

COUNCIL ASSESSMENT PANEL MEETING

11 November 2020

AGENDA

BUSINESS ITEM – 9.1

Applicant: John Ellery	Landowner: J J Ellery & L Ellery
Agent: Urban and Regional Planning Solutions (URPS) – Philip Hartnett	Originating Officer: Melanie Scott
Development Application:	19/322/473
Application Description: Staged application for demolition of existing dwelling, community title land division (1 into 9) and construction of three (3) two storey dwellings & a two storey residential flat building comprising six (6) dwellings, removal of five (5) regulated trees (<i>Eucalyptus obliqua</i>) & one (1) significant tree (<i>Eucalyptus obliqua</i>), retaining walls (maximum height 2.8m), combined fence & retaining walls (maximum height 4.7m), landscaping including replacement plantings & associated earthworks: Stage 1 - Demolition and tree removal Stage 2 - Driveway construction and civil works Stage 3 - Construction of dwellings on lots 1, 2 & 3 Stage 4 - Construction of residential flat building (dwellings on lots 4 to 9) and remainder of works	
AMENDED Description: Staged application for demolition of existing dwelling, community title land division (1 into 8) and construction of three (3) two storey dwellings & a two storey residential flat building comprising five (5) dwellings, removal of five (5) regulated trees (<i>Eucalyptus obliqua</i>), retaining walls (maximum height 2.8m), combined fence & retaining walls (maximum height 4.6m), landscaping including replacement plantings & associated earthworks: Stage 1 - Demolition and tree removal Stage 2 - Driveway construction and civil works Stage 3 - Construction of dwellings on lots 1, 2 & 3 Stage 4 - Construction of residential flat building (dwellings on lots 4 to 8) and remainder of works	
Subject Land: Lot:57 Sec: 46 DP:26958 CT:5428/116	General Location: 20 Pomona Road Stirling Attachment – Locality Plan
Development Plan Consolidated : 24 October 2017 Maps AdHi/28 & 72	Zone/Policy Area: Mixed Residential Zone
Form of Development: Merit	Site Area: 4098 m ²
Public Notice Category: Category 2 Merit	Representations Received: 3 Representations to be Heard: 2 (Heard previously)

1. EXECUTIVE SUMMARY

The purpose of this report is to present an amended proposal in response to the appeal lodged by Mr Ellery to the CAP's refusal decision of the original proposal on 8 July 2020 for the land division and construction of 9 dwellings and associated development. Originally, nine (9) allotments were proposed along with a two storey split level residential flat building containing six (6) dwellings and three (3) two storey dwellings. The proposal also included the removal of five regulated trees and one significant tree and replacement planting.

In an attempt to resolve the appeal, the appellant has presented amended plans for a community title land division of 8 allotments and the construction of 8 dwellings in the form of three (3) two storey dwellings & a two storey residential flat building comprising five(5) dwellings, involving the associated removal of five (5) regulated trees (*Eucalyptus obliqua*), retaining walls (maximum height 2.8m), combined fence & retaining walls (maximum height 4.6m), landscaping including replacement plantings and, earthworks. The development is still proposed to be undertaken in four stages.

The subject land is located within the Mixed Residential Zone and the proposal is a merit form of development. The subject land abuts land located in the Country Living Zone.

As per the CAP delegations, the CAP is the relevant authority for an appeal compromise where the CAP were the relevant authority on the original proposal.

There has been one conference regarding the matter in the ERD Court which resulted in amended plans being submitted and Council requesting further information to support those plans. Supporting documentation including amended engineering, shadow diagrams and an amended arborist report have now been provided which modify the proposal.

The main issues relating to the original proposal were native vegetation and regulated tree removal, building bulk and scale, the extent of the proposed earthworks, access location and the impact of the development on the character and amenity of the locality and adjacent properties in the Country Living Zone.

In consideration of the new information and amendments Council staff are of the opinion that the proposal in its amended form does warrant Development Plan Consent being GRANTED subject to conditions.

It is recommended that the ERD Court is advised that Council will consent to an order being granted for Development Plan Consent for the compromise as presented, subject to conditions.

2. DESCRIPTION OF THE AMENDED PROPOSAL

- The amended proposal has seen a reduction in the total number of allotments proposed from 9 to 8
- The three two storey dwellings fronting Pomona Road and their associated allotments remain unchanged
- The residential flat building now consists of five (5) dwellings rather than six
- The building set back between the residential flat building proposed on lot 4 and 18 Pomona Road is 3.6m – 5.5m (was previously 2m and 3.7m)
- The footprint of the residential flat building on lots 4 - 8 is reduced to increase the area available for landscaping on the southern elevation
- The roof of the upper level of each of the dwellings in the residential flat buildings has been redesigned from a flat roof to a skillion
- The height of the residential flat building has been reduced with minor height variances from that envisaged in the zone
- The dwellings in the residential flat building have been redesigned to include a deck to ensure solar access year round
- The residential flat building has been further stepped down the slope of the site
- An additional Council street tree being tree 35 will be removed

- A significant tree, tree 56 is proposed to remain but another tree, tree 35, is proposed to be removed
- Proposed lot 8 is now 502.6m² (combination of lots 8 & 9)
- Proposed lot 4 is now 466.5m² (was 414m²)
- Proposed lots 5 - 7 vary from 262m² to 280m²
- Proposed boundary setbacks for the building on proposed lot 8 are reduced to 3 metres to the side boundary and 2 metres to the rear boundary (previously 3.1m and 3m)
- Proposed boundary setbacks on proposed lots 4 - 7 are increased to a minimum of 6 metres (the zone requires 4m)
- Increased rear yard areas in proposed lots 4 -8 has allowed a tree to be included in each
- The Western elevation (viewed from 18 Pomona Road) still has some minor height incursions

The following tables are provided for Panel use as a ready reckoner of some of the major assessment qualitative changes.

	Land Refused	Land Proposed	Site Coverage Refused	Site Coverage Proposed
Lot 4	414	466.5	36	28.2%
Lot 5	284.3	282	52.4	46.7%
Lot 6	2801.	280.1	53.2	47%
Lot 7	280.1	279.7	53.2	47.1%
Lot 8	267.1	502.8	53.2	37.8%
Lot 9	285		46.6	

	Level refused	Level proposed
Lot 4	500.5, 503.56	499.23, 502.29
Lot 5	501.9, 504.76	501.43, 504.59
Lot 6	502.9, 505.96	502.63, 505.69
Lot 7	504.1, 507.16	503.83, 506.89
Lot 8	505.3, 508.36	506.11, 509.17
Lot 9	506.5, 509.56	

A copy of the amended plans is provided in **Attachment – Amended Plans**

The refused plans and CAP minutes from 8 July 2020 are included in **Attachment – Refused Plans and CAP minutes from 8 July 2020**

4. REFERRAL RESPONSES

- **AHC Engineering**
Refer previous report and now requesting a stormwater management plan for the site considering existing stormwater overland flow paths from neighbouring properties shall be submitted to Council for review. The stormwater management plan shall demonstrate how existing stormwater overflow paths will be managed for the development to minimise the risk to infrastructure and the development in the major storm event
- **AHC Arboriculture**
No formal response but notes Section 221 application will be required for the proposed tree removal should the application be approved.

5. CONSULTATION

As a compromise through the ERD Court appeal process no further public notification of the amended proposal is required.

6. PLANNING & TECHNICAL CONSIDERATIONS

This amended proposal has been evaluated in accordance with the following matters, being the reasons for refusal of the original proposal:

Mixed Residential Zone

Objective 1 - the proposal does not offer a range of dwelling densities.

No change proposed.

Objective 2 - the chosen driveway location has an impact on the character of the area proposing removal of all the vegetation on the site.

No change other than the proposed retention of the one significant tree on the site.

Objective 5 - the proposal does not contribute to the character of the zone due to the bulk and scale of the proposal, maximum building height variances, the substantial alteration to the landform and significant removal of native vegetation, on a site where the desired character envisages transitional design that achieves a blended dwelling density form and also reflects the spacious landscaped appearance of adjoining residential areas.

The amended proposal has markedly reduced the visual bulk and scale of the proposal along with reducing the maximum height variances. By using skillion rooves on the residential flat building the building height variance now only exists in one small portion of proposed dwelling 4. Further the residential flat building has been increasingly stepped down the slope of the site and where dwelling 4 was previously on fill it is now on a cut site. This results in a reduction of some 1.27m in the proposed bench level. In addition the footprint of the residential flat building has been reduced enabling better landscaping outcomes at the rear and to the south of the building, offering a better transition to the surrounding Country Living zoned land. The proposal still proposes the removal of 47 native trees including 5 regulated trees and one additional tree on the roadside verge, but does propose the retention of the only significant tree on the site. There are also increased setbacks on the eastern boundary which will improve the likelihood of the longevity of that neighbour's trees.

Principles of Development Control 5 & 6 - the proposal does not address the qualitative requirements for the Zone

The amended proposal meets the side and front boundary setbacks, and proposed dwelling 8 largely meets the rear boundary set back in the amended proposal. Dwelling 4 still has a minor height excess in its northern and western elevation with a maximum height of 9.5m. The amended proposal lessens the variances from the zone provisions and is considered an acceptable variation from the qualitative requirements of the zone. It is consequently considered more consistent with the desired character for the zone.

Principle of Development Control 9 - the proposal does not contribute to the desired streetscape with the proposed dwellings being a minimum of 3 metres above street level.

No change.

Principles of Development Control 11, 16 & 21 - the proposed buildings will dominate the landscape with their bulk and scale in an elevated position above street level noting the land is adjacent land in a different zone on two boundaries and the desire to have transitional design on a site which abuts land zoned for lower density.

The amended proposal has reduced the bulk and scale of the development, decreasing the possibility that the proposal will dominate the landscape and affording more acceptable views from adjoining dwellings and public open spaces. The amended plans superimpose the previously proposed building outline in red to graphically demonstrate the alterations proposed which better accord with the aspirations of the Development Plan. The view from the garden of 13 Alta Crescent into the rear yards of the residential flat building remains a concern given 13 Alta Crescent is upslope from the proposed development. For example the ground level of the dwelling at 13 Alta Crescent is 5.2m above the boundary level of 20 Pomona Road. That said, the dwelling at 13 Alta Crescent has its outlook focussed in a westerly direction and the proposed development is located to the north west of the dwelling at Alta Crescent. The garden area of 13 Alta Crescent slopes up from the boundary with 20 Pomona Road some 4.5 metres over 25 metres. The applicant has increased the opportunity for landscaping at the rear of the residential flat building with large planter boxes for larger trees proposed in each rear yard. The proposed landscaping combined with the proposed 1.8m Colorbond fencing is intended to ensure two way privacy for both the occupiers of the development and the neighbour. The larger rear yards and more substantial landscaping proposed for the rear of the residential flat building is considered to adequately address the transition from the Mixed Residential Zone to the adjacent Country Living Zone.

Principle of Development Control 22 as the proposal does not offer any affordable housing.

No change.

Council Wide

Design and Appearance

Objective 1 - the proposal does not respond to and reinforce the positive aspects of the local environment and built form.

Principles of Development Control 1, 2, 7, 9, 13, 21 & 23 - the proposed buildings are of a bulk and scale that do not reflect the desired character of the locality. The scale of the proposed structures on or near the boundaries impact on the visual amenity of the area and adversely alters the character of neighbouring properties and the area. The amount of earthworks proposed does not minimize the alteration to existing land form and the development will be

visible from the South Eastern Freeway. Lastly there is no pedestrian entry point to the proposal.

It is considered the reduced scale of the proposal, particularly the residential flat building, has enabled increased boundary setbacks to the southern and western boundaries and is more in keeping with the envisaged design provisions of the Development Plan. In particular the residential building is stepped down the slope of the site more and dwelling 4 now sits in an excavated site, rather than atop a filled area. Dwelling 5 is almost at ground level. Dwelling 6 and 7 balance the amount of cut and fill and dwelling 8 has a portion which is two storey and a portion which is single storey, enabling the building to sit better in the site. This is best represented in drawing PL07.I. (Page 9 of the CAP attachments as compared to page 9 of the original CAP attachments). For these reasons the proposal is considered to accord with PDC 9. The proposed skillion rooves follow the slope of the land and will soften the view from the freeway in accordance with PDC 13.

Energy Efficiency

Principles of Development Control 1 & 2 - the residential flat building living areas will have limited solar access and their outdoor areas will have almost no sunlight.

Principle of Development Control 3 as there is no capacity for photovoltaic cells or solar hot water on the proposed roof structures.

The addition of the first floor west oriented deck on proposed dwellings 4 - 7 has addressed in some measure the limited solar access. Given the awkward site orientation the proposal is now considered to accord with PDCs 1 and 2 in the best way it can on this site. Dwelling 8 is the only dwelling which will accommodate photovoltaic cells or solar hot water on the roof form without alteration to that roof form. Given solar panels are desirable it is likely all other dwellings will involve the assessment of further development applications for solar panels, which would need to be on tilt frames to maximise solar returns and increasing the height of the proposed development. The amended proposal has a minor increase in the ability of the proposal to meet the requirements of PDC 3, again largely due to the unique topography and orientation of the site.

Hazards

Principle of Development Control 27 (g) - the proposal has not demonstrated management of overland water flows and if natural drainage lines will be impacted.

The applicant has not made any contribution to this but it is considered this can be a condition of approval (refer **Recommended Condition 6**).

Land Division

Principles of Development Control 6 (d), (h) & (j) - the proposal does not protect existing vegetation or preserve significant trees.

The one significant tree on the site is now proposed to be retained and protected. An additional street tree has been identified for removal which was queried by Council staff in the previous application but the detail of this additional tree was not progressed given the refusal recommendation. The applicant has undertaken an ecological report for the site and demonstrated their willingness to make a payment to the Native Vegetation Council of a Significant Environment Benefit should the proposal be successful. The advice of the NVC as provided to Council in the previous application remains. The proposal therefore does not meet the provisions of PDC 6. The applicant has argued vegetation clearance must be allowed to achieve the desired densities in this zone. The proposal is very finely balanced on this point as is the projected survivability of the significant tree with the encroachment of 59% into the TPZ.

Arguably when rezoning this land, Council envisaged the removal of vegetation so the preservation of street trees and the significant tree on site does add merit to the proposal in its amended form and a condition is recommended to have the applicant use their best intentions to keep the significant tree.

Principles of Development Control 7 & 8 - the residential flat building has limited solar access and does not have open space with any access to natural sunlight making those lots unsuitable for their intended residential density.

The first floor of each of the dwellings in the residential flat building now has a north facing deck to help achieve solar access. The location and orientation of the land make solar access into the private open space at the rear of the residential flat building problematic. The amended proposal is accepted as achieving the intentions of these PDCs.

Principle of Development Control 11 - the proposal does not minimise the need for earthworks, maintain natural drainage, removes all the native vegetation on the site and proposes large retaining structures in close proximity to boundaries.

The amended proposal has reduced the need for extensive earthworks, particularly along the eastern and southern boundary. There are still significant internal retaining walls proposed (up to 2.8m in height) and as previously mentioned a condition is required to address natural drainage flows. The proposal does require the removal of native vegetation, however the redesign proposed does better blend in with the setting of the surrounding locality. The proposal is finely balanced in the five elements described in this PDC.

Natural Resources

Objectives 1, 4, and 8 and Principles of Development Control 17, 37, 38, 39, 46 - the proposal does not preserve any of the native vegetation existing on the site, has not demonstrated that natural drainage systems will be maintained, there is no water reuse proposed as part of the design nor is there any proposal to protect the quality of water runoff from the site.

Objective 10 and Principle of Development Control 49 as there is extensive land modification proposed.

The amended proposal addresses one of the matters of concern in this reason for refusal, in proposing to preserve the one significant tree on the site. No water reuse has been proposed, nor any water quality measures and as previously mentioned natural drainage flows will be conditioned.

Orderly and Economic Development

Principles of Development Control 9 - the proposal does not sufficiently address the site location as a transition between two zones, nor the potential for suitable private open space due to noise and sunlight issues rendering the site unsuitable for the proposed residential density.

The amended proposal has greatly improved the way the proposal addresses this PDC. The reduction in the number of allotments, the reduction in the bulk and scale of the built form of the residential flat building and the better quality private open space have resulted in a better density for the site on a transitional allotment adjacent to land in the Country Living Zone.

Regulated Trees

Objectives 1 & 2 - the proposal does not conserve regulated trees on the land and the trees contribute to the character and visual amenity of the local area.

Principles of Development Control 1, 2 & 3 - the proposal does not minimise adverse impacts on the regulated trees on the land.

No regulated trees are proposed to be conserved, however there is now intention to preserve the only significant tree on site and to create space to enable larger replacement plantings. This combination is considered to ameliorate the loss of other trees. Of note the significant tree is a Eucalyptus obliqua which is approximately 15metres from the existing dwelling on the site and would not meet legislative guidelines for protection under the Development Act because of bushfire provisions. The tree would however require the approval of the Native Vegetation Council for removal being in the 10 to 20metre vegetation management zone. The applicant's arborist notes the following: "the encroachment covers 59% of the Tree Protection Area and part of the Structural Root Zone however this is entirely within an area that was covered by 1.5 – 2.0 metres of fill at the time of the construction of the existing dwelling. The partial removal of fill is unlikely to have a positive or negative impact on the condition of this tree."

Residential Development

Objective 1 and Principles of Development Control 1 & 18 (g) - the proposal does not maximise solar orientation through the density of the proposed dwellings which results in full shade to the associated private open spaces of the six dwellings within the residential flat building in winter.

The inclusion of the first floor deck on dwellings 4 to 7 and the upper ground balcony on dwelling 8 has ensured these dwellings now meet the requirements of these PDCs with regard to solar access.

Principle of Development Control 4 - in context of the site and natural features the proposed landscaping does not achieve the same level of amenity and site enhancement as would a landscape design and development proposal that balances the retention of mature native vegetation with the introduction of additional plantings to complement existing and offset the removal of some native vegetation.

It is considered the amended proposal which secures the future of trees on adjoining sites (north eastern corner), includes an intention to retain the significant tree on site and existing screening trees on the western boundary and 6 street trees on Pomona Road and proposes replacement planting of 12 Euky Dwarf trees, 2 Trisaniopsis laurina trees and 10 Lagerstroemia Tuscarora trees along with various shrubs and ground covers, assists with enhancing residential amenity of the site and of the immediate vicinity. The amended proposal is in accordance with this PDC. (Refer page 18 of the original CAP meeting attachments for plant descriptions).

Siting and Visibility

Principle of Development Control 1 - the proposal does not minimise visual impact on the natural character of the area.

As discussed earlier in this report the reduction in the footprint, reduction in the height and the change of the roof shape for the proposed residential flat building is considered to reduce the visual impact of this proposal in accordance with this PDC.

Principle of Development Control 2 -the proposal is not unobtrusive and proposes removal of all native vegetation on the site.

As in PDC 1 the amended proposal is considered to render the proposal less obtrusive. One significant tree (native) is proposed to be retained.

Principles of Development Control 4 & 6 - the proposal does not minimise earthworks or visual impact of the development in the locality.

As discussed earlier in this report the amended proposal is considered to balance the amount of earthworks proposed around the boundaries of the site and has reduced the bench level of the residential flat building along with stepping the building to better match the slope of the site. On balance the amended proposal better meets the requirements of these PDCs.

Principle of Development Control 9 - the proposed driveway does not blend sympathetically with the landscape to minimise interference with natural vegetation.

It has been confirmed the new driveway proposes the removal of two street trees which are native (*Eucalyptus Obliqua*) where only one was identified for removal in the original proposal. Council staff identified the second tree as unlikely to survive in the original proposal but given the recommendation for refusal did not pursue more accurate plans at that time.

Sloping Land

Objective 1 and Principle of Development Control 1 - the proposal is not considered to integrate sympathetically with the natural topography of the land with the need for substantial earthworks and retaining walls and the proposed driveway does not integrate sufficiently to with the natural topography of the land to avoid impact on street trees

As in the previous point, two street trees are to be removed. The amount of earthworks to create the proposed driveway has not been altered, noting a 2.8metre internal retaining wall is required adjacent the tree protection zone of tree 56, the significant tree to be retained. As detailed earlier in this report, the amended proposal does step the residential flat building down the slope of the site along the eastern boundary and better balance the amount of earthworks required in this portion of the site. Of note dwelling 4 now sits on a cut site, rather than fill. The argument to support the proposal is finely balanced in this PDC given the removal of two street trees is required. Of note the two street trees are not regulated, they are native (*eucalyptus obliqua*) and have fair to good overall condition. The proposed works on the site will see a 100% and 47% encroachment respectively into the tree protection zone for these trees.

Principle of Development Control 3 - the proposal is not designed to sufficiently minimise the visual impact, the bulk of the buildings and structures, minimise cut and fill, minimise the need for retaining walls and it has not been demonstrated that the proposal will protect the development from the impact of overland drainage flows.

The amended proposal has reduced the bulk of buildings which assists in minimising the visual impact of the proposal and has reduced the need for some of the proposed retaining walls. If approved a condition is proposed to protect and mitigate the impact of overland drainage flows. Again the proposed is finely balanced when considering the impact of overland drainage flows on the development against this PDC.

7. SUMMARY & CONCLUSION

Considerable thought and energy has gone into a further re-design of the combined land division and built form proposal for 20 Pomona Road Stirling. The land is zoned Mixed Residential and it is envisaged that the land should be developed in a more intense manner than it is currently. However, being adjacent to land in another zone with different aspirations, more weight is given to the qualitative measures in place for the zone as a transition to the Country Living Zone than to the quantitative measures described in the Development Plan for the Mixed Residential Zone. This approach by staff to assessing the proposal is supported by the desired character statement for the Mixed Residential Zone.

In broad terms the removal of all the vegetation, the proposed extensive changes to the land form and the large fence and retaining wall structures on or near boundaries resulted in a development of a bulk and scale that was originally at odds with many of the Zone and Council Wide provisions of development control when the proposal considered by the CAP on 8 July 2020. The amended proposed development has been designed in a more sensitive manner taking into consideration the natural features of the site. The amended proposal will still result in removal of virtually all vegetation on the site and two Council street-trees. However, the proposal in its amended form has reduced the number of allotments from 9 to 8 and the number of dwellings and has reduced the amount of earthworks required.

With regards to bulk and scale, the amended proposal still has the consequence of the proposed structures presenting as a four storey development when viewed from Pomona Road (see elevation drawing 18-015.PL06.H) at the eastern portion of the site. However, the change in the roof to a skillion design combined with the general lowering of the residential flat building into the site and the reduction in the number of lots and dwellings has reduced the overall bulk and scale of the amended proposal.

There are a number of other matters addressed in detail in the original CAP report worth reiterating here, namely the total removal of all vegetation on the subject land and the consequent risk to the remaining roadside trees and a number of height variances for the built form. The amended development has proposed the retention of the one significant tree on site and detailed more accurately the replacement plantings along with accurately reflecting the proposed removal of two street trees. The amended development has limited the height variations on the proposed residential flat building to dwelling 4 and to a small portion only of dwelling 4.

The amended proposal is considered to be an improvement on the original development and sufficiently reduces the bulk and scale of the built form and the impact of the development on the visual amenity of the area and the character of neighbouring properties. Staff therefore recommend that the Council Assessment Panel advise the Environment Resource and Development Court that it SUPPORTS the compromise proposal and that Council will consent to an order being granted for Development Plan Consent for the compromise as presented. Furthermore, it is recommended that Council's lawyers be instructed to draft the required Court order.

8. RECOMMENDATION

8.1. That the Council Assessment Panel considers that the compromise proposal (AMENDED) is NOT seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and SUPPORTS an Order being issued to GRANT Development Plan Consent to Development Application 19/322/473 by John Ellery for Staged application for demolition of existing dwelling, community title land division (1 into 8) and construction of three (3) two storey dwellings & a two storey residential flat building comprising five(5) dwellings, removal of five (5) regulated trees (Eucalyptus obliqua), retaining walls (maximum height 2.8m), combined fence & retaining walls (maximum height 4.6m), landscaping including replacement plantings & associated earthworks:

Stage 1 - Demolition and tree removal

Stage 2 - Driveway construction and civil works

Stage 3 - Construction of dwellings on lots 1, 2 & 3

Stage 4 - Construction of residential flat building (dwellings on lots 4 to 8) and remainder of works at 20 Pomona Road Stirling subject to the following conditions:

Planning Conditions

(1) Development Plan Consent

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Amended plans from Alexander Brown Architects as follows :

Drawing 18-015.PL02 Rev L Allotment subdivision plan dated 14 October 2020

Drawing 18-15.PL03 Rev L Site Plan dated 23 October 2020

Drawing 18-15.PL04 Rev G Individual Floorplans Lots 01-03 dated 09 October 2020

Drawing 18-15.PL05 Rev H Individual Floorplans Lots 04-08 dated 09 October 2020

Drawing 18-15.PL06 Rev H Elevations dated 09 October 2020

Drawing 18-15.PL07 Rev I Elevations dated 14 October 2020

Drawing 18-15.PL08 Rev G Elevations dated 14 October 2020

- Arborman Tree Solutions Report dated 08 October 2020

REASON: To ensure the proposed development is undertaken in accordance with the approved plans.

(2) No tree removal until Development Approval issued

This Consent Notification is for Development Plan Consent only and Development Approval is still required.

You must not remove any trees included in this consent nor commence any site works, building work or change the use of the land until you have also received notification of a Development Approval. A separate 221 application for tree removal in the road verge is required.

REASON: To maintain the amenity of the area.

(3) External Finishes

The external finishes to the building herein approved shall be as follows:

Roof: Revolution Roofing True Oak Super 5 and Flashing cladding in Colorbond “Shale Grey”

Walls: James Hardie Scun Axon Cladding painted in Colorbond “Monument”
Austral Bricks in “Hawthorn”

CFC Sheets painted Colorbond “Monument” and “Shale Grey”

REASON: The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.

(4) Firefighting Water Supply - Mains Water Supply Available

A supply of water independent of reticulated mains supply shall be available at all times for fire- fighting purposes:

- a minimum supply of 2,000 (two thousand) litres of water shall be available for fighting purposes at all times; and
- the water supply shall be located such that it provides the required water; and
- the water supply shall be fitted with domestic fittings (standard household taps that enable an occupier to access a supply of water with domestic hoses or buckets for extinguishing minor fires); and
- the water supply outlet shall be located at least 400mm above ground level for a distance of 200mm either side of the outlet; and
- a water storage facility connected to mains water shall have an automatic float switch to maintain full capacity; and
- where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.

REASON: To minimise the threat and impact of fire on life and property as your property is located in a MEDIUM Bushfire Prone Area

(5) Residential Lighting

All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.

REASON: Lighting shall not detrimentally affect the residential amenity of the locality.

(6) Prior to Building Rules Consent Being Granted for any stage of works - Requirement For Stormwater Management Plan, Stormwater Calculations and an amended Civil and Earthworks plan

1. Prior to Building Rules Consent being granted for any stage of works all hydrological and hydraulic stormwater calculations shall be provided shall be submitted to Council for approval together with the final drainage plan. The final civil and earthworks plan must reflect the TPZ for tree 56 and in particular propose a permeable surface for the driveways where they are in the TPZ of Tree 56. In addition the proposed Civil and Earthworks plan must reflect the proposed underground detention tanks being located outside the TPZ.
2. Discharge of stormwater to the Council easement pipe shall be at a maximum flow of 70 L/s in a 100 year ARI storm, 20 minute event. Storage for a 100 year storm event shall be provided to prevent overflows into adjoining properties; and
3. A stormwater management plan for the site considering existing stormwater overland flow paths from neighbouring properties shall be submitted to Council for approval. The stormwater management plan shall demonstrate how existing stormwater overflow paths will be managed for the development to minimise the risk to infrastructure and the development in a major storm event.

REASON: To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.

(7) Prior to Building Rules Consent Being Granted for any stage of works - Requirement for Soil Erosion And Drainage Management Plan (SEDMP)

Prior to Building Rules Consent being granted for any stage of works the applicant shall prepare and submit to Council a Soil Erosion and Drainage Management Plan (SEDMP) for the site for Council's approval. The SEDMP shall comprise a site plan and design sketches that detail erosion control methods and installation of sediment collection devices that will prevent:

- a) soil moving off the site during periods of rainfall;
- b) erosion and deposition of soil moving into the remaining native vegetation; and
- c) soil transfer onto roadways by vehicles and machinery.

The works contained in the approved SEDMP shall be implemented prior to demolition and construction commencing and maintained to the reasonable satisfaction of Council during the construction period.

REASON: Development should prevent erosion and stormwater pollution before, during and after construction.

(8) Protection Of Trees

The works in relation to trees outlined in the Arborist's Report prepared by Arborman Tree Solutions and submitted as part of this application as a strategy for management of the tree(s) are to be undertaken simultaneously with the demolition and any building works on the site.

REASON: To protect the regulated/significant tree from the impact of the development.

(9) Tree Protection Zone

A tree protection zone (TPZ) around the 'significant' tree to be retained (trees 56, tree 100 and the Council trees 29, 30, 31, 32, 33 & 34 on Pomona Road) is required. The protection zone is to encompass the structural root zone of the tree and should be determined by the project arborist. During construction each TPZ shall be fenced with 2.0 metre high chain mesh material with posts at 3 metre intervals and incorporate on the east and south sides a clearly legible sign displaying the words "Tree Protection Zone". The following restrictions apply to each tree protection zone:

- a) No machine excavation is permitted unless under the supervision and direction of the Project Arborist.
- b) If any major roots (roots with a diameter greater than 25mm) are found outside the TPZ during construction the project arborist shall be contacted immediately to assess the situation.
- c) The works adjacent to trees 56, 100 and the Council trees 29, 30, 31, 32, 33 & 34 on Pomona Road) are to be undertaken under the supervision of the project arborist.
- d) A layer of organic mulch to a depth of 100mm shall be placed over all root systems so as to assist with moisture retention and to reduce the impact of compaction.
- e) No material, equipment or temporary buildings shall be placed within any TPZ.
- f) No items shall be attached to each tree including temporary service wires, nails, screws or any other fixing device.
- g) Supplementary watering shall be provided to the trees through any dry periods during and after the construction process. Each tree is to be provided with a circular dripper system comprising 19mm polypipe, 4 litre per hour drippers spaced every 2 metres.

- h) No other works can occur within a TPZ without the consent of Council’s Arborist (for street trees) or the Project Arborist during the life of the retained trees.**
- i) Any services such as stormwater, sewer and electrical that enter the TPZ are to be excavated using non-destructive methods such as Hydro vac® , hand digging or directional boring systems. This work is to be supervised by a project arborist. If any tree roots are discovered at this time, the project arborist is to assess and address accordingly.**
- j) The common driveway in the TPZ of tree 56 must be covered in a permeable surface to ensure ongoing access to water for the tree.**

REASON: To protect the ‘regulated’ tree/s from the impact of the development.

(10) Timeframe for Landscaping to be Planted

Landscaping detailed in the amended Alexander Brown Architects drawing numbers 18-015.PL03 Rev K shall be planted in the planting season following installation of the infrastructure and maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

REASON: To maintain and enhance the visual amenity of the locality in which the subject land is situated and ensure the survival and maintenance of the vegetation.

Land Division Conditions

SCAP Requirements

- (1) The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0084684).**

SA Water Corporation further advise that the developer should inform potential purchasers of the community lots in regards to the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at FULL cost to the owner/applicant.

SA Water also advise that for further processing of this application by SA Water, to establish the full requirements and costs of this development, the developer will need to advise SA Water of their preferred servicing option. Information of our servicing options can be found at:

<http://www.sawater.com.au/SAWater/DevelopersBuilders/ServicesForDevelopers/Customer+Connections+Centre.htm>

For further information or queries please contact SA Water Land Developments on 74241119.

- (2) Payment of \$50771.00 into the Planning and Development Fund (7 allotment/s @ \$7253 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the Department of Planning, Transport and Infrastructure marked “Not Negotiable” and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.**

- (3) A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

NOTES

(1) **Land Division Development Approval**

This development approval is valid for a period of three (3) years from the date of the decision notification. This time period may be further extended beyond the 3 year period by written request to, and approval by, Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee. Please note that in all circumstances a fresh development application will be required if the above conditions cannot be met within the respective time frames.

(2) **Native Vegetation Council Requirements**

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. For further information visit:

www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

- (3) The Developer is required to maximise the notice given to Council and residents of any works affecting traffic flows on Pomona Road and in any event must give more than four weeks' notice. A separate 221 application for works in the road verge is required to be submitted and approved by Council prior to the commencement of such works.

(4) **Council Rubbish Collection**

The applicant is advised that Council rubbish and recycling trucks will enter the subject land. The onus is therefore on future landowners/occupiers to ensure that the access is maintained and refuse bins are placed in suitable locations on the internal road so as to not obstruct the proposal turnaround.

(5) **Property Identifiers**

The property identifiers for this property are now:

Proposed L3 - 1/20 Pomona Road

Proposed L2 - 2/20 Pomona Road

Proposed L1 - 3/20 Pomona Road

Proposed L8 - 4/20 Pomona Road

Proposed L7 - 5/20 Pomona Road

Proposed L6 - 6/20 Pomona Road

Proposed L5 - 7/20 Pomona Road

Proposed L4 - 8/20 Pomona Road

(6) A Section 221 application and approval will be required for the proposed tree removal (trees 15, 16, 20, 21, 27, 28, 35 & 36).

8.2. The Assessment Manager is granted delegation to make changes to condition wording as considered necessary in finalising the Court Order.

9. ATTACHMENTS

Locality Plan

Amended Plans

Refused Plans and CAP minutes from 8 July 2020

Previous CAP report and Attachments from 8 July 2020

Respectfully submitted

Concurrence

Melanie Scott
Senior Statutory Planner

Deryn Atkinson
Assessment Manager



Annotations

- Representor 3
- Representor 1
- Representor 2
- Subject Land

Planners Summary

- PlanningSummary

AHC Core

- Parks
- Townships
- RoadsStreetView
 - ADJOINING LGA RD
 - AHC & PRIVATE
 - AHC RD
 - DPTI RD
 - PRIVATE RD
 - SHARED RD

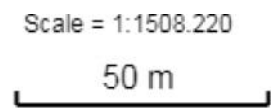
- Parcels
- Roads
- AHC LGA
- LGAs
- Suburbs
- Rivers
 - River
 - Creeks
 - Streams

Stormwater Updated

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RENDER BY TREE HOUSE 3D - FOR ILLUSTRATIVE PURPOSES ONLY

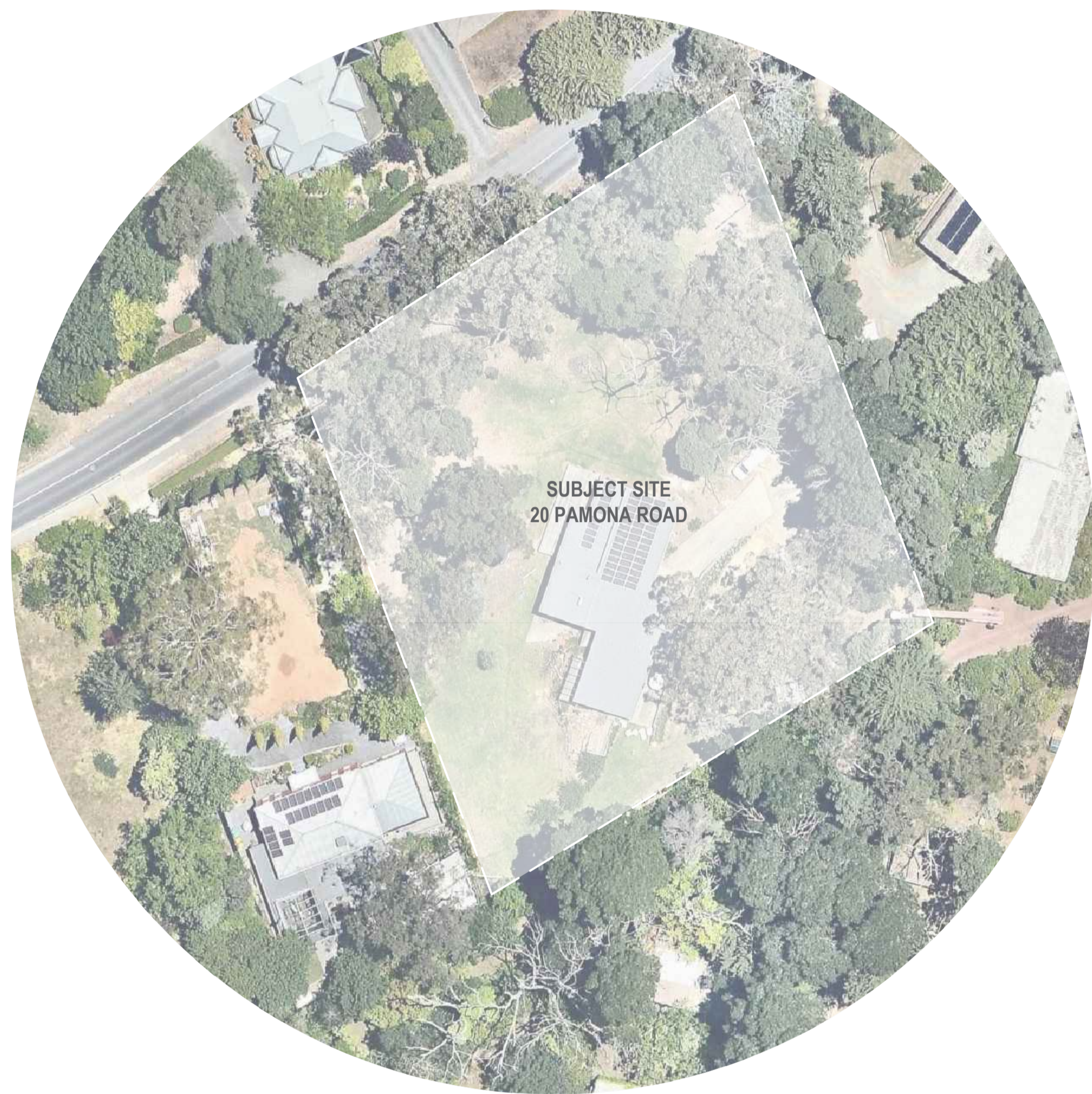
**ALEXANDER
BROWN
ARCHITECTS**

Suite 6, 609 - 611 Magill Road, Magill, S.A. 5072
p 8364 4447 www.alexanderbrown.com.au

POMONA ROAD DEVELOPMENT - 20 POMONA ROAD, STIRLING

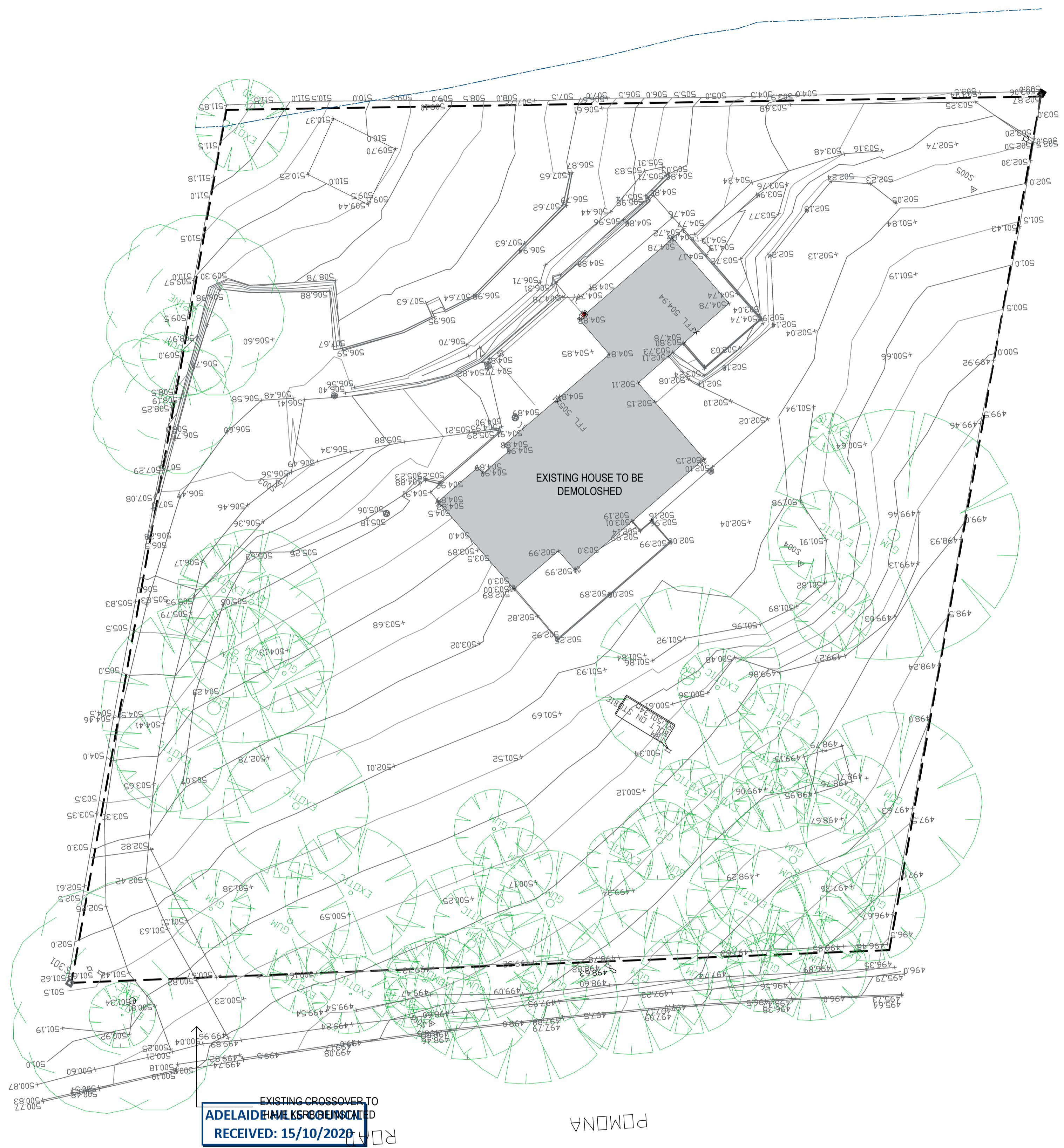
ADELAIDE HILLS COUNCIL
RECEIVED: 15/10/2020

- PL01 LOCATION PLAN & SITE SURVEY
- PL02 ALLOTMENT SUBDIVISION PLAN
- PL03 SITE PLAN
- PL04 INDIVIDUAL FLOOR PLANS, LOT 01 - 03
- PL05 INDIVIDUAL FLOOR PLANS, LOT 04 - 08
- PL06 ELEVATIONS
- PL07 ELEVATIONS
- PL08 ELEVATIONS + PERSPECTIVES
- PL09 PERSPECTIVES
- PL10 SHADOW DIAGRAMS



**SUBJECT SITE
20 PAMONA ROAD**

LOCATION PLAN
1:500 @ A1



**EXISTING CROSSOVER TO
ADELAIDE HILLS ROAD
RECEIVED: 15/10/2020**

POMONA

SITE SURVEY
1:200 @ A1
0 2m 4m 6m 10m
1:200 SCALE BAR



C	15.02.2019	PLANNING ISSUE
B	15.01.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL01.B

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Location Plan + Site Survey

DETAILS
Drawn **BM / NF**
Scale **REFER TO PLANS**
Date **FEBRUARY 2019**



AREA SCHEDULE

TOTAL SITE 3992.1m²
SITE COVERAGE 1275.7m²
SITE COVERAGE % 31.9%

REDUCTION IN SITE COVERAGE = 394.1m²



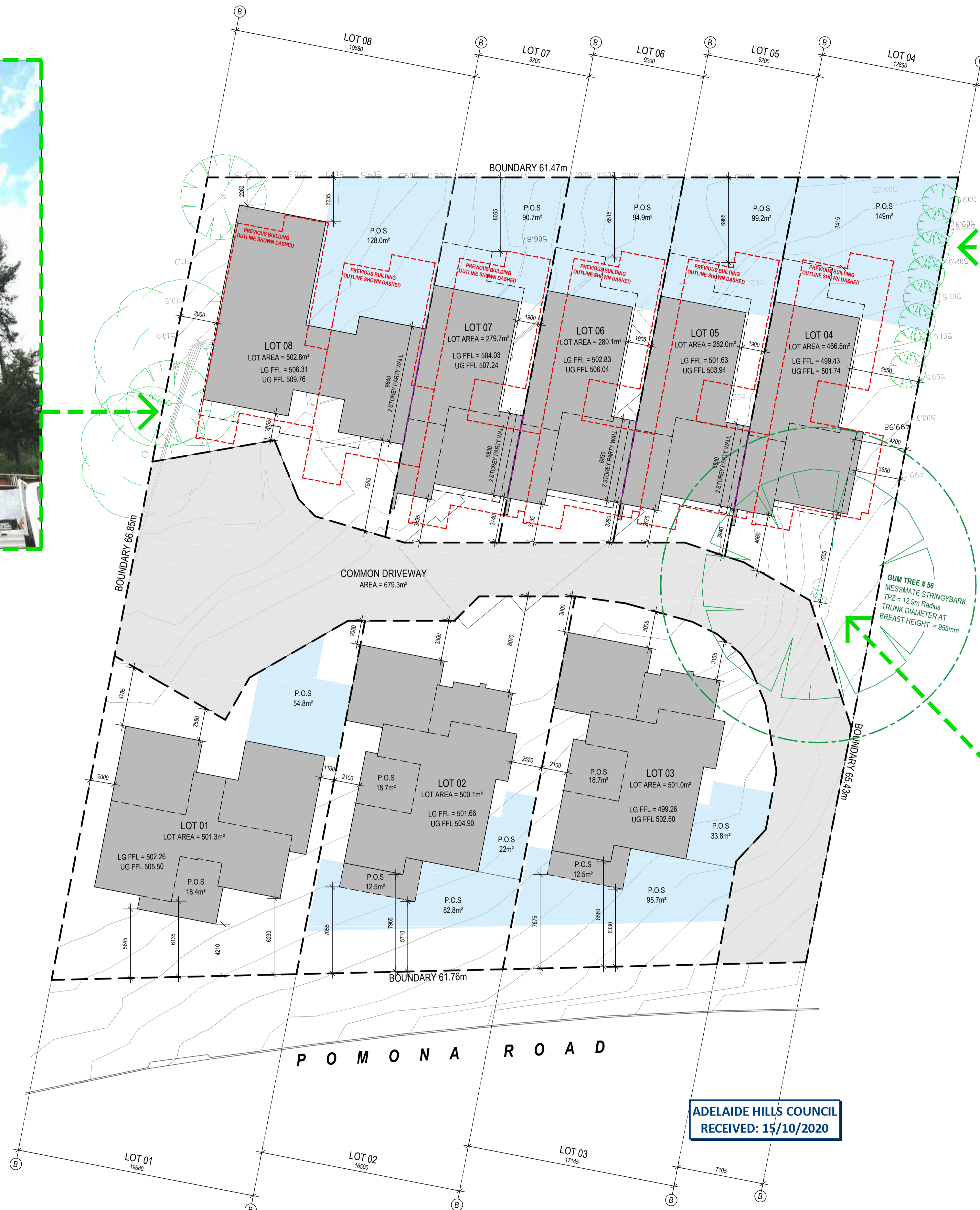
EXISTING TREES ALONG BOUNDARY TO BE RETAINED



EXISTING ORNAMENTAL PEAR TREES ALONG BOUNDARY TO BE RETAINED



RETAIN GUM TREE AS PER ARBORISTS RECOMMENDATIONS



ADELAIDE HILLS COUNCIL
RECEIVED: 15/10/2020

SUBDIVISION PLAN
1:200 @ A1
0 2m 4m 6m 10m
1:200 SCALE BAR

L	14.10.2020	PLANNING ISSUE
K	09.10.2020	PLANNING ISSUE
J	11.09.2020	PLANNING ISSUE
I	07.09.2020	PLANNING ISSUE
H	04.09.2020	PLANNING ISSUE
G	21.08.2020	PLANNING ISSUE
F	28.08.2019	PLANNING ISSUE
E	02.08.2019	PLANNING ISSUE
D	15.05.2019	PLANNING ISSUE
C	04.03.2019	PLANNING ISSUE
B	15.02.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL02.L

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery
DRAWING TITLE
Allotment Subdivision Plan

DETAILS
Drawn **BM / NF**
Scale **1:200 @ A1**
Date **OCTOBER 2020**

ABA







AREA SCHEDULE

TOTAL SITE	3992.1m ²
SITE COVERAGE	1275.7m ²
SITE COVERAGE %	31.9%

FINISHES SCHEDULE

RW 01	RETAINING WALL TYPE 01 AUSSIE BLOCK COLOUR: OATMEAL
RW 02	RETAINING WALL TYPE 02 CONCRETE SLEEPERS WITH BEDROCK TEXTURE COLOUR: SANDSTONE
FE 01	FENCE 01 COLORBOND GOOD NEIGHBOUR FENCE COLOUR: CB MONUMENT
FE 02	FENCE 2 1.8m HIGH TIMBER SLAT FENCE WITH NO GAPS AND STEEL POSTS POST: CB MONUMENT SPECIES: WESTERN RED CEDAR
SCREEN.01	PRIVACY SCREEN 01 REV ROOFING VICTORY FENCING STOCKADE SLAT SCREEN 70mm SLATS WITH 10mm GAP COLOUR: MONUMENT / CEDAR
PV 01	PAVING TYPE 1 BEST BRICKS & PAVERS BEST LOCK PAVER 60 COLOUR: NATURAL
PV 02	PAVING TYPE 2 BEST BRICKS & PAVERS BEST LOCK PAVER 60 COLOUR: CHARCOAL

LANDSCAPE LEGEND

-  EXISTING TREE 01
Ornamental Pears
-  EXISTING TREE 02
Refer to Arborist Report for Species
-  TREE 03
LAGERSTROEMIA 'Tuscarora'
-  TREE 04
TRISANIOPSIS laurina
-  TREE 05
EUCALYPTUS leucoxyton 'Euky Dwarf'
-  SHRUBS + GROUNDCOVERS
Mixture in accordance with CLOVER Planting palette

L	23.10.2020	PLANNING ISSUE
K	14.10.2020	PLANNING ISSUE
J	09.10.2020	PLANNING ISSUE
I	11.09.2020	PLANNING ISSUE
H	04.09.2020	PLANNING ISSUE
F	18.06.2020	PLANNING ISSUE
G	06.04.2020	PLANNING ISSUE
E	28.08.2019	PLANNING ISSUE
D	02.08.2019	PLANNING ISSUE
C	15.02.2019	PLANNING ISSUE
B	15.01.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL03.L

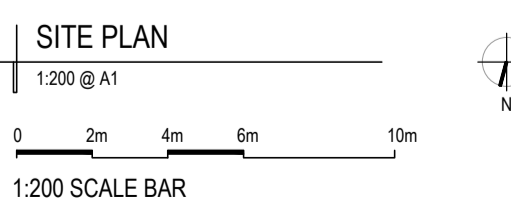
PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Site Plan

DETAILS
Drawn: BM / NF
Scale: 1:200 @ A1
Date: OCTOBER 2020

ABA



AMENDED 23 October 2020

AREA SCHEDULE

TOTAL AREA LOTS 01 - 03 1500.5m²

LOT 01
 LOT AREA 501.3m²
 SITE COVERAGE 206.5m²
 SITE COVERAGE % 41.2%
 PRIVATE OPEN SPACE 73.2m²

LOWER GROUND FLOOR 94.7m²
 VERANDAH 21.9m²
 UPPER GROUND FLOOR 185.8m²
 PORCH 7.8m²
 BALCONY 20.5m²
 DECK 21.1m²

LOT 02
 LOT AREA 500.1m²
 SITE COVERAGE 205.1m²
 SITE COVERAGE % 41.0%
 PRIVATE OPEN SPACE 136m²

LOWER GROUND FLOOR 127.1m²
 VERANDAH 14.5m²
 UPPER GROUND FLOOR 172.1m²
 PORCH 8.1m²
 BALCONY 12.6m²
 DECK 18.8m²

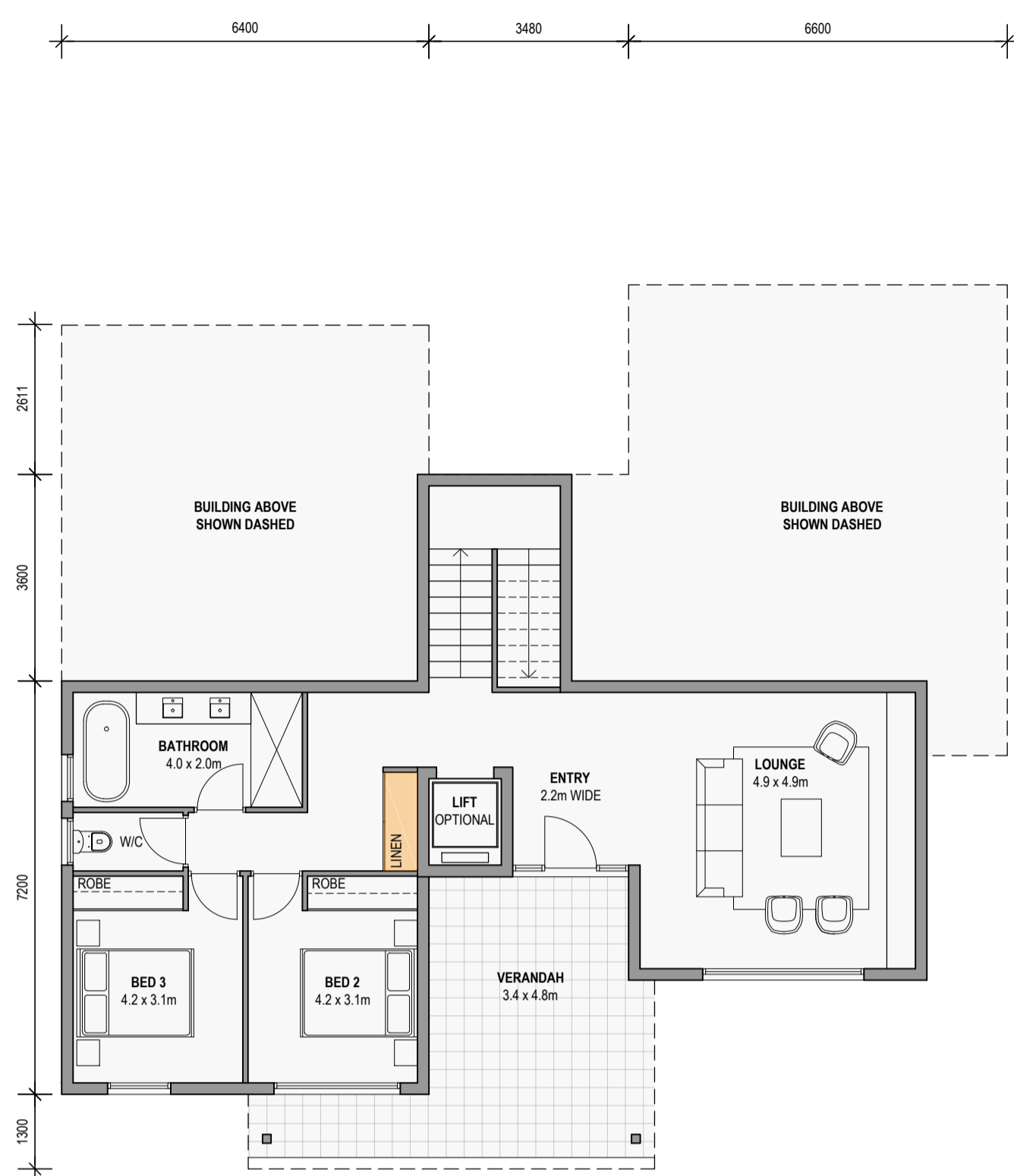
LOT 03
 LOT AREA 501.0m²
 SITE COVERAGE 205.1m²
 SITE COVERAGE % 40.9%
 PRIVATE OPEN SPACE 160.7m²

LOWER GROUND FLOOR 127.1m²
 VERANDAH 14.5m²
 UPPER GROUND FLOOR 172.1m²
 PORCH 8.1m²
 BALCONY 12.6m²
 DECK 18.8m²

STORAGE

LOT 01
 LINEN 4.3m³
 LAUNDRY 2.9m³
 PANTRY 5.2m³
TOTAL STORAGE 12.4m³

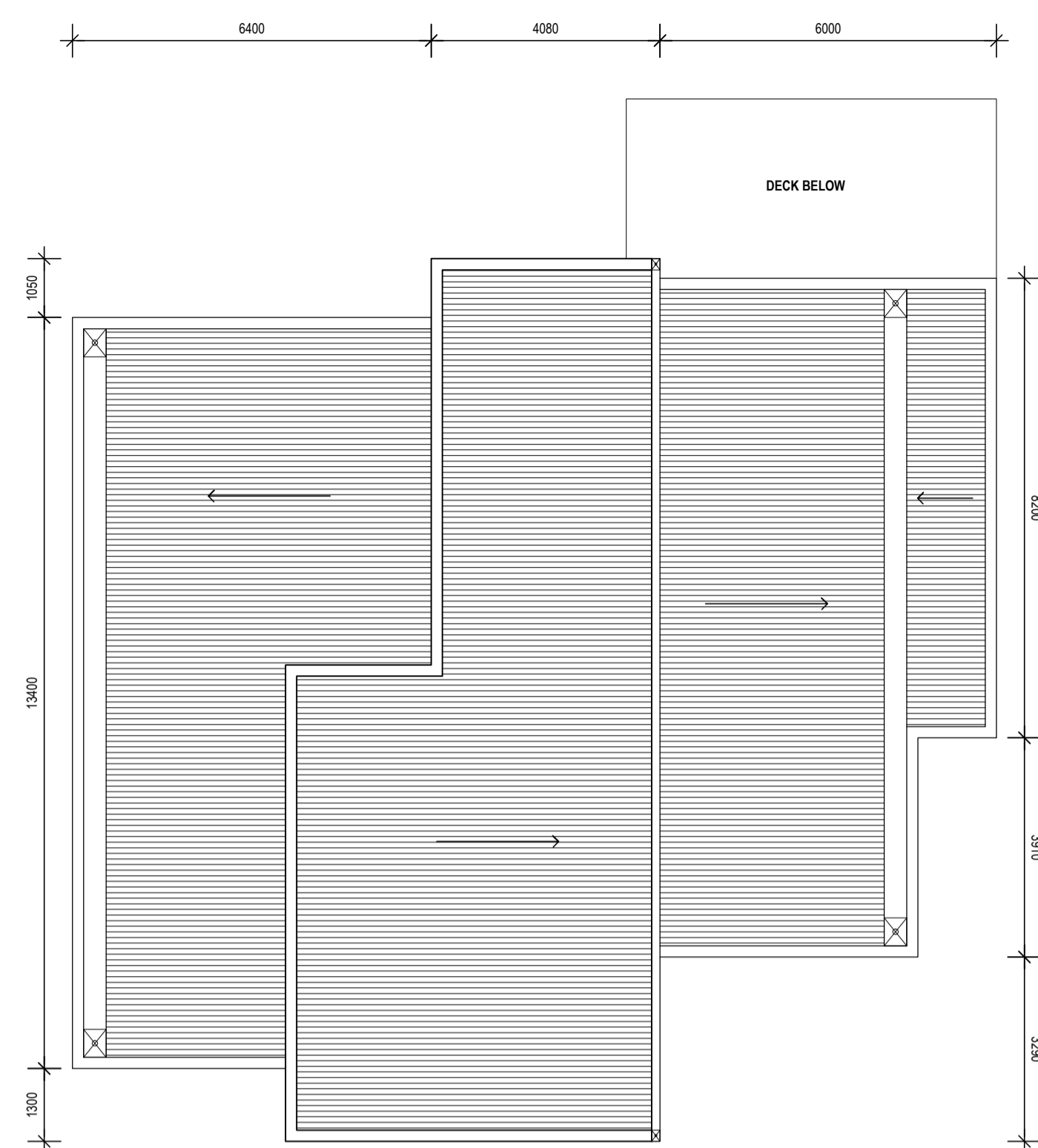
LOT 02 - 03
 LINEN 5.9m³
 LAUNDRY 3.8m³
 PANTRY 4.3m³
TOTAL STORAGE 14.0m³



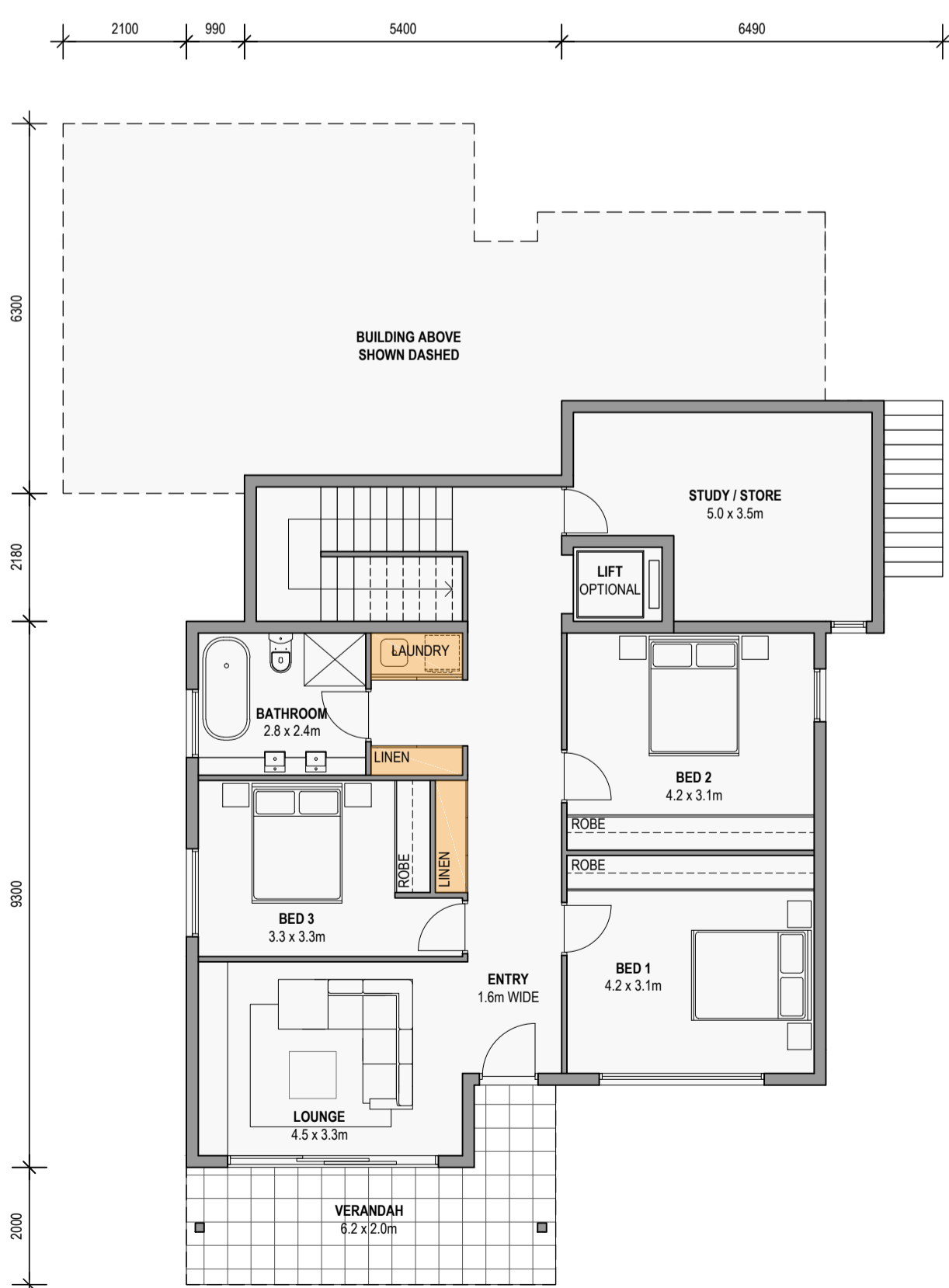
LOT 1
LOWER GROUND FLOOR PLAN



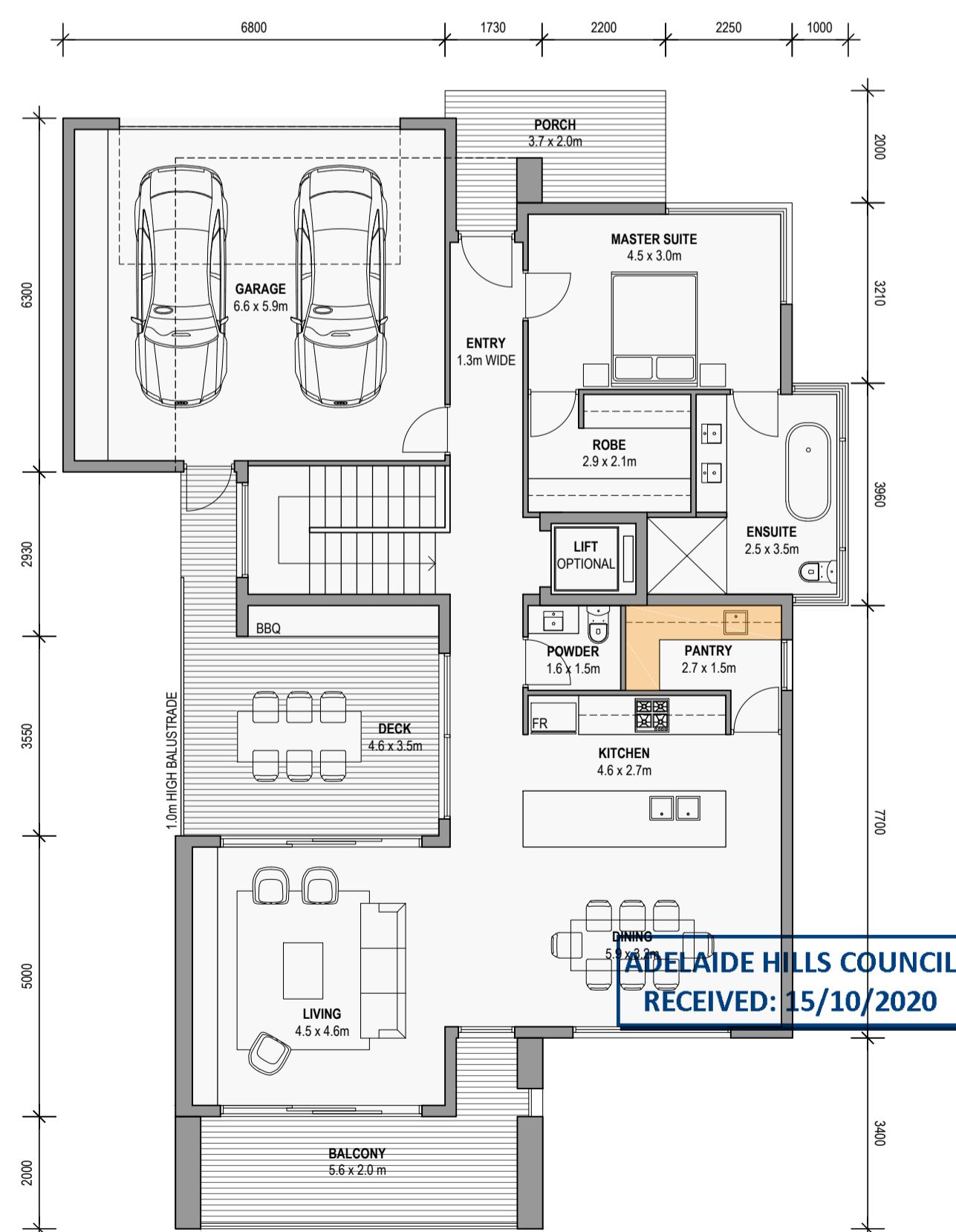
LOT 1
UPPER GROUND FLOOR PLAN



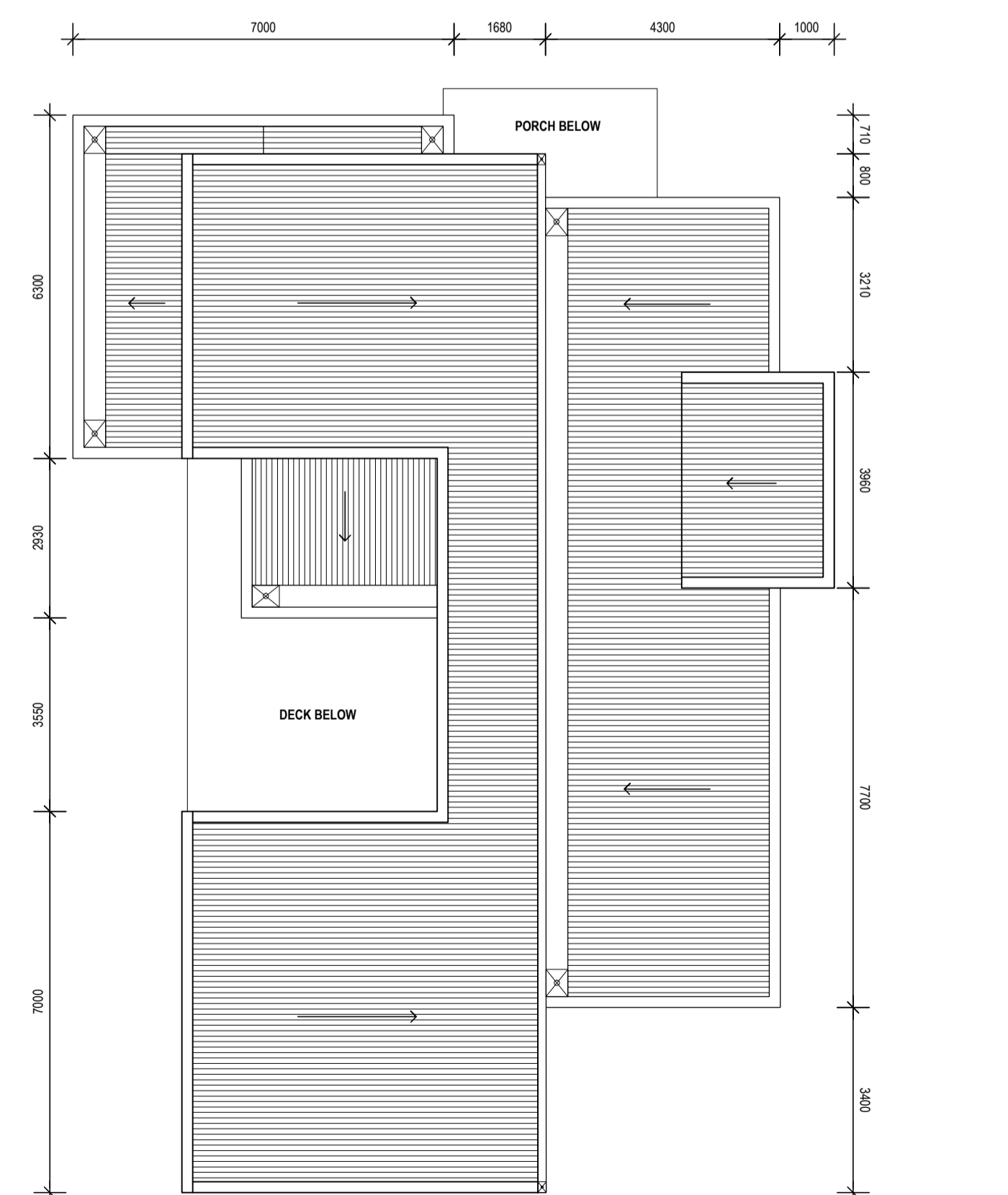
LOT 1
ROOFTOP PLAN



LOT 2 - 3
LOWER GROUND FLOOR PLAN



LOT 2 - 3
UPPER GROUND FLOOR PLAN



LOT 2 - 3
ROOFTOP PLAN

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F	04.09.2020	PLANNING ISSUE
E	28.08.2019	PLANNING ISSUE
D	04.03.2019	PLANNING ISSUE
C	15.02.2019	PLANNING ISSUE
B	15.01.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL04.G

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Individual Floorplans
Lot 01 - 03

DETAILS
Drawn **BM / NF**
Scale **1:100 @ A1**
Date **OCTOBER 2020**



AREA SCHEDULE

TOTAL AREA LOTS 04 - 08 1811.1m²

LOT 04
 LOT AREA 466.5m²
 SITE COVERAGE 131.8m²
 SITE COVERAGE % 28.2%
 PRIVATE OPEN SPACE 164.1m²

LOWER GROUND FLOOR 66.0m²
 UPPER GROUND FLOOR 137.0m²
 DECK 21.0m²
 FIRST FLOOR 104.5m²
 TERRACE 15.1m²

LOT 05
 LOT AREA 282.0m²
 SITE COVERAGE 131.8m²
 SITE COVERAGE % 46.7%
 PRIVATE OPEN SPACE 114.3m²

LOWER GROUND FLOOR 66.0m²
 UPPER GROUND FLOOR 137.0m²
 DECK 21.0m²
 FIRST FLOOR 104.5m²
 TERRACE 15.1m²

LOT 06
 LOT AREA 280.1m²
 SITE COVERAGE 131.8m²
 SITE COVERAGE % 47.0%
 PRIVATE OPEN SPACE 110.0m²

LOWER GROUND FLOOR 66.0m²
 UPPER GROUND FLOOR 137.0m²
 DECK 21.0m²
 FIRST FLOOR 104.5m²
 TERRACE 15.1m²

LOT 07
 LOT AREA 279.7m²
 SITE COVERAGE 131.8m²
 SITE COVERAGE % 47.1%
 PRIVATE OPEN SPACE 105.8m²

LOWER GROUND FLOOR 66.0m²
 UPPER GROUND FLOOR 137.0m²
 DECK 21.0m²
 FIRST FLOOR 104.5m²
 TERRACE 15.1m²

LOT 08
 LOT AREA 502.8m²
 SITE COVERAGE 190.2m²
 SITE COVERAGE % 37.8%
 PRIVATE OPEN SPACE 144.3m²

LOWER GROUND FLOOR 119.7m²
 UPPER GROUND FLOOR 217.1m²
 BALCONY 16.3m²

STORAGE

LOT 04 - 07
 LINEN 1.15m³
 LAUNDRY 3.69m³
 STORAGE 25.2m³
 PANTRY 1.6m³
TOTAL STORAGE 31.6m³

LOT 08
 LINEN 2.0m³
 LAUNDRY 6.5m³
 STORAGE 12.4m³
 PANTRY 5.2m³
TOTAL STORAGE 26.1m³

PARTY WALL

SYSTEM TO ACHIEVE AN FRL OF 60/60/60 AND A SOUND RATING ON NOT LESS THAN R_W+C_r OF 50 (DESIGN SYSTEM ACHIEVES R_W+C_r OF 53). PARTYWALL TO EXTEND AND BE FIRE RATED SEALED TO UNDERSIDE OF NON-COMBUSTIBLE ROOF SHEETING. PARTYWALL SYSTEM TO BE CONSTRUCTED IN STRICT ACCORDANCE WITH MANUFACTURERS DETAILS AND RECOMMENDATIONS.

LOWER GROUND FFL

SLAB AND FOOTING DETAIL TO ENGINEERS REQUIREMENTS

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

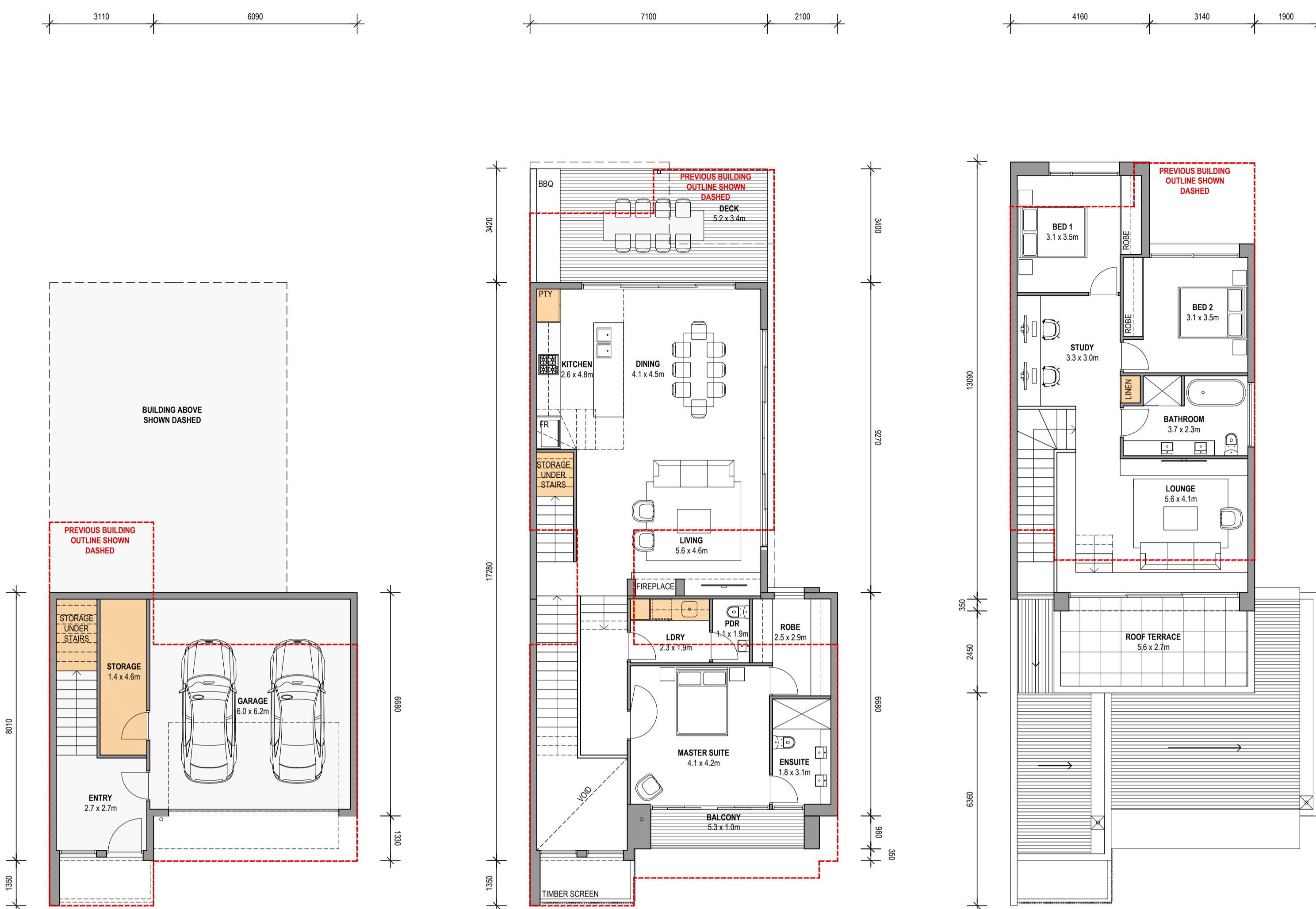
LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL

LOWER GROUND FFL



LOT 4 - 7
LOWER GROUND FLOOR PLAN

LOT 4 - 7
UPPER GROUND FLOOR PLAN

LOT 4 - 7
FIRST FLOOR PLAN



LOT 8
LOWER GROUND FLOOR PLAN

LOT 8
UPPER GROUND FLOOR PLAN

LOT 04 - 07
TYPICAL PARTY WALL DETAIL

ADELAIDE HILLS COUNCIL
RECEIVED: 15/10/2020

PLANNING

18-015.PL05.G

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Individual Floorplans
Lots 04 - 08

DETAILS
Drawn BM / NF
Scale 1:100 @ A1
Date OCTOBER 2020

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FINISHES SCHEDULE

- WF.01 WALL FINISH 01**
REVOLUTION ROOFING
TRUE OAK SUPER 5
AND FLASHING
CLADDING : SURFMIST
- WF.02 WALL FINISH 02**
JAMES HARDIE
SCYON AXON CLADDING
PAINTED : CB MONUMENT
- WF.03 WALL FINISH 03**
AUSTRAL BRICKS
MELBOURNE
COLOUR : HAWTHORN
- WF.04 WALL FINISH 04**
CFC SHEET
PAINTED : MONUMENT
- WF.05 WALL FINISH 05**
CFC SHEET
PAINTED : SURFMIST
- TIMBER SCREEN**
30x30 + 30x70 mm
TIMBER BATTENS
SPECIES : SPOTTED GUM
- RW 01 RETAINING WALL TYPE 01**
AUSSIE BLOCK
COLOUR : OATMEAL
- RW 02 RETAINING WALL TYPE 02**
CONCRETE SLEEPERS WITH
BEDROCK TEXTURE
COLOUR : SANDSTONE
- FE.01 FENCE 01**
COLORBOND GOOD
NEIGHBOUR FENCE
COLOUR : CB MONUMENT
- FE.02 FENCE 2**
1.8m HIGH TIMBER SLAT FENCE
WITH NO GAPS AND STEEL POSTS
POST : CB MONUMENT
SPECIES : WESTERN RED CEDAR
- SCREEN.01 PRIVACY SCREEN 01**
REV ROOFING VICTORY FENCING
STOCKADE SLAT SCREEN
70mm SLATS WITH 10mm GAP
COLOUR : MONUMENT / CEDAR
- PV 01 PAVING TYPE 1**
BEST BRICKS & PAVERS
BEST LOCK PAVER 60
COLOUR : NATURAL
- PV 02 PAVING TYPE 2**
BEST BRICKS & PAVERS
BEST LOCK PAVER 60
COLOUR : CHARCOAL

GENERAL LEGEND

GLAZING SUITE
COMMERCIAL GLAZING WITH
BLACK POWDER COAT FRAMES

- ED** ENTRY DOOR
- TGD** TILT UP GARAGE DOOR
- FG** FIXED GLAZING
- THA** TOP HUNG AWNING
- GSD** GLASS SLIDING DOOR
- OB** OBSCURE GLAZING

H	09.10.2020	PLANNING ISSUE
G	11.09.2020	PLANNING ISSUE
F	07.09.2020	PLANNING ISSUE
E	04.09.2020	PLANNING ISSUE
D	28.08.2019	PLANNING ISSUE
C	04.03.2019	PLANNING ISSUE
B	15.02.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL06.H

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Elevations

DETAILS
Drawn BM / NF
Scale 1:100 @ A1
Date OCTOBER 2020



ELEVATION 01 - NORTH / POMONA ROAD
1:100 @ A1



ELEVATION 02 - NORTH
1:100 @ A1

FINISHES SCHEDULE

- WF.01 WALL FINISH 01**
REVOLUTION ROOFING
TRUE OAK SUPER 5
AND FLASHING
CLADDING : SURFMIST
 - WF.02 WALL FINISH 02**
JAMES HARDIE
SCYON AXON CLADDING
PAINTED : CB MONUMENT
 - WF.03 WALL FINISH 03**
AUSTRAL BRICKS
MELBOURNE
COLOUR : HAWTHORN
 - WF.04 WALL FINISH 04**
CFC SHEET
PAINTED : MONUMENT
 - WF.05 WALL FINISH 05**
CFC SHEET
PAINTED : SURFMIST
- TIMBER SCREEN**
30x30 x 30x70 mm
TIMBER BATTENS
SPECIES : SPOTTED GUM
- RW 01 RETAINING WALL TYPE 01**
AUSSIE BLOCK
COLOUR : OATMEAL
 - RW 02 RETAINING WALL TYPE 02**
CONCRETE SLEEPERS WITH
BEDROCK TEXTURE
COLOUR : SANDSTONE
- FE.01 FENCE 01**
COLORBOND GOOD
NEIGHBOUR FENCE
COLOUR : CB MONUMENT
 - FE 02 FENCE 2**
1.8m HIGH TIMBER SLAT FENCE
WITH NO GAPS AND STEEL POSTS
POST : CB MONUMENT
SPECIES : WESTERN RED CEDAR
- SCREEN.01 PRIVACY SCREEN 01**
REV ROOFING VICTORY FENCING
STOCKADE SLAT SCREEN
70mm SLATS WITH 10mm GAP
COLOUR : MONUMENT / CEDAR
- PV 01 PAVING TYPE 1**
BEST BRICKS & PAVERS
BEST LOCK PAVER 60
COLOUR : NATURAL
 - PV 02 PAVING TYPE 2**
BEST BRICKS & PAVERS
BEST LOCK PAVER 60
COLOUR : CHARCOAL

GENERAL LEGEND

GLAZING SUITE
COMMERCIAL GLAZING WITH
BLACK POWDER COAT FRAMES

- ED** ENTRY DOOR
- TGD** TILT UP GARAGE DOOR
- FG** FIXED GLAZING
- THA** TOP HUNG AWNING
- GSD** GLASS SLIDING DOOR
- OB** OBSCURE GLAZING

I	14.10.2020	PLANNING ISSUE
H	09.10.2020	PLANNING ISSUE
G	11.09.2020	PLANNING ISSUE
F	07.09.2020	PLANNING ISSUE
E	04.09.2020	PLANNING ISSUE
D	06.04.2020	PLANNING ISSUE
C	28.08.2019	PLANNING ISSUE
B	15.02.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL07.1

PROJECT
Pomona Rd Development

Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

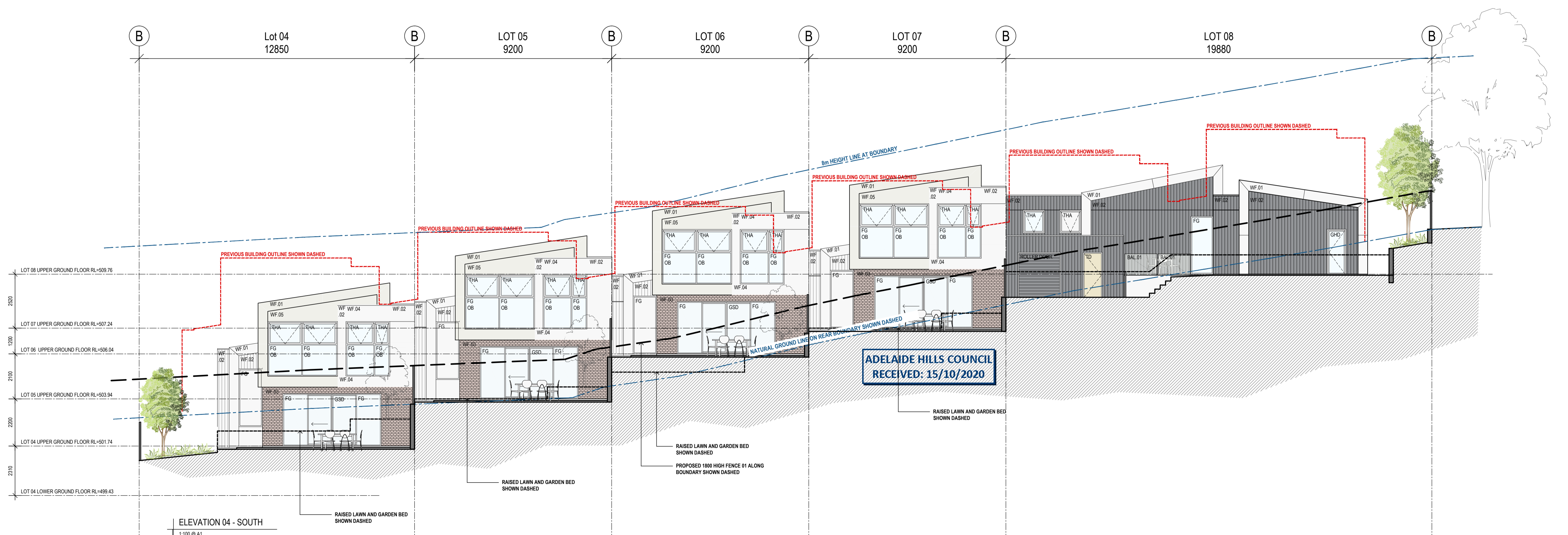
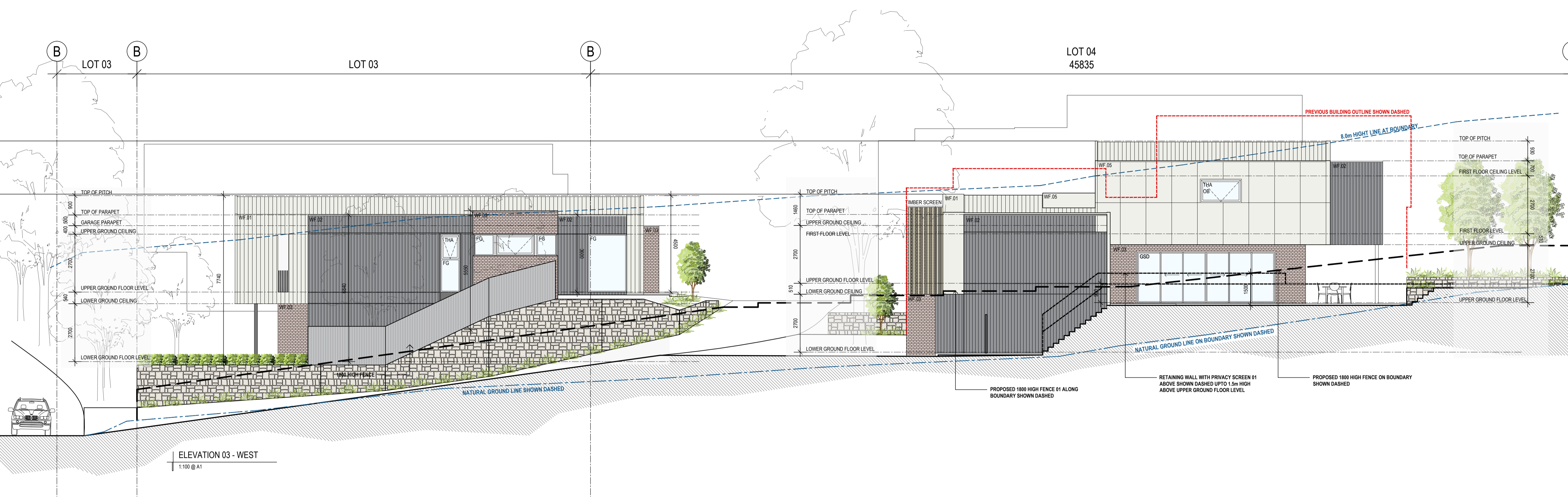
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Elevations

DETAILS

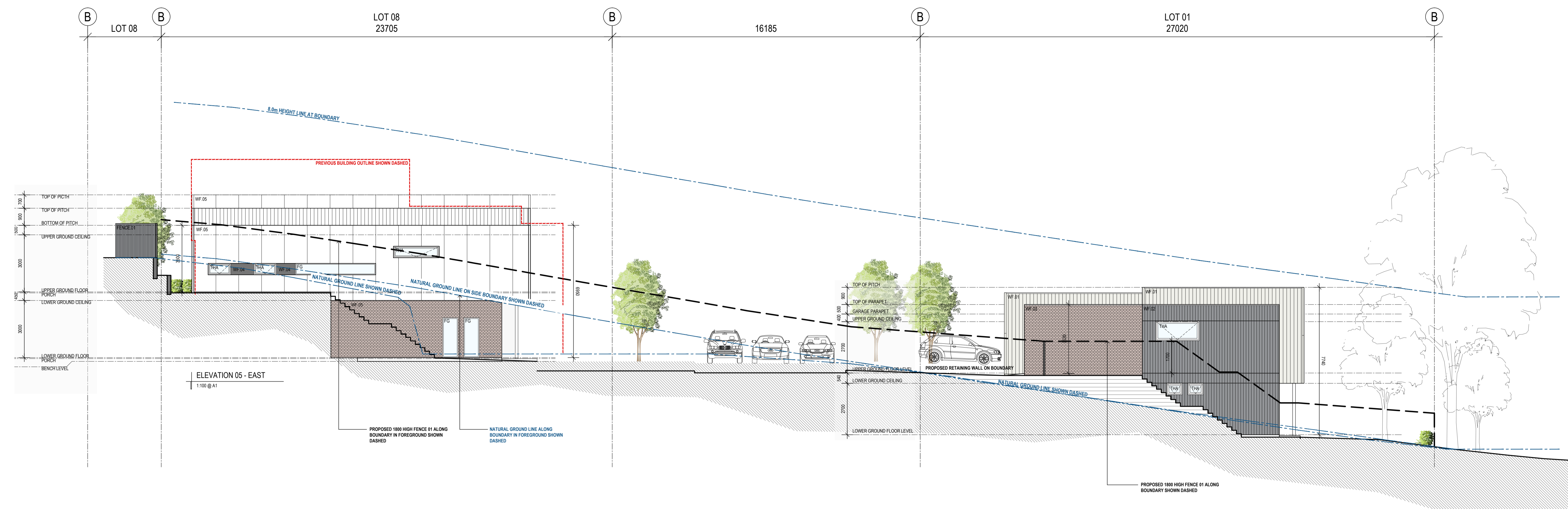
Drawn BM / NF

Scale 1:100 @ A1

Date OCTOBER 2020



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PERSPECTIVE 01 - LOT 03



PERSPECTIVE 02 - Lot 01 & 02

NOTE: REFER TO COVER PAGE 3D PROVIDED BY TREE HOUSE 3D FOR MORE ACCURATE REPRESENTATION OF DESIGN

FINISHES SCHEDULE

- WF.01 WALL FINISH 01**
REVOLUTION ROOFING
TRUE OAK SUPER 5
AND FLASHING
CLADDING : SURFMIST
- WF.02 WALL FINISH 02**
JAMES HARDIE
SCYON AXON CLADDING
PAINTED : CB MONUMENT
- WF.03 WALL FINISH 03**
AUSTRAL BRICKS
MELBOURNE
COLOUR : HAWTHORN
- WF.04 WALL FINISH 04**
CFC SHEET
PAINTED : MONUMENT
- WF.05 WALL FINISH 05**
CFC SHEET
PAINTED : SURFMIST

TIMBER SCREEN
30x30 + 30x70 mm
TIMBER BATTENS
SPECIES : SPOTTED GUM

- FE.01 FENCE 01**
COLORBOND GOOD
NEIGHBOUR FENCE
COLOUR : CB MONUMENT
- FE.02 FENCE 2**
1.8m HIGH TIMBER SLAT FENCE
WITH NO GAPS AND STEEL POSTS
POST : CB MONUMENT
SPECIES : WESTERN RED CEDAR

GENERAL LEGEND

GLAZING SUITE
COMMERCIAL GLAZING WITH
BLACK POWDER COAT FRAMES

- ED** ENTRY DOOR
- TGD** TILT UP GARAGE DOOR
- FG** FIXED GLAZING
- THA** TOP HUNG AWNING
- GSD** GLASS SLIDING DOOR
- OB** OBSCURE GLAZING

G	14.10.2020	PLANNING ISSUE
F	09.10.2020	PLANNING ISSUE
E	11.09.2020	PLANNING ISSUE
D	07.09.2020	PLANNING ISSUE
C	04.09.2020	PLANNING ISSUE
B	15.02.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL08.G
PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Elevations
DETAILS
Drawn BM / NF
Scale 1:100 @ A1
Date OCTOBER 2020





FOR ILLUSTRATIVE PURPOSES ONLY

PERSPECTIVE 03 - LOT 04



FOR ILLUSTRATIVE PURPOSES ONLY

PERSPECTIVE 04 - LOT 04



PERSPECTIVE 05 - LOT 08



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FOR ILLUSTRATIVE PURPOSES ONLY

PERSPECTIVE 06 - LOT 08, 07, 06, 05, 04

E	14.10.2019	PLANNING ISSUE
D	09.10.2019	PLANNING ISSUE
C	15.02.2019	PLANNING ISSUE
B	15.01.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

18-015.PL09.E

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

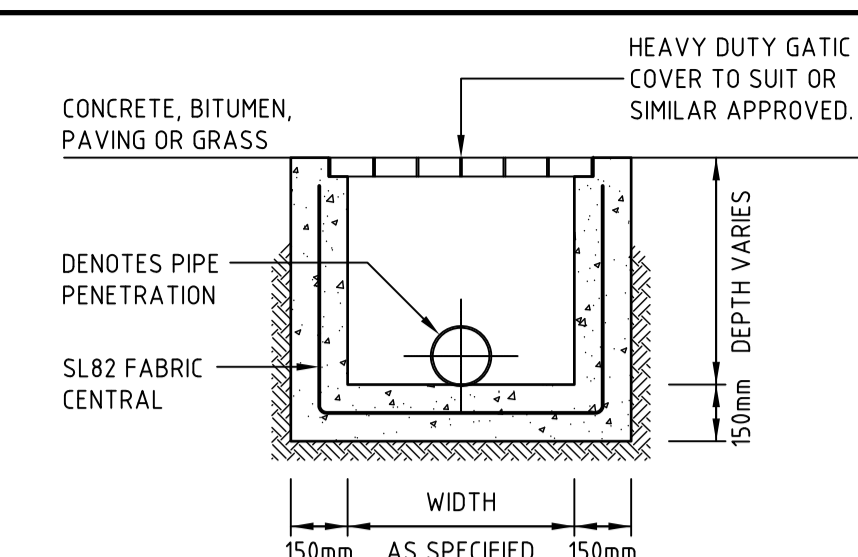
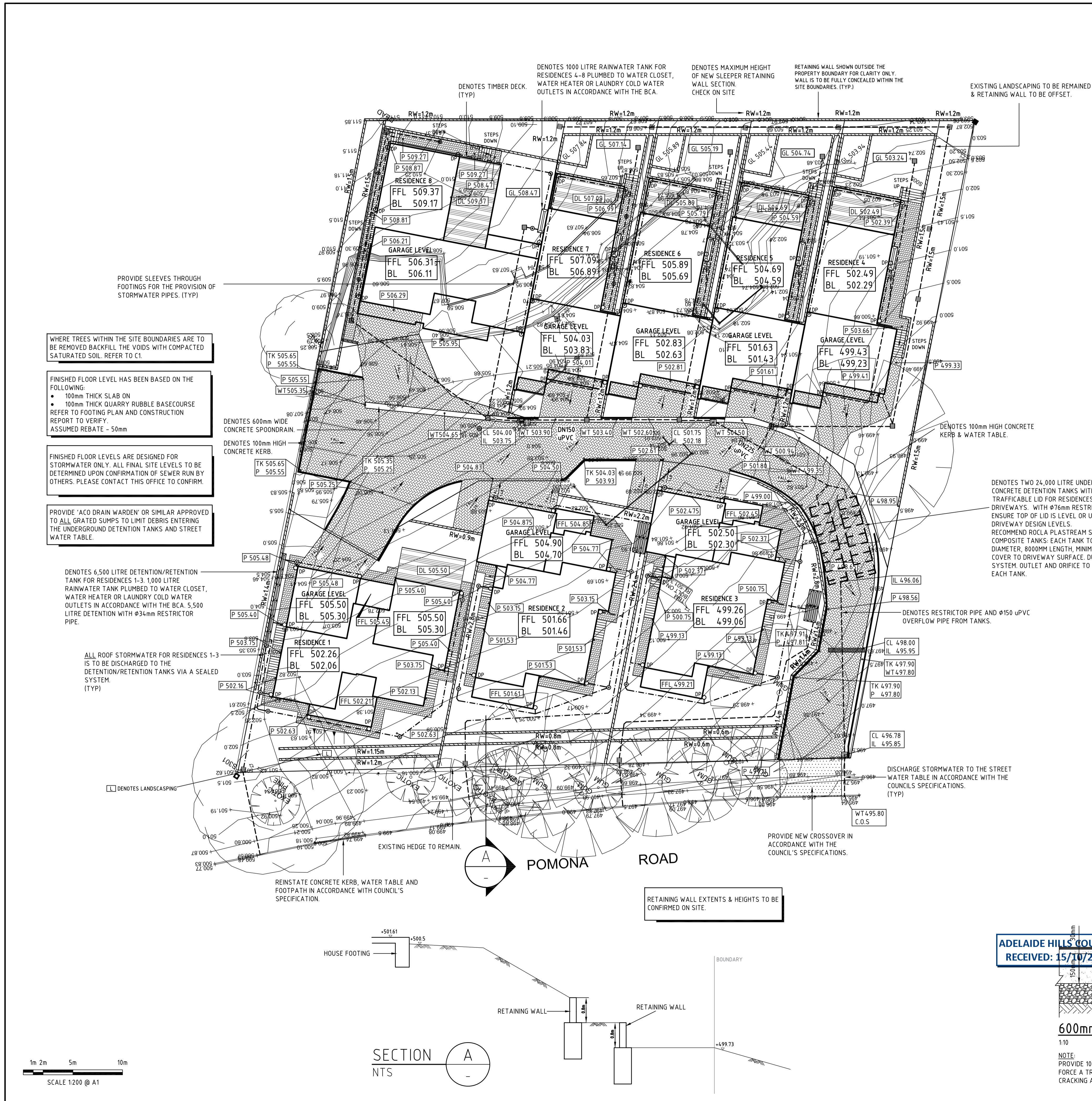
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Perspectives

DETAILS
Drawn BM / NF
Scale @ A1
Date OCTOBER 2020

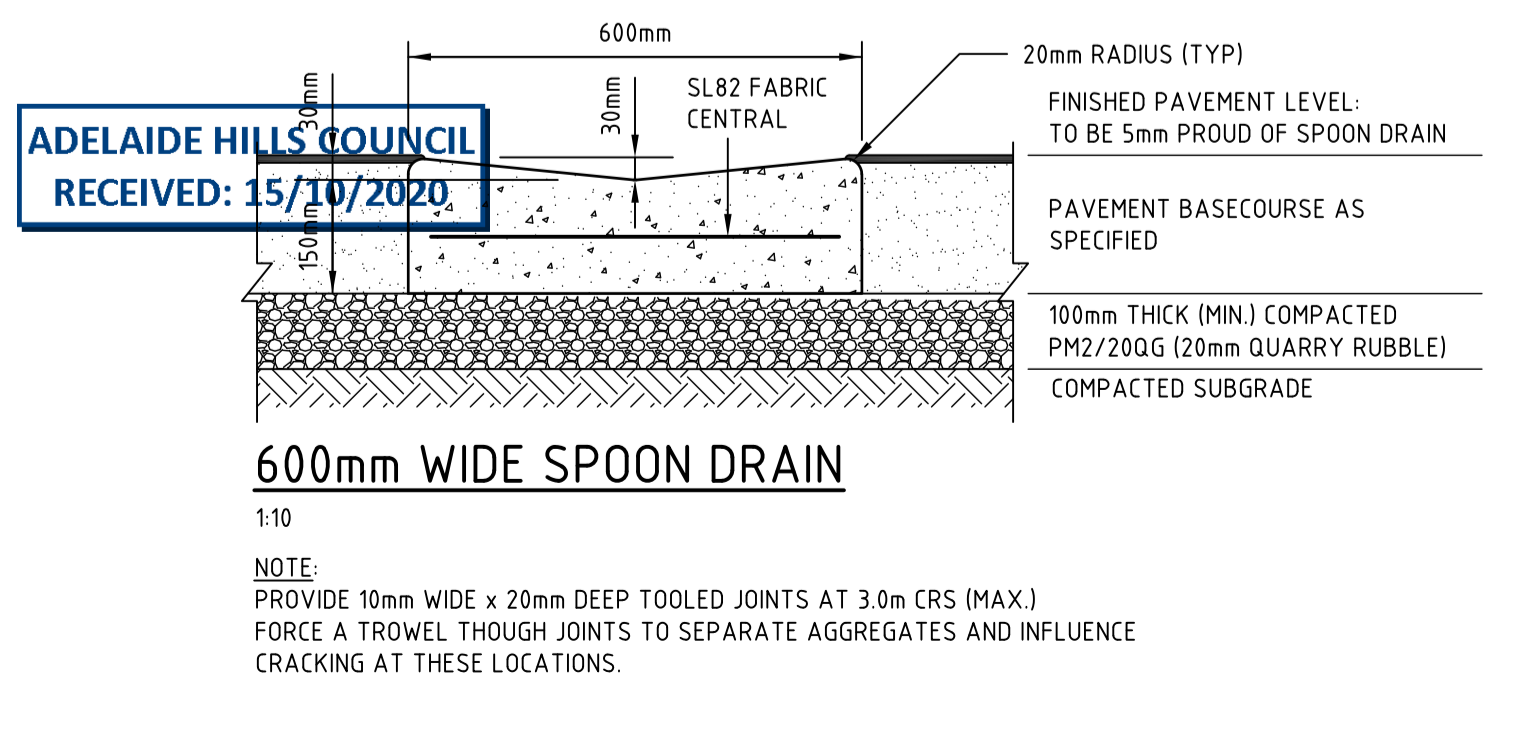
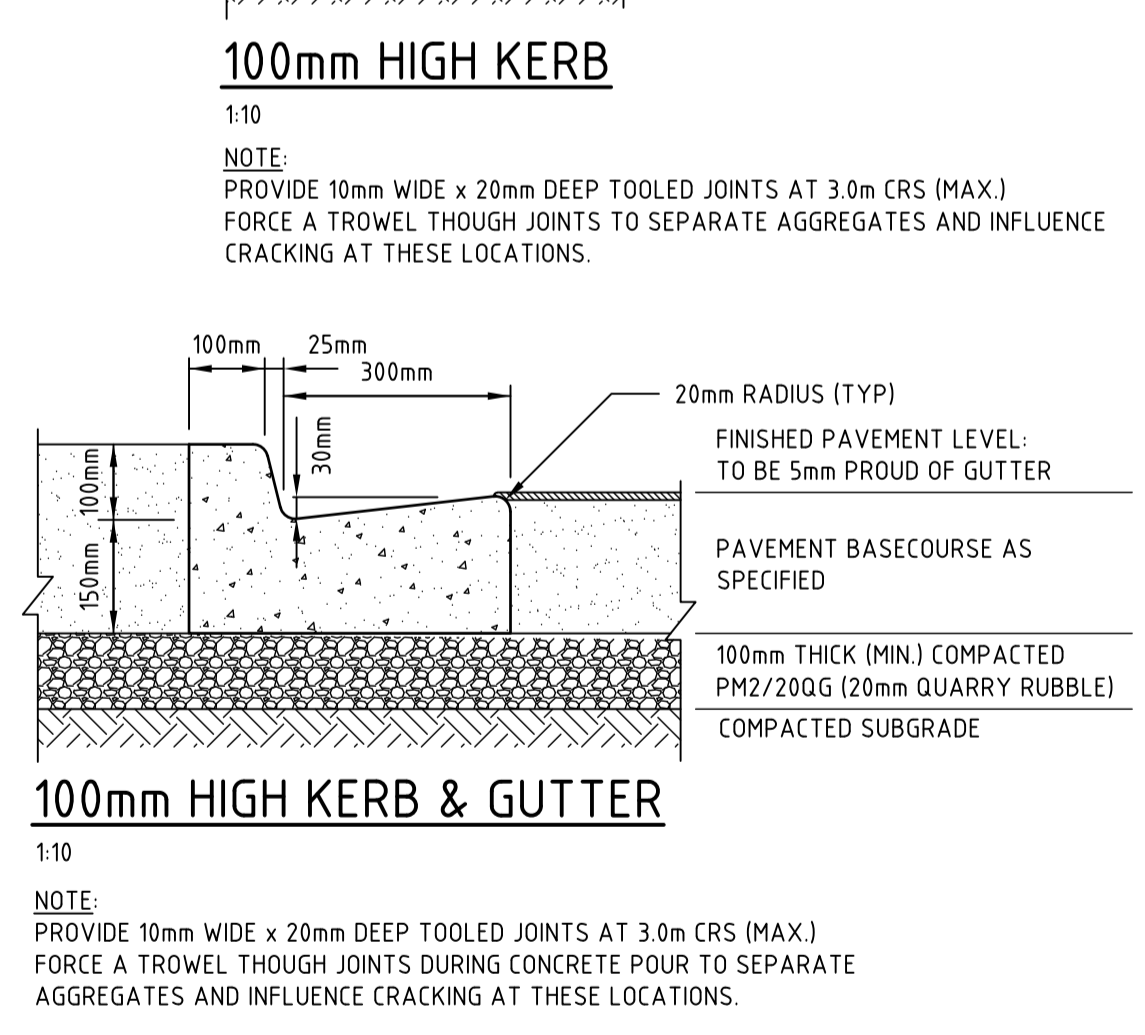
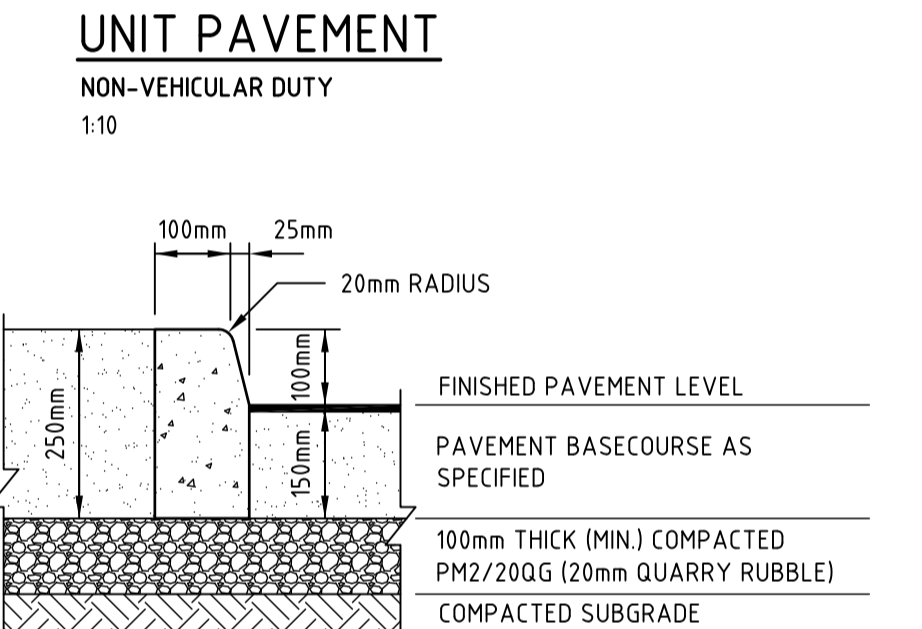
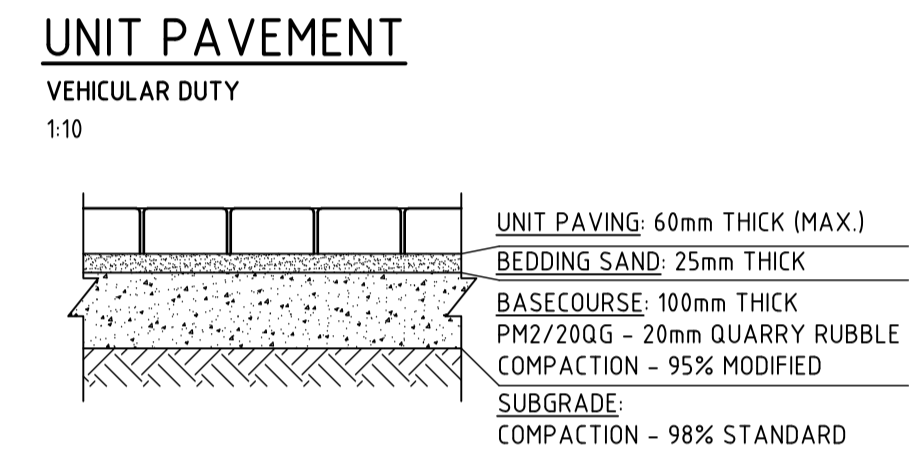
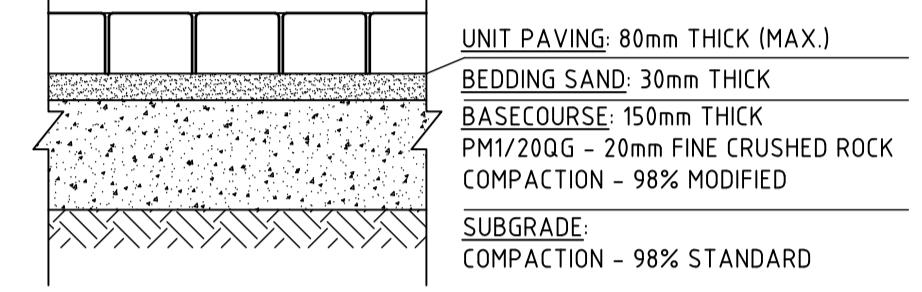


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NOTE: REFER TO COVER PAGE 3D PROVIDED BY TREE HOUSE 3D FOR MORE ACCURATE REPRESENTATION OF DESIGN



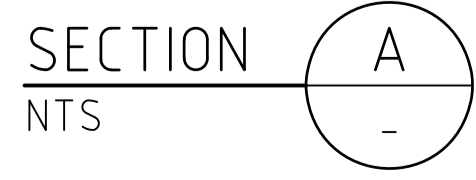
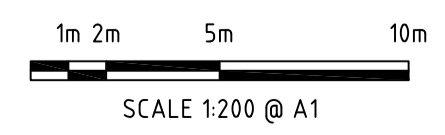
GRATED SUMP
 1:20
 NOTES:
 1. REFER TO 'STORMWATER PIT SCHEDULE' FOR PIT DIMENSIONS.
 2. PENETRATION OF PIPES SHALL BE APPROX. 50mm GREATER THAN THE OVERALL DIAMETER OF PIPE. PIPES SHALL BE FINISHED FLUSH WITH THE INTERNAL FACE OF THE SUMP. A STIFF MORTAR MIX SHALL BE PACKED INTO THE SPACE FROM BOTH SIDES OF STRUCTURE. THE INTERNAL FACE SHALL BE FINISHED SMOOTH AND A 150mm THICK BAND ON CONCRETE SHALL BE POURED OUTSIDE THE SUMP TO SEA THE PENETRATION.
 3. WHERE SUMPS CONSIST OF MORE THAN ONE PRECAST UNIT, THE JOINTS SHALL BE SEALED WITH BUTYL MASTIC FLEXIBLE PIPE SEALANT AROUND THE OUTSIDE AND A 1:3 SAND CEMENT GROUT ON THE INSIDE OF THE SUMP.



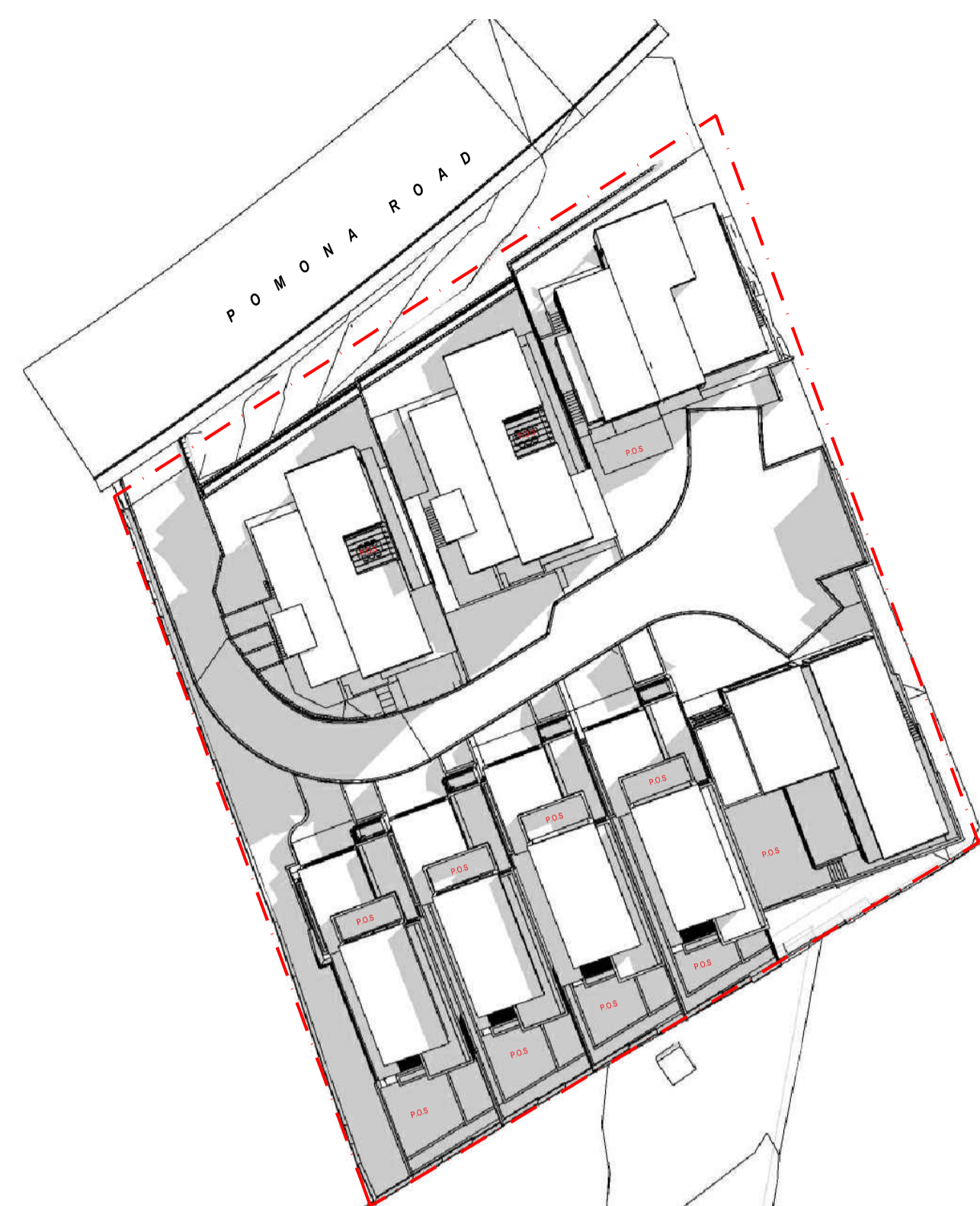
- GENERAL NOTES:**
- THIS IS AN ENGINEERING SURVEY ONLY AND SHALL NOT BE TAKEN AS A BOUNDARY IDENTIFICATION SURVEY. THE BOUNDARY DATA SHOWN IS TO BE TAKEN AS A GUIDE ONLY. REFER TO ARCHITECTURAL DRAWINGS FOR CORRECT DIMENSIONS AND SET-OUT POINTS.
 - THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ANY CIVIL, STRUCTURAL, ARCHITECTURAL AND SERVICES DRAWINGS AND SPECIFICATIONS FOR COORDINATION AND CONSTRUCTION. ANY DISCREPANCIES IN SITE CONDITIONS AND/OR DOCUMENTATION TO BE IMMEDIATELY REPORTED TO THE ARCHITECT PRIOR TO COMMENCEMENT OF WORKS. THE CONTRACTOR IS TO CONTACT 'DIAL BEFORE YOU DIG' PRIOR TO THE COMMENCEMENT OF WORKS AND VERIFY THE LOCATION AND DEPTH OF ALL EXISTING SERVICES.
 - THE CONTRACTOR IS TO ALLOW AND ADJUST HEIGHTS OF COVERS TO EXISTING SERVICES, PITS & GRATES ETC TO SUIT NEW PROPOSED LEVELS.
 - WHERE TREES ARE TO BE REMOVED, BACKFILL THE VOIDS WITH COMPACTED PM2/20 QUARRY RUBBLE. REFER TO THE STRUCTURAL ENGINEERS DRAWINGS FOR THE BUILDINGS PROPOSED SLAB, RUBBLE AND FOOTING DEPTH AS WELL AS INTERNAL SETDOWNS TO WET AREAS AND THE LIKE.
 - FLEXIBLE CONNECTIONS FOR SEWER AND STORMWATER PIPES ARE REQUIRED FOR SOIL CLASS 'H-D' & 'E-D' SITES (REFER TO THE GEOTECHNICAL/CONSTRUCTION REPORT TO VERIFY). THE CONTRACTOR IS TO ALLOW FOR AND REINSTATE ANY SURFACE NOT INCLUDED IN THE WORKS BUT WHICH HAS BEEN DISTURBED DURING CONSTRUCTION.
 - ALL MINOR CONCRETE ITEMS (KERBS, GUTTER, SPOON DRAINS, ETC) TO BE GRADE H25 CONCRETE UNLESS NOTED OTHERWISE.
 - ALL KERBS & PATHS IN LANDSCAPING AREAS ARE TO BE BACKFILLED WITH TOPSOIL APPROVED BY THE ARCHITECT/LANDSCAPER.
 - ALL LINEMARKING AND SIGNAGE TO BE INSTALLED IN ACCORDANCE WITH AS1742.

- LEGEND:**
- EXISTING SPOT LEVEL
 - EXISTING CONTOUR
 - BATTERS/EMBANKMENT (MAX FALL 14 UNO)
 - VEHICULAR PAVING
 - NON-VEHICULAR PAVING
 - DOWNPIPE
 - Ø100 UPVC SEALED ROOF STORMWATER PIPE UNO
 - Ø100 UPVC STORMWATER PIPE @ 10% FALL (MIN) UNO
 - 300x300 GRATED SUMP (DOMESTIC)
 - 600x600 GRATED SUMP (HEAVY DUTY COVER)
 - INSPECTION OPENING
 - DESIGN LEVEL
 - COVER LEVEL
 - PAVING LEVEL
 - INVERT LEVEL
 - WATER TABLE LEVEL
 - TK TOP OF KERB LEVEL
 - DL DECK LEVEL

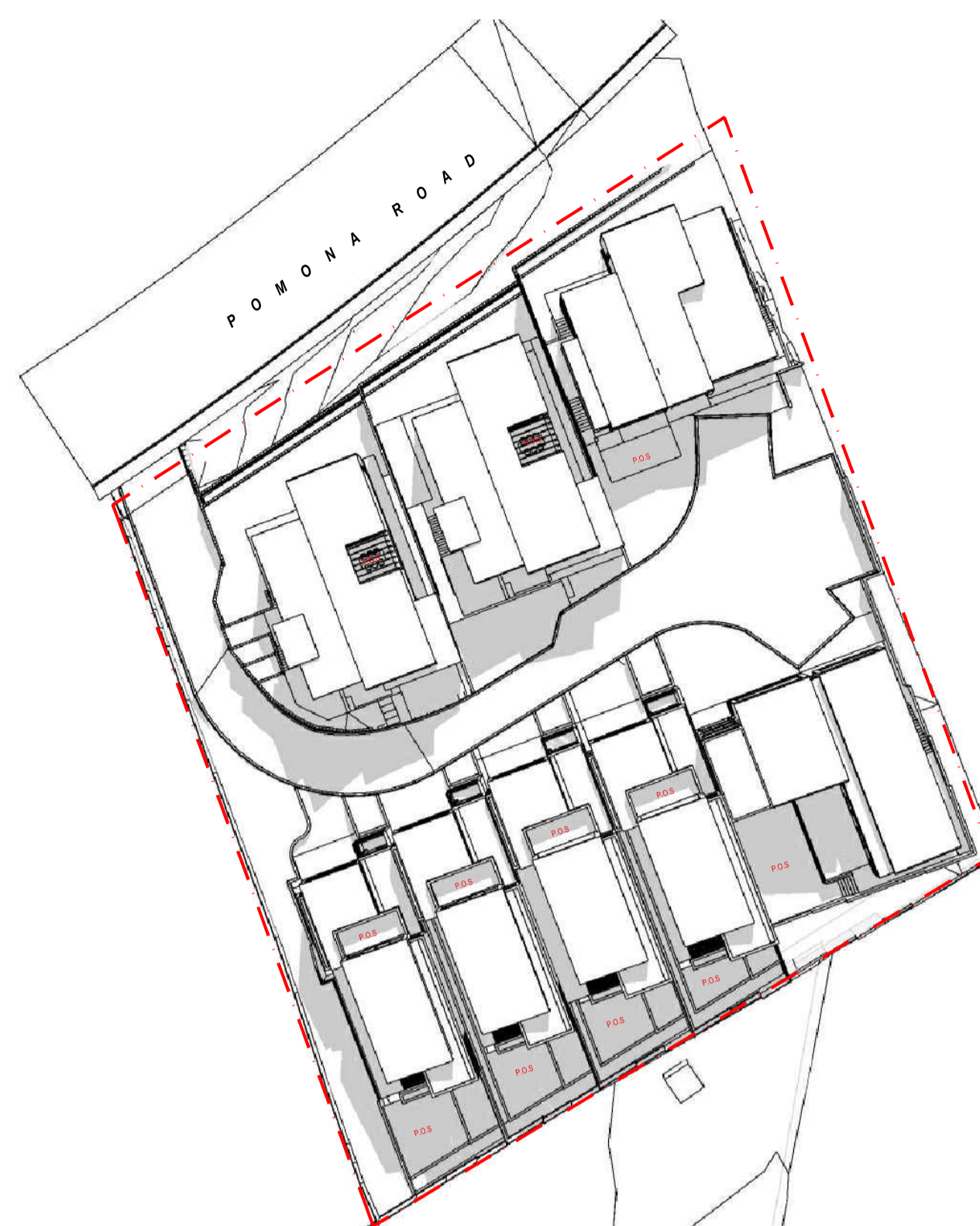
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			ISSUE	DATE
G	09/10/20	NEW ARCHITECTURAL FOR LOTS 4-8	KP	
F	15/06/20	RELOCATED RWL LOCATIONS FOR RES 1-3	KP	
E	19/03/20	REVISED RETAINING WALLS	KP	
D	11/09/19	REVISED DRIVEWAY & CARPARKING	BM	
C	13/02/19	REVISED RETAINING WALLS & TREES	BM	
B	23/01/19	REVISED RETAINING WALLS & TREES	BM	
A	11/12/18	FOR PLANNING APPROVAL	BM	
PROJECT				
PROPOSED RESIDENCES				
AT: 20 PANOMA ROAD, STIRLING, FOR: JOHN & LISA ELLERY				
DRAWING TITLE: CIVIL & EARTHWORKS PLAN				
SCALE	DATE	ENGINEER	DATE	
1:200 @A1	B.M	B.M	09/10/2020	
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	181116	C2	G	A1



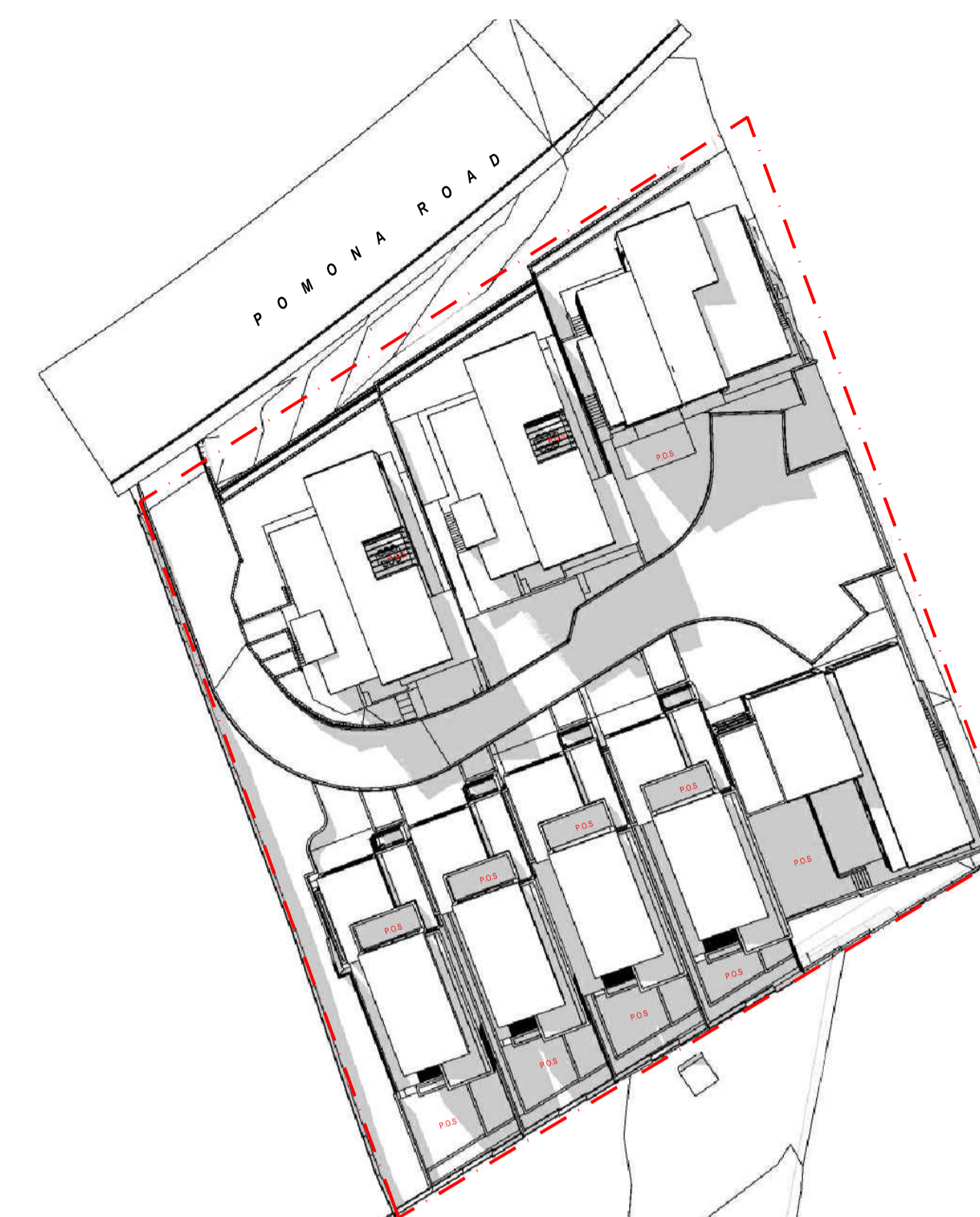
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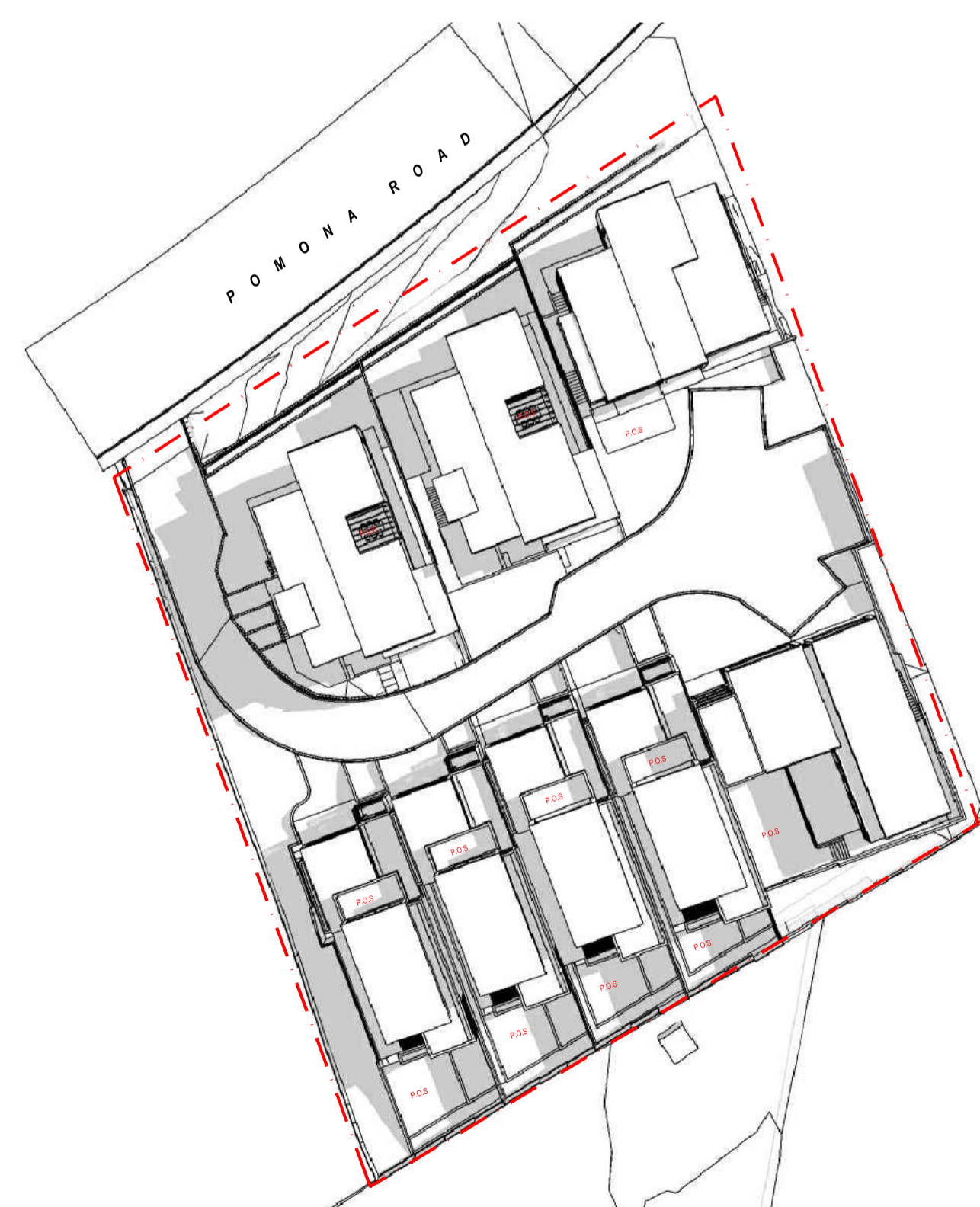
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9AM

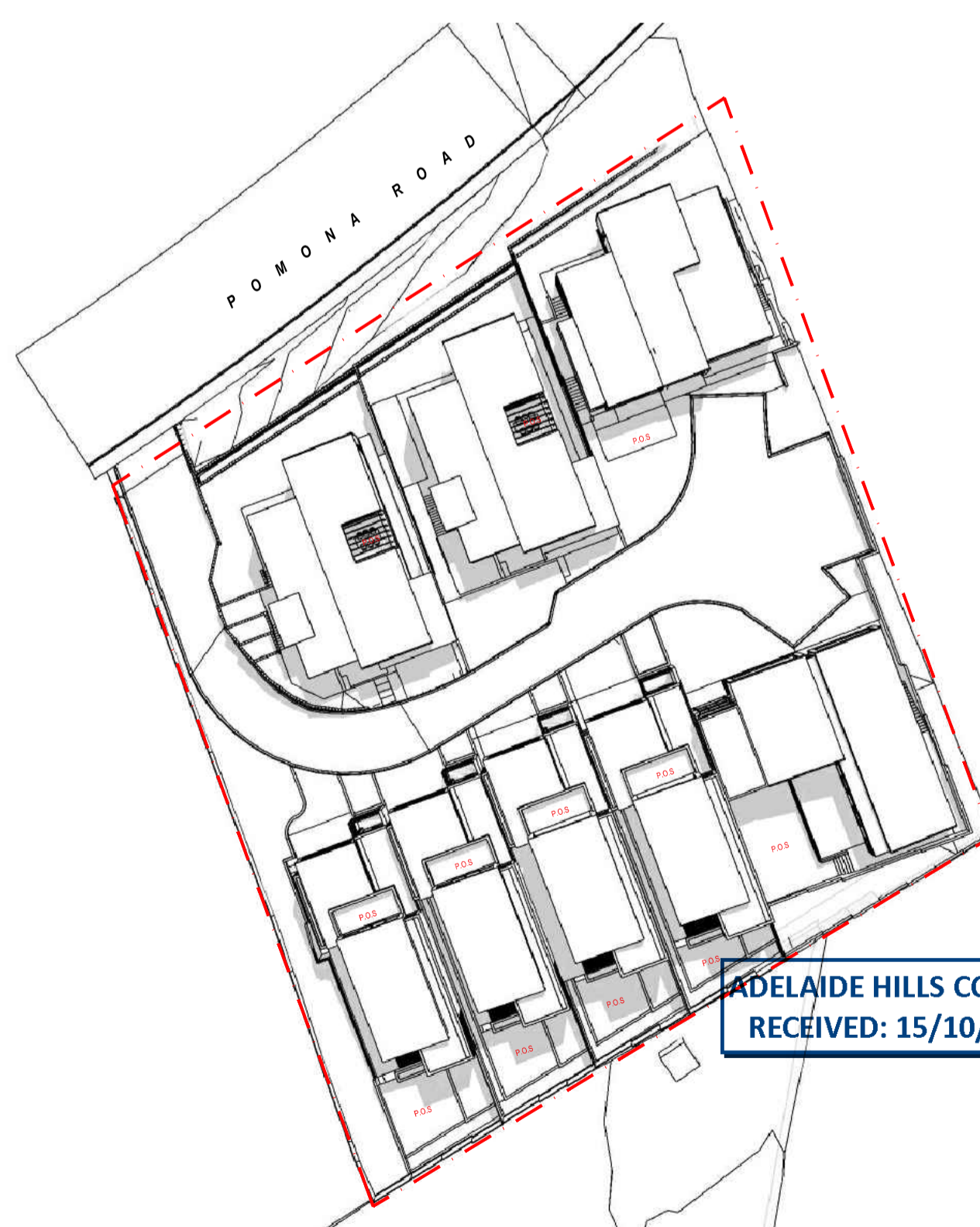
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12PM

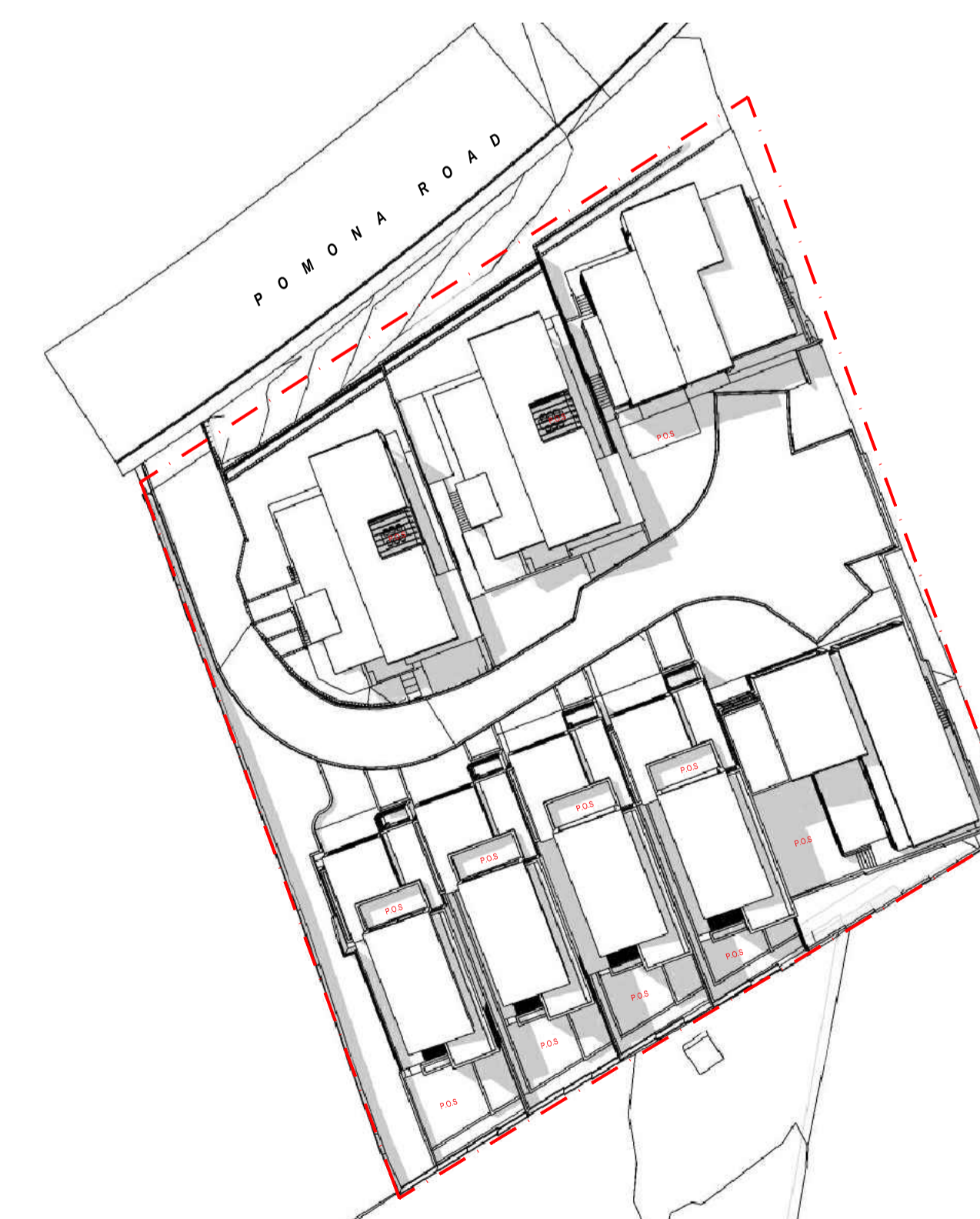
WINTER SOLSTICE
3PM

EQUINOX
9AM

EQUINOX
12PM

EQUINOX
3PM



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B	09.10.2019	PLANNING ISSUE
A	22.07.2019	PLANNING ISSUE

PLANNING

18-015.PL10.B

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery

DRAWING TITLE
Shadow Diagrams

DETAILS
Drawn BM / NF
Scale @ A1
Date OCTOBER 2020





Figure 1. Site Plan. Extract from survey plan of the subject site (Michael Gear Surveys), indicating the location and labelling of the 57 trees included in my February 2018 arboricultural assessment. Trees 2, 6, 12 and 13 are no longer present on the site.



arborman®
tree solutions
PROFESSIONALS IN ARBORICULTURE

Arboricultural Impact Assessment and Development Impact Report

Site: 20 Pomona Road, Stirling

Date: Thursday, 8 October 2020

ADELAIDE HILLS COUNCIL

RECEIVED: 15/10/2020

ATS5711-020PomRdDIR

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Report Reference Number: ATS5711-020PomRdDIR

Report prepared for
John Ellery
c/- Philip Harnett, Associate
URPS

Author
Marcus Lodge Consulting Arborist
Arborman Tree Solutions Pty Ltd

Executive Summary

Arborman Tree Solutions has assessed four identified trees at 20 Pomona Road, Stirling. The assessment has identified the potential impacts to the trees from the proposed development and supporting infrastructure and recommended mitigation strategies where appropriate.

The encroachments for all the trees have been calculated at greater than 10% and are therefore identified as 'Major' encroachments.

1. Two of the trees, Trees 35 and 36, are in conflict with the proposed development and require removal,
2. The potential impacts to Tree 56 are Low as there are mitigating factors consistent with AS4970-2009 section 3.3.4 *TPZ encroachment consideration* which are considered when determining the impact of encroachments such as these.
3. Tree 100 is located adjacent to the boundary on the neighbouring property and requires minor redesign to accommodate its protection.

Brief

Arborman Tree Solutions was engaged by URPS to undertake an Arboricultural Impact Assessment and provide a Development Impact Report at 20 Pomona Road, Stirling. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the tree/s and provide mitigation strategies to minimise the impact where appropriate.

The proposed development includes the demolition of the existing dwelling and the construction of eight new dwellings. This assessment will determine the potential impacts the proposal may have on the trees within adjacent the site and to recommend impact mitigation strategies in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites* (AS4970-2009) for trees to be retained.

In accordance with section 2.2 of the AS4970-2009 the following information is provided:

- Assessment of the general condition and structure of the subject trees.
- Identification of the legislative status of trees on site as defined in the *Development Act 1993*.
- Identify and define the Tree Protection Zone and Structural Root Zone for each tree.
- Identify potential impacts the development may have on tree health and/or stability.
- Recommend impact mitigation strategies in accordance with AS4970-2009 for trees to be retained.
- Provide information in relation to the management of trees.

Documents and Information Provided

The following information was provided for the preparation of this assessment

- Email instruction on Scope of Works
- Design Drawings

Site Location

Figure 1: Site location - 20 Pomona Road, Stirling



Methodology

The proposed design was reviewed in association with the Design Drawings and CAD files as supplied by URPS.

The potential impact of the proposed works on tree condition is considered in accordance with the guidelines in AS4970-2009 *Protection of trees on development sites* (AS4970-2009). When determining potential impacts of an encroachment into a Tree Protection Zone (TPZ), the following should be considered as outlined in section 3.3.4 *TPZ encroachment considerations*.:-

- a) Location of roots and root development.
- b) The potential loss of root mass from the encroachment.
- c) Tree species and tolerance to root disturbance.
- d) Age, vigour and size of the tree.
- e) Lean and stability of the tree.
- f) Soil characteristics and volume, topography and drainage.
- g) The presence of existing or past structures or obstacles affecting root growth.
- h) Design factors.

The impacts on a tree can be varied and are not necessarily consistent with or directly correlated to a particular level of encroachment, to assist in providing consistency the levels of impact have been classified into the following categories: -

- No Impact - no encroachment into the TPZ has been identified.
- Low <10% - the identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.
- Low >10% - the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.
- High >10% - the identified encroachment is greater than 10% of the TPZ area and factors are present that indicate the proposed development will negatively impact tree viability. The impact is likely to lead to the long-term decline of the tree however it is unlikely to impact on its short-term stability.
- Conflicted - the identified encroachment is greater than 10% of the TPZ area and in most cases will also impact the SRZ and/or the trunk. There are factors present that indicate the proposed development will negatively impact tree viability to the point where its removal is required as part of the development.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 *TPZ encroachment considerations* which indicate these trees will be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required if the tree is to be retained. Where alternative protection methodologies are not available tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' are impacted over the majority of their root zone and/or over the SRZ or on the trunk, additional root investigations or tree sensitive construction measures are not available and the only option is alternative designs or tree removal.

Regulatory Status, Tree Protection Zones and Development Impacts are shown in Appendix B.

Assessment

Arborman Tree Solutions was engaged by URPS to undertake an Arboricultural Impact Assessment and provide a Development Impact Report for four identified trees at 20 Pomona Road, Stirling. The purpose of the Arboricultural Impact Assessment and Development Impact Report is to identify potential impacts the proposed development will have on the trees and provide mitigation strategies to minimise impact where appropriate. The proposal involves the demolition of the existing dwelling and the construction of eight new dwellings. This assessment provides recommendations in accordance with Australian Standard AS4970-2009 *Protection of trees on development sites (AS4970-2009)*.

Tree Assessment

Trees 35, 36 and 56 are identified as mature specimens of *Eucalyptus obliqua* (Messmate Stringy-bark) and Tree 100 is a semi-mature *Pinus radiata* (Monterey Pine). Trees 36 and 100 are considered to be in good overall condition whereas Tree 35 and 56 are considered to be in fair conditions as they display signs of ongoing stress. Trees 35 and 36 are street trees growing in the embankment along Pomona Road and the root zone of both trees has been impacted by road construction and maintenance activities. Tree 56 is located within the property and is the largest of the four trees, approximately 70% of the root zone of this tree has been covered by fill at the time of the construction of the existing dwelling. Tree 100 is located on the neighbouring property to the east and does not appear to have been subject to disturbance of its root zone.

Eucalyptus obliqua (Messmate Stringy-bark) is widely distributed in the cooler southern parts of eastern Australia and has scattered occurrences in New South Wales and South Australia where it occurs in the Mount Lofty Ranges near Adelaide, on Kangaroo Island and in the southeast of the State. It can take on a sparse often knarley form and can reach 40 metres in height near Mount Lofty and grows a well-formed straight tree to 90 metres in mountain areas of Victoria and Tasmania, which is its principal occurrence.

Pinus radiata (Monterey Pine) apart from being grown commercially for timber production it also used to be cultivated in larger urban plantings to provide contrast. *Pinus radiata* when grown in a plantation can reach 40 metres in height with a very narrow crown; however, as a specimen tree it rarely achieves this height and develops a broader more symmetrical crown of around 30 metres or so. Naturalization of this species has become a problem around plantations with trees invading areas of indigenous vegetation. *Pinus radiata* is not recommended for town or suburban planting but is a good windbreak or specimen tree on open country sites.

Encroachment and Impact Considerations

Within AS4970-2009 relevant information is provided to assist with determining the impact on trees when developing in close proximity to them. Further guidance on how to suitably manage any proposed or encountered encroachments is identified in AS4970-2009. When assessing potential impacts, a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) are the principle means of protecting a tree and are provided in accordance with AS4970-2009 section 1.4.5 and 3.2. This standard has been applied to ensure trees identified for retention remain viable and the redevelopment is achievable.

The encroachments for all the trees have been calculated at greater than 10% and are therefore identified as 'Major' encroachments.

1. Two of the trees, Trees 35 and 36, are in conflict with the proposed development and require removal,
2. The potential impacts to Tree 56 are Low as there are mitigating factors consistent with AS4970-2009 section 3.3.4 *TPZ encroachment consideration* which are considered when determining the impact of encroachments such as these.
3. Tree 100 is located adjacent to the boundary on the neighbouring property and requires minor redesign to accommodate its protection.

AS4970-2009 identifies relevant factors that should be considered when determining the 'impact' of encroachments; these considerations are listed under section 3.3.4 *TPZ encroachment considerations*. When considering these factors, the proposed encroachment into the TPZ of Tree 56 is unlikely to result in tree damaging activity that will result in its decline, death or failure and is therefore considered to be a Low Impact.

The following discusses the relevant factors of AS4970-2009 section 3.3.4 *TPZ encroachment considerations* for Tree 56: -

- 3.3.4 (f), '*Soil characteristics and volume, topography and drainage.*
Approximately 70% of the root zone of Tree 56 is covered by 1.5-2.0 metres of fill which was placed in this location when the existing dwelling was constructed to create a level lawn area. The proposed encroachment is entirely within this area of fill and the removal of fill is unlikely to have a positive or negative impact on the condition of this tree.

Recommendation

The following recommendations are presented based on the Arboricultural Impact Assessment and have been provided to appropriately manage the identified trees:

The encroachments for all the trees have been calculated at greater than 10% and are therefore identified as 'Major' encroachments.

1. The removal of Trees 35 and 36 is required for the proposed development and is considered to be reasonable.
2. The protection of Tree 56 in accordance with the guidelines of AS4970-2009 will allow for its retention.
3. Minor redesign is required to protect Tree 100 as it is located adjacent to the boundary on the neighbouring property and cannot be removed.

Thank you for the opportunity to provide this report. Should you have any questions or require further information, please contact me and I will be happy to be of assistance.

Yours sincerely,



MARCUS LODGE

Senior Consulting Arboriculturist

Australian Arborist License AL11

Diploma in Arboriculture

International Society of Arboriculture – Tree Risk Assessment

Quantified Tree Risk Assessment (QTRA) License – 5780

VALID Tree Risk Assessment (VALID) – 2018

Native Vegetation Council Trained Arborist 2019



Definitions

Circumference:	trunk circumference measured at one metre above ground level. This measurement is used to determine the status of the tree in relation to the <i>Development Act 1993</i> .
Diameter at Breast Height:	trunk diameter measured at 1.4 metres above ground level used to determine the Tree Protection Zone as described in Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> .
Diameter at Root Buttress:	trunk diameter measured just above the root buttress as described in Australian Standard AS4970-2009 <i>Protection of trees on development sites</i> and is used to determine the Structural Root Zone.
Tree Damaging Activity	Tree damaging activity includes those activities described within the <i>Development Act 1993</i> such as removal, killing, lopping, ringbarking or topping or any other substantial damage such as mechanical or chemical damage, filling or cutting of soil within the TPZ. Can also include forms of pruning above and below the ground.
Tree Protection Zone:	area of root zone that should be protected to prevent substantial damage to the tree's health.
Structural Root Zone:	calculated area within the tree's root zone that is considered essential to maintain tree stability.
Project Arborist	a person with the responsibility for carrying out a tree assessment, report preparation, consultation with designers, specifying tree protection measures, monitoring and certification. The Project Arborist must be competent in arboriculture, having acquired through training, minimum Australian Qualification Framework (AQTF) Level 5, Diploma of Horticulture (Arboriculture) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by this standard.
Encroachment:	the area of a Tree Protection Zone that is within the proposed development area.
Impact:	the effect on tree health, structure and/or viability as a result of required works associated with the proposed development within the TPZ or the vicinity of the tree(s).

References

Australian Standard AS4970–2009 *Protection of trees on development sites*: Standards Australia.

Matheny N. Clark J. 1998: *Trees and Development a Technical Guide to Preservation of Trees During Land Development*. International Society of Arboriculture, Champaign, Illinois, USA.

Appendix A - Tree Assessment Methodology

Tree Assessment Form (TAF©)

Record	Description
Tree	In botanical science, a tree is a perennial plant which consists of one or multiple trunks which supports branches and leaves. Trees are generally taller than 5 metres and will live for more than ten seasons, with some species living for hundreds or thousands of seasons.
Genus and Species	Botanical taxonomy of trees uses the binominal system of a genus and species, often there are subspecies and subgenus as well as cultivars. When identifying tree species, identification techniques such as assessing the tree's form, flower, stem, fruit and location are used. Identifying the right species is critical in assessing the tree's legalisation and environmental benefit. All efforts are made to correctly identify each tree to species level, where possible. Genus is the broader group to which the tree belongs e.g. <i>Eucalyptus</i> , <i>Fraxinus</i> and <i>Melaleuca</i> . Species identifies the specific tree within the genus e.g. <i>Eucalyptus camaldulensis</i> , <i>Fraxinus griffithi</i> or <i>Melaleuca styphelioides</i> . Trees will also be assigned the most commonly used Common Name. Common Names are not generally used for identification due to their nonspecific use, i.e. <i>Melia azedarach</i> is commonly known as White Cedar in South Australia but is also called Chinaberry Tree, Pride of India, Bead-tree, Cape Lilac, Syringa Berrytree, Persian Lilac, and Indian Lilac; equally similar common names can refer to trees from completely different Genus e.g. Swamp Oak, Tasmanian Oak and English Oak are from the <i>Casuarina</i> , <i>Eucalyptus</i> and <i>Quercus</i> genus's respectively.
Height	Tree height is estimated by the arborist at the time of assessment. Tree height is observed and recorded in the following ranges; <5m, 5-10m, 10-15m and >20m.
Spread	Tree crown spread is estimated by the arborist at the time of assessment and recorded in the following ranges <5m, 5-10m, 10-15m, 15-20m, >20m.
Health	Tree health is assessed using the Arborman Tree Solutions - Tree Health Assessment Method that is based on international best practice.
Structure	Tree structure is assessed using Arborman Tree Solutions - Tree Structure Assessment Method that is based on international best practice.
Tree Risk Assessment	Tree Risk is assessed using Tree Risk Assessment methodology. The person conducting the assessment has been trained in the International Society of Arboriculture Tree Risk Assessment Qualification (TRAQ), Quantified Tree Risk Assessment (QTRA) and/or VALID Tree Risk Assessment (VALID). Refer to the Methodology within the report for additional information.
Legislative Status	Legislation status is identified through the interpretation of the <i>Development Act 1993</i> , the <i>Natural Resource Management Act 2004</i> , the <i>Native Vegetation Act 1991</i> and/or any other legislation that may apply.
Mitigation	Measures to reduce tree risk, improve tree condition, remove structural flaws, manage other conditions as appropriate may be recommended in the form of pruning and is listed in the Tree Assessment Findings (Appendix B). Tree pruning is recommended in accordance with AS4373-2007 <i>Pruning amenity trees</i> where practicable. Where measures to mitigate risk is not possible and the risk is unacceptable, then tree removal or further investigation is recommended.

Useful Life Expectancy (ULE)

ULE Rating	Definition
Surpassed	The tree has surpassed its Useful Life Expectancy. Trees that achieve a surpassed ULE may do so due to poor health, structure or form. Additionally, trees that are poorly located such as under high voltage powerlines or too close to structures may also achieve a surpassed ULE. Trees that achieve this status will be recommended for removal as there are no reasonable options to retain them.
<10 years	The tree displays either or both Poor Health and/or Structure and is considered to have a short Useful Life Expectancy of less than ten years. Some short-lived species such as <i>Acacia sp.</i> may naturally achieve a short ULE.
>10 years	The tree displays Fair Health or Structure and Good Health or Structure and is considered to have a Useful Life Expectancy of ten years or more. Trees identified as having a ULE of >10, will require mitigation such as pruning, stem injections or soil amelioration to increase their ULE.
>20 years	The tree displays Good Health and Structure and is considered to have an extended Useful Life Expectancy of more than twenty years.

Maturity (Age)

Age Class	Definition
Senescent	The tree has surpassed its optimum growing period and is declining and/or reducing in size. May be considered as a veteran in relation to its ongoing management. Tree will have generally reached greater than 80% of its expected life expectancy.
Mature	A mature tree is one that has reached its expected overall size, although the tree's trunk is still expected to continue growing. Tree maturity is also assessed based on species; as some trees are much longer lived than others. Tree will have generally reached 20-80% of its expected life expectancy.
Semi Mature	A tree which has established but has not yet reached maturity. Normally tree establishment practices such as watering will have ceased. Tree will generally not have reached 20% of its expected life expectancy.
Juvenile	A newly planted tree or one which is not yet established in the landscape. Tree establishment practices such as regular watering will still be in place. Tree will generally be a newly planted specimen up to five years old; this may be species dependant.

Tree Health Assessment (THA©)

Category	Description
Good	Tree displays normal vigour, uniform leaf colour, no or minor dieback (<5%), crown density (>90%). When a tree is deciduous, healthy axillary buds and typical internode length is used to determine its health. A tree with good health would show no sign of disease and no or minor pest infestation was identified. The tree has little to no pest and/or disease infestation.
Fair	Tree displays reduced vigour abnormal leaf colour, a moderate level of dieback (<15%), crown density (>70%) and in deciduous trees, reduced axillary buds and internode length. Minor pest and/or disease infestation potentially impacting on tree health. Trees with fair health have the potential to recover with reasonable remedial treatments.
Poor	Tree displays an advanced state of decline with low or no vigour, chlorotic or dull leaf colour, with high crown dieback (>15%), low crown density (<70%) and/or in deciduous trees, few or small axillary buds and shortened internode length. Pest and or disease infestation is evident and/or widespread. Trees with poor health are highly unlikely to recover with any remedial treatments; these trees have declined beyond the point of reversal.
Dead	The tree has died and has no opportunity for recovery.

Tree Structural Assessment (TSA©)

Category	Description
Good	Little to no branch failure observed within the crown, well-formed unions, no included bark, good branch and trunk taper present, root buttressing and root plate are typical. Trees that are identified as having good health display expected condition for their age, species and location.
Fair	The tree may display one or more of the following a history of minor branch failure, included bark unions may be present however, are stable at this time, acceptable branch and trunk taper present, root buttressing and root plate are typical. Trees with fair structure will generally require reasonable remediation methods to ensure the tree's structure remains viable.
Poor	History of significant branch failure observed in the crown, poorly formed unions, unstable included bark unions present, branch and/or trunk taper is abnormal, root buttressing and/or root plate are atypical.
Failed	The structure of the tree has or is in the process of collapsing.

Tree Form Assessment (TFA©)

Category	Description
Good	Form is typical of the species and has not been altered by structures, the environment or other trees.
Fair	The form has minor impacts from structures, the environment or adjacent trees which has altered its shape. There may be slight phototropic response noted or moderate pruning which has altered the tree's form.
Poor	The tree's form has been substantially impacted by structures, the environment, pruning or other trees. Phototropic response is evident and unlikely to be corrected.
Atypical	Tree form is highly irregular due to structures or other trees impacting its ability to correctly mature. Extreme phototropic response is evident; or the tree has had a substantially failure resulting in its poor condition, or extensive pruning has altered the tree's form irreversibly.

Priority

Category	Description
Low	Identified works within this priority should be carried out within 12 months.
Medium	Identified works within this priority should be carried out within 6 months.
High	Identified works within this priority should be carried out within 3 months.
Urgent	Identified works within this priority should be carried out immediately. Works within this priority rating will be brought to attention of the responsible person at the time of assessment.

Tree Retention Rating (TRR)

The Tree Retention Rating is based on a number of factors that are identified as part of the standard tree assessment criteria including Condition, Size, Environmental, Amenity and Special Values. These factors are combined in a number of matrices to provide a Preliminary Tree Retention Rating and a Tree Retention Rating Modifier which combine to provide a Tree Retention Rating that is measurable, consistent and repeatable.

Preliminary Tree Retention Rating

The Preliminary Tree Retention Rating is conducted assessing Tree Health and Structure to give an overall Condition Rating and Height and Spread to give an overall Size Rating. The following matrices identify how these are derived.

Condition Matrix				
Structure	Health			
	Good	Fair	Poor	Dead
Good	C1	C2	C3	C4
Fair	C2	C2	C3	C4
Poor	C3	C3	C4	C4
Failed	C4	C4	C4	C4

Size Matrix					
Spread	Height				
	>20	15-20	10-15	5-10	<5
>20	S1	S1	S1	S2	S3
15-20	S1	S1	S2	S3	S3
10-15	S1	S2	S2	S3	S4
5-10	S2	S3	S3	S4	S5
<5	S3	S3	S4	S5	S5

The results from the Condition and Size Matrices are then placed in the Preliminary Tree Retention Rating Matrix.

Preliminary Tree Retention Rating				
Size	Condition			
	C1	C2	C3	C4
S1	High	Moderate	Low	Low
S2	Moderate	Moderate	Low	Low
S3	Moderate	Moderate	Low	Low
S4	Moderate	Moderate	Low	Low
S5	Low	Low	Low	Low

The Preliminary Tree Retention Rating gives a base rating for all trees regardless of other environmental and/or amenity factors and any Special Value considerations. The Preliminary Tree Retention Rating can only be modified if these factors are considered to be of high or low enough importance to warrant increasing or, in a few cases, lowering the original rating.

Tree Retention Rating Modifier

The Preliminary Tree Retention Rating is then qualified against the recognised Environmental and Amenity benefits that trees present to the community thereby providing a quantitative measure to determine the overall Tree Retention Rating. Data is collected in relation to Environmental and Amenity attributes which are compared through a set of matrices to produce a Tree Retention Rating Modifier.

Environmental Matrix				
Origin	Habitat			
	Active	Inactive	Potential	No Habitat
Indigenous	E1	E1	E2	E3
Native	E1	E2	E3	E3
Exotic	E2	E3	E3	E4
Weed	E3	E3	E4	E4

Amenity Matrix				
Character	Aesthetics			
	High	Moderate	Low	None
Important	P1	P1	P2	P3
Moderate	P1	P2	P3	P3
Low	P2	P3	P3	P4
None	P3	P3	P4	P4

Tree Retention Rating Modifier				
Amenity	Environment			
	E1	E2	E3	E4
P1	High	High	Moderate	Moderate
P2	High	Moderate	Moderate	Moderate
P3	Moderate	Moderate	Moderate	Moderate
P4	Moderate	Moderate	Moderate	Low

Tree Retention Rating

The results of the Preliminary Tree Retention Rating and the Tree Retention Rating Modifier matrices are combined in a final matrix to give the actual Tree Retention Rating.

Tree Retention Rating Matrix			
Tree Retention Rating Modifier	Preliminary Tree Retention Rating		
	High	Moderate	Low
High	Important	High	Moderate
Moderate	High	Moderate	Low
Low	Moderate	Low	Low

Special Value Trees

There are potentially trees that have Special Value for reasons outside of normal Arboricultural assessment protocols and therefore would not have been considered in the assessment to this point; to allow for this a Special Value characteristic that can override the Tree Retention Rating can be selected. Special Value characteristics that could override the Tree Retention Rating would include factors such as the following:

Cultural Values

Memorial Trees, Avenue of Honour Trees, Aboriginal Heritage Trees, Trees planted by Dignitaries and various other potential categories.

Environmental Values

Rare or Endangered species, Remnant Vegetation, Important Habitat for rare or endangered wildlife, substantial habitat value in an important biodiversity area and various other potential categories.

Where a tree achieves one or more Special Value characteristics the Tree Retention Rating will automatically be overridden and assigned the value of Important.

Tree Retention Rating Definitions

Important These trees are considered to be important and will in almost all instances be required to be retained within any future development/redevelopment. It is highly unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should as a minimum be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites* however given the level of importance additional considerations may be required.

High These trees are considered to be important and will in most instances be required to be retained within any future development/redevelopment. It is unlikely that trees that achieve this rating would be approved for removal or any other tree damaging activity. Protection of these trees should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Moderate These trees are considered to be suitable for retention however they achieve less positive attributes than the trees rated as Important or High and as such their removal or other tree damaging activity is more likely to be considered to be acceptable in an otherwise reasonable and expected development. The design process should where possible look to retain trees with a Moderate Retention Rating. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Low These trees are not considered to be suitable for retention in any future development/redevelopment; trees in this category do not warrant special works or design modifications to allow for their retention. Trees in this category are likely to be approved for removal and/or other tree damaging activity in an otherwise reasonable and expected development. Protection of these trees, where they are identified to be retained, should be consistent with Australian Standard AS4970-2009 *Protection of trees on development sites*.

Development Impact Assessment

Potential development impacts were determined in accordance with Australian Standard 4970-2009 *Protection of trees on development sites*. The identification of the impact of development considers a number of factors including the following:

- a. The extent of encroachment into a tree's Tree Protection Zone by the proposed development as a percentage of the area.
- b. Results of any non-destructive exploratory investigations that may have occurred to determine root activity.
- c. Any required pruning that may be needed to accommodate the proposed development.
- d. Tree species and tolerance to root disturbance.
- e. Age, vigour and size of the tree.
- f. Lean and stability of the tree.
- g. Soil characteristics and volume, topography and drainage.
- h. The presence of existing or past structures or obstacles potentially affecting root growth.
- i. Design factors incorporated into the proposed development to minimise impact.

The impacts on a tree can be varied and are not necessarily consistent with or directly correlated to a particular level of encroachment, to assist in providing consistency the levels of impact have been classified into the following categories: -

- No Impact - no encroachment into the TPZ has been identified.
- Low <10% - the identified encroachment is less than 10% of the TPZ area and not expected to impact tree viability.
- Low >10% - the identified encroachment is greater than 10% of the TPZ area however there are factors that indicate the proposed development will not negatively impact tree viability.
- High >10% - the identified encroachment is greater than 10% of the TPZ area and factors are present that indicate the proposed development will negatively impact tree viability. The impact is likely to lead to the long-term decline of the tree however it is unlikely to impact on its short-term stability.
- Conflicted - the identified encroachment is greater than 10% of the TPZ area and in most cases will also impact the SRZ and/or the trunk. There are factors present that indicate the proposed development will negatively impact tree viability to the point where its removal is required as part of the development.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'Low' have features or considerations identified in clauses in AS4970-2009 3.3.4 *TPZ encroachment considerations* which indicate these trees should be sustainable.

Trees with calculated encroachments greater than 10% and with an Impact identified as 'High' do not have any features or considerations identified in clauses in AS4970-2009 3.3.4 and therefore alternative design solutions, additional root investigations and/or tree sensitive construction measures are required if the tree is to be retained. Where alternative protection methodologies are not available tree removal may be required to accommodate the development.

Trees with an Impact identified as 'Conflicted' are impacted over the majority of their root zone and/or over the SRZ or on the trunk, additional root investigations or tree sensitive construction measures are not available and the only option is alternative designs or tree removal.

Appendix B - Tree Assessment Findings

Messmate Stringy-bark

Inspected:	12 September 2020
Height:	>10 metres
Spread:	>5 metres
Health:	Fair
Structure:	Good
Form:	Poor
Trunk Circumference:	<2 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	5.40 metres
Structural Root Zone:	2.45 metres



Observations

This tree is considered to be in fair overall condition due to the reduced foliage density and level of dieback throughout the crown.

Legislative Status	Unregulated
This tree does not achieve a regulated trunk circumference and therefore is not regulated by the Development Act 1993. It is however an asset of the Adelaide Hills Council and therefore approval is required prior to the removal of this tree.	
Retention Rating	Low
This tree has a Low Retention Rating and should not form a material constraint to the redevelopment of this site.	
Development Impact	Conflicted
The identified encroachment impacts the Structural Root Zone and therefore the tree is not sustainable in this development.	
Recommendation	Remove
Tree removal is required to support the proposed development.	

Messmate Stringy-bark

Inspected:	12 September 2020
Height:	>15 metres
Spread:	>10 metres
Health:	Good
Structure:	Good
Form:	Fair
Trunk Circumference:	<2 metres
Useful Life Expectancy:	>20 years
Tree Protection Zone:	6.72 metres
Structural Root Zone:	2.76 metres



Observations

The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment.

Legislative Status	Unregulated
This tree does not achieve a regulated trunk circumference and therefore is not regulated by the Development Act 1993.	
Retention Rating	Moderate
This tree has a Moderate Retention Rating and could be considered for retention in any future development.	
Development Impact	Conflicted
The identified encroachment impacts both the SRZ and the trunk and therefore the tree is not sustainable in this development.	
Recommendation	Remove
Tree removal is required to support the proposed development.	

Messmate Stringy-bark

Inspected:	12 September 2020
Height:	>20 metres
Spread:	>15 metres
Health:	Fair
Structure:	Good
Form:	Fair
Trunk Circumference:	>3 metres
Useful Life Expectancy:	>10 years
Tree Protection Zone:	9.84 metres
Structural Root Zone:	3.46 metres

Observations

This tree is considered to be in fair overall condition due to the reduced foliage density and level of dieback throughout the crown.

Approximately 70% of the root zone of the tree is covered by 1.5-2.0 metres of fill which was placed in this location when the existing dwelling was constructed to create a level lawn area.



Legislative Status	Exempt
This tree is within 20 metres of a dwelling within a bushfire zone and is therefore exempt from control under the Development Act 1993.	
Retention Rating	Moderate
This tree has a Moderate Retention Rating and could be considered for retention in any future development.	
Development Impact	Low
The encroachment covers 59% of the TPZ area and part of the SRZ however this is entirely within an area that was covered by 1.5-2.0 metres of fill at the time of the construction of the existing dwelling. The partial removal of fill is unlikely to have a positive or negative impact on the condition of this tree.	
Recommendation	Protect Root Zone
This tree should be protected in accordance with AS4970-2009.	

Monterey Pine

Inspected:	12 September 2020
Height:	>10 metres
Spread:	>5 metres
Health:	Good
Structure:	Good
Form:	Good
Trunk Circumference:	<2 metres
Useful Life Expectancy:	>20 years
Tree Protection Zone:	4.44 metres
Structural Root Zone:	2.30 metres



Observations

The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment.

Legislative Status	Unregulated
This tree does not achieve a regulated trunk circumference and therefore is not regulated by the Development Act 1993. It is however a third party asset and as such its protection is required by Common Law.	
Retention Rating	Low
This tree has a Low Retention Rating and should not form a material constraint to the redevelopment of this site.	
Development Impact	Conflicted
The identified encroachment is greater than 10% of the TPZ area and will also impact the SRZ. Minor redesign to remove the encroachment from the SRZ is required to prevent this tree being conflicted by the development.	
Recommendation	Protect Root Zone
This tree should be protected in accordance with AS4970-2009.	

Appendix C - Mapping

AREA SCHEDULE

TOTAL SITE	3992.1m ²
SITE COVERAGE	1275.7m ²
SITE COVERAGE %	31.9%

FINISHES SCHEDULE

RW 01	RETAINING WALL TYPE 01 AUSSIE BLOCK COLOUR: OATMEAL
RW 02	RETAINING WALL TYPE 02 CONCRETE SLEEPERS WITH BEDROCK TEXTURE COLOUR: SANDSTONE
FE 01	FENCE 01 COLORBOND GOOD NEIGHBOUR FENCE COLOUR: CB MONUMENT
FE 02	FENCE 2 1.8m HIGH TIMBER SLAT FENCE WITH NO GAPS AND STEEL POSTS POST: CB MONUMENT SPECIES: WESTERN RED CEDAR
SCREEN.01	PRIVACY SCREEN 01 REV ROOFING VICTORY FENCING STOCKADE SLAT SCREEN 70mm SLATS WITH 10mm GAP COLOUR: MONUMENT / CEDAR
PV 01	PAVING TYPE 1 BEST BRICKS & PAVERS BEST LOCK PAVER 60 COLOUR: NATURAL
PV 02	PAVING TYPE 2 BEST BRICKS & PAVERS BEST LOCK PAVER 60 COLOUR: CHARCOAL



Tree 100
TPZ 4.44 m
SRZ 2.30 m
28 %

Tree 56
TPZ 9.84 m
SRZ 3.46 m
59 %

Tree 35
TPZ 5.40 m
SRZ 2.45 m
47 %

Tree 36
TPZ 6.72 m
SRZ 2.76 m
100 %

Legend

- TPZ
- SRZ
- Encroachment

I	11.02.2020	PLANNING ISSUE
H	04.02.2020	PLANNING ISSUE
F	18.02.2020	PLANNING ISSUE
G	06.04.2020	PLANNING ISSUE
F	28.02.2019	PLANNING ISSUE
E	02.02.2019	PLANNING ISSUE
D	04.03.2019	PLANNING ISSUE
C	15.02.2019	PLANNING ISSUE
B	15.01.2019	PLANNING ISSUE
A	15.01.2019	PLANNING ISSUE

PLANNING

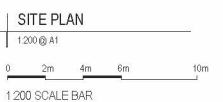
18-015.PL03.I

PROJECT
Pomona Rd Development
Lot 1-8, 20 Pomona Road STIRLING SA

CLIENT
John Ellery
DRAWING TITLE
Site Plan

DETAILS
Drawn BM / NF
Scale 1:200 @ A1
Date SEPTEMBER 2020

ABA



Appendix D - Tree Assessment Summary

Tree Assessment Summary

Tree No.	Botanic Name	Legislative Status	Retention Rating	Development Impact	TPZ Radius	Observations	Recommendation
35	<i>Eucalyptus obliqua</i>	Unregulated	Low	Conflicted	5.40 metres	This tree is considered to be in fair overall condition due to the reduced foliage density and level of dieback throughout the crown.	Remove
36	<i>Eucalyptus obliqua</i>	Unregulated	Moderate	Conflicted	6.72 metres	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment.	Remove
56	<i>Eucalyptus obliqua</i>	Exempt	Moderate	Low	9.84 metres	This tree is considered to be in fair overall condition due to the reduced foliage density and level of dieback throughout the crown. Approximately 70% of the root zone of the tree is covered by 1.5-2.0 metres of fill which was placed in this location when the existing dwelling was constructed to create a level lawn area.	Protect Root Zone
100	<i>Pinus radiata</i>	Unregulated	Low	Conflicted	4.44 metres	The health and structure of this tree indicate it is in good overall condition and has adapted to its local environment.	Protect Root Zone

Appendix E - Tree Protection Zone Guidelines

Tree Protection Zone General Specifications and Guidelines

The Tree Protection Zone(s) is identified on the site plan. The TPZ is an area where construction activities are regulated for the purposes of protecting tree viability. The TPZ should be established so that it clearly identifies and precludes development/construction activities including personnel.

If development activities are required within the TPZ then these activities must be reviewed and approved by the Project Arborist. Prior to approval, the Project Arborist must be certain that the tree(s) will remain viable as a result of this activity.

Work Activities Excluded from the Tree Protection Zone:

- a) Machine excavation including trenching;
- b) Excavation for silt fencing;
- c) Cultivation;
- d) Storage;
- e) Preparation of chemicals, including preparation of cement products;
- f) Parking of vehicles and plant;
- g) Refuelling;
- h) Dumping of waste;
- i) Wash down and cleaning of equipment;
- j) Placement of fill;
- k) Lighting of fires;
- l) Soil level changes;
- m) Temporary or permanent installation of utilities and signs, and
- n) Physical damage to the tree.

Protective Fencing

Protective fencing must be installed around the identified Tree Protection Zone (See Figure1). The fencing should be chain wire panels and compliant with AS4687 - 2007 *Temporary fencing and hoardings*. Shade cloth or similar material should be attached around the fence to reduce dust, other particulates and liquids entering the protected area.

Temporary fencing on 28kg bases are recommended for use as this eliminates any excavation requirements to install fencing. Excavation increase the likelihood of root damage therefore should be avoided where possible throughout the project.

Existing perimeter fencing and other structures may be utilised as part of the protective fencing.

Any permanent fencing should be post and rail with the set out determined in consultation with the Project Arborist.

Where the erection of the fence is not practical the Project Arborist is to approve alternative measures.

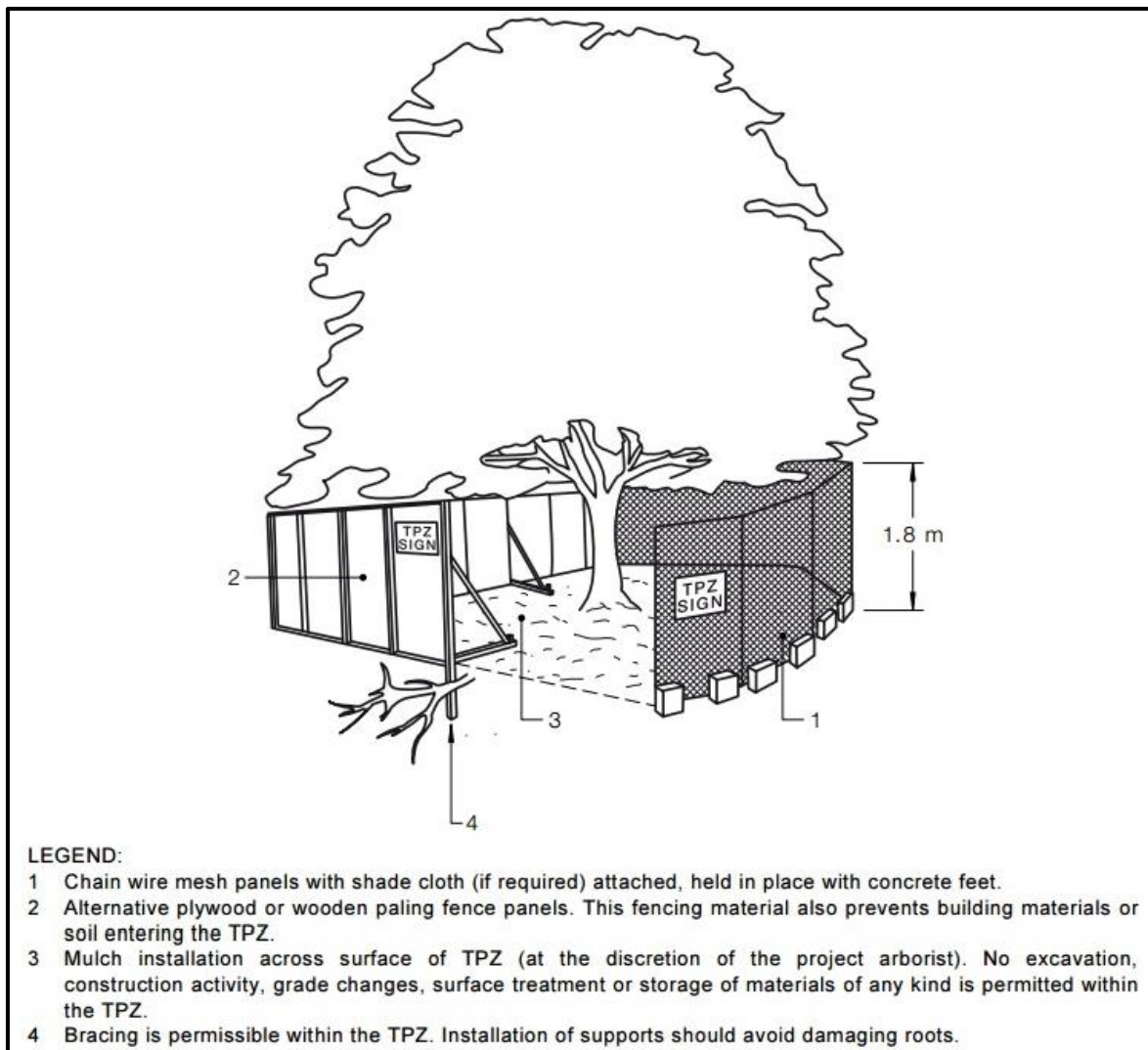


Figure 1 Showing example of protection fencing measures suitable.

Other Protection Measures

General

When a TPZ exclusion area cannot be established due to practical reasons or the area needs to be entered to undertake construction activities then additional tree protection measures may need to be adopted. Protection measures should be compliant with AS4970-2009 and approved by the Project Arborist

Installation of Scaffolding within Tree Protection Area.

Where scaffolding is required within the TPZ branch removal should be minimised. Any branch removal required should be approved by the Project Arborist and performed by a certified Arborist and performed in accordance with AS4373-2007. Approval to prune branches must be documented and maintained.

Ground below scaffold should be protected by boarding (e.g. scaffold board or plywood sheeting) as shown in Figure below. The boarding should be left in place until scaffolding is removed.

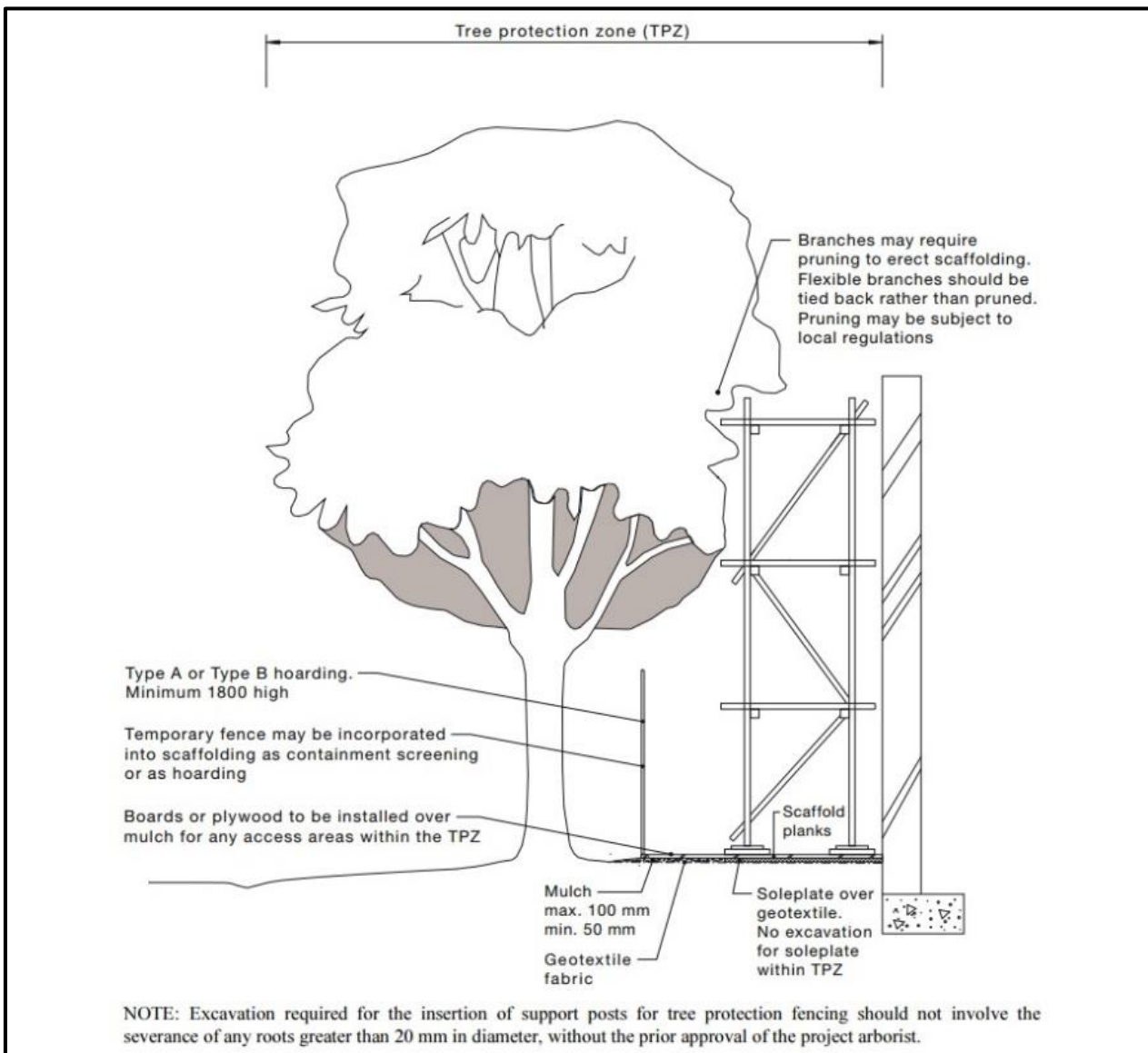


Figure 2 – Showing scaffolding constructed within TPZ.

Ground Protection

Where access is required within the TPZ ground protection measures are required. Ground protection is to be designed to prevent both damage to the roots and soil compaction.

Ground protection methods include the placement of a permeable membrane beneath a layer of non-compactable material such as mulch or a no fines gravel which is in turn covered with rumble boards or steel plates.

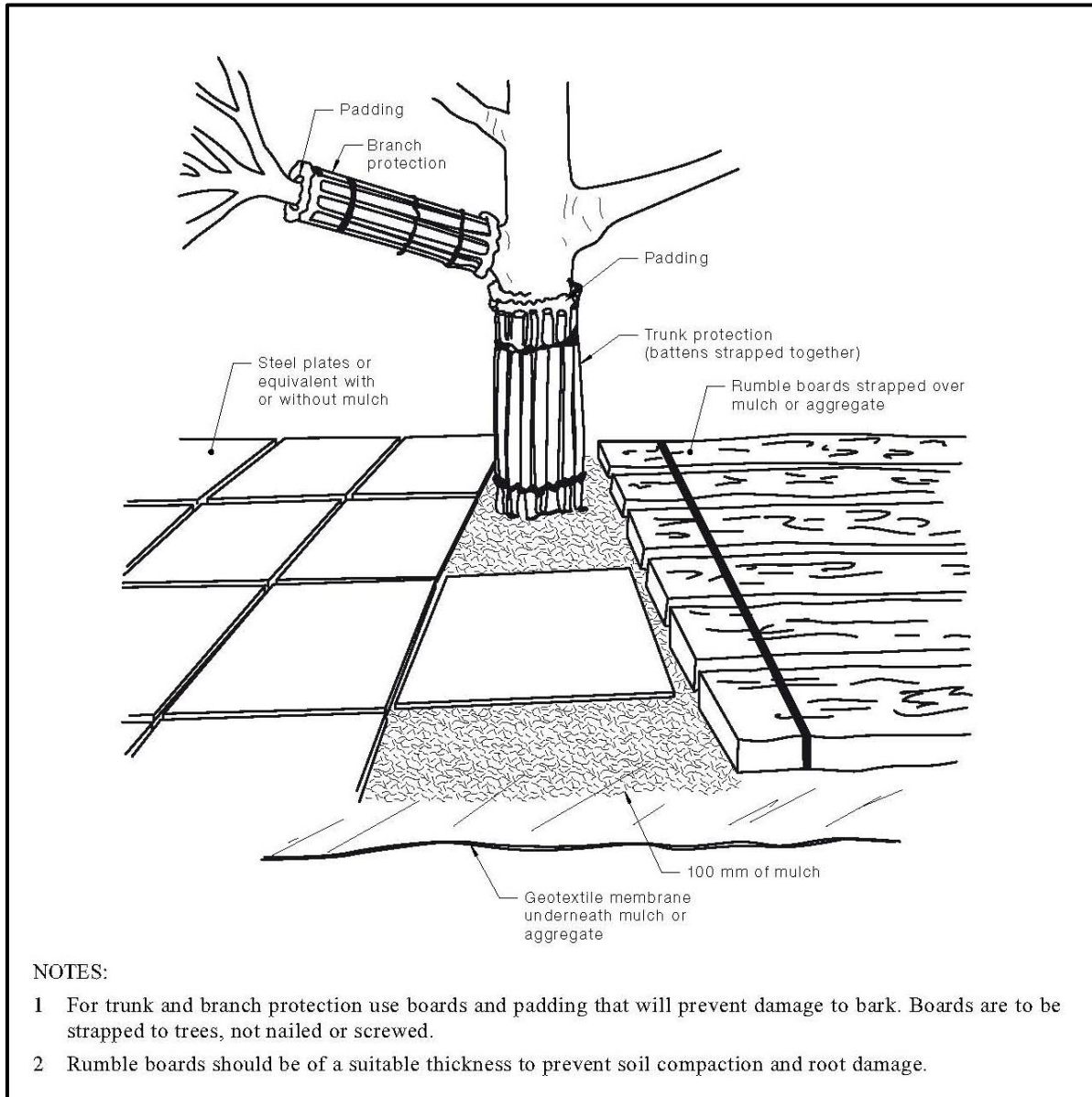


Figure 3 – Ground protection methods.

Document Source:

Diagrams in this document are sourced from AS4970-2009 Protection of trees on development sites. Further information and guidelines are available in within that document.

Paving Construction within a Tree Protection Zone

Paving within any Tree Protection Zone (TPZ) must be carried out above natural ground level unless it can be shown with non-destructive excavation (AirSpade® or similar) that no or insignificant root growth occupies the proposed construction area.

Due to the adverse effect filling over a Tree Protection Zone (TPZ) can have on tree health; alternative mediums other than soil must be used. Available alternative mediums include structural soils or the use of a cellular confinement system such as *Ecocell*®.

Ecocell®

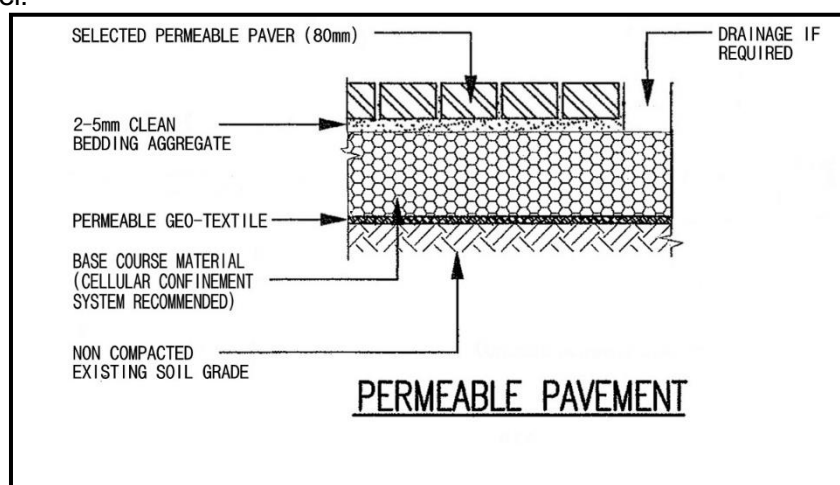
Ecocell® systems are a cellular confinement system that can be filled with large particle sized gravels as a sub-base for paving systems to reduce compaction to the existing grade.

Site preparation

- Clearly outline to all contracting staff entering the site the purpose of the TPZ's and the contractors' responsibilities. No fence is to be moved and no person or machinery is to access the TPZ's without consent from the City of Unley and/or the Project Arborist.
- Fence off the unaffected area of the TPZ with a temporary fence leaving a 1.5 metre gap between the work area and the fence; this will prevent machinery access to the remaining root zone.

Installation of Ecocell® and EcoTrihex Paving®

- Install a non-woven geotextile fabric for drainage and separation from sub base with a minimum of 600mm overlap on all fabric seams as required.
- Add Ecocell®, fill compartments with gravel and compact to desired compaction rate.
- If excessive groundwater is expected incorporate an appropriate drainage system within the bedding sand level.
- Add paving sand to required depth and compact to paving manufacturer's specifications.
- Lay EcoTrihex Paving® as per manufactures specifications and fill gaps between pavers with no fines gravel.
- Remove all debris, vegetation cover and unacceptable in-situ soils. No excavation or soil level change of the sub base is allowable for the installation of the paving.
- Where the finished soil level is uneven, gullies shall be filled with 20 millimetre coarse gravel to achieve the desired level.



This construction method if implemented correctly can significantly reduce and potentially eliminated the risk of tree decline and/or structural failure and effectively increase the size of the Tree Protection Zone to include the area of the paving.

Certificates of Control

Stage in development	Tree management process	
	Matters for consideration	Actions and certification
Development submission	Identify trees for retention through comprehensive arboricultural impact assessment of proposed construction. Determine tree protection measures Landscape design	Provide arboricultural impact assessment including tree protection plan (drawing) and specification
Development approval	Development controls Conditions of consent	Review consent conditions relating to trees
Pre-construction (Sections 4 and 5)		
Initial site preparation	State based OHS requirements for tree work Approved retention/removal Refer to AS 4373 for the requirements on the pruning of amenity trees Specifications for tree protection measures	Compliance with conditions of consent Tree removal/tree retention/transplanting Tree pruning Certification of tree removal and pruning Establish/delineate TPZ Install protective measures Certification of tree protection measures
Construction (Sections 4 and 5)		
Site establishment	Temporary infrastructure Demolition, bulk earthworks, hydrology	Locate temporary infrastructure to minimize impact on retained trees Maintain protective measures Certification of tree protection measures
Construction work	Liaison with site manager, compliance Deviation from approved plan	Maintain or amend protective measures Supervision and monitoring
Implement hard and soft landscape works	Installation of irrigation services Control of compaction work Installation of pavement and retaining walls	Remove selected protective measures as necessary Remedial tree works Supervision and monitoring
Practical completion	Tree vigour and structure	Remove all remaining tree protection measures Certification of tree protection
Post construction (Section 5)		
Defects liability/ maintenance period	Tree vigour and structure	Maintenance and monitoring Final remedial tree works Final certification of tree condition

Document Source:

This table has been sourced from AS4970-2009 Protection of trees on development sites. Further information and guidelines are available in within that document.

Tree Protection Zone



NO ACCESS

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Ref: 2018-0030

15 October 2020

Ms Melanie Scott
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Adelaide Hills Council
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**ADELAIDE HILLS COUNCIL
RECEIVED: 15/10/2020**



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Dear Melanie

Development Application Number 19/322/473 – 20 Pomona Road, Stirling

Thank you for your advice and assistance thus far with respect to the abovementioned development application.

As you are aware, the application was refused by the Council Assessment Panel and the associated Decision Notification is dated 8 July 2020.

This decision was then appealed to the Environment, Resources and Development Court.

We now formally offer the attached compromise proposal for consideration by the Council Assessment Panel on 11 November 2020.

As detailed throughout this letter, the applicant has made substantial adjustments to the proposal to properly address the reasons for refusal.

We remain of the opinion that the proposal is a well-considered and planned development that delivers on the important Zone objectives which specifically seek for a:

“range of dwelling types (such as townhouses, semi-detached dwellings, and residential flat buildings) at densities which take advantage of nearby public transport and the services available within the adjacent centre zones”

That being said, we have listened to Council’s concerns, and believe the proposed compromise warrants Development Plan Consent.

Amendments Offered

We have considered the reasons for refusal and distilled the matters we believe were most important.

Each of these are explained below under their respective headings. In doing so, the following is also attached:

- **Attachment 1**
 - > Updated plans by Alexander Brown Architects and associated 3D images.
- **Attachment 2**
 - > Civil and Earthworks Plan, Issue G dated 9/10/2020 by KP Squared Engineering.
- **Attachment 3**
 - > Level and Detail Survey of 13 Alta Crescent by Gilbert Surveyors.
- **Attachment 4**
 - > Arboricultural Impact Assessment and Development Impact Report by Arborman Tree Solutions dated 8 October 2020.

For clarity, the outline of the refused development is shown on the updated architectural plans. This allows a quick comparison and understanding of the proposed changes.

Density

Although not specifically raised as a concern, the proposed density affects the perceived transition between the adjacent Country Living Zone and the bulk and scale of the proposed development.

To contribute to resolving these concerns, the applicant has reduced the number of proposed allotments and dwellings from 9 to 8. Specifically, lots 8 and 9 previously proposed have now been amalgamated to comprise one dwelling.

All proposed allotments continue to achieve minimum site areas and frontages, and the reduced density ensures more spacious surroundings.

Transition between Zones

With respect to a transition between the proposed development and the neighbouring Country Living Zone, we understand the Council Assessment Panel had concerns with respect to portion of the Desired Character within the Mixed Residential Zone which specifically states:

Development will reflect the built-form character and spacious landscaped appearance of adjoining residential areas, to blend the dwelling density forms in this area with the highly regarded character of the surrounding locality.

We note the Desired Character also guides:

- Development at densities which take advantage of nearby public transport and the services available within the adjacent centre zones.
- Buildings up to two-storeys.
- Buildings set relatively close to the primary street frontage to create a compact urban streetscape.

The Zone further guides:

- **Setbacks from the primary road frontage of 3 metres.**
 - > The proposal easily achieves this by providing primary boundary setbacks ranging from 4.2 to 7.6 metres.

- **Side boundary setbacks of 1 metre.**
 - > Proposed side boundary setbacks range from 2 metres up to 3.65 metres to easily achieve this guideline.
- **Rear boundary setbacks of 4 metres.**
 - > This is predominantly achieved with most rear boundary setbacks far beyond 4 metres.
- **Site Coverage up to 60 percent.**
 - > The proposed site coverage is 31.9 percent of the total site area, having been reduced by 394.1 square metres when compared to the refused arrangement.
- **Building height up to two-storeys or 8 metres.**
 - > The height of each dwelling above natural ground level has been reduced to present a lower height and scale.
 - > The attached elevation plans indicate the height of each dwelling against the 8-metre height guideline, with only some minor encroachments evident.
 - > The majority of the proposal satisfies the height guideline.

Compliance with the numerical provisions in the zone, coupled with the vast reduction in site coverage and building scale has enabled a development that better reflects the spacious character of adjoining residential areas and provides increased landscaping throughout the subject land.

Bulk, Scale and Building Height

The height of the proposed dwellings and their respective building levels have been reconsidered. This has reduced the total height and scale of the development.

As explained above, the zone guides that buildings should be up to two-storeys or 8 metres. The height above natural ground level is now achieved at the northern, eastern and southern elevations with only some minor encroachments on the western elevation as outlined on the attached architectural plans.

Those portions of the development above the 8-metre height guideline are substantially setback from nearby property boundaries (5.5 to 10 metres from the western side boundary), far beyond the numeric setback guidelines of the Zone (1 metre).

Coupled with the proposed boundary setbacks, the very minor height encroachments do not amount to undue overshadowing, visual impact, scale, bulk or height and therefore do not unreasonably impose upon surrounding residential amenity or the locality generally.

Alteration to the Landform

The modified building levels and boundary setbacks have resulted in:

- Lowered finished floor levels for most dwellings. This has resulted in lower building heights.
- An altered retaining wall arrangement in some areas.

The floor levels of the dwellings, and their respective internal floor plan design, continue to step with the natural slope of the land to minimise excavation and fill wherever possible.

The building levels have also been carefully selected to ensure a suitable communal driveway gradient and with respect to the functionality of the proposed stormwater management system.

Where possible, retaining walls have been terraced to minimise their total height and are considered an improvement with respect to neighbouring amenity given increased boundary setbacks and tree retention.

This approach has effectively reduced the visual impact of the entire development when compared to the refused arrangement.

The section of the land adjacent the southern boundary will be excavated. This means that 13 Alta Crescent will mostly have a higher elevation than the subject land and that the proposed retaining walls along the southern boundary will not be visible from allotments adjacent the southern boundary.

Overall, the amended proposal better works with the natural landform while reducing impact upon neighbouring amenity.

Vegetation

The reduced site coverage of the development enables more substantial space for new landscaping and some tree retention. Some of these are shown within the updated and attached architectural plans.

Of particular note:

- Numerous trees along the western boundary of the land can be retained.
- Dwellings 4 to 8 have more substantial private open space areas for larger trees adjacent the southern property boundary.

The extent of tree removal required has been reconsidered with respect to the amended proposal.

This has confirmed that particular trees previously identified for removal can now be retained (and vice versa). An updated Arboricultural Impact Assessment and Development Impact Report by Arborman Tree Solutions is now attached.

This confirms the following:

- Tree 56, which has a trunk circumference exceeding 3 metres, can be retained subject to particular requirements in accordance with Australian Standards.
- Trees 35 and 36 require removal. This is different to the previous advice which suggested their retention.
- Minor redesign is required to protect Tree 100 as it is located adjacent to the eastern boundary on the neighbouring allotment. Any such redesign works will be undertaken in close liaison with the arborist as needed.

The proposed modifications are therefore considered to enhance tree retention, particularly given the retention of Tree 56 which would ordinarily be classed as “significant” with respect to the Development Act and Regulations provided greater separation from the existing dwelling on the land.

The proposed modifications therefore provide a better outcome with respect to new landscaping and tree retention.

Of relevance, it is also important to reiterate the following:

- Prior to the applications refusal the applicant had sought a considerable amount of arboricultural and ecological advice which confirmed retention of particular trees and the payment of a SEB (Significant Environmental Benefit) contribution totaling \$76,260.35 to the Native Vegetation Council.
- An application for the proposed tree removal was submitted to the Native Vegetation Council at the request of The Adelaide Hills Council. The Native Vegetation Council will not decide this application until Council resolves the Development Application. We remain of the opinion that the clearance application will be approved subject to approval of the development application and payment of the SEB contribution.
- It must be acknowledged that the Zone seeks increased densities above those now proposed, along with a compact built form and reduced boundary setbacks. The achievement of the Zone ultimately generates the removal of trees on the land.

Solar Access

We understand that the Council previously held concern with shadowing upon the private open space areas of the southernmost dwellings (previously dwellings 4 to 9).

The extent of shadowing caused by the proposal has been reduced by lowering the height and scale of particular dwellings. Updated shadow diagrams now form part of the updated architectural plans.

To further enhance solar access for occupants, the dwellings on lots 4 to 8 now have north facing balconies and/or roof terraces accessed directly from respective living areas.

These spaces supplement the large private open spaces to the side and rear of these respective dwellings by providing a space that better receives natural winter sunlight.

Notably, all dwellings are provided with private open spaces that satisfy the Development Plan with respect to area and minimum dimension. Also, the proposed development does not overshadow neighbouring properties in a manner that is contrary to the Development Plan.

General Comments

The following matters remain compliant despite the changes now proposed:

- Allotment site areas.
- Allotment frontages.
- Density.
- Variety of dwelling types, shapes and sizes.
- Design and appearance.
- Building articulation.
- Materials, finishes and glare.
- Fencing and retaining walls.
- Visual separation and views.
- Overlooking.
- Overshadowing.
- Safe and convenient vehicle movements which satisfy Australian Standards and accommodate firefighting vehicles.
- Onsite car parking.
- Storage.
- Bushfire safety.
- Bin collection.
- Stormwater discharge, overland flow and flooding.

We further reiterate that the proposal now better achieves the key criteria of the Desired Character of the Zone which include:

- Provision of a range of dwelling types.
- Densities which take advantage of nearby public transport and the services available with the adjacent centre zone.
- The proposal adequately reflects the spacious landscaped appearance of adjoining residential areas.

In our view, the proposal satisfies the vast majority of quantitative and qualitative guidelines within the Development Plan and as such Development Plan Consent is warranted.

Feel free to call me on 0417 080 596 if you have any queries.

Yours sincerely



Matthew King RPIA
Managing Director



Phil Harnett
Associate