

DEVELOPMENT NO.:	22029247
APPLICANT:	Keith Fancsali Tammy Fancsali
ADDRESS:	UNIT 1-3,38 ADELPHI CR GLENELG NORTH SA 5045
NATURE OF DEVELOPMENT:	Two storey detached dwelling comprising an undercroft garage, swimming pool and deck
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • General Neighbourhood Overlays: <ul style="list-style-type: none"> • Aircraft Noise Exposure • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding - General) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy
LODGEMENT DATE:	1 Sep 2022
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	2022.15
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

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APPENDIX 1:	Relevant P&D Code Policies	ATTACHMENT 2:	Representations
ATTACHMENT 1:	Application Documents	ATTACHMENT 3:	Response to Representations

DETAILED DESCRIPTION OF PROPOSAL:

The proposal comprises the construction of a two storey detached dwelling, which comprises an undercroft garage. The proposal also includes an associated terrace, alfresco and swimming pool.

SUBJECT LAND & LOCALITY:

Site Description:

The subject site currently contains a residential flat building, which accommodates 3 dwellings. The proposal seeks the demolition of this building to accommodate a single residence. The site is generally rectangular in shape, on the northern corner of Adelphi Crescent and Carnarvon Avenue.



Location reference: UNIT 1-3 38 ADELPHI CR GLENELG NORTH SA 5045

Title ref.: CT 5705/581 **Plan Parcel:** D3568 AL50 **Council:** CITY OF HOLDFAST BAY

Locality

The locality is defined by a predominance of single and two storey dwellings of varying types, including detached, semi-detached, and residential flat buildings. West of the site is the Patawalonga River, and further east is Tapleys Hill Road.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:** Detached dwelling, swimming pool, deck: Code Assessed - Performance Assessed
New housing
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

- **REASON**
Building wall exceeds 7 metres.

Summary of Representors			
Address of Representor	Position	Wish to be heard	Concerns
Unit 1 of 37 Adelphi Crescent, Glenelg North	Oppose	No	<ul style="list-style-type: none"> Request for adequate parking to mitigate parking issues in the area; Request that there is not too much light pollution from lighting associated with the building; and Request that the second storey balcony and south facing windows have regard to loss of privacy

APPLICANT'S REPLY TO REPRESENTATION:

- The design facilitates 6 on-site car parking spaces;
- Lighting will be taken into consideration when installed;
- The proposal satisfies the Design Code whereby the longest side of the balcony faces a public road that is at least 15 metres wide in all places faced by the balcony, which includes the representors property; and
- The Design Code does not require upper level windows facing a street to be obscured. Nonetheless, the windows face a public road which is at least 15 metres wide.

PLANNING ASSESSMENT

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

Assessment Table

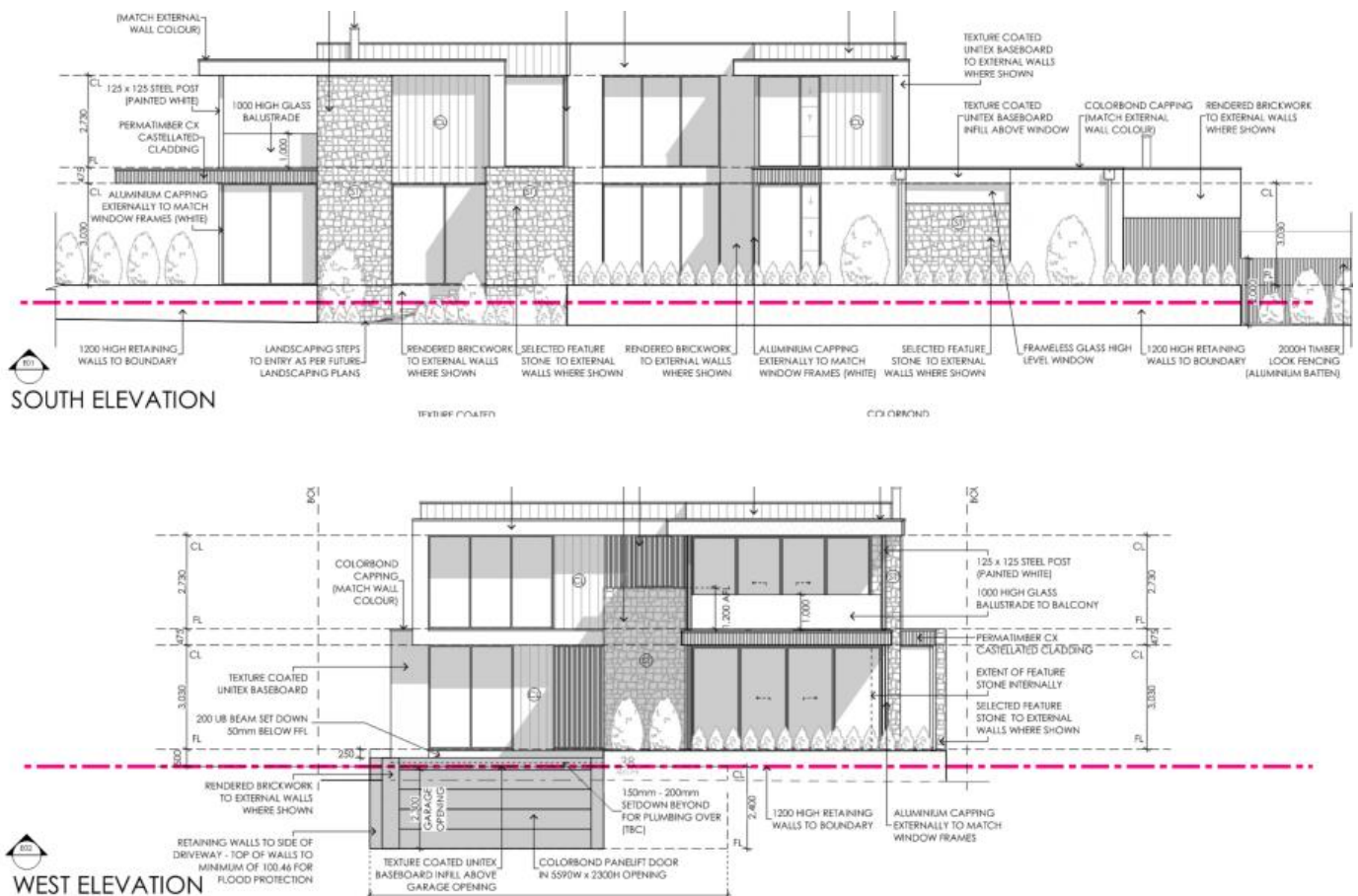
	Proposed	DPF Requirement	Achieved
Site Area	894 square metres	300 square metres	Existing
Frontage	16.3 metres	9 metres	Existing
Building Height	2 levels and 8.4 metres Wall height 7.2 metres	2 levels and 9 metres Wall height 7 metres	No
Front Setback	7.85 metres	6.2 metres	Yes
Rear Setback	12 metres from ground level and 18.5 metres from upper level	4 metres at ground level and 6 metres at upper level	Yes
Side Setbacks	Ground level wall height 3.5 metres setback 1.5 metres to northern boundary and 900mm to secondary street boundary. Upper level wall height 6.7 metres setback 2.1 metres to northern boundary and 2.2 metres to secondary street boundary.	Ground level wall 1 metres. Secondary setback 900mm. Upper level walls 2.1 metres. Secondary setback 900mm.	Yes Yes
Site Coverage	41 percent	60%	Yes

	Proposed	DPF Requirement	Achieved
Private Open Space	230 square metres	60 square metres	Yes
Soft Landscaping	34 percent of the site area	25 percent of the site area	Yes
Front Yard Landscaping	41 percent	30 percent	Yes
Tree Planting	1 tree to the side of the dwelling Conditioned accordingly.	1 large tree or 2 medium trees or 4 small trees	Yes

Zone and Built Form

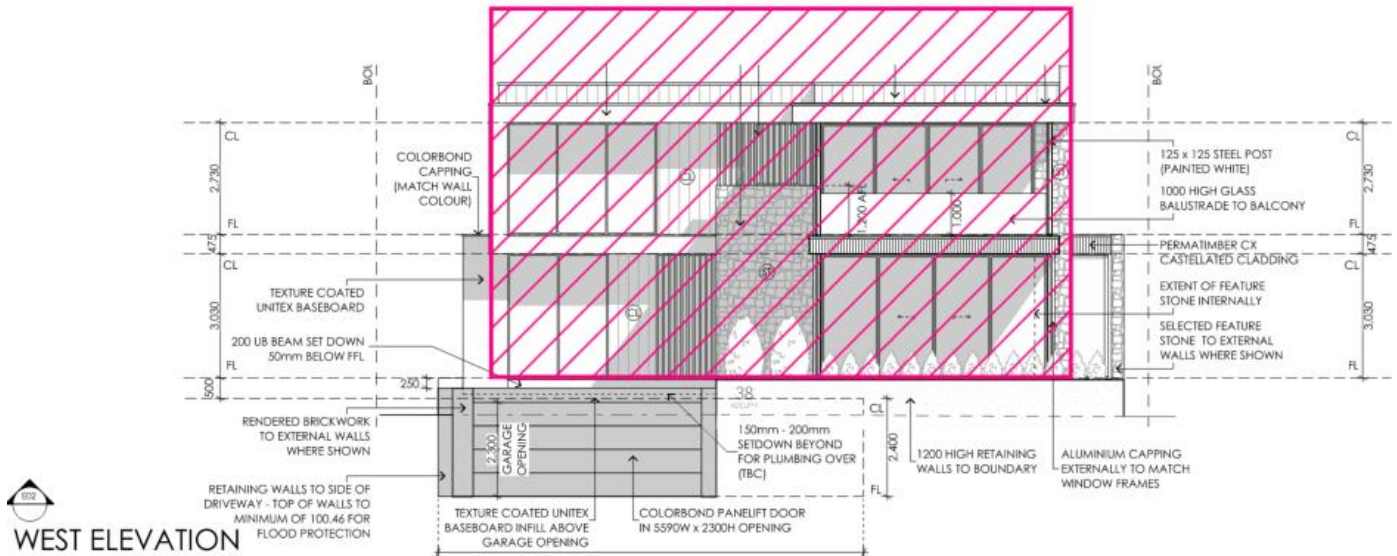
The General Neighbourhood Zone allows for a maximum building height of 2 building levels and 9 metres, along with wall heights not greater than 7 metres.

The proposed building has two levels and a total height of 8.4 metres above the ground level. The wall height is between 7.2 metres in height above the footing, hence the public notification. The undercroft is 2.1 metres below the natural ground level. Visually, the building presents well and is consistent with the modern architecture found in the surrounding locality. The building has a flat roof, large balconies and openings and walls have various finishes including rendered brickwork, vertical profile cladding and feature stone work.



On balance, the total wall height is not considered to be a significant departure from the Design Code, in that the undercroft is below natural ground, the total building height is below the maximum allowed by the Zone and therefore the overall mass and scale of the building remains within that anticipated by the Zone.

For context, the illustration below demonstrates an overlay of the scale and building mass (9m tall building above footing) that would satisfy the Design Code, which would sit higher and present more intrusively than the building proposed. This illustration helps demonstrate that the undercroft component is not a feature that can be considered unreasonable in the context of what the Zone allows for:



Site Coverage and Private Open Space

The proposed building covers only 41 percent of the site area, which is below the maximum of 60 percent allowed by the Design Code. Private open space amounts to 230 square metres, therefore far exceeding the minimum requirement of 60 square metres.

Soft landscaping

A minimum of 25 percent of the site area is required to be provided as soft landscaping, as well as the planting of at least 1 large tree, 2 medium trees or 4 small trees. The proposal has 34 percent of the site dedicated toward soft landscaping and references the planting of a tree to the southern side of the dwelling. A condition of planning consent is included which will require the appropriate tree planting, which the site is capable of accommodating.

The proposal is considered to satisfactorily meet the objectives pertaining to on-site landscaping, which focuses on minimising absorption and reflection, shade and shelter, stormwater infiltration and biodiversity and enhance the appearance of land and streetscapes.



Boundary Setbacks

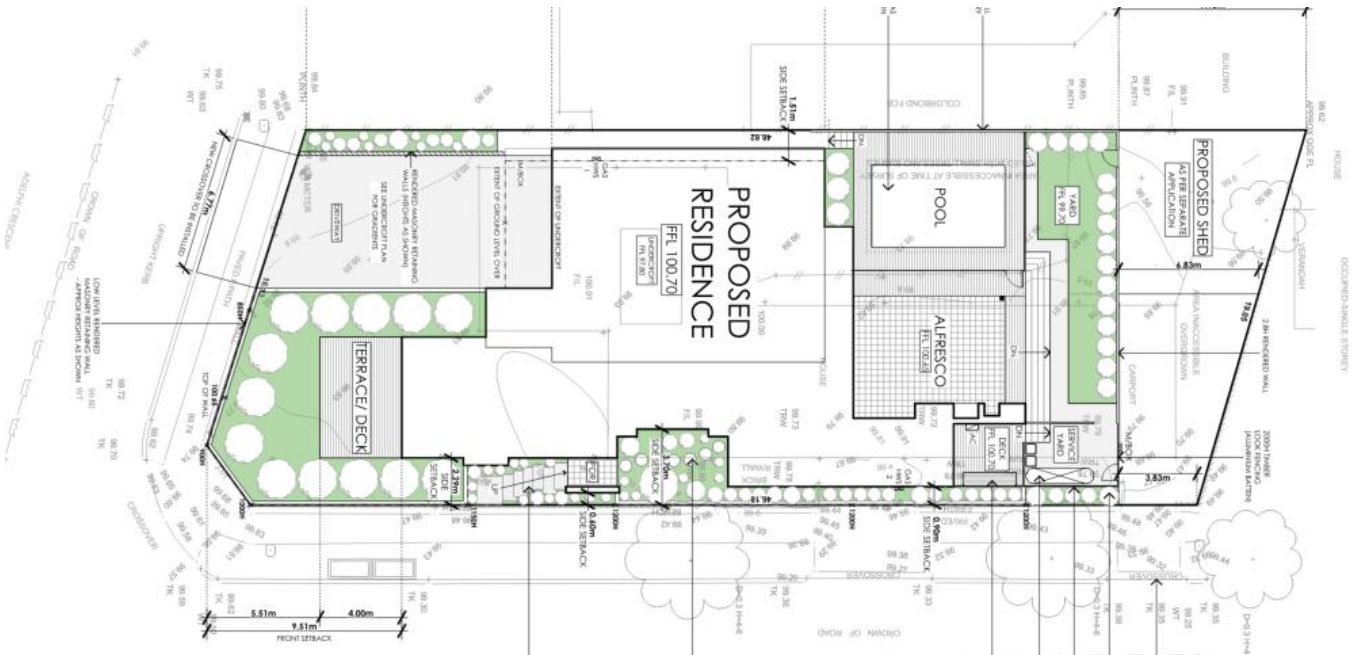
Building setback 7.9 metres plus from front boundary, which is generally in-line with the northern adjacent building, which is the only other neighbouring building that faces the same street.

At the ground level, the building wall is 4 metres high and setback 1.5 metres from the northern side boundary. A minimum setback of 1.2 metres is required here.

At the upper level, the building wall 6.7 metres high setback 2.1 metres+ from the northern side boundary, which meets the minimum required by the Design Code.

Building wall setback 900mm+ from the secondary street boundary, which satisfies the minimum requirement of the Design Code.

The building is setback 6 metres+ from the rear boundary, which satisfies the minimum requirement of the Design Code.



CONCLUSION

The proposed building fails to satisfy the Design Code with respect to the building levels and soft landscaping, however as discussed above, the severity of those shortfalls is considered low, particularly as the building mass and scale reflects low-rise form, which is equivalent to a two storey building (and as illustrated previously, lower in scale than the kind of two storey that could be constructed in the zone).

Likewise, the 3 percent shortfall in soft landscaping is only considered a concern numerically, however from a quantitative perspective, the provision of several trees results in a good level of quality landscaping, which will meet the relevant objectives such as minimising heat absorption and reflection, provision of shade, stormwater infiltration and visual amenity of the property and surrounding locality.

RECOMMENDATION

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 22029247, by Keith Fancsali and Tammy Fancsali is granted Planning Consent subject to the following conditions:

CONDITIONS

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. 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.

3. That landscaping as detailed in the approved plans shall be planted prior to occupation and shall be maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
4. 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.
5. 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).
6. 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: Dean Spasic

Title: Development Officer - Planning

Date: 25/10/2022