existing garage.

In my opinion, the proposed structure fails to adequately integrate into the dwelling's façade and is likely to have a detrimental impact on the streetscape of the locality.

The proposed development is therefore considered to be at variance to the Marion Council Development Plan and warrants refusal in its current form.

RECOMMENDATION

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993; and
- (c) That Development Plan Consent for Development Application No: 100/1021/2017 to vary 100/349/2017 at 47 Limbert Avenue, Seacombe Gardens be REFUSED for the following reasons:

REASONS FOR REFUSAL:

- (1) The proposal fails to achieve a setback of 5.5m from the primary street frontage and be located 0.5m behind from the main face of the dwelling in accordance with Principle of Development Control 12 of the General Section: Residential Development. As a result, the residential portion of the dwelling will become less prominent and visible from the public street and will likely be dominated in appearance by the carport structure which should be subservient and ancillary to the main building.

Attachments

- Attachment I: Certificate of Title*
- Attachment II: Aerial Photograph*
- Attachment III: Proposal Plan and supporting documentation*

DEVELOPMENT ASSESSMENT PANEL
Wednesday 2 August 2017

Agenda Ref No: DAP020817 – 2.3

Originating Officer: Kristen Sheffield
Development Officer - Planning

Applicant: SA Ambulance Service

Development Description: Demolition of existing structures and construction of new single storey ambulance station and associated carpark.

Site Location: 88A Morphett Road, Glengowrie

Zone: Residential Zone

Policy Area: Racecourse Policy Area 15

Application Type: Section 49- Crown Development

Lodgement Date: 19/06/2017

Development Plan: Consolidated – 28 April 2016

Application No: 100/1093/2017 (100/V019/17)

Recommendation: The Development Assessment Panel advise the Development Assessment Commission that it supports the proposal, subject to conditions.

BACKGROUND

The subject application is classified as a Crown development, pursuant to Section 49 of the Development Act 1993, and as such, the Development Assessment Commission (DAC) is prescribed as the relevant authority in determining the application.

In accordance with Section 49(5) Council has the opportunity to provide comments to DAC in relation to the proposed development. The report that follows provides details of the proposed development and includes an assessment against the relevant provisions of the Development Plan.

As part of the transforming Health initiative, funding has been provided by the Department of Health for the construction of a Western Ambulance Station and associated infrastructure. The construction of a fit for purpose Western Regional Ambulance Station on the subject land seeks to ensure optimal response time capability in all directions.

SUBJECT LAND & LOCALITY

The subject land is located within the Residential Zone (Racecourse Policy Area 15) at 88A Morphett Road, Glengowrie. The whole of the site comprises approximately 3199 square metres of land with an eastern frontage to Morphett Road.

The site currently accommodates a horse stable complex, with an office building and a car parking area to the front of the site, and numerous outbuildings and other ancillary structures related to and for the stabling of horses to the rear. Access to the car parking area (and office) is gained via a crossover adjacent the southern side boundary, while a crossover towards the northern side of the site provides access to the horse stables. A large (possibly Regulated) tree is sited adjacent the rear (western) boundary, within the Sturt River Linear Park.

The immediate locality is characterised by a variety of different land uses. A Commercial Zone, utilized for the Glengowrie Tram Depot is sited to the north of the subject land. The Racecourse (Morphettville) Zone, incorporating a range of horse industry related activities as well as Morphettville Racecourse is located on the eastern side of Morphett Road and north of the site. The Residential Zone and Racecourse Policy Area 15 continue south of the site. A Vet Clinic is sited directly south of the subject land, with the majority of other allotments to the south comprising detached dwellings in association with horse related activities or horse agistment and/or stables. The Sturt River Linear Park and Willoughby Avenue Reserve (both sited within the Open Space Zone) are sited to the west, with residential development within the Northern Policy Area sited on the western side of the Sturt Linear Park.

Refer Attachments I & II

PROPOSED DEVELOPMENT

The proposed development seeks for the demolition of existing buildings and structures and to construct a single-storey building for the purpose of an ambulance station. The northern 'wing' of the building is to incorporate rest facilities for staff, crew areas and amenities including a kitchen, study area, training room and north facing courtyard. The southern portion of the building is to serve as an 'Ambulance Bay' providing garaging for seven (7) ambulances and two (2) light fleet vehicles.

A car parking area, accommodating 31 on-site car parking spaces is proposed to the rear of the building, with access to/from this area provided via a crossover adjacent the northern side boundary. Ambulance and fleet vehicles are to access the Ambulance Bay via the car parking area to the rear, in order for these vehicles to be aligned correctly for exiting the site via an 'out only' crossover proposed forward of this portion of the building.

Indicative landscaping is illustrated on the site plan as outlined within Part 6.4.4 of the Concept Proposal (refer to Attachment II). Landscaping is proposed forward of the building, within the courtyard and within high-use zones adjacent the building.

Refer Attachment III

PUBLIC NOTIFICATION

The subject application is classified as a Crown Development, pursuant to Section 49 of the Development Act 1993, and as such, the Development Assessment Commission (DAC) is to act as the relevant planning authority in determining the application's category for public notification purposes.

GOVERNMENT AGENCY REFERRAL

Referral of the application to state agencies, such as the Department for Planning, Transport and Infrastructure is a procedure undertaken by the DAC. At this stage, the position of the referral bodies is not known to Council.

INTERNAL DEPARTMENT COMMENTS

Engineering:	<p>An assessment of the undercover parking would indicate that 60° parking arrangement for all vehicles would be a more efficient layout. This would negate the need for the opening of the front door to access the eastern most bays.</p> <p>Frontloading waste removal vehicles (proposed to exit the site via the Ambulance Bay crossover on the southern side of the site) require a minimum 4.3 metre vertical clearance, provided plans indicate a 3.7 metre opening.</p>
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ZONE & POLICY AREA ASSESSMENT

The relevant objectives, desired character and principles of development control of the Residential Zone and the Racecourse Policy Area 15 are listed in the following table and discussed in further detail below:

Residential Zone

Objectives

- 1 An attractive 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 and community transport routes and public open spaces.

PRINCIPLES OF DEVELOPMENT CONTROL

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 uses that serve the local community, for example:
 - child care facilities
 - health and welfare services
 - open space
 - primary and secondary schools
 - recreation areas
 - shops, offices or consulting rooms
- supported accommodation.

2 Development listed as non-complying is generally inappropriate.

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

- (a) primarily serves the needs of the local community
- (b) is consistent with the character of the locality
- (c) does not detrimentally impact on the amenity of nearby residents.

6 Dwellings should be designed within the following parameters:

<p><i>Minimum setback from primary road frontage where an established streetscape exists</i></p>	<p>8 metres from arterial roads shown on Overlay Map – Transport</p>
<p><i>Minimum setback from side boundaries</i></p>	<p>Where the wall height is not greater than 3 metres: (a) 2 metres within Hills Policy Area 11 (b) 0.9 metres in all other circumstances.</p> <p>Where the wall height is between 3 metres and 6 metres: (a) 3 metres if adjacent southern boundary (b) 2 metres in all other circumstances.</p> <p>Where the wall height is greater than 6 metres: (a) if not adjacent the southern boundary, 2 metres plus an additional setback equal to the increase in wall height above 6 metres (b) if adjacent the southern boundary, 3 metres plus an additional setback equal to the increase in wall height above 6 metres.</p>
<p><i>Minimum setback from rear boundary</i></p>	<p>(a) 6 metres for single storey parts of the dwelling (where no wall height exceeds 3 metres), and</p> <p>(b) 8 metres for all other parts of the dwelling with a wall height greater than 3 metres, subject to the following variations:</p> <p>(i) within Hills Policy Area 11 - (a) is 8 metres; (ii) within Medium Density Policy Area 12 and Regeneration Policy Area 16 - (b) is 6 metres; (iii) within Medium Density Policy Area 12, Northern Policy Area 13, Racecourse Policy Area 15, Regeneration Policy Area 16, Southern Policy Area 18, Worthing Mine Policy Area 20 - (a) may be reduced to 3 metres for no more than 50 per cent of the width of the rear boundary.</p>
<p><i>Maximum building height (from natural ground level)</i></p>	<p>Within:</p> <p>(a) Medium Density Policy Area 12: (i) 2 storeys of not more than 9 metres (ii) 2 storeys with an ability to provide a 3 storey addition within the roof space of not more than 10 metres (b) Regeneration Policy Area 16, 3 storeys of not more than 12 metres (c) Residential Character Policy Area 17: (i) within the suburb of Marion, 2 storeys of not more than 9 metres (ii) in all other areas, one storey with an ability to provide a 2 storey addition within the roof space subject to Principles of Development Control within the policy area of not more than 7 metres (d) all other policy areas, 2 storeys of not more than 9 metres.</p>

Racecourse Policy Area 15

Objectives

- 1 A policy area primarily accommodating detached dwellings at low densities in association with a range of horse related activities.
- 2 Horse related activities developed to minimise adverse environmental impacts, especially on stormwater runoff and adjoining residential development.

PRINCIPLES OF DEVELOPMENT CONTROL

1 The following forms of development are envisaged in the policy area:

- detached dwelling in association with horse related activities
- horse agistment and training
- horse stables.

4 Dwellings and associated horse related activities should be designed to have a maximum site coverage of 60 per cent of the allotment area.

Assessment

An emergency services (Ambulance) station is not listed as Non-Complying in the Residential Zone, nor is it a specifically envisaged land use under Principle of Development Control 1. However, Principle 1 does anticipate small scale non-residential uses that serve the local community including health and welfare services. This is reinforced by Principle 4 which outlines that non-residential development is anticipated, provided it is of a nature and scale that (a) serves the needs of the local community, (b) is consistent with the character of the locality, and (c) does not detrimentally impact on the amenity of nearby residents.

It is considered that the nature of the proposed development is one which undoubtedly serves the needs of the local community in seeking to optimise response time capabilities of the SA Ambulance service. While the proposed built form is perhaps larger than that anticipated for non-residential land uses within the Residential Zone, the scale and footprint of the building remains reflective of other buildings and structures within close proximity of the subject land, thus remaining consistent with the character of the locality. Further, the proposed building may considerably improve the presentation of the land, as the contemporary building will replace an aging building in average condition, as well as consolidate mismatched outbuildings and ancillary structures to provide a coordinated appearance and presentation. The proposal will not result in the removal of any mature trees and the building and proposed carpark/landscaping layout should improve the overall built form character of the site, and make a positive contribution to the character of the locality. Thus, it is my view that the proposed development satisfies Principle of Development Control 4(a) and (b).

In assessing the impact upon the amenity of nearby residents (PDC 4(c)), consideration of both the built form and its siting on the subject land as well as the proposed land use is required. It is noted that the relevant setback and height provisions of the Residential Zone and Racecourse Policy Area 15 relate to "dwellings" and therefore are not technically applicable to the proposed development. However, to assess the building's suitability within a Residential Zone, it may be beneficial to consider the proposed building's compliance with these quantitative parameters.

The proposal maintains a front setback of 8 metres, increasing from the existing front setback of 7 metres. The proposed building is setback 26.6 metres from the rear boundary, where the site currently accommodates structures along the southern portion of the rear boundary for a distance of some 18.5 metres. A minimum southern side setback of 3 metres is sought of dwellings where the wall height is between 3 and 6 metres, whereas the proposed building, with a wall height of 4.335 metres adjacent the southern boundary, comprises a side setback of 0.9 metres. The building incorporates a maximum building height of 5.5 metres, less than the maximum permitted (9 metres) in the Policy Area. Aside from a shortfall in southern side setback (further discussed within the 'Development Assessment' section of this report), the proposed single-storey building is generally compliant with quantitative requirements of dwellings within the Residential Zone. This, in my view, suggests that the built form should not result in detrimental visual impacts upon nearby residents or the locality.

With regard to the impact of the proposed land use on nearby residents, it is acknowledged that some noise impacts may arise from the use of emergency sirens when Ambulance vehicles exit the site in response to calls for assistance. An acoustic report regarding potential noise impacts from Ambulances exiting the site has not been included within the information referred to Council by DAC, and as such this assessment on potential noise impacts is somewhat limited. Nonetheless, it is noted that the nearest dwelling (and residents) are sited some 80 metres south of the exit point of the subject land where emergency sirens may need to be utilized. The nearest dwelling on the western side of the Sturt River Linear Park point is approximately 120 meters from the exit point. Noise emitted from emergency sirens may be expected to disperse somewhat over these distances. In addition, ambulances exiting the site may not be required to utilize emergency sirens immediately if the path of on-coming traffic is clear (as may be the case during non-peak-hour traffic). Furthermore, noise emitted from emergency sirens would not

occur in a stationary location for extended periods of time, with Ambulance vehicles departing from the locality shortly after exiting the subject land.

Given the above, I am of the opinion that the proposed development does not result in unreasonable detrimental impacts upon nearby residents and thereby adequately satisfies Principle of Development Control 4, and may suggest that the proposed non-residential land use is suitable within the Residential Zone.

This being said, it is acknowledged that further impacts may occur on adjacent (non-residential) land uses. Further assessment of these impacts is undertaken within the Development Assessment section (below) of this report.

DEVELOPMENT ASSESSMENT

The relevant principles of development control from the Marion Council Development Plan are listed and assessed in the following table:

Principles of Development Control (PDC):

Assessment:

Design & Appearance	
<i>OBJECTIVES</i>	
1. <i>Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.</i>	
<i>PRINCIPLES OF DEVELOPMENT CONTROL</i>	
1. <i>Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:</i> <i>(a) building height, mass and proportion</i> <i>(b) external materials, patterns, colours and decorative elements</i> <i>(c) roof form and pitch</i> <i>(d) façade articulation and detailing</i> <i>(e) verandas, eaves, parapets and window screens.</i>	
2. <i>Where a building is sited on or close to a side or rear boundary, the boundary wall should minimise:</i> <i>(a) the visual impact of the building as viewed from adjacent properties</i> <i>(b) overshadowing of adjacent properties and allow adequate sunlight access to neighbouring buildings.</i>	
3. <i>The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties, drivers or cyclists.</i>	
Relationship to the Street and Public Realm	
13. <i>Buildings (other than ancillary buildings, group dwellings or buildings on allotments with a battle axe configuration) should be designed so that the main façade faces the primary street frontage of the land on which they are situated.</i>	
14. <i>Buildings, landscaping, paving and signage should have a coordinated appearance that maintains and enhances the visual attractiveness of the locality</i>	
15. <i>Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view.</i>	
16. <i>Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas</i>	

The external appearance of the building incorporates a contemporary design through an appropriate mix of materials and façade articulation. The external materials and finishes include rendered blockwork and fibre cement sheeting. The front façade features sandblasted and painted precast concrete panels, painted feature panels and face brickwork. A verandah element to the front section of the northern wing provides façade shading and visual interest while an entry point and glazing provide perceptible access to the building and passive surveillance. The development also incorporates a selection of landscaping surrounding the entry point to front of the building and within the car parking area to enhance the visual attractiveness of the development site.

The southern elevation of the building is located within close proximity of the side boundary and incorporates an extensive area of walling. Painted feature panels towards the front end of the building attempt to address the expanse of wall, with the wall somewhat masked by a 1.8 metre high fence when viewing the wall from the south. Nonetheless, this elevation may result in visual impacts upon the adjacent property, and upon the streetscape when approaching the subject land along Morphett Road from the south. It is noted however, that a number of the existing buildings on the subject land are located within close proximity of this boundary, albeit with lesser wall heights. In addition, shadows cast from the proposed building are likely to fall within a driveway and car parking area of the adjacent land to the south. Thus, in my view, the proximity of the building to the southern side boundary does not result in unreasonable visual or overshadowing impacts.

On balance, the design of the proposed development is considered to enhance the visual attractiveness of the subject land within the locality.

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.*
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.*

Noise Generating Activities

6. *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.*
7. *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.*

As previously outlined, the locality is comprised of a number of land uses. Directly adjoining the subject land is a tram depot and horse stables/agistment to the north, and a Veterinarian Clinic to the south. Within the wider locality, Morphettville Racecourse and associated horse stables are located on the eastern side of Morphett Road, while residential dwellings are located west of the Sturt River Linear Park and further south on Morphett Road.

The use and daily operations of the site are generally considered to result in low impacts upon adjoining and adjacent land, with the Ambulance Station unlikely to result in impact from vibration, electrical interference, light spill or glare. While not specified within the documentation submitted to Council, it is assumed the facility will operate 24/7. Given the subject land is not directly adjoining by residential land uses, it is unlikely that the hours of operation will result in unreasonable impacts upon the amenity of the locality.

It is acknowledged that use of the car park will result in some exhaust fumes, headlight glare, and vehicle noise emanating from the site. However, given the relatively low-scale nature of the land use and location of the property on a busy arterial road, these impacts are considered unlikely to be to such an extent as to detrimentally impact upon the amenity adjoining land or upon that of residential land on the western side of the Sturt River Linear Park. The car parking area will be finished in a permeable paved surface, reducing opportunity for dust nuisance on site. Further, landscaping proposed forward of the building and to the car parking area will provide additional buffering between the site and adjoining properties.

As previously noted, it is acknowledged that some noise impacts may arise from the use of emergency sirens when Ambulance vehicles exit the site in response to calls for assistance. Whilst potential noise impacts upon nearby residents may be considered acceptable (for reasons already outlined), the use of emergency sirens within close proximity of businesses which include the keeping of animals on site (horse stables/veterinarian clinic etc.) may have undesirable impacts upon the daily operations of these somewhat sensitive land uses. It has been recommended that DAC consider the provision of an acoustic report, assessing potential noise impacts arising from the use of emergency sirens upon adjoining land uses.

Transportation and Access

OBJECTIVES

2. Development that:

- (a) provides safe and efficient movement for all 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*
- (e) provides convenient and safe access to public transport stops.*

PRINCIPLES OF DEVELOPMENT CONTROL

Movement Systems

- 2. Development should be integrated with existing transport networks, particularly major rail, road and public transport corridors as shown on Location Maps and Overlay Maps - Transport, and designed to minimise its potential impact on the functional performance of the transport network.*
- 8. Development should provide safe and convenient access for all anticipated modes of transport.*
- 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.*
- 11. Driveway crossovers should be separated and the number minimised to optimise the provision of on-street visitor parking (where on-street parking is appropriate).*
- 14. Development should provide for the on-site loading, unloading and turning of all traffic likely to be generated.*

Cycling and Walking

19. *Development 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.*
20. *On-site secure bicycle parking facilities should be:*
 - (a) *located in a prominent place*
 - (b) *located at ground floor level*
 - (c) *located undercover*
 - (d) *located where surveillance is possible*
 - (e) *well lit and well signed*
 - (f) *close to well used entrances*
 - (g) *accessible by cycling along a safe, well lit route.*

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.*
27. *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 onto or from the road.*
28. *A maximum of 2 vehicle access points should be provided onto a public road and each access point should be a minimum of 6 metres apart.*
30. *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 surface runoff*
 - (d) *avoid the removal of existing vegetation*
 - (e) *be consistent with Australian Standard AS: 2890 - Parking facilities.*
31. *The length of driveways should be minimised and together with manoeuvring areas be only sufficient to allow the proper functioning of the parking areas and their access.*

Access for People with Disabilities

32. *Development should be sited and designed to provide convenient access for people with a disability.*

Vehicle Parking

34. *Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with Table Mar/2 - Off-street Vehicle Parking Requirements.*
35. *Development should be consistent with Australian Standard AS: 2890 - Parking facilities.*
36. *Vehicle parking areas should be sited and designed to:*
 - (a) *facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development*
 - (b) *include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network*
 - (c) *not inhibit safe and convenient traffic circulation*
 - (d) *result in minimal conflict between customer and service vehicles*
 - (e) *avoid the necessity to use public roads when moving from one part of a parking area to another*
 - (f) *minimise the number of vehicle access points onto public roads*
 - (g) *avoid the need for vehicles to reverse onto public roads*
 - (h) *where practical, provide the opportunity for shared use of car parking and integration of car parking areas with adjoining development to reduce the total extent of vehicle parking areas and the requirement for access points*
 - (i) *not dominate the character and appearance of a site when viewed from public roads and spaces*
 - (j) *provide landscaping that will shade and enhance the appearance of the vehicle parking areas*

(k) include infrastructure such as underground cabling and connections to power infrastructure that will enable the recharging of electric vehicles.

38. *Vehicle parking areas that are likely to be used during non-daylight hours should provide floodlit entry and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the parking area.*
39. *Vehicle parking areas should be sealed or paved to minimise dust and mud nuisance.*
40. *To assist with stormwater detention and reduce heat loads in summer, outdoor vehicle parking areas should include landscaping.*
42. *Vehicle parking areas should be line-marked to delineate parking bays, movement aisles and direction of traffic flow.*

The proposed Ambulance Station seeks to optimise response times to incidents. Direct access to Morphett Road enables response vehicles to travel in both northern and southern directions. It is noted that DPTI has previously raised concerns regarding traffic management of the site, particularly given the congestion on Morphett Road at times and the proximity of the subject land to numerous sets of traffic lights. A traffic and parking assessment has been undertaken by WGA (included within attachment II) in order to assess potential traffic impacts of the proposed development.

Bluetooth travel time data has been obtained by WGA from DPTI for the section of Morphett Road between Bray Street (to the south) and Anzac Highway (to the north). This data indicates that 'northbound travel times are relatively stable and do not exhibit extended delays in the direct vicinity' of the subject land. Nonetheless, Ambulance vehicles travelling north during the AM peak period are permitted to cross over to the southbound side of Morphett Road to avoid queues as required. Southbound traffic volumes are low during the AM period, and once again, should congestion be present, Ambulance vehicles travelling south during the PM peak period are permitted to cross over to the northbound side of Morphett Road. It has been recommended by WGA that 'Keep Clear' pavement markings be located adjacent the southern-most access point to enable Ambulance vehicles to depart the site efficiently.

It has been noted within the report from WGA that sight distances in both directions from the subject land are good, and that issues should not arise with other road users observing an Ambulance approaching from either side of Morphett Road. In addition, DPTI Traffic Operations have expressed no issues with integration into the adjacent traffic signals at the intersection of Morphett Road and Bray Street, enabling priority for Ambulances at this intersection. However, it is noted that priority at the intersection of Anzac Highway and Morphett Road (to the north), is not achievable as the Tram overrides the system.

The Ambulance Station is proposed to have capacity to park up to seven ambulances and two light fleet vehicles. In addition, 31 on-site car parking spaces are provided to the rear of the building, including a dedicated disabled parking space located within close proximity to the rear entrance of the building. A car parking rate is not provided for an Ambulance station within Table Mar/2 – 'Off-street Vehicle Parking Requirements' of the Development Plan. Accordingly, the provision of on-site car parking is required to be assessed on needs basis. The documentation submitted to Council outlines the requirement for 23 staff car parking spaces. In addition, with an access gate within the driveway alongside the northern boundary prevents access to the car park from non-staff members or the general public. Accordingly, 31 on-site car parking spaces should exceed the operational requirements of the facility.

Council's Development Engineer has advised that the proposed car parking area is consistent with Australian Standard AS: 2890 – Parking facilities. However, it has been outlined, and included within Council's recommendation that a 60° parking arrangement for all vehicles within the Ambulance Bay may result in a more efficient layout. This would negate the need for the opening of the front door to access (reverse into) the eastern most bays.

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.*
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.*

The proposed facility is considered to generally accord with the Development Plan principles above. However, the proposed development is anticipated to operate 24 hours a day, 7 days a week, with staff required to navigate the car parking area in darkness. It has been recommended that a detailed lighting plan should be provided which demonstrates the proposed lighting scheme for the development site, including the provision of bollard lighting within the car parking area, and focusing on pedestrian and bicycle movement after dark along adequately lit routes with observable entries and exits.

Energy Efficiency

OBJECTIVES

1. *Development designed and sited to conserve energy.*

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.*

Ecologically sustainable development principles have been incorporated within the design of the building in order to reduce energy consumption and associated greenhouse gas emissions as outlined within Part 6.4.5 of the Concept Proposal (refer to Attachment II).

The proposal is sited to ensure adequate natural light and winter sunlight is available to adjacent buildings, with the building designed to ensure activity areas of the building face north for exposure to winter sun.

Landscaping, Fences and Walls

1. *Development should incorporate open space and landscaping 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) *provide shade and shelter*
 - (g) *assist in climate control within buildings*
 - (h) *maintain privacy*
 - (i) *maximise stormwater re-use*
 - (j) *complement existing native vegetation*
 - (k) *contribute to the viability of ecosystems and species*
 - (l) *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. *Landscaped areas along road frontages should have a width of not less than 2 metres and be protected from damage by vehicles and pedestrians.*
4. *Landscaping should not:*
 - (a) *unreasonably restrict solar access to adjoining development*
 - (b) *cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding*
 - (c) *introduce pest plants*
 - (d) *increase the risk of bushfire*
 - (e) *remove opportunities for passive surveillance*
 - (f) *increase autumnal leaf fall in waterways*
 - (g) *increase the risk of weed invasion.*
5. *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.*

Indicative landscaping is illustrated on the site plan as outlined within Part 6.4.4 of the Concept Proposal (refer to Attachment II). Landscaping is proposed forward of the building, within the courtyard and within high-use zones adjacent the building.

In my view, the proposed landscaping of the site is somewhat limited. As such, it has been recommended that additional landscaping be incorporated forward of the building to complement the built form and enhance the appearance of the road frontage, as well as alongside the driveway adjacent the northern boundary and within the car parking area in order to provide shade and reduce the thermal load of hard paved surfaces.

ANALYSIS/CONCLUSION

The proposed land use is neither specifically envisaged, nor discouraged, within the Residential Zone. However, Principle 1 and 4 anticipate small scale non-residential uses that serve the local community. While the proposed built form is perhaps larger than that anticipated for non-residential land uses within the Residential Zone, the scale and footprint of the building remains reflective of other buildings and structures within close proximity of the subject land, thus remaining consistent with the character of the locality. In addition, the proposed Ambulance Station serves the needs of the community in seeking to optimise response time capabilities of the SA Ambulance service.

It is my opinion that the greatest impact arising from the proposed development is the use of emergency sirens when Ambulance vehicles exit the site in response to incidents. The nearest dwellings are sited some 80 and 120 metres from the exit point of the subject land. Noise emitted from emergency sirens may be expected to disperse somewhat over these distances. In addition, Ambulances exiting the site may not be required to utilize emergency sirens immediately if the path of on-coming traffic is clear (as may be the case during non-peak-hour traffic). Furthermore, noise emitted from emergency sirens would not occur in a stationary location for extended periods of time, with Ambulance vehicles departing from the locality shortly after exiting the subject land. As such, potential noise impacts upon nearby residents may be considered acceptable. However, the use of emergency sirens within close proximity of businesses which include the keeping of animals on site (horse stables/veterinarian clinic etc.) may have undesirable impacts upon the daily operations of these somewhat sensitive land uses. In this regard, it has been recommended that DAC consider the provision of an acoustic report, assessing potential noise impacts arising from the use of emergency sirens upon adjoining land uses.

Given the preceding assessment, it is my view that the proposed development generally warrants Council's support, subject to providing DAC with recommendations (overleaf) to be addressed prior to the granting of Development Plan Consent.

RECOMMENDATION

- (a) **The Panel note this report and support the proposed development subject to the following comments being submitted to the Development Assessment Commission:**

COMMENTS

Pursuant to the provisions of Section 49 of the Development Act 1993, the Development Assessment Commission (DAC) is advised that, in principle, Council does not raise objection to the construction of an Ambulance Station on the subject land.

However, Council recommends that the following matters are addressed prior to the granting of Development Plan Consent:

Access

An assessment by Council's Development Engineer suggests that a 60° parking arrangement for all vehicles within the Ambulance Bay may result in a more efficient layout. This would negate the need for the opening of the front door to access (reverse into) the eastern most bays.

Acoustic assessment

An acoustic report, prepared by a suitably qualified Acoustic Engineer, should be provided which considers potential noise impacts arising from the use of emergency sirens (and in relation to existing noise sources within the locality) upon adjoining and adjacent land uses.

Arboricultural assessment

Council notes a large tree adjacent the rear of the site which may be Regulated pursuant to Regulation 6 of the Development Regulations 2008. It is recommended the Development Assessment Commission undertake investigations to determine whether the tree is Regulated.

Landscaping

It is recommended that additional landscaping be incorporated forward of the building to complement the built form and enhance the appearance of the road frontage, as well as alongside the driveway adjacent the northern boundary and within the car parking area in order to provide shade and reduce the thermal load of hard paved surfaces.

Lighting plan

A detailed lighting plan should be provided which demonstrates the proposed lighting scheme for the development site, including the provision of bollard lighting within the car parking area, and focusing on pedestrian and bicycle movement after dark along adequately lit routes with observable entries and exits.

Conclusion

Should the DAC resolve to grant consent to the proposed development, the following conditions are recommended:

CONDITIONS

1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/1093/2017 (100/V019/17), except when varied by the following conditions of consent.
2. A fully engineered site works and drainage plan shall be provided for consideration and approval prior to Development Approval being issued. This plan must detail top of kerb level, existing ground levels throughout the site and on adjacent land, proposed bench levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls, driveway gradients, and the location of all existing street infrastructure and street trees.
2. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
3. A trap shall be installed as part of the site's stormwater system to prevent grease, oil, sediment, litter and other substances capable of contaminating stormwater from entering the Council's stormwater drainage system. The trap shall be regularly cleaned and maintained in good working order to the reasonable satisfaction of the Council.
4. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
5. Landscaping as identified on the approved plan shall be planted prior to the occupation of the premises and be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
6. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon (incorporating ramps or crossovers to facilitate the movement of persons with a disability).
7. Landscaping shall be maintained so as to not obstruct the views of drivers or pedestrians entering or exiting the site, to the reasonable satisfaction of Council.
8. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
9. All vehicles visiting the site shall enter and exit the land in a forward direction.
10. Wheel stopping devices shall be placed within each parking bay so as to prevent damage to adjoining fences, buildings or landscaping to the reasonable satisfaction of the Council.
11. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.
12. Designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.

13. All car parking areas, driveways and vehicle manoeuvring areas must be constructed, sealed and drained in accordance with recognised engineering practices prior to the occupation of the premises or the use of the development herein approved.
14. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
15. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
16. All car parking spaces shall be line marked or delineated in a distinctive fashion prior to occupation of the premises, with the marking maintained in a clear and visible condition at all times.
17. Directional signs indicating the location of car parking spaces must be provided on the subject land and maintained in a clear and legible condition at all times.
18. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".
19. All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.

NOTES

1. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
2. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
3. All hard waste must be stored on-site in such a manner so as to prevent any materials entering the stormwater system either by wind or water action.
4. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the applicant's expense.
5. Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.

Attachments

- Attachment I: Aerial Photograph & Site Locality Plan*
Attachment II: Proposal Plan and supporting documentation

DEVELOPMENT ASSESSMENT PANEL
Wednesday 2 August 2017

CONFIDENTIAL REPORTS OF MANAGER DEVELOPMENT SERVICES

Agenda Ref No: DAP020817 – 3.1

Reason for confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with Section 56A (12) of the Development Act 1993, which permits the meeting to be closed to the public for business relating to the following:

- (vii) provision of legal advice
- (viii) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.

RECOMMENDATION

1. The Development Assessment Panel orders pursuant to Section 56A (12) of the Development Act 1993, that the public, with the exception of the Manager of Development Services, Team Leader Planning, Development Officer – Planning, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Executive Officer, of the Development Assessment Panel.
2. Under Section 56A (12) of the Development Act 1993 an order be made that item 8 including the report, attachments and discussions having been dealt with in confidence under Section 56A (12) (ix) of the Development Act 1993, and in accordance with Section 56A(16) shall be kept in confidence until a decision of the Environment Resources and Development Court relevant to the item is made.
3. Further, that at completion of the confidential session the meeting be re-opened to the public.

DEVELOPMENT ASSESSMENT PANEL

Wednesday 2 August 2017

Agenda Ref No:	DAP020817 – 3.2
Originating Officer:	Alex Wright Acting Team Leader - Planning
Applicant:	Prime Planning
Development Description:	Construction of a telecommunications facility including a 35m high monopole and ancillary equipment
Site Location:	7 Hutt Close, Sheidow Park
Zone:	Commercial Zone
Application Type:	Category 3/ Non-Complying
Lodgement Date:	16/06/2017
Development Plan:	Consolidated – April 28 2016
Application No:	100/1082/2017
Recommendation:	The report be noted

INTRODUCTION

The subject application is a Category 3/ Non-complying form of development by virtue of the Procedural Matters section of the Commercial Zone, which lists telecommunications facilities exceeding a height of 30 metres as a non-complying form of development.

The applicant seeks to develop the north-western corner of the existing vacant allotment and construct a telecommunications facility including a 35m high monopole and ancillary equipment.

The allotment is located within the Commercial Zone and land uses within the immediate locality are typically commercial in nature. The Residential Zone and associated dwellings is located approximately 80 metres to the north-east.

Whilst telecommunications facilities are not expressly listed as an envisaged use in the Commercial Zone, the placement of this type of infrastructure within the Zone is sought by the applicable Telecommunication Facilities Principles of Development Control. The proposed facility is setback from the adjacent Residential Zone and neighbouring commercial business to provide a level of separation.

As a result of the above considerations, it is staff's view the proposed development displays merit. The Acting Manager – Development & Regulatory Services has agreed with staff's position and resolved to proceed to the full assessment of the application.

The applicant has provided a brief statement of support, and will provide a Statement of Effect, pursuant to Section 39(2)(d) of the Development Act, 1993 and Regulation 17(4) of the Development Regulations, 2008.

Category 3/ Non-Complying public notification will in occur in the near future.

In due course, the application will be presented to the Development Assessment Panel for a decision.

RECOMMENDATION

The Panel note this report and resolve that the determination of the Acting Manager – Development Services to proceed with the further assessment of Non-complying Development Application No: 100/1082/2017 for Construction of a telecommunications facility including a 35m high monopole and ancillary equipment at 7 Hutt Close, Sheidow Park be NOTED.

Attachments

Attachment I: Certificate of Title

Attachment II: Aerial Photograph & Site Locality Plan

Attachment III: Proposal Plan and supporting documentation