

DEVELOPMENT NO.:	24032904
APPLICANT:	Platinum Homes (SA) Pty Ltd trading as Blag Homes
ADDRESS:	75 MARINE PDE SEACLIFF SA 5049
NATURE OF DEVELOPMENT:	Two level detached dwelling and swimming pool in rear yard
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 • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • 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:	3 Oct 2024
RELEVANT AUTHORITY:	Assessment Panel at City of Holdfast Bay
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.17 12/9/2024

CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Dean Spasic Development Officer - Planning

CONTENTS:

APPENDIX 1: Relevant P&D Code Policies

ATTACHMENT 1: Application Documents

ATTACHMENT 2: Representations

ATTACHMENT 3: Response to Representations

DETAILED DESCRIPTION OF PROPOSAL:

DETAILED DESCRIPTION OF THE PROPOSAL:

The proposed development comprises the construction of a two-level detached dwelling and swimming pool. It seeks to replace an existing two-level dwelling. The proposal includes landscaping to integrate internal and external living spaces.



SUBJECT LAND & LOCALITY:

Site Description:

Location reference: 75 MARINE PDE SEACLIFF SA 5049

Title ref.: CT 5853/30

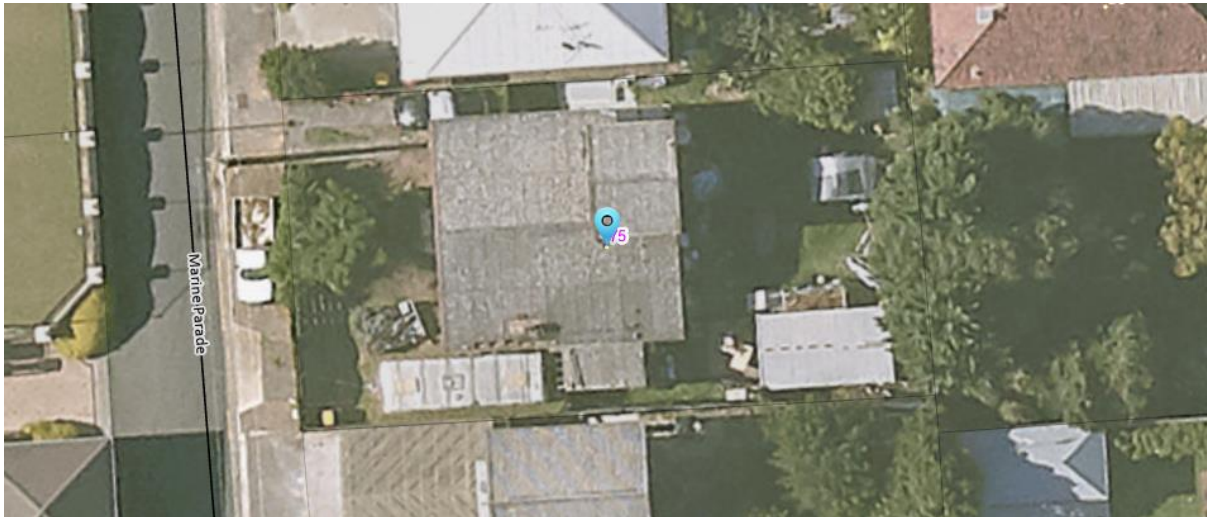
Plan Parcel: F39535 AL716

Council: CITY OF HOLDFAST BAY

ITEM NO: 6.1
REPORT NUMBER: 234/25

The subject site is a rectangular shaped allotment on an east to west axis, with a frontage of 16 metres and length of 30 metres, creating a total site area of 480 square metres.

The site is generally flat and contains a two-level detached dwelling from the mid to late 20th century. It does not have any architectural elements that would qualify it as contributing to the built form character described in the Seacliff Character Area Statement, which comprises dwellings circa 1880s to 1920s.



Locality

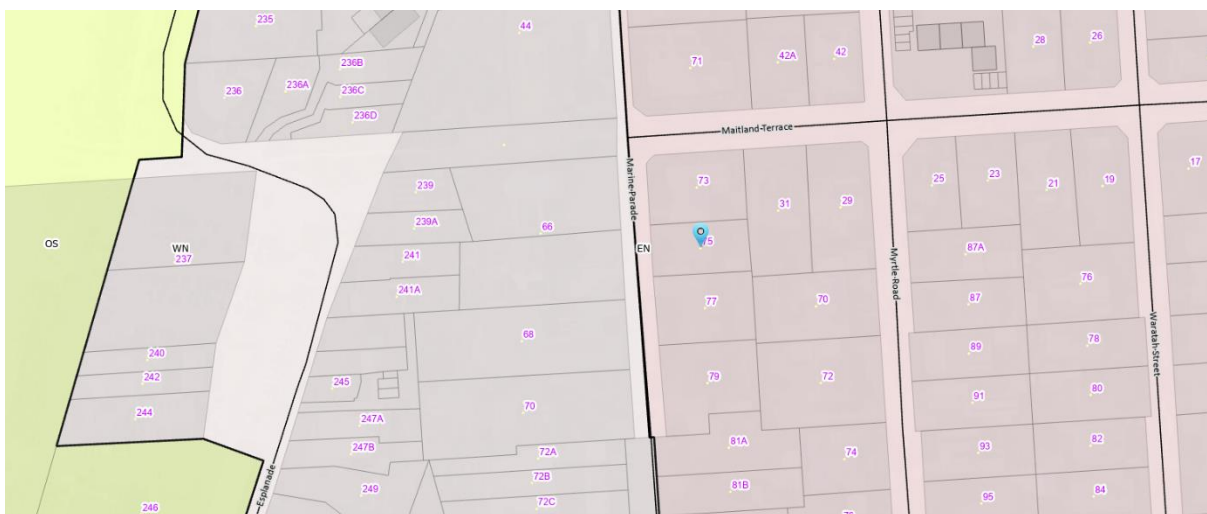
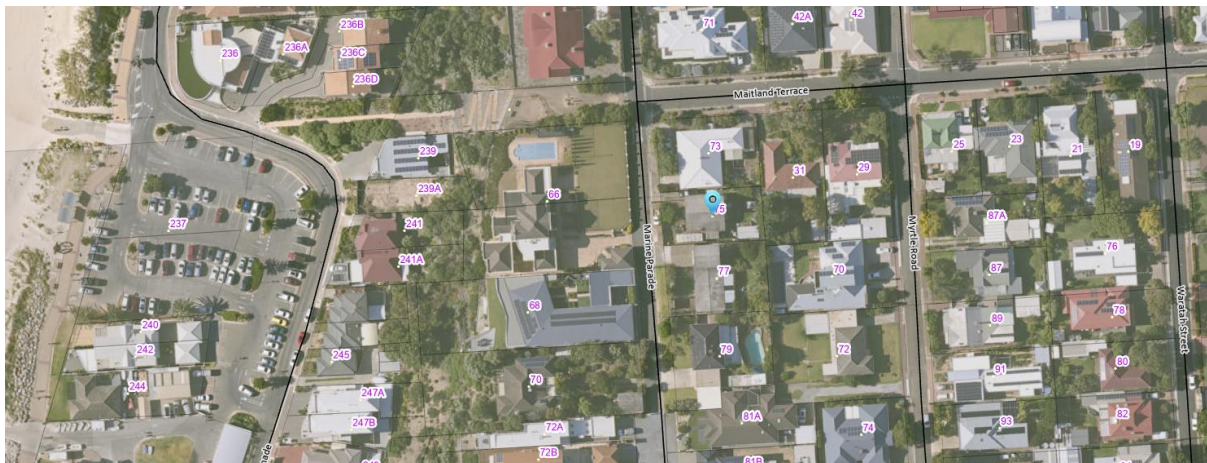
The locality is characterised by the southern section of Marine Parade forming a quiet no through road, at the edge of the Waterfront Neighbourhood Zone to the west (which anticipates up to 3 building levels), and the Established Neighbourhood Zone to the east (which anticipates single level built form).

The locality immediately adjacent to the subject site (with a 60 metre radius) is characterised by older housing stock with a mix of newer built form, comprising a range of building styles of both single and two level buildings.

Of the 24 dwellings within the immediate locality:

- 14 dwellings are single level (58.5 percent)
- 10 dwellings are higher than single level (41.5 percent).

It can therefore be summarised that the immediate locality has a balanced mix of building levels.



CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

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

Detached dwelling: Code Assessed - Performance Assessed

New housing

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

P&D Code

PUBLIC NOTIFICATION

- **REASON**

Required as building height exceeds 1 level.

SUMMARY OF REPRESENTATIONS

A total of 76 representations were received, with 26 in support and 52 in opposition. Some households/representors submitted representations, both in support and against. This seems to have occurred because both the applicant and a neighbour are understood to have 'door knocked' the local area to promote support and opposition of the proposal.

Of note, there were some opposing representations where the address of the representation contains a two level dwelling in the Seacliff Character Area, such as 71, 77, 79, 81A and 89C Marine Parade.

Given the high number of representations received, it is worthwhile providing further context relating to the location of each representation relative to the subject site. The map below captures the representations received within close proximity of the land. Some representations are not referenced due to being located outside of the map area. The map includes red dots relating to those representations in opposition to the proposal, and green dots relating to those representations in support of the proposal:



Attachment 2 provides a full copy of all representations. Attachment 3 provides a response to the representations by Terra Planning.

PLANNING ASSESSMENT

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

Question of Seriously at Variance

The proposed development comprises the construction of a two-level detached dwelling and swimming pool. It is in the Established Neighbourhood Zone and Seacliff Character Area Overlay. Development of this nature is generally appropriate within the Zone for the following reason:

- Dwellings and swimming pools are specifically envisaged in the Zone.

The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.

Zone and Character Area provisions

The subject site is in the Established Residential Zone and Seacliff Character Area Overlay. The character is described as follows:

- Buildings circa 1880s to 1920s west of the railway line
- Varying allotment sizes, narrow streets, limited street trees
- Reduced and varied front setbacks

- Visual spacing between dwellings
- Range of architectural styles
- Some remaining examples of bungalows
- Spanish mission influenced architecture
- Rectilinear plan forms
- High modulation and articulation
- Low scale
- Steep roof pitches (25 to 35 degrees)
- Short roof spans
- Hip and gable roofs
- Deep verandahs and porches
- Fine-grain detail in plinths, string courses, projecting sills
- High solid to void ratio
- Vertically proportioned openings
- Single storey
- Bricks, stone, render, corrugated iron or terracotta tiled roofing.

The proposed dwelling design generally doesn't satisfy the Seacliff Character Area statement, other than in relation to:

- reduced and varied front setbacks
- contributing to a range of architectural styles
- deep verandahs and porches
- stone and render materials.

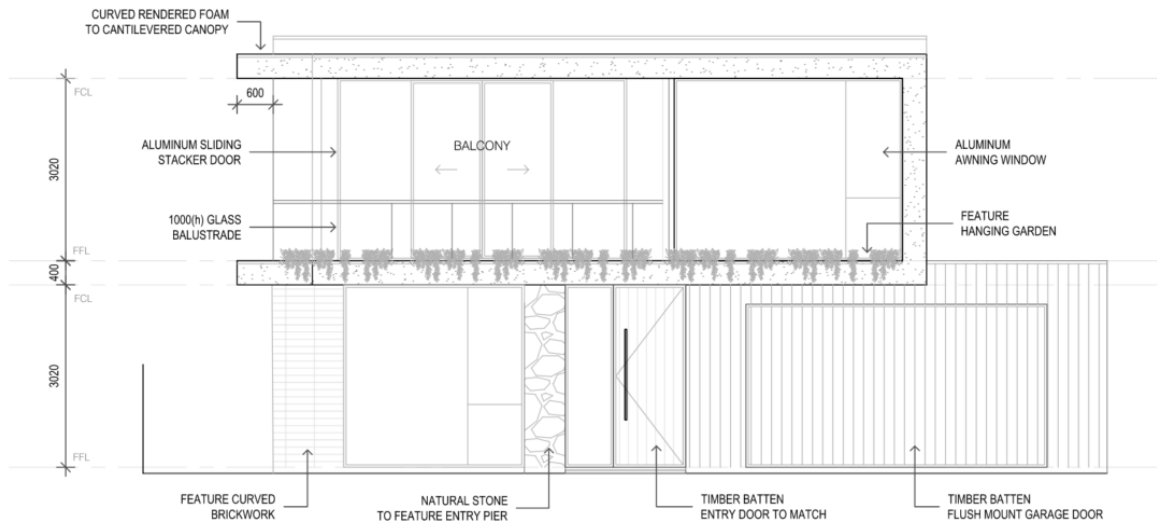
The inclusion of these building elements is considered to achieve a reasonable balance between acknowledging the Character Area provisions, whilst achieving a visual balance with the current built form within the streetscape, which is not reflective of the Character Area statement. A pitched roof could have been a worthy addition, however, on balance, the flat roof reduces the overall building height and scale. The proposed built form improves the visual amenity of this section of the street, particularly in comparison to the existing dwelling and amongst the existing neighbouring dwellings, non-of which reflect the intended built form character of the locality.

Built Form and Design

The locality is such that it is characterised by housing stock established from the 1950s onwards, whereby none of the neighbouring examples contain any architectural elements that would suggest they have contributed to keeping the wider character intact. This section of Marine Parade has a visual character more akin to the kinds of dwellings found in the General Neighbourhood Zone, absent of the character referenced in the Character Area Statement. Part of this is due to the western side of Marine Parade being within the Waterfront Neighbourhood Zone, which doesn't have a Character Area Overlay, and allows for 3 level built form. This does not suggest that the Character Area Statement should be altogether ignored, however it is reasonable to accept that there are notable sections within this locality where the original character is substantially diminished and therefore completely eroded.

There is no unreasonable overlooking of neighbours. All upper side and rear clear windows are at least 1.8m above floor level.

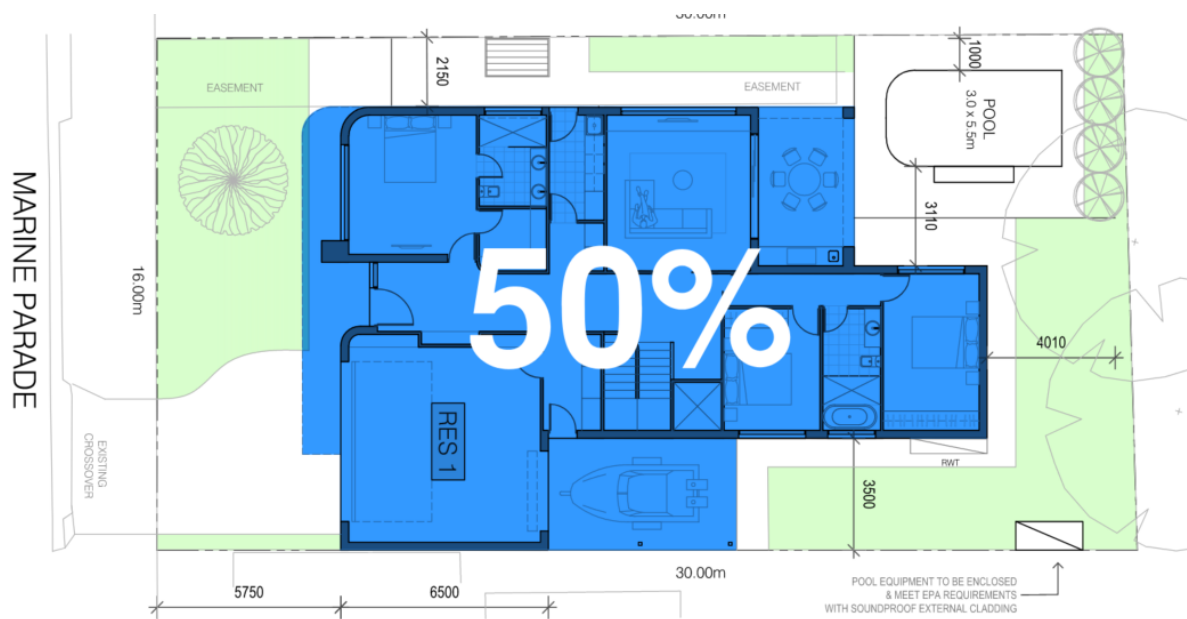




Site Coverage

Site Coverage - Performance Outcome 3.1 seeks that building footprints are consistent with the character and pattern of the neighbourhood, provide sufficient space around buildings to limit visual impact, and provide an attractive outlook and access to light and ventilation.

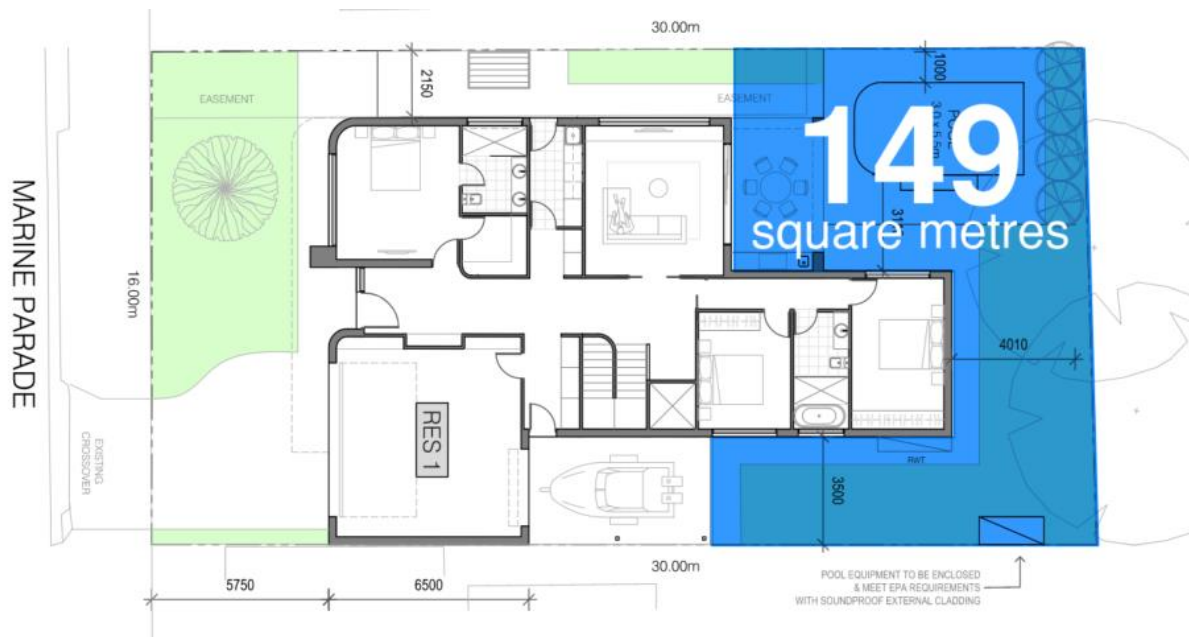
The proposed building covers 50 percent of the site area, and is centrally located on the land. This achieves satisfactory levels of space around the building, limits visual impacts, and provides access to natural light and ventilation. The building footprint is consistent with the character and pattern of the neighbourhood.



Private Open Space

The proposal has a private open space area amounting to 149 square metres. This satisfies Private Open Space – Performance Outcome 21.1 in that it achieves a minimum area of 60 square metres, as outlined in Table 1 – Private Open Space.

It also satisfies Private Open Space – Performance Outcome 21.2 in that it is directly accessible from the living room.



Boundary Setbacks

The building is setback 5.7 metres from the primary street. This satisfies Primary Street Setback – Performance Outcome 5.1 in that the building is setback from the primary street boundary consistent with the existing streetscape.

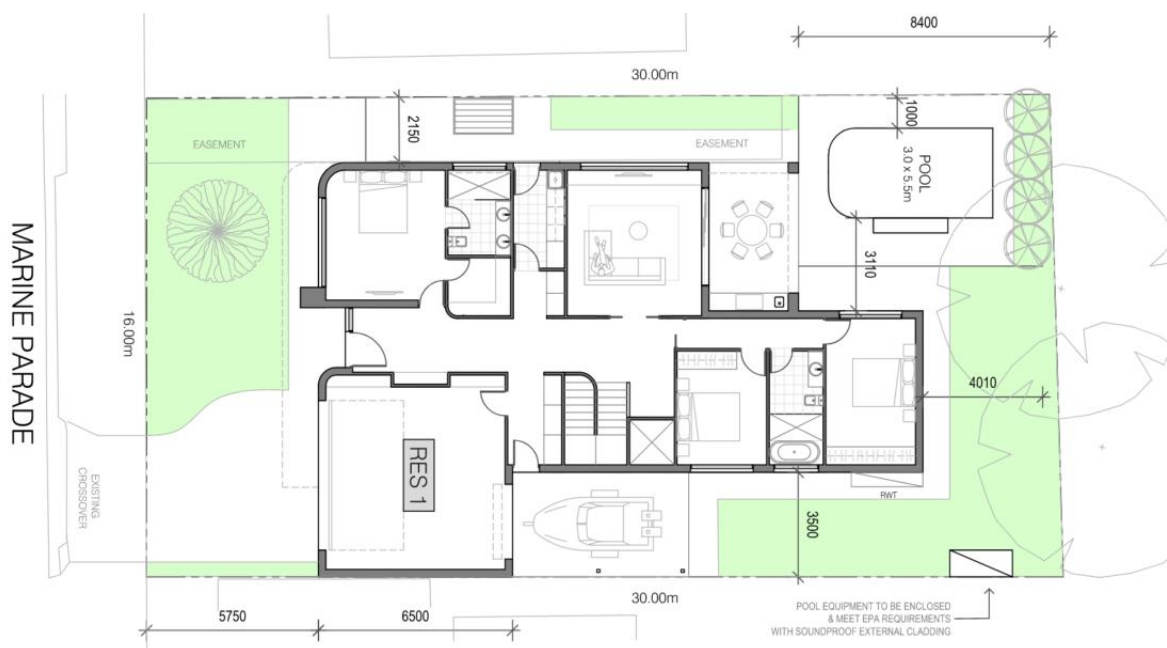
In assessing the primary setbacks found along the existing streetscape, the street setback pattern is varied. It contains ancillary buildings such as the neighbouring garage at 77 Marine Parade, which is some 2 metres from the primary street boundary. Dwellings and front landscaping should present as the prominent visual feature in a streetscape, therefore the proposed dwelling is setback a reasonable distance from the street in terms of general presentation.

The streetscape amenity within this section of Marine Parade is considered to be low, reflective of the western side containing garaging and fencing on the street boundary, whilst the eastern side is characterised by solid front fencing, bare verges, garaging and landscaping. In context with the siting of nearby buildings and the existing streetscape, the proposal does not present any adverse planning impacts.

The garage comprises a boundary wall on the southern side boundary, which is not more than 3 metres above the footing and not more than 6.5 metres in length. The majority of this garage wall

abuts the garage of 77 Marine Parade, therefore visual impacts are limited, notwithstanding that the wall height and length is designed within the Boundary Wall - Designated Performance Feature 7.1 parameters, of 3.2 metres over a length of 8 metres. There is an open-sided garage behind this, which is 3 metres high over a length of 5.9 metres, and not considered to present any adverse visual and overshadowing impacts to the adjoining property.

At the ground level, the wall height is 3.4 metres, and the building is setback of 2.1 metres from the northern side boundary and at least 3 metres from the southern side boundary. Side Boundary Setback – Designated Performance Feature 8.1 seeks a minimum setback of 1.3 metres from the northern side boundary and 2.3 metres from the southern side boundary.



At the upper level, the wall height is 7.1 metres above the top of the footing, and the building is setback 2.1 metres from the northern side boundary and at least 3 metres from the southern side boundary. Side Boundary Setback - Designated Performance Feature 8.1 seeks a minimum setback of 2.2 metres from the northern boundary and 3.2 metres from the southern boundary.



The building is setback at least 4 metres from the rear boundary at the ground level and at least 9.2 metres from the rear boundary at the upper level.

The side and rear setbacks comply with Side Boundary Setback – Performance Outcome 8.1 and Rear Boundary Setback – Performance Outcome 9.1, in that the building walls are separated in a way that complements the character of the locality, provides sufficient access to natural light and ventilation for neighbours, and sufficient space for private open space and landscaping.

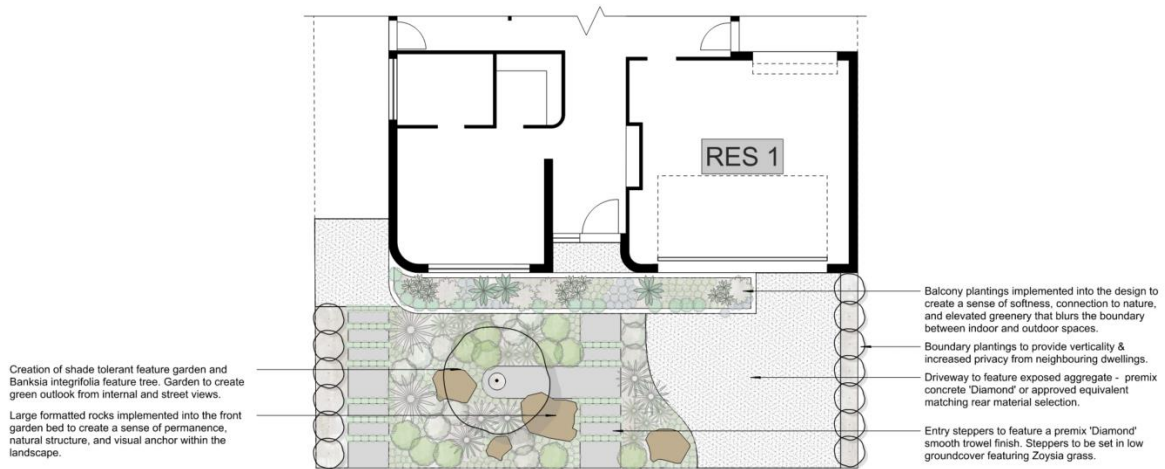
Landscaping

According to Landscaping – Performance Outcome 22.1, new dwellings should be designed to incorporate landscaping into development to minimise heat absorption and reflection, contribute to shade and shelter, provide for stormwater infiltration and biodiversity, and enhance the appearance of land and streetscapes.

The proposal includes extensive landscaping in the front, side and rear yards, with a total area amounting to 25 percent of the site area. This is consistent with Landscaping – Designated Performance Feature 22.1, which calls for a minimum soft landscaped area of 25 percent of the site area.

55 percent of the front yard is covered by landscaping, including a *Banksia integrifolia* feature tree in the front yard, which has a mature growth height of at least 10 metres. The landscape plan and schedule details a high-quality arrangement of plantings within the front yard, which includes plantings integrated into the front balcony.

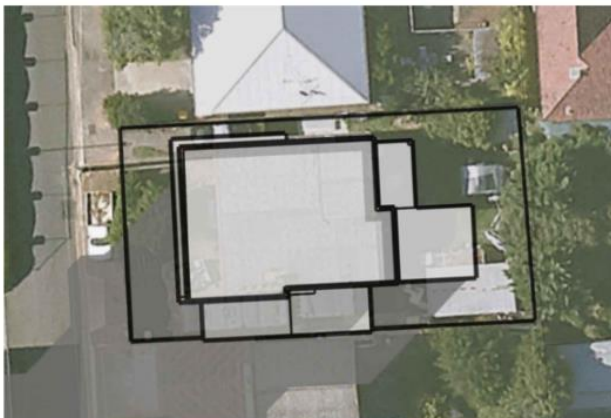




Solar Access

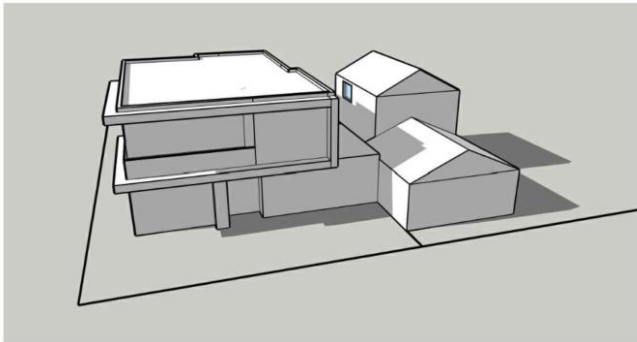
The southern adjacent dwelling comprises a two-storey detached dwelling, which has only one upstairs window on its northern elevation facing the subject site.

The shadow diagram demonstrates that during the winter solstice, the southern adjacent dwelling would have access to at least 3 hours of sunlight access between 9am and 3pm. During the morning hours, the sun access toward the rear yard and east facing windows for the neighbouring dwelling would be mostly unaffected.



SHADOW DIAGRAM
JUNE 21st - 9AM

From midday through to the afternoon, the proposed dwelling will cast a shadow into the southern adjacent property. However, this will only impact the neighbour's garage and the solid wall of the ground level component. As per the shadow illustration below, the north facing upstairs window will retain access to at least 3 hours of sunlight between 9am and 3pm:



SHADOW DIAGRAM
JUNE 21st - 12PM

Swimming Pool

The swimming pool is in the rear yard at least 1 metre from allotment boundaries, and does not present any adverse planning impacts. A condition of planning consent is included to regulate the noise emitted from pool equipment.

CONCLUSION

The proposed development does not fully satisfy the Seacliff Character Area Statement with respect to building levels and architectural form. However, it is considered to present a built form that is complementary to the immediate built form character and context, noting that Marine Parade is at the edge of the Character Area. It vastly improves the visual amenity and built form found on the existing site, which contains a two level detached dwelling with no visual reference to the Character Area.

The proposed dwelling satisfies the Planning Design Code with respect to site coverage, private open space, landscaping and boundary setbacks.

The quality of landscaping proposed as part of the development is a noteworthy feature. It demonstrates continuity with existing, mature vegetation on adjacent land, whilst achieving a high level of integration between built form and vegetation.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24032904, by Platinum Homes (SA) Pty Ltd trading as Blag Homes 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. 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. 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. All stormwater collected on the site must only be discharged to the street and not on to any adjacent properties.
7. The pool filter pump must be enclosed in such a way that noise levels do not exceed 52 d(a) between 7am and 10pm on the same day, and 45db(a) between 10pm and 7am the next day measured at adjoining property boundaries.

ADVISORY NOTES**Planning Consent****Advisory Note 1**

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent.

Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 2

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street watertable.

Advisory Note 3

If you are a developer or owner-builder, there are important Commonwealth telecommunications rules you need to comply with. For more information visit www.infrastructure.gov.au/tind

Advisory Note 4

The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction. Easements may include, but are not limited to: drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way. Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at:

<https://sailis.lssa.com.au/home/auth/login>

Advisory Note 5

If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

OFFICER MAKING RECOMMENDATION

Name: Dean Spasic

Title: Development Officer - Planning

Date: 14/07/2025