ATTACHMENT A

[Attachment A consists of 9 pages]
Development Plan Provisions - Consolidated 12 December 2013

Land Use

District Centre Zone

<table>
<thead>
<tr>
<th>PDC 1</th>
<th>The following forms of development are envisaged in the zone:</th>
<th>Does not Comply – Refer to report for discussion</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• affordable housing in Precinct 21 Railway Station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• aged care accommodation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• bank</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• child care centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• civic centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• consulting room</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• discount department store</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• dwelling in conjunction with non-residential development</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• educational establishment</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• emergency services facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• entertainment facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• health facility</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• hospital</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• hotel</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• indoor games centre</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• library</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• mixed use development in Precinct 21 Railway Station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• motor repair station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• office</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• place of worship</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• playing field</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• pre-school</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• residential flat building in Precinct 21 Railway Station</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• restaurant</td>
<td></td>
</tr>
</tbody>
</table>

O= Objective
PDC = Principle of Development Control
- row dwelling in Precinct 21 Railway Station
- shop
- supermarket
- swimming pool
- tourist accommodation in Precinct 21 Railway Station.

<table>
<thead>
<tr>
<th>PDC 3</th>
<th>A centre accommodating medium to high-density residential development in conjunction with non-residential development</th>
<th>Complies</th>
</tr>
</thead>
</table>

**Desired Character Statement – District Centre Zone Woodville Policy Area 5**

The policy area will be developed with a distinct ‘village high street’ character and should function within each Precinct to accommodate a diverse range of activities and facilities. The Woodville Centre should only serve sections of its adjoining residential areas with retail services.

The policy area’s significance as a District Centre lies in its accommodating the Queen Elizabeth Hospital, Civic Centre and Town Hall, major transport interchanges and the St Clair Recreation centre and open space. The policy area is located around the remnants of the historic Woodville village and has strong urban design elements and an intimate ‘high street’ atmosphere not found in more conventional suburban centres.

The conservation and enhancement of the historic townscape and buildings along Woodville Road and the reinforcement of the village high street character is important. The improved appearance of buildings with Port Road frontages is desirable. Except within **Precinct 21 Railway Station** where a landscaped open space frontage is appropriate, pedestrian oriented frontages will be reinforced to Woodville Road through development, including the siting of buildings at the street alignment and the provision of verandas, pergolas and other shelter for pedestrians.

Q= Objective  
PDC = Principle of Development Control
Development consistent with controlled expansion of existing facilities and the staged development of new facilities to increase the range of services in the policy area is desired. The policy area will utilise and reinforce these major distinguishing characteristics to provide an alternative pedestrian oriented, high quality environment containing a wide range of activities and facilities.

<table>
<thead>
<tr>
<th>Objective</th>
<th>Development should incorporate open space and landscaping in order to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>O 3</td>
<td>(a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)</td>
</tr>
<tr>
<td></td>
<td>(b) enhance the appearance of road frontages</td>
</tr>
<tr>
<td></td>
<td>(c) screen service yards, loading areas and outdoor storage areas</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Desired Character Statement Precinct 20 Civic</th>
</tr>
</thead>
<tbody>
<tr>
<td>This precinct is the core of the policy area containing a range of retail, business, office, community and civic activities. The precinct has the major townscape element of the Port Road / Woodville Road intersection and St Margaret's Church at one end and the Civic Centre, Town Hall and rail station at the other. The two are linked by a lower scale established strip shopping development and activities straddling Woodville Road. The traditional pattern of development is a valued feature and should be maintained. It is desired that new buildings be of a contemporary architectural character which is sympathetic and reflective of existing traditional building scale, form and style.</td>
</tr>
</tbody>
</table>

The major townscape element of the Port Road / Woodville Road intersection will be reinforced by development of appropriately large scale to complement St Margaret's Church and the wide expanse of Port Road. It will be important to reinforce the hard edged continuous and varied Woodville Road frontage and enhance the pedestrian environment with verandas, pergolas and awnings to provide pedestrian protection and to achieve an appropriate scale.

The Woodville Road frontage has a historic and intimate 'high street' ambience and a more pedestrian dominant environment is desired. The use of widened footpaths for outdoor eating and after hours restaurants and leisure activities are encouraged. Medium to high

O = Objective
PDC = Principle of Development Control
density residential development and shop top housing is appropriate.

The Port Road frontage contains a mix of office and service uses and has a lower visual amenity. Its current disparate commercial and service character should be improved by good quality new development, preferably two storey in height with minimal set back and with all parking at the rear. It is envisaged that the rail station will be linked by a safe pedestrian network to other parts of the policy area and surrounding residential areas. In order to achieve this pedestrian access and safety across Woodville Road will need to be improved by new crossing facilities.

<table>
<thead>
<tr>
<th>District Centre Zone Woodville Policy Area 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>O2</td>
</tr>
<tr>
<td>PDC 1</td>
</tr>
<tr>
<td>PDC 13</td>
</tr>
</tbody>
</table>

**General Section Residential Development**

| PDC 2 | A diverse range of dwelling types and sizes available to cater for changing demographics, particularly smaller household sizes and supported accommodation | Complies |
| PDC 3 | Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces. | Complies |

**General Section - Design and Appearance**

| PDC 22 | Except in areas where a new character is desired, the setback of buildings from public roads should: (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality (b) contribute positively to the function, appearance and/or desired character of the locality | Complies |
| PDC 21 | Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table: | Complies |

O = Objective  
PDC = Principle of Development Control
(a) not less than the average of the setbacks of the adjoining buildings, if the difference between the setbacks of the adjoining buildings is greater than 2 metres.
(b) the same distance as one or the other of the adjoining buildings, provided the difference between the setbacks of the two adjoining buildings is less than or equal to 2 metres.

<table>
<thead>
<tr>
<th>Setback difference between buildings on adjacent allotments</th>
<th>Setback of new building</th>
</tr>
</thead>
<tbody>
<tr>
<td>Up to 2 metres</td>
<td>The same setback as one of the adjacent buildings, as illustrated below:</td>
</tr>
<tr>
<td></td>
<td><img src="image" alt="Diagram" /></td>
</tr>
</tbody>
</table>

When \( b = 6 \text{m} \), setback of new dwelling = \( a \) or \( b \)

Greater than 2 metres At least the average setback of the adjacent buildings.

**Overshadowing**

**General Section – Design and Appearance**

**PDC 9** The design and location of buildings should ensure that direct winter sunlight is available to adjacent dwellings, with particular consideration given to:
(a) windows of habitable rooms, particularly living areas
(b) ground-level private open space
(c) upper-level private balconies that provide the primary open space area for any dwelling
(d) access to solar energy.

Complies

**PDC 10** Except where specified in a zone, policy area or precinct, development should ensure that:
(a) north-facing windows to habitable rooms of existing dwelling(s) on the same allotment,

Complies

O = Objective
PDC = Principle of Development Control
and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their
surface between 9 am and 3 pm on the 21 June.
(b) ground level open space of existing buildings receives direct sunlight for a minimum of 2
hours between 9 am and 3 pm on 21 June to at least the smaller of the following:
(i) half of the existing ground level open space
(ii) 35 square metres of the existing ground level open space (with at least one of the area’s
dimensions measuring 2.5 metres).
(c) where overshadowing already exceeds the requirements contained in part (b), the area
overshadowed should not increase by more than 20 per cent.

| Visual Privacy |
| General Section – Design and Appearance |
| **PDC 11** | Buildings with upper level windows, balconies, terraces and decks should minimise direct
overlooking of habitable rooms and private open spaces of dwellings through one or more
of the following measures:
(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) 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
(d) other than within the **Urban Core Zone**, sill heights of not less than 1.5 metres or
permanent screens having a height of 1.5 metres above finished floor level. | Complies |

| **PDC 12** | Permanently fixed external screening devices should be designed and coloured to
complement the associated building’s external materials and finishes. | Complies |

| Crime Prevention |
| General Section – Crime Prevention |
| **O1** | A safe, secure, crime resistant environment where land uses are integrated and designed to
facilitate community surveillance | Complies – Refer to report for discussion |

O= Objective

PDC = Principle of Development Control
PDC 1 Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.

PDC 2 Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.

Site Contamination
General Section – Hazards
PDC 12 Development, including land division, should not occur on contaminated land or on potentially contaminated land unless the following applies:
(a) remediation of the site is undertaken to a standard that makes it suitable and safe for the proposed use.
(b) the site will be maintained in a condition, or the development will be undertaken in a manner, that will not pose a threat to the health and safety of the environment or to occupiers of the site or land in the locality.

Energy Efficiency
General Section – Energy Efficiency
O1 Development designed and sited to conserve energy and minimise waste.

PDC 1 Development should provide for efficient solar access to buildings and open space all year round.

PDC 2 Buildings should be sited and designed so that the open spaces associated with the main activity areas face north for exposure to winter sun

PDC 3 Buildings should be sited and designed to ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings.

PDC 4 Roof pitches should facilitate the efficient use of solar hot water services and photovoltaic cells.

PDC 5 Development should be designed to minimise consumption of non-renewable energy through designing the roof of buildings with a north facing slope to accommodate solar collectors.

Car Parking and Access
General Section – Transport and Access

O= Objective
PDC = Principle of Development Control
| PDC 38 | Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with Table ChSt/2 – Off Street Vehicle Parking Requirements. | Complies |
| PDC 39 | Development should be consistent with Australian Standard AS 2890 Parking facilities. | Complies |
| PDC 40 | Vehicle parking areas should be sited and designed to: (c) not inhibit safe and convenient traffic circulation (f) minimise the number of vehicle access points onto public roads (g) avoid the necessity for vehicles to reverse onto public roads (i) not dominate the character and appearance of a site when viewed from public roads and spaces (j) provide landscaping that will shade and enhance the appearance of the vehicle parking areas | Complies |
| PDC 43 | Vehicle parking areas should be sealed or paved in order to minimise dust and mud nuisance. | Complies |
| PDC 47 | On-site parking should be provided having regard to: (a) the number, nature and size of proposed dwellings (b) proximity to centre facilities, public and community transport within walking distance of the dwellings (d) availability of on-street car parking (e) any loss of on-street parking arising from the development (eg an increase in number of driveway crossovers). | Complies |

Table ChSt/2 - Off Street Vehicle Parking Requirements

| Residential development in a Centre Zone | 1 covered space per dwelling separately identified from any shared non-residential use car park | Complies |

### Interface between Land Uses

**General Section – Interface Between Land Uses**

**O1** Development located and designed to prevent adverse impact and conflict between land uses. | Complies |

### Landscaping, Fences and Walls

**General Section – Landscaping, Fences and Walls**

\[ O = \text{Objective} \]
\[ \text{PDC} = \text{Principle of Development Control} \]
<table>
<thead>
<tr>
<th>O2</th>
<th>Functional fences and walls that enhance the attractiveness of development.</th>
<th>Complies</th>
</tr>
</thead>
<tbody>
<tr>
<td>PDC 1</td>
<td>Development should incorporate open space and landscaping in order to: (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components) (b) enhance the appearance of road frontages (c) screen service yards, loading areas and outdoor storage areas</td>
<td>Complies</td>
</tr>
</tbody>
</table>

O = Objective  
PDC = Principle of Development Control
ATTACHMENT B

[Attachment B consists of 12 pages]
Development Application Form

Development Act 1993

To submit an application, sections 1-15 of this application must be completed. Please use block letters and black or blue pen. The completed form must be accompanied by all required documents as specified in the planning requirements checklists and the applicable fees.

Applications submitted that do not include the prerequisite information listed in the “Planning Requirements Checklist” will be returned for resubmission by the applicant once they are complete.

1 Application Type:

☐ Complying Development

☐ Building Rules Consent (Building Only)

☒ Development Plan Consent (Planning Only)

☐ Development Approval (Both Planning and Building)

includes approval to prune or remove a significant tree

2 Location of Proposed Development

No: 42 Street: ABERFIELD AV Suburb: WOODVILLE Postcode: 5011

Lot No: 155 DP: 90728 Section No: ______ (Full/Part) Ht: YATALA

Certificate of Title: Volume: 5549 Folio: 23

3 Detailed Description of Proposed Development

7 of 2 STOREY UNITS

4 Cost of the Proposed Development (excluding fit-out costs such as furniture)

$ 800,000 Please note: Council may require written justification to verify costs.

5 Details of Parties Sections marked * must be completed.

(Please note that all correspondence will be addressed to the Applicant. In the event of multiple applicants the addressee will be the first named)

*Applicant

Name (Mr/Mrs/Ms/Company): MR D ENTHI MIOU

Email: dean d konstruct.com.au

Postal Address: 30X 6340 HALIFAX ST 5000

Phone: Mobile: 0402 488 509 Fax:

*Builder: TBD

Licence No:

Email:

Postal Address:

Phone: Mobile: Fax:

*Owner(s) of Subject Land: (Mr/Mrs/Ms) MR RICHARD ANTUNES

Email:

Postal Address: richard d antunesgroup.com.au

Phone: Mobile: 0407733 310 Fax:
<table>
<thead>
<tr>
<th></th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>6</td>
<td>Has The Construction Industry Training Fund Act 1993 Levy Been Paid?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Does a regulated tree exist on the site or on adjoining land which might be affected (including damage to tree roots) by the proposed development?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**New Dwellings and Dwelling Additions (Sections 8 and 9 only)**

<table>
<thead>
<tr>
<th></th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>8</td>
<td>Site Declarations - New Dwellings Only:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.1</td>
<td>Was the allotment created on or after 1 September 2009?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.2</td>
<td>Does the site have connection to or is capable of being connected to a sewage system or waste control system which complies with the Public and Environmental Health Act, 1987?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.3</td>
<td>Was the site, to the best of your knowledge and belief, subject to site contamination as a result of a previous use of the land or a previous activity on the land?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Question</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>Site Declarations – New Dwellings, Dwelling Additions and Carports/Garages:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.1</td>
<td>If the proposed building includes a garage/carport, does it gain driveway access from:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.1.1</td>
<td>an existing driveway or authorised access point; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.1.2</td>
<td>a mountable or rollover kerb; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.1.3</td>
<td>a driveway access point illustrated as part of an approved land division; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>9.1.4</td>
<td>a driveway access point that is not located within 6 m of an intersection or a pedestrian actuated crossing and will not interfere with a tree, street furniture, or other infrastructure?</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**10 *Contact Person for Further Information (if other than the applicant)**

Name: __________________________ Email: __________________________
Phone: __________________________ Mobile: __________________________ Fax: __________________________
11 Current Land and Property Use (e.g. dwelling, shop, industry, warehouse)

DOMESTIC

Historic Use of Land DOMESTIC

Are there any easements on the land? ☐ Yes ☒ No

Are there any significant trees on the land or adjacent land? ☐ Yes ☒ No

Is there a brush fence within 3 metres of the proposed building work? ☐ Yes ☒ No

12 Building classification details

Building classification sought: ___________________________ Present classification(s): __________

Commercial/Industrial applications: ☐ NA

Number of employees: ☐ NA Male: ☐ NA Female: ☐ NA

Institutional buildings: Number of persons accommodated: ☐ NA

Assembly buildings: Number of occupants: ☐ NA

13 Decision Notification Distribution

Decision Notices and associated documentation will be distributed by email if less than 5mb and the applicants email address is included in the Applicant Details section on page 1 of this form. When greater than 5mb in size or where an email address is not provided the decision documentation will be distributed on a CD unless a paper copy is specifically requested.

☐ Please send a paper copy of the decision documentation by post.

14 Privacy policy

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008 and Development Act 1993 and where public notification is required may be made available on Council’s website. Information included within this application will be publicly available on Council’s website within the Development Application Register and On Line Development Application Tracking system.

Details provided by the applicant, written representations and other technical reports form part of the reports attached to Council agendas. The agenda, minutes and accompanying report is made available on Council’s website. Information, including names and addresses recorded in these documents can therefore be searched by the various website search engines.

15 *Signed: ___________________________ *Date: 14/1/14

☒ Applicant  ☐ Owner  ☐ Authorised Person

16 Office Use Only:

Date: ___________________________

Receipt No: ___________________________
REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5549 FOLIO 236 *

COST : $25.75 (GST exempt )  PARENT TITLE : CT 4398/862
REGION : EMAIL  AUTHORITY : CONVERTED TITLE
AGENT : LGY6P  BOX NO : 000  DATE OF ISSUE : 29/06/1998
SEARCHED ON : 11/02/2014 AT : 10:56:34  EDITION : 4
CLIENT REF 252/0251/14

REGISTERED PROPRIETOR IN FEE SIMPLE
---------------------------------------------
ANCORP HOLDINGS PTY. LTD. OF 269 SEAVIEW ROAD HENLEY BEACH SA 5022

DESCRIPTION OF LAND
---------------------
ALLOTMENT 47 FILED PLAN 124041
IN THE AREA NAMED WOODVILLE
HUNDRED OF YATALA

EASEMENTS
-------
NIL

SCHEDULE OF ENDORSEMENTS
----------------------
11422084  MORTGAGE TO NATIONAL AUSTRALIA BANK LTD.

NOTATIONS
-------
DOCUMENTS AFFECTING THIS TITLE
---------------------------
RDA 11858889  REGISTERED

REGISTRAR-GENERAL'S NOTES
-------------------------
PLAN APPROVED FOR DATA D90723

END OF TEXT.
NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION
STORMWATER CALCULATIONS

Aberfeldy Avenue (42), Woodville

Prepared by: SR

PT Design ABN 35 008 116 916
141-149 Fould Street, ADELAIDE SA 5000
Tel: (08) 8412 4300  Fax: (08) 8232 4311

Project No: 16887
Revision: -00-
Date of Issue: 11/02/2014
CRITICAL 1 IN 100 YEAR DETENTION VOLUME

PRE DEVELOPMENT FLOW (MINOR STORM)

Storm Event: 1.5 years
Time of Concentration: 5 mins
Rainfall Intensity: 75 mm/hr

<table>
<thead>
<tr>
<th>Catchment Area</th>
<th>C</th>
<th>Area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roof</td>
<td>1</td>
<td>320</td>
</tr>
<tr>
<td>Impervious</td>
<td>0.9</td>
<td>0.70</td>
</tr>
<tr>
<td>Pervious</td>
<td>0.2</td>
<td>0.20</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td>10.205 L/sec</td>
</tr>
</tbody>
</table>

CALCULATE ORIFICE SIZE

<table>
<thead>
<tr>
<th>Dia (mm)</th>
<th>Area (m²)</th>
<th>Head (m)</th>
<th>Flow (L/s)</th>
<th>Allowable Flow (L/s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orifice</td>
<td>75</td>
<td>0.00442</td>
<td>10.17</td>
<td>10.21</td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td>10.17</td>
<td></td>
</tr>
</tbody>
</table>

Should Pump Station be Selected, Adopt a Maximum Discharge Rate of 10.0L/s

POST DEVELOPMENT FLOW (MAJOR STORM)

Storm Event: 100 years
Time of Concentration: 180 mins
Rainfall Intensity: 180 mm/hr

<table>
<thead>
<tr>
<th>Catchment Area</th>
<th>C</th>
<th>Area (m²)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Roof</td>
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<tr>
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<td>Pervious</td>
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<td>Total</td>
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<td>0.223 X 100_t</td>
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<tr>
<td>Tc (mins)</td>
<td>Intensity, I (mm/hr)</td>
<td>Q in (L/sec)</td>
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<td>----------</td>
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</tr>
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<tr>
<td>360</td>
<td>13.3</td>
<td>2.960</td>
</tr>
<tr>
<td>720</td>
<td>7.9</td>
<td>1.258</td>
</tr>
<tr>
<td>1440</td>
<td>4.7</td>
<td>1.046</td>
</tr>
</tbody>
</table>

Critical Storm

PEAK STORAGE REQUIRED: 39701 L³
ATTACHMENT C

[Attachment C consists of 13 pages]
6 July 2014

Sue Hemingway
Development Officer- Senior
City of Charles Sturt
72 Woodville Road
WOODVILLE SA 5011

Dear Sue

42 Aberfeldy Avenue Woodville Response to Representations

Town Planning Advisors, acts on behalf of the Applicant in relation to this Development Application. The City of Charles Sturt has undertaken Category 2 notification of the application and has forwarded written representations from the following people:

<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Perry Nesbit Coordinator Property Services, The City of Charles Sturt</td>
<td>66 East Avenue Beverly</td>
</tr>
<tr>
<td>Mr Ivan Coles</td>
<td>39 Aberfeldy Avenue Woodville</td>
</tr>
<tr>
<td>Mr R Mousley</td>
<td>37 Aberfeldy Avenue Woodville</td>
</tr>
</tbody>
</table>

The representors have raised concerns about a potential increase in on street car parking demand along Aberfeldy Avenue and the potential visual impact of the development. I have addressed these concerns below.

Proposed Development

The proposed development involves the construction of a two-storey residential flat building comprising seven dwellings. Each of the dwellings will gain access from a shared driveway accessed from Aberfeldy Avenue. The building as proposed is a high quality development that will make a positive contribution to the amenity of Aberfeldy Avenue.
The proposed development is defined as a “residential flat building” in accordance with Schedule 1 of the Development Regulations 2008.

The subject site is located within the District Centre Zone, Woodville Policy Area 5, Precinct 20 of the Charles Sturt Development Plan (Consolidated 15 May 2014). General Residential Development Objectives encourage:

2 A diverse range of dwelling types and sizes available to cater for changing demographics, particularly smaller household sizes and supported accommodation.

3 Medium and high density residential development in areas close to activity centres, public and community transport and public open spaces.

These objectives are further reinforced by Objective 3 of the District Centre Zone which seeks:

3 A centre accommodating medium to high-density residential development in conjunction with non-residential development.

Medium to high density residential development is also supported by Objective 1 of Woodville Policy Area which encourages:

2 A large mix of activities including medium and high density housing

The Woodville Policy Area 5 Precinct 20 Desired Character Statement further encourages medium and high density residential development stating that:

Medium to high density residential development and shop top housing is appropriate.

As the subject application proposes to construct medium density dwellings within the District Centre, we believe that the proposed land use is specifically supported within the zone and by general provisions from within the Development Plan.

ON SITE CAR PARKING PROVISION

Relevant Principles of Development Control that regulate the provision of off street car parking include:

Transportation and Access

Principles of Development Control

38 Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with Table ChSt/2 – Off Street Vehicle Parking Requirements.

39 Development should be consistent with Australian Standard AS 2890 Parking facilities.
40 Vehicle parking areas should be sited and designed to:
   (c) not inhibit safe and convenient traffic circulation
   (f) minimise the number of vehicle access points onto public roads
   (g) avoid the necessity for vehicles to reverse onto public roads
   (i) not dominate the character and appearance of a site when viewed
       from public roads and spaces
   (j) provide landscaping that will shade and enhance the appearance of
       the vehicle parking areas

43 Vehicle parking areas should be sealed or paved in order to minimise dust
   and mud nuisance.

47 On-site parking should be provided having regard to:
   (a) the number, nature and size of proposed dwellings
   (b) proximity to centre facilities, public and community transport within
       walking distance of the dwellings
   (d) availability of on-street car parking
   (e) any loss of on-street parking arising from the development (eg an
       increase in number of driveway crossovers).

Table ChstI2 specifies that a total of 1 off street car parking space must be provided
per dwelling located within a residential flat building. One space per dwelling is
required as the proposed dwellings:

- Have a total floor area of under 130 square metres;
- Are located within a District Centre;
- Are located in close proximity (110 metres) of a bus way stop;

Notwithstanding the fact that the proposal satisfies the car parking demand
requirements stipulated in the Development Plan, the proposal provides an addition
carpark which has been allocated to visitors.

Although not required, the proposed visitor car park has been provided as a bonus
facility to the development.
Representors raised concerns regarding car parking impacts associated with the medical centre located at 57 Woodville Road and requested that timed parking be introduced along Aberfeldy Avenue. A site visit on 6 July 2014 revealed that parking restrictions are currently in place along the southern side of Aberfeldy Avenue. It is not clear whether these restrictions were introduced after the representations were received or whether representors are seeking further parking restrictions.

In any event, I submit that the proposed development will not increase the demand for on street car parking within the locality. The proposed dwellings are 2 bedrooms and will be located within a short walking distance of a high frequency bus route and the Woodville Railway Station. Given the number of public transport options situated in close proximity to the subject land, future residents of the proposed dwellings may choose not to own a motor vehicle.

The proposal as submitted complies with Council's Development Plan in regards to the provision of onsite car parking and safe and convenient access.

**VISUAL IMPACT OF THE DEVELOPMENT**

One representation raised concerns regarding the appearance of the proposed building when viewed from Aberfeldy Avenue. In order to improve the appearance of the building the proposed plans have been amended as follows:

- The entire development has been mirrored. The proposed dwellings now face towards the residential dwellings along Aberfeldy Avenue to the northwest. This amendment provides the following benefits:
  - significantly improves the proposal's interface with the residential dwellings to the northwest;
  - creates a greater separation from the adjoining dwelling to the northwest;
  - creates greater articulation when viewed for the adjoining dwelling to the northwest
  - in addition, the front parapets of each dwelling has been increased in height which provides additional vertical articulation.

- The rear elevation of the rear of the building has been provided with additional articulation which has been achieved by puncturing some of the upper level rooms out over the rear yards.

- A lattice fence which is to be planted with a creeper, has been introduced along the entire north western boundary fence. This will further reduce the visual impact of the building when viewed from the north and north west as well as provide a better amenity for the residents.

- Additional landscaping has also been incorporated throughout the site which will help soften the appearance of the building when viewed from within and outside the site.

With respect to the overall height of the proposed building, Principle 13 of the **PRECINCT SPECIFIC PROVISIONS** states:

13 *Building development should be a maximum of 12 metres in height.*

The proposal building is 6.4m (measured to the top of the parapets) which is well with the 12m height limit stipulated for this precinct.
The use of articulation, varied materials and finishes and landscaping ensures that the proposed building also complies with the following Principles of Development Control:

**Design and Appearance**

**Principles of Development Control**

1. **Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:**
   - (a) building height, mass and proportion
   - (b) external materials, patterns, colours and decorative elements
   - (c) roof form and pitch
   - (d) façade articulation and detailing

**Landscaping Fences and Walls**

**Objectives**

2. **Functional fences and walls that enhance the attractiveness of development.**

**Principles of Development Control**

1. **Development should incorporate open space and landscaping in order to:**
   - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
   - (b) enhance the appearance of road frontages
   - (c) screen service yards, loading areas and outdoor storage areas

**District Centre Zone Woodville Policy Area 5 Precinct 20 Civic**

**Desired Character Statement**

*It is desired that new buildings be of a contemporary architectural character which is sympathetic and reflective of existing traditional building scale, form and style.*

**Conclusion**

Residential flat buildings at the densities and scale proposed are clearly anticipated by the Chares Sturt Development Plan. Construction of the residential flat building as proposed will increase dwelling diversity and will provide an alternative to the prevailing character of detached dwellings located to the west of the subject land.

The proposed building has a contemporary appearance and has been designed to minimise any potential impacts on adjoining dwellings. Further the landscaping proposed will soften the appearance of the building, along with the setback of the building from the north western boundary of the land. The building as submitted will make a positive contribution to the streetscape and will act as a buffer between the District Centre Zone and the Residential Zone to the west.
The proposed development will not increase the demand for on street car parking within the locality and complies with all relevant transport and access provisions from the Charles Sturt Development Plan. Separate to the assessment of this application, the Applicant would not object to any additional resident parking restrictions the Council may consider on Aberfeldy Avenue or other surrounding streets.

I contend that the proposed development satisfies relevant provisions of the Charles Sturt Development Plan and warrants Development Plan Consent.

Should you have any queries or require any further information or clarification with any components of this application, please do not hesitate to contact by calling me on 0478 509 777 or by email bill@townplanningadvisors..com.au

Yours faithfully

Bill Stefanopoulous, MPIA
BA Planning, Grad Dip Environmental Planning
Statement of Representation
Pursuant to Section 38 of the Development Act 1993

Under the Development Act 1993, any person may, in accordance with the regulations, make a representation in writing to the relevant authority in relation to the granting or refusal of consent for a Category 2 or Category 3 development application. To submit a statement of representation please complete ALL 9 sections of this form and send to council.

Please note that pursuant to section 38(17) of the Development Act 1993, if the application involves a Category 2 notification and you were not entitled to receive notice of the application in accordance with the Development Act 1993 and Development Regulations 2008 you cannot make a representation in relation to the application.

1. Development Number 252/0251/14
   House No: 42
   Street: ABERFELDY AVENUE
   Suburb: WOODVILLE

2. Person(s) making representation:
   Name: (Mr/Mrs/Ms) IVAN COLES
   Street Address: 39 ABERFELDY AVENUE, WOODVILLE
   Postal Address (if different to above):
   Email: imcoles@bigpond.com
   Phone: 82446386 Mobile: 040815632 Fax:

3. Nature of interest in development (eg adjoining resident, owner of land in vicinity or on behalf of organisation or company):
   Resident living opposite to development site.

4. Issues that I/we would like to raise:
   The concern is the inevitable parking issues which will arise along Aberfeldy Ave. As each dwelling has only one garage, there is potential for up to 7 or more extra cars which will need to be accommodated. Given that some/all of the new residents are likely to use their garage as storage space and not parking, the number of cars on the street could be even more. This will only exacerbate the pattern which have been caused by the inadequate parking provided for in the Mental Health Building on Woodville Road.

5. These issues would be overcome by (state action sought):
   1. Reduction in number of dwellings proposed from 7 to 4 (or 5) and increase in the parking/garaging available to the residents within the development to 2 per dwelling.
   2. Making all parking along Wood-Aberfeldy Ave 2hr duration.
6. Please indicate whether you wish to personally present your statement to the Development Assessment Panel. Your written statement will be provided to the Development Assessment Panel and to the applicant, and will be considered in making an approval decision. You may choose to present your statement verbally.

☐ Please tick one of the boxes below
☐ I do not wish to make a verbal presentation.
☐ I will appear personally to make a verbal presentation.
☐ I authorise __________________________ to make the verbal representation on my behalf.

*7. I would like an officer of Council to contact me to discuss my submission

Yes ☑ No ☐

*8. I would like to meet with the applicant to discuss my submission

Yes ☐ No ☑

*9. Privacy

I acknowledge that copies of this representation and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008 may be made available on Council’s website.

Written representations form part of the reports attached to Council agendas. The agenda, minutes and accompanying report is made available on Council’s website. Information, including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Authorised by (insert name): IVAN COLES

Date: 10.6.14

Reprensentations

Representations must be made in writing, and a Statement of Representation form must be completed and supplied. The Statement of Representation form requires persons making a representation to state their name and address, and describe the reasons for their representation and how the issues would be overcome.

The written statement is more likely to be effective if it refers to the provisions of The Charles Sturt Development Plan this can be accessed at the City of Charles Sturt website, www.charlessturt.sa.gov.au

Copies of representations are forwarded to the applicant, and the applicant is given the opportunity to respond in writing to the representation.

It is not necessary to attend a Development Assessment Panel meeting, but you may chose to do so to make a verbal presentation of your concerns. Please note that the time for making a verbal presentation will be limited to approximately 5 minutes.

For Category 2 development, the council may determine to allow a representor to appear before council to present their representation. For Category 3 development, Council must allow a representor to appear to make their representations. The applicant is also allowed to appear in order to respond to any representations.

Council advises Representors with notice of its decision. In the case of a Category 3 development, Representors have the right to lodge an appeal against the decision with the Environmental Resource and Development Court.
Statement of Representation

Pursuant to Section 38 of the Development Act 1993

Under the Development Act 1993, any person may, in accordance with the regulations, make a representation in writing to the relevant authority in relation to the granting or refusal of consent for a Category 2 or Category 3 development application. To submit a statement of representation please complete ALL 9 sections of this form and send to council.

Please note that pursuant to section 38(17) of the Development Act 1993, if the application involves a Category 2 notification and you were not entitled to receive notice of the application in accordance with the Development Act 1993 and Development Regulations 2008 you cannot make a representation in relation to the application.

1. Development Number 252 / 0251 / 14
   House No: 42 Street: ABERDEEN AVE
   Suburb: WOODVILLE

2. Person(s) making representation:
   Name: (Mr/Mrs/Ms) MOUSLEY
   Street Address: 27 ABERDEEN AVE WOODVILLE
   Postal Address (if different to above):
   Email: rmousley01@gmail.com
   Phone: 69917869 Mobile: 0401 123456 Fax:

3. Nature of interest in development (eg adjoining resident, owner of land in vicinity or on behalf of organisation or company):
   OWNER IN VICINITY

4. Issues that I/we would like to raise:
   GIVEN THERE ARE ALREADY ISSUES AS A RESULT OF NEW COMMERCIAL PREMISES ADJACENT NO 42 PARKING CONTINUED TO BE AN ISSUE IN THE AREA IN GENERAL

5. These issues would be overcome by (state action sought):
   ADDITIONAL PARKING INCLUDED 'ON SITE' AS PART OF THE DEVELOPMENT TO ALLOW FOR 2 PARKS PER UNIT.
6. Please indicate whether you wish to personally present your statement to the Development Assessment Panel. Your written statement will be provided to the Development Assessment Panel and to the applicant, and will be considered in making an approval decision. You may choose to present your statement verbally.

☐ Please tick one of the boxes below
☐ I do not wish to make a verbal presentation.
☐ I will appear personally to make a verbal presentation.
☐ I authorise ___________________________ to make the verbal representation on my behalf.

*7. I would like an officer of Council to contact me to discuss my submission  Yes ☑  No ☐

*8. I would like to meet with the applicant to discuss my submission  Yes ☐  No ☑

*9. Privacy

I acknowledge that copies of this representation and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008 may be made available on Council's website.

Written representations form part of the reports attached to Council agendas. The agenda, minutes and accompanying report is made available on Council's website. Information, including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Authorised by (insert name): Rick Munsch  Date: 10/6/2014

All 9 Sections of this form must be completed.

Representations

Representations must be made in writing, and a Statement of Representation form must be completed and supplied. The Statement of Representation form requires persons making a representation to state their name and address, and describe the reasons for their representation and how the issues would be overcome.

The written statement is more likely to be effective if it refers to the provisions of the Charles Sturt Development Plan this can be accessed at the City of Charles Sturt website, www.charlessturt.sa.gov.au

Copies of representations are forwarded to the applicant, and the applicant is given the opportunity to respond in writing to the representation.

It is not necessary to attend a Development Assessment Panel meeting, but you may choose to do so to make a verbal presentation of your concerns. Please note that the time for making a verbal presentation will be limited to approximately 5 minutes.

For Category 2 development, the council may determine to allow a representor to appear before council to present their representation. For Category 3 development, Council must allow a representor to appear to make their representations. The applicant is also allowed to appear in order to respond to any representations.

Council advises Representors with notice of its decision. In the case of a Category 3 development, Representors have the right to lodge an appeal against the decision with the Environmental Resource and Development Court.
Dear Julie

I have been in discussion with Perry Nesbitt about a representation that he made on behalf of Council in relation to the proposed Development of 42 Aberfeldy Avenue.

As owner of a nearby property at 43 Aberfeldy Avenue, Council was invited to make representation relating to the proposed development if it saw fit. In response, Perry Nesbitt submitted a representation on behalf of Council raising concerns in relation to:

- the bulk and scale of the development and impacts this may have on the character of the wider locality particularly nearby residential allotments
- level of parking being provided on site to service the development.

It was drawn to my attention today that the representation was withdrawn on the basis that the parking provided on the site complies with the requirements of the Development Plan.

I have reviewed the decision to withdraw the representation and discussed this with Perry and I conclude that as the owner of the property, and on behalf of Council I have formed a view that the original representation from Council remains valid.

My rationale is as follows:

- notwithstanding compliance with the Development Plan for the locality, Council has concerns of the potential impact on on-street parking within Aberfeldy Avenue arising from visitors to the townhouse complex. Recent development along Woodville Road has contributed to increased parking on Aberfeldy Avenue which we believe will be exacerbated by the proposed development.
- we also remain of the view that the bulk and form of the proposed development is inconsistent with the residential development within the locality.

We therefore believe that more onsite parking should be provided per dwelling and the building design should be compatible with the character of existing established buildings.

On this basis, I request that the original representation from Council be considered in your evaluation of the proposed development of 42 Aberfeldy Avenue.

Regards

Jan Cornish
General Manager Asset Management Services
Ph: 8408 1372
Mob: 0408 857 724
Email: icornish@charlessturt.sa.gov.au
Sue Hemingway

From: Jan Cornish <jcornish@charlessturt.sa.gov.au>
Sent: Wednesday, 10 September 2014 7:34 PM
Subject: Re: Request advice on whether Council wishes to speak on representation - 42 Aberfeldy Avenue, Woodville - Development Application 252/0251/14

Sue
There is no need for council to make a verbal presentation to DAP

Jan Cornish
General Manager Asset Management Services
Hi Julie,

I have reviewed the proposal to develop the site at 42 Aberfeldy Avenue Woodville. As Council is the owner of the adjoining property I have some concerns about the bulk and scale of the development, impacts this may have on the character of the wider locality particularly residential sites to the west and appropriate levels of parking being provided on site to service the development.

I am also of the view that 2 parking spaces should be provided per dwelling and the building design should pick up styling that fit with the character of established buildings.

Consequently, I would like Council to be heard by the Development Assessment Panel in relation to the submission.

Regards,

Perry Nesbitt
Coordinator Property Services
Property Services
66 East Ave, Beverley 5009
T: (08) 84081533 F: (08) 84081122
www.charlessturt.sa.gov.au
ATTACHMENT D

[Attachment D consists of 1 pages]
Dear Mr Withers

Section 34 request - Development Application 252/0251/14 by D Efthimiou at 42 Aberfeldy Avenue, Woodville

I write in response to your letter dated 18 July 2014 to the Hon John Rau MP, Minister for Planning, requesting that the Development Assessment Commission (DAC) be appointed as the relevant planning authority for the above mentioned application. Minister Rau has asked me to thank you for your letter and to respond on his behalf.

Having considered the matter there does not appear to be sufficient justification for the DAC to be appointed the relevant authority, particularly as the Development Act 1993 envisages such circumstances and allows a council to assess and determine applications, even where council owned assets or financial interests are involved. (Section 34(1)(1b) of the Act).

Each council has an independent Development Assessment Panel appointed for their professional expertise and independent decision-making, which provides a clear separation between the planning and commercial and administrative functions of a local authority.

It is my view the City of Charles Sturt is best placed to manage local issues and consult with affected residents and landowners in accordance with the notification requirements under the Development Act and Regulations.

Should you have any enquiries in relation to this matter, please contact Mr Simon Neldner, Principal Planning Officer of the Department of Planning, Transport and Infrastructure on (08) 8303 0662 or by email at: simon.neldner@sa.gov.au

Yours sincerely

Sally Smith
ACTING DEPUTY CHIEF EXECUTIVE
PLANNING DIVISION

28/8/2014
[Attachment E consists of 1 pages]
Pursuant to Section 38(4) of the Act to give notice of a proposal for a Category 2 development.

The properties marked with a red dot on the attached map show the occupiers and recorded owners of all properties which have been notified pursuant to Section 38(4) of the Act.

Authority to form such opinion and to give notice is delegated to the Team Leader Major Planning Assessment

Development Application No. 252/0251 /14

Signed   Sue Hemingway

(Date) 20/5/14