

## COUNCIL ASSESSMENT PANEL MEETING

9 December 2020

### AGENDA – 9.1

<b>Applicant:</b> Hamish Price	<b>Landowner:</b> R C Smith & K A Yates
<b>Agent:</b> N/A	<b>Originating Officer:</b> Sarah Davenport
<b>Development Application:</b>	20/645/473
<b>Application Description:</b> Two storey detached dwelling, deck (maximum height 3.2m), 2x water tanks (maximum 22,500L), outbuilding, retaining wall (maximum height 1m) & associated earthworks	
<b>Subject Land:</b> Lot:3 Sec: P5124 DP:113831 CT:6184/986	<b>General Location:</b> 10A Pioneer Avenue Lobethal  <b>Attachment – Locality Plan</b>
<b>Development Plan Consolidated :</b> 8 August 2019 <b>Map AdHi/55</b>	<b>Zone/Policy Area:</b> Township Zone - Township (Lobethal) Policy Area
<b>Form of Development:</b> Merit	<b>Site Area:</b> 3697m <sup>2</sup>
<b>Public Notice Category:</b> Category 2 Merit -	<b>Representations Received:</b> 5  <b>Representations to be Heard:</b> 3

#### 1. EXECUTIVE SUMMARY

The purpose of this application is for the construction of a two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (maximum 22,500L), outbuilding, retaining wall (maximum height 1m) and associated earthworks.

The subject land is located within the Township Zone - Township (Lobethal) Policy Area and the proposal is a merit form of development. Three representations in opposition and two representations in support of the proposal were received during the Category 2 public notification period.

The proposed development is considered to align with the overall intent of the Township Zone and Lobethal Policy Area, which envisages low density residential development on infill sites, utilizing a mixture of contemporary designs. The design has utilized a mixture of materials and colours, improving articulation and overall appearance of the building. The subject land is susceptible to inundation. However, the dwelling has been well setback from the watercourse and located on a higher portion of land to reduce the risk of flooding. The dwelling can connect to mains sewer, minimizing risk to water quality.

The proposed outbuilding fails to satisfy numerical parameters but has been significantly altered from the initial proposal and will include landscaping and appropriate setbacks. The subject land has sufficient space on site for CFS manoeuvring, and the proposal includes independent water supply for fire-fighting purposes.

As per the CAP delegations, the CAP is the relevant authority for Category 2 applications where representors wish to be heard.

The main issues relating to the proposal are the size and scale of the overall proposal; specifically the siting and scale of the proposed outbuilding, stormwater management and potential flooding, overlooking and protection of privacy. Representors also raised concerns regarding privacy and stormwater management.

In consideration of all the information presented, and following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending that the proposal be **GRANTED** Development Plan Consent, subject to conditions.

## 2. DESCRIPTION OF THE PROPOSAL

The proposal is for the following:

- Two storey detached dwelling including deck (maximum height 3.2m) and double garage under main roof
- Domestic Outbuilding (12x 10x 3.1m) in Colorbond Monument.
- 2x 22,500L water tanks.
- Retaining Wall (maximum height 1m).

The proposed plans are included as **Attachment – Proposal Plans**

## 3. BACKGROUND AND HISTORY

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
29 August 2018	16/250/473	Earthworks within flood prone area
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The initial proposal was lodged in June 2020 and incorporated a shed measuring 240m<sup>2</sup> with 5.4m overall height atop 1m of fill, forward of the dwelling. Following the initial request in July to amend the plans, three subsequent amendments were put forward altering the size and scale of the shed to various degrees. The final design was received in late September and was included as part of the public notification package of documents.

#### 4. REFERRAL RESPONSES

##### Engineering

- Access is existing and so acceptable.
- The catchment that this site contributes to experiences flooding issues downstream in Lobethal. A stormwater management plan and calculations demonstrating compliance with Council requirements is needed.
- Any new developments increasing runoff in this catchment need to manage stormwater such that post-development flows don't exceed 1:5ARI (20%AEP) pre-development flows for all storm events up to and including 1:100ARI (1%AEP) events.
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- Flooding potential of the creek doesn't appear to affect the house site based on flooding layer in SSA.

The above responses are included as **Attachment – Referral Responses**.

#### 5. CONSULTATION

The application was categorised as a Category 2 form of development in accordance with Section 38(2) (a) of the *Development Act (1993)* and Township Zone procedural matters requiring formal public notification. Five (5) representations were received. Of these three (3) representations are opposing the proposal, and two (2) are in support of the proposal. All were from adjacent properties.

The following representors wish to be heard:

Name of Representor	Representor's Property Address	Nominated Speaker
Suzanne Hughes	143 Main Street Lobethal and 30-31 Pioneer Avenue Lobethal	Matt Hughes
Lynn Rawlings	10 Pioneer Avenue Lobethal	Lynn Rawlings
Jeanne Lorraine	2/133 Main Street Lobethal	Jeanne Lorraine

The applicants and/or their representative – Phil Harnett from URPS may be in attendance.

The issues contained in the representations can be briefly summarised as follows:

- Concerns about flooding and stormwater management
- Concerns about “boggy” soil and request for footing details
- Cleanliness/upkeep of property
- Overlooking / Privacy

These issues are discussed in the following sections of the report.

A copy of the submissions is included as **Attachment – Representations** and the response is provided in **Attachment – Applicant’s Response to Representations**.

## 6. PLANNING & TECHNICAL CONSIDERATIONS

This application has been evaluated in accordance with the following matters:

i. The Site’s Physical Characteristics

The subject land is a quadrilateral shaped allotment which measures approximately 3,697m<sup>2</sup> in area. The land gently slopes up to the North, away from Pioneer Avenue. There are no significant or regulated trees on site. However, there are a number of smaller shrubs along the eastern boundary which is roughly defined by an unnamed creek. An easement runs parallel with the eastern boundary for the purposes of council drainage and 2 smaller easements in the southern portion of the allotment exist for SA Water and the Minister of Infrastructure.

ii. The Surrounding Area

The immediate locality is defined by residential land uses on medium to small sized allotments, allotments on the northern side of Pioneer Avenue are roughly 1000m<sup>2</sup>, while allotments on the Southern side of Pioneer Avenue range between 1500m<sup>2</sup> to 650m<sup>2</sup>. Dwellings on Pioneer Avenue are of the post war era with no obvious examples of more contemporary dwelling designs. Dwellings on the land directly to the South are sited within 10 metres Pioneer Avenue, dwellings on land to the East are sited on long narrow blocks with dwellings also sited within 5 metres of close to the Main Street . The two neighbouring dwellings to the West are setback from the “front” boundary and the allotment to the rear is currently vacant and forms the last allotment in the Township Zone.

There are no heritage listed items in the vicinity of the proposed development.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Township Zone - Township (Lobethal) Policy Area and these provisions seek:

- *A zone primarily accommodating residential development and local ancillary service facilities to serve the needs of the community.*
- *Services and facilities grouped together to serve the local community and the visiting public.*
- *Increased mix in the range of dwellings available to cater for changing demographics, particularly smaller household sizes and supported accommodation.*
- *Conservation and enhancement of the main road streetscape and scenic rural setting of the township*
- *Development which contributes to the desired character of the zone*



The following are considered to be the relevant Policy Area provisions:

*Objectives:* 1, 2, 3

*PDCs:* 1, 3

The following are considered to be the relevant Zone provisions:

*Objectives:* 1, 3, 4, 5

*PDCs:* 1, 4, 5, 7,

Accordance with Zone

*The Township zone fundamentally envisages residential development, at low densities and the introduction of a broader range of housing stock. In alignment with the Desired Character Statement, Objective 1, PDC1, and PDC 4 the proposed development will result in a detached dwelling, utilizing a contemporary design yet with a traditional gable roof and eaves and traditional materials. Objective 3 and PDC 5 for the Zone allows for 2 storey dwellings, in conjunction with the designated setbacks. Whilst the proposed dwelling offends the rear setback of 8m, the reduced setback is not considered fatal as it allows for increased setbacks from the southern and eastern boundaries. The reduced setback also allows for sufficient setback from the water course and the projected flood prone area on-site. In alignment with Objective 4 of the Zone, the proposed dwelling will be well setback from the primary road and will incorporate landscaping along the western boundary and in front of the shed to improve the visual attractiveness of the site.*

*The desired character statement encourages a variety of dwelling designs, including two storey dwellings. However, the statement discourages two storey dwellings which will be likely to cause overshadowing and overlooking. Due to the considerable setbacks from boundaries (particularly the southern) overlooking is considered to be unlikely.*

The proposed outbuilding has a floor area of 120m<sup>2</sup>, and a wall height of 3.1m. The outbuilding is at variance with PDC 7 for the Zone both in terms of wall height and floor area. The proposal has incorporated, landscaping and increased setbacks to compensate for the outbuilding size. In comparison with the initially proposed shed design and subsequent amendments, the proposed shed design is considered to now align with the Zone provisions relating to outbuildings in the Township Zone.

*b) Council Wide provisions*

The following are considered to be the relevant Council Wide provisions:

Design and Appearance

*Objectives:* 1,

*PDCs:* 1, 3, 5, 7, 17, 18, 22

The proposed dwelling has been architecturally designed, and incorporates a hip roof and a range of materials such as fibre cement, Scyon cladding and Colorbond roofing. The dwelling includes verandahs and a mixture of window dimensions to improve

articulation and break up the bulk of the building- pursuant to PDC 22. The proposed colours and materials schedule suggests the proposed dwelling will be finished in mid grey coloured tones, in accordance with PDC 3. The proposed design is deemed to address Objective 1 and PDC 1 with regard to design and appropriateness of colour selection. It has been noted that, the building height and mass is notably different from other housing stock in the locality, however as the zone provisions envisage the introduction of new housing stock and contemporary designs the departure from PDC 1(a) is considered acceptable.

PDCs 7 and 17 call for development which will not encroach on neighbouring properties' access to sunlight. The proposed dwelling has been well set back from front and side boundaries, avoiding overshadowing of private space areas.

PDC 18 calls for new buildings to avoid overlooking via generous building setbacks, siting of balconies and screening. It is noted that some representors have raised concerns as to whether their privacy will be maintained should the development be supported. In accordance with PDC 5 the dwelling incorporates one balcony which is to be located at the upper level to the rear of the dwelling. The allotment to the rear is currently vacant. However, if the development submitted by the representor came to fruition, the balcony would overlook a detention basin rather than new allotment. The upper level windows to the East and South-east have incorporated louvres and obscure window film to improve privacy .These windows are also set back some 25-30m from the closest rear boundary of the allotments to the East. The proposal has satisfactorily addressed PDC 18.

#### Hazards

*Objectives:* 2, 4, 5,

*PDCs:* 1, 2, 3, 4, 5, 6, 7, 8, 9,

The subject land is located both within a flood prone area and a medium bushfire risk area. In accordance with Objective 2 and Objective 4 the proposed dwelling is well setback from the watercourse and projected flood area. The dwelling and outbuilding are situated on the higher portion of the land to avoid the entry of floodwaters in a 1 in 100 storm event, in compliance with PDC 3. Pursuant to PDC 1, PDC 2 and PDC 4 the proposed dwelling will not require significant earthworks or mitigation measures to avoid entry of flood waters, and no part of the development involves earthworks in proximity to the watercourse. The development will not include new fencing, and as such the development will allow the free flow of water across the boundary in the event of a flood in accordance with PDC 5.

The subject land is located in the medium bushfire risk area and proposed development is required to comply with the Minister's Code: Undertaking Development in Bushfire Protection Areas, in accordance with PDCs 6 and 7. PDCs 8 and 9 call for development which is located away from unacceptable fire risk and has adequate access and water supply for fire-fighting purposes. The proposed development includes 2 water tanks at 22,500L capacity, despite only requiring 2000L under the Code The subject land is connected to a main road, mains water and has sufficient area for a CFS truck to manoeuvre on site. The land has a slight incline and is relatively free from vegetation.

The proposed development includes additional water storage and is not on a particularly high bushfire risk site with regard to access, vegetation or slope.

Residential Development

*Objectives:* 1, 2, 4

*PDCs:* 1, 2, 3, 4, 5, 7, 8, 9, 10, 13, 14, 15, 27

In accordance with Residential Development Objectives 1, 2 and 4 and PDCs 1 and 2: the proposed dwelling will be located on a large infill site and will utilize a contemporary design, including a variety of materials. The development incorporates landscaping, with screening trees on the western boundary and to the South facing portion of the outbuilding, pursuant to PDC 4 and 8 in order to limit the visual impact of the shed on neighbouring properties and from Pioneer Avenue. Should Development Plan Consent be granted it is recommended that a condition be included to reinforce the planting, and retention of this landscaping (Refer recommended condition 11.)

In alignment with PDCs 5 and 7, the subject land is connected to SA Water sewer and Council stormwater infrastructure, However Council's engineers have requested further details on the stormwater detention scenario to ensure the current system is not overloaded as a result of the development. Due to the size of the land, it is likely that the site can facilitate a detention system and make use of portion of the water storage potentially for this purpose. A condition is recommended in relation to the stormwater calculations and design. (Refer to recommended condition 7).

As discussed in earlier in the report, the proposed dwelling is a 2 storey, contemporary style dwelling. The dwelling will have primary access to the South with living areas facing North. The street facing (southern) façade has incorporated fenestration of varying dimensions, different materials and roof pitches improving presentation and views from the street. The development is considered to adequately address PDCs 8, 9 and 10.

PDC 15 designates numerical guidelines for outbuildings, however the Zone designates its specific maximum outbuilding guidelines. The proposed is at variance with both the zone provisions and Residential Development numerical provisions. As previously detailed in the report, the outbuilding has gone through numerous revisions, with the current proposed plan of 120 m<sup>2</sup> being the most acceptable outcome. The western and southern perimeter of the outbuilding is to be planted with *Leptospermums* which are an evergreen species which can grow up to 5 metres in height. Whilst the shed is to be located forward of the dwelling, landscaping has been included to screen views of the outbuilding from the primary road and side boundary. The outbuilding is acceptable with regard to colours as it will match with the proposed dwelling.

## 7. SUMMARY & CONCLUSION

The application has been reviewed and assessed against the relevant provisions of the Development Plan. The proposed development is considered to align with the overall intent of the Township zone and Lobethal Policy Area which envisages low density residential development on infill sites, utilizing a mixture of contemporary designs. The design has utilized a variety of materials, fenestration and mid grey colour schemes, improving articulation and overall appearance of the building in the opinion of staff. Though the subject land is susceptible inundation, the dwelling has been well setback from the watercourse and located on a higher portion of land to avoid the risk of flooding. The proposed outbuilding fails to satisfy numerical parameters but has been drastically altered from the initial proposal and the applicant has implemented increased setbacks and evergreen landscaping to reduce the overall visual impact of the outbuilding. The subject land has sufficient space on site manoeuvring and has allowed for independent water supply for fire-fighting purposes.

The proposal is sufficiently consistent with the relevant provisions of the Development Plan, and it is considered the proposal is not seriously at variance with the Development Plan. In the view of staff, the proposal has sufficient merit to warrant consent. Staff therefore recommend that Development Plan Consent be **GRANTED**, subject to conditions.

## 8. RECOMMENDATION

**That the Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 20/645/473 by Hamish Price for Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (maximum 22,500L), outbuilding, retaining wall (maximum height 1m) & associated earthworks at 10A Pioneer Avenue Lobethal subject to the following conditions:**

### (1) Development In Accordance With The Plans

**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:**

- **Location Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL01, Revision E received by Council 28 September 2020**
- **Site Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL02, Revision E received by Council 28 September 2020**
- **Proposed Lower Floor Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL04, Revision E received by Council 28 September 2020**
- **Proposed Upper Floor Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL05, Revision E received by Council 28 September 2020**
- **North and East Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL07, Revision E received by Council 28 September 2020**

- South and West Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL08, Revision E received by Council 28 September 2020
- North and East Shed Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL09, Revision E received by Council 28 September 2020
- South and West Shed Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL10, Revision E received by Council 28 September 2020
- Correspondence from URPS, received 27 November 2020

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

**(2) Requirement For Retaining Wall To Be Constructed Prior To Works Commencing**

The retaining wall on the western side of the property, as described on the site plan stamped as part of this authorisation, shall be constructed prior to the commencement of the construction of the dwelling and retaining walls over one (1) metre in height will require Building Rules Consent

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

**(3) 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

**(4) Soil Erosion Control**

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

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

**(5) Decking/Balcony Screening**

Prior to occupation of the approved development the balcony on the north elevation shall be fitted with obscure glazing or frosted obscure film screening to a minimum height of 1.7 metres above the balcony floor level. The screening shall be maintained in good condition at all times.

**REASON:** Buildings should be designed to not cause potential for overlooking of adjoining properties.

**(6) Obscure Glazing To Windows**

The upper level windows of the dwelling on the south and north elevations shall be glazed with fixed obscure glass to a minimum height of 1.7 metres above finished floor level. The glazing in these windows shall be maintained in good condition at all times.

**REASON:** Buildings should be designed to not cause potential for overlooking of adjoining properties.

**(7) Prior to Building Rules Consent - Requirement For Stormwater Calculations and Final Stormwater Management and Drainage Plan**

Prior to Building Rules Consent being granted all hydrological and hydraulic stormwater calculations shall be provided together with the final stormwater management and drainage plan. Discharge of stormwater to Council easement pipe shall be designed at a maximum flow of 70 L/s in a 100 year ARI storm , 20 minute event. Storage for the 100 year storm event shall be provided to prevent overflows into adjoining properties.

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

**(8) Access Requirements**

Private roads and access tracks shall provide safe and convenient access and egress for bushfire fighting vehicles as follows:

- Access to the site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
  - i. A loop road around the building, OR
  - ii. A turning area with a minimum radius of 12.5 metres, OR
  - iii. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.

- The gradient of the access road shall not exceed 16 degrees (29%), in steep terrain the construction of the public road or driveway shall be a sealed surface.
- The all-weather road shall be constructed such that it is protected from water erosion of the traffic surface. The road surface shall be profiled to manage storm water runoff to appropriate drains, at one or both sides of the traffic surface.
- The accumulated volumes of water shall be directed via:
  - i. open drains, or
  - ii. culverts and pipes under the traffic surface, and / or away from same, without causing further soil erosion, silting of adjacent areas or water courses or instability of any embankment or cutting.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

**REASON:** To provide safe access to properties in the event of a bushfire

**(9) Restriction on Use Of Outbuilding**

The approved outbuilding shall not be used for human habitation, commercial or industrial purposes. Any such activity may constitute a change in use and will require separate development approval.

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

**(10) 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

**(11) Requirement for Landscape Screening Strip to Be Planted**

A landscape screening strip consisting of *Leptospermum* plants spaced a maximum of 3 metres apart shall be established in the planting season following occupation along the western boundary of the subject land and southern side of the proposed shed, as shown on the Site Plan A-072-HOC-PL02 Rev E dated 28 September 2020. The vegetation must be maintained in good health and condition at all times with any dead or diseased plants being replaced in the next planting season.

**REASON:** To minimise the visual impact of the development and ensure the survival and maintenance of the vegetation.

**(12) Bushfire Conditions Completed Prior to Occupation**

The Bushfire Protection Conditions 3 and 8 shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

**REASON:** To minimise the threat and impact of bushfires on life and property.

**(13) External Finishes**

The external finishes to the building herein approved shall be in accordance with the External finished schedule prepared by Hamish Price Architects, Revision E.

**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

**NOTES**

**(1) Development Plan Consent Expiry**

This Development Plan Consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

**(2) Erosion Control During Construction**

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

**(3) Sewer Connection**

The dwelling shall be connected to SA Water mains sewer supply in accordance with the approval granted by SA Water. All work shall be to the satisfaction of SA Water.

**(4) EPA Environmental Duty**

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

**(5) Works On Boundary**

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

**9. ATTACHMENTS**

Locality Plan  
Proposal Plans  
Representations  
Applicant's response to representations



Respectfully submitted

Concurrence

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**Sarah Davenport**  
**Statutory Planner**

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**Deryn Atkinson**  
**Assessment Manager**

## COUNCIL ASSESSMENT PANEL MEETING

9 December 2020

### AGENDA – 9.1

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<b>Agent:</b> N/A	<b>Originating Officer:</b> Sarah Davenport
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Jeanne Lorraine	2/133 Main Street Lobethal	Jeanne Lorraine

The applicants and/or their representative – Phil Harnett from URPS may be in attendance.

The issues contained in the representations can be briefly summarised as follows:

- Concerns about flooding and stormwater management
- Concerns about “boggy” soil and request for footing details
- Cleanliness/upkeep of property
- Overlooking / Privacy

These issues are discussed in the following sections of the report.

A copy of the submissions is included as **Attachment – Representations** and the response is provided in **Attachment – Applicant’s Response to Representations**.

## 6. PLANNING & TECHNICAL CONSIDERATIONS

This application has been evaluated in accordance with the following matters:

i. The Site’s Physical Characteristics

The subject land is a quadrilateral shaped allotment which measures approximately 3,697m<sup>2</sup> in area. The land gently slopes up to the North, away from Pioneer Avenue. There are no significant or regulated trees on site. However, there are a number of smaller shrubs along the eastern boundary which is roughly defined by an unnamed creek. An easement runs parallel with the eastern boundary for the purposes of council drainage and 2 smaller easements in the southern portion of the allotment exist for SA Water and the Minister of Infrastructure.

ii. The Surrounding Area

The immediate locality is defined by residential land uses on medium to small sized allotments, allotments on the northern side of Pioneer Avenue are roughly 1000m<sup>2</sup>, while allotments on the Southern side of Pioneer Avenue range between 1500m<sup>2</sup> to 650m<sup>2</sup>. Dwellings on Pioneer Avenue are of the post war era with no obvious examples of more contemporary dwelling designs. Dwellings on the land directly to the South are sited within 10 metres Pioneer Avenue, dwellings on land to the East are sited on long narrow blocks with dwellings also sited within 5 metres of close to the Main Street . The two neighbouring dwellings to the West are setback from the “front” boundary and the allotment to the rear is currently vacant and forms the last allotment in the Township Zone.

There are no heritage listed items in the vicinity of the proposed development.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Township Zone - Township (Lobethal) Policy Area and these provisions seek:

- *A zone primarily accommodating residential development and local ancillary service facilities to serve the needs of the community.*
- *Services and facilities grouped together to serve the local community and the visiting public.*
- *Increased mix in the range of dwellings available to cater for changing demographics, particularly smaller household sizes and supported accommodation.*
- *Conservation and enhancement of the main road streetscape and scenic rural setting of the township*
- *Development which contributes to the desired character of the zone*

The following are considered to be the relevant Policy Area provisions:

*Objectives:* 1, 2, 3

*PDCs:* 1, 3

The following are considered to be the relevant Zone provisions:

*Objectives:* 1, 3, 4, 5

*PDCs:* 1, 4, 5, 7,

Accordance with Zone

*The Township zone fundamentally envisages residential development, at low densities and the introduction of a broader range of housing stock. In alignment with the Desired Character Statement, Objective 1, PDC1, and PDC 4 the proposed development will result in a detached dwelling, utilizing a contemporary design yet with a traditional gable roof and eaves and traditional materials. Objective 3 and PDC 5 for the Zone allows for 2 storey dwellings, in conjunction with the designated setbacks. Whilst the proposed dwelling offends the rear setback of 8m, the reduced setback is not considered fatal as it allows for increased setbacks from the southern and eastern boundaries. The reduced setback also allows for sufficient setback from the water course and the projected flood prone area on-site. In alignment with Objective 4 of the Zone, the proposed dwelling will be well setback from the primary road and will incorporate landscaping along the western boundary and in front of the shed to improve the visual attractiveness of the site.*

*The desired character statement encourages a variety of dwelling designs, including two storey dwellings. However, the statement discourages two storey dwellings which will be likely to cause overshadowing and overlooking. Due to the considerable setbacks from boundaries (particularly the southern) overlooking is considered to be unlikely.*

The proposed outbuilding has a floor area of 120m<sup>2</sup>, and a wall height of 3.1m. The outbuilding is at variance with PDC 7 for the Zone both in terms of wall height and floor area. The proposal has incorporated, landscaping and increased setbacks to compensate for the outbuilding size. In comparison with the initially proposed shed design and subsequent amendments, the proposed shed design is considered to now align with the Zone provisions relating to outbuildings in the Township Zone.

*b) Council Wide provisions*

The following are considered to be the relevant Council Wide provisions:

Design and Appearance

*Objectives:* 1,

*PDCs:* 1, 3, 5, 7, 17, 18, 22

The proposed dwelling has been architecturally designed, and incorporates a hip roof and a range of materials such as fibre cement, Scyon cladding and Colorbond roofing. The dwelling includes verandahs and a mixture of window dimensions to improve

articulation and break up the bulk of the building- pursuant to PDC 22. The proposed colours and materials schedule suggests the proposed dwelling will be finished in mid grey coloured tones, in accordance with PDC 3. The proposed design is deemed to address Objective 1 and PDC 1 with regard to design and appropriateness of colour selection. It has been noted that, the building height and mass is notably different from other housing stock in the locality, however as the zone provisions envisage the introduction of new housing stock and contemporary designs the departure from PDC 1(a) is considered acceptable.

PDCs 7 and 17 call for development which will not encroach on neighbouring properties' access to sunlight. The proposed dwelling has been well set back from front and side boundaries, avoiding overshadowing of private space areas.

PDC 18 calls for new buildings to avoid overlooking via generous building setbacks, siting of balconies and screening. It is noted that some representors have raised concerns as to whether their privacy will be maintained should the development be supported. In accordance with PDC 5 the dwelling incorporates one balcony which is to be located at the upper level to the rear of the dwelling. The allotment to the rear is currently vacant. However, if the development submitted by the representor came to fruition, the balcony would overlook a detention basin rather than new allotment. The upper level windows to the East and South-east have incorporated louvres and obscure window film to improve privacy. These windows are also set back some 25-30m from the closest rear boundary of the allotments to the East. The proposal has satisfactorily addressed PDC 18.

#### Hazards

*Objectives:* 2, 4, 5,

*PDCs:* 1, 2, 3, 4, 5, 6, 7, 8, 9,

The subject land is located both within a flood prone area and a medium bushfire risk area. In accordance with Objective 2 and Objective 4 the proposed dwelling is well setback from the watercourse and projected flood area. The dwelling and outbuilding are situated on the higher portion of the land to avoid the entry of floodwaters in a 1 in 100 storm event, in compliance with PDC 3. Pursuant to PDC 1, PDC 2 and PDC 4 the proposed dwelling will not require significant earthworks or mitigation measures to avoid entry of flood waters, and no part of the development involves earthworks in proximity to the watercourse. The development will not include new fencing, and as such the development will allow the free flow of water across the boundary in the event of a flood in accordance with PDC 5.

The subject land is located in the medium bushfire risk area and proposed development is required to comply with the Minister's Code: Undertaking Development in Bushfire Protection Areas, in accordance with PDCs 6 and 7. PDCs 8 and 9 call for development which is located away from unacceptable fire risk and has adequate access and water supply for fire-fighting purposes. The proposed development includes 2 water tanks at 22,500L capacity, despite only requiring 2000L under the Code. The subject land is connected to a main road, mains water and has sufficient area for a CFS truck to manoeuvre on site. The land has a slight incline and is relatively free from vegetation.

The proposed development includes additional water storage and is not on a particularly high bushfire risk site with regard to access, vegetation or slope.

Residential Development

*Objectives:* 1, 2, 4

*PDCs:* 1, 2, 3, 4, 5, 7, 8, 9, 10, 13, 14, 15, 27

In accordance with Residential Development Objectives 1, 2 and 4 and PDCs 1 and 2: the proposed dwelling will be located on a large infill site and will utilize a contemporary design, including a variety of materials. The development incorporates landscaping, with screening trees on the western boundary and to the South facing portion of the outbuilding, pursuant to PDC 4 and 8 in order to limit the visual impact of the shed on neighbouring properties and from Pioneer Avenue. Should Development Plan Consent be granted it is recommended that a condition be included to reinforce the planting, and retention of this landscaping (Refer recommended condition 11.)

In alignment with PDCs 5 and 7, the subject land is connected to SA Water sewer and Council stormwater infrastructure, However Council's engineers have requested further details on the stormwater detention scenario to ensure the current system is not overloaded as a result of the development. Due to the size of the land, it is likely that the site can facilitate a detention system and make use of portion of the water storage potentially for this purpose. A condition is recommended in relation to the stormwater calculations and design. (Refer to recommended condition 7).

As discussed in earlier in the report, the proposed dwelling is a 2 storey, contemporary style dwelling. The dwelling will have primary access to the South with living areas facing North. The street facing (southern) façade has incorporated fenestration of varying dimensions, different materials and roof pitches improving presentation and views from the street. The development is considered to adequately address PDCs 8, 9 and 10.

PDC 15 designates numerical guidelines for outbuildings, however the Zone designates its specific maximum outbuilding guidelines. The proposed is at variance with both the zone provisions and Residential Development numerical provisions. As previously detailed in the report, the outbuilding has gone through numerous revisions, with the current proposed plan of 120 m<sup>2</sup> being the most acceptable outcome. The western and southern perimeter of the outbuilding is to be planted with Leptospermums which are an evergreen species which can grow up to 5 metres in height. Whilst the shed is to be located forward of the dwelling, landscaping has been included to screen views of the outbuilding from the primary road and side boundary. The outbuilding is acceptable with regard to colours as it will match with the proposed dwelling.



## 7. SUMMARY & CONCLUSION

The application has been reviewed and assessed against the relevant provisions of the Development Plan. The proposed development is considered to align with the overall intent of the Township zone and Lobethal Policy Area which envisages low density residential development on infill sites, utilizing a mixture of contemporary designs. The design has utilized a variety of materials, fenestration and mid grey colour schemes, improving articulation and overall appearance of the building in the opinion of staff. Though the subject land is susceptible inundation, the dwelling has been well setback from the watercourse and located on a higher portion of land to avoid the risk of flooding. The proposed outbuilding fails to satisfy numerical parameters but has been drastically altered from the initial proposal and the applicant has implemented increased setbacks and evergreen landscaping to reduce the overall visual impact of the outbuilding. The subject land has sufficient space on site manoeuvring and has allowed for independent water supply for fire-fighting purposes.

The proposal is sufficiently consistent with the relevant provisions of the Development Plan, and it is considered the proposal is not seriously at variance with the Development Plan. In the view of staff, the proposal has sufficient merit to warrant consent. Staff therefore recommend that Development Plan Consent be **GRANTED**, subject to conditions.

## 8. RECOMMENDATION

**That the Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 20/645/473 by Hamish Price for Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (maximum 22,500L), outbuilding, retaining wall (maximum height 1m) & associated earthworks at 10A Pioneer Avenue Lobethal subject to the following conditions:**

### (1) Development In Accordance With The Plans

**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:**

- **Location Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL01, Revision E received by Council 28 September 2020**
- **Site Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL02, Revision E received by Council 28 September 2020**
- **Proposed Lower Floor Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL04, Revision E received by Council 28 September 2020**
- **Proposed Upper Floor Plan, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL05, Revision E received by Council 28 September 2020**
- **North and East Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL07, Revision E received by Council 28 September 2020**

- South and West Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL08, Revision E received by Council 28 September 2020
- North and East Shed Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL09, Revision E received by Council 28 September 2020
- South and West Shed Elevations, prepared by Hamish Price Architects, dated 28 September 2020, A-072-HOC-PL10, Revision E received by Council 28 September 2020
- Correspondence from URPS, received 27 November 2020

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

**(2) Requirement For Retaining Wall To Be Constructed Prior To Works Commencing**

The retaining wall on the western side of the property, as described on the site plan stamped as part of this authorisation, shall be constructed prior to the commencement of the construction of the dwelling and retaining walls over one (1) metre in height will require Building Rules Consent

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

**(3) 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

**(4) Soil Erosion Control**

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

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

**(5) Decking/Balcony Screening**

**Prior to occupation of the approved development the balcony on the north elevation shall be fitted with obscure glazing or frosted obscure film screening to a minimum height of 1.7 metres above the balcony floor level. The screening shall be maintained in good condition at all times.**

**REASON: Buildings should be designed to not cause potential for overlooking of adjoining properties.**

**(6) Obscure Glazing To Windows**

**The upper level windows of the dwelling on the south and north elevations shall be glazed with fixed obscure glass to a minimum height of 1.7 metres above finished floor level. The glazing in these windows shall be maintained in good condition at all times.**

**REASON: Buildings should be designed to not cause potential for overlooking of adjoining properties.**

**(7) Prior to Building Rules Consent - Requirement For Stormwater Calculations and Final Stormwater Management and Drainage Plan**

**Prior to Building Rules Consent being granted all hydrological and hydraulic stormwater calculations shall be provided together with the final stormwater management and drainage plan. Discharge of stormwater to Council easement pipe shall be designed at a maximum flow of 70 L/s in a 100 year ARI storm , 20 minute event. Storage for the 100 year storm event shall be provided to prevent overflows into adjoining properties.**

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

**(8) Access Requirements**

**Private roads and access tracks shall provide safe and convenient access and egress for bushfire fighting vehicles as follows:**

- **Access to the site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.**
- **The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –**
  - i. **A loop road around the building, OR**
  - ii. **A turning area with a minimum radius of 12.5 metres, OR**
  - iii. **A ‘T’ or ‘Y’ shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.**
- **Private access shall have minimum internal radii of 9.5 metres on all bends.**
- **Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.**

- The gradient of the access road shall not exceed 16 degrees (29%), in steep terrain the construction of the public road or driveway shall be a sealed surface.
- The all-weather road shall be constructed such that it is protected from water erosion of the traffic surface. The road surface shall be profiled to manage storm water runoff to appropriate drains, at one or both sides of the traffic surface.
- The accumulated volumes of water shall be directed via:
  - i. open drains, or
  - ii. culverts and pipes under the traffic surface, and / or away from same, without causing further soil erosion, silting of adjacent areas or water courses or instability of any embankment or cutting.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

**REASON:** To provide safe access to properties in the event of a bushfire

**(9) Restriction on Use Of Outbuilding**

The approved outbuilding shall not be used for human habitation, commercial or industrial purposes. Any such activity may constitute a change in use and will require separate development approval.

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

**(10) 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

**(11) Requirement for Landscape Screening Strip to Be Planted**

A landscape screening strip consisting of *Leptospermum* plants spaced a maximum of 3 metres apart shall be established in the planting season following occupation along the western boundary of the subject land and southern side of the proposed shed, as shown on the Site Plan A-072-HOC-PL02 Rev E dated 28 September 2020. The vegetation must be maintained in good health and condition at all times with any dead or diseased plants being replaced in the next planting season.

**REASON:** To minimise the visual impact of the development and ensure the survival and maintenance of the vegetation.

**(12) Bushfire Conditions Completed Prior to Occupation**

The Bushfire Protection Conditions 3 and 8 shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

**REASON:** To minimise the threat and impact of bushfires on life and property.

**(13) External Finishes**

The external finishes to the building herein approved shall be in accordance with the External finished schedule prepared by Hamish Price Architects, Revision E.

**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

**NOTES**

**(1) Development Plan Consent Expiry**

This Development Plan Consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

**(2) Erosion Control During Construction**

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

**(3) Sewer Connection**

The dwelling shall be connected to SA Water mains sewer supply in accordance with the approval granted by SA Water. All work shall be to the satisfaction of SA Water.

**(4) EPA Environmental Duty**

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

**(5) Works On Boundary**

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

**9. ATTACHMENTS**

Locality Plan  
Proposal Plans  
Representations  
Applicant's response to representations

Respectfully submitted

Concurrence

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**Sarah Davenport**  
**Statutory Planner**







---

**Deryn Atkinson**  
**Assessment Manager**













**Annotations**

-  Representor 5
-  Representor 4
-  Representor 3
-  Representor 2
-  Representor 1
-  Subject Land

**Planners Summary**

-  Planning Summary

**AHC Core**

-  Parks
-  Townships
- Roads StreetView
  -  ADJOINING LGA RD
  -  AHC & PRIVATE
  -  AHC RD
  -  DPTI RD
  -  PRIVATE RD
  -  SHARED RD

-  Property Owner

-  Parcels

-  Roads

-  Suburbs

**Rivers**

-  River
-  Creeks
-  Streams

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**Burnt Area Cudlee Creek**

-  CudleeCreekBurntArea

**Flood Study Data**

-  TorrensFloodZones\_20Yr
-  TorrensFloodZones\_100Yr
-  OnkaFloodPlain10Yr
-  FloodPlain100Year

**Stormwater Updated**

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# PROJECT DETAILS

NCC CLIMATE ZONE MAPS (ABCB) ZONE 6

ADELAIDE HILLS COUNCIL, SA

ALLOTMENT No.3 (DP 113831)

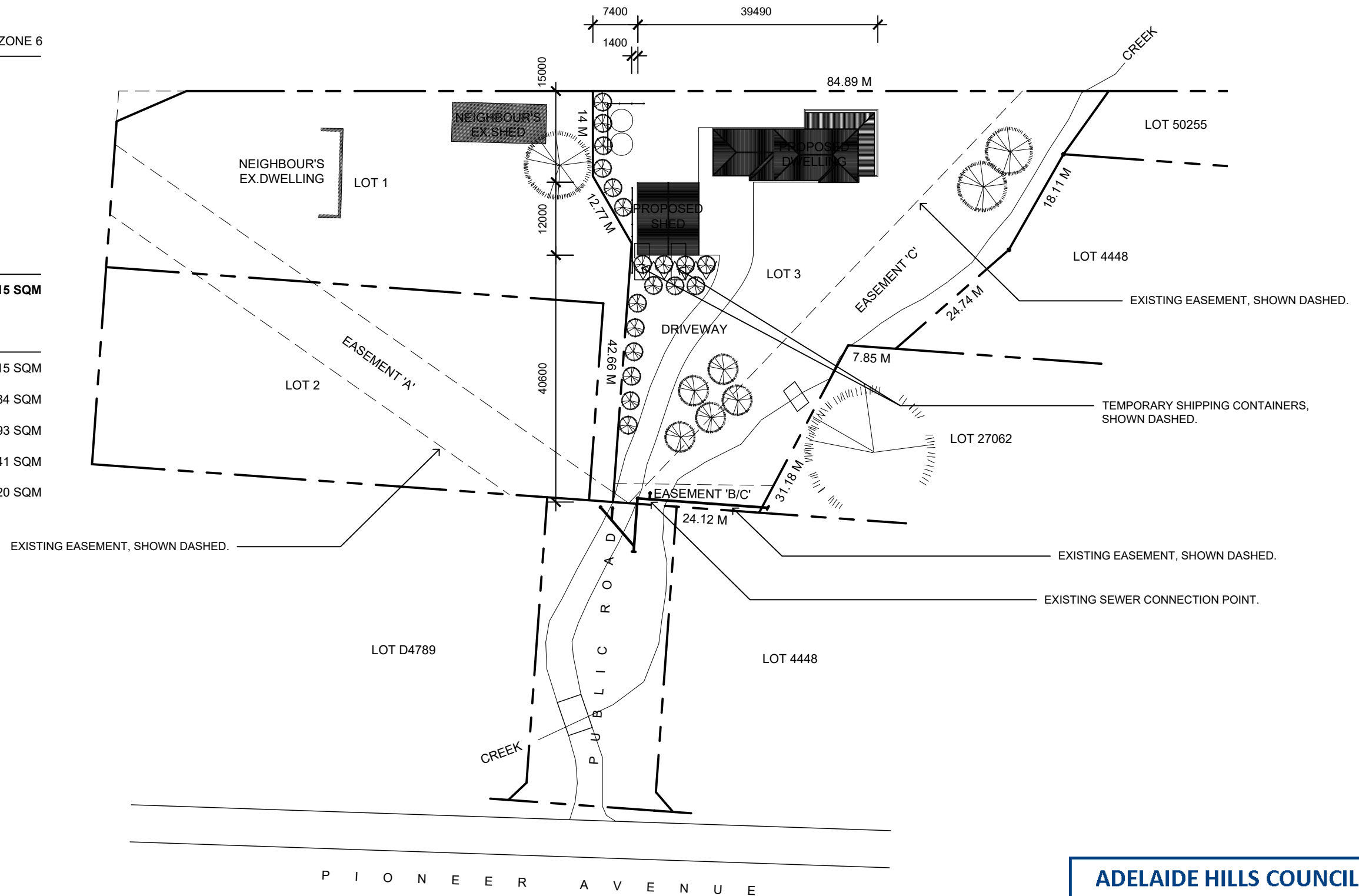
PARENT TITLE CT 6159/520

VOLUME 6184; FOLIO 986

HUNDRED OF ONKAPARINGA

## AREAS

ALLOTMENT	
<b>TOTAL</b>	<b>3615 SQM</b>
<b>PROPOSED</b>	
LOWER LEVEL	115 SQM
UPPER LEVEL	84 SQM
PORCH / ALFRESCO / BALCONY	93 SQM
GARAGE	41 SQM
SHED	120 SQM



**ADELAIDE HILLS COUNCIL  
RECEIVED 28 September 2020**

FOR APPROVAL

**HAMISH PRICE ARCHITECTS**  
 Architect Registration No. 2965  
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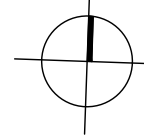
## SMITH RESIDENCE

NEW DWELLING & SHED

10A PIONEER AVENUE  
LOBETHAL, SA

DRAWING TITLE  
PROPOSED LOCATION PLAN

TO BE READ IN CONJUNCTION WITH SPECIFICATION NO.  
072-HOC SPECIFICATION

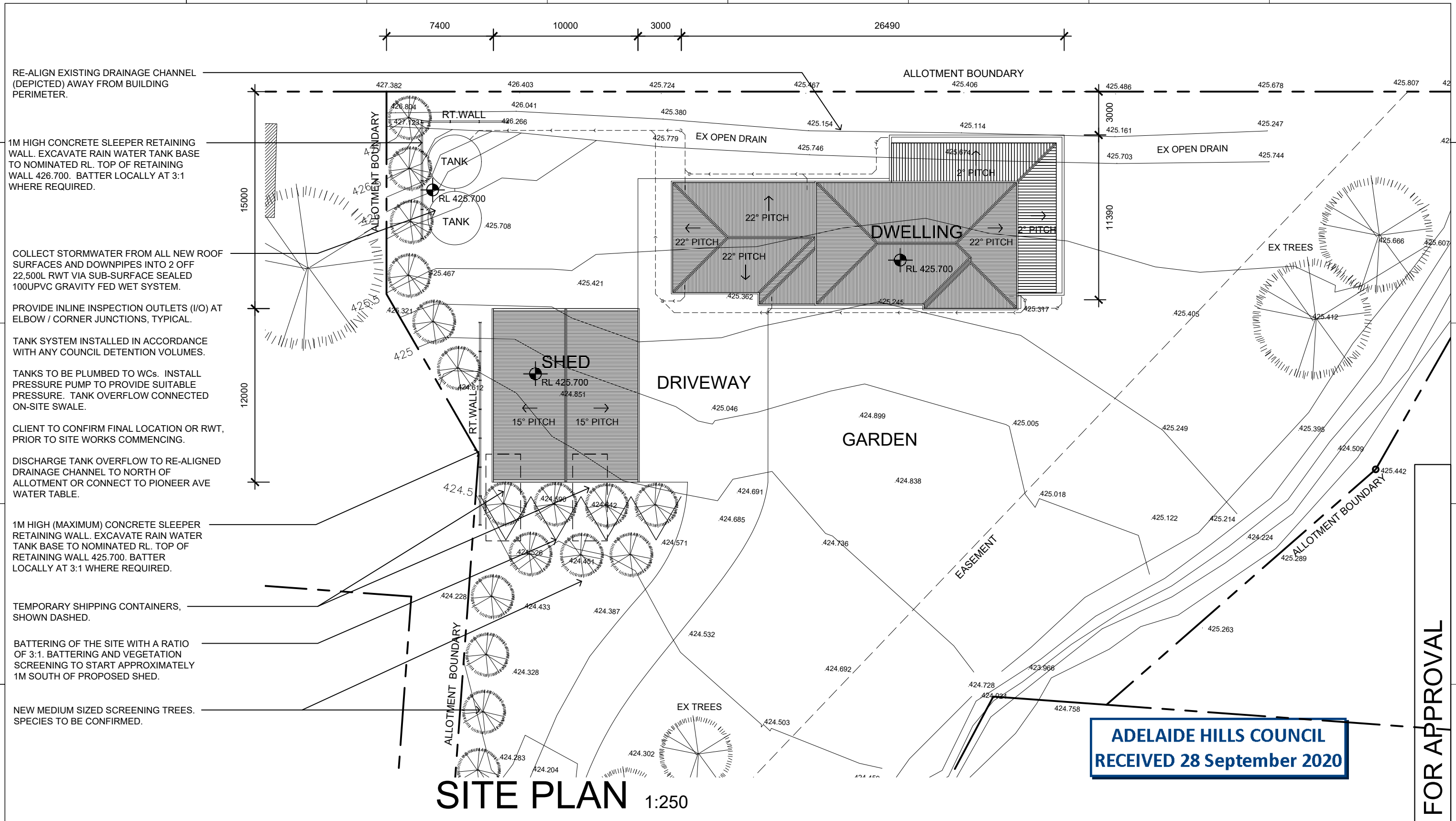


REV.	DATE	ISSUE / AMENDMENT DETAILS	DRAWN
E	28/09/20	RE-ISSUED FOR PLANNING SUBMISSION	HP
D	23/09/20	RE-ISSUED FOR PLANNING SUBMISSION	HP

SCALE	CAD FILE REFERENCE	PLOT DATE
NTS	072-HOC-PL01.DWG	28 / 09 / 2020
SHEET SIZE	DRAWING NUMBER	REVISION
A3	<b>A-072-HOC-PL01</b>	<b>E</b>





RE-ALIGN EXISTING DRAINAGE CHANNEL (DEPICTED) AWAY FROM BUILDING PERIMETER.

1M HIGH CONCRETE SLEEPER RETAINING WALL. EXCAVATE RAIN WATER TANK BASE TO NOMINATED RL. TOP OF RETAINING WALL 426.700. BATTER LOCALLY AT 3:1 WHERE REQUIRED.

COLLECT STORMWATER FROM ALL NEW ROOF SURFACES AND DOWNPIPES INTO 2 OFF 22,500L RWT VIA SUB-SURFACE SEALED 100UPVC GRAVITY FED WET SYSTEM.

PROVIDE INLINE INSPECTION OUTLETS (I/O) AT ELBOW / CORNER JUNCTIONS, TYPICAL.

TANK SYSTEM INSTALLED IN ACCORDANCE WITH ANY COUNCIL DETENTION VOLUMES.

TANKS TO BE PLUMBED TO WCs. INSTALL PRESSURE PUMP TO PROVIDE SUITABLE PRESSURE. TANK OVERFLOW CONNECTED ON-SITE SWALE.

CLIENT TO CONFIRM FINAL LOCATION OR RWT, PRIOR TO SITE WORKS COMMENCING.

DISCHARGE TANK OVERFLOW TO RE-ALIGNED DRAINAGE CHANNEL TO NORTH OF ALLOTMENT OR CONNECT TO PIONEER AVE WATER TABLE.

1M HIGH (MAXIMUM) CONCRETE SLEEPER RETAINING WALL. EXCAVATE RAIN WATER TANK BASE TO NOMINATED RL. TOP OF RETAINING WALL 425.700. BATTER LOCALLY AT 3:1 WHERE REQUIRED.

TEMPORARY SHIPPING CONTAINERS, SHOWN DASHED.

BATTERING OF THE SITE WITH A RATIO OF 3:1. BATTERING AND VEGETATION SCREENING TO START APPROXIMATELY 1M SOUTH OF PROPOSED SHED.

NEW MEDIUM SIZED SCREENING TREES. SPECIES TO BE CONFIRMED.

# SITE PLAN 1:250

**ADELAIDE HILLS COUNCIL  
RECEIVED 28 September 2020**

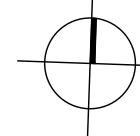
FOR APPROVAL

**HAMISH PRICE ARCHITECTS**  
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**SMITH RESIDENCE**  
 NEW DWELLING & SHED  
 10A PIONEER AVENUE  
 LOBETHAL, SA

DRAWING TITLE  
**PROPOSED SITE PLAN**  
 TO BE READ IN CONJUNCTION WITH SPECIFICATION NO.  
 072-HOC SPECIFICATION



REV.	DATE	ISSUE / AMENDMENT DETAILS	DRAWN
E	28/09/20	RE-ISSUED FOR PLANNING SUBMISSION	HP
D	23/09/20	RE-ISSUED FOR PLANNING SUBMISSION	HP

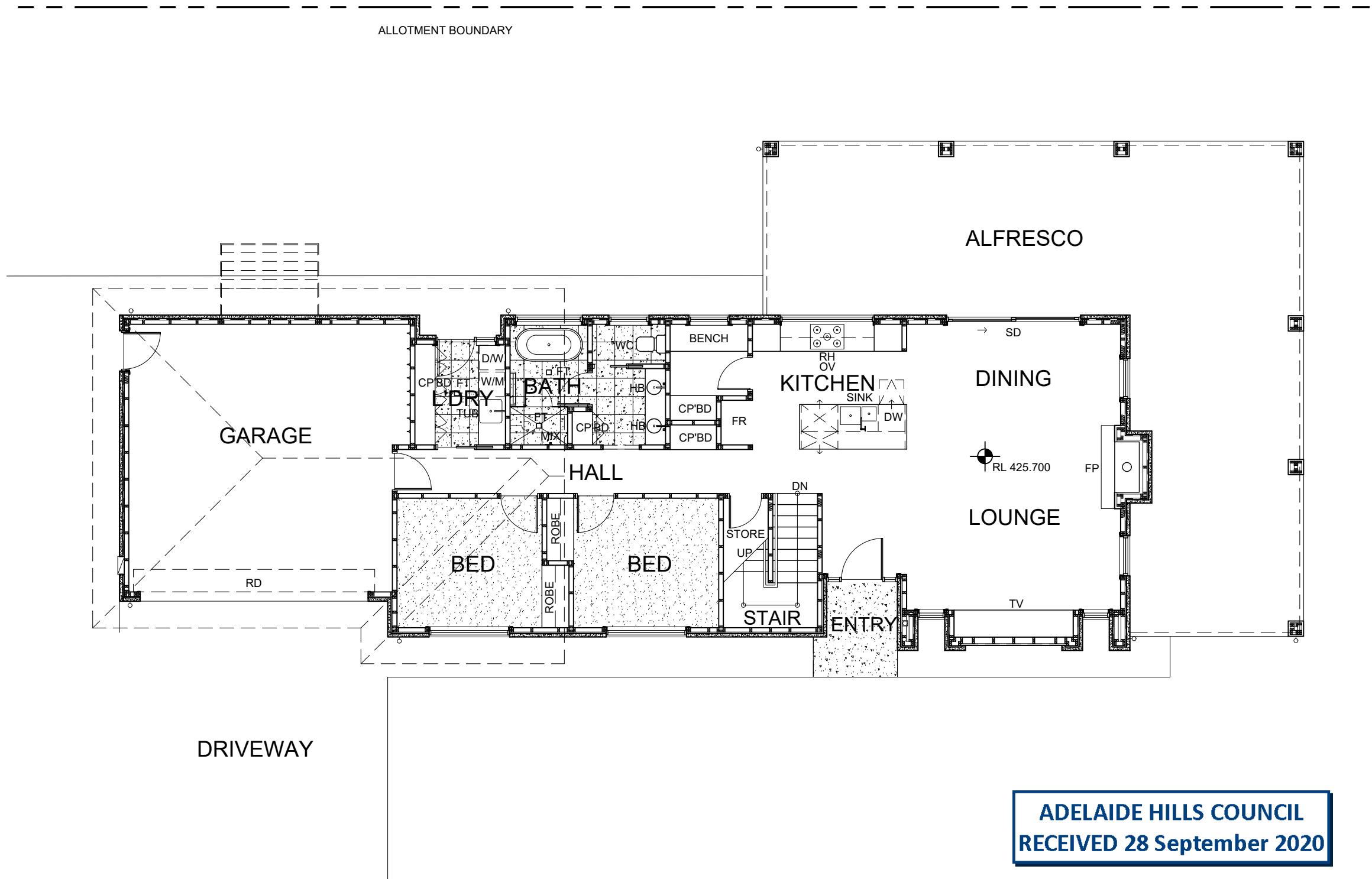
SCALE	CAD FILE REFERENCE	PLOT DATE
1:250	072-HOC-PL01.DWG	28 / 09 / 2020
SHEET SIZE	DRAWING NUMBER	REVISION
A3	<b>A-072-HOC-PL02</b>	<b>E</b>

**GENERAL SCHEDULE**

CH	CEILING HEIGHT (MM). 10MM P'BOARD. PAINT FINISH.
----	--

**FIXTURES SCHEDULE**

HB	HANDBASIN.
FT	FLOOR TRAP, 100MM SQ GRATE.
SINK	STAINLESS STEEL SINK.
WC	WATER CLOSET.
MIX	WALL MOUNTED TAP MIXER.
TUB	STAINLESS STEEL LAUNDRY TUB.
SCRN	2000MM (H) GLASS SHOWER SCREEN.
CP'BD	CUPBOARD.
ROBE	ROBE WITH HANGING RODS.
DRW	SET OF DRAWERS.
W/M	WASHING MACHINE, SUPPLIED BY OWNER.
D/W	DISHWASHER, SUPPLIED BY OWNER.
FR	FRIDGE, SUPPLIED BY OWNER.



**ADELAIDE HILLS COUNCIL  
RECEIVED 28 September 2020**

**FOR APPROVAL**

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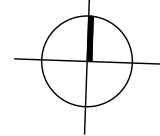
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NEW DWELLING & SHED

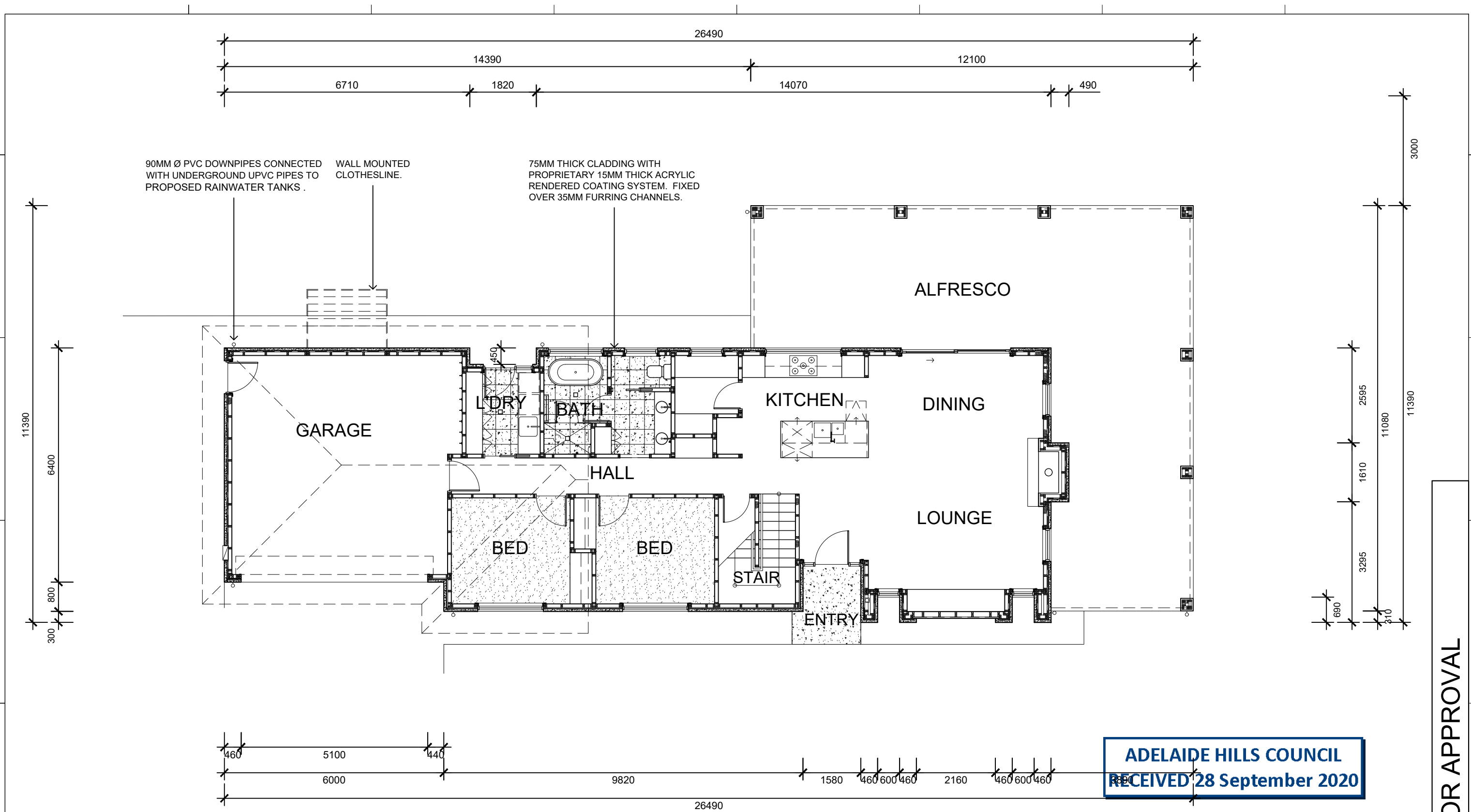
10A PIONEER AVENUE  
LOBETHAL, SA

DRAWING TITLE  
PROPOSED LOWER FLOOR

TO BE READ IN CONJUNCTION WITH SPECIFICATION NO.  
072-HOC SPECIFICATION



REV.	DATE	ISSUE / AMENDMENT DETAILS	DRAWN
E	28/09/20	RE-ISSUED FOR PLANNING SUBMISSION	HP
D	23/09/20	ISSUED FOR PLANNING SUBMISSION	HP
SCALE	CAD FILE REFERENCE	PLOT DATE	
1:100	072-HOC-PL01.DWG	28 / 09 / 2020	
SHEET SIZE	DRAWING NUMBER	REVISION	
A3	<b>A-072-HOC-PL03</b>	<b>E</b>	



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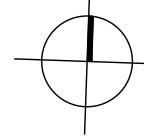
**SMITH RESIDENCE**

NEW DWELLING & SHED

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DRAWING TITLE  
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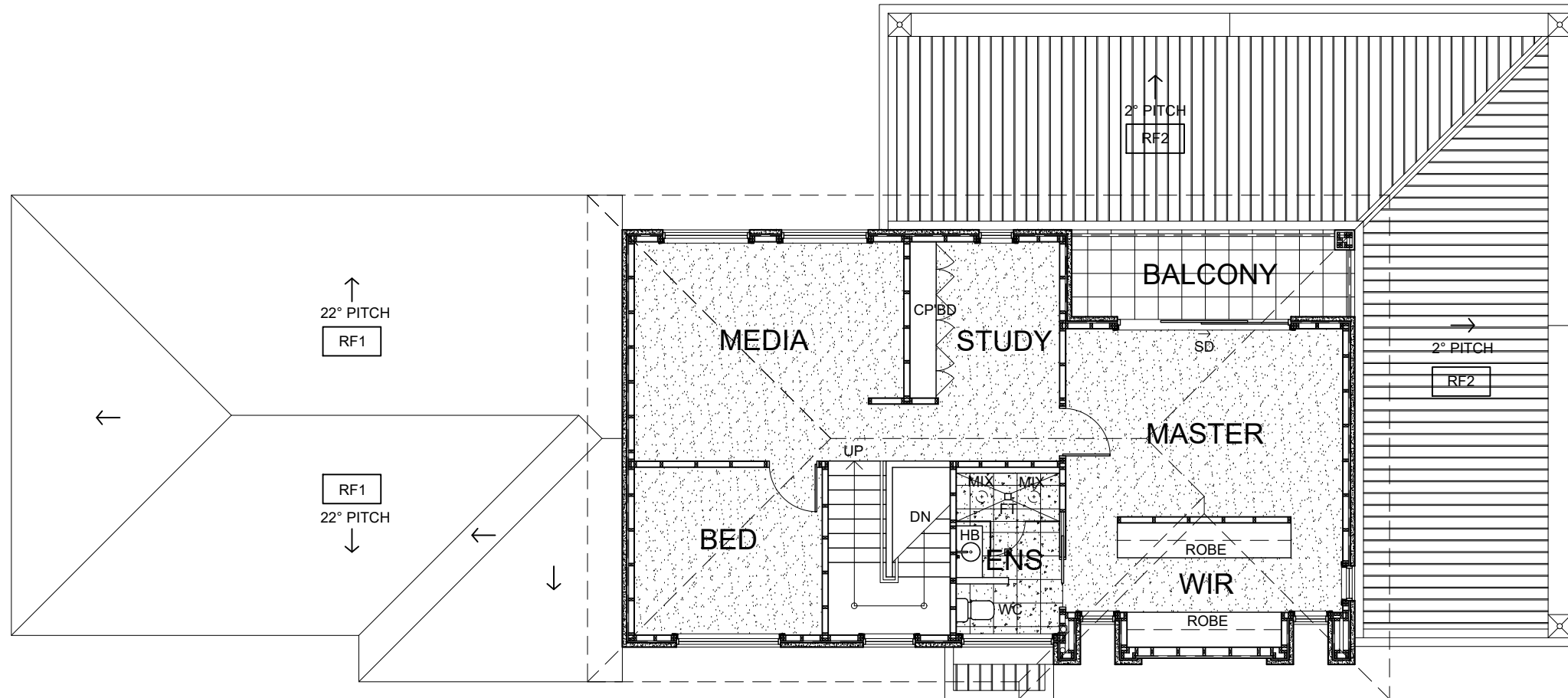
SCALE	CAD FILE REFERENCE	PLOT DATE
1:100	072-HOC-PL01.DWG	28 / 09 / 2020
SHEET SIZE	DRAWING NUMBER	REVISION
A3	<b>A-072-HOC-PL04</b>	<b>E</b>

# GENERAL SCHEDULE

CH	CEILING HEIGHT (MM). 10MM P'BOARD. PAINT FINISH.
----	--

# FIXTURES SCHEDULE

HB	HANDBASIN.
FT	FLOOR TRAP, 100MM SQ GRATE.
SINK	STAINLESS STEEL SINK.
WC	WATER CLOSET.
MIX	WALL MOUNTED TAP MIXER.
TUB	STAINLESS STEEL LAUNDRY TUB.
SCRN	2000MM (H) GLASS SHOWER SCREEN.
CP'BD	CUPBOARD.
ROBE	ROBE WITH HANGING RODS.
DRW	SET OF DRAWERS.
W/M	WASHING MACHINE, SUPPLIED BY OWNER.
D/W	DISHWASHER, SUPPLIED BY OWNER.
FR	FRIDGE, SUPPLIED BY OWNER.



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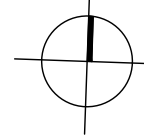
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LOBETHAL, SA

DRAWING TITLE  
PROPOSED UPPER FLOOR

TO BE READ IN CONJUNCTION WITH SPECIFICATION NO.  
072-HOC SPECIFICATION

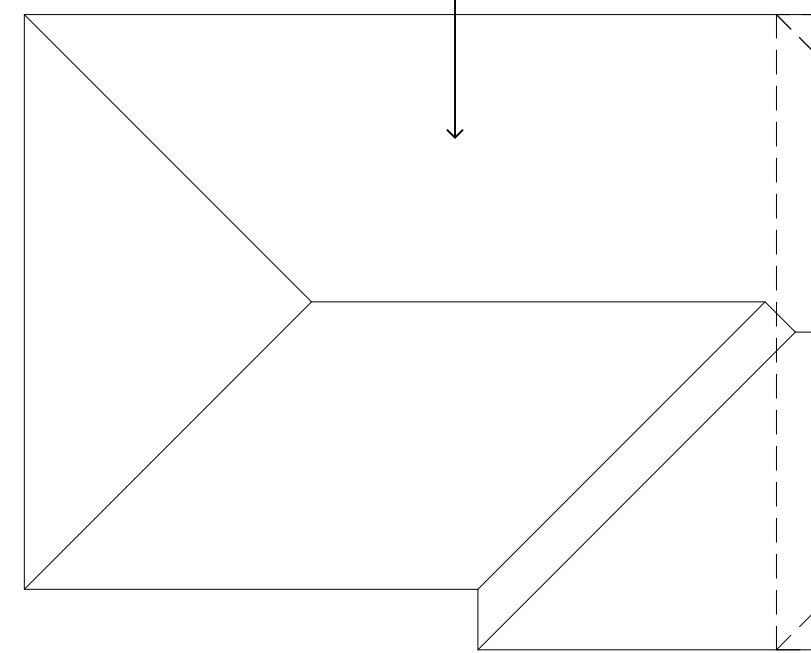


SCALE  
1:100

SHEET SIZE  
A3

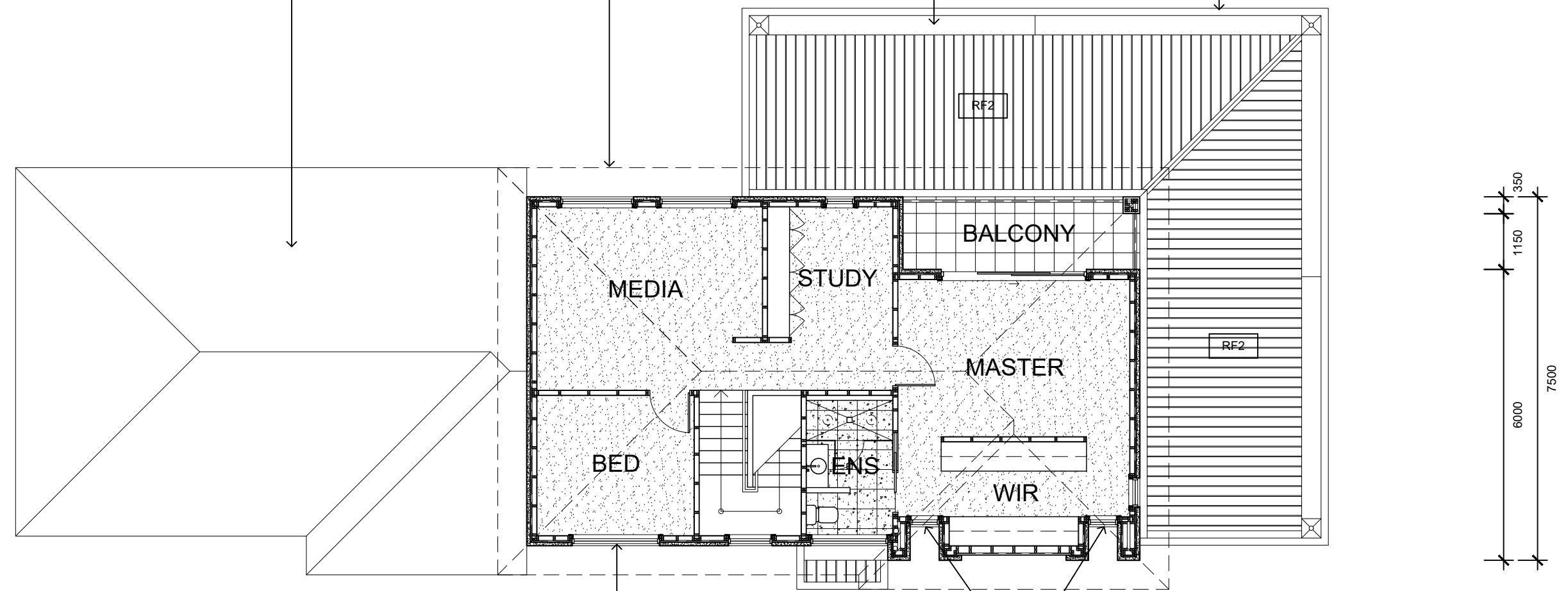
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072-HOC-PL01.DWG		28 / 09 / 2020	
DRAWING NUMBER		REVISION	
<b>A-072-HOC-PL05</b>		<b>E</b>	

7500  
7200  
300



PROPOSED TIMBER ROOF TRUSS FRAMING WITH METAL SHEET ROOFING.

12650  
7760  
4890  
4540  
350  
600MM (W) EAVES TYPICAL.  
400 W X 100MM (H) MIN. FOLDED CUSTOM BOX GUTTER. TYPICAL THROUGHOUT.  
COMPRESSED CEMENT SHEET CLADDING OVER TIMBER FRAMING TO FORM PARAPET TO ALFRESCO.



350  
1150  
6000  
7500

7450  
12650  
460 600 460 2160 460 600 460

TRANSLUCENT GLAZING FILM TO WINDOWS FROM FL TO 1700MM AFFL.

TRANSLUCENT GLAZING FILM TO WINDOWS FROM FL TO 1700MM AFFL.

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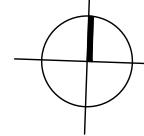
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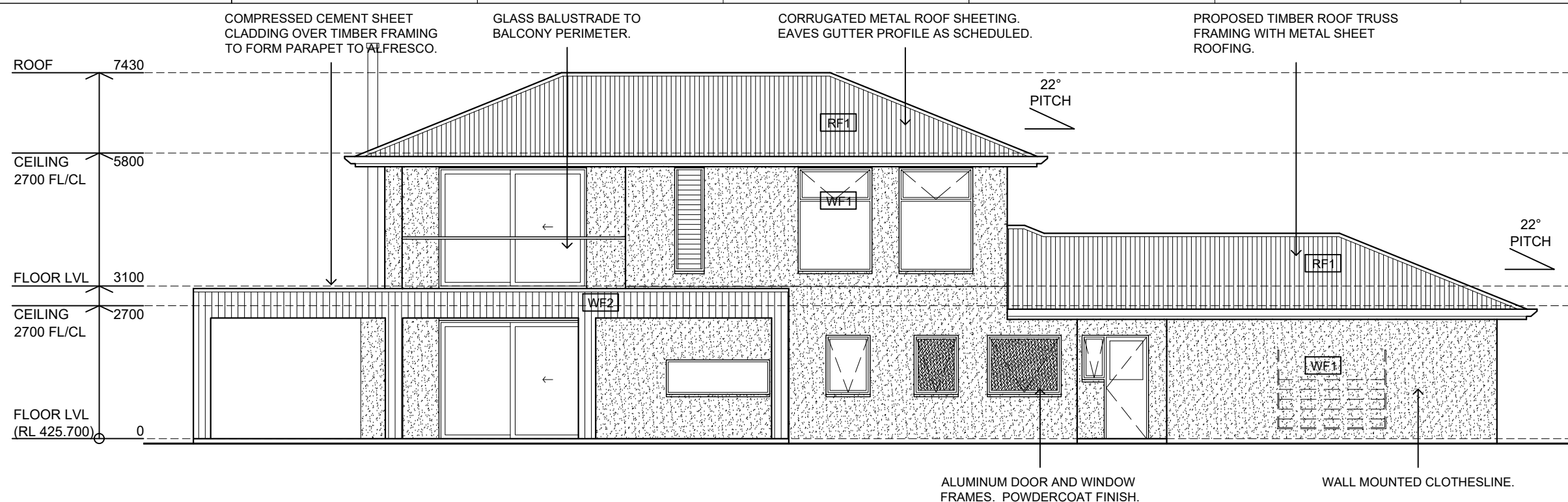
DRAWING TITLE  
PROPOSED UPPER FLOOR

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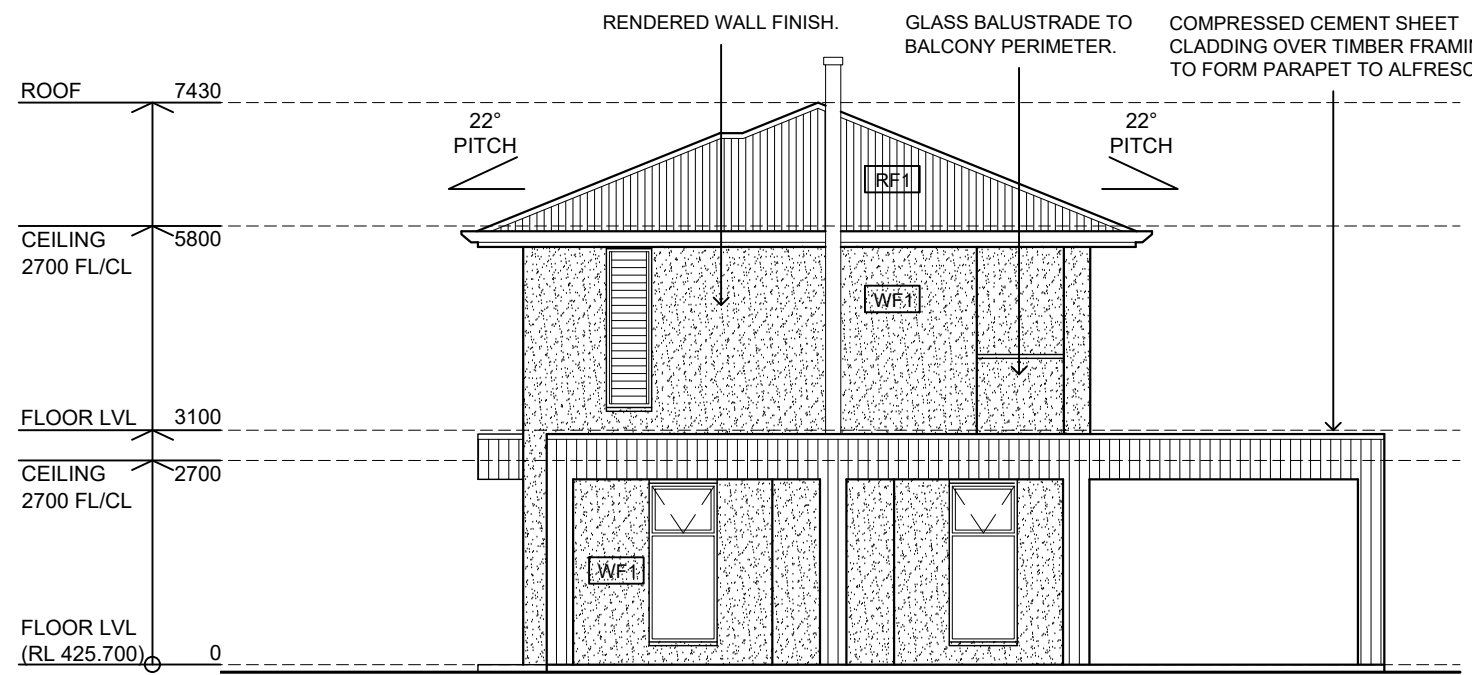


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SCALE		CAD FILE REFERENCE	PLOT DATE
1:100		072-HOC-PL01.DWG	28 / 09 / 2020
SHEET SIZE		DRAWING NUMBER	REVISION
A3		<b>A-072-HOC-PL06</b>	<b>E</b>





**NORTH ELEVATION** SCALE 1:100



**EAST ELEVATION** SCALE 1:100

**EXTERIOR FINISHES SCHEDULE**

- RF1** REVOLUTION ROOF, 'TRUE OAK' CORRUGATED SHEET (0.42BMT) PIERCE FIXED METAL DECK ROOFING WITH MATCHING FINISH TO ROOF ACCESSORIES. COLORBOND COLOUR AS 'MONUMENT', TBC.
- RF2** REVOLUTION ROOF, 'REVKLIP 700' WITH FLAT PANS AND LONGITUDINAL FLUTING (0.48BMT) CONCEALED FIXED METAL DECK ROOFING WITH MATCHING CAPPINGS / FLASHINGS. COLORBOND COLOUR AS 'SHALE GREY', TBC.
- WF1** 75MM THICK CLADDING WITH PROPRIETARY 15MM THICK ACRYLIC RENDERED COATING SYSTEM. FIXED OVER 35MM FURRING CHANNELS. COLOUR TBA.
- WF2** JAMES HARDIE SCYON 'AXON' 133MM FIBRE CEMENT SHEET CLADDING WITH PAINT FINISH. COLOUR TO MATCH COLORBOND COLOUR 'MONUMENT', TBC.
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- DP** 90MM Ø PVC DOWNPIPES. PAINT FINISH.
- GUTTERS** DWELLING - REVOLUTION ROOF, 'MOSMAN' EAVE GUTTER PROFILE WITH INTERNAL STRAPS. COLORBOND COLOUR AS 'MONUMENT', TBC.
- SHED** - REVOLUTION ROOF, 'HI FRONT QUAD' EAVE GUTTER PROFILE WITH INTERNAL STRAPS. COLORBOND COLOUR AS 'MONUMENT', TBC.

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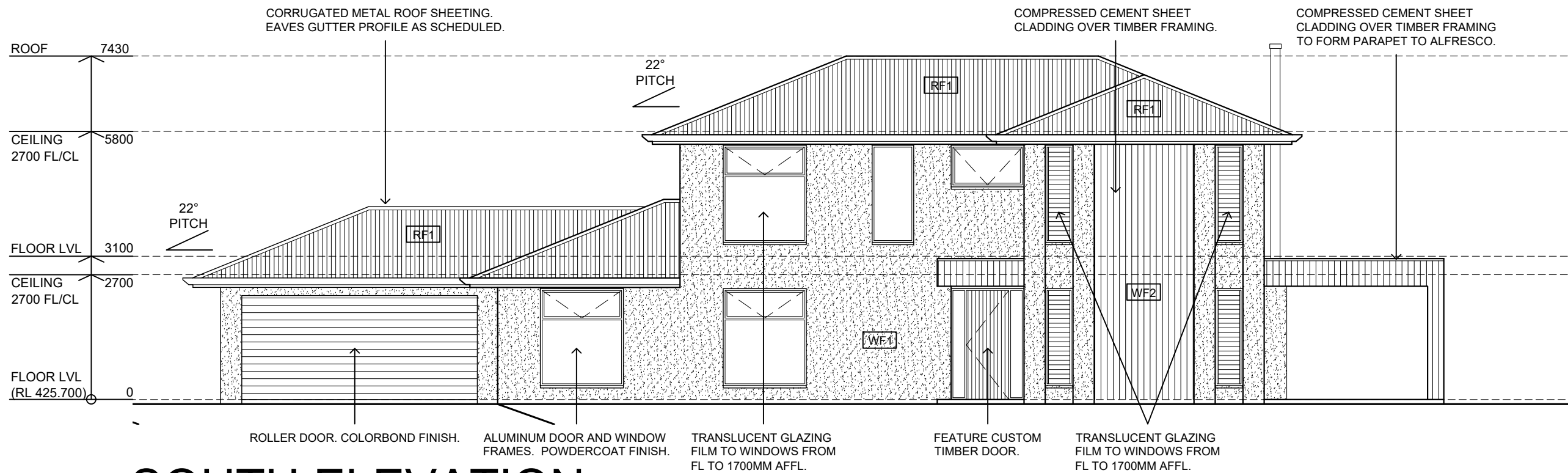
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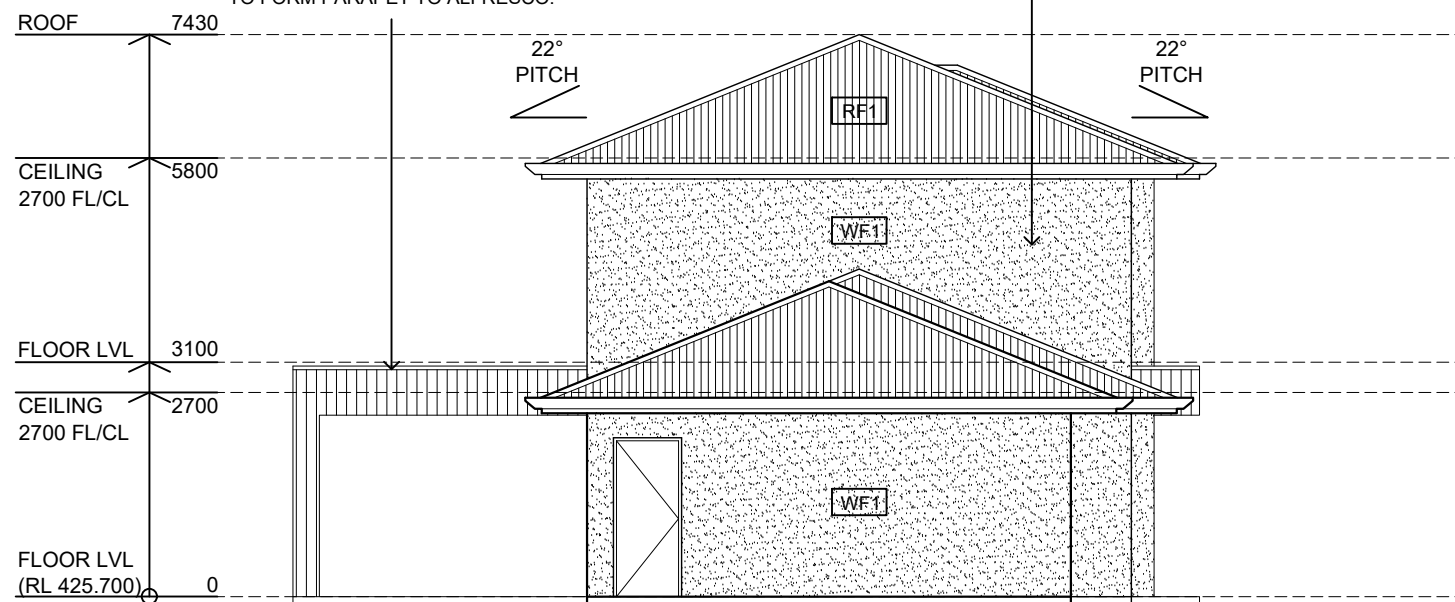
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NORTH AND EAST ELEVATIONS	1:100	072-HOC-PL01.DWG	28 / 09 / 2020
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072-HOC SPECIFICATION	A3	<b>A-072-HOC-PL07</b>	<b>E</b>

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# SOUTH ELEVATION SCALE 1:100

COMPRESSED CEMENT SHEET CLADDING OVER TIMBER FRAMING TO FORM PARAPET TO ALFRESCO. RENDERED WALL FINISH.



# WEST ELEVATION SCALE 1:100

## EXTERIOR FINISHES SCHEDULE

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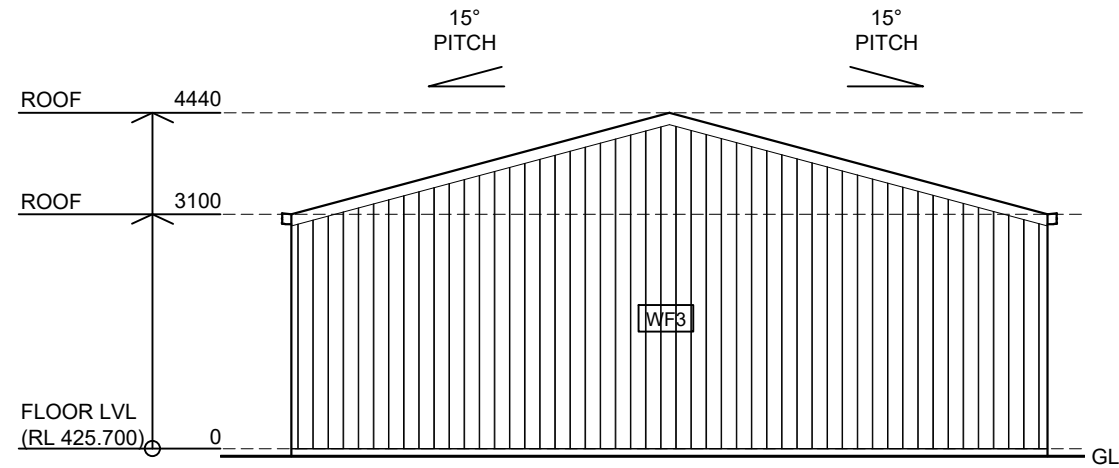
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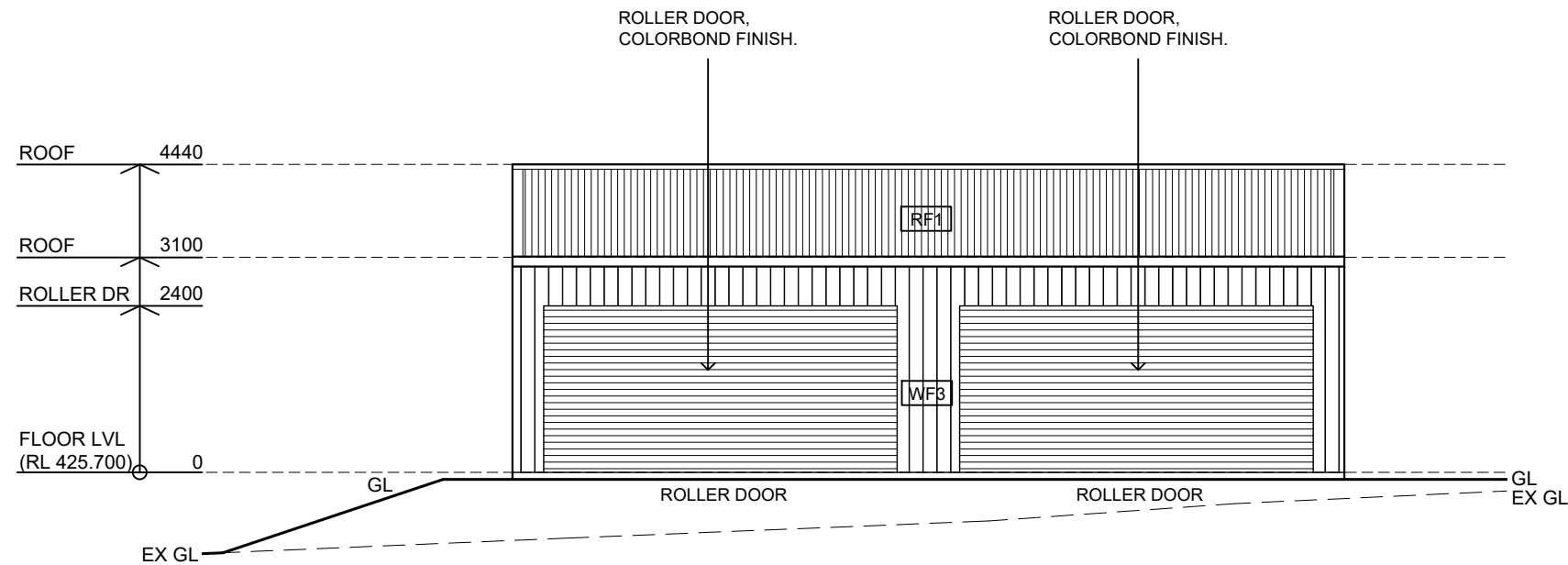
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NEW DWELLING & SHED			
10A PIONEER AVENUE LOBETHAL, SA			
DRAWING TITLE	SCALE	CAD FILE REFERENCE	PLOT DATE
SOUTH AND WEST ELEVATIONS	1:100	072-HOC-PL01.DWG	28 / 09 / 2020
TO BE READ IN CONJUNCTION WITH SPECIFICATION NO.	SHEET SIZE	DRAWING NUMBER	REVISION
072-HOC SPECIFICATION	A3	<b>A-072-HOC-PL08</b>	<b>E</b>

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**NORTH ELEVATION (SHED) SCALE 1:100**



**EAST ELEVATION (SHED) SCALE 1:100**

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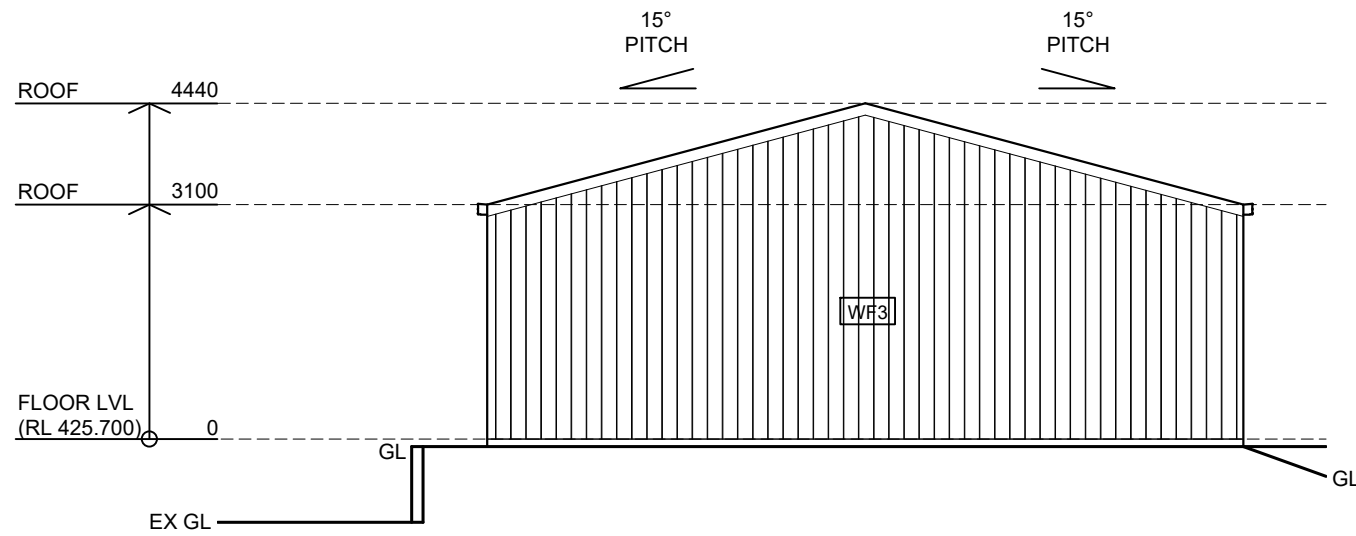
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**SHED NORTH AND EAST ELEVATIONS**

TO BE READ IN CONJUNCTION WITH SPECIFICATION NO.  
**072-HOC SPECIFICATION**

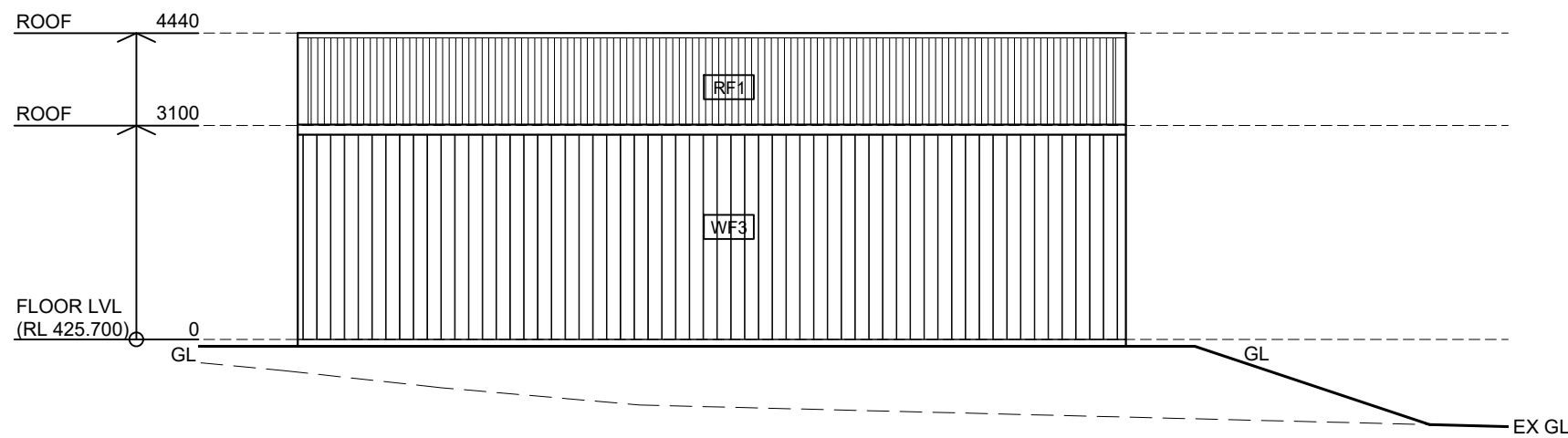
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A3	<b>A-072-HOC-PL09</b>	<b>E</b>





**SOUTH ELEVATION (SHED) SCALE 1:100**



**WEST ELEVATION (SHED) SCALE 1:100**

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DRAWING TITLE: SHED SOUTH AND WEST ELEVATIONS  
 SCALE: 1:100  
 TO BE READ IN CONJUNCTION WITH SPECIFICATION NO. 072-HOC SPECIFICATION

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072-HOC-PL01.DWG	28 / 09 / 2020
DRAWING NUMBER	REVISION
<b>A-072-HOC-PL10</b>	<b>E</b>

## Sarah Davenport

---

**From:** Sarah Davenport  
**Sent:** Friday, 27 November 2020 3:10 PM  
**To:** Nikki Batten  
**Subject:** FW: Adelaide Hills Council Invitation - Development Application 20/645 10A Pioneer Avenue  
**Attachments:** RE: Response to 20/645/473- 10a Pioneer Avenue

Sarah Davenport  
Statutory Planner

Ext. 530

---

**From:** Philip Harnett <philip@urps.com.au>  
**Sent:** Friday, 27 November 2020 2:48 PM  
**To:** Sarah Davenport <sdavenport@ahc.sa.gov.au>  
**Cc:** Hamish | Hamish Price Architects <hamish@hamishpricearchitects.com.au>; Paul Hocking <paul.h@hockingconstructions.com.au>  
**Subject:** RE: Adelaide Hills Council Invitation - Development Application 20/645 10A Pioneer Avenue

Hi Sarah, hope all is well.

I have been trying to get in contact regarding a few matters so please call me when you have a moment.

Regarding your email below, please note the following regarding the position of the outbuilding and landscaping:

### ***Position of Outbuilding***

1. I understand that Council have encouraged the applicant to place buildings in the north-western corner of the allotment. This is logical given the position of the watercourse, easement and existing trees on the land. Notably, the outbuilding is clustered with its associated dwellings and the neighboring outbuilding at 12 Pioneer Avenue, Lobethal as encouraged by the Development Plan.
2. The owner of the land owns a few different vehicles, the parking of which does not constitute development. The position of the outbuilding allows these to be parked behind so they are not scattered across the land in public view when viewed from public roads.
3. Despite being forward of the host dwelling, the outbuilding is still 42.6 metres from the property frontage and positioned behind existing trees. The siting of both the outbuilding and dwelling on the allotment is clearly appropriate.
4. The position of the outbuilding will not mean that it is overtly dominant when viewed in the locality.
5. The side access to the outbuilding is preferred for security purposes so that others cannot simply look into the shed when viewed from public roads. This would not be possible if the outbuilding were placed beside the host dwelling.

### ***Landscaping***

6. As per the attached email, we believe that additional landscaping is not required for privacy purposes and therefore this should not be imposed upon the applicant.

7. If absolutely required for valid planning purposes, the applicant is willing to plant Leptospernum's which are evergreen, grow up to 6 metres in height and are most suitable to the applicants allergies. We anticipate that these plants would be placed in a row approximately 1 metre inside the boundary of the subject land and approximately 3 to 5 metres apart.

Feel free to call me if you have any questions regarding these matters, happy to discuss in further detail.

Kind Regards

Phil Harnett  
Associate



ADELAIDE | MELBOURNE  
12 / 154 Fullarton Road, ROSE PARK SA 5067  
4 Brunswick Place, FITZROY VIC 3065  
ADELAIDE OFFICE 08 8333 7999 MOBILE 0451 118 577 EMAIL [philip@urps.com.au](mailto:philip@urps.com.au)  
WEB [www.urps.com.au](http://www.urps.com.au) LINKEDIN [www.linkedin.com/urps](http://www.linkedin.com/urps)

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*For latest news, please see our [website](#).*

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## Sarah Davenport

---

**From:** Steve Smith  
**Sent:** Wednesday, 30 September 2020 2:26 PM  
**To:** Sarah Davenport  
**Subject:** DA20/645 - 10A Pioneer Avenue Lobethal

Hi Sarah,

Not sure if you still need a response to this one, but I have reviewed the documentation for it.

Access is existing and so acceptable.

The catchment that this site contributes to experiences flooding issues downstream in Lobethal, so we don't support this development without a stormwater management plan and calculations demonstrating compliance with our requirements. Any new developments increasing runoff in this catchment need to manage stormwater such that post-development flows don't exceed 1:5ARI (20%AEP) pre-development flows for all storm events up to and including 1:100ARI (1%AEP) events. Very likely detention/retention will be required and they cannot discharge overflow from their tanks as they please (no information provided on the plans).

Flooding potential of the creek doesn't appear to affect the house site based on our flooding layer in SSA.

I can't see a CFS turnaround onsite and this should probably be requested?

Thanks,  
Steve Smith  
**Technical Officer**  
**Adelaide Hills Council**

p 08 8408 0540  
e [ssmith@ahc.sa.gov.au](mailto:ssmith@ahc.sa.gov.au)  
w [ahc.sa.gov.au](http://ahc.sa.gov.au)

Visit me at: 63 Mount Barker Road, Stirling SA 5152  
PO Box 44 Woodside SA 5244



SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993  
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: 20/645/473

My Name: LYNN RAWLINGS

Postal Address: 10 PIONEER AVE LOBETHAL

Contact No: .....

Email: .....

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: Hamish Price

Nature of Development: Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (max 22,500L), outbuilding & associated earthworks

Proposed to be located at: 10A Pioneer Avenue Lobethal SA 5241

My representation: (cross out whichever does not apply below)  
Supports the proposed development OR Opposes the proposed development

My interests are: (cross out whichever does not apply below)  
 owner of local property OR occupier of local property  
 a representative of a company OR other  
 organisation affected by the proposal OR a private citizen

The address of the property affected is:

10 PIONEER AVE LOBETHAL Postcode: 5241

The specific aspects of the application to which I make representation are:

Cannot have any windows facing the back of 10 Pioneer Ave  
Even if someone is standing on their property I can see them from my deck and dining room. A Privacy issue.

My objections (if any) could be overcome by: ~~see below~~  
High window in bedrooms - Replacing my back fence at their cost to put in a higher fence & cleaning their property.

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person. ....

OR

~~I do not wish to be heard in support of my representation.~~

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that *no right of appeal* to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 11.10.2020

Signature: L Rawlings

The closing time and date for Representations is 5.00pm on 22 October 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

Also from the side deck they can see totally into my yard, dining room & deck. Can that side be blocked off.

---

**From:**  
**Sent:** Monday, 12 October 2020 9:57 AM  
**To:** Mail  
**Subject:** Fw: Form regarding 10A Pioneer Ave  
**Attachments:** doc04827320201012083631.pdf

Please find attached my written submission regarding Development No 20/645/473. I have also posted the form to you in the mail today.

I was thought to believe that only a house or a shed could be built on this block due to it being a flood plain with an easement and creek running through it. The property has several piles or rubbish on it that have not been cleaned up. The owner of the adjacent property moved most of it yesterday to keep it tidy however the blackberries and high grass directly behind 10 Pioneer Ave are out of control and have not been cleared for a long time. The blackberries coming onto my property I cut and spray but they are now going wild and something needs to be done about it. Des Stanbury and I have been complaining about this for many years.  
Regards

*Lynn Rawlings*



**SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993**  
**REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION**

Development Number: **20/645/473**

My Name: Suzanne Hughes for Monmar Pty. Ltd.

Postal Address: PO Box 200, LOBETHAL SA 5241

Contact No: .....

Email: .....  
(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **Hamish Price**

Nature of Development: **Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (max 22,500L), outbuilding & associated earthworks**

Proposed to be located at: **10A Pioneer Avenue Lobethal SA 5241**

My representation: **(cross out whichever does not apply below)**  
~~Supports the proposed development~~ **OR** Opposes the proposed development as the plans currently are

My interests are: **(cross out whichever does not apply below)**  
owner of local property **OR** occupier of local property  
a representative of a company **OR** other  
organisation affected by the proposal **OR** a private citizen

The address of the property affected is:  
143 Main Street LOBETHAL SA 5241 and 30-32 Pioneer Avenue, LOBETHAL SA 5241 Postcode: .....

The specific aspects of the application to which I make representation are:  
Visual overlooking from deck and upper storey onto future proposed development. (See plan attached)

My objections (if any) could be overcome by: Single storey & no deck

**(cross out whichever does not apply below)**  
I do wish to be heard in support of my representation by appearing personally or being represented by the following person. .... TBA .....  
**OR**  
~~I do not wish to be heard in support of my representation.~~

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

**Please note that no right of appeal to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.**

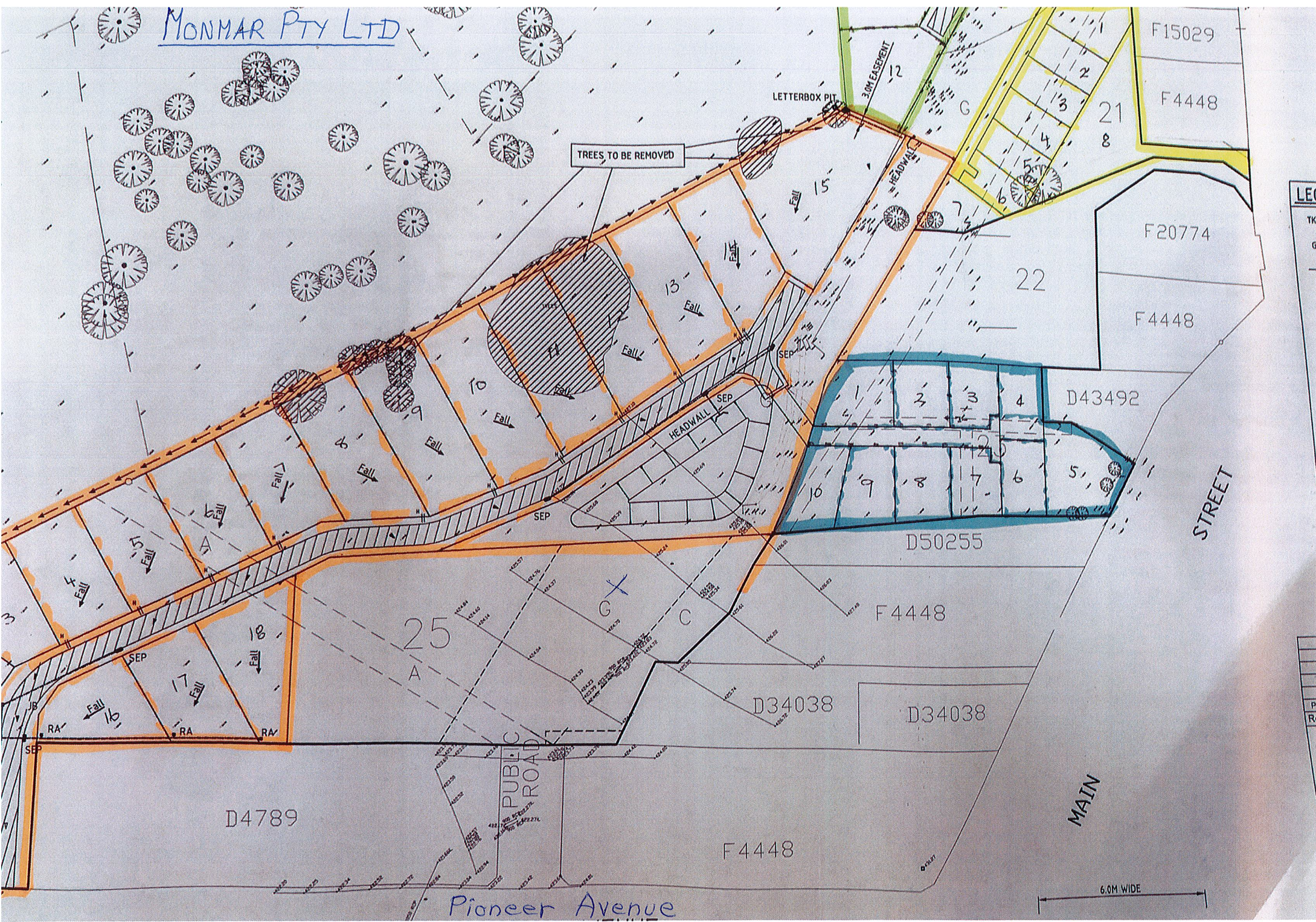
Date: 15/10/20 Signature: [Signature]  
for Monmar Pty Ltd

**The closing time and date for Representations is 5.00pm on 22 October 2020.**

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."



MONMAR PTY LTD



Pioneer Avenue

6.0M WIDE



---

**From:**  
**Sent:** Thursday, 15 October 2020 3:16 PM  
**To:** Sarah Davenport  
**Cc:** Sue Hughes  
**Subject:** Re Dev No 20/645/473 - Monmar - Cat 2 Response re Pioneer Ave Build.pdf  
**Attachments:** Monmar - Cat 2 Response re Pioneer Ave Build.pdf

Hi Sarah,

Please find attached completed Category 2 notification form response.

Following on from the form as there was insufficient space to give all the particular please refer to notes below:

- Visual overlooking from the proposed upper storey and deck will be into the back yards of Monmar's proposed development Blue Blocks 6,7,8,9 and 10.
- Visual overlooking from Monmar's proposed blocks Orange 9,10,11,12,13 and Blue block 1 (which will be the front of these blocks) onto the deck and upper storey of the proposed build.

We would like to state that we are not against a house being built there but believe an upper storey and deck would cause concerns for future residents both in this proposed house and Monmar's proposed allotments.

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993  
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

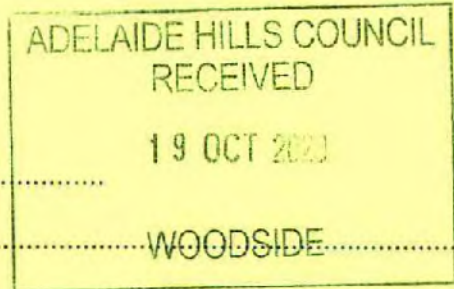
Development Number: 20/645/473

My Name: Jodi McPherson

Postal Address: 12 PIONEER AVE LOBETHAL

Contact No: [REDACTED]

Email: [REDACTED]  
(by providing an email address you agree to receive any related future correspondence electronically)



SCANNED  
20 OCT 2020

This representation is in relation to the application by: Hamish Price

Nature of Development: Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (max 22,500L), outbuilding & associated earthworks

Proposed to be located at: 10A Pioneer Avenue Lobethal SA 5241

My representation: (cross out whichever does not apply below)

Supports the proposed development ~~OR~~ ~~Opposes the proposed development~~  
with condition as below

My interests are: (cross out whichever does not apply below)

- owner of local property OR occupier of local property
- a representative of a company OR other
- organisation affected by the proposal OR a private citizen

The address of the property affected is:

12 PIONEER AVE LOBETHAL Postcode: 5241

The specific aspects of the application to which I make representation are:

My objections (if any) could be overcome by  NO ISSUE WITH APPLICATION. NO WINDOWS ON PLANS, IN SHED ON OUR SIDE NEED TO CONFIRM THIS WILL NOT HAPPEN AS THEIR WILL BE PRIVACY ISSUES. MAYBE SKYLIGHTS OR HIGHER WINDOWS WILL BE AN OPTION IF THIS IS REQUIRED BY OWNERS  
(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person. ....  
OR  
I do not wish to be heard in support of my representation.

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that *no right of appeal* to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 19/10/2020 Signature: J McPherson

The closing time and date for Representations is 5.00pm on 22 October 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."



SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993  
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: 20/645/473

My Name: Jules Beagy ATF Sutton Super Pty Ltd

Postal Address: 1149A Grand Junction Rd Hope Valley

Contact No: .....

Email: .....

This representation is in relation to the application by: Hamish Price

Nature of Development: Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (max 22,500L), outbuilding & associated earthworks

Proposed to be located at: 10A Pioneer Avenue Lobethal SA 5241

My representation: (cross out whichever does not apply below)  
Supports the proposed development OR ~~Opposes the proposed development~~

My interests are: (cross out whichever does not apply below)  
owner of local property OR ~~occupier of local property~~  
a representative of a company OR other  
organisation affected by the proposal OR ~~a private citizen~~

The address of the property affected is:

5 Pioneer Ave Lobethal .....Postcode:.....

The specific aspects of the application to which I make representation are:

My objections (if any) could be overcome by:.....

(cross out whichever does not apply below)

~~I do wish to be heard in support of my representation by appearing personally or being represented by the following person. ....~~

OR

I do not wish to be heard in support of my representation.

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that *no right of appeal* to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 12.10.2020

Signature: [Signature]

The closing time and date for Representations is 5.00pm on 22 October 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."



22 OCT 2020

WOODSIDE 5062

Development Number: 20/645/473

My Name: Jeanne LORRAINE

Postal Address: 20 John St Kingswood

Contact No: .....

Email: ....  
(by providing an email address you agree to receive any related future correspondence electronically)

RECEIVED  
23 OCT 2019

This representation is in relation to the application by: Hamish Price

Nature of Development: Two storey detached dwelling, deck (maximum height 3.2m), 2x Water Tanks (max 22,500L), outbuilding & associated earthworks

Proposed to be located at: 10A Pioneer Avenue Lobethal SA 5241

My representation: (cross out whichever does not apply below)  
Supports the proposed development OR Opposes the proposed development

My interests are: (cross out whichever does not apply below)  
owner of local property OR occupier of local property  
a representative of a company OR other  
organisation affected by the proposal OR a private citizen

The address of the property affected is:  
2/133 Main St Lobethal Postcode: 5241

The specific aspects of the application to which I make representation are:

- ① Stormwater management on very boggy land on hillside
- ② Clean up of property containers & misellbueos
- ① More refined details of stormwater management
- ② Clear block of shipping containers & stored items on land

My objections (if any) could be overcome by:

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person: Jeanne Lorraine & Des Stanbury  
OR  
 I do not wish to be heard in support of my representation.

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that *no right of appeal* to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 22/10/2020 Signature: [Handwritten Signature]

The closing time and date for Representations is 5.00pm on 22 October 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

- ③ Concerning re footings on very boggy land & also info about all outbuildings PTO



cont

① Overlooking rear of property  
Space Glazing on overlooking  
Windows.

Ref: 20ADL-0820



4 November 2020

Ms Sarah Davenport  
Statutory Planner  
Adelaide Hills Council  
PO Box 44  
**WOODSIDE SA 5244**

**ADELAIDE**  
12/154 Fullarton Road  
ROSE PARK SA 5067  
(08) 8333 7999

**MELBOURNE**  
4 Brunswick Place  
FITZROY VIC 3065  
(03) 8593 9650

www.urps.com.au  
ABN 55 640 546 010

Dear Sarah

### **Response to Representations – Development Number 20/645/473 – 10A Pioneer Avenue, Lobethal**

Thank you for providing the Category 2 representations received for the development proposed at 10A Pioneer Avenue, Lobethal (Development Application 20/645/473).

The applicant has engaged URPS to provide the response to the representations as below.

#### **Response to Representations**

The following representations were received during the public notification period.

Number	Representor	Address	Supports the proposed development?	Wishes to be heard by CAP?
1	Lynn Rawlings	10 Pioneer Avenue, Lobethal	No	Yes
2	Suzanne Hughes for Monmar Pty Ltd	143 Main Street, Lobethal	No	TBA
3	Jodi McPherson	12 Pioneer Avenue, Lobethal	Yes, with condition	No
4	Jules Begg	5 Pioneer Avenue, Lobethal	Yes	No
5	Jeanne Lorraine	2/133 Main Street, Lobethal	No	Yes

Five representations were received in total.

At least two people wish to be heard by the Council Assessment Panel.

Rather than respond to each representation individually, I have collated the pertinent issues and addressed them under their corresponding headings below.

In addition, I attach a map prepared by URPS identifying the location of the representors in respect to the location of the subject land.

### **Privacy**

Some of the representors have expressed concern about overlooking from the proposed upper level windows and the outdoor deck area.

In considering privacy, the following characteristics of the locality must be acknowledged:

- The locality comprises large allotments with dwellings that have broad boundary setbacks and substantial space in between each other.
- The locality has an open rural and spacious character. As such, properties typically have low open style fencing that allows direct views into other properties. This generally retains the character of the locality.
- The locality naturally undulates meaning that some properties have an elevation that are naturally higher than others.
- Medium sized screening trees are proposed at the perimeter of the allotment, along the western boundary.

In response, I also note that the Desired Character of the Policy Area states:

**Development in the northern residential area (from Rose Street to opposite Pioneer Avenue on the eastern side of Main Street...) will establish a new urban character comprising contemporary housing designs and building materials.**

**The potential impact on the privacy of neighbouring residents will be minimised through building setbacks and orientation.**

**(underlining added)**

The proposed form of residential development is therefore anticipated by the Policy Area however the privacy of neighbours should be carefully considered in siting a dwelling.

The proposed dwelling has been carefully sited on the land to minimise impact on neighbouring properties. In particular, the dwelling is positioned to the rear of the allotment to increase separation from established trees on the land, the watercourse traversing the property and all existing dwellings in the locality, particularly those fronting Pioneer Avenue. The proposed dwelling is most suitably positioned on the land with respect to neighbouring privacy and the natural features of the land.

Council Wide, Design and Appearance Principle 18 states:

**18 Development should minimise direct overlooking of the main internal living areas and private open spaces of dwellings through measures such as:**

- (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct**

**(b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms**

**(c) permanent screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.**

(underlining added)

The proposed dwelling does not have west facing upper level windows. Therefore, overlooking in this direction will not occur.

The proposed dwelling will have a louvred east facing upper level window. This window is positioned at least 120 metres from the dwellings fronting Main Street, Lobethal and approximately 25 to 30 metres from their respective rear boundaries. The general separation between the proposed dwelling and the primary private open space areas to the east will ensure sufficient privacy between these properties acknowledging the open character of the locality.

The southern elevation will comprise upper level windows to an ensuite, internal staircase and a bedroom. The bathroom window will have a high sill and the bedroom window will comprise a translucent film up to 1.7 metres above the internal floor level which will enable light in yet obscure outward views. Also, the southern elevation will have a significant separation distance from other dwellings such that the proposal will not unreasonably impact upon neighbouring privacy.

The northern elevation faces the private open space areas of the proposed dwelling and the rear boundary. The northern elevation of the dwelling will comprise an upper level balcony and two windows to a study and media room within the proposed dwelling. The land immediately north of the subject land is situated in the Township Zone and is therefore anticipated for residential development. The proposed northern elevation is not considered to unreasonably impact upon neighbouring privacy, or future development, for the following reasons:

- Properties to the north and north-east are at a higher elevation than the subject land.
- The land immediately north of the subject land is currently undeveloped. As discussed below, a detention basin appears to be proposed adjacent the northern boundary of the subject land as part of a neighbouring development (refer **Image 1** below). Therefore, the proposal will not overlook the private open space areas of another dwelling but rather a communal detention basin.
- Regardless, the locality has an open rural character in which low-open style fencing is common. Views between private properties are not unusual in the locality.
- General separation between dwellings sufficiently diffuses privacy impacts. The property is most appropriately sited on the land with respect to its natural features and surrounding private open space areas.

Notably, Council Wide, Residential Development Principle 18 states:

**27 Except for buildings of 4 or more storeys, upper level windows, balconies, terraces and decks that overlook habitable room windows or private open space of dwellings should maximise visual privacy through the use of measures such as sill heights of not less than 1.5 metres or permanent screens having a height of 1.5 metres above finished floor level.**



Notwithstanding this, permanent screening devices upon the proposed dwelling are not considered necessary for the reasons explained above. In addition, un-hindered natural light to the northern elevation of the dwelling allows best possible solar access for the proposed dwelling as encouraged by the Development Plan.

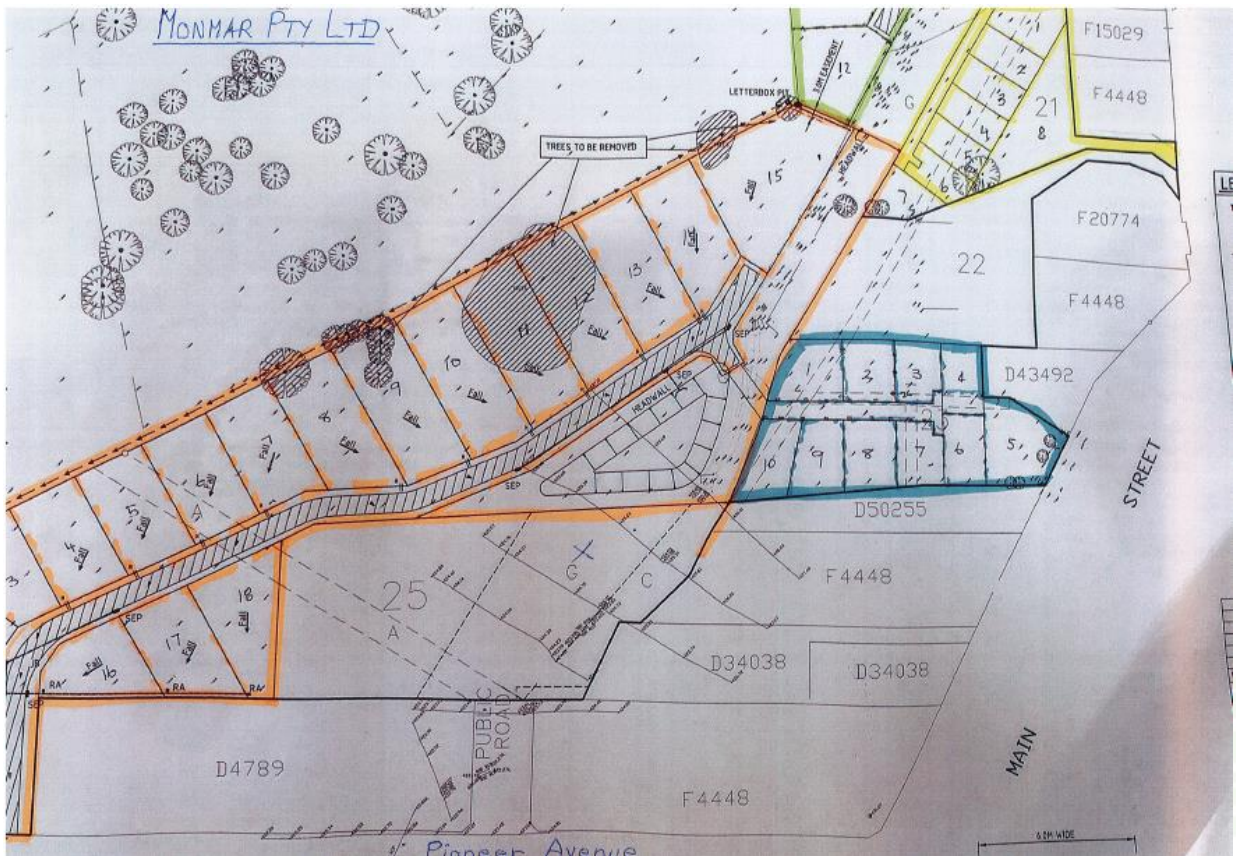
One of the representors has also raised concern with windows possibly being placed in the walls of the proposed shed.

We hereby confirm that no windows will be placed in the walls of the shed proposed herein.

### *Future Development*

One of the representors has raised concern about overlooking from the proposal into a neighbouring development referred to as “Monmar’s proposed development”. A supporting plan has been provided by the representor as below in **Image 1**.

**Image 1: Plan of adjacent development as provided by representor.**



As explained above, the proposal will not impose unreasonable privacy impacts upon this development for the following reasons:

- Properties to the north and north-east are at a higher elevation than the subject land.
- The land immediately north of the subject land is currently undeveloped. As shown above, a detention basin appears to be proposed adjacent the northern boundary of the subject land as part of a neighbouring development (refer **Image 1** below). Therefore, the proposal will not overlook the private open space areas of another dwelling immediately adjacent the northern boundary.

- The locality has an open rural character in which low-open style fencing is common. Views between private properties are not unusual in the locality.
- General separation between dwellings sufficiently diffuses privacy impacts between properties. The property is most appropriately sited on the land.

### *Easement and Floodplain*

One of the representors has indicated the allotment has an easement and is situated in a flood plain.

The easement is identified on the Site Plan submitted with the application. No part of the proposed development will encroach upon the easement.

In addition, the proposed dwelling is not sited on a portion of the land that is subject to flooding. We note the Council has not raised any concerns on this matter.

### *Stormwater Management*

One of the representors has raised concern with stormwater management from the development, indicating the land can be very boggy given its position on the hillside.

As shown on the Site Plan, stormwater from the proposed dwelling and outbuilding will be directed to two 22,500 litre rain water tanks installed in accordance with any Council detention requirements. These tanks will also be plumbed to the toilets of the dwelling for re-use purposes. Any overflow will be guided to the Pioneer Avenue watertable via existing and proposed drainage channels.

Of importance, additional stormwater runoff from the land will not occur and, in any case, will not be directly discharged onto a neighbouring property unless via an existing dedicated drainage channel accepted by Council. The applicant is happy to accept conditions to this effect.

### *Rubbish*

Some of the representors have raised concern with the condition of the property, indicating it needs a clean-up.

We confirm that the subject land will be cleaned up because of the proposed development, with any items currently stored either removed or relocated into the proposed shed so they are out of view. In addition, vegetation will be better managed by having a resident permanently residing on the land.

This matter will simply be resolved by the authorisation of the proposed development.

### *Other Matters*

Of note, the proposed dwelling also satisfies each of the following:

- Front and side boundary setback guidelines as per Principle 5 of the Zone.
- The maximum building height guideline (two-storeys) within Principle 5 of the Zone.
- The maximum site coverage guideline (50 percent) as per Principle 5 of the Zone.
- The minimum on-site car parking guideline as per Principle 5 of the Zone.
- The minimum site area guideline as per Principle 8 of the Zone.

## Conclusion

I trust I have addressed the concerns raised by the representors in sufficient detail.

We now look forward to your support acknowledging that this application displays a high degree of planning merit to warrant Development Plan Consent.

Please call me on 8333 7999 if you have any questions in respect of this matter.

Yours sincerely



Philip Harnett

**Associate**





**S Hughes for Monmar P.L.**  
143 Main Street

**J Lorraine**  
2/133 Main Street

**J McPherson**  
12 Pioneer Avenue

**L Rawlings**  
10 Pioneer Avenue

**J Begg**  
5 Pioneer Avenue

**LEGEND**

- SUBJECT SITE
- SUPPORTS THE DEVELOPMENT
- SUPPORTS (WITH CONDITIONS)
- OPPOSED TO DEVELOPMENT
- CADASTRE



0 10 20 40m

SCALE: 1:1,000 @ A3

**REPRESENTORS**

10A Pioneer Avenue,  
Lobethal

JOB REF.	20ADL-0820
PREPARED BY.	MP
DATE.	01.11.20
REVISION.	1
DATA SOURCE.	Metromap (29.08.20) data.sa.gov.au

