

DEVELOPMENT NO.:	23003390
APPLICANT:	Anthony Donato
ADDRESS:	33 CYGNET CT GLENELG NORTH SA 5045
NATURE OF DEVELOPMENT:	Upper level addition with walls located on the western and eastern side boundaries
ZONING INFORMATION:	<p><b>Zones:</b></p> <ul style="list-style-type: none"> <li>• Waterfront Neighbourhood</li> </ul> <p><b>Overlays:</b></p> <ul style="list-style-type: none"> <li>• Aircraft Noise Exposure</li> <li>• Airport Building Heights (Regulated)</li> <li>• Building Near Airfields</li> <li>• Coastal Areas</li> <li>• Coastal Flooding</li> <li>• Hazards (Flooding)</li> <li>• Prescribed Wells Area</li> <li>• Regulated and Significant Tree</li> <li>• Stormwater Management</li> <li>• Urban Tree Canopy</li> </ul> <p><b>Technical Numeric Variations (TNVs):</b></p> <ul style="list-style-type: none"> <li>• Finished Ground and Floor Levels (Minimum finished ground level is 3.2m AHD; Minimum finished floor level is 3.45m AHD)</li> <li>• Maximum Building Height (Levels) (Maximum building height is 3 levels)</li> </ul>
LODGEMENT DATE:	13 Feb 2023
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2023.2
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Officer - Planning
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

#### CONTENTS:

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APPENDIX 1:	Relevant P&D Code Policies
ATTACHMENT 1:	Application Documents
ATTACHMENT 2:	Representations

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**DETAILED DESCRIPTION OF PROPOSAL:**

The application seeks approval for an upper level addition with walls located on the western and eastern side boundaries. The western ground level private open space area of the dwelling will be subject to alterations as shown on the submitted plans. These alterations involve a redesign of the outdoor living areas to better suit the needs of the occupants. These works are shown in the submission, however they do not require planning consent.

The upper level addition will be located over the existing garage and will cantilever to the north over the driveway as well as over the western ground level private open space areas. The addition contains walls located on the eastern side boundary abutting an existing neighbouring dwelling and also to the western side boundary adjacent to a rock bed. The addition will host extended living areas and a balcony that faces north and wraps around to the west.

**SUBJECT LAND & LOCALITY:****Site Description:**

**Location reference:** 33 CYGNET CT GLENELG NORTH SA 5045

**Title ref.:** CT 5773/442 **Plan Parcel:** C20542 FL1 **Council:** CITY OF HOLDFAST BAY

The site is the western most allotment of a series of dwellings located on the southern side of Cygnet Court. It contains a width of 11.96m and a depth of 34.95m to 37.23m resulting in a total site area of 429sqm. Currently, the site host a 3 storey detached dwelling with a rooftop deck. The amenity of the locality is considered to be high. To the north and east of the site are a series of three storey dwellings that were constructed when the area was redeveloped from sand dunes to housing. The streetscape is paved with consistent tree plantings and no overhead power lines that contribute to the high amenity value. To the south of the site is the Holdfast Marina which includes boating berths, a restaurant precinct and apartment buildings.

**Below:** Photo of the subject site looking south from Cygnet Court.



**Below:** Aerial of the locality highlighting the subject sign, the Waterfront Neighbourhood Zone shaded Grey, Open Space Zone Yellow and Urban Renewal Zone pink.



**CONSENT TYPE REQUIRED:**

Planning Consent

**CATEGORY OF DEVELOPMENT:**

- **PER ELEMENT:**  
Dwelling alteration or addition  
Dwelling addition: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**  
Code Assessed - Performance Assessed
- **REASON**  
P&D Code

## PUBLIC NOTIFICATION

- REASON**

The height of the proposed boundary walls exceed 3m measured from the top of footings.

- LIST OF REPRESENTATIONS**

Summary of Representors			
Address of Representor	Position	Wish to be heard	Concerns
<i>Lisa Winter of 27 Cygnet Court, Glenelg North</i>	<i>In support of the application</i>	<i>No</i>	<i>No commentary was provided in the representation</i>

## AGENCY REFERRALS

Nil

## INTERNAL REFERRALS

Nil

## PLANNING ASSESSMENT

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

### Quantitative Provisions

	Proposed	DPF Requirement	Achieved
<b>Building Height</b>	Second level addition	3 levels	Yes
<b>Boundary Development</b>	6.6m (eastern side) 9.8m (western side) and 76% (eastern side) 26% (Western side) 7m height from footing	11.5m and 45% of boundary length  3m height from footing	No  No
<b>Primary Setback</b>	3.7m metres	Not less than the setback of the adjoining building. 31 Cygnet Court contains a primary setback of 3.7m	Yes
<b>Site Coverage</b>	78%	60%	No

### Built Form

The scale and appearance of the addition will be a welcome inclusion to the dwelling and the streetscape. Currently the dwelling contains a façade that lacks visual interest with solid walling and an absence of building elements such as windows to provide articulation. Below is a photo of the dwelling façade viewed from Cygnet Court.



The inclusion of the addition will improve the appearance of the dwelling when viewed from the streetscape. The introduction of the balustrading and glass block windows with the framed cladding provide much needed articulation that will further increase the high amenity of the streetscape.

Desired Outcome 1 of the zone is shown below which references design outcomes for housing.

#### *DO 1*

*A diverse range of housing which takes advantage of waterfront locations. Development enhances public access to waterfront areas. Dual aspect allotments incorporate designs to enhance the streetscape.*

The addition is considered to satisfy DO 1 as the additional built form will enhance the dwellings appearance from the streetscape.

#### **Site Coverage**

With the inclusion of the addition the total site coverage on the site is 78%, an 18% departure from the anticipated 60% of DPF 3.1 of the zone. Notwithstanding, it is worth noting that the site coverage of the allotment excluding the proposed addition was 68%. The addition will result in an added 10% site coverage.



While a quantitative shortfall is noted, the test is whether the performance outcome it achieved. PO 3.1 is shown below:

*PO 3.1*

*Building footprints consistent with the character of a waterfront neighbourhood and limited to:*

- a) allow sufficient space around buildings to limit visual impact*
- b) provide an attractive outlook*
- c) provide access to light and ventilation*
- d) on sites with a dual frontage, to maximise use of available land.*

A close up aerial of the immediate locality is shown below:



The building footprint of the locality is comprised of excessive site coverage. The majority of the addition is located over the existing garage with only a limited floor area being cantilevered to the north and west. The ground floor areas that will be cantilevered currently comprise hard surfaces so there will be no reduction in soft landscaping to the site. PO 3.1 is considered to be satisfied.

### **Boundary Development**

The addition contains walls built on the eastern and western side boundaries. The policy anticipates boundary walls to be no higher than 3m from the top of the footing. The heights of the proposed walls are 7m. Impacts to the eastern adjoining neighbour are considered to be minor as the majority of the wall will sit adjacent to another boundary wall. The eastern adjoining dwelling contains west facing windows where the addition will encroach 300mm into. The photo below shows the context of the eastern neighbouring dwelling.



PO 7.1 relevant to boundary development is shown below:

#### **PO 7.1**

*Dwelling boundary walls are limited in height and length to manage visual and overshadowing impacts on adjoining properties.*

The majority of the eastern boundary wall will be screened and the western wall will be located adjacent to a rock bed that lies in the Open Space Zone. Visual and overshadowing impacts are considered to be minor satisfying PO 7.1.

**CONCLUSION**

The addition is considered to be a welcome structure to the dwelling which currently lacks articulation and visual interest to the Cygnet Court streetscape. The inclusion of the varied building materials associated with the addition will increase the amenity of the dwelling to a streetscape of high amenity value. While quantitative shortfalls were noted the qualitative policies were satisfied when considering the unique established built form in the immediate locality.

**RECOMMENDATION**

Planning consent

It is recommended that the Council Assessment Panel resolve that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 23003390, by Anthony Donato is granted Planning Consent subject to the following conditions:

**CONDITIONS**

Planning Consent

1. The development granted approval shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
2. Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

**OFFICER MAKING RECOMMENDATION**

**Name:** Alexander Stamatopoulos

**Title:** Development Officer - Planning

**Date:** 22/03/2023