

DEVELOPMENT NO.:	23016314
APPLICANT:	Scott Bell
ADDRESS:	51 KAURI PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	2 x Two-storey detached dwellings with swimming pools
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> Airport Building Heights (Regulated) Affordable Housing Character Area Hazards (Flooding - General) Prescribed Wells Area Regulated and Significant Tree Stormwater Management Traffic Generating Development Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> Minimum Frontage (Minimum frontage for a detached dwelling is 12m; semi-detached dwelling is 12m; row dwelling is 12m; group dwelling is 12m; residential flat building is 12m) Minimum Site Area (Minimum site area for a detached dwelling is 450 sqm; semi-detached dwelling is 400 sqm; row dwelling is 350 sqm; group dwelling is 350 sqm; residential flat building is 350 sqm) Maximum Building Height (Levels) (Maximum building height is 1 level)
LODGEMENT DATE:	6 Jun 2023
RELEVANT AUTHORITY:	Assessment panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2023.7
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Alexander Stamatopoulos Development Planner
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil

CONTENTS:

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

DETAILED DESCRIPTION OF PROPOSAL:

The application is for the construction of two, two storey detached dwellings with associated swimming pools. The lower levels of both dwellings contain a double garage, study, bedroom with walk in robe and ensuite, laundry, open living areas and a swimming pool. The upper levels contain an open retreat area, three bedrooms and a three way bathroom. The upper level is substantially setback into the allotment recessed behind the front lower level of the dwelling.

The dwellings will be serviced by two existing crossovers. Soft landscaping associated with dwelling 51A is located in the front and rear yards of the dwelling which is replicated on dwelling 51B with the inclusion of a side courtyard. Two sheds are shown at the rear of the allotments however are excluded from the definition of development given their modest size. The dwellings contain a variety of finishes including rendered walls, stone cladding, exposed brick, colourbond roofing and grooved fibre cement panelling.

BACKGROUND:

A land division application was lodged and approved by the Council, Application ID 23009342. The application was for a Torrens Title land division creating two allotments from one. The approved allotments contain frontages of 12.08m & 12.09m and identical site areas of 451sqm.

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

Location reference: 51 KAURI PDE SEACLIFF SA 5049

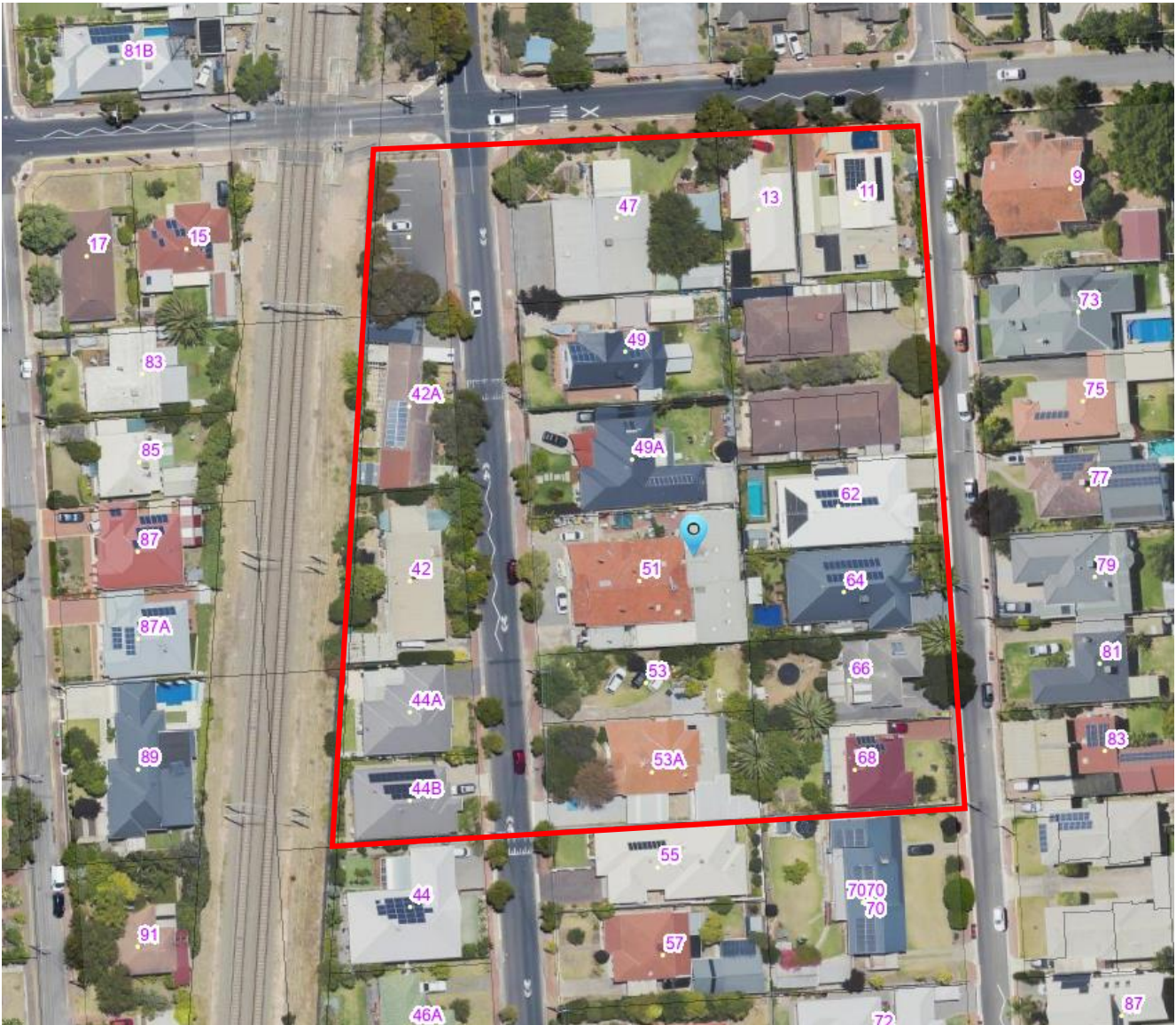
Title ref.: CT 5430/19 **Plan Parcel:** F20209 AL246 **Council:** CITY OF HOLDFAST BAY

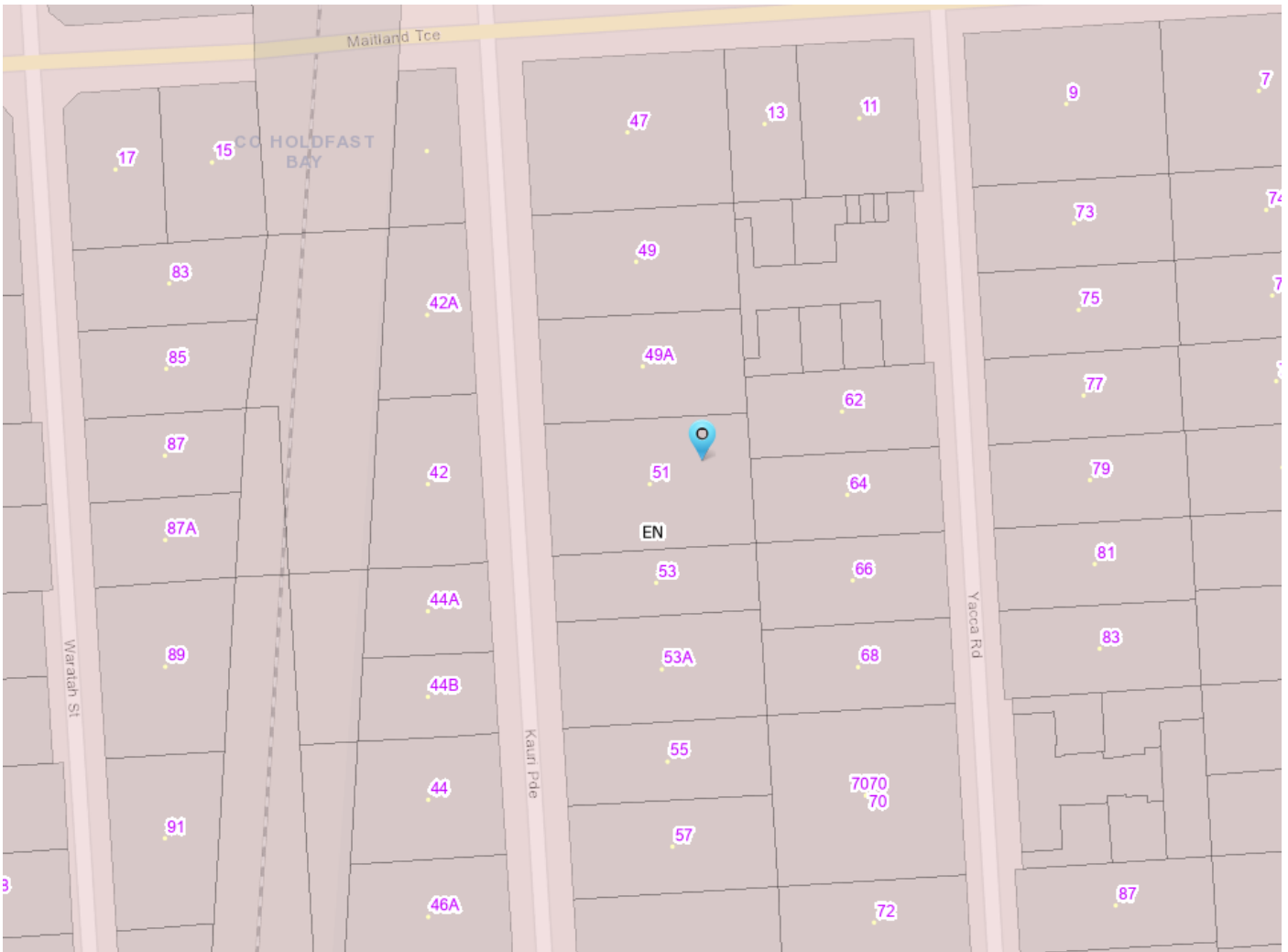
The subject site is located in the Established Neighbourhood Zone and contains a frontage of 24.17m and a depth of 37.2m resulting in a site area of 902sqm. The site currently hosts a single storey detached dwelling which had a history of being used for student accommodation in the past. It contains a total of 19 bedrooms and various communal areas throughout. See floor plan of the existing building below:



Above: Dwelling as viewed from the streetscape

Below: Aerial showing locality highlighted in red





Above: Zoning map of the locality

The policy area has unique characteristics, having been subdivided and first settled earlier than the adjoining precincts. It is characterised by a sloping landform overlaid with a rectilinear 19th Century pattern of roads resulting in smaller allotment sizes, narrow streets, reduced setbacks, limited street trees and limited stormwater infrastructure. While there is a diversity of architectural eras and styles evident, the policy area is characterised by small to medium scale detached dwellings constructed in the 1930s to 1960s east of the railway line. These dwelling forms in the locality fronting Kauri Parade are typically single-storey. The railway line is a significant feature within the locality, creating a significant north-south movement and landscape corridor but restricting east-west access and movement.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

New housing

Swimming pool or spa pool and associated swimming pool safety features: Code Assessed - Performance Assessed

Detached dwelling: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
The development exceeds the maximum building height specified in Established Neighbourhood Zone DTS/DPF 4.1 in that two-storey dwellings are proposed where 1 storey is anticipated by the policy.
- **LIST OF REPRESENTATIONS**
Nil

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
Building Height	2 levels	1 Level	No
Boundary Development	6.6m length (both dwellings)	8m length	Yes
	3m height from natural ground level (both dwellings)	3.2m height from lower natural ground level	Yes
Front Setback	5.6m to 6.2m metres	Average of adjoining 49A Kauri – primary setback 8.1m 53 Kauri – no dwelling <u>Quantitative requirement = 8.1m</u>	No
Rear Setback	6.9m – lower level (both dwellings) 12.2m - upper level (both dwellings)	4 metres at ground level and 6 metres at upper level	Yes
Side Setbacks	Ground level northern wall 940mm and 1.055m	Ground level wall 900mm	Yes
	Ground level southern wall 940mm and 1.055m	Ground level wall 900mm	Yes
	Upper-level northern wall 1.9m (both dwellings)	Upper-level northern wall 2.1m	Yes

	Upper-level southern wall 2.9m (both dwellings)	Upper-level southern wall 3.3m	Yes
Site Coverage	53.3% (both dwellings)	50%	Minor variance
Private Open Space	131 square metres (both dwellings)	60 square metres	Yes
Soft Landscaping	15 percent of the site area (Residence 51A) 16.6 percent of site area (Residence 51B)	25 percent of the site area	No
Front Yard Landscaping	44 percent (both dwellings)	30 percent	Yes

Building Height

The relevant assessment provisions relating to building height are shown below:

Established Neighbourhood Zone Assessment Provisions

PO 4.1

Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings

DTS/DPF 4.1

Building height (excluding garages, carports and outbuildings) is no greater than:

a) the following:

Maximum Building Height (Levels)
Maximum building height is 1 level

Character Area Overlay Assessment Provisions

PO 2.2

Development is consistent with the prevailing building and wall heights in the character area.

Character Area Statements

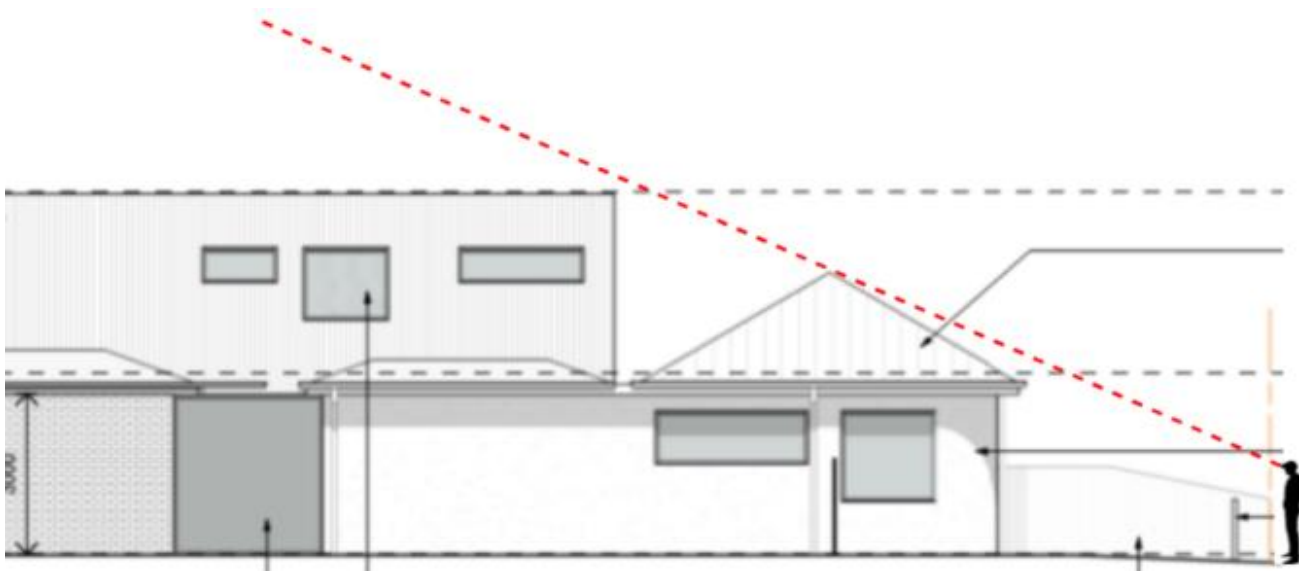
Statement #	Statement
Character Areas affecting City of Holdfast Bay	
HoBC1	Seacliff Character Area Statement (HoB-C1) The Character Area Overlay identifies localities that comprise valued character attributes. They can be characterised by a consistent rhythm of allotment patterns, building setting and spacing, landscape or natural features and the scale, proportion and form of buildings and their key elements.

	<p>These attributes have been identified in the below table. In some cases State and / or Local Heritage Places within the locality contribute to the attributes of a Character Area.</p> <p>The preparation of a Contextual Analysis can assist in determining potential additional attributes of a Character Area where these are not identified in the below table.</p>	
	Building Height	Single Storey

The application does not comply with the quantitative provisions of both the Established Neighbourhood Zone and the Character Area Statement which clearly states maximum building heights should be one level. The test however is if the relevant Performance Outcomes are satisfied.

The dwellings have been designed with the intention of the single-storey façade being the prominent feature to the streetscape with the upper level substantially setback into the site. The upper levels are setback 12.2m from the primary boundary, a further 7.1m than the lower level façade. The side setbacks of the upper levels are generous being s1.9m and 2.9m. The rear upper level setbacks are also substantial being 12.2m. The upper-level footprint is 81sqm or 31% of the lower level which is modest by today's building standards.

The diagram below shows the line of sight when standing on the footpath adjacent to the property. The upper level will be masked by the pitched roof of the lower level.



Above: Line of sight diagram

The applicant has taken an appropriate design approach to incorporate a conventional two-level built form. The design will provide the functionality desired by future occupants while also being sympathetic to the streetscape and also the dwellings that adjoin. The dwellings satisfy PO 4.1 as they will present as single storey to the street and contribute to the prevailing character of the neighbourhood and complement the height of nearby buildings as viewed from the street.

Design

The design of the dwellings are appropriate for the locality which has been subject to recent development. Below are examples of dwellings on Kauri Parade close to the subject site that have been recently constructed.



Above: 44A Kauri Parade Seacliff

Below: 44B Kauri Parade Seacliff



Above: 44 Kauri Parade Seacliff

Below: 55 Kauri Parade Seacliff



An exert of the Character Area Statement referencing Architectural styles, detailing, material and built-form features is shown below:

Architectural styles, detailing and built form features	<p>Range of architectural styles.</p> <p>Still some remaining examples of bungalows west of the railway line.</p> <p>Influence of Spanish Mission style architecture.</p> <p>Rectilinear plan forms.</p> <p>High degree of modulation and articulation.</p> <p>Low scale.</p> <p>Steep roof pitches in the order of 25 to 35 degrees.</p> <p>Short roof spans.</p> <p>Hip and gable roof forms.</p> <p>Deep verandahs and porches.</p> <p>Fine-grain detail in elements such as plinths, string courses, projecting sills.</p> <p>High solid to void ratio.</p> <p>Vertical proportions in windows and doors.</p>
Materials	<p>Red and cream brick.</p> <p>Stone.</p> <p>Render.</p> <p>Corrugated iron roofing.</p> <p>Terra cotta tile roofing.</p> <p>Varied building materials across the area.</p>

The character of architectural styles along Kauri Parade are varied and lack consistency. There are a range of architectural styles present which is recognised in the Character Area Statement. As such less importance should be placed on replicating a specific type of architectural style.

The recent dwellings identified along Kauri Parade pick up on design features anticipated in the Character Area such as hip and gable forms, appropriately pitched roofing, vertical proportions and articulated façade's. The proposed dwellings contain roofing with a 30 degree pitch, facades with varied materials and vertical proportions resulting in ideal articulation. The proposed dwellings contain a design that will assimilate well with the established built form along Kauri Parade.

Primary Setback

The assessment provisions relating to primary setbacks are shown below:

PO 5.1

Buildings are set back from primary street boundaries consistent with the existing streetscape.

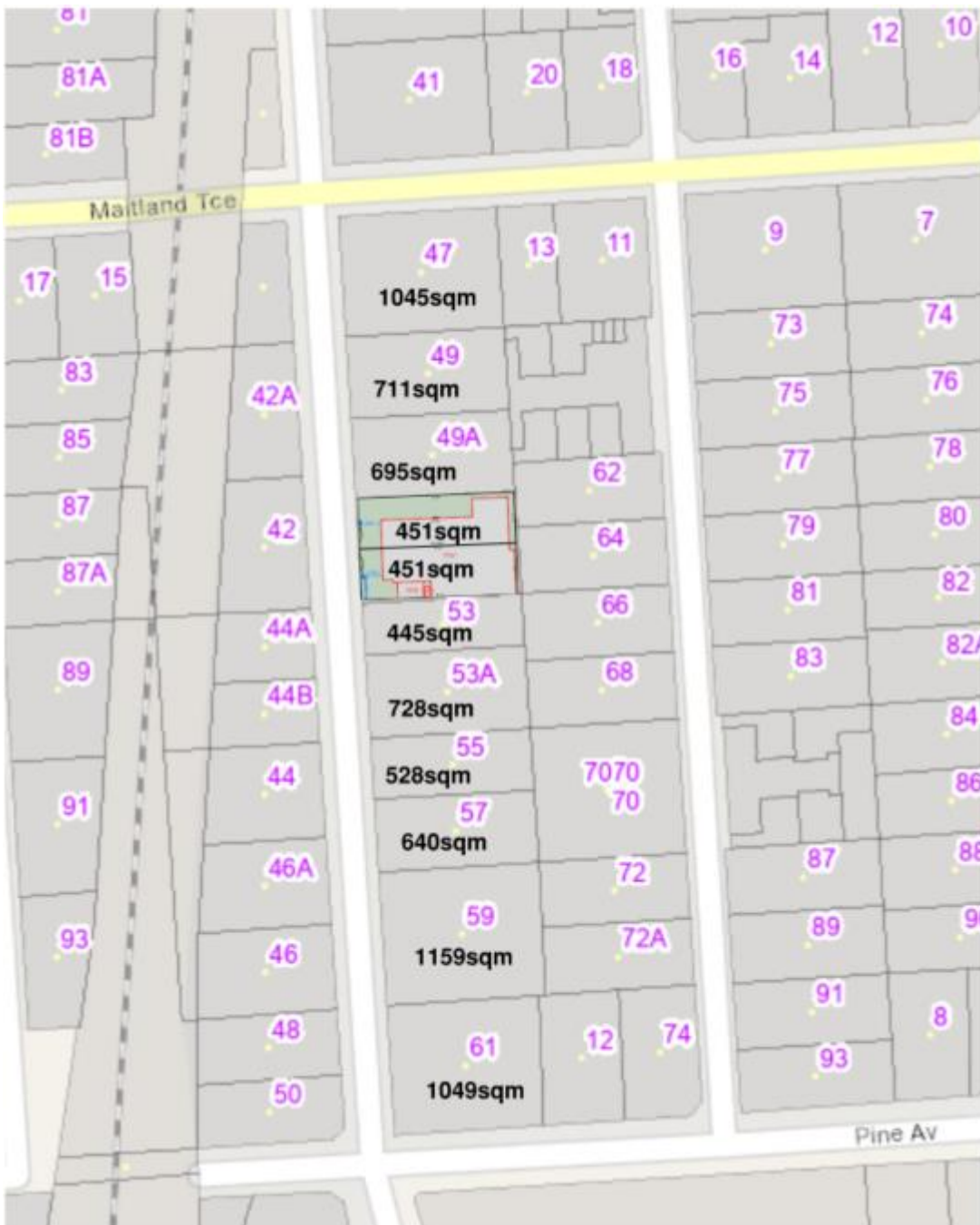
DTS/DPF 5.1

The building line of a building is set back from the primary street boundary:

- a) at least the average setback to the building line of existing buildings on adjoining sites which face the same primary street (including those buildings that would adjoin the site if not separated by a public road or a vacant allotment)*

The dwellings contain a primary setback to the building line of 5.6m to the front study wall which returns to the garage at 6.2m. The numerical setback required to satisfy the policy is 8.1m which is taken from the northern dwelling at 49 Kauri Parade. There is a vacant allotment between the subject site and the adjoining dwelling to the south therefore, the northern adjoining dwelling provides the numerical reference.

The subject land is unique in that it will host two dwellings resulting from a recent land division. The majority of the dwellings located on the eastern side of Kauri Parade are located on original-sized allotments. The larger part of these allotments do not contain an adequate area to meet the current minimum division criteria. As result, the subject dwellings are located on allotments that contain the lowest site areas on the eastern side of Kauri Parade between Pine Avenue and Maitland Terrace.



Above: Allotment sizes on the eastern side of Kauri Parade

In determining the suitability of the primary setback it is appropriate to refer to the size of the allotments and also the built form of the dwellings. The dwellings are not considered to result in an overdevelopment of the site as the site coverage and private open space area areas appropriate and the side and rear setbacks exceed the minimum criteria.

Regard should be given to the size of the allotments and the existing dwellings on the eastern side of Kauri Parade. All of the allotments that host dwellings contain site areas well in excess of the individual site areas that will host the dwellings. Therefore, these existing dwellings have greater scope for larger primary setbacks. As the dwellings are not considered to be excessive, the constraints result from the size of the allotments which are substantially less than those that exist in the street.

The primary setback distances of dwellings on the eastern side of Kauri Parade are shown below:

- 49 Kauri Parade:** 7.1m
- 49A Kauri Parade:** 9.2m
- 51 Kauri Parade:** 6.2m (existing dwelling)
- 53A Kauri Parade:** 10.8m
- 55 Kauri Parade:** 8.2m
- 57 Kauri Parade:** 8.5m
- 59 Kauri Parade:** 10.5m
- 61 Kauri Parade:** 18.5m



Allotments, subdivision and built form patterns	<p>19th century rectilinear road pattern, with small allotment sizes.</p> <p>Large allotments and frontages.</p> <p>Narrow streets, limited street trees.</p> <p>Reduced setbacks.</p> <p>Varied front setbacks.</p> <p>Side setbacks provide visual spacing between dwellings.</p>
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Notwithstanding the above, the majority of walling of both dwellings are setback 6.2m from the primary boundary consistent with the existing dwelling. A small part of the dwelling wall encroaches forward to 5.6m however it is only a minor portion of the dwelling façade which will not be a dominate feature. While a numerical shortfall is noted, the primary setback proposed is suitable for the subject land resulting in little change to the site when considering the existing dwelling located on the allotment. PO 5.1 is satisfied.

Front Yard Landscaping

The front yard contains an adequate amount of landscaping satisfying the numerical policy however there was an overall shortfall across the entire site. The relevant policies are shown below:

PO 22.1

Soft landscaping is incorporated into development to:

- a) minimise heat absorption and reflection
- b) contribute shade and shelter
- c) provide for stormwater infiltration and biodiversity
- d) enhance the appearance of land and streetscapes.

DTS/DPF 22.1

Residential development incorporates soft landscaping with a minimum dimension of 700mm provided in accordance with (a) and (b):

- a) a total area for the entire development site, including any common property, as determined by the following table:

Site area (or in the case of residential flat building or group dwelling(s), average site area) (m ²)	Minimum percentage of site
<150	b) 10%
150-200	c) 15%
>200-450	d) 20%
>450	e) 25%

- b) at least 30% of any land between the primary street boundary and the primary building line.

As both allotments are 451sqm the numerical percentage to be satisfied is 25% of the site where 15% and 16.6% are provided. The applicant was advised of the shortfall. In response to the percentage shortfall, a substantial amount of plantings have been incorporated across the site. This can be seen on the landscape plan (attachment 1.2). The site is located in an Urban Tree Canopy Overlay where 1 medium or 2 small trees are anticipated for each dwelling. See below:

DTS/DPF 1.1

Tree planting is provided in accordance with the following:

Site size per dwelling (m ²)	Tree size* and number required per dwelling
<450	1 small tree
450-800	1 medium tree or 2 small trees
>800	1 large tree or 2 medium trees or 4 small trees

The inclusion of the surplus plantings is a suitable trade-off for the percentage shortfall in the front yard. It is worth noting that if the allotments were 1sqm smaller the quantitative percentage to be satisfied would 20% where the percentage shortfall would be drastically lower. When considering the above PO 22.1 is satisfied.

CONCLUSION

The application seeks to construct dwellings that will assimilate well with the existing built form of the locality. It is noted that components of the dwelling do not align with some assessment provisions of the Planning and Design Code. However, the impacts are not considered to detrimental to the merits of the application. The dwellings will contain an appropriate appearance to the streetscape without being overly dominant and will not adversely detract from the established streetscape character.

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 23016314, by Scott Bell 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. Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

3. 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).
4. That the finished level of the crossover at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming to AS2876.

Furthermore, the footpaths on either side shall be graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.

The provision for vehicle crossovers and inverts, and reinstatements of existing crossovers not required by the development, be constructed at the owner's expense.

5. That all upstairs windows, other than facing the street, shall have minimum window sill heights of 1.5 metres above finished floor level, or any glass below 1.5 metres shall be obscure and fixed shut and be installed prior to occupation of the dwelling.
6. The stormwater disposal system shall cater for a 5 year rainfall event with discharge to the street not to exceed 10 litres per second. Any excess above this flow is to be detained on site.
7. That the associated filter pump must be enclosed in such a way that noise levels do not exceed 45db(a) measured at adjoining property boundaries.

OFFICER MAKING RECOMMENDATION

Name: Alexander Stamatopoulos
Title: Development Planner
Date: 29/08/2023