

Notice of Council Assessment Panel Meeting



MEMBERSHIP

Mr M Adcock	Independent Member (Presiding Member)
Mr A Mackenzie	Independent Member
Ms N Taylor	Independent Member
Mr G Hewitt	Independent Member
Cr K Foreman	Elected Member
Mr A Squires	Deputy Independent Member
Cr B Lawrenson	Deputy Elected Member

NOTICE is given pursuant to Sections 83 of the Planning, Development and Infrastructure Act 2016 that the next **COUNCIL ASSESSMENT PANEL MEETING** will be held in the Council Chambers, 571 Montague Road, Modbury on **WEDNESDAY 28 FEBRUARY 2024** commencing at **6:00PM**

A copy of the Agenda for the above meeting is supplied.

Members of the community are welcome to attend the meeting.

RYAN MCMAHON
CHIEF EXECUTIVE OFFICER

Dated: 22 February 2024

CITY OF TEA TREE GULLY
COUNCIL ASSESSMENT PANEL MEETING
28 FEBRUARY 2024

AGENDA

1. Attendance Record:

- 1.1 Present
- 1.2 Apologies

2. Minutes of Previous Meeting

That the Minutes of the Council Assessment Panel Meeting held on 16 January 2024 be confirmed as a true and accurate record of proceedings.

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

- 4.1 Change of use to place of worship comprising of church services, classrooms, basketball court, indoor playground, cafe and signage at 239-241 Milne Road Modbury North **5**

Recommended to Refuse Planning Consent

- 4.2 Change of use to funeral parlour and ancillary alterations and fit-outs to existing building at 771-775 North East Road Valley View..... **49**

Recommended to Grant Planning Consent

- 4.3 Application to CAP for review of Assessment Manager Decision for Variation to DA 23007521: Changing Carport to Garage at 11 Clyde Street, Modbury..... **105**

5. Other Business

- 5.1 E.R.D. Court Matters Pending - Nil**

5.2 Planning Policy Considerations

Planning Policy Considerations will be recorded in the minutes following discussion by members.

6. Information Reports - Nil

7. Date of Next Meeting

27 March 2024

REPORT NO: CAP.23029094

RECORD NO: D24/12198

TO: COUNCIL ASSESSMENT PANEL MEETING - 28 FEBRUARY 2024

FROM: Rhiya Singh
Planning Officer

SUBJECT: CHANGE OF USE TO PLACE OF WORSHIP COMPRISING OF CHURCH SERVICES, CLASSROOMS, BASKETBALL COURT, INDOOR PLAYGROUND, CAFE AND SIGNAGE AT 239-241 MILNE ROAD MODBURY NORTH

SUMMARY

DEVELOPMENT NO.	23029094
APPLICANT	Revival City Church
ADDRESS	239-241 Milne Road, Modbury North SA 5092
NATURE OF DEVELOPMENT	Change of use to place of worship comprising of church services, classrooms, basketball court, indoor playground, cafe and signage at 239-241 Milne Road Modbury North
ZONING INFORMATION	<p>Zones:</p> <ul style="list-style-type: none"> • Employment <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 15 metres) • Building Near Airfields • Defence Aviation Area (All structures over 15 metres) • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <p>Technical Numerical Variation:</p>

Item 4.1

	<ul style="list-style-type: none"> Maximum Building Height (Metres) (Maximum building height is 9m) Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE	19 October 2023
RELEVANT AUTHORITY	Council Assessment Panel at City of Tea Tree Gully
PLANNING & DESIGN CODE VERSION	2023.14
CODE RULES APPLICABLE AT LODGEMENT	Code rules at assessment start
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes – Notification Period 05 December 2023 to 02 Jan 2024
NUMBER OF PROPERTIES NOTIFIED	26
REPRESENTATIONS RECEIVED	2
REPRESENTATIONS TO BE HEARD	1
RECOMMENDING OFFICER:	Rhiya Singh
REFERRALS STATUTORY	None
REFERRALS NON-STATUTORY:	1
RECOMMENDATION	Refuse Planning Consent

1. Detailed Description of Proposal

The application is a change of use from an indoor recreation centre to place of worship comprising of church services and ancillary activities including classrooms, basketball court, indoor playground, café and signage.

The existing building has a total floor area of 900m² and will be used for church services. The proposed layout includes an auditorium, 3 stores, toilet blocks, café, indoor play equipment and basketball court and three classrooms.

Proposed hours of operation and maximum number of visitors proposed are as follows:

Day	Proposed maximum number of visitors at any given time	Proposed hours of operation
Monday – Thursday	20	9am – 10pm
Friday	80	9am – 10pm
Sunday	120	9am – 6pm

The building was previously used as an indoor recreation centre (gym) and the hours of operation were Monday – Friday 5am – 10pm, Saturday 7am – 6pm, and Sunday 8am – 6pm.

The adjoining site on 235-237 Milne Road, Modbury North is an existing place of worship operated by Revival City Church and the subject site is proposed to be an extension of the activities of the church.

2. Subject Land & Locality

2.1 Site Description:

Location reference: 239-241 MILNE RD MODBURY NORTH SA 5092

Title ref.: CT **Title ref.:** CT 5215/357 **Title ref.:** CT 5215/357
5215/357

The address of the subject site is 239-241 Milne Road. The subject site is regular in shape with a total site area of approx. 3,700m² and frontage to Milne Road on the northern side. The site is bound by a place of worship on the western side and adjoins an educational establishment on the eastern side. The site adjoins the Carruthers West Plantation reserve on the southern side. The land is level and paved with a single existing crossover accessed by Milne Road on the northern boundary.

There are no easements on the allotment. There are regulated/significant trees on adjoining allotments to the west and south of the subject site, however, since no external building or development work is being undertaken, there are no increased impacts to the trees or any tree damaging activity.

2.2 Locality

The locality is considered to be the area depicted within Figure 1 below, being the land encircled by the red line.

The locality is bound by range of land uses, including dwellings on Milne Road to the north, dwellings to the south fronting Carruthers Drive, place of worship to the west and a mix of commercial and non-residential establishments to the east of the subject site. There is Carruthers West Plantation reserve to the south and Hinkler Reserve to the north-east.

The nearby residential development consists of medium sized allotments between 600-900 m². The built form and character of the locality is generally single storey structures. Residential developments are generally conventional with hipped roofs and gable ends with brick, render and iron sheeting being the common building materials.

Commercial developments are characterised by one to two contemporary style structures with ample parking spaces.

Low density prevails in the locality.



Figure 1: Locality Map, with subject site highlighted in orange

The locality is located in General Neighbourhood Zone and Employment Zone. Figure 2 below identifies the zoning in the locality in relation to the subject site.



Figure 2: Zoning Map

3. Category of Development

Per Element

- 1. Change of use: Code Assessed - Performance Assessed
- Place of worship: Code Assessed - Performance Assessed
- Indoor recreation facility: Code Assessed - Performance Assessed
- Advertisement: Code Assessed - Performance Assessed

Overall Application Category

Code Assessed - Performance Assessed

Reason

Planning and Design Code

4. Public Notification

Reason

Pursuant to section 107(6) of the Planning, Development and Infrastructure Act 2016, Table 5 of the Zone identifies classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Place of worship is not a listed use in Employment Zone Table 5 and hence, the application was publicly notified.

List of Representations

Name	Address	Position	Wishes to be Heard
Greg Richards	95 Carruthers Drive, MODBURY NORTH SA 5092	Oppose	Yes
Carol Camilleri	248 Milne Road, MODBURY HEIGHTS SA 5092	Oppose	No

Summary

26 owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period.

Figure 3 shows the properties notified where captured within the blue area.

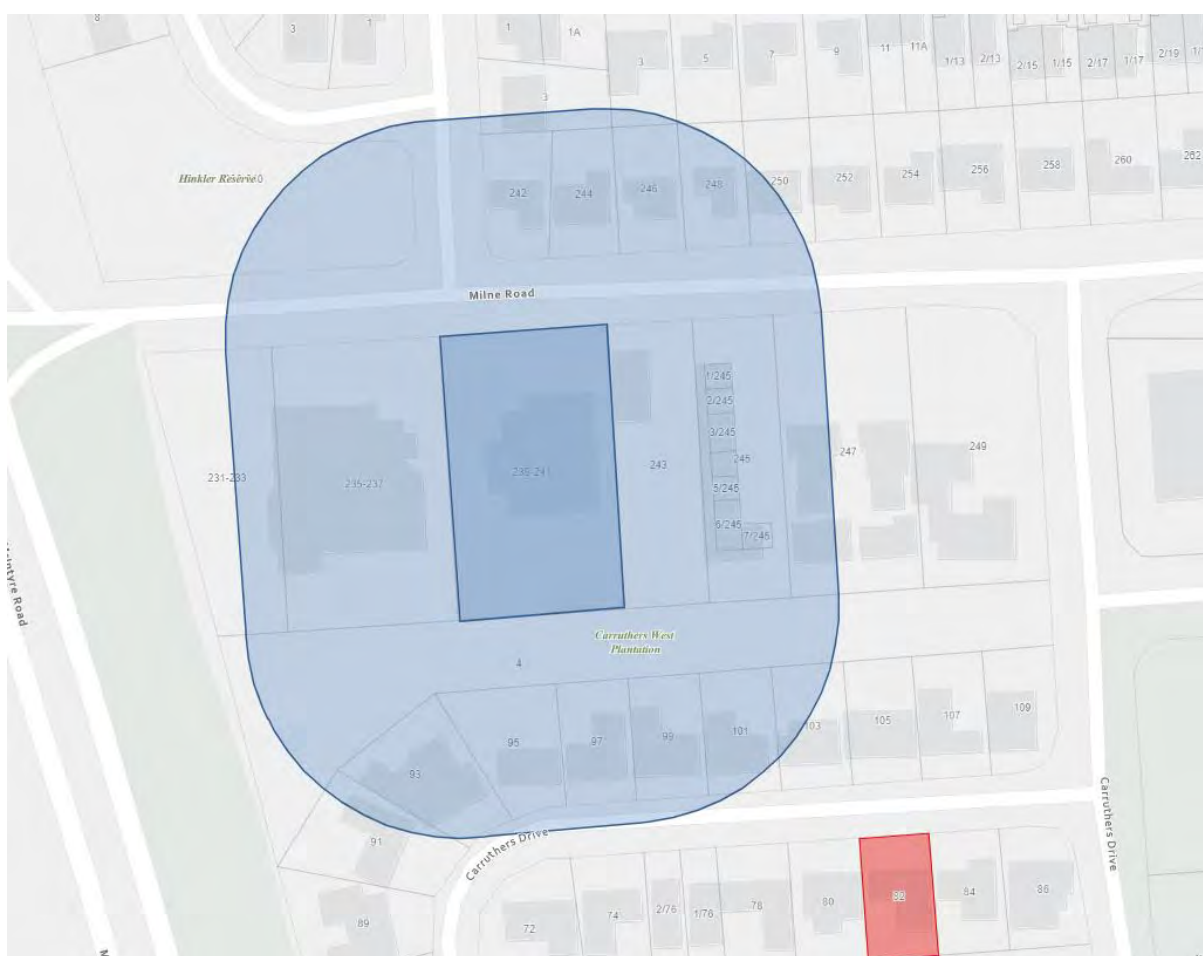


Figure 3: Representation of the properties notified of the proposed development

Two representations were received that do not support the development and one of the representors wishes to be heard.

The main concerns raised by the representations are listed below –

- Intensification of the noise impacts from the existing church on the adjoining site and the previous indoor recreation centre.
- Traffic

The representations were forwarded to the applicant to respond.

A copy of the representation received can be found in Attachment 5.

A brief of the applicant's response is as follows –

- The Applicant intends to relocate its existing youth group program from its current building to a proposed auditorium in the former indoor recreation centre. The youth program includes Friday night and Sunday morning gatherings for approximately 90 participants.
- The Friday night gatherings start around 7.00 pm and the facility is generally closed by 10.30 pm. Any live music performed in the proposed auditorium will generally be finished by 10.00 pm. This is no different to the current use of the auditorium in the church building.
- The Applicant has also confirmed soundproofing measures have been applied to the proposed auditorium. This includes 'Sound break' acoustic insulation, 25-millimetre Troldekt acoustic panelling to the ceiling, a stud wall being constructed with 13-millimetre 'Soundchek' gyprock sheeting and acoustic insulation, and 'Soundchek' gyprock sheeting being applied to the original internal Besser block walls.
- The occupation of the subject land by the Church will improve parking conditions within the area as the church will now have exclusive access to the 53 on-site parks provided on the subject land. Theoretically, there should be a decrease in parking overflow as there will no longer be competing car parking demands between different land uses.
- The proposed development does not seek to alter any existing ingress/egress points and the movement of vehicles on Milne Road is unlikely to be affected in a detrimental manner as a result of the change of land use. As noted previously, the proposed development is unlikely to create greater traffic generation, especially during peak movement periods.

The response to the representations can be found within Attachment 6.

5. Agency Referrals

2.

None

6. Internal Referrals

6.1. Traffic

Council's Traffic Engineer has reviewed the application and found the proposed turn paths and parking acceptable with the following comment –

- *“We went back through various aerial images and the pavement markings align with the plan and are available on site. We did review dimensions against AS2890.1 and these align with Class 1 (residential / domestic), and are 200mm too narrow for short term parking. Given though this is an existing car park and the new use is consistent with the former use we're not recommending to adjust. We did review the turn paths and these are considered acceptable.”*

7. Planning Assessment

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Section 8 of this report, and are available on Council's website as a supplementary document.

Land Use

The **Employment Zone Desired Outcome (DO) 1** envisages *“A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zone accommodating significant industrial, shopping and business activities”*.

Employment Zone Performance Outcome (PO) 1.1 envisages *“a range of employment-generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect the local community”*.

This PO is informed by the **Zone Designated Performance Feature (DPF) 1.1** which states *Development comprises of one or more of the following:*

- (a) *Advertisement*
- (b) *Consulting room*
- (c) *Indoor recreation facility*
- (d) *Light industry*
- (e) *Motor repair station*
- (f) *Office*
- (g) *Place of worship*
- (h) *Research facility*
- (i) *Retail fuel outlet*
- (j) *Service trade premises*
- (k) *Shop*
- (l) *Store*
- (m) *Telecommunications facility*
- (n) *Training facility*
- (o) *Warehouse*

A place of worship is listed as an envisaged form of development in the Employment Zone. It is acknowledged that the principal purpose of the Zone is to support the local community.

The proposed use is intended to be used primarily by Revival City Church congregation to support existing programs that the church is already running on the adjoining site of 231-237 Milne Road, Modbury North.

For example, some of the activities would include a larger and more inclusive space with a sensory room for the Sunday Kids Program. The proposed layout will allow a more functional youth facility for the current Friday night program. The space allows for expansion of the existing Community Morning Tea program which provides connection and fresh food to the community.

The site is located within a locality comprising a mix of uses at the interface of Employment Zone and General Neighbourhood Zone. There are a number of commercial, employment and light-industrial uses in the locality including that of the subject site. The locality is somewhat influenced by the high vehicular traffic carried along the two arterial roads in the proximity which impacts upon the residential amenity by the way of noise, vibration, frequency and times of movements.

The location of this site is at an interface with the General Neighbourhood Zone and Employment, and front Milne Road. Along with the presence of light industrial and commercial uses in the locality, there is justification for consideration of the proposed use in this locality based on the existing range of uses nearby.

Whilst the service provided by the development is not restricted to 'local' catchment, it does have the ability to serve the local community.

Indoor recreation, classrooms, café and other activities proposed are determined to be ancillary to the main use.

On this basis, the proposed land use is considered to be suitable for the site and satisfies **Zone DO 1, and PO 1.1.**

Quantitative Provisions – setback, building height, design and appearance

Employment Zone DPF 3.1 states the minimum setback from the primary street as being the average setback of the existing buildings on the abutting site sharing the same street frontage as the site of the proposed building. **Zone DPF 3.2** states that *building walls are no closer than 2m to the secondary street boundary.* **Zone DPF 3.4** states that *building walls are set back at least 3m from at least one side boundary, unless an alternative means for vehicular access to the rear of the site is available.* **Zone DPF 3.5** states that *the maximum building height is 2 levels and 9m.*

The existing building has one level, 7.1m in height, is setback 17m from the primary street northern boundary, 31m from the southern rear boundary, 9m from the western side boundary and 2.5m from the eastern side boundary.

Since the application does not propose the construction of a new building or any additions to the existing building, **Zone DPF 3.1, 3.2, 3.4, 3.5** do not form a part of the assessment.

Traffic Impact, Access and Parking

Transport, Access and Parking DPF 5.1 provides a rate for parking calculation based on the proposed land use. Table 1 – General Off-Street car parking states that for a Place of Worship, 1 space is required for every 3 visitors.

The applicant has stated that the maximum number of visitors would be 120 people. This would require 40 spaces.

The proposed development has made a provision of 53 parking spaces. The surplus parking spaces are to be used to alleviate parking pressures on the adjoining existing church during the peak periods.

The application has demonstrated sufficient parking and **Transport, Access and Parking PO 5.1** is satisfied.

Environmental Factors

Landscaping

Employment Zone DPF 5.1 *“other than to accommodate a lawfully existing or authorised driveway or access point, or an access point for which consent has been granted as part of an application for the division of land, a landscaped area is provided within the development site:*

- (a) *where a building is set back less than 3m from the street boundary - 1m wide or the area remaining between the relevant building and the street boundary where the building is less than 1m from the street boundary*
- 3. *or*
- (b) *in any other case - at least 1.5m wide.”*

Employment Zone DPF 5.2 also states that *“Landscape areas comprise:*

- (a) *not less than 10 percent of the site*
- (b) *a dimension of at least 1.5m.”*

The majority of existing allotment is already paved and sealed. There is a small section of the site along the northern boundary that is pervious to water. The applicant has proposed no new landscaping plan to soften the appearance of the allotment. Since the impact is existing, **Zone DPFs 5.1 and 5.2** are satisfied.

Noise Emissions

Interface between Land Uses PO 1.2 states that “*development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.*”

Interface between Land Uses PO 4.1 states that “*development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*”

This is informed by **Interface between Land Uses DPF 4.1** that states “*noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria*”.

Further, **Interface between Land Uses PO 4.6** states that “*development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers*”.

This is informed by **Interface between Land Uses DPF 4.6** “*development incorporating music includes noise attenuation measures that will achieve the following noise levels:*

<i>Assessment location</i>	<i>Music noise level</i>
<i>Externally at the nearest existing or envisaged noise sensitive location</i>	<i>Less than 8dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum ($LOCT_{10,15} < LOCT_{90,15} + 8dB$)</i>

The applicant has stated that they intend to relocate their existing youth group program from its current building on the adjoining property to a proposed auditorium on the subject site. The youth program includes Friday night and Sunday morning gatherings for approximately 90 participants.

The Friday night gatherings start around 7.00 pm and the facility is generally closed by 10.00 pm. Any live music performed in the proposed auditorium will generally be finish by 10.00 pm. This is no different to the current use of the auditorium in the church building.

Since 2020, Council has received 7 complaints regarding the noise generated from the existing church use, specifically music (low frequency bass), sometimes reported to be as late as 11pm. The proposed activities in the subject site would intensify the land use and any impacts on adjoining properties.

The applicant has stated that the “proposed auditorium is much smaller in size to the existing auditorium of the main church building and provides a more intimate setting appropriate for the Church’s youth. The area will have significantly smaller music/lighting production set up than the main auditorium of the existing church building and live music performed within the proposed auditorium will be much smaller in scale and production, and produced at lower noise volumes than currently emitted within the existing church building”.

The Applicant has also confirmed soundproofing measures have been applied to the proposed auditorium. This includes ‘Sound break’ acoustic insulation, 25-millimetre Troldekt acoustic panelling to the ceiling, a stud wall being constructed with 13-millimetre ‘Soundchek’ gyprock sheeting and acoustic insulation, and ‘Soundchek’ gyprock sheeting being applied to the original internal Besser block walls.

While the applicant has proposed soundproofing measures, without an expert report from a qualified acoustic engineer it is difficult to assess the impact and whether the soundproofing measures proposed would be enough.

In the matter of PC Infrastructure Pty Ltd v City of Mitcham Council Assessment Panel [2023] SAERDC 14, the Court concluded that “(50)..the impact of the development in our opinion can only be assessed by way of evidence, including expert evidence. The impact is a matter of degree, the assessment of which must be assessed by reference to evidence”. In light of complaints over the past few years and taking this viewpoint, assessing the impact of the ancillary activities of land use, especially music, by the way of the proposed addition to existing place of worship without expert evidence is difficult.

The Environment Protection (Noise) Policy 2007 was repealed on 30 October 2023 and replaced with Environment Protection (Commercial and Industrial Noise) Policy 2023. Schedule 1, Part 2, section (a) excludes “*noise from activities carried on in the ordinary course of the operation of a place of worship*”.

Guidance from case law, notably Parkins v Adelaide Hills Council Assessment Manager [2022] SAERDC 12, Adelaide Hills Council Assessment Manager v Parkins & Anor [2023] SASCA 66 and Geber Super Pty Ltd v The Barossa Assessment Panel [2022] SASC 154, advise that DPFs are to be used to assist in the interpretation of the POs however they are not policies in their own right. Just because a DPF is met, it does not mean that the corresponding PO is necessarily met.

While activities carried out in the ordinary course of operation for a place of worship might be exempt from Environment Protection (Commercial and Industrial Noise) Policy 2023, expert evidence is still required to demonstrate that the ancillary activities do not unreasonably impact the amenity of sensitive receivers, especially considering the extended hours of operation (until 10.00pm) and the complaints received over the last few years.

Considering the above discussion, **Interface between Land Uses PO 4.1 and PO 4.6** is not satisfied.

Hours of Operation

Interface between Land Uses DO 1 states that *“Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.”*

Interface between Land Uses PO 2.1 states that *“Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:*

- (a) the nature of the development*
- (b) measures to mitigate off-site impacts*
- (c) the extent to which the development is desired in the zone*
- (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land”.*

The associated DPF 2.1 states that acceptable hours of operation for a shop are 7am to 9pm, Monday to Friday, and 8am to 5pm Saturday and Sunday.

Place of worship is not a listed use within the DPF. The hours of operation of the proposed development are 9am – 10pm Monday to Friday and 9am – 6pm on Sunday. The applicant has advised that the place of worship will not be used on Saturdays.

Given the complaints received by Council on the existing operations of the church, the intensification of use and impacts on nearby properties, and the lack of expert evidence regarding the noise emissions and subsequent impacts, the hours of operation are not considered reasonable. It is difficult to assess the impact of the proposed intensification of use on sensitive receivers, and as a result it is considered that **Interface between Land Uses PO 2.1** has not been satisfied.

Considering that evidence has not been provided to demonstrate that the ancillary activities do not unreasonably impact the amenity of sensitive receivers, the extended hours of operation and complaints received over the past few years, **Interface between Land Uses DO 1** is not satisfied.

Signage

Advertisements DPF 1.1 states *“Advertisements attached to a building satisfy all of the following:*

- (a) Are not located in a Neighbourhood-type zone*
- (b) Where they are flush with a wall:*

- i. *If located at canopy level, are in the form of a fascia sign.*
- ii. *If located above canopy level:*
 - A. *Do not have any part rising above the parapet height*
 - B. *Are not attached to the roof of the building.*
- (e) *If located at canopy level, are in the form of a fascia sign*
- (i) *Where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building façade to which they are attached”*

Advertisement DPF 2.3 states “advertisements satisfy all of the following:

- (a) *Are attached to a building*
- (b) *Other than in a neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building façade to which they are attached*
- (c) *Do not result in more than one sign per occupancy that is not flush with a wall”.*

The application proposes signage which replaces the existing signage located on the primary front elevation of the dwelling. The sign is placed 3.15m from the ground level and is 2.5m high.

The signage is not located in a neighbourhood-type zone, is located at canopy level in the form of a fascia sign, and does not have any part rising above the parapet height.

The signage on the primary frontage of the building is approximately 12.7% of the building façade to which they are attached. **Advertisements DPF 1.1** is satisfied.

Advertisements DPF 2.1 states “no more than one freestanding advertisement is displayed per occupancy”, and has been met as no freestanding advertisement are proposed in this application.

Advertisement DPF 3.1 states “advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement”. The signage proposed is to advertise the proposed activities on the site. **Advertisement DPF 3.1** is satisfied.

Advertisement PO 4.1 requires “light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers”, and **Advertisements PO 5.2** states “Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination”.

No illuminated signage is proposed, **Advertisements PO 4.1 and 5.2** are satisfied.

8. Planning and Design Code Policies

Employment Zone

DO 1, DO 2, PO 1.1, PO 5.1, PO 5.2, PO 6.1

Advertisement

DO 1, PO 1.1, PO 1.3, PO 1.5, PO 2.1, PO 2.3, PO 4.1, PO 5.2, PO 5.6

Clearance from Overhead Powerlines

DO 1, PO 1.1

Interface between Land Uses

DO 1, PO 1.1, PO 1.2, PO 2.1, PO 4.1, PO 4.2, PO 4.6

Transport, Access and Parking

DO 1, PO 5.1, PO 10.1

9. Conclusion

The application is for change of use from an indoor recreation centre to a place of worship and ancillary uses comprising of church services and ancillary activities including classrooms, basketball court, indoor playground, café and signage. The proposed hours of operation are 9am to 10.00pm Monday to Friday, and 9am-6pm Sunday.

The adjoining site 231-238 Milne Road is already operating as place of worship. The proposed application results in the intensification of current use and the impacts.

The applicant has not demonstrated that the impacts on sensitive receivers will be mitigated by the way of evidence.

On balance, it is considered that the proposal is not seriously at variance with the Planning and Design Code and does not accord with the relevant provisions of the Code to warrant consent.

8. RECOMMENDATION

That pursuant to the authority delegated to the Council Assessment Panel, the Council Assessment Panel:

- A. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- B. Development Application number 23029094 by Revival City Church is refused Planning Consent subject to the following reasons:

The proposed development has failed to demonstrate by way of evidence that it has been designed to mitigate adverse effects on the adjoining residential land uses and sensitive receivers. The proposed change of use and the associated ancillary activities will unreasonably impact nearby sensitive receivers by way of noise and hours of operation.

In particular, it falls short of the following:

i. Interfaces between Land Uses DO 1

Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

ii. General Development Policies – Interface between Land Uses PO 1.2

Development adjacent to a site containing a sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers is designed to minimise adverse impacts.

iii. General Development Policies – Interface between Land Uses PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- (a) The nature of the development
- (b) Measures to mitigate off-site impacts
- (c) The extent to which the development is desired in the zone
- (d) Measures that might be taken in adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of the land.

iv. General Development Policies – Interface between Land Uses PO 4.1

Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers)

v. General Development Policies – Interface between Land Uses PO 4.6

Development incorporating music achieves suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver) or zone primarily intended to accommodate sensitive receivers.

Advisory Notes

General Notes

1. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

2. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Attachments

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Report Authorisers

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Nathan Grainger Manager City Development	8397 7200
Michael Pereira General Manager Community Services	8397 7377

23029094 – 239-241 Milne Road Modbury North

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Development Locations

Location 1

Location reference

239-241 MILNE RD MODBURY NORTH SA 5092

Title Ref

CT 5215/357

Plan Parcel

F15424 AL51

Additional Location Information**Council**

CITY OF TEA TREE GULLY

Zone Overlays

Zones

- Employment

Sub-zones

(None)

Overlays

- Airport Building Heights (Regulated)
- Building Near Airfields
- Defence Aviation Area
- Hazards (Flooding - Evidence Required)
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development

Variations

- Maximum Building Height (Metres) (Maximum building height is 9m)
- Maximum Building Height (Levels) (Maximum building height is 2 levels)

Application Contacts

Applicant(s)

Stakeholder info

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5074
Tel. 0411203354
ahdesignanddrafting@gmail.com

Invoice sector type

Land owners

Stakeholder info

Revival City Church
231-233 MILNE ROAD
MODBURY NORTH
SA
5092
Tel. 0403 076 430
jonathan@revivalcity.church

Nature Of Development

Nature of development

Proposed change of use & internal renovations to existing building

Development Details

Current Use

Retail Commercial

Proposed Use

Place of Worship

Development Cost

\$200,000.00

Proposed Development Details

Proposed change of use & internal renovations to existing building

Element Details

You have selected the following elements

Change of use - \$10,000.00

Other - Commercial/Industrial - \$190,000.00

- Internal fit out for a place of worship

Regulated and Significant Trees

Does the application include any works that will result in damage (includes impacts to roots and pruning) or removal to regulated or significant tree(s) on the site or neighbouring land?

No

Commercial & Industrial Elements

Does the application include signage?

No

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

No

Certificate of Title information submitted by applicant

Does the Certificate of Title (CT) have one or more constraints registered over the property?

No

Consent Details

Consent list:

- Planning Consent
- Building Consent

Have any of the required consents for this development already been granted using a different system?

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at City of Tea Tree Gully

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Relevant Authority

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if

constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
RCC - Certificate of Title.pdf	Certificate of Title	3 Oct 2023 11:10 AM
23- 139_PLANNING_D.pdf	Planning Documents	3 Oct 2023 11:10 AM

Application Created User and Date/Time

Created User

andrew.holliday1

Created Date/Time

3 Oct 2023 11:10 AM



Product Register Search (CT 5215/357)
Date/Time 06/12/2019 11:24AM
Customer Reference
Order ID 20191206003915



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5215 Folio 357

Parent Title(s) CT 4094/105
Creating Dealing(s) CONVERTED TITLE
Title Issued 19/09/1994 Edition 6 Edition Issued 01/08/2007

Estate Type

FEE SIMPLE

Registered Proprietor

LIVIO CHIALI
OF 73 FIFTH AVENUE JOSLIN SA 5070

Description of Land

ALLOTMENT 51 FILED PLAN 15424
IN THE AREA NAMED MODBURY NORTH
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL

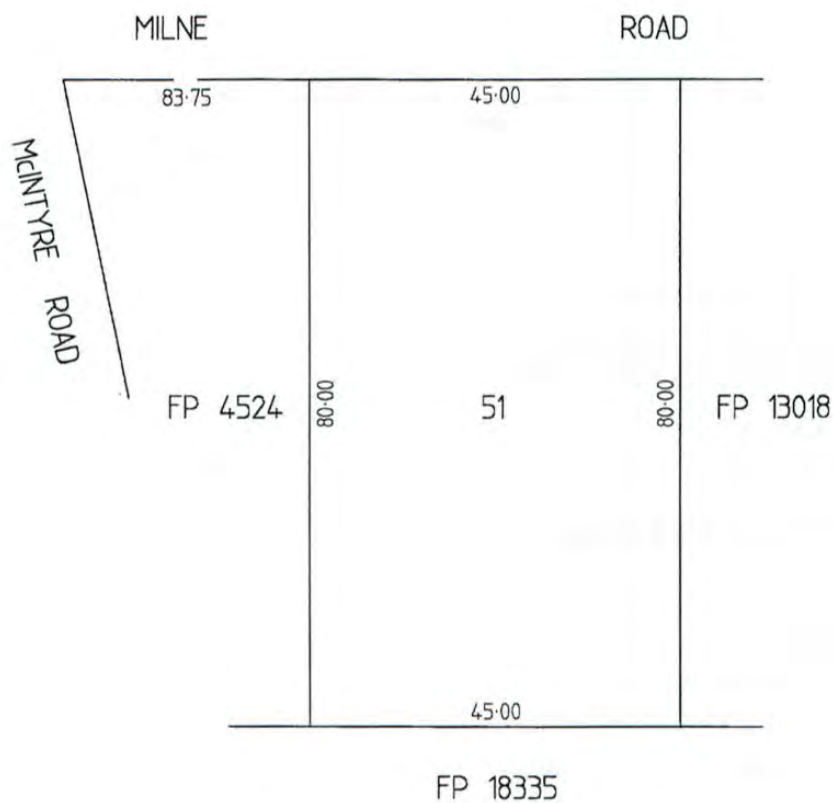


Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5215/357)
06/12/2019 11:24AM
20191206003915

Item 4.1

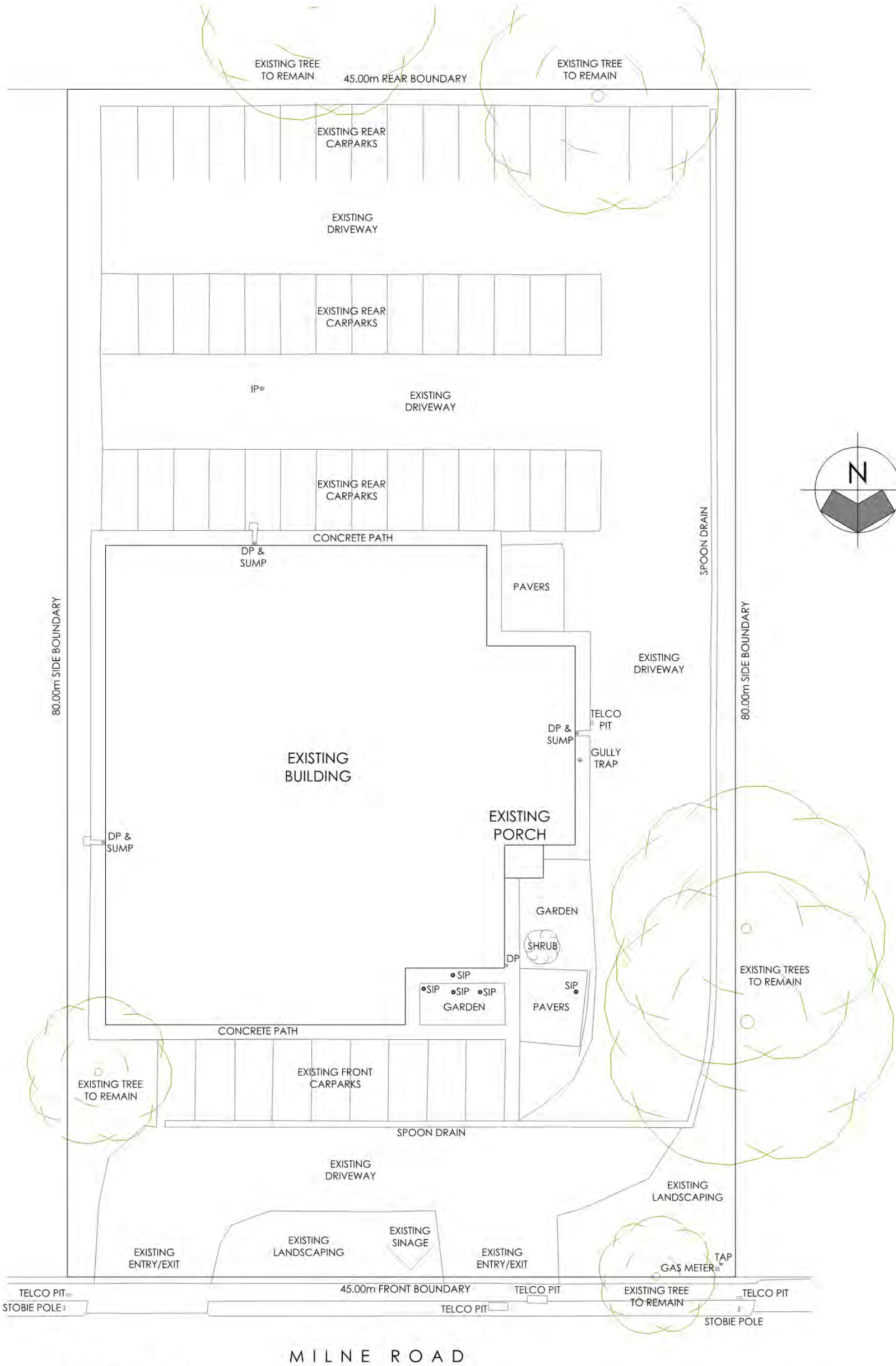
Attachment 3



0 7.5 15 22.5 30 Metres

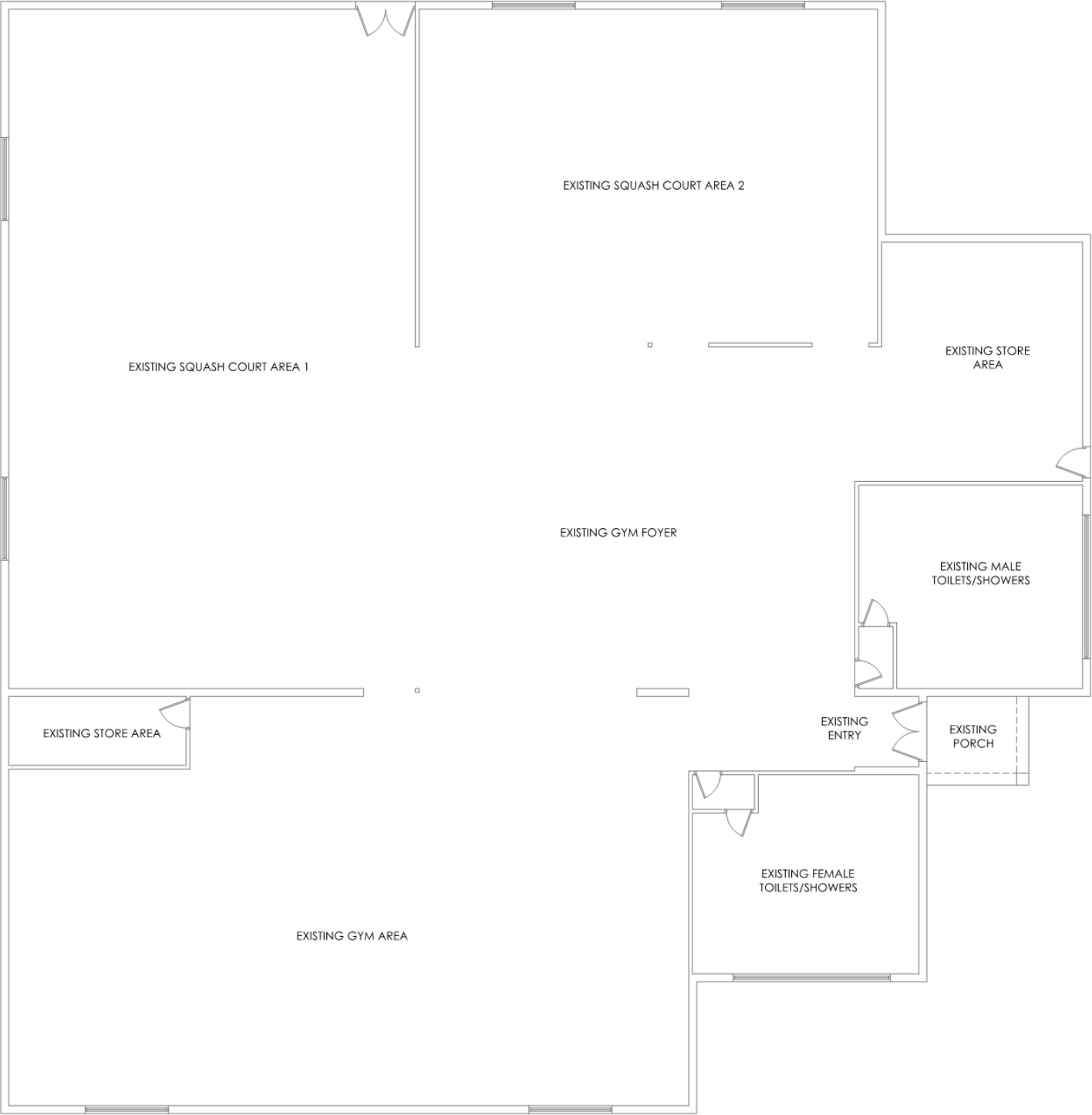
PROPOSED INTERNAL RENOVATIONS
TO EXISTING BUILDING
AT
239 - 241 MILNE ROAD
MODBURY NORTH SA
FOR
REVIVAL CITY CHURCH

<div>AH Design & Drafting</div> <div>ABN 18 695 864 270</div> <div>Email: ahdesignanddrafting@gmail.com</div> <div>Mobile: 0411 203 354</div>		PLANNING DRAWINGS ONLY (NOT FOR CONSTRUCTION)	
© COPYRIGHT. These drawings are copyright and remain the exclusive property of AH Design & Drafting. Reproduction of the whole or any part of these drawings without written permission is prohibited.		Designer/Drafter:	Date:
		ANDREW HOLLIDAY	NOVEMBER 2023
		Sheet: 1 OF 7	COVER SHEET
Figured dimensions shall take preference over scaled drawings. Contractors shall verify all dimensions prior to commencement and notify builder of any discrepancies.		ISSUE-E	



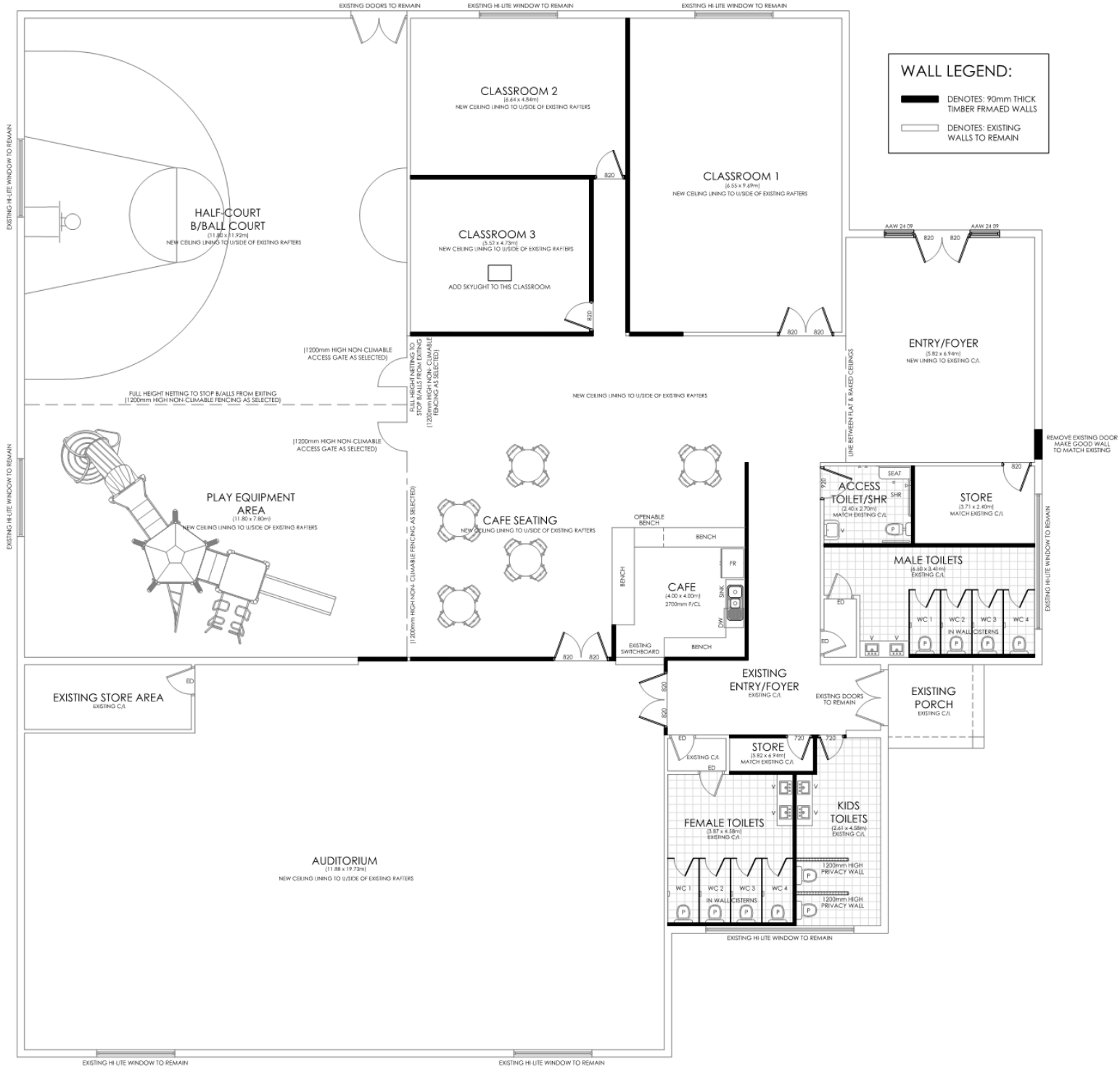
SITE PLAN
SCALE 1:250 (A3)

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Project: PROPOSED INTERNAL RENOVATIONS TO EXISTING BUILDING		SHEET: 2 OF 7		SITE PLAN	
Street: 239 - 241 MILNE ROAD		Designer/Drafter: ANDREW HOLLIDAY		AMENDMENTS:	
Suburb: MODBURY NORTH SA				Date: 25/9/23	Detail: 26/9/23
Client: REVIVAL CITY CHURCH				27/9/23	10/11/23
		Scale: AS DETAILED		AMENDMENTS AS PER CLIENT	
		Sheet Size: A3		AMENDMENTS AS PER CLIENT	
		Job No: 23-139		AMENDMENTS AS PER CLIENT	
		Drawing Issue: E		AMENDMENTS AS PER COUNCIL RFI	



EXISTING FLOOR PLAN
SCALE 1:150 (A3)

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		Email: ahdesignanddrafting@gmail.com Mobile: 0411 203 354		ISSUE: PLANNING DRAWINGS	DATE: NOVEMBER 2023	
Project: PROPOSED INTERNAL RENOVATIONS TO EXISTING BUILDING		SHEET: 3 OF 7	EXISTING FLOOR PLAN		AMENDMENTS:	
Street: 239 - 241 MILNE ROAD		Designer/Drafter: ANDREW HOLLIDAY	Date:	Date:	AMENDMENTS AS PER CLIENT	
Suburb: MODBURY NORTH SA			Scale:	AS DETAILED	25/9/23	AMENDMENTS AS PER CLIENT
Client: REVIVAL CITY CHURCH			Sheet Size:	A3	26/9/23	AMENDMENTS AS PER CLIENT
			Job No:	23-139	27/9/23	AMENDMENTS AS PER COUNCIL RFI
		Drawing Issue:	E	10/11/23		



PROPOSED FLOOR PLAN
SCALE 1:150 (A3)

NOTE: ALL WRITTEN ROOM DIMENSIONS ARE CHECK ON SITE

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Project: PROPOSED INTERNAL RENOVATIONS TO EXISTING BUILDING		SHEET: 4 OF 7	PROPOSED FLOOR PLAN		AMENDMENTS:	
Street: 239 - 241 MILNE ROAD					Date:	Detail:
Suburb: MODBURY NORTH SA					25/9/23	AMENDMENTS AS PER CLIENT
Client: REVIVAL CITY CHURCH					26/9/23	AMENDMENTS AS PER CLIENT
		Designer/Drafter: ANDREW HOLLIDAY	Scale:	AS DETAILED	27/9/23	AMENDMENTS AS PER COUNCIL RFI
			Sheet Size:	A3	10/11/23	
			Job No:	23-139		
			Drawing Issue:	E		



FRONT ELEVATION (BUILDING SIGNAGE)
SCALE 1:100 (A3)

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Project: PROPOSED INTERNAL RENOVATIONS TO EXISTING BUILDING		Email: ahdesignanddrafting@gmail.com Mobile: 0411 203 354		ISSUE: PLANNING DRAWINGS	DATE: NOVEMBER 2023
Street: 239 - 241 MILNE ROAD Suburb: MODBURY NORTH SA Client: REVIVAL CITY CHURCH		SHEET: 7 OF 7	FRONT ELEVATION (BUILDING SIGNAGE)	AMENDMENTS:	
		Designer/Drafter: ANDREW HOLLIDAY	Scale: AS DETAILED Sheet Size: A3 Job No: 23-139 Drawing Issue: E	Date: 25/9/23 26/9/23 27/9/23 10/11/23	Detail: AMENDMENTS AS PER CLIENT AMENDMENTS AS PER CLIENT AMENDMENTS AS PER CLIENT AMENDMENTS AS PER COUNCIL RFI



FRONT ELEVATION
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE



SIDE ELEVATION
NOT TO SCALE

GENERAL NOTES:
ALL ALTERATIONS TO THIS
BUILDING ARE ON THE INTERIOR -
NO CHANGE TO THE
EXTERIOR OF THE BUILDING

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				ISSUE: PLANNING DRAWINGS	DATE: NOVEMBER 2023	
Project: PROPOSED INTERNAL RENOVATIONS TO EXISTING BUILDING		SHEET: 5 OF 7	ELEVATIONS 1		AMENDMENTS:	
Street: 239 - 241 MILNE ROAD		Designer/Drafter: ANDREW HOLLIDAY	Scale:	AS DETAILED	Date:	Detail:
Suburb: MODBURY NORTH SA			Sheet Size:	A3	25/9/23	AMENDMENTS AS PER CLIENT
Client: REVIVAL CITY CHURCH			Job No:	23-139	26/9/23	AMENDMENTS AS PER CLIENT
			Drawing Issue:	E	27/9/23	AMENDMENTS AS PER CLIENT
				10/11/23	AMENDMENTS AS PER COUNCIL RFI	



SIDE ELEVATION

NOT TO SCALE



REAR ELEVATION

NOT TO SCALE



REAR ELEVATION

NOT TO SCALE



REAR ELEVATION

NOT TO SCALE



SIDE ELEVATION

NOT TO SCALE

GENERAL NOTES:
ALL ALTERATIONS TO THIS
BUILDING ARE ON THE INTERIOR -
NO CHANGE TO THE
EXTERIOR OF THE BUILDING

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		Email: ahdesignanddrafting@gmail.com Mobile: 0411 203 354		ISSUE: PLANNING DRAWINGS	DATE: NOVEMBER 2023
Project: PROPOSED INTERNAL RENOVATIONS TO EXISTING BUILDING		SHEET: 6 OF 7	ELEVATIONS 2		AMENDMENTS:
					Date:
Street: 239 - 241 MILNE ROAD		Designer/Drafter: ANDREW HOLLIDAY	Scale:	AS DETAILED	25/9/23
Suburb: MODBURY NORTH SA			Sheet Size:	A3	26/9/23
			Job No:	23-139	27/9/23
Client: REVIVAL CITY CHURCH			Drawing Issue:	E	10/11/23
					AMENDMENTS AS PER CLIENT
					AMENDMENTS AS PER CLIENT
					AMENDMENTS AS PER CLIENT
					AMENDMENTS AS PER COUNCIL RFI

Singh, Rhiya

From: Andrew Holliday <ahdesignanddrafting@gmail.com>
Sent: Wednesday, 14 February 2024 3:43 PM
To: Singh, Rhiya
Subject: Re: DA 23029094 - 239-241 Milne Road, Modbury North

EXTERNAL SENDER: Exercise caution before clicking on any links or opening attachments.

Good Afternoon Rhiya,

I have just spoken to Jonathan and he has said that on these special occasions/days the amount of people would be **150 max.**

These special occasions/days are only going to be held in the existing church and **will not involve the subject site.**

Please don't hesitate to contact me if you have any further questions.

On Wed, Feb 14, 2024 at 3:35 PM Singh, Rhiya <rhiya.singh@cttg.sa.gov.au> wrote:

Hey Andrew,

In relation to your response

"Special occasions/days where you expect the number of people to exceed the expected number of 120 people on the subject site? If so, how many times a year? Would the timings of operation be different on those days?"

I would expect this happen maybe 4-5 times across a year. Any events that we anticipate that would be larger would take place in our existing building. In terms of timing - I wouldn't for see live music to playing past 10pm."

How many people do you expect on these days? And would these be spread across the two sites? If yes, how many would be visiting the subject site?

Kind regards,

Rhiya Singh | Planning Officer
 City of Tea Tree Gully
 Civic Centre, 571 Montague Road, Modbury

D 08 8397 7244 | **T** 08 8397 7444

Postal Address 571 Montague Road, Modbury, SA 5092
teatreegully.sa.gov.au

From: Andrew Holliday <ahdesignanddrafting@gmail.com>
Sent: Wednesday, 14 February 2024 3:31 PM

To: Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>
 Subject: Re: DA 23029094 - 239-241 Milne Road, Modbury North

EXTERNAL SENDER: Exercise caution before clicking on any links or opening attachments.

Good Afternoon Rhiya,

I have copy and pasted the response to your questions from Jonathan for the development above below :

Number of people/visitors the existing church at 235-237 Milne Road gets (especially on Sunday).

A typical Monday to Friday 9-5 there would be 5 - 30. Across an entire Sunday it would be approx. 500 people (we have multiple services across the whole day)

Friday night of the school term our youth program runs with approx. 70 - 100 people. Live music would play from 6 - 9.30pm then pack up and lock up by 11pm.

Operating hours of the existing church

The church operates with typical office hours. As stated we have a youth program Friday night, not much activity occurs on a Saturday, then we have our Sunday services which normally comprise a morning and evening service

However being a church/community of people we have meetings & events that happen on weekends and weeknights. For example, we host 3 conferences per year plus Christmas and Easter events etc.

Special occasions/days where you expect the number of people to exceed the expected number of 120 people on the subject site? If so, how many times a year? Would the timings of operation be different on those days?

I would expect this happen maybe 4-5 times across a year. Any events that we anticipate that would be larger would take place in our existing building. In terms of timing - I wouldn't for see live music to playing past 10pm.

Clarification on operation of hours – response to reps state that Monday – Friday, the operation of hours will be till 10 PM, however, previous documentation stated that the hours of operations will be till 9PM on weekdays. Which one do you wish to proceed forward with?

I wish to proceed with the hours of 10pm. This would be on special occasions / events (ie. only a limited time per year, again our larger activities will take place in the existing church) The 10pm also gives us a buffer for Friday night youth - which again as stated, live music typically finishes by 930pm.

Thanks

Jonathan

Kind Regards,



Andrew Holliday

M. 0411 203 354

E. ahdesignanddrafting@gmail.com

Kind Regards,



Andrew Holliday

M. 0411 203 354

E. ahdesignanddrafting@gmail.com

9th October 2023

Applicant : Revival City Church
Development ID : 23029094
Address : 239-241 Milne Road MODBURY NORTH

To Whom it may concern,

I am writing to you in regards to the RFI Letter received 9/10/23.

The mandatory information requested is noted below :

1. description of the type of business proposed :
 - **Place of Worship**
 description of machinery required and location within the building :
 - **Not Applicable**
 description of internal processes/activities to be carried out :
- Seniors Chapel service, kids club church program, community basketball activities, Sensory room for families, community morning tea
 - the total number of staff to occupy the site at any one time :
- Peak times I would say 6 otherwise 1-2 - dependant upon activities
 - days and hours of operation :
- Sunday 9am - 6pm.
Weekdays will depend on program and activities. Anywhere from 9am - 9pm.
Our main office will still be at 231 Milne road.
 - description of any potential noise and traffic impacts created by the proposed land use, including details on how these impacts will be minimised :
- Not Applicable
2. Details of any signage / advertisements for the site, including the graphics and whether the signage will be illuminated :
- Signage of the place of worship has been added already to the front wall of the building (please refer images on planning drawings for graphics) and it is not to be illuminated.

Please do not hesitate to contact Andrew Holliday (AH Design & Drafting) for further information needed on 0411 203 354 or email : ahdesignanddrafting@gmail.com

Kind regards,


 Andrew Holliday

14th November 2023

Applicant : Revival City Church
Development ID : 23029094
Address : 239-241 Milne Road MODBURY NORTH

To Rhiya,

I am writing to you in regards to the RFI Letter received 14/11/23.

The mandatory information requested is noted below :

- I would anticipate the maximum number of patrons to access the building across a week day to be 20 people.
- I would anticipate the maximum number of patrons to access the building across a Friday night to be 80 people.
- I would anticipate the maximum number of patrons to access the building across a Sunday to be 120 people.
- The building will not be used on a Saturday on a regular occurrence so I can't nominate a maximum number of people on this day.

Please do not hesitate to contact Andrew Holliday (AH Design & Drafting) for further information needed on 0411 203 354 or email : ahdesignanddrafting@gmail.com

Kind regards,


Andrew Holliday

26th October 2023

Applicant : Revival City Church
Development ID : 23029094
Address : 239-241 Milne Road MODBURY NORTH

To Rhiya,

I am writing to you in regards to the RFI Letter received 26/10/23.

The mandatory information requested is noted below :

- The space is intended to be used primarily by our church congregation to support existing programs that the church is already running. For example a larger and more inclusive space with a sensory room for our Sunday Kids Program. A more functional youth facility for our current Friday night program. The expansion of our existing Community Morning Tea program which provides connection and fresh food to the community. Our church is committed to our local community so an expansion of programs with the new facility would be of interest to us but as of yet there are no plans. It is our view that the new facility will primarily enable us to better run what we are already doing. It is not our intention to open a 'cafe' or operate a business.
- I would anticipate the number of patrons to access the building across an average week day to be 20 people.

Please do not hesitate to contact Andrew Holliday (AH Design & Drafting) for further information needed on 0411 203 354 or email : ahdesignanddrafting@gmail.com

Kind regards,


Andrew Holliday

Details of Representations

Application Summary

Application ID	23029094
Proposal	Change of use to place of worship comprising of church services, classrooms, basketball court, indoor playground, cafe and signage
Location	239-241 MILNE RD MODBURY NORTH SA 5092

Representations

Representor 1 - Carol Camilleri

Name	Carol Camilleri
Address	248 Milne Road MODBURY HEIGHTS SA, 5092 Australia
Submission Date	18/12/2023 04:34 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns

Reasons

I am greatly concerned with the traffic conditions and noise levels associated with the proposed development. Currently, the noise levels during the night are disturbing. It is hard to tell if they are coming from the gym or the church. Previously noises from the gym are far too loud and effect the neighbourhood. If there is no soundproofing to the proposed auditorium, this will continue to be a problem. There also needs to be a curfew for loud noise that is respected. In regards to traffic, at the conclusion of church services or events where there are a large number of people exiting the church at the same time, the flow of traffic on Milne Road becomes incredibly congested and it is next to impossible for residents to leave their own properties and also causes issues with cars turning onto Milne Road from Kingsford Smith Street. Adding a cafe and additional event areas will create more traffic and more issues. Another concern is a lack of car parks within Revival City Church for the number of patrons. Patrons are currently parking in the offices adjacent to the church and gym and on Milne Road that causes more traffic issues. I am concerned that the letter in the documents for this application doesn't fully consider the impacts to residents. Most importantly the mandatory information of the below has been dismissed as ' - not applicable" 1. description of any potential noise and traffic impacts created by the proposed land use, including details on how these impacts will be minimised. It is of great concern that additional patrons that will visit the newly proposed venue will exacerbate the current noise and traffic conditions that are unfavourable. Exploration of how noise and traffic issues will be minimised is necessary. ?? I appreciate your time and hope that these concerns can be addressed so we can easily access our home and not be disturbed with loud noise during the night.

Attached Documents

Representations

Representor 2 - Greg Richards

Name	Greg Richards
Address	95 Carruthers Drive MODBURY NORTH SA, 5092 Australia
Submission Date	19/12/2023 01:31 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons We would like them to comply with the EPA guidelines for noise levels which includes sound proofing. The current church plays loud music on Friday and other nights which is unreasonable to the adjoining residential properties. It would help if a suitably qualified acoustic engineer addressed this issue.	

Attached Documents



12 February 2024

Rhiya Singh
C/- City of Tea Tree Gully
Via: PlanSA Portal

Dear Rhiya

Re: Application ID 23029094
239-241 Milne Road, Modbury North
Response to Representations

MasterPlan has been engaged by Revival City Church (the Applicant) to respond to representations received during the notification of Development Application 23029094.

Two (2) representations were received during the notification period of the proposed development. We have summarized the representations and provide responses to the matters raised in each of the submissions.

Representation from Carol Camilleri of 248 Milne Road, Modbury Heights

Summary

The representation supports the proposed development but expressed concerns with existing noise and traffic conditions.

On the matter of noise, the representation states current noise levels during the night are disturbing but could not confirm whether it came from the former gym activities or the church. The representation notes noises from the former gym activities previously being too loud.

The representation contends noise will continue to be a problem if soundproofing is not provided to the proposed auditorium and a curfew for loud noise is not respected.

Regarding traffic, the representation notes the flow of traffic on Milne Road can become incredibly congested when many people are exiting the church at the same time, and this presents challenges for residents attempting to leave their own properties. There is concern the addition of a cafe and additional event areas will create more traffic and more issues.

Another concern included in the representation is a lack of on-site car parking and the impact this has on Milne Road.



33 Carrington Street
Adelaide SA 5000
(08) 8193 5600
www.masterplan.com.au

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ISO 9001:2015 Certified
ABN 30 007 755 377
plan@masterplan.com.au

53791LET01



In conclusion, the representation contains concerns that additional patrons will exacerbate the current noise and traffic conditions and requests details on how these impacts will be minimised.

Response

Noise

It is noted the subject land is within an Employment Zone and a Place of Worship is an envisaged land use. It is also noted the proposed development involves an existing place of worship utilising a former indoor recreational centre on the adjoining site of its current premises and operations.

The Applicant intends to relocate its existing youth group program from its current building to a proposed auditorium in the former indoor recreation centre. The youth program includes Friday night and Sunday morning gatherings for approximately 90 participants.

The Friday night gatherings start around 7.00 pm and the facility is generally closed by 10.30 pm. Any live music performed in the proposed auditorium will generally be finish by 10.00 pm. This is no different to the current use of the auditorium in the church building.

The proposed auditorium is much smaller in size to the existing auditorium of the main church building and provides a more intimate setting appropriate for the Church's youth. The area will have significantly smaller music/lighting production set up than the main auditorium of the existing church building and live music performed within the proposed auditorium will be much smaller in scale and production, and produced at lower noise volumes than currently emitted within the existing church building.

The Applicant has also confirmed soundproofing measures have been applied to the proposed auditorium. This includes 'Sound break' acoustic insulation, 25-millimetre Troldekt acoustic panelling to the ceiling, a stud wall being constructed with 13-millimetre 'Soundchek' gyprock sheeting and acoustic insulation, and 'Soundchek' gyprock sheeting being applied to the original internal Besser block walls.

Friday night youth events held in the proposed auditorium, will be less evident than that currently held in the main auditorium of the church building.

Nevertheless, the Applicant is agreeable to a condition of consent being attached to the use of the building limiting no live music being performed within the proposed auditorium after 10.00 pm on weeknights.

Traffic

In addition to the youth group program, the proposed facility will provide designated space for classrooms, a sensory room, recreation areas (play equipment and half-court basketball court), 'Café' and seating area. Most of these features are already provided within and around the existing church building.

53791LET01



The café will not be operated as a commercial café, it is simply to provide a food preparation and serving area where food is to be shared amongst congregation members after services, and to provide a more appropriate setting for the fortnightly community morning tea program run in partnership with Ozharvest and Foodbank.

As such, the proposed use of the subject building is not expected to result in a significant increase in congregation numbers that will exacerbate traffic or parking congestions. The use of the subject building is to provide the church with more appropriate facilities to cater for the existing programs and services that it currently provides within the existing building.

The occupation of the subject land by the Church will improve parking conditions within the area as the church will now have exclusive access to the 53 on-site parks provided on the subject land. Theoretically, there should be a decrease in parking overflow as there will no longer be competing car parking demands between different land use.

The proposed development does not seek to alter any existing ingress/egress points and the movement of vehicles on Milne Road is unlikely to be affected in a detrimental manner as a result of the change of land use. As noted previously, the proposed development is unlikely to create greater traffic generation, especially during peak movement periods.

Instead, the utilisation of the subject land for church purposes is anticipated to reduce movement pressure on Milne Road. It is anticipated church members will stay at the site following the completion of services thus reducing the volume of traffic seeking to exit the land at the same time. Vehicles leaving the land is likely to be spread over a longer time period, mitigating congestion on Milne Road.

Furthermore, church related traffic movement will now have greater access to multiple entry and exit points resulting in a more streamlined and efficient merging of vehicle movements between the subject land and Milne Road.

In summary, existing traffic conditions experienced within the locality are not likely to be exacerbated by the proposed development. Instead, less people are likely to exit the site of the church at the same time following the completion of a service which should allow traffic to flow more effectively on Milne Road. The church having exclusive access to more on-site parking should also reduce parking demands overflowing into areas outside of the subject land.

Representation from Greg Richards of 95 Carruthers Drive, Modbury North

Summary

The representation supports the proposed development but would like the activities conducted from the subject land to comply with the EPA guidelines for noise levels which includes sound proofing.

It is claimed the church plays loud music on Friday and other nights which is unreasonable to the adjoining residential properties, and it would help if a suitably qualified acoustic engineer addressed this issue.

**Response**

Firstly, noise from activities carried on in the normal course of a place of worship are excluded from the definition of harm/nuisance in EPA policies, therefore there are no EPA guidelines specifically applicable to noise generated by a place of worship. Noise created by activities held in the existing place of worship also fall outside the scope of this assessment.

However, and as outlined in the response to Carol Camilleri, the relocation of the Friday night youth group activities to the proposed smaller auditorium is expected to significantly reduce the impact of existing noise upon surrounding properties, especially on Friday nights.

Not only is the physical location of the auditorium further from the property at 95 Carruthers Drive, but as already mentioned, the proposed space and music production facilities will be much smaller and more intimate in scale than the auditorium within the existing church building.

With the addition of the proposed sound proofing measures, the proposed use of the subject land is expected to reduce the impact of music related noise upon surrounding properties.

Conclusion

We trust this response is to the satisfaction of Council in respect to the concerns raised in the representations.

Places of worship are envisaged within the Employment Zone and the concerns within the representation relate to existing conditions.

The Applicant expects the proposed development will not exacerbate current noise or traffic concerns but will result in improved conditions for surrounding properties. The Applicant trusts the contents of this response puts their minds at ease and is open to engaging with surrounding property owners.

Having regard to the relevant policies of the Planning and Design Code in the context of the site and locality, it is considered that the proposed development is appropriate and warrants approval.

Can the applicant please be advised of the time and date of the Council Assessment Panel meeting at which this matter will be determined so they, or their representative, may provide a verbal response to any submissions made to the Panel.

Yours sincerely

Adam Williams
MasterPlan SA Pty Ltd

REPORT NO: CAP.23023009

RECORD NO: D24/10530

TO: COUNCIL ASSESSMENT PANEL MEETING - 28 FEBRUARY 2024

FROM: Rhiya Singh
Planning Officer

SUBJECT: CHANGE OF USE TO FUNERAL PARLOUR AND ANCILLARY ALTERATIONS AND FIT-OUTS TO EXISTING BUILDING AT 771-775 NORTH EAST ROAD VALLEY VIEW

SUMMARY

DEVELOPMENT NO.	23023009
APPLICANT	Mr Brett Anthony
ADDRESS	771-775 North East Road, Valley View
NATURE OF DEVELOPMENT	Change of use to funeral parlour and ancillary alterations and fit-outs to existing building.
ZONING INFORMATION	<p>Zones:</p> <ul style="list-style-type: none"> • Employment <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) (All structures over 15 metres) • Advertising Near Signalised Intersections • Building Near Airfields • Hazards (Flooding - Evidence Required) • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Traffic Generating Development <p>Technical Numerical Variations (TNVs):</p>

	<ul style="list-style-type: none"> Maximum Building Height (Metres) (Maximum building height is 9m) Maximum Building Height (Levels) (Maximum building height is 2 levels)
LODGEMENT DATE	22 August 2023
RELEVANT AUTHORITY	Council Assessment Panel at City of Tea Tree Gully
PLANNING & DESIGN CODE VERSION	2023.12
CODE RULES APPLICABLE AT LODGEMENT	Code Rules at Assessment Start
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes – Notification Period 21 December 2023 to 18 January 2024
NUMBER OF PROPERTIES NOTIFIED	20
REPRESENTATIONS RECEIVED	2
REPRESENTATIONS TO BE HEARD	1
RECOMMENDING OFFICER:	Rhiya Singh
REFERRALS STATUTORY	1
REFERRALS NON-STATUTORY:	3
RECOMMENDATION	Grant Planning Consent

1. Detailed Description of Proposal

The application is seeking a change of use from shop (hire yard) to funeral parlour at 771-775 North East Road, Valley View. No new built form is proposed with the proposed use, occupying the existing building with minor internal alterations.

The existing building has a total floor area of 474.45 m² and will be used to arrange and conduct funerals services and post service gatherings. The proposed layout includes one designated cool room to store bodies in, store, catering kitchen, office room, staff room, reception area, two meeting rooms, lounge and a chapel.

There will be a maximum of 4 staff during the funeral services and 2 staff at any other time.

Hours of operation are proposed to be Monday to Friday 9am to 5pm and closed on Saturday, Sunday and public holidays.

The subject site is vacant at present but was previously tenanted by Kennards Hire – a commercial lease/hire company. The site was tenanted by Kennards Hire since late 1980s.

2. Subject Land & Locality

2.1 Site Description:

Location reference: 771-775 NORTH EAST RD VALLEY VIEW SA 5093

Title ref.: CT **Title ref.:** CT 5565/996 **Title ref.:** CT 5565/996
5565/996

Location reference: 771-775 NORTH EAST RD VALLEY VIEW SA 5093

Title ref.: CT **Title ref.:** CT 5566/282 **Title ref.:** CT 5566/282
5566/282

The subject site is an irregular shaped allotment known as 771-775 North East Road, Valley View and located in the Employment Zone. The allotment has a total area of approximately 2830m², with frontage to North East Road on the eastern side and Grand Junction Road on the southern side. The site is bound by residential allotments on the western side and adjoins a commercial use on the northern side. The land is level with a single existing crossover accessed by North East Road on the eastern boundary.

There are no easements on the allotment. There are no regulated or significant trees located on the site or within 15m of the development.

2.2 Locality

The locality is considered to be the area depicted within Figure 1 below, being the land encircled by the red line.

The locality is bound by the dwellings on Hampshire Crescent on the north-west, dwellings to the west fronting Grand Junction Road, an electric substation towards the south-east and commercial establishments to the east and north of the subject site.

The locality accommodates a mix of residential, infrastructure and commercial uses. The nearby residential development consists of medium sized allotments between 600-800m². The built form and character of the locality is generally single storey structures. Residential developments are generally conventional with hipped roofs and gable ends with brick, render and iron sheeting being the common building materials.

Commercial developments are characterised by one to two contemporary style structures with ample parking spaces.

Low density prevails in the locality.



Figure 1: Locality Map, with subject site highlighted in orange

The locality is located in General Neighbourhood Zone, Employment Zone and Suburban Activity Centre Zone. Figure 2 below identifies the zoning in the locality in relation to the subject site.



Figure 2: Zoning

3. Category of Development

Per Element

Advertisement: Code Assessed - Performance Assessed

Building Alterations: Code Assessed - Performance Assessed

Internal fitout: Code Assessed - Performance Assessed

Change of use: Code Assessed - Performance Assessed

Other - Commercial/Industrial - Funeral parlour: Code Assessed - Performance Assessed

Overall Application Category

Code Assessed - Performance Assessed

Reason

Planning and Design Code

4. Public Notification

Reason

Pursuant to section 107(6) of the Planning, Development and Infrastructure Act 2016, Table 5 of the Zone identifies classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Funeral parlour is not a listed use in Employment Zone Table 5 and hence, the application was publicly notified.

List of Representations

Name	Address	Position	Wishes to be Heard
Arduino Saffi	25 Hampshire Crescent, VALLEY VIEW SA 5093	Oppose	Yes Represented by Severina Clarkson
Ngoc Nguyen	961 Grand Junction Road, VALLEY VIEW SA 5093	Oppose	No

Summary

20 owners or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject site for the duration of the notification period. Figure 3 shows the properties notified where captured within the blue area.

5. Agency Referrals**5.1. Commissioner of Highways**

The proposed development is subject to procedural referrals under Schedule 9, clause 3, item 7 of the *PDI Regulations 2017 / Overlay Procedural Matters (PM)* provisions.

The proposed development has been approved with conditions.

The referral response snapshot can be found within Attachment 4.

6. Internal Referrals**6.1. Civil Stormwater**

Council's Civil Stormwater Engineer has reviewed the application and found the proposed development acceptable.

6.2. Traffic

Council's Traffic Engineer has reviewed the application and found the proposed turn paths and parking acceptable with the following comment –

- Parking spaces to be line marked.

6.3. Waste Management

Council's Team Leader Operations Assessment has reviewed the application and approved the kerbside waste collection with the following comment –

- Theoretically the applicant is entitled to 2 services and 2 lots of 3 bin systems.

7. Planning Assessment

The application has been assessed against the relevant provisions of the Planning & Design Code, which are contained in Section 9 of this report, and are available on Council's website as a supplementary document.

Land Use

The **Employment Zone Desired Outcome (DO) 1** envisages “A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zone accommodating significant industrial, shopping and business activities”.

Employment Zone Performance Outcome (PO) 1.1 envisages “a range of employment-generating light industrial, service trade, motor repair and other compatible businesses servicing the local community that do not produce emissions that would detrimentally affect the local community”.

This PO is informed by the **Zone Designated Performance Feature (DPF) 1.1** which states *Development comprises of one or more of the following:*

- (a) Advertisement
- (b) Consulting room
- (c) Indoor recreation facility
- (d) Light industry
- (e) Motor repair station
- (f) Office
- (g) Place of worship
- (h) Research facility
- (i) Retail fuel outlet
- (j) Service trade premises
- (k) Shop
- (l) Store
- (m) Telecommunications facility
- (n) Training facility
- (o) Warehouse

A funeral parlour is not explicitly listed as an envisaged form of development in the Employment Zone. It is acknowledged that the principal purpose of the Zone is to support the local community.

The proposed use includes arranging funerals and associated meetings, holding funeral services in the Chapel, and post-service gatherings. A mortuary or a crematorium does not form part of the proposal, hence there are no excessive noise and smell emissions that would impact the community. It is to be noted that place of worship is an envisaged use within the Zone. Though funeral parlours are excluded from the place of worship land use, the proposed development comprising of chapel services can be closely compared to a place of worship land use.

The site is located within a locality comprising a mix of uses at the interface of Employment Zone, General Neighbourhood Zone and Suburban Activity Centre Zone. There are a number of commercial and light-industrial uses in the locality including that of the subject site. The locality is somewhat influenced by the high vehicular traffic carried along the two arterial roads which impacts upon the residential amenity by the way of noise, vibration, frequency and times of movements.

The location of this site is at an interface with the General Neighbourhood Zone and Suburban Activity Centre Zone. The site also fronts Grand Junction Road and North East Road. Along with the presence of light industrial and commercial uses in the locality, there is justification for consideration of the proposed development in this locality of mixed use.

The funeral parlour is considered to be of a low scale and will not detrimentally impact the amenity of adjacent residential uses. In addition, although the service provided by the development is not restricted to 'local' catchment, it has the ability to serve the local community. Furthermore, the proposed development has an interface with General Neighbourhood Zone.

The **DO 1 for General Neighbourhood Zone** states *"low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity."* Even within the Neighbourhood Zone, low-impact non-residential uses that service the community are envisaged.

On this basis, the proposed land use is considered to be suitable for the site and satisfies **Zone DO 1, and PO 1.1**.

Quantitative Provisions – setback, building height, design and appearance

Employment Zone DPF 3.1 states the minimum setback from the primary street as being the average setback of the existing buildings on the abutting site sharing the same street frontage as the site of the proposed building. **Zone DPF 3.2** states that *building walls are no closer than 2m to the secondary street boundary*. **Zone DPF 3.4** states that *building walls are set back at least 3m from at least one side boundary, unless an alternative means for vehicular access to the rear of the site is available*. **Zone DPF 3.5** states that *the maximum building height is 2 levels and 9m*.

The existing building has one level, 3.4m in height, is setback 8.76m from the primary street eastern boundary, 12m from the western rear boundary, 14.9m from the northern side boundary and 30.4m from the southern side boundary.

Since the application does not propose the construction of a new building or any additions to the existing building, **Zone DPF 3.1, 3.2, 3.4, 3.5** do not form a part of the assessment.

Traffic Impact, Access and Parking

Transport, Access and Parking DPF 5.1 provides a rate for parking calculation based on the proposed land use. Table 1 – General Off-Street car parking requirement states that for a Funeral Parlour, 1 space for 5 seats in the chapel plus 1 space for each vehicle operated by the parlour is required.

The applicant has stated that the maximum number of seats in the chapel would be 70 and the maximum number of vehicles operated by the parlour would be 2. This would require 14 spaces for 70 seats in the chapel and 2 spaces for the number of vehicles being operated by the parlour.

The proposed development has made a provision of 33 parking spaces (including 2 disabled parking spaces). The applicant has also provided a space for parking of the hearse and corresponding turning movements have been demonstrated. The application has demonstrated sufficient parking and **Transport, Access and Parking PO 5.1** is satisfied.

Advertising Near Signalised Intersections Overlay and Signage

Advertising Near Signalised Overlay PO 1.1 states that “*advertising near signalised intersections does not cause unreasonable distraction to road users through illumination, flashing lights, or moving or changing displays or messages*”.

Advertisement Near Signalised Overlay DPF 1.1 states that “*advertising:*

- (a) *Is not illuminated*
- (b) *Does not incorporate a moving or changing display or message*
- (c) *Does not incorporate a flashing light(s).*

Advertisement PO 4.1 “*light spill from advertisement illumination does not unreasonably compromise the amenity of sensitive receivers*”.

Advertisements PO 5.2 “*Advertisements and/or advertising hoardings do not distract or create a hazard to drivers through excessive illumination*”.

There are two free standing signs proposed to replace the existing signage on the site. The area of the signage is not increasing, just the content is being replaced. The existing sign was lit via lights located above the sign. The light does not flash or create a distraction. Since the impact is existing and not increasing, **Advertising Near Signalised Overlay PO 1.1**, and **Advertisement POs 4.1 and 5.2** are satisfied.

Advertisements DPF 1.1 states “*Advertisements attached to a building satisfy all of the following:*

- (a) *Are not located in a Neighbourhood-type zone*
- (b) *Where they are flush with a wall:*
 - i. *If located at canopy level, are in the form of a fascia sign.*
 - ii. *If located above canopy level:*
 - A. *Do not have any part rising above the parapet height*
 - B. *Are not attached to the roof of the building.*
- (e) *If located at canopy level, are in the form of a fascia sign*
- (i) *Where they are flush with a wall, do not, in combination with any other existing sign, cover more than 15% of the building façade to which they are attached”*

Advertisement DPF 2.3 states “*advertisements satisfy all of the following:*

- (a) *Are attached to a building*
- (b) *Other than in a neighbourhood-type zone, where they are flush with a wall, cover no more than 15% of the building façade to which they are attached*
- (c) *Do not result in more than one sign per occupancy that is not flush with a wall”.*

The signs are not located in a neighbourhood-type zone, are located at canopy level in the form of a fascia sign, and do not have any part rising above the parapet height.

The signage on the primary frontage of the building is approximately 30% of the building façade to which they are attached, however, the signage is being replaced like-for-like from the previous tenancy. The impact of the signage is not increasing. **Advertisements DPF 1.1** is satisfied.

Advertisements DPF 2.1 states “*no more than one freestanding advertisement is displayed per occupancy*”. The freestanding advertisements are already existing on the allotment and just the content is being replaced. The impact of proliferation of signage is not increasing.

Advertisement DPF 3.1 states “*advertisements contain information limited to a lawful existing or proposed activity or activities on the same site as the advertisement*”. The signage proposed is to advertise the proposed activities on the site. **Advertisement DPF 3.1** is satisfied.

Environmental Factors

Landscaping

Employment Zone DO 2 states that “*distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces*”.

Employment Zone DPF 5.1 states that “*other than to accommodate a lawfully existing or authorised driveway or access point, or an access point for which consent has been granted as part of an application for the division of land, a landscaped area is provided within the development site:*

- (a) *where a building is set back less than 3m from the street boundary - 1m wide or the area remaining between the relevant building and the street boundary where the building is less than 1m from the street boundary*
- or
- (b) *in any other case - at least 1.5m wide.”*

Employment Zone DPF 5.2 also states “*Landscape areas comprise:*

- (a) *not less than 10 percent of the site*
- (b) *a dimension of at least 1.5m.”*

The majority of the existing allotment is already paved and sealed. There is a 2m wide area pervious to water along the eastern, southern and western boundary. The applicant has provided a landscaping plan to soften the appearance of the allotment and improve the visual amenity along the arterial road and zone boundary.

The landscape area will be 13.9% of the allotment area. **Zone DO 2, DPFs 5.1 and 5.2** are satisfied.

Hours of Operation

Interface between Land Uses PO 2.1 states that “*Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:*

- (a) *the nature of the development*

- (b) *measures to mitigate off-site impacts*
- (c) *the extent to which the development is desired in the zone*
- (d) *measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land”.*

The corresponding **DPF 2.1** states that acceptable hours of operation for a shop are 7am to 9pm, Monday to Friday and 8am to 5pm Saturday and Sunday.

Funeral Parlour is not a listed use within the DPF. The hours of operation of the proposed development are 9am to 5pm Monday to Friday and closed on Saturday, Sunday and public holidays. Given the locality, mix of land uses in the locality and the location along the arterial road, the hours of operation will have minimal impact and are deemed acceptable. **Interface between Land Uses PO 2.1** is satisfied.

Noise Emissions

Interface between Land Uses PO 4.1 states that “*Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).*”

The applicant has advised that the funeral parlour will not be using any amplified sound equipment or noise generating equipment. Given the hours of operation and the proximity to two arterial roads, the noise impact of this development to the surrounding residential development is minimal. **Interface between Land Uses PO 4.1** is satisfied.

Interface between Land Uses PO 4.2 states that “*areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:*

- (a) *locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- (b) *when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers*
- (c) *housing plant and equipment within an enclosed structure or acoustic enclosure*
- (d) *providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.”*

The applicant has stated that deliveries to the business will be on an as needed basis, and not a regular occurrence. There is a roller door located on the northern elevation of the building and fronts the adjoining commercial use. The location is as practicable further away from the adjoining sensitive receiver. **Interface between Land Uses PO 4.2** is satisfied.

Waste Management

The applicant has stated that they would continue to use the existing kerbside collection of the bins. The collection has been approved Council’s Waste Management Officer.

Fencing

A 1.8m good neighbour fence is proposed along the eastern and northern boundary to maintain privacy and lessen any impact on the surrounding residential amenity. This satisfies **Design in Urban Areas PO 9.1**.

8. Conclusion

The application is for change of use from a shop to a funeral parlour, ancillary internal alterations, fencing and advertisement.

The subject site fronts two arterial roads – North East Road and Grand Junction Road. The proposed hours of operation are 9AM to 5 PM Monday to Friday.

The proposed application does not intend to use the site as a mortuary or a crematorium and will only be used to arrange and conduct funeral services and have post service gatherings.

On balance, it is considered that the proposal is not seriously at variance with the Planning and Design Code and sufficiently accords with the relevant provisions of the Code to warrant consent.

9. Planning and design Code Policies

Employment Zone

DO 1, DO 2, PO 1.1, PO 5.1, PO 5.2, PO 6.1

Advertising Near Signalised Intersections Overlay

DO1, PO 1.1

Major Urban Transport Routes Overlay

DO 1, DO 2, PO 1.1, PO 2.1, PO 3.1, PO 4.1, PO 5.1, PO 6.1, PO 7.1, PO 8.1, PO 9.1, PO 10.1

Advertisement

DO 1, PO 1.1, PO 1.3, PO 1.5, PO 2.1, PO 2.3, PO 4.1, PO 5.2, PO 5.6

Clearance from Overhead Powerlines

DO 1, PO 1.1

Interface between Land Uses

DO 1, PO 1.1, PO 1.2, PO 2.1, PO 4.1, PO 4.2

Transport, Access and Parking

DO 1, PO 5.1, PO 10.1

10. RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

- A. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- B. Development Application Number 23023009, by Mr. Brett Anthony. is granted Planning Consent subject to the following conditions and advisory notes:

Conditions

Condition 1

The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in the application herein approved, except where varied by any condition(s) listed below.

Condition 2

The hours of operation herein approved are as follows:

9am – 5pm Monday to Friday

Any variation to these hours of operation will require a further consent.

Reason: To minimise the impact on adjoining properties.

Condition 3

All loading and unloading of goods and merchandise shall be carried out upon the subject land and no loading of any goods or merchandise shall be permitted to be carried out in the street in conjunction with the consent herein granted.

Reason: To minimise the impact on adjacent properties, roads, road users and infrastructure.

Condition 4

All driveways, parking and manoeuvring areas must be formed, sealed with concrete, bitumen or paving, and be properly drained. They must be maintained in good condition thereafter.

Reason: To ensure useable and safe carparking.

Condition 5

The carparking spaces provided for motorists with a disability should be in accordance with the Australian Standard AS 2890.6:2009 and must be linemarked and signposted. The linemarking and signposting must be maintained to a clear and visible standard at all times.

Reason: To provide safe and convenient parking for motorists with a disability.

Condition 6

A maximum of 80 visitors and 4 employees are permitted on site at any given time.

Reason: To ensure adequate parking is available on site.

Condition 7

All waste and other rubbish shall be contained and stored pending removal in covered containers screened from public view and must not be located within designated car parks, maneuvering areas or traffic aisles.

Reason: To maintain the amenity of the locality.

Advisory Notes

General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
 - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
 - b. if an appeal is commenced—
 - i. until the appeal is dismissed, struck out or withdrawn; or
 - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

Planning Consent Notes

Advisory Note 1

This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land.

Advisory Note 2

The cost of rectifying any damage or conflict with any existing services or infrastructure arising out of this development will be borne by the applicant.

Advisory Note 3

The applicant/owner is advised that any driveway crossover works on the Council verge as shown on the stamped plans, have been approved as part of this application. For further information on the specifications and conditions relating to crossovers and stormwater connections, please contact Council's Civil Operations Department on 8397 7444.

Any further works undertaken on Council owned land (including but not limited to stormwater connections, access over Council reserves to construct the development, verge landscaping, and underground electrical and other service connections), requires a separate authorisation from Council.

Further information and/or specific details can be obtained by contacting Council's Civil Operations department on **8397 7444** or accessing the web form at https://www.teatreegully.sa.gov.au/Council_documents_Landing/Council_documents/Permits/Section_221_Application.

Advisory Note 5

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Advisory Note 6

You are advised that under the **Fences Act 1975** you are legally required to give notice for the removal of a fence on the common boundary. Please refer to the **Fences Act 1975** for the correct procedural requirements. Further information can be obtained from the Legal Services Commission at www.lsc.sa.gov.au.

Advisory Note 9

Public services may be present in the road and it is the property owner's responsibility to ensure these services are not damaged as a result of the work. If services require alterations, it is the property owner's responsibility to consult with the particular service agency before performing any works. (Contact "Dial Before you Dig" on telephone **1100** or their website www.dialbeforeyoudig.com.au).

At all times during the construction, removal or repair of a crossing place or stormwater pipe, sufficient barricades and signs, visible at night (where work duration exceeds daylight hours), are to be installed and maintained to give adequate warning to the public.

The applicant shall be responsible for all costs associated with:

- The construction, removal or repair of crossing places or stormwater pipes. This may include the repairs and modifications to an abutting footpath as a result of the construction or alteration of the crossing place or stormwater pipe.

Advisory Note 9

NBN Co. is responsible for the installation of National Broadband Network (NBN) fibre for all developments in areas where NBN Co. has already rolled out fibre. To ensure services are available when residents move in, developers and builders must register their developments and apply to NBN Co. before building has commenced.

To determine if your site is in an NBN area and to register your development, please complete the pre-qualifier forms located at

www.nbnco.com.au/newdevelopments. For more information, please contact the NBN Co. New Developments Team on **1800 687 626** or email **newdevelopments@nbnco.com.au**.

Attachments

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Report Authorisers

Rhiya Singh Planning Officer	8397 7244
Nathan Grainger Manager City Development	8397 7200
Michael Pereira General Manager Community Services	8397 7377

23023009 – 771-775 North East Road Valley View

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Development Locations

Location 1

Location reference

771-775 NORTH EAST RD VALLEY VIEW SA 5093

Title Ref

CT 5565/996

Plan Parcel

D7448 AL1

Additional Location Information**Council**

Location 2

Location reference

771-775 NORTH EAST RD VALLEY VIEW SA 5093

Title Ref

CT 5566/282

Plan Parcel

D7448 AL2

Additional Location Information**Council**

Zone Overlays

Zones

- Employment

Sub-zones

(None)

Overlays

- Airport Building Heights (Regulated)
- Advertising Near Signalised Intersections
- Building Near Airfields
- Hazards (Flooding - Evidence Required)
- Major Urban Transport Routes
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development

Variations

- Maximum Building Height (Metres) (Maximum building height is 9m)
- Maximum Building Height (Levels) (Maximum building height is 2 levels)

Application Contacts

Applicant(s)

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Invoice sector type

Land owners

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PANORAMA
SA
5041
Tel. 0434 143 594
gbouras@Olympicbatteries.com.au

Nature Of Development

Nature of development

Modification of existing building to accommodate operational funeral parlour.
Existing building to remain intact with alterations comprising of internal walls which will be non structural and sit over existing floors to allow for easy removal when the time comes to vacate the premises.
Simplicity Signage in Place of existing Kennards Signage.

Development Details

Current Use

Currently Untenanted however was last used for Commercial Lease / Hire Company - Kennards Hire
2131 - Basic Building Materials / Builders' Hardware & Supplies (Inc Tools of Trade)

Proposed Use

Funeral Parlour

Development Cost

\$694,834.00

Proposed Development Details

Modification of existing building to accommodate operational funeral parlour.

Existing building to remain intact with alterations comprising of internal walls which will be non structural and sit over existing floors to allow for easy removal when the time comes to vacate the premises.

Simplicity Signage in Place of existing Kennards Signage.

Element Details

You have selected the following elements

Building Alterations - \$94,834.00

Internal fitout - \$600,000.00

Regulated and Significant Trees

Does the application include any works that will result in damage (includes impacts to roots and pruning) or removal to regulated or significant tree(s) on the site or neighbouring land?

No

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?

No

Certificate of Title information submitted by applicant

Does the Certificate of Title (CT) have one or more constraints registered over the property?

Unsure

Consent Details**Consent list:**

- Planning Consent
- Building Consent

Have any of the required consents for this development already been granted using a different system?

No

Planning Consent

Apply Now?

Yes

Who should assess your planning consent?

Assessment panel/Assessment manager at City of Tea Tree Gully

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Relevant Authority

Building Consent

Do you wish to have your building consent assessed in multiple stages?

No

Apply Now?

No

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
1592 Invocare Valley View Alteration DA Rev - 01.08.2023.pdf	Site Plans	7 Aug 2023 11:44 AM
1592 - Invocare - 771- 775 NORTH EAST RD VALLEY VIEW SA 5093.pdf	Other Documents	7 Aug 2023 11:44 AM
Confirmation of Registration.pdf	Certificate of Title	7 Aug 2023 11:44 AM
Register_Search_CT_5565_996_6.pdf	Certificate of Title	7 Aug 2023 11:44 AM
Simplicity Modbury Rev C.pdf	Other Documents	7 Aug 2023 11:44 AM

Application Created User and Date/Time

Created User

brett.anthony

Created Date/Time

7 Aug 2023 11:44 AM

CONFIRMATION OF REGISTRATION**Certificate of Title - Volume 5565 Folio 996****Estate Type**

FEE SIMPLE

Registered Proprietor(s)771 NORTH EAST PTY. LTD. (ACN: 663 385 073)
OF 11-13 STREIFF ROAD WINGFIELD SA 5013**Description of Land**ALLOTMENT 1 DEPOSITED PLAN 7448
IN THE AREA NAMED VALLEY VIEW
HUNDRED OF YATALA**Easements**

NIL

Schedule of Dealings

Dealing Number	Description
11090152	LEASE TO KENNARDS HIRE PTY. LTD. COMMENCING ON 01/07/2008 AND EXPIRING ON 30/06/2023

Registrar-General**Lands Titles Office**ABN 86 836 650 939
www.landservices.com.auLand Services SA
Level 9, 101 Grenfell Street, Adelaide SA 5000
GPO Box 543, Adelaide SA 5001
Metro 08 8423 5000, Country 1800 648 176

CONFIRMATION OF REGISTRATION**Certificate of Title - Volume 5566 Folio 282****Estate Type**

FEE SIMPLE

Registered Proprietor(s)771 NORTH EAST PTY. LTD. (ACN: 663 385 073)
OF 11-13 STREIFF ROAD WINGFIELD SA 5013**Description of Land**ALLOTMENT 2 DEPOSITED PLAN 7448
IN THE AREA NAMED VALLEY VIEW
HUNDRED OF YATALA**Easements**

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED C TO THE MINISTER FOR INFRASTRUCTURE (T 2729781)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED B FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

Dealing Number	Description
11090152	LEASE TO KENNARDS HIRE PTY. LTD. COMMENCING ON 01/07/2008 AND EXPIRING ON 30/06/2023

Registrar-General

Lands Titles Office





Product Register Search (CT 5565/996)
Date/Time 11/07/2023 01:15PM
Customer Reference Invo Modbury
Order ID 20230711005289



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5565 Folio 996

Parent Title(s) CT 3225/24
Creating Dealing(s) CONVERTED TITLE
Title Issued 18/08/1998 Edition 6 Edition Issued 01/12/2022

Estate Type

FEE SIMPLE

Registered Proprietor

771 NORTH EAST PTY. LTD. (ACN: 663 385 073)
OF 11-13 STREIFF ROAD WINGFIELD SA 5013

Description of Land

ALLOTMENT 1 DEPOSITED PLAN 7448
IN THE AREA NAMED VALLEY VIEW
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11090152	LEASE TO KENNARDS HIRE PTY. LTD. COMMENCING ON 01/07/2008 AND EXPIRING ON 30/06/2023

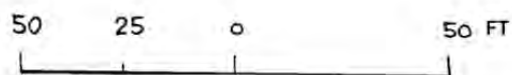
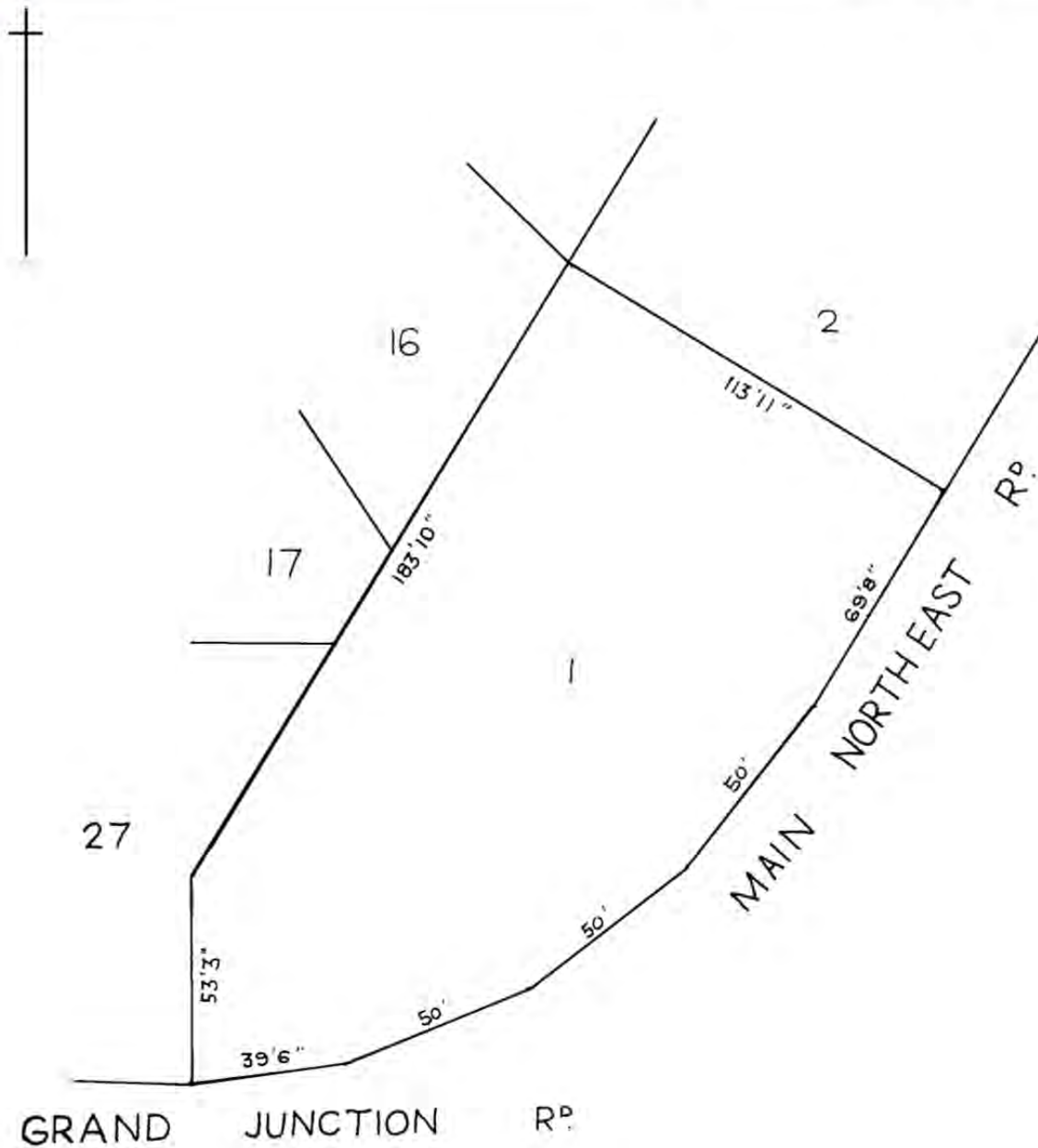
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5565/996)
11/07/2023 01:15PM
Invo Modbury
20230711005289



DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION
1 FOOT = 0.3048 METRES
1 INCH = 0.0254 METRES

Referral Snapshot

Development Application number:

23023009

Consent:

Planning Consent

Relevant authority:

City of Tea Tree Gully

Consent type for distribution:**Referral body:**

Commissioner of Highways

Response type:

Schedule 9 (3)(7) Development Affecting Transport Routes and Corridors

Referral type:

Direction

Response date:

12 Dec 2023

Advice:

With comments, conditions and/or notes

Condition 1

All access to the development shall be gained in accordance with the Site Plan produced by Anthony and Associates, Job no. 1592, Sheet No 1, dated 12/12/2023.

Condition 2

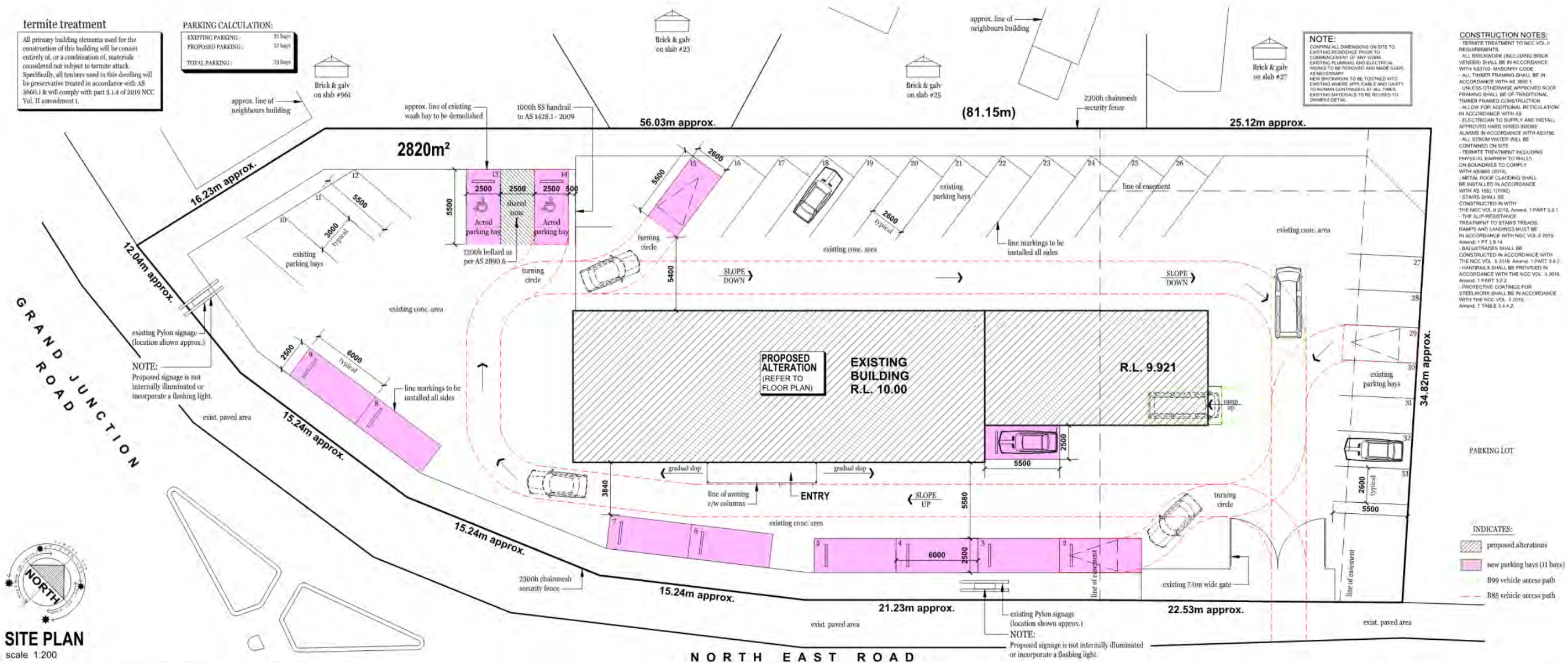
The access point and car park aisle shall be appropriately signed and/or line marked to reinforce the two-way operation of the access and the one-way operation of the car park.

Condition 3

All vehicles shall enter and exit the site in forward direction only. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

Condition 4

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.



STANDARD SPECIFICATION

BE ADVISED: SOME CLAUSES IN THIS SPECIFICATION MAY NOT BE RELEVANT TO THIS PROJECT

1.0 GENERAL

- 1.1 ALL DIMENSIONS SHALL BE CHECKED ON SITE PRIOR TO COMMENCEMENT ANY WORK.
- 1.2 ALL MATERIALS SHALL COMPLY WITH RELEVANT CURRENT AUSTRALIAN STANDARDS AND SHALL BE NEW AND THE BEST OF THEIR RESPECTIVE KINDS AND SUITABLE FOR THEIR INTENDED PURPOSES.
- 1.3 ALL WORKMANSHIP SHALL COMPLY WITH RELEVANT CURRENT AUSTRALIAN STANDARDS AND TO GOOD TRADE PRACTICES.
- 1.4 ALL WORK SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE RESPECTIVE AUTHORITY HAVING JURISDICTION OVER THE WORKS.
- 1.5 THE ARCHITECTURAL DRAWINGS SHOULD BE READ IN CONJUNCTION WITH THE SPECIFICATION, SCHEDULES AND CONSULTANTS DRAWINGS THAT FORMS PART OF THE CONSTRUCTION DOCUMENTS REFERRED TO IN THE "BUILDING CONTRACT".
- 1.6 DO NOT SCALE FROM DRAWINGS. NOTIFY OF ANY ERRORS OR OMISSIONS BEFORE PROCEEDING WITH ANY WORKS.
- 1.7 ENSURE THAT BACKGROUNDS ARE SUITABLE FOR THE INTENDED SUBSEQUENT FINISHES. COMMENCEMENT OF WORK ON THE BACKGROUNDS IMPLIES ACCEPTANCE BY THE SUBCONTRACTOR OF THE BACKGROUNDS ON WHICH FINISHES ARE APPLIED.
- 1.8 SUPPLY ALL EQUIPMENT NECESSARY FOR THE COMPLETION OF RESPECTIVE WORKS.
- 1.9 PROGRESSIVELY CLEAN UP AFTER THE COMPLETION OF RESPECTIVE WORKS.

2.0 EARTHWORKS

- 2.1 UNLESS OTHERWISE STATED, REMOVE TOPSOIL TO A MINIMUM DEPTH OF 200MM INCLUDING ALL ROOTS, AND OTHER MATTER, AND REQUIRED BY THE SOIL CONDITION AND/OR THE BUILDER, PROVIDE SUITABLE CLEAN FILLING SAND AND COMPACT IN LAYERS NOT GREATER THAN 300MM TO REDUCE LEVELS AS SHOWN.
- 2.2 COMPACT SAND FILLING AND SANDY SUB GRADES UNDER FOOTINGS AND SLAB TO OBTAIN MIN. SEVEN (7) BLOWS PER 300MM ON A STANDARDS PERTH SAND PENETROMETER TEST (AS PER AS 1289 F3.3).
- 2.3 DO NOT EXCAVATE SERVICES TRENCHES WITHIN AN ANGLE OF 45 DEGREES DOWN FROM BOTTOM EDGE OF FOOTING.
- 2.4 ALL RETAINING WALLS TO BE TREATED WITH "BITKOTE" WATERPROOFING AGENT.

3.0 CONCRETE

- 3.1 CONCRETE REINFORCEMENT AND FRAMEWORK SHALL BE TO A STRUCTURAL ENGINEERS DETAILS, RELEVANT BUILDING CODES AND STANDARDS.
- 3.2 ALL CONCRETE TO CONFORM TO THE REQUIREMENTS OF AS 3600 CONCRETE STRENGTH GRADE: N20, AGGREGATE 20MM, SLUMP 80MM.

- 3.3 SLAB IS TO BE CURED FOR 7 DAYS MIN. & SLAB REINFORCEMENT PLACED ON APPROVED CHAIRS TO IMPROVE CRACK CONTROL.
- 3.4 THE FOOTING AND SLAB CONSTRUCTION IS TO COMPLY WITH AS 2870.
- 3.5 PROVIDE A PROPRIETARY VAPOR BARRIER WHICH CONSISTS OF HIGH IMPACT RESISTANT POLYETHYLENE FILM MIN. 0.2MM THICK WHICH HAS BEEN PIGMENTED AND BRANDED BY THE MANUFACTURER.

3.6 TERMITE PROTECTION:

ALL PRIMARY BUILDING USED FOR THE CONSTRUCTION OF THIS BUILDING WILL BE CONSIST ENTIRELY OF, OR A COMBINATION OF, MATERIALS CONSIDERED NOT SUBJECT TO TERMITE ATTACK SPECIFICALLY, ALL TIMBERS USED IN THIS DWELLING WILL BE PRESERVATIVE TREATED IN ACCORDANCE WITH AS 3660.1 AND WILL COMPLY WITH PART 3.1.4 OF 2019 NCC VOL. II AMENDMENT 1.

4.0 BRICKWORK

- 4.1 BRICK WORK SHALL COMPLY WITH:
 - AS 3700 MASONRY CODE
 - AS A123 MASONRY CODE
- 4.2 MORTAR FOR MASONRY CONSTRUCTION
- 4.3 BRICK GAUGE 7 STANDARD COURSES = 600MM.
- 4.4 ALL BRICKS SHOULD HAVE MIN. COMPRESSIVE STRENGTH OF 20MPA AND AS FOLLOWS:
 - EXTERNAL FACE WORK: 230x110x76MM
 - EXTERNAL RENDER: 305x162x90MM MAXIBRICK OR VERTICORE
 - WINDOW SILLS: 2x SPRAYED SILL
 - SOLID FACE BRICK COURSE
 - INTERNAL WALLS: 305x76x90 LONGREACH OR JUMBO FOR COURSE ADJUSTMENT.
- 4.5 MORTAR: 1:1:6 CEMENT:LIME:SAND
- 4.6 MORTAR (FACE BRICK) COLOR TO MATCH EXISTING AS SELECTED
- 4.7 TIES SHALL BE 3.5MM DIAMETER GALVANISED WIRE KINKED FOR AND BUILT IN EVERY 5TH COURSE AT APPROXIMATELY 900MM CENTRES. WITH ADDITIONAL TIES AT THE RATE OF 1 TIE/300MM HEIGHT OF OPENINGS AND VERTICAL CONTROL JOINTS AND WITHIN 150MM. VERTICAL CONTROL JOINTS SHALL BE 12MM WIDE FILLED AT COMPLETION WITH COMBRIBAND CONTINUOUS FILLER STRIP.
- 4.8 KEEP CAVITIES CLEAR OF MORTAR. PROVIDE CAVITY BOARDS. TEMPORARILY OMIT BRICKS TO PERMIT RAINING OUT OF CAVITY BOTTOMS.
- 4.9 FORM WEEP HOLES EVERY FOURTH PARAPET ABOVE FLASHINGS AND CAVITY FILL. KEEP CLEAR OF MORTAR. DO NOT LOCATE WEEP HOLES CLOSER THAN 500MM TO JOINTS IN DAMP PROOF COURSES OR FLASHINGS.

- 4.8 PROVIDE DAMP PROOF COURSES (DPC) IN THE BOTTOM 3 COURSES OF BRICK WORK AND SLAB AND/OR FOOTINGS. DPC ADDITIVE SHALL BE CLEAR IN ALL FRAMEWORK.
- 4.9 SETOUT BRICKWORK ACCURATELY, PLUMB, LEVEL AND PROPERLY BONDED. RISING WORK TO BE RAKED BACK, JAMBS, REVEALS, CORNERS, PERPENDS ETC. TO BE TRUE, PLUMB, AND IN LINE WITH PERPENDS TRUE TO LINE. SETOUT DOOR FRAMES NEAR PERPENDICULAR WALL WITH A MARGIN OF 12MM OR GREATER THAN 50MM.
- 4.10 MOISTEN ALL EXTRUDED BRICKS BEFORE LAYING.
- 4.11 PROVIDED 12MM PLASTERING MARGIN BETWEEN WINDOW FRAME AND INTERNAL BRICKWORK TO BE PLASTERED.
- 4.12 WHERE NECESSARY REINFORCE BELOW AND OVER OPENINGS WITH GALVANISED WOVEN WIRE FABRIC 75MM WIDE IN CENTRE OF EACH LEAF LOCATED IN 2 COURSES BELOW SILL AND IN THE 2 COURSES ABOVE AN OPENING EXTENDING A MINIMUM OF 600MM BEYOND THE OPENING.

- 4.13 BUILD IN ALCOPIGI FLASHINGS AS FOLLOWS:
 - WHEREVER SHOWN ON DRAWINGS
 - CAVITY WALLS BUILT OF SLAB ON GROUND (WHERE NOT PARGED)
 - OVER LINTELS TO EXPOSED OPENINGS:
 - FULL WIDTH OF OUTER LEAF CONTINUES ACROSS CAVITY 50MM INTO INNER LEAF 2x ABOVE.
 - OVER ROOF:
 - FULL WIDTH OF EXTERNAL LEAF, STEPPED TO ROOF SLOPE TURNED DOWN MIN. 50MM OVER BASE FLASHING. TURN UP IN CAVITY SLOPING INWARDS AND BUILT INTO INNER LEAF 1x ABOVE.
 - DOOR / WINDOW SILLS:
 - FULL HEIGHT 150MM WIDE FIXED TO FRAMES INTERLEAVED WITH SILL AND HEAD FLASHING AT EACH END.
 - STRUCTURE OR SERVICES WITHIN 30MM OF OUTER BRICK LEAF IN CAVITY:
 - VERTICAL FLASHINGS CONTINUOUS 1x BELOW FL TO ABOVE STRUCTURE OR FRAME. NOMINAL 300MM WIDE. FOR HORIZONTAL STRUCTURES / SERVICES BUILT IN AS FOR OVER LINTELS.
 - AT CAVITY WALLS WITH GLASS BLOCK 300MM WIDE FIXED TO GLASS BLOCK FRAME AND TURNED AWAY IN CAVITY FROM INNER LEAVE.

4.14 LINTELS

MAX SPAN (MM)	LINTELS SIZE (VERT x HORI x THICK)	BEARING EACH END (MM)
900	75x10	150
1200	75x75x8	150
1500	90x90x8	150
1800	100x75x8	230
2100	125x75x8	230
2500	125x75x10	230
2400	100x100x8	230
3000	150x90x10	230

5.0 CARPENTRY WORK

- 5.1 ROOF AND CEILING FRAMING SHOULD COMPLY WITH AS 1684 LIGHT TIMBER FRAMING CODE. DRAW STRAP FIRMLY OVER WALL PLATES AND SECURELY FIX TO TOP OF PLATE BY 2x30MM GALV. CLOUTS/STRAP.
- 5.2 REFER TO AS 1684 FOR ROOF FRAMING SIZES UNLESS SPECIFIED ON DRAWINGS.
- 5.3 SUPPLY AND FIX ALL BULKHEADS & FALSE CEILINGS AS SHOWN ON THE DRAWINGS.

6.0 METALWORK

- 6.1 ELECTRIC AND GAS METER BOXES AS SHOWN IN DRAWINGS.
- 6.2 WINDOW FRAMES SHALL BE RESIDENTIAL OR COMMERCIAL SECTION WITH POWDERCOAT FINISH AS SELECTED BY OWNER. ALLOW FOR FLYSCREENS TO ALL WINDOWS. REFER TO ADDENDUM. ANGLED WINDOW UNITS SHALL BE FACTORY MADE AND FIXED AND DELIVERED ON SITE AS COMPLETE UNIT.
- 6.3 CLOTHES HOIST: REFER TO ADDENDUM.

7.0 ROOFING

- 7.1 SELECTED ROOFING MATERIAL SHALL BE INSTALLED AND FIXED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATION AND RELEVANT BUILDING CODES.
- 7.2 GUTTER, FASCIA, DOWN PIPES, FLASHINGS SHALL BE IN LONGEST POSSIBLE LENGTHS AND SHALL MATCH EXISTING.
- 7.3 DOWN PIPES SHALL MATCH EXISTING.
- 7.4 ALLOW FOR ALL JOINTS AND JOINING MATERIALS, COLORS, STRAPS & FASTENINGS NECESSARY TO COMPLETE WORK.
- 7.5 ALLOW FOR ALL ROOF PENETRATIONS, ROOF COWLS, FLASHINGS, FLUMES THROUGH ROOF.
- 7.6 FIX GUTTERS & FLASHINGS TO PERMIT THERMAL MOVEMENT IN THEIR FULL LENGTH SEAL BETWEEN OVERLAPPING FLASHINGS; FLASHINGS TURNED DOWN OVER BASE OR APRON FLASHINGS; FLASHINGS OVER METAL ROOF; FLASHINGS OVER SECRET GUTTERS; AROUND ROOF PENETRATIONS ETC.
- 7.7

8.0 JOINERY

- 8.1 ALL JOINERY SHALL BE OF HIGHEST QUALITY MATERIALS TO BEST TRADE PRACTICES AND HIGH QUALITY FINISH.
- 8.2 EXTERNAL DOOR FRAMES SHALL BE: 110x40 DOUBLE REBATE FRAME WITH 130x40 WEATHERED THRESHOLD U.D.N
- 8.3 SUPPLY AND BUILD IN TIMBER DOOR FRAMES TO EXTERNAL LOCATIONS AS SHOWN ON ARCHITECTURAL DRAWINGS.
- 8.4 PROVIDE ALL SELECTED MOLDINGS AND CORNICES TO ALL CEILINGS AS STATED IN ARCHITECTURAL DOCUMENTS.

10.0 PLASTERING

- 10.1 INTERNAL WALL FINISHINGS INCLUDING CUPBOARD, BIN, & FRIDGE RECESSES ETC. SHALL BE LATHER THAN FACE FINISHINGS OR WHERE COVERED BY FEATURE MATERIALS FLOAT AND SET IN HARD WALL PLASTER.
- 10.2 PLASTERED WALLS SHALL BE NOMINAL 12MM THICK CONSISTING OF 1:1:6 CEMENT:LIME:SAND RENDER, AND FINISHED WITH NOMINALLY 3MM HARDWALL PLASTER.
- 10.3 SUPPLY AND FIX EXTERNAL CORNER BEADS TO ALL EXTERNAL CORNERS.
- 10.4 PROVIDE STOP HEADS WHERE PLASTER WORK ABUTS TIMBER FRAMES, OR FACEWORK
- 10.5 EXTERNAL RENDER WHEN APPLICABLE SHALL BE 2 COAT SAND FINISH. (FOR PAINTING)
- 10.6 NIBS IN INTERNAL CORNERS ADJACENT TO DOOR FRAMES GREATER THAN 40MM SHALL NOT BE FLUSHED UP WITH FRAMES.
- 10.7 PROVIDE V-JOINTS IN RENDER & FINISHING PLASTER WHERE BRICK WORK ABUTS OR JOINS ONTO CONCRETE WORK.

11.0 GLAZING

- 11.1 CLEAR GLASS GENERALLY; OBSCURE GLASS TO BATHROOMS. REFER TO DRAWINGS.
- 11.2 ALL TO RELEVANT AUSTRALIAN STANDARDS.
- 11.3 WHERE GLASS BLOCKS HAVE BEEN NOMINATED, THEY SHALL BE IN FRAMES AND INSTALLED TO MANUFACTURERS SPECIFICATIONS.

12.0 FLOORING FINISHES

- 12.1 CARPET FLOOR COVERINGS TO NOMINATED AREAS COMPLETE WITH SELECTED UNDERLAY SMOOTH EDGE, DIMINISHING STRIPS ETC. TO COMPLETE THE WORKS. REFER TO DRAWINGS & FINISHES SCHEDULE.
- 12.2 PROVIDE TILED FLOOR FINISHES TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS ANGLE TRIMS ETC. TO COMPLETE THE WORKS. REFER TO DRAWINGS & FINISHES SCHEDULE.
- 12.3 PROVIDE TIMBER FLOOR FINISHES TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS, DIMINISHING BOARDS ATC. TO COMPLETE THE WORKS. FLOOR BOARDS TO BE Sanded & POLISHED TO HIGH STANDARD WITH PREMIUM QUALITY SEALER (2 COATS). REFER TO DRAWINGS & FINISHES SCHEDULE.

Issued for Building Licence

NOTE: Simplicity Brand

Anthony & Associates DESIGNERS

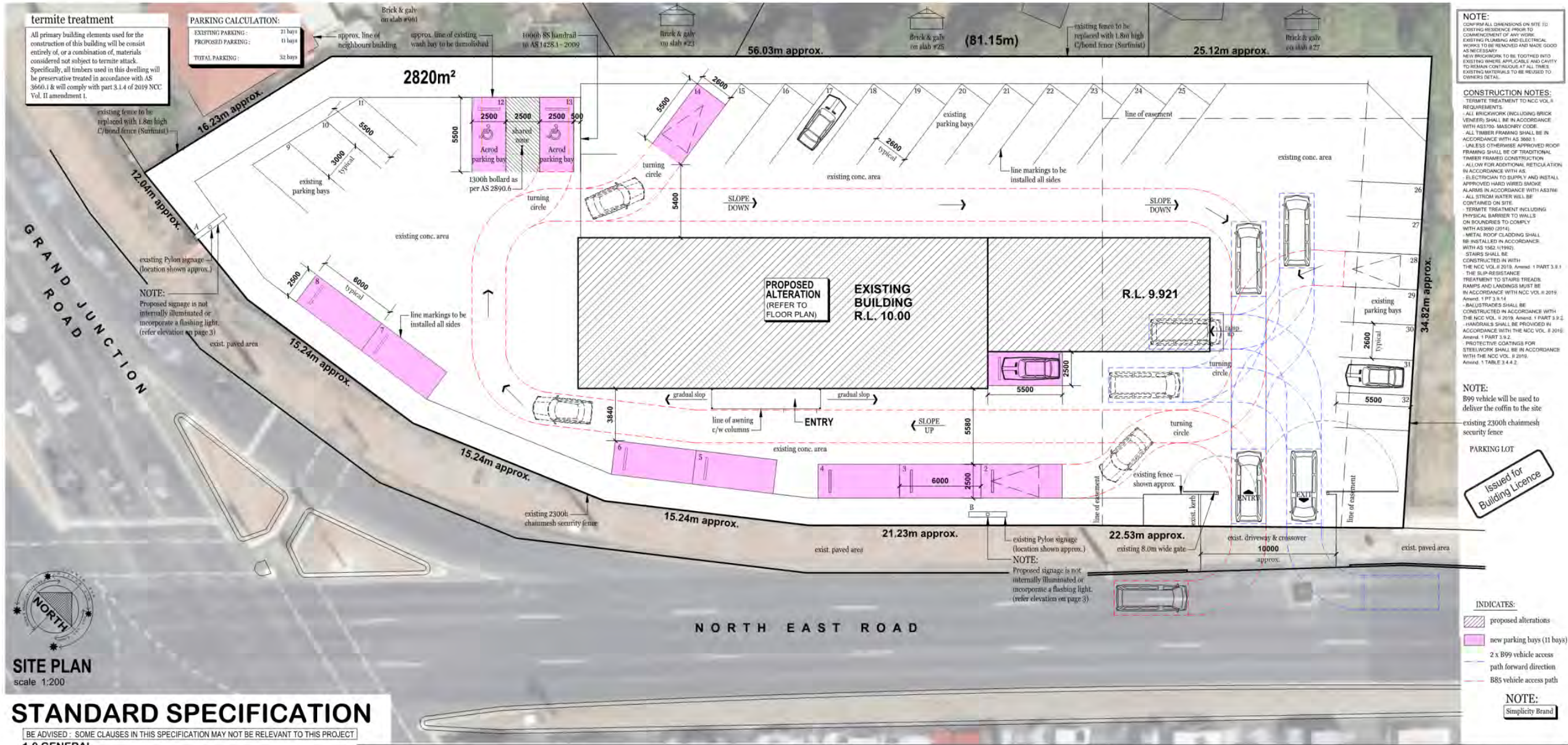
Invocare
Innovation Vocation Care

PROPOSED ALTERATION AT 771-775 NORTH EAST ROAD, VALLEY VIEW FOR INVOCARE

REV. A1 DP. RS1
JOB: 1592 09.10.2023

1 OF 6

PLAN TO SCALE ON A2 PAGE



STANDARD SPECIFICATION

- BE ADVISED: SOME CLAUSES IN THIS SPECIFICATION MAY NOT BE RELEVANT TO THIS PROJECT
- 1.0 GENERAL**
- 1.1 ALL DIMENSIONS SHALL BE CHECKED ON SITE PRIOR TO COMMENCEMENT ANY WORK.
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- 1.3 ALL WORKMANSHIP SHALL COMPLY WITH RELEVANT CURRENT AUSTRALIAN STANDARDS AND TO GOOD TRADE PRACTICES.
- 1.4 ALL WORK SHALL BE IN ACCORDANCE WITH REQUIREMENTS OF THE RESPECTIVE AUTHORITY HAVING JURISDICTION OVER THE WORKS.
- 1.5 THE ARCHITECTURAL DRAWINGS SHOULD BE READ IN CONJUNCTION WITH THE SPECIFICATION, SCHEDULES AND CONSULTANTS DRAWINGS THAT FORMS PART OF THE CONSTRUCTION DOCUMENTS REFERRED TO IN THE 'BUILDING CONTRACT'.
- 1.6 DO NOT SCALE FROM DRAWINGS. NOTIFY OF ANY ERRORS OR OMISSIONS BEFORE PROCEEDING WITH ANY WORKS.
- 1.7 ENSURE THAT BACKGROUNDS ARE SUITABLE FOR THE INTENDED SUBSEQUENT FINISHES. COMMENCEMENT OF WORK ON THE BACKGROUNDS IMPLIES ACCEPTANCE BY THE SUBCONTRACTOR OF THE BACKGROUNDS ON WHICH FINISHES ARE APPLIED.
- 1.8 SUPPLY ALL EQUIPMENT NECESSARY FOR THE COMPLETION OF RESPECTIVE WORKS.
- 1.9 PROGRESSIVELY CLEAN UP AFTER THE COMPLETION OF RESPECTIVE WORKS.
- 2.0 EARTHWORKS**
- 2.1 UNLESS OTHERWISE STATED, REMOVE TOPSOIL TO A MINIMUM DEPTH OF 200MM INCLUDING ALL ROOTS, AND OTHER MATTER, AND REQUIRED BY THE SOIL CONDITION AND/OR THE BUILDER. PROVIDE SUITABLE CLEAN FILLING SAND AND COMPACT IN LAYERS NOT GREATER THAN 300MM TO REDUCE LEVELS AS SHOWN.
- 2.2 COMPACT SAND FILLING AND SANDY SUB GRADES UNDER FOOTINGS AND SLAB TO OBTAIN MIN. SEVEN (7) BLOWS PER 300MM ON A STANDARDS PERTH SAND PENETROMETER TEST (AS PER AS 1289 F.3.1).
- 2.3 DO NOT EXCAVATE SERVICES TRENCHES WITHIN AN ANGLE OF 45 DEGREES DOWN FROM BOTTOM EDGE OF FOOTING.
- 2.4 ALL RETAINING WALLS TO BE TREATED WITH 'BITKOTE' WATERPROOFING AGENT.
- 3.0 CONCRETE**
- 3.1 CONCRETE REINFORCEMENT AND FRAMEWORK SHALL BE TO A STRUCTURAL ENGINEERS DETAILS, RELEVANT BUILDING CODES AND STANDARDS.
- 3.2 ALL CONCRETE TO CONFORM TO THE REQUIREMENTS OF AS 3600 CONCRETE STRENGTH GRADE: N20, AGGREGATE 20MM, SLUMP 80MM.

- 3.3 SLAB IS TO BE CURED FOR 7 DAYS MIN. & SLAB REINFORCEMENT PLACED ON APPROVED CHAIRS TO IMPROVE CRACK CONTROL.
- 3.4 THE FOOTING AND SLAB CONSTRUCTION IS TO COMPLY WITH AS 2870.
- 3.5 PROVIDE A PROPRIETARY VAPOR BARRIER WHICH CONSISTS OF HIGH IMPACT RESISTANT POLYETHYLENE FILM MIN. 0.2MM THICK WHICH HAS BEEN PIGMENTED AND BRANDED BY THE MANUFACTURER.
- 3.6 TERMITE PROTECTION:**
- ALL PRIMARY BUILDING USED FOR THE CONSTRUCTION OF THIS BUILDING WILL BE CONSIST ENTIRELY OF, OR A COMBINATION OF, MATERIALS CONSIDERED NOT SUBJECT TO TERMITE ATTACK. SPECIFICALLY, ALL TIMBERS USED IN THIS DWELLING WILL BE PRESERVATIVE TREATED IN ACCORDANCE WITH AS 3660.1 AND WILL COMPLY WITH PART 3.1.4 OF 2019 NCC VOL. II AMENDMENT 1.
- 4.0 BRICKWORK**
- BRICK WORK SHALL COMPLY WITH:
- 4.1 AS 3700 MASONRY CODE
- AS A123 MASONRY CODE
- MORTAR FOR MASONRY CONSTRUCTION
- BRICK GAUGE: 7 STANDARD COURSES = 600MM
- ALL BRICKS SHOULD HAVE MIN. COMPRESSIVE STRENGTH OF 20MPa AND AS FOLLOWS:
- EXTERNAL FACE WORK: 230x110x76MM
- 305x162x90MM MAXIBRICK OR VERTICORE
- 2x: SPAYED SILLS
- WINDOW HEADS: SOLID FACEBRICK COURSE
- INTERNAL WALLS: 305x76x90 LONGREACH OR JUMBO FOR COURSE ADJUSTMENT.
- 4.2 MORTAR: 1:1:6 CEMENT:LIME:SAND
- 4.3 MORTAR (FACE BRICK) COLOR TO MATCH EXISTING AS SELECTED
- 4.4 TIES SHALL BE 3.5MM DIAMETER GALVANISED WIRE KINKED FOR AND BUILT IN EVERY 5TH COURSE AT APPROXIMATELY 900MM CENTRES, WITH ADDITIONAL TIES AT THE RATE OF 1 TIE/300MM HEIGHT OF OPENINGS AND VERTICAL CONTROL JOINTS AND WITHIN 150MM. VERTICAL CONTROL JOINTS SHALL BE 12MM WIDE FILLED AT COMPLETION WITH 'COMPRIBAND' CONTINUOUS FILLER STRIP.
- 4.5 KEEP CAVITIES CLEAR OF MORTAR. PROVIDE CAVITY BOARDS. TEMPORARILY OMIT BRICKS TO PERMIT RAKING OUT OF CAVITY BOTTOMS.
- 4.6 FORM WEEP HOLES EVERY FOURTH PARAPET ABOVE FLASHINGS AND CAVITY FILL. KEEP CLEAR OF MORTAR. DO NOT LOCATE WEEPHOLES CLOSER THAN 500MM TO JOINTS IN DAMP PROOF COURSES OR FLASHINGS.

- 4.8 PROVIDE DAMP PROOF COURSES (DPC) IN THE BOTTOM 3 COURSES OF BRICK WORK AND SLAB AND/OR FOOTINGS. DPC ADDITIVE SHALL BE CLEAR IN ALL FRAMEWORK.
- 4.9 SETOUT BRICKWORK ACCURATELY PLUMB, LEVEL AND PROPERLY BONDED. RISING WORK TO BE RAKED BACK, JAMBS, REVEALS, CORNERS, PERAPANDS ETC. TO BE TRUE, PLUMB, AND IN LINE WITH PERPENDS TRUE TO LINE. SETOUT DOOR FRAMES NEAR PERPENDICULAR WALL WITH A MARGIN OF 12MM OR GREATER THAN 50MM.
- 4.10 MOISTEN ALL EXTRUDED BRICKS BEFORE LAYING.
- 4.11 PROVIDED 12MM PLASTERING MARGIN BETWEEN WINDOW FRAME AND INTERNAL BRICKWORK TO BE PLASTERED.
- 4.12 WHERE NECESSARY REINFORCE BELOW AND OVER OPENINGS WITH GALVANISED WOVEN WIRE FABRIC 75MM WIDE IN CENTRE OF EACH LEAF LOCATED IN 2 COURSES BELOW SILL AND IN THE 2 COURSES ABOVE AN OPENING EXTENDING A MINIMUM OF 800MM BEYOND THE OPENING.
- 4.13 BUILD IN ALCOR/PGI FLASHINGS AS FOLLOWS:
- WHEREVER SHOWN ON DRAWINGS.
- CAVITY WALLS BUILT OF SLAB ON GROUND (WHERE NOT PARGED.)
- OVER LINTELS TO EXPOSED OPENINGS.
- FULL WIDTH OF OUTER LEAF CONTINUES ACROSS CAVITY 50MM INTO INNER LEAF 2x ABOVE.
- OVER ROOF:
- FULL WIDTH OF EXTERNAL LEAF, STEPPED TO ROOF SLOPE TURNED DOWN MIN. 50MM OVER BASE FLASHING. TURN UP IN CAVITY SLOPING INWARDS AND BUILT INTO INNER LEAF 1x ABOVE.
- DOOR / WINDOW SILLS:
- FULL HEIGHT 150MM WIDE FIXED TO FRAMES INTERLEAVED WITH SILL AND HEAD FLASHING AT EACH END.
- STRUCTURE OR SERVICES WITHIN 30MM OF OUTER BRICK LEAF IN CAVITY:
- VERTICAL FLASHINGS CONTINUOUS 1x BELOW FL TO ABOVE STRUCTURE OR FRAME. NOMINAL 300MM WIDE. FOR HORIZONTAL STRUCTURES / SERVICES: BUILT IN AS FOR OVER LINTELS.
- AT CAVITY WALLS WITH GLASS BLOCK 300MM WIDE FIXED TO GLASS BLOCK FRAME AND TURNED AWAY IN CAVITY FROM INNER LEAF.

4.14 LINTELS

MAX SPAN (MM)	LINTELS SIZE (VERT x HORI x THICK)	BEARING EACH END (MM)
900	75x10	150
1200	75x75x8	150
1500	90x90x8	150
1800	100x75x8	230
2100	125x75x8	230
2400	125x75x10	230
2500	100x100x8	230
3000	150x90x10	230

5.0 CARPENTRY WORK

- 5.1 ROOF AND CEILING FRAMING SHOULD COMPLY WITH AS 1684 LIGHT TIMBER FRAMING CODE. DRAW STRAP FIRMLY OVER WALL PLATES AND SECURELY FIX TO TOP OF PLATE BY 2x30MM GALV. CLOUSTRAP.
- 5.2 REFER TO AS 1684 FOR ROOF FRAMING SIZES UNLESS SPECIFIED ON DRAWINGS.
- 5.3 SUPPLY AND FIX ALL BULKHEADS & FALSE CEILINGS AS SHOWN ON THE DRAWINGS.
- 6.0 METALWORK**
- 6.1 ELECTRIC AND GAS METER BOXES AS SHOWN IN DRAWINGS.
- 6.2 WINDOW FRAMES SHALL BE RESIDENTIAL OR COMMERCIAL SECTION WITH POWDERCOAT FINISH AS SELECTED BY OWNER. ALLOW FOR FLYSCREENS TO ALL WINDOWS. REFER TO ADDENDUM ANGLED WINDOW UNITS SHALL BE FACTORY MADE AND FIXED AND DELIVERED ON SITE AS COMPLETE UNIT.
- 6.3 CLOTHES HOIST: REFER TO ADDENDUM.

7.0 ROOFING

- 7.1 SELECTED ROOFING MATERIAL SHALL BE INSTALLED AND FIXED IN ACCORDANCE WITH MANUFACTURERS SPECIFICATION AND RELEVANT BUILDING CODES.
- 7.2 GUTTER, FASCIA, DOWN PIPES, FLASHINGS SHALL BE IN LONGEST POSSIBLE LENGTHS AND SHALL MATCH EXISTING.
- 7.3 DOWN PIPES SHALL MATCH EXISTING.
- 7.4 ALLOW FOR ALL JOINTS AND JOINING MATERIALS, COLORS, STRAPS & FASTENINGS NECESSARY TO COMPLETE WORK.
- 7.5 ALLOW FOR ALL ROOF PENETRATIONS: ROOF COWLS, FLASHINGS, FLUMES THROUGH ROOF.
- 7.6 FIX GUTTERS & FLASHINGS TO PERMIT THERMAL MOVEMENT IN THEIR FULL LENGTH.
- 7.7 SEAL BETWEEN OVERLAPPING FLASHINGS; FLASHINGS TURNED DOWN OVER BASE OR APRON FLASHINGS; FLASHINGS OVER METAL ROOF; FLASHINGS OVER SECRET GUTTERS; AROUND ROOF PENETRATIONS ETC.

8.0 JOINERY

- 8.1 ALL JOINERY SHALL BE OF HIGHEST QUALITY MATERIALS TO BEST TRADE PRACTICES AND HIGH QUALITY FINISH.
- 8.2 EXTERNAL DOOR FRAMES SHALL BE: 110x40 DOUBLE REBATE FRAME WITH 130x40 WEATHERED THRESHOLD U.D.N.
- 8.3 SUPPLY AND BUILD IN TIMBER DOOR FRAMES TO EXTERNAL LOCATIONS AS SHOWN ON ARCHITECTURAL DRAWINGS.
- 9.0 CEILINGS**
- 9.1 CEILINGS SHALL BE RECESSED EDGE, MINIMUM 8.0 PLASTERGLASS OR GYPROCK.
- 9.2 FLUSH JOINTS, SCREW HEADS, AND OTHER BLEMISHES IN THE SHEETS USING APPROVED SYSTEMS TO PROVIDE FLUSH SMOOTH CONTINUOUS SURFACE.
- 9.3 PROVIDE AND FIX ALL FLUSH STOP BEADS & CASTING BEADS TO ALL CORNERS & EDGES.
- 9.4 PROVIDE ALL SELECTED MOLDINGS AND CORNICES TO ALL CEILINGS AS STATED IN ARCHITECTURAL DOCUMENTS.
- 10.0 PLASTERING**
- 10.1 INTERNAL WALL FINISHINGS INCLUDING CUPBOARD, BIN, & FRIDGE RECESSES ETC. SHALL BE LATHER THAN FACE FINISHINGS OR WHERE COVERED BY FEATURE MATERIALS FLOAT AND SET IN HARD WALL PLASTER.
- 10.2 PLASTERED WALLS SHALL BE NOMINAL 12MM THICK CONSISTING OF 1:1:9 CEMENT:LIME:SAND RENDER, AND FINISHED WITH NOMINALLY 3MM HARDWALL PLASTER.
- 10.3 SUPPLY AND FIX EXTERNAL CORNER BEADS TO ALL EXTERNAL CORNERS.
- 10.4 PROVIDE STOP HEADS WHERE PLASTER WORK ABUTS TIMBER FRAMES, OR FACEWORK.
- 10.5 EXTERNAL RENDER WHEN APPLICABLE SHALL BE 2 COAT SAND FINISH (FOR PAINTING).
- 10.6 NBS IN INTERNAL CORNERS ADJACENT TO DOOR FRAMES GREATER THAN 40MM SHALL NOT BE FLUSHED UP WITH FRAMES.
- 10.7 PROVIDE V-JOINTS IN RENDER & FINISHING PLASTER WHERE BRICK WORK ABUTS OR JOINS ONTO CONCRETE WORK.

11.0 GLAZING

- 11.1 CLEAR GLASS GENERALLY: OBSCURE GLASS TO BATHROOMS, REFER TO DRAWINGS. ALL TO RELEVANT AUSTRALIAN STANDARDS.
- 11.2 WHERE GLASS BLOCKS HAVE BEEN NOMINATED, THEY SHALL BE IN FRAMES AND INSTALLED TO MANUFACTURES SPECIFICATIONS.

12.0 FLOORING FINISHES

- 12.1 CARPET FLOOR COVERINGS TO NOMINATED AREAS COMPLETE WITH SELECTED UNDERLAY SMOOTH EDGE, DIMINISHING STRIPS ETC. TO COMPLETE THE WORKS. REFER TO DRAWINGS & FINISHES SCHEDULE.
- 12.2 PROVIDE TILED FLOOR FINISHES TO NOMINATED AREAS COMPLETE WITH ALL MATERIALS ANGLE TRIMS ETC. TO COMPLETE THE WORKS. REFER TO DRAWINGS & FINISHES SCHEDULE.
- 12.3 PROVIDE TIMBER FLOOR FINISHES TO NOMINATED AREAS COMPLETE

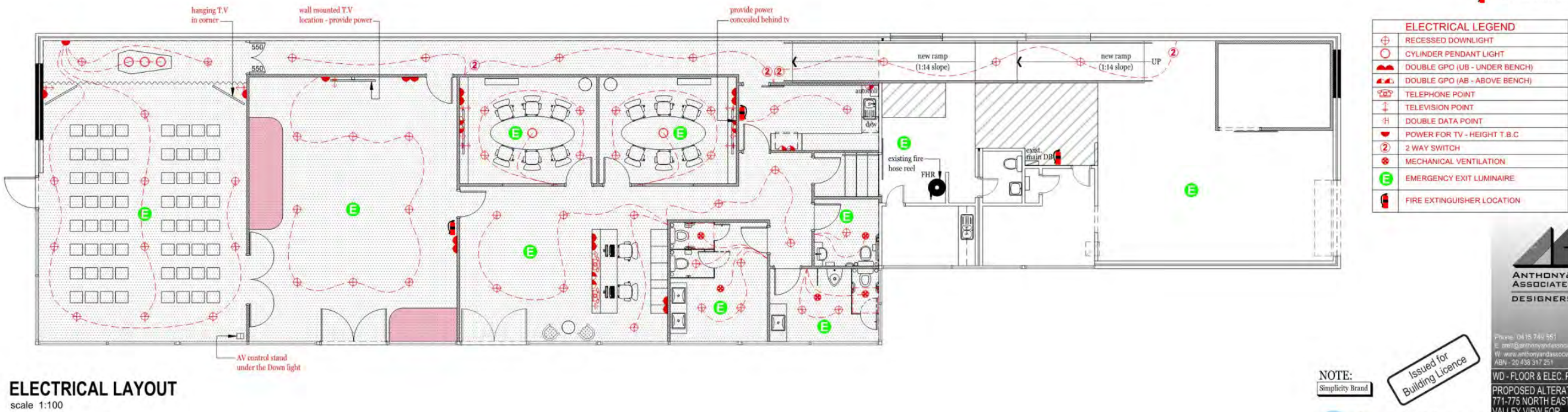
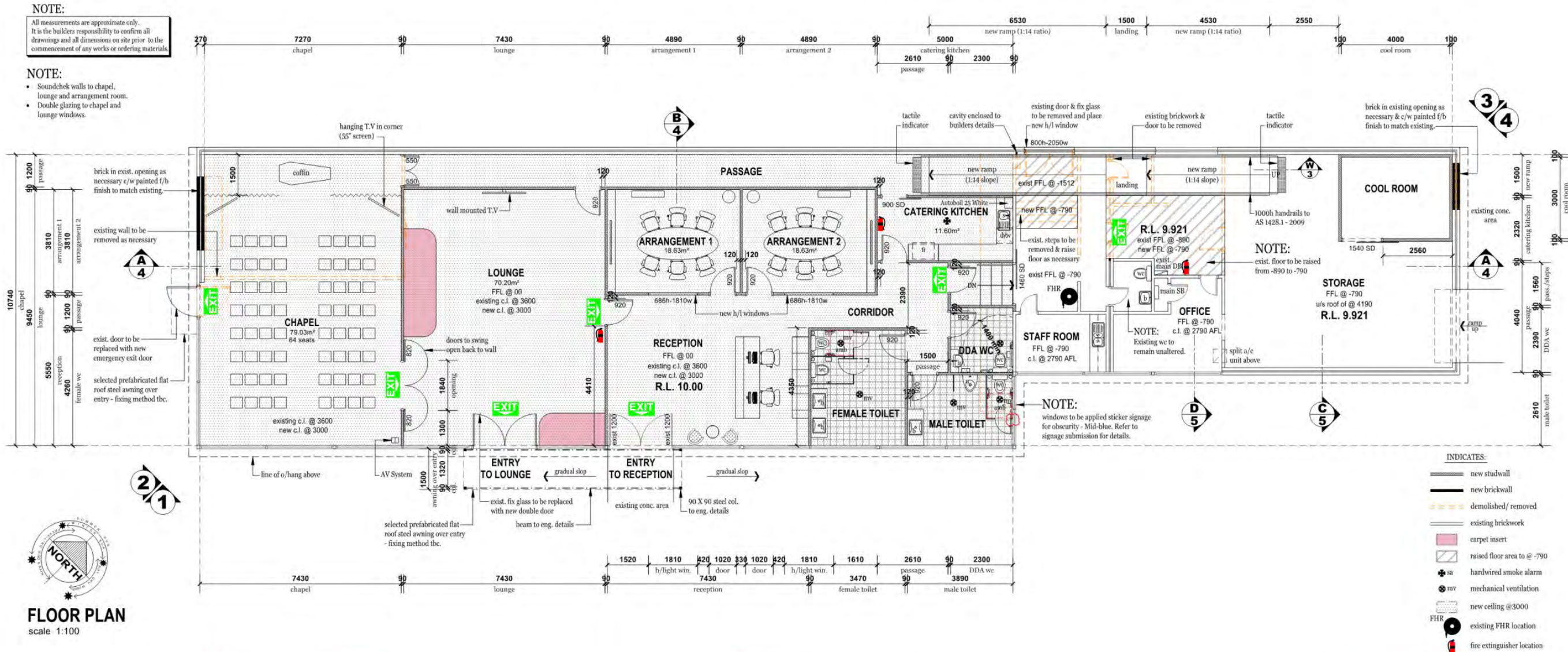
- WITH ALL MATERIALS, DIMINISHING BOARDS ATC. TO COMPLETE THE WORKS: FLOOR BOARDS TO BE Sanded & POLISHED TO HIGH STANDARD WITH PREMIUM QUALITY SEALER (2 COATS). REFER TO DRAWINGS & FINISHES SCHEDULE.
- 13.0 SIGNAGE**
- 13.1 WHERE NECESSARY SUPPLY & FIX SELECTED UNIT AND HOUSE NO. TO EACH UNIT AND TO LETTERBOXES AS SCHEDULED.
- 13.2 BUILDER RESERVES THE RIGHT TO ERECT A BUILDERS SIGN ON THE PROPERTY FACING THE STREET FRONTAGE IN COMPLIANCE WITH AUTHORITY REQUIREMENTS.
- 14.0 PAVING**
- 14.1 GENERALLY: WHEN PAVING IS INCLUDED IN THE BUILDING CONTRACT, THE FOLLOWING SHALL APPLY AS A MINIMUM STD.
- 14.2 SUPPLY AND LAY ALL PAVING TO EXTERNAL AREAS AS SHOWN ON WORKING DRAWINGS.
- 14.3 CUT, FILL AND COMPACT SAND TO REQUIRED LEVELS. SCREED TO UNIFORM THICKNESS AND LEVELS.
- 14.4 PROVIDE BRICK EDGE RETRAINING FOOTING EMBEDDED IN MORTAR BENEATH THE PAVING BRICK, GENERALLY, TO DRIVEWAY AREAS. PROVIDE NOMRAL 300x150MM CONC. FOOTING PERIMETER OF DRIVEWAY AND BED EDGE BRICK IN MORTAR.
- 14.5 PROVIDE 100MM COMPACTED LIMESTONE BASE TO DRIVEWAY TOPPED WITH 50MM CLEAN SAND AND GRADE TO FALLS.
- 14.6 PAVING PATTERN: REFER TO ADDENDUM.
- 14.7 BRICK PAVERS SHALL BE: TRAFFICABLE AREAS: MIN. 65MM SOLID CLAY OR CONCRETE PEDESTRIAN AREAS: MIN. 43MM SOLID CLAY OR CONCRETE

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PROPOSED ALTERATION AT
771-775 NORTH EAST ROAD,
VALLEY VIEW FOR
INVOICARE

REV. A	DP	1 OF 6
JOB: 1592	08.02.2024	

PLAN TO SCALE ON A2 PAGE

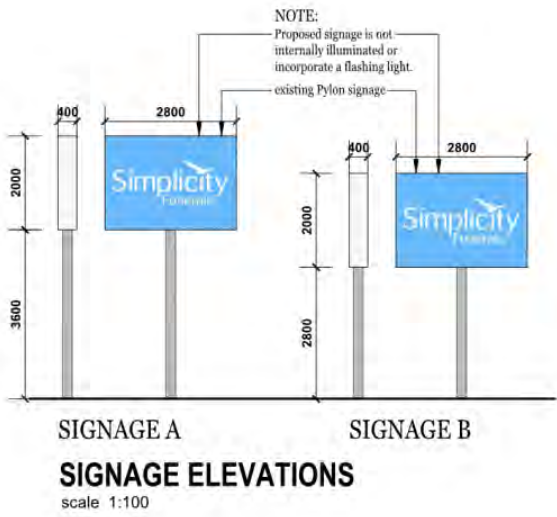
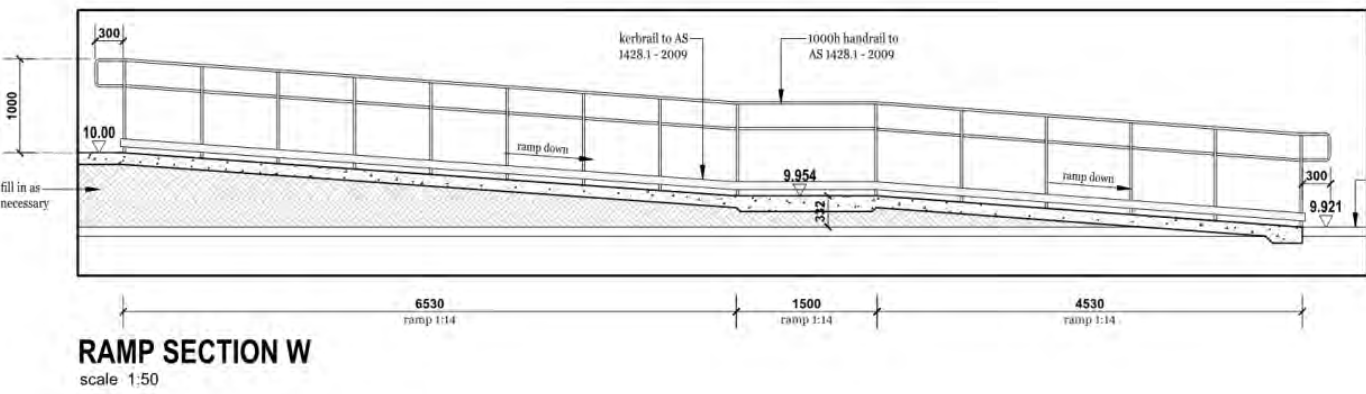
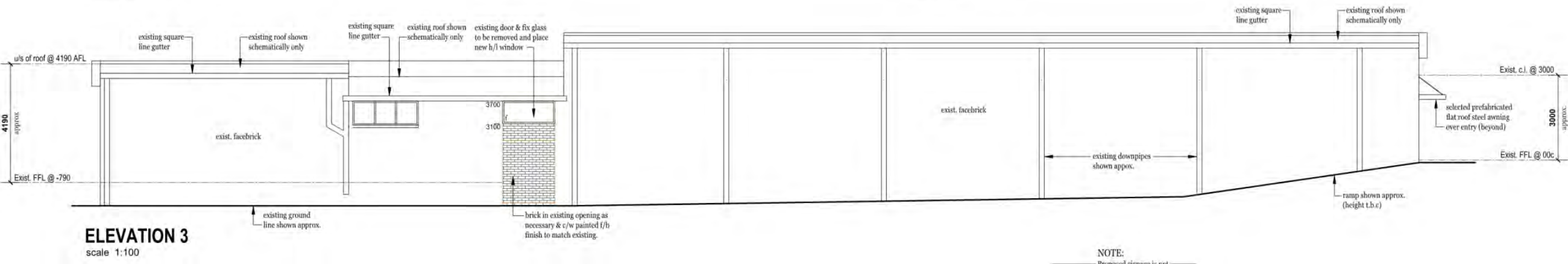
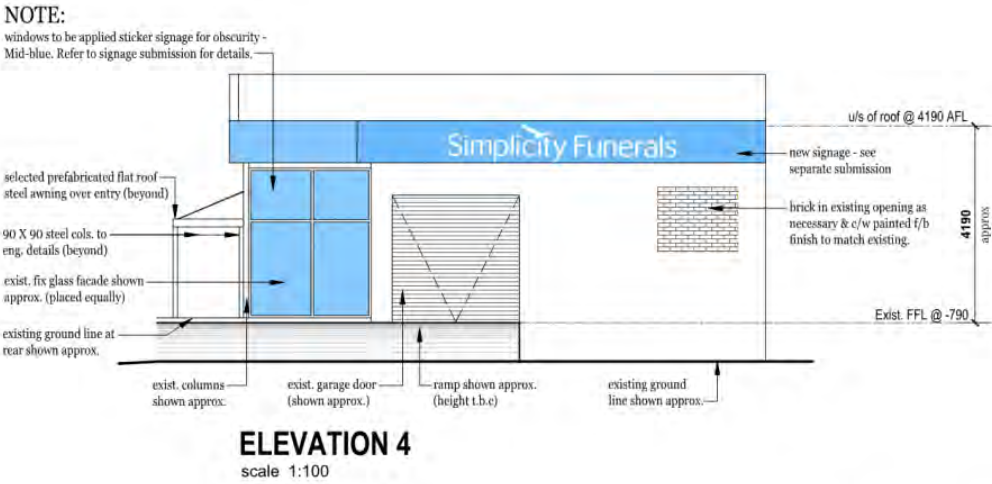
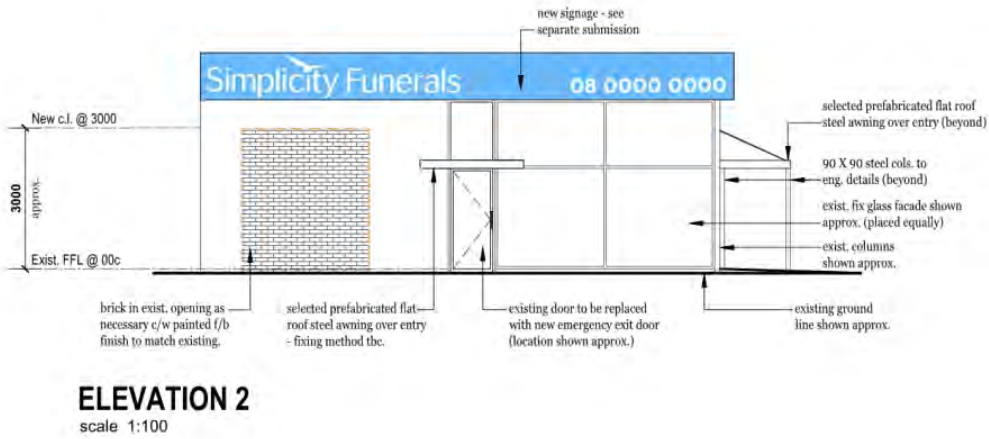
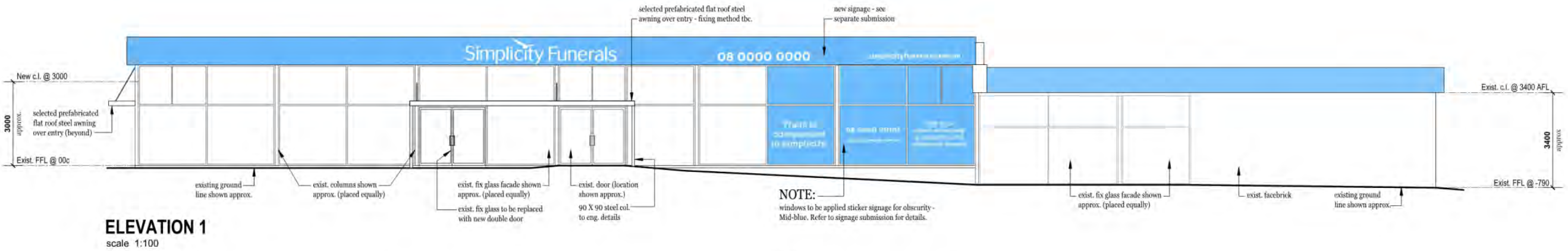


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ABN - 20 438 317 251
WD - FLOOR & ELEC. PLAN
PROPOSED ALTERATION AT
771-775 NORTH EAST ROAD,
VALLEY VIEW FOR
INVOCARE
REV: AI DP: RS
JOB: 1582 09.10.2023
2 OF 6
PLAN TO SCALE ON A2 PAGE



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WD - ELEVATIONS & DETAIL
PROPOSED ALTERATION AT
771-775 NORTH EAST ROAD,
VALLEY VIEW FOR
INVOCARE

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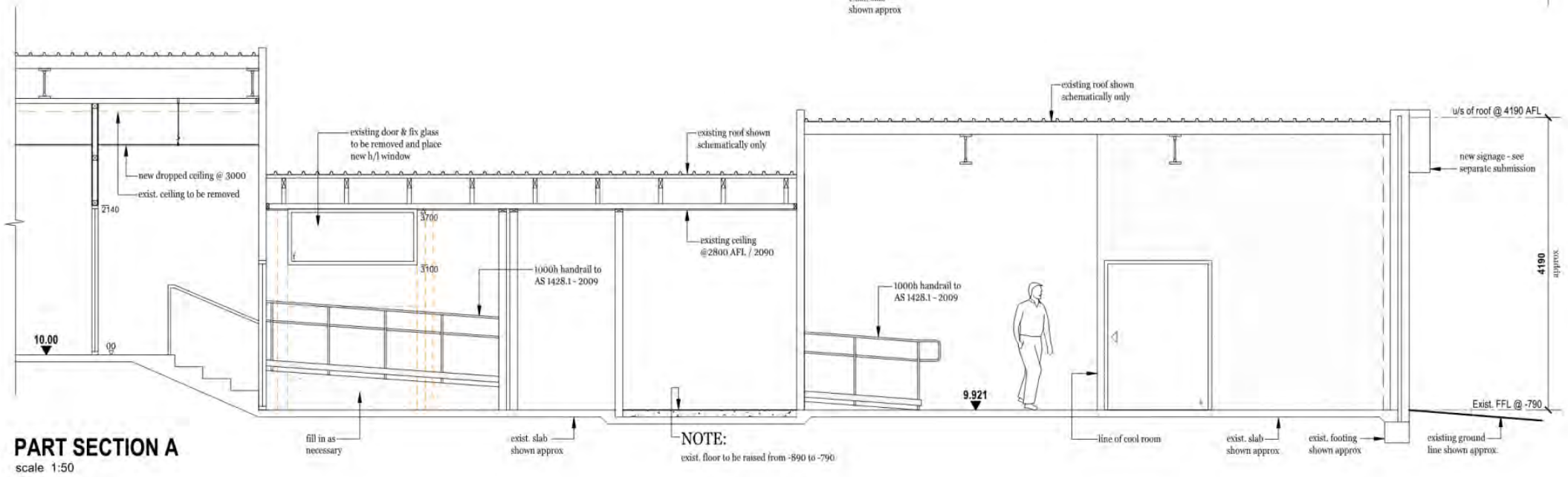
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JOB: 1592
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DP
3 OF 6

PLAN TO SCALE ON A2 PAGE

Roof construction as specified and in accordance with AS1684-2010.



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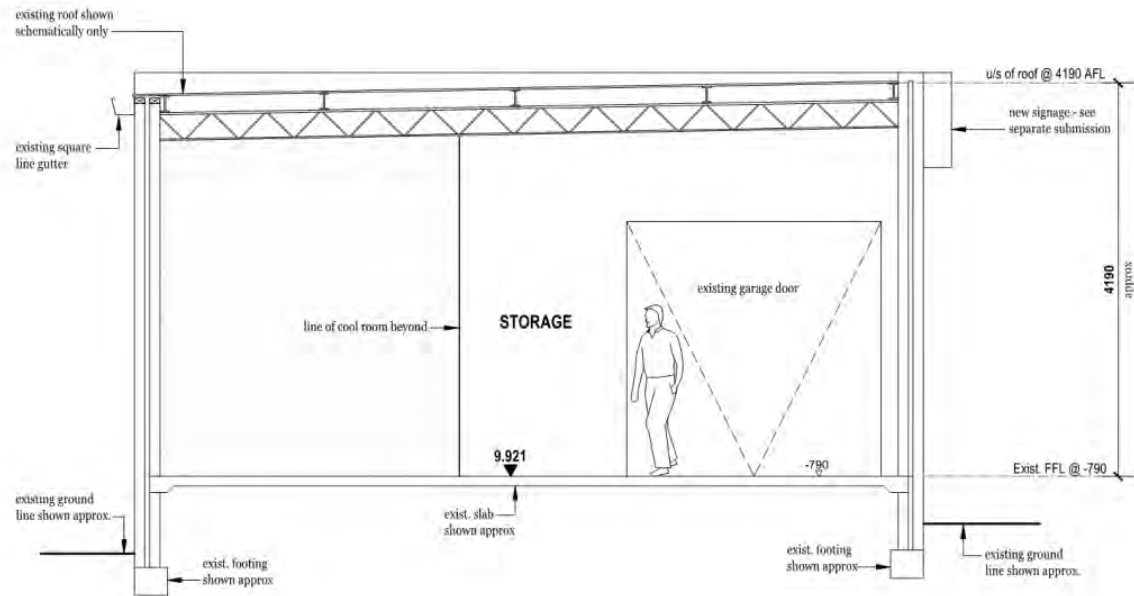
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NOTE:

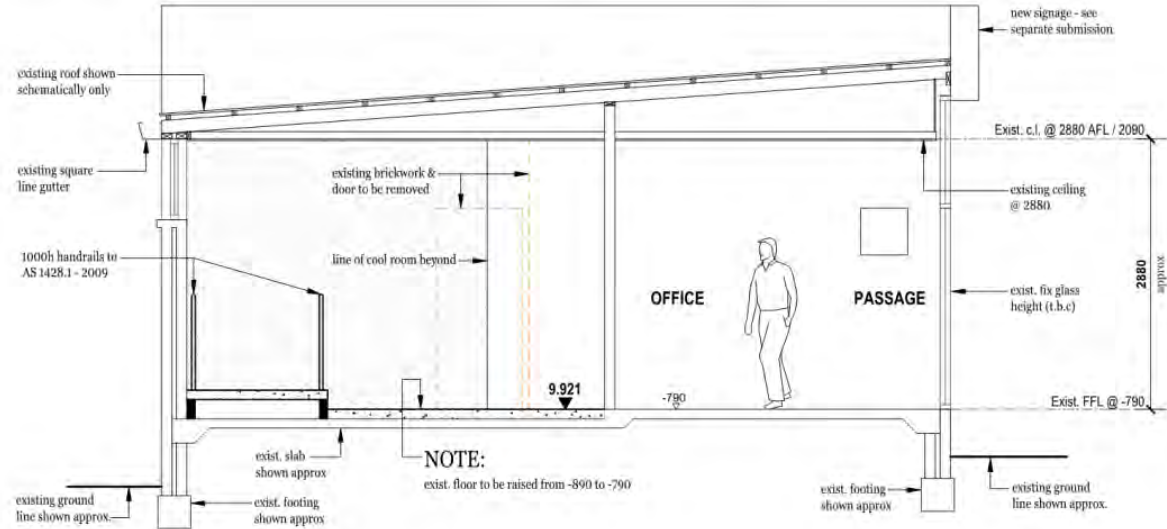
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2019 amend. 1 requirements.

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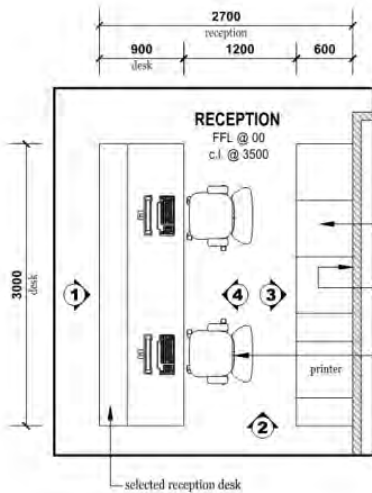
Roof construction as specified and
in accordance with AS1684-2010.



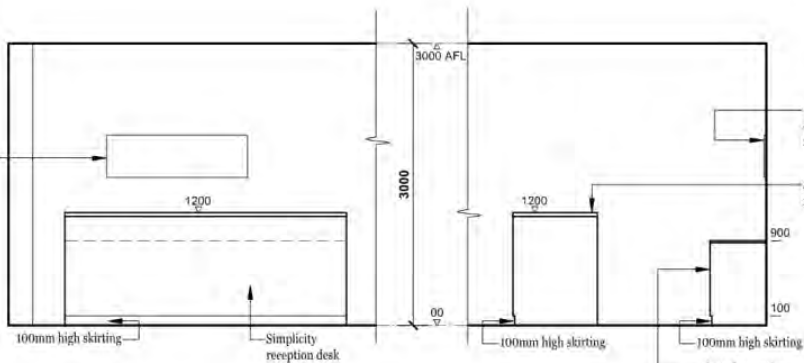
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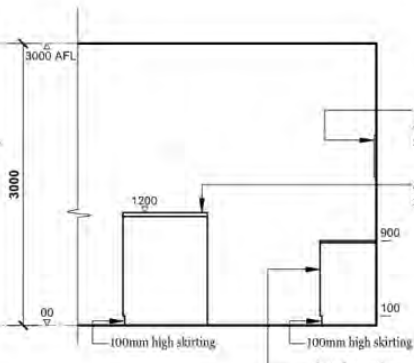
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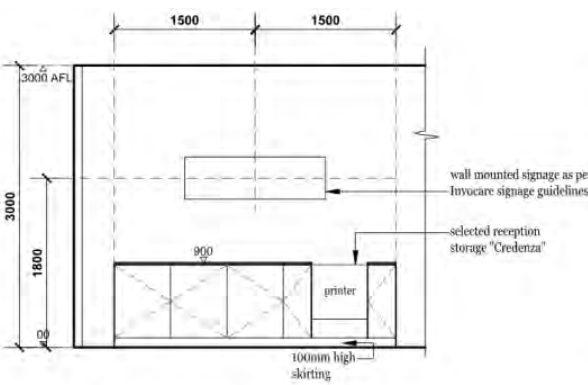
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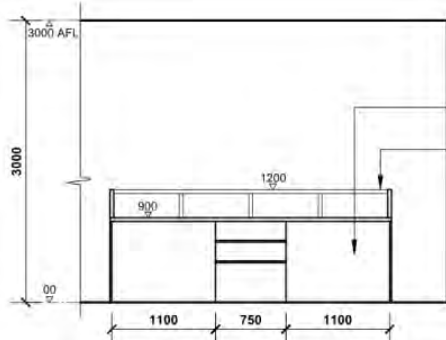
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ELEVATION 2
scale 1:50



ELEVATION 3
scale 1:50



ELEVATION 4
scale 1:50

NOTE:
width of wall & storage Credenza
as per Invocare FFE master list.

NOTE:
width of wall & storage Credenza
as per Invocare FFE master list.
Simplicity reception desk

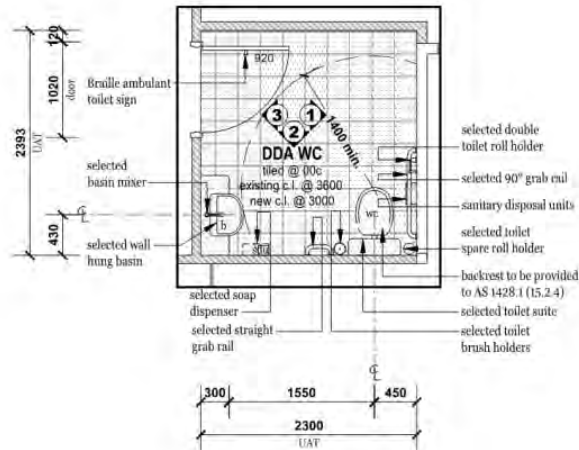


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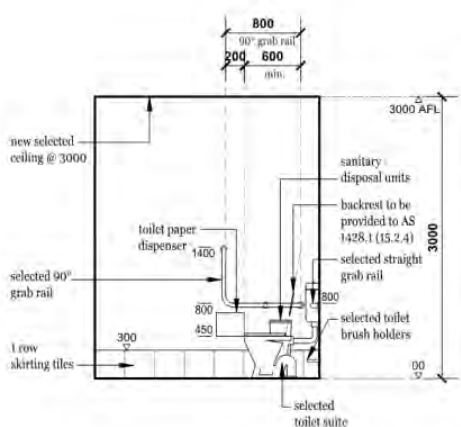
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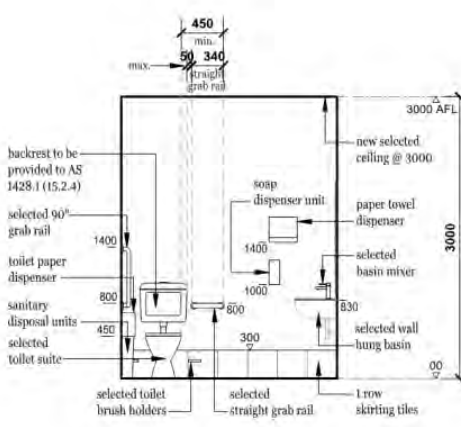
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Website: www.anthonysandassociates.com.au	Job: 1502	06.10.2023	PLAN TO SCALE ON A2 PAGE
Phone: 20 436 317 251			
ABN: 20 436 317 251			
WD - SECTIONS & INTERNAL			
PROPOSED ALTERATION AT			
771-775 NORTH EAST ROAD,			
VALLEY VIEW FOR			
INVOCARE			



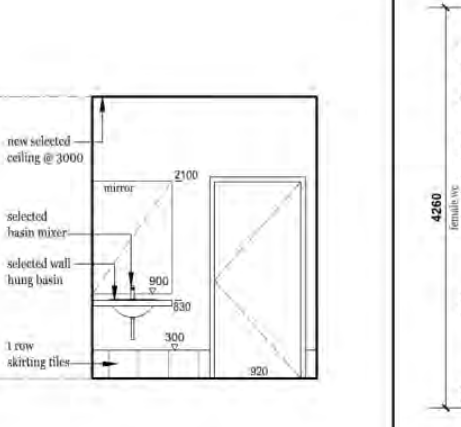
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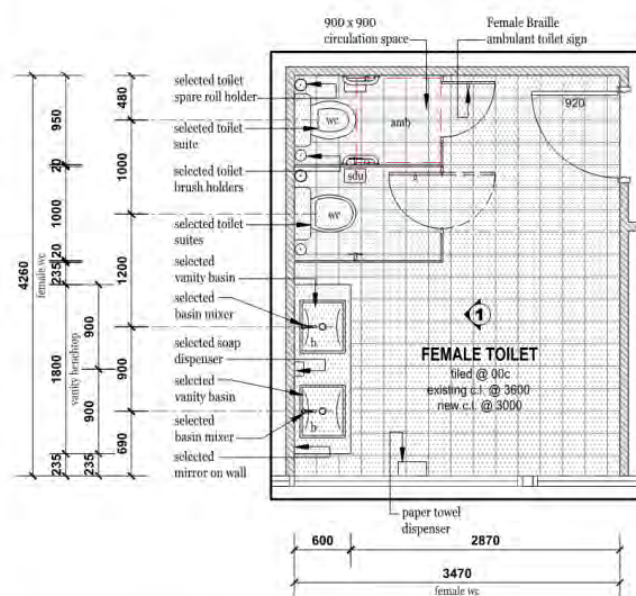
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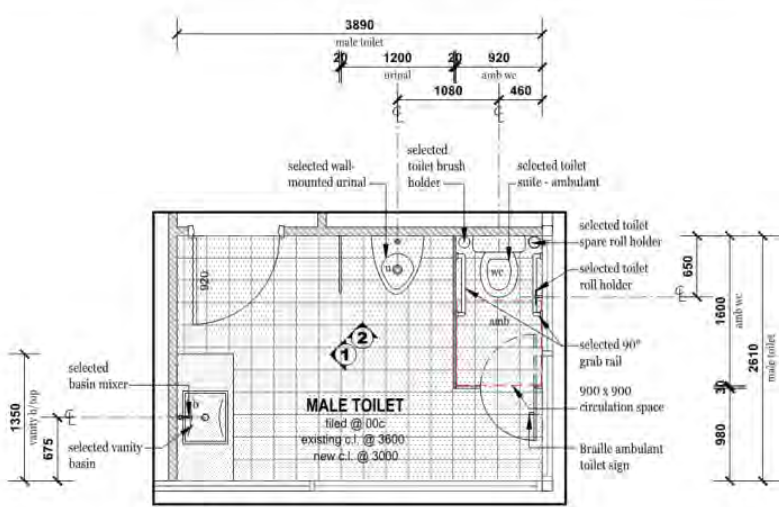
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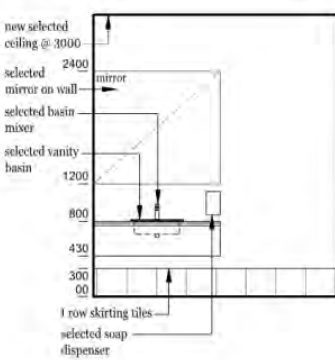
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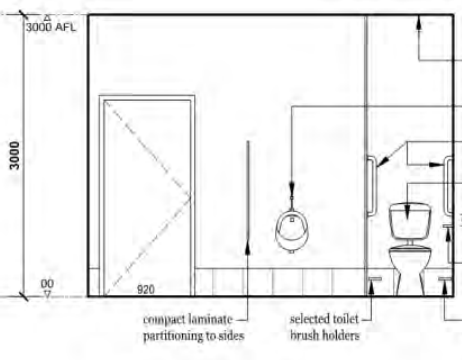
FEMALE TOILET LAYOUT
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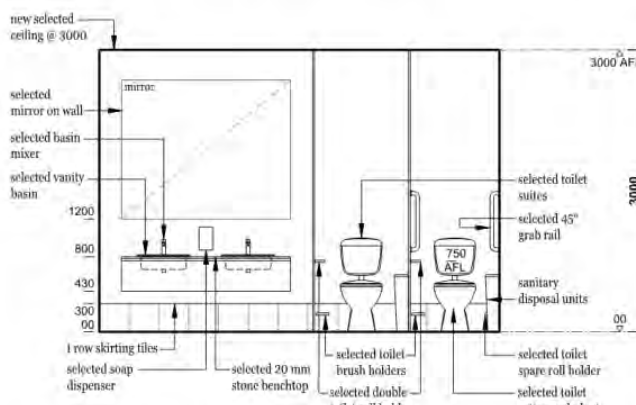
MALE TOILET LAYOUT
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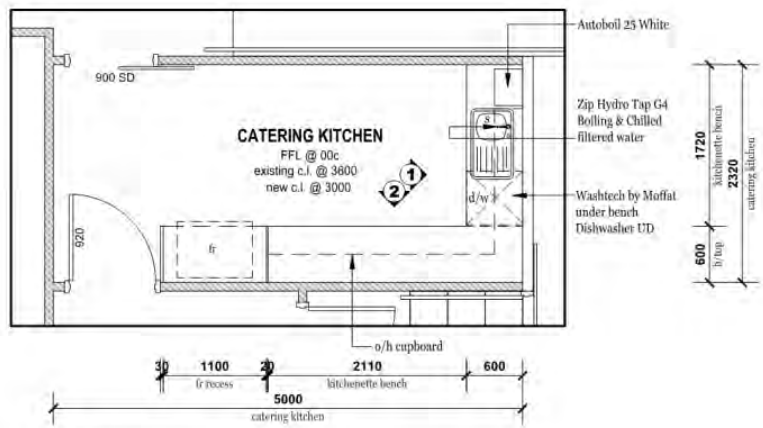
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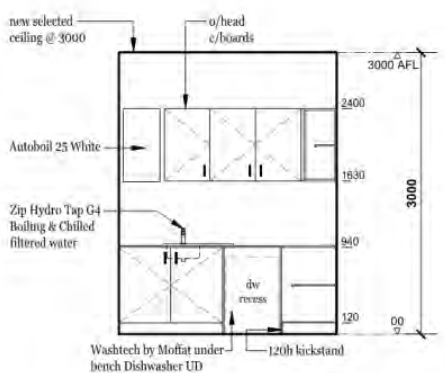
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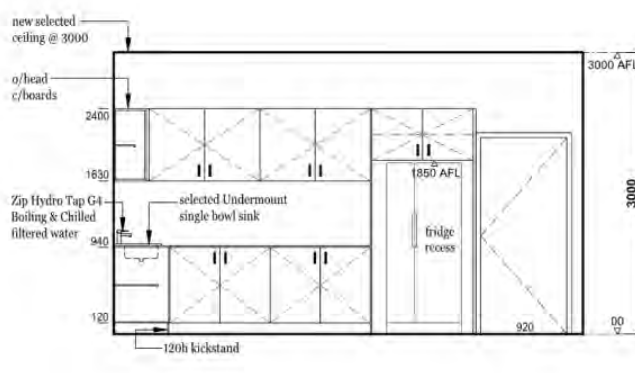
ELEVATION 1
scale 1:50



CATERING KITCHEN
scale 1:50



ELEVATION 1
scale 1:50



ELEVATION 2
scale 1:50

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INDICATES:
new ceiling @3000

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WD - INTERNALS
PROPOSED ALTERATION AT
771-775 NORTH EAST ROAD,
VALLEY VIEW FOR
INVOCARE

REV: AI DP: RS
JOB: 1592 06.10.2023
PLAN TO SCALE ON A2 PAGE 6 OF 6

Singh, Rhiya

From:	Admin Anthony & Assoc. <admin@anthonyandassociates.com.au>
Sent:	Thursday, 8 February 2024 11:52 AM
To:	Singh, Rhiya
Subject:	RE: RFI - Planning Consent - 23023009: 771-775 North East Rd Valley View SA 5093
Attachments:	Landscape Plan Invocare - Simplicity Funerals Valley View.pdf; PLANTING PLAN INVOCARE - SIMPLICITY FUNERALS VALLEY VIEW.pdf

EXTERNAL SENDER: Exercise caution before clicking on any links or opening attachments.

Hi Rhiya

Re parking calculations:

Maximum number of chapel seats? 70 seat chapel

Maximum number of vehicles operated by the parlour? 2 maximum

In regards to waste management the client would want to do curb side as there is very min waste at their sites.

I've attached a landscape plan and planting plan. I couldn't find where I can upload this on the PlanSA website therefore are you able to upload these on my behalf if they're required to be on the site?

I should be able to have the amended plans with the proposed new fencing later today. Basically the client is looking at 1.8m high colourbond fence in Surfmist finish / colour, however this would be subject to consultation with neighbouring property.

In regards to the signage, I not sure which two freestanding signs to be replaced you are referring to, is it the existing pylon sign that we only changing the artwork on?



LANDSCAPE SPECIFICATIONS

EARTHWORKS
Prior to the commencement of earthworks all in-ground services are to be accurately located by landscaper/contractor to ensure they are not disturbed during excavation.

The Landscaper/Contractor is to ensure excavation does not undermine existing structures. The owner is responsible for obtaining all necessary approvals for the garden work to be undertaken, including any Council approvals for building work and/or the removal of significant trees. Any existing trees & shrubs to be retained shall be preserved & protected from damage of any sort during landscaping work. In particular, root systems of existing plants must not be disturbed. Trees shall not be removed or trimmed unless specific written approval to do so is given or is indicated on this plan.

Removal or trimming of trees must be undertaken by a qualified arborist. Storage of materials, mixing of materials, vehicle parking, disposal of liquids, machinery repairs or refuelling shall not occur within 3m of any existing or new trees or shrubs. Do not stockpile soil, rubble or other debris cleared from the site or building materials within the drip line of existing or new trees.

1.1 EARTHWORKS- GARDEN BEDS
- All garden areas are to be stripped of unwanted plants, building material and other matter.
- All garden areas are to be cultivated and aerated prior to the application of top soils
- Excavate existing soil to a depth that allows the addition of soil additives and mulch. Typically 300mm in total.

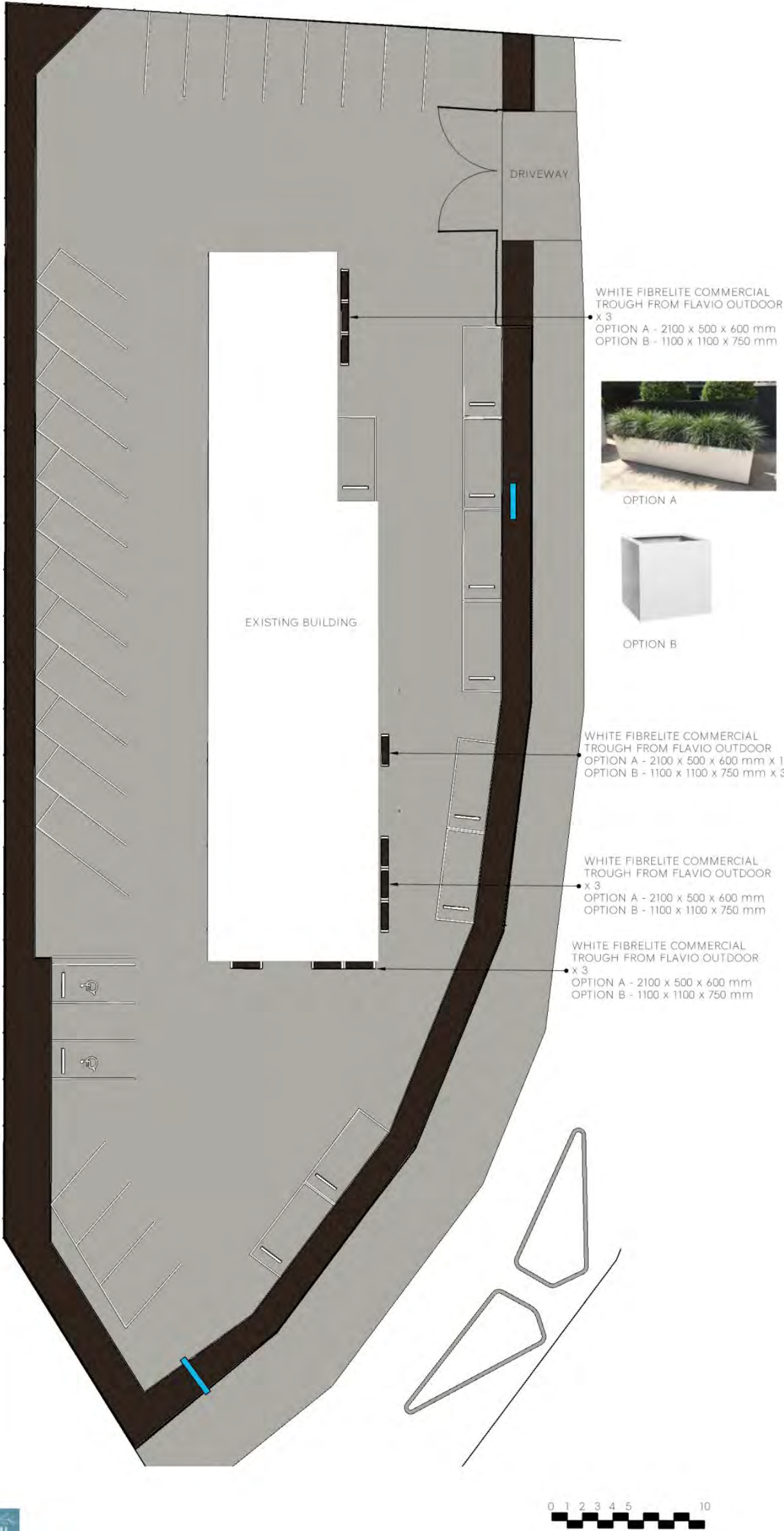
SOIL PREPARATION AND MULCHING
Prior to the commencement of cultivation all in-ground services are to be accurately located to ensure they are not disturbed during works.
The Landscaper is to ensure cultivation does not undermine existing structures.

2.1 GARDEN BEDS
-The Landscaper to supply 100mm Organic Loam 6040 mix, 50mm Organic Compost, Gypsum (1kg/ m2).
-Soil additives to be mixed, spread and cultivated into the top 300mm of existing soil.

2.2 MULCHING
-The Landscaper shall supply 75mm of an organic soil improving mulch to a depth of 75mm. Typically Recover mulch.
-The Landscaper is to manually check and remove all mulch material from the stems of plants.

IRRIGATION
The Landscaper to install system.

3.1 GARDEN BEDS
-Typically 2Lt per hour spiked drippers to be installed to shrubs, groundcovers, climbers and hedges. 2 drippers installed to trees and larger plants.



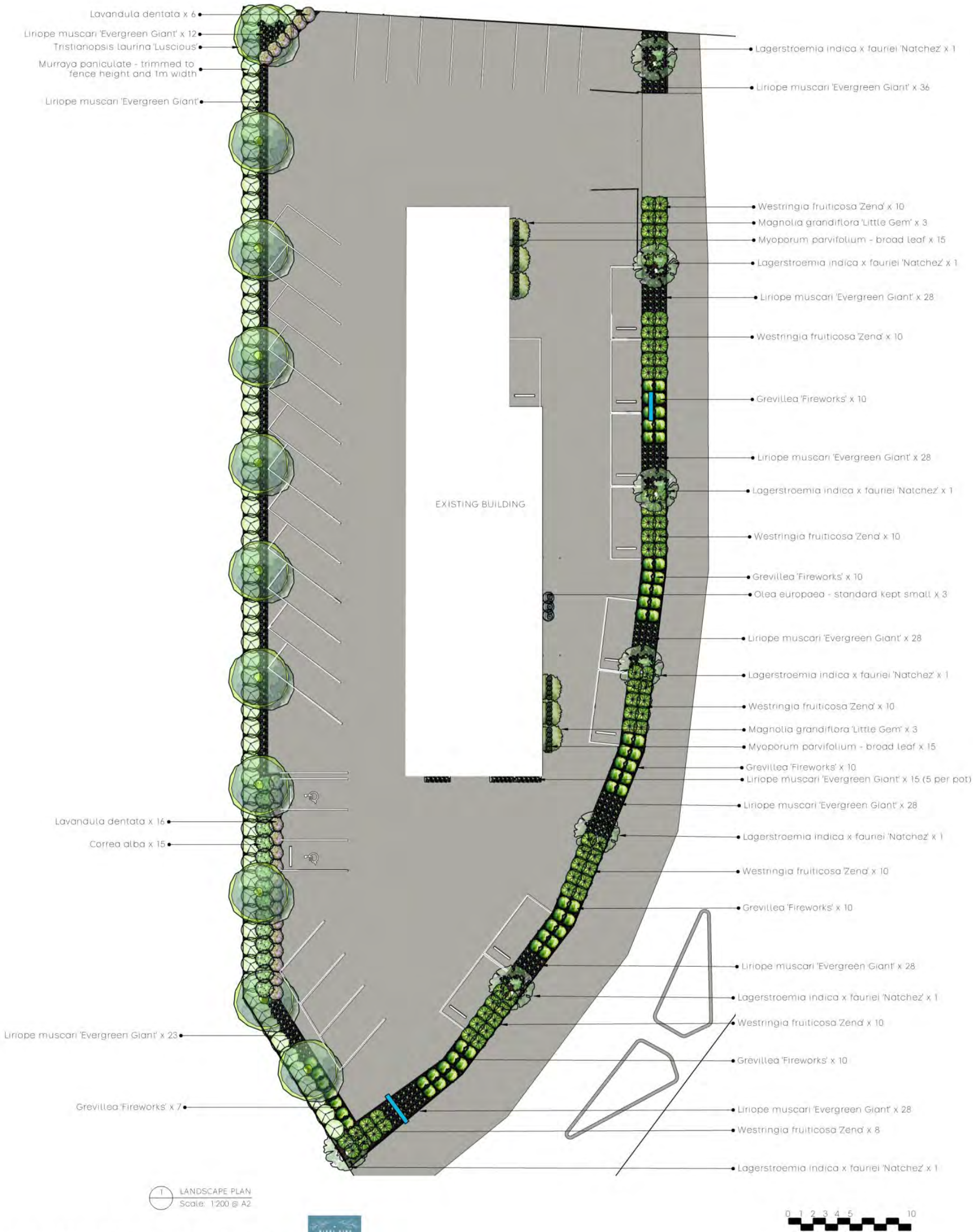
NICKI KING LANDSCAPE DESIGN

INVOCARE - SIMPLICITY FUNERALS
771-775 NORTH EAST ROAD, VALLEY VIEW SA 5093

LANDSCAPE PLAN | SCALE: 1:200 @ A2 | DESIGN BY NK

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Disclaimer
Drawings have been developed for the purpose of Landscape Design only. All measurements are approximate and must be verified and independently assessed on site by a licensed contractor or engineer prior to the commencement of planning and construction. It is advised that all landscaping and building works be constructed by a qualified professional holding a current South Australian building licence. The finish of all designs will depend on the quality of trades employed by client. All plants selected are hardy and have been successfully grown in the South Australian region. The success of these plants will depend on the soil preparation, planting and irrigation of the specimens. Landscaper to locate all utilities and services prior to commencing work. The client is responsible for obtaining all necessary approvals for the garden work to be undertaken, including any Council approvals for building work and/or the removal of significant trees and all work undertaken must adhere to both local council and Australian standards.



NICKI KING LANDSCAPE DESIGN













INVOCARE - SIMPLICITY FUNERALS
771-775 NORTH EAST ROAD, VALLEY VIEW SA 5093

PLANTING PLAN | SCALE: 1200 @ A2 | DESIGN BY NK

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	DESCRIPTION	QUANTITY	SIZE	MATURE SIZE	SYMBOL
1	Lagerstroemia indica x fauriei 'Natchez'	7	400 mm	6m H x 4m W	
2	Tristaniopsis laurina 'Luscious'	11	45 ltr	10m H x 8m W	
3	Magnolia grandiflora 'Little Gem'	6	300 mm	6m H x 3m W	
4	Olea europaea - Manzanillo standard	3	330 mm	2m H x 800mm W	
5	Murraya paniculata	70	300 mm	2m H x 1m W	
6	Westringia fruticosa 'Zena'	68	200 mm	1200mm H x 1200mm W	
7	Correa alba	15	200 mm	1500mm H x 1500mm W	
8	Grevillea 'Fireworks'	57	140 mm	1000mm H x 1000mm W	
9	Lavandula dentata	22	200 mm	1000mm H x 1000mm W	
10	Liriope muscari 'Evergreen Giant'	362	200 mm	500mm H x 500mm W	
11	Myoporum parvifolium - broad leaf	30	140 mm	200mm H x 1500mm W	
12	Dichondra argentea 'Silver Falls'	5	140 mm	200mm H x 1000mm W	



Lagerstroemia indica x fauriei 'Natchez'



Tristaniopsis laurina 'Luscious'



Magnolia grandiflora 'Little Gem'



Olea europaea - Manzanillo standard



Murraya paniculata



Westringia fruticosa 'Zena'



Correa alba



Grevillea 'Fireworks'



Lavandula dentata



Liriope muscari 'Evergreen Giant'



Myoporum parvifolium - broad leaf



Dichondra argentea 'Silver Falls'

NICKI KING LANDSCAPE DESIGN



INVOCARE - SIMPLICITY FUNERALS
771-775 NORTH EAST ROAD, VALLEY VIEW SA 5093

PLANTING PLAN | SCALE 1:200 @ A2 | DESIGN BY NK

© NICKI KING LANDSCAPE DESIGN ABN 54 825 569 132 MOBILE 0409 484 204 <https://nickikinglandscapedesign.com.au> nicki@nickikinglandscapedesign.com.au

Disclaimer:
Drawings have been developed for the purpose of landscape design only. All measurements are approximate and must be verified and independently assessed on site by a licensed contractor or engineer prior to the commencement of planning and construction. It is advised that all landscaping and building works be constructed by a qualified professional holding a current South Australian building licence. The finish of all designs will depend on the quality of trades employed by client. All plants selected are hardy and have been successfully grown in the South Australian region. The success of these plants will depend on the soil preparation, planting and irrigation of the specimens. Landscaper to locate all utilities and services prior to commencing work. The client is responsible for obtaining all necessary approvals for the garden work to be undertaken, including any Council approvals for building work and/or the removal or significant trees and all work undertaken must adhere to both local council and Australian standards.

LANDSCAPE SPECIFICATIONS

EARTHWORKS

Prior to the commencement of earthworks all in-ground services are to be accurately located by landscaper/contractor to ensure they are not disturbed during excavation.

The Landscaper/Contractor is to ensure excavation does not undermine existing structures. The owner is responsible for obtaining all necessary approvals for the garden work to be undertaken, including any Council approvals for building work and/or the removal of significant trees.

Any existing trees & shrubs to be retained shall be preserved & protected from damage of any sort during landscaping work. In particular, root systems of existing plants must not be disturbed. Trees shall not be removed or trimmed unless specific written approval to do so is given or is indicated on this plan.

Removal or trimming of trees must be undertaken by a qualified arborist. Storage of materials, mixing of materials, vehicle parking, disposal of liquids, machinery repairs or refuelling shall not occur within 3m of any existing or new trees or shrubs. Do not stockpile soil, rubble or other debris cleared from the site or building materials within the drip line of existing or new trees.

1.1 EARTHWORKS- GARDEN BEDS

- All garden areas are to be stripped of unwanted plants, building material and other matter.
- All garden areas are to be cultivated and aerated prior to the application of top soils.
- Excavate existing soil to a depth that allows the addition of soil additives and mulch. Typically 300mm in total.

SOIL PREPARATION AND MULCHING

Prior to the commencement of cultivation all in-ground services are to be accurately located to ensure they are not disturbed during works. The Landscaper is to ensure cultivation does not undermine existing structures.

2.1 GARDEN BEDS

- The Landscaper to supply 100mm Organic Loam 6040 mix, 50mm Organic Compost, Gypsum (1kg/ m2).
- Soil additives to be mixed, spread and cultivated into the top 300mm of existing soil.

2.2 MULCHING

- The Landscaper shall supply 75mm of an organic soil improving mulch to a depth of 75mm. Typically Recover mulch.
- The Landscaper is to manually check and remove all mulch material from the stems of plants.

IRRIGATION

The Landscaper to install system.

3.1 GARDEN BEDS

- Typically 2Lt per hour spiked drippers to be installed to shrubs, groundcovers, climbers and hedges, 2 drippers installed to trees and larger plants.

PLANTING

Typically the Landscaper is to set out plants as per Planting Plan for the inspection of Landscape Designer prior to installation.

All soil preparation to be carried out prior to planting. Planting not to proceed under extreme heat conditions.

4.1 PLANT SUPPLY

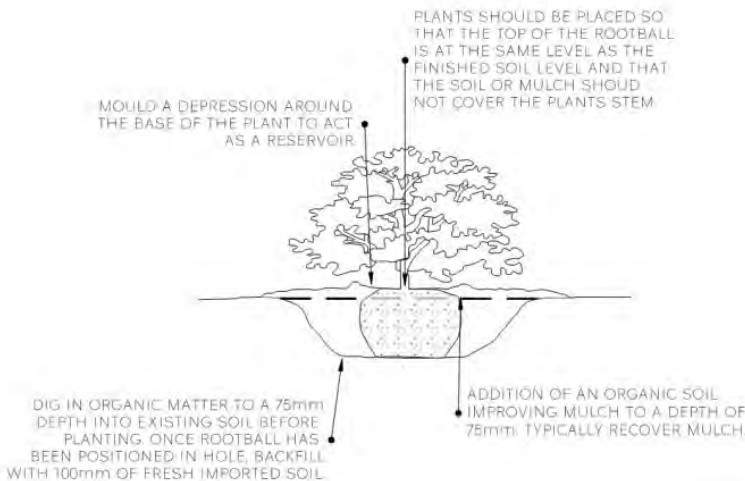
- All plants are to be healthy, grown locally (where possible) and be free of weeds, pests and diseases.
- Alternative plant varieties and pot sizes will be substituted if specified plants are unavailable.

4.2 PLANTING PROCEDURE

- Before planting, thoroughly water plants and planting areas. Water again immediately after planting.
- Excavate planting hole to twice the width and one and a half the depth of the pot size.
- Planting hole to be excavated to the depth of the pot size avoiding water build up below root zone.
- Place plant in hole and backfill with improved soil material, free of weeds, stones and soil sods.
- Trees to be placed to ensure top of rootball is at the same level as finished soil level. Soil or mulch should not cover the plants trunk to avoid collar rot.
- Soil berm forming a watering saucer around immediate crown of plant to hold at least 5 - 10% of rootball size of water.
- The root ball of plants to be handled with care, root disturbance is to be avoided.
- Addition of a suitable fertiliser (e.g. Osmocote and Osmocote Native for all Australian native species) will be applied to all plants as per manufacturers specifications at time of planting.

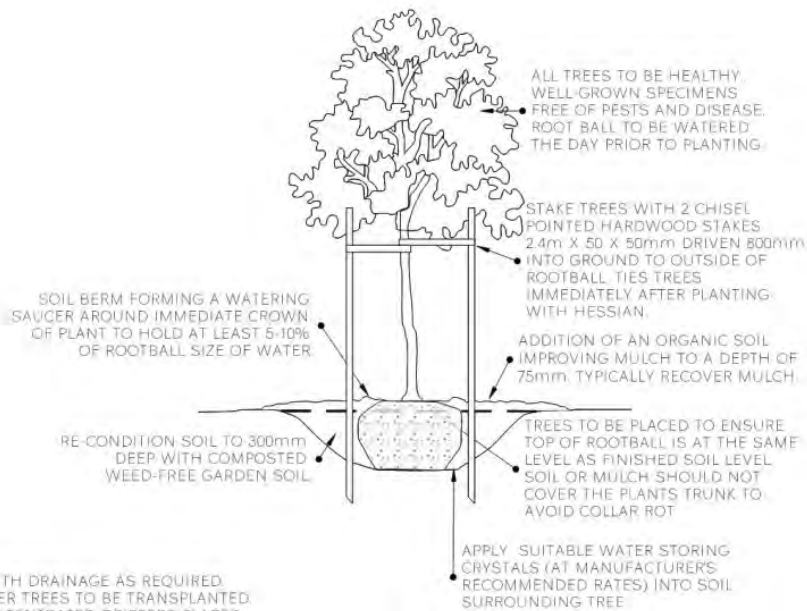
4.3 STAKES AND TIES

- All trees supplied in 300mm pots and above to be staked.
- All stakes shall be durable hardwood, straight and free from knots or twists.
- Drive stakes to a minimum of 600mm into the ground, outside of the plants root ball.
- 2 stakes with loped ties are required per plant.
- Tree ties to be of a flexible canvas or rubber material. Once tied, trees trunks should be able to move marginally.



1 SHRUB PLANTING DETAIL

NOTES
GARDEN BED TO BE WELL DRAINED WITH DRAINAGE AS REQUIRED. BEFORE PLANTING THOROUGHLY WATER TREES TO BE TRANSPLANTED. AFTER PLANTING, WATER IS TO BE CONCENTRATED DRIppers PLACED DIRECTLY ON TOP OF THE ROOTBALL. AFTER PLANTING IT IS ESSENTIAL MOISTURE LEVELS OF ROOTBALL ARE REGULARLY CHECKED TO ENSURE ROOTBALL DOES NOT DRY OUT OR RETAIN TOO MUCH MOISTURE.



2 TREE PLANTING DETAIL

NICKI KING LANDSCAPE DESIGN



INVOCARE - SIMPLICITY FUNERALS
771-775 NORTH EAST ROAD, VALLEY VIEW SA 5093

PLANTING PLAN | SCALE 1:200 @ A2 | DESIGN BY NK

© NICKI KING LANDSCAPE DESIGN | ABN 24 825 567 132 | MOBILE 0409 484 204 | <http://nickikinglandscapeesign.com.au> | nicki@nickikinglandscapeesign.com.au

Disclaimer
Drawings have been developed for the purpose of Landscape Design only. All measurements are approximate and must be verified and independently assessed on site by a licensed contractor or engineer prior to the commencement of planning and construction. It is advised that all landscaping and building works be constructed by a qualified professional holding a current South Australian building licence. The fitness of all designs will depend on the quality of trades employed by client. All plants selected are hardy and have been successfully grown in the South Australian region. The success of these plants will depend on the soil preparation, planting and irrigation of the specimens. Landscaper to locate all utilities and services prior to commencing work. The client is responsible for obtaining all necessary approvals for the garden work to be undertaken (including any Council approvals for building work and/or the removal or significant trees and all work undertaken must adhere to both local council and Australian standards).

Singh, Rhiya

From: Admin Anthony & Assoc. <admin@anthonyandassociates.com.au>
Sent: Tuesday, 19 September 2023 9:30 AM
To: Singh, Rhiya
Subject: RE: Development Application - 23023009 - 771-775 North East Rd Valley View SA 5093
Attachments: 1592 Invocare Valley View Alteration WD Rev - 18.09.2023.pdf

EXTERNAL SENDER: Exercise caution before clicking on any links or opening attachments.

Hi Rhiya

Thanks for your assistance.

Please see attached latest / updated plans.

Also the letter requesting further information asked if there was to be any Noise Generating Equipment on site. The answer to this is no there will not be. Can this email be uploaded / does this qualify as a sufficient response to this question?

Thanks
 Meagan



MEAGAN ANTHONY
 Office Manager

ANTHONY & ASSOCIATES DESIGNERS

Suite 9/ 20 Gibberd Road, Balcatta WA 6021

Phone - 0481 251 775

Anthony & Associates Designers Pty Ltd ATF B & M Family Trust Trading As Anthony and Associates Designers
 438 317 251 • ACN - 147 227 521

• ABN - 20

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Anthony & Associates Designers does not warrant that any attachments are free from viruses or other defects. You assume all liability for any loss, damage or other consequences which may arise from opening or using the attachments.

From: Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>
Sent: Monday, September 18, 2023 1:32 PM
To: Admin Anthony & Assoc. <admin@anthonyandassociates.com.au>
Subject: RE: Development Application - 23023009 - 771-775 North East Rd Valley View SA 5093

Hey Megan,

If you can send me the plan, I can upload it!

Kind regards,

Rhiya Singh | Planning Officer
 City of Tea Tree Gully
 Civic Centre, 571 Montague Road, Modbury

D 08 8397 7244 | **T** 08 8397 7444

17th August 2023

ATTN: Planning Department

City of Tea Tree Gully,
PO Box 571,
Modbury SA 5092

To Planning Department,

Re: Request for Documentation for planning consent at 771-775 NORTH EAST RD VALLEY VIEW SA 5093

To Whom It May Concern,

This letter is to address your request for documentation letter received 8th August and to confirm that we would like the proposed signage to be included as part of development application ID 23023009.

We can confirm that the proposed signage will not be internally illuminated or incorporate a flashing light and that this has now been noted on the plans, and the amended plans are now available on the Plan SA site.

If you require any further information or if we need to submit anything further in order for the signage component to be added to the submission please let me know.

Yours Sincerely



Brett Anthony
Anthony and Associates Designers Pty Ltd



24th July 2023

ATTN: Planning Department

City of Tea Tree Gully,
PO Box 571,
Modbury SA 5092

To Planning Department,

Re: Proposed Alteration at 771-775 NORTH EAST RD VALLEY VIEW SA 5093

To Whom It May Concern,

This letter is to accompany the development application of funeral parlour at above address. Currently the site is untenanted however the last tenant was a Commercial Lease / Hire Company - Kennards Hire categorised as 2131 - Basic Building Materials / Builders' Hardware & Supplies (Inc Tools of Trade). The new Lessee will be transforming the site and current buildings into a funeral parlour.

All existing, original building will remain intact with alterations comprising of internal walls which will be non structural and sit over existing floors to allow for easy removal when the time comes to vacate the premises. External modifications will comprise of erecting Simplicity Funerals Signage in Place of existing Kennards Signage and the additional of 12 parking bays.

Below is description of parking calculations which also satisfies the requirement of vehicle parking standards.

The chapel will accommodate for approx. 80 visitors maximum, with approx. 2 staff members onsite at any one time, increasing up to a maximum of 4 staff for services. Hours of operations will be 9:00am – 5:00pm Monday to Friday, closed weekends and public holidays. Any deliveries to the business are on a needs only basis, not a regular occurrence. Currently there are 22 parking bays on site, with the proposed alterations to add an additional 10 regular bays and 2 disabled parking bays, making for a total of 34 car parking bays on site. The parking requirement for funeral parlour is 0.33 per person, therefore based on the maximum 80 visitors the overall requirement is 26 car bays.

Should you have any questions, concerns or require any further information, please do not hesitate to contact me via email or phone; brett@anthonyandassociates.com.au or 0415 749 551.

Yours Sincerely



Brett Anthony
Anthony and Associates Designers Pty Ltd



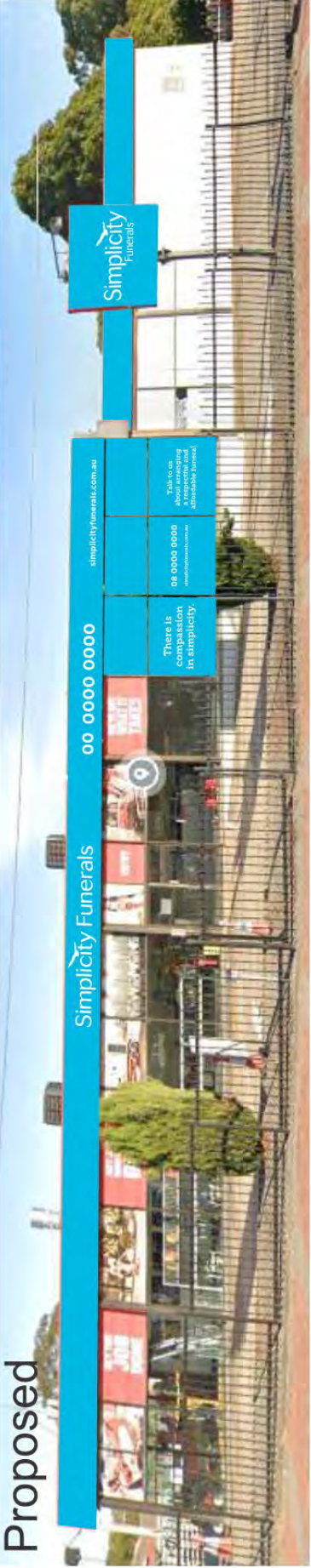
Existing



There is compassion in simplicity.	08 0000 0000 simplicityfunerals.com.au	Talk to us about arranging a respectful and affordable funeral.

Simplicity Funerals 00 0000 0000 simplicityfunerals.com.au

Proposed



Address:
771-775 North East Road
Valley View
SA
5093

27 June 2023
Revision: C

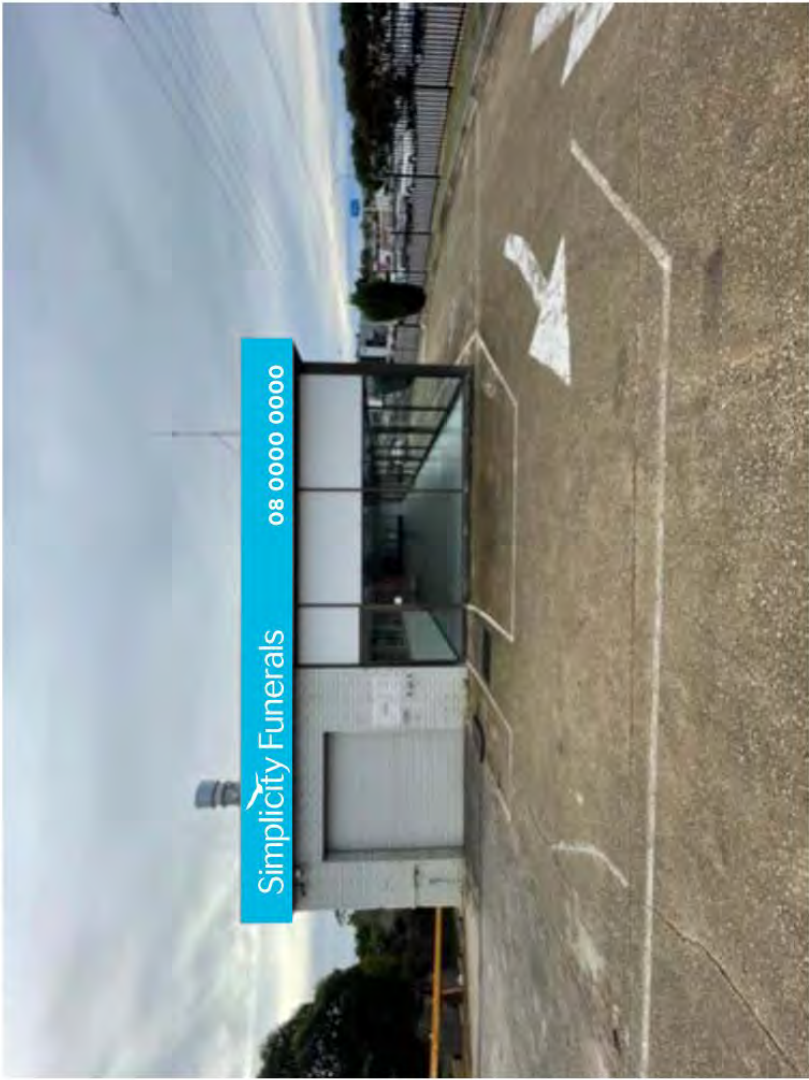
Project Name:
Simplicity Modbury

Disclosure: Artwork prepared by Artline Signs - 07 5596 0049
All sizes are representative and good for quotation purposes, however the signage contractor must in all instances confirm the sizes on site prior to manufacture.

Existing



Proposed



Simplicity Funerals

08 0000 0000

 InvoCare Innovation Vocation Care	Address: 771-775 North East Road Valley View SA 5093	27 June 2023	Project Name: Simplicity Modbury	Disclosure: Artwork prepared by Artline Signs - 07 5596 0049 All sizes are representative and good for quotation purposes, however the signage contractor must in all instances confirm the sizes on site prior to manufacture.
		Revision: C		

Proposed



Existing

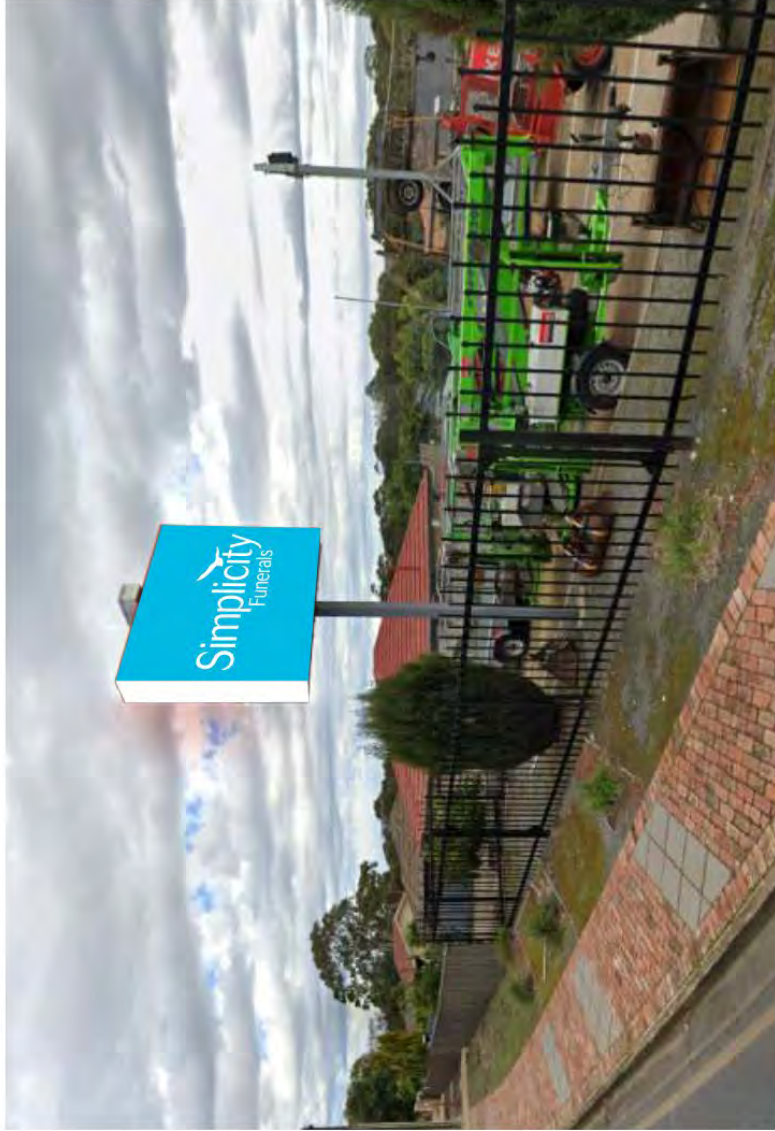


 InvoCare Innovation Vocation Care	Address: 771-775 North East Road Valley View SA 5093	27 June 2023 Revision: C	Project Name: Simplicity Modbury	Disclosure: Artwork prepared by Artline Signs - 07 5596 0049 All sizes are representative and good for quotation purposes, however the signage contractor must in all instances confirm the sizes on site prior to manufacture.
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Existing



Proposed



 <p>InvoCare Innovation Vocation Care</p>	<p>Address: 771-775 North East Road Valley View SA 5093</p>	<p>27 June 2023 Revision: C</p>	<p>Project Name: Simplicity Modbury</p>	<p>Disclosure: Artwork prepared by Artline Signs - 07 5596 0049 All sizes are representative and good for quotation purposes, however the signage contractor must in all instances confirm the sizes on site prior to manufacture.</p>
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Details of Representations

Application Summary

Application ID	23023009
Proposal	change of use to funeral parlour and ancillary alterations and fit-outs to existing building
Location	771-775 NORTH EAST RD VALLEY VIEW SA 5093

Representations

Representor 1 - Ngoc Nguyen

Name	Ngoc Nguyen
Address	961 GRAND JUNCTION ROAD VALLEY VIEW SA, 5093 Australia
Submission Date	08/01/2024 11:50 AM
Submission Source	Over Counter
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons Refer to attachment	

Attached Documents

RepresentationOnApplication-PerformanceAssessmentDevelopment-23023009-771-775NorthEastRoadValleyView-NgocNguyen-7267712.pdf

REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

Planning, Development and Infrastructure Act 2016

Development Number:	Click here to enter text. [development application number] <u>23023009</u>		
Nature of Development:	Click here to enter text. [development description of performance assessed elements] <u>Funeral parlour</u>		
Zone/Sub-zone/Overlay:	Click here to enter text. [zone/sub-zone/overlay of subject land]		
Subject Land:	Click here to enter text. [street number, street name, suburb, postcode] <u>771-775 North East Rd</u> [lot number, plan number, certificate of title number, volume & folio] <u>VALLEY VIEW SA5093</u>		
Contact Officer:	Click here to enter text. [relevant authority name]		
Phone Number:	Click here to enter text. [authority phone]		
Close Date:	Click here to enter text. [closing date for submissions] <u>18/01/2024</u>		

My name*: Click here to enter text. <u>NGOC NGUYEN</u>	My phone number: Click here to enter text. <u>0435761346</u>
My postal address*: Click here to enter text. <u>961 Grand Junction Road</u> <u>VALLEY VIEW</u> <u>SA5093</u>	My email: Click here to enter text. <u>champ961@gmail.com</u>

* Indicates mandatory information

My position is:

☐ I support the development

☐ I support the development with some concerns (detail below)

☒ I oppose the development

The specific reasons I believe that planning consent should be granted/refused are:

- To creepy, possibly embalment at the back of funeral home
- potential tenants if we were to rent house out
- store the deceased there overnight
- preparation prior and possibly ceremonial aspects would be put off
- Devalue of property value
- we have a fear of the dead
- Sensitive issues about having funeral services with a few meters of my house
- we do not wish to be subjected to the constant reminders of death
- Having funeral taking place on a regular basis would directly impact our emotional well being

[attach additional pages as needed]



Government of South Australia
Department for Trade
and Investment

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
 - [Click here to enter text.](#) [list any accepted or deemed-to-satisfy elements of the development].

I:	<input type="checkbox"/> wish to be heard in support of my submission*
	<input checked="" type="checkbox"/> do not wish to be heard in support of my submission
By:	<input type="checkbox"/> appearing personally
	<input type="checkbox"/> being represented by the following person: Click here to enter text.

*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission

Signature: Nguyen Date: 04/01/2024
[Click here to enter text.](#)
 NGOC NGUYEN 961 Grand Junction Road, VALLEY VIEW SA 5093

Return Address: [Click here to enter text.](#) [relevant authority postal address] or

Email: [Click here to enter text.](#) [relevant authority email address] or champ961@gmail.com

Complete online submission:

plan.sa.gov.au/have_your_say/notified_developments/current_notified_developments

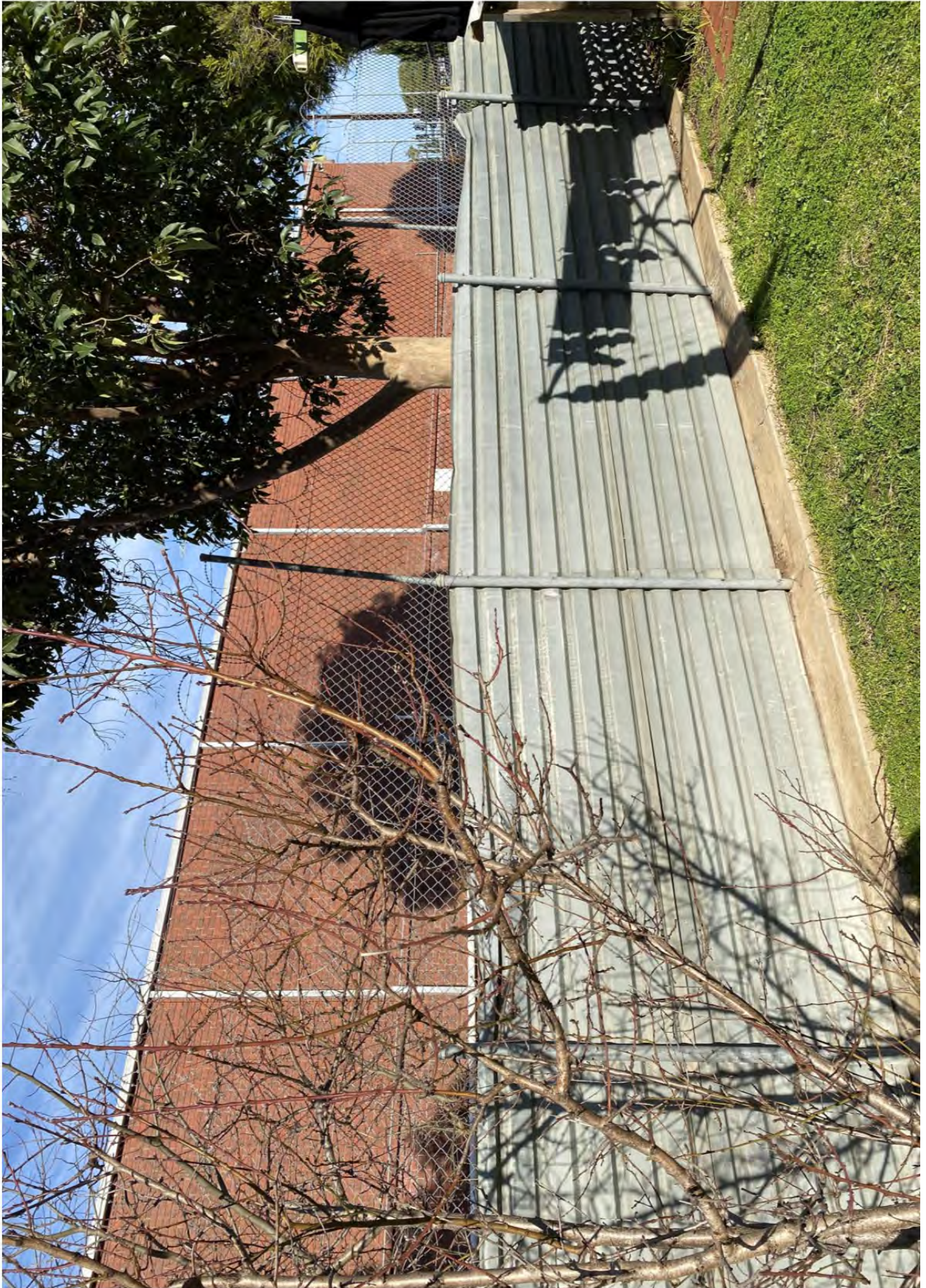
Representations

Representor 2 - Arduino Saffi

Name	Arduino Saffi
Address	25 Hampshire Cres VALLEY VIEW SA, 5093 Australia
Submission Date	09/01/2024 04:01 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I support the development with some concerns
Reasons 1. I will not support & refuse consent of this new development unless the fencing on the back of this new funeral parlour has been erected, a blockout fence. Fencing to be raised so adjoining houses (ours) are not exposed to funeral traffic or visitors. 2. Is there going to be a crematorium attached. Is there a guarantee there won't be smell of smoke? If this can't be guaranteed, then I will not support funeral parlour at this address.	

Attached Documents

IMG_2388-1323639.jpeg
IMG_2386-1323640.jpeg
IMG_2385-1323641.jpeg





Item 4.2

Attachment 6

Item 4.2

Attachment 6





6 February 2024

Rhiya Singh
City of Tea Tree Gully
571 Montague Road
Modbury SA 5092

Rhiya

RE: RESPONSE TO REPRESENTATIONS: DA 23023009 at 771-775 NORTH EAST ROAD VALLEY VIEW SA

InvoCare is an international company with a professional network of funeral homes across Australia, New Zealand and Singapore. We have over 290 funeral locations across our network, and each one is committed to providing quality care to families and support local communities.

InvoCare owns brands such as Simplicity, White Lady and Blackwells in SA, the new Simplicity funeral home at Valley View will provide essential care for families loved ones and small intimate funeral services to the local community, which are seeking an affordable quality funeral option.

For clarity, please note that the new funeral home.

- Will NOT be used as a Crematorium, nor will it be at any time in the future.
- Will NOT be used as a Mortuary.
- Will NOT be used to store bodies overnight.

The primary use of the property will be required for families.

- Arranging funerals
- Holding funeral services in the Chapel and post service gatherings.
- All coffins delivered early in the morning for services on that day only.
- All bodies to be fully closed and sealed with coffins on arrival and departure.

With respect to the formal representations made to Council by the public to date, we make the following statements.

Representor 1: Ngoc Nguyen

Whilst we appreciate Mr Nguyens personal concerns our funeral homes are often located in adjoining residential areas where the public are always quite accepting of the business and the service it provides the community at large. We also pride ourselves on creating and maintaining good relationships with all our neighbours.

Typically, our quiet funeral services are carried out between mid-morning and the late afternoon when most people are at work or not at home, hence there is very little disruption to our neighbours, and we rarely receive complaints.

To address the issue of funeral home visibility we are proposing to replace the existing small boundary fence with a new 1.8m high solid metal fence, fully at our cost. We will also beautify and landscape the strip of land between the boundary fence and the driveway.

1

**Representor 2: Arduino Saffi**

As advised there will be no cremations or any emissions of any kind on this property.

To address the issue of funeral home vehicle visibility for this property we are also proposing to replace the existing small boundary fence with a new 1.8m high solid metal fence fully at our cost.

We trust that the Council Assessment Panel now clearly understand the proposed uses for the new Simplicity funeral home at Valley View and that InvoCare are proactively addressing the concerns of our immediate neighbours.

This funeral home will not only offer an essential service to families it will also be creating much needed employment for the area and look forward to obtaining formal approval to enable these benefits for the wider community.

Please do not hesitate to contact the undersigned should you require further information.

Yours Sincerely,
InvoCare (Australia) Pty Ltd

A handwritten signature in black ink, appearing to read "Tim Piirto".

Tim Piirto
Project Director

0411602604

REPORT NO: CAP.23033406

RECORD NO: D24/13342

TO: COUNCIL ASSESSMENT PANEL MEETING - 28 FEBRUARY 2024

FROM: Hugh Wang
Planning Officer

SUBJECT: APPLICATION TO CAP FOR REVIEW OF ASSESSMENT MANAGER
DECISION FOR VARIATION TO DA 23007521: CHANGING CARPORT
TO GARAGE AT 11 CLYDE STREET, MODBURY

SUMMARY

DEVELOPMENT NO.	23033406
APPLICANT	Synergy Urban Development Pty Ltd
ADDRESS	11 Clyde Street, Modbury SA 5092
NATURE OF DEVELOPMENT	Variation to Development Application DA 23007521 (Carport to Garage - Dwelling 3)
ZONING INFORMATION	<p>Zones:</p> <ul style="list-style-type: none"> Housing Diversity Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> Airport Building Heights (Regulated) (All structures over 15 metres) Affordable Housing Building Near Airfields Hazards (Flooding) Prescribed Wells Area Regulated and Significant Tree Stormwater Management Traffic Generating Development Urban Tree Canopy Water Resources

Item 4.3

LODGEMENT DATE	13/11/2023
RELEVANT AUTHORITY	Council Assessment Panel at City of Tea Tree Gully
PLANNING & DESIGN CODE VERSION	2023.16
CODE RULES APPLICABLE AT LODGEMENT	Code rules at assessment start
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	N/A
APPLICATION DECISION	Planning Consent refused on 5 December 2023

Detailed Description of Proposal

The applicant lodged a variation application to change a carport to garage in a dwelling forming part of an approved terraced dwelling arrangement (dwelling 3) on 13 November 2023. Following an assessment of the proposal against the relevant provisions of the Planning and Design Code the variation application was refused by the Assessment Manager under delegation on 5 December 2023.

Pursuant to section 202(1)(b)(i)(A) of the *Planning, Development and Infrastructure Act 2016*, applicants have the right to apply to a Council Assessment Panel (CAP) for a review of an Assessment Manager's decision relating to a Prescribed Matter.

The particulars of the application and the assessment review process are covered in detail in this report.

Background

This variation application seeks to modify a carport to a garage for one of the three dwellings in a terrace arrangement, as originally approved under DA 23007521 on 27 October 2023. The detailed information, including the original application Decision Notification Form and stamped plans, is enclosed in **Attachment 5**. The specific dwelling subject to this variation is identified as dwelling 3 on the site plan.

The associated land division which creates the three individual lots within the terraced arrangement was approved under DA 22031079 on 07 March 2023.

Due to the necessity for a comprehensive assessment of additional policies associated with the proposed variation, the applicant was advised that the variation is not considered minor. Subsequently, a variation application, DA 23033406, has been lodged for assessment and is the subject of this review.

The applicant has conveyed that the reason for seeking this variation is the expressed preference of the adjacent neighbour, who wishes to have a solid garage wall on the shared boundary. This consideration forms the basis for the proposed modification.

Application for Review

Following the assessment of the application against the Planning and Design Code, the Assessment Manager determined to refuse Planning Consent pursuant to Section 102 of the *Planning, Development and Infrastructure Act 2016*. The reasons for refusal were set out in the delegated assessment report and decision notification form as follows:

Reason for Refusal:

The proposed variation, replacing a carport with a garage, does not comply with side setback requirements, deviates from the established suburban character and built form pattern for the street.

In particular, it falls short of the following:

Performance Outcome 6.2, Housing Diversity Neighbourhood Zone, expects *dwelling in a semi-detached, row or terrace arrangements maintain space between buildings consistent with a suburban streetscape character.*

Performance Outcome 7.1, Housing Diversity Neighbourhood Zone, states *buildings walls are set back from side boundaries to provide:*

- a. *separation between buildings in a way that complements the established character of the locality*
- b. *access to natural light and ventilation for neighbours.*

Desired Outcome 1(a), Design in Urban Areas, seeks that *development is considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality.*

Performance Outcome 20.1, Design in Urban Areas, requires *Garaging is designed to not detract from the streetscape or appearance of a dwelling.*

The applicant has made an application to the CAP for a review of a decision of the Assessment Manager pursuant to Section 203 of the *Planning, Development and Infrastructure Act 2016*.

The Decision Notification Form issued on 5 December 2023. The applicant advised by email that they would like to make an application to the CAP for a review on 29 January 2024. The application form and information were submitted to Council via email on 5 February 2024.

The Application for review was not received within one month of the applicant receiving notification of the decision, therefore, the Assessment Panel must determine whether to allow an extension of time pursuant to Section 203(1) of the *Planning, Development and Infrastructure Act 2016*. In making the decision of whether to grant an extension of time, the CAP should consider the following consideration in accordance with City of Tea Tree Gully Council Assessment Panel Meeting Operating Procedures:

- 8.3.1 *the reason for the delay;*
- 8.3.2 *the length of the delay;*
- 8.3.3 *whether any rights or interests of other parties would be affected by allowing the review to be commenced out of time;*
- 8.3.4 *the interests of justice;*

- 8.3.5 *whether the applicant has, or is within time to, appeal the prescribed matter to the ERD Court; and*
- 8.3.6 *any other matters the CAP considers relevant.*

In support of their request for an extension of time, the applicant has provided a Late Submission Statement of Support enclosed in **Attachment 6**.

Separate to the required extension of time, the application for review has been submitted to the CAP based on the following reasons:

“The Council’s oversight of material considerations and failure to appropriately interpret and assess relevant provisions of development control in accordance with established statutory planning conventions, resulting in an incorrect decision to refuse the application for planning consent - Refer to - Appendices A - for further details.”

A copy of the application for review on the prescribed form and *Appendices A* is enclosed in **Attachment 4**.

Materials for Review

The plans and other associated information that form part of the variation application are enclosed in **Attachment 2**.

The delegated assessment report and decision notification form produced during the assessment process are enclosed in **Attachment 3**.

Review Hearing

The applicant has requested to be heard by the Panel as stated on their application form.

It is noted that the application form for review of an Assessment Manager decision is a statutory form specified by the Minister for Planning in accordance with Regulation 116 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Review of Decision

The Draft Resolutions presented in this report for the Panel’s consideration reflect the range of options the Panel may consider in its deliberations.

This application for a review of the Assessment Manager’s decision is presented to the Panel for its consideration in accordance with the requirements expressed in the PDI Act 2016 and associated PDI (General) Regulations 2017.

RECOMMENDATION

In accordance with the requirements of the *PDI Act 2016* and associated *Regulations*, the CAP must select from one of the following four (4) decision options;

1. The Council Assessment Panel does not grant the extension of time for the application, and the prescribed matter will not be reviewed.

OR

2. The Council Assessment Panel grants the extension of time for the application, and resolves to affirm the decision of the Assessment Manager: That the application is not seriously at variance with the Planning and Design Code, and that DA 23033406 does not warrant planning consent for the following reasons:

The proposed variation, replacing a carport with a garage, does not comply with side setback requirements, deviates from the established suburban character and built form pattern for the street.

In particular, it falls short of the following:

Performance Outcome 6.2, Housing Diversity Neighbourhood Zone, expects: *dwelling in a semi-detached, row or terrace arrangements maintain space between buildings consistent with a suburban streetscape character.*

Performance Outcome 7.1, Housing Diversity Neighbourhood Zone, states: *buildings walls are set back from side boundaries to provide:*

- *separation between buildings in a way that complements the established*
- *character of the locality*
- *access to natural light and ventilation for neighbours.*

Desired Outcome 1(a), Design in Urban Areas, seeks that *development is considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality.*

Performance Outcome 20.1, Design in Urban Areas, requires *Garaging is designed to not detract from the streetscape or appearance of a dwelling.*

OR

3. The Council Assessment Panel grants the extension of time for the application, and resolves to vary the decision of the Assessment Manager:
 - that the application is not seriously at variance with the Planning and Design Code, but that that DA 23033406 does not warrant planning consent for the following reasons:

[Reasons to be added by CAP]

OR

4. The Council Assessment Panel grants the extension of time for the application, and resolves to **set aside** the decision of the Assessment Manager to refuse planning consent for DA 23033406 and substitute the following decision:
 - DA 23033406 is not seriously at variance with the Planning and Design Code and that planning consent is granted to the application subject to the following conditions:

[Conditions to be added by CAP]

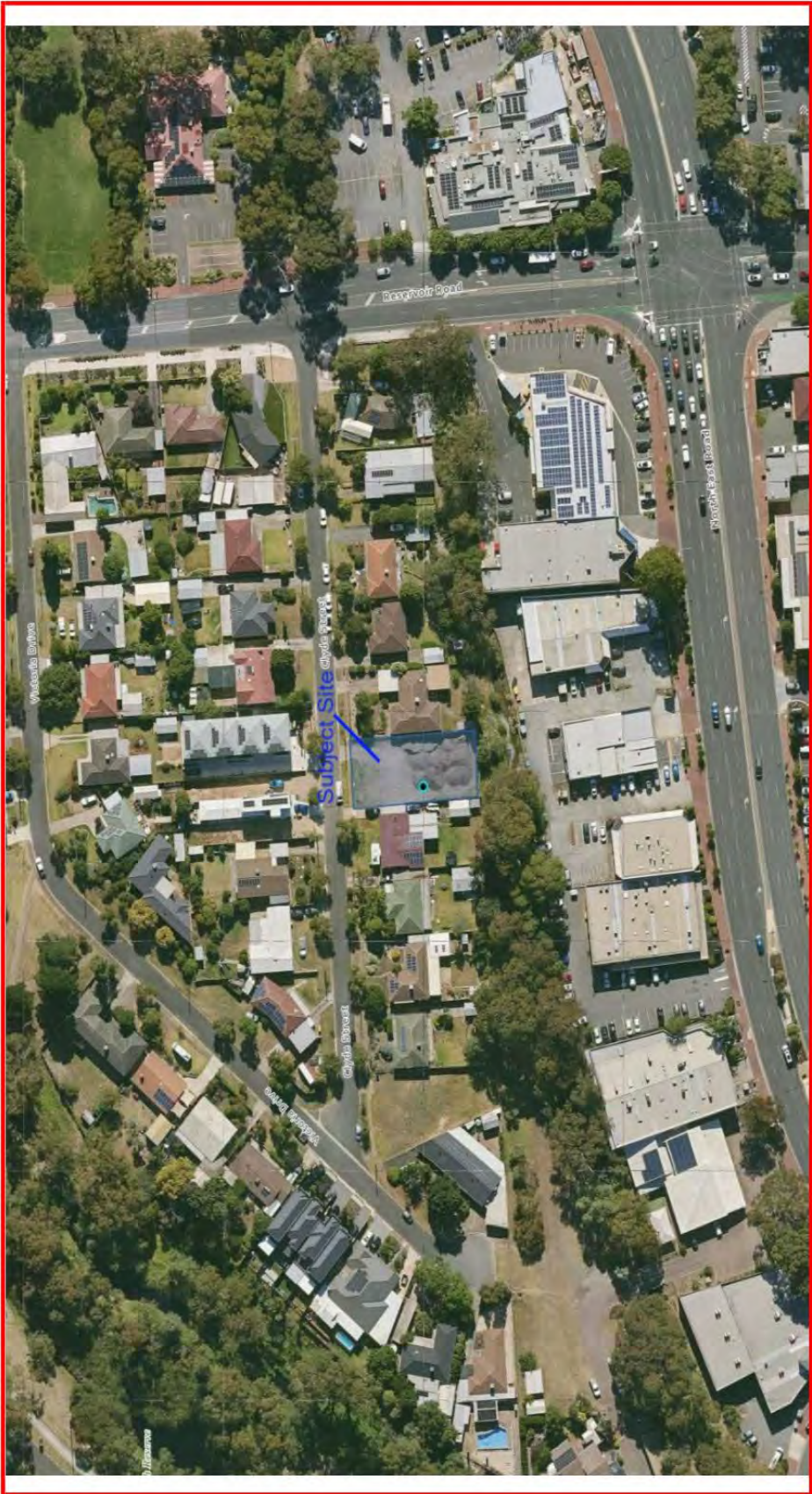
Attachments

1.	Aerial Photo	112
2.	Application Snapshot and application information	113
3.	Assessment Report And DNF - DA 23033406 11 Clyde St Modbury.....	134
4.	Application for review of Assessment Manager's decision.....	141
5.	Original Application Stamped Plan and DNF - DA23007521.....	152
6.	Late Submission Statement of Support	168

Report Authorisers

Hugh Wang Planning Officer	8397 7357
Nathan Grainger Manager City Development	8397 7200
Michael Pereira General Manager Community Services	8397 7377

23033406 - 11 Clyde Street Modbury



Contact Details
571 Montague Road, Modbury SA 5092
T (08) 8397 7444
TTY (08) 8397 7340
E customerservice@cttg.sa.gov.au
W www.cttg.sa.gov.au



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Planning Consent Assessment Snapshot for Application No 23033406

Consent Details

Consent type

Planning Consent

Consent stages

(No stages)

Consent status

Refused

Last Status Change User

Chelsea Tully

Last Status Change Date/Time

5 Dec 2023 1:27 PM

Relevant Authority

Are you an appropriate Relevant Authority for this Planning Consent?

Yes

Reason

Assessment Manager - Section 96 - Performance Assessed

Selected Elements

Other - Residential**New housing**

- Detached dwelling

Category of development

Elements**Other - Residential - Variation to Development Application - DA 23033406- (Carport to Garage - Dwelling 3)**

Code Assessed - Performance Assessed

Detached dwelling

Code Assessed - Performance Assessed

Category of development for this content

Development Category

Code Assessed - Performance Assessed

Reason

P & D Code

Is this application for a tree located on a neighbours property?

No

Consent Referrals

(None)

Public Notification

Does this consent require public notification?

No

If public notification is required for your planning consent, who would you like to erect the public notification sign on the land?

Applicant

Consent invoices

Fees Requested - Lodgement Fee Advice

Invoice date

13 Nov 2023 12:30 PM

Invoice status

Fees Paid

Description	Statutory Amount	Subtotal	GST	Total	Reason for Variation
Electronic Lodgement Fee	\$193.00	\$193.00	\$0.00	\$193.00	
Performance Assessed		\$272.00	\$0.00	\$272.00	
Total Payable Fees		\$465.00	\$0.00	\$465.00	

Consent Decisions

Decision 1

Decision

REFUSED

Decision Date

5 Dec 2023

Assessed on

5 Dec 2023 12:51 PM

Assessed by

e pn.wanghuga@sa.gov.au

Endorsed?

Yes

Nominated endorser

Chelsea Tully

Responded on

5 Dec 2023 1:27 PM

Responded by

e pn.tullyche@sa.gov.au

Consent Appeal Matters

(None)

Consent Internal Referrals

(None)

Item 4.3

Attachment 2

Application Details

Development Locations

Location 1

Location reference

11 CLYDE ST MODBURY SA 5092

Title Ref

CT 6290/373

Plan Parcel

D132808 AL103

Additional Location Information**Council**

CITY OF TEA TREE GULLY

Zone Overlays

Zones

- Housing Diversity Neighbourhood

Sub-zones

(None)

Overlays

- Airport Building Heights (Regulated)
- Affordable Housing
- Building Near Airfields
- Hazards (Flooding)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Traffic Generating Development
- Urban Tree Canopy
- Water Resources

Variations

- Maximum Building Height (Levels) (Maximum building height is 3 levels)

Application Contacts

Applicant(s)

Stakeholder info

Synergy Urban Development Pty Ltd
13-19 NEW STREET
NORTH ADELAIDE
SA
5006
Tel. 81661885
Mobile. 0401316514
info@synergyurbandevelopment.com.au

Contact

Stakeholder info

Synergy Urban Development Pty Ltd
13-19 NEW STREET
NORTH ADELAIDE
SA
5006
Tel. 81661885
Mobile. 0401316514
info@synergyurbandevlopment.com.au

Invoice Contact

Stakeholder info

Synergy Urban Development Pty Ltd
13-19 NEW STREET
NORTH ADELAIDE
SA
5006
Tel. 81661885
Mobile. 0401316514
info@synergyurbandevlopment.com.au

Land owners

Stakeholder info

Mr Kaitian Dong
13-19 NEW STREET
NORTH ADELAIDE
SA
5006
Tel. 81661885
Mobile. 0401316514
info@synergyurbandevlopment.com.au

Nature Of Development

Nature of development

Minor variation to existing Planning Consent.

Development Details

Current Use

Proposed Use

Development Cost

\$1,000.00

Proposed Development Details

Minor variation to existing Planning Consent.

Element Details

You have selected the following elements

Other - Residential - \$0.00

- Variation to Development Application - DA 23033406- (Carport to Garage - Dwelling 3)

New housing - \$0.00

- Detached dwelling

Regulated and Significant Trees

Are you undertaking any works that will result in damage (includes impacts to roots and pruning) or removal to regulated or significant tree(s) on the site or neighbouring land?
No

The Urban Tree Canopy Overlay applies to this application

Elect one of the following options:
(unkown)

New House

Is there a brush fence within 3m of the proposed house?
No

Are you proposing to add or modify a driveway?
No

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?
No

Certificate of Title information submitted by applicant

Does the Certificate of Title (CT) have one or more constraints registered over the property?
Yes

Selected Constraints
Easement or rights of way

Do you have a pre-lodgement agreement?
No

Declarations

Electricity Declaration

In accordance with the requirements under Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017, the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996.

Submission Declaration

All documents attached to this application have been uploaded with the permission of the relevant rights holders. It has been acknowledged that copies of this application and supporting documentation may be provided to interested persons in accordance with the Act and Regulations.

Documents

Document	Document Type	Date Created
Code Rules - DetachedDwelling - valuation 2 813836314_Code_performance - Assessment Start. pdf	P&D Code Rules - at Assessment Start	13 Nov 2023 12:42 PM
20231110005364_PlanImage_D132808.pdf	Certificate of Title	10 Nov 2023 12:02 PM
664- CLYDE ST PD D3 Variation.pdf	Site Plans	10 Nov 2023 12:02 PM
20231110005364_DealingImage_14145028.pdf	Certificate of Title	10 Nov 2023 12:02 PM
Letter of Support from Neighbour.pdf	Other Documents	10 Nov 2023 12:02 PM

New Application Submitted - ID_ 23033406 _ Add ress_ 11 CLYDE ST MODBURY SA 5092.html	Email	10 Nov 2023 12:02 PM
Stamped Plan (refusal) - DA 23~arport to Garag e - Dwelling 3).pdf	Stamped Plans	5 Dec 2023 12:49 PM
Code Rules - valuation 2813836314 - Verif.p df	P&D Code Rules - at Verification	13 Nov 2023 12:31 PM
PlanningAssessmentReport- Application23033406- 7029081.docx	Assessment Report	27 Nov 2023 4:33 PM
FeeAdvice- Application23033406- PlanningConse nt- 233117- 6912348.pdf	Fee Advice	13 Nov 2023 12:31 PM
Consent Assigned _ Application ID_ 23033406 _ Cou ncil Area_ City Of Tea Tree Gully _ Address_ 11 C LYDE ST MODBURY SA 5092.html	Email	14 Nov 2023 9:04 AM
Lodgement Fee Advice_ Invoice _233117 Payable - Application ID 23033406 _ Address_ 11 CLYDE ST MODBURY SA 5092.html	Email	13 Nov 2023 12:31 PM
Code Rules - DetachedDwelling - valuation 2 813836314 - Verif.pdf	P&D Code Rules - at Verification	13 Nov 2023 12:31 PM
DAP Consent verification snapshot 241145.pdf	Verification Snapshot	13 Nov 2023 12:31 PM
Verification Complete_ Planning Consent - Appl ication ID_ 23033406 _ Address_ 11 CLYDE ST MODBU RY SA 5092.html	Email	13 Nov 2023 12:32 PM
VerificationOutcome- PlanningConsent- Applica tion23033406- 6912363.pdf	Verification Outcome	13 Nov 2023 12:32 PM
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Planning Consent Requires Endorsement _ndash_ App lication ID 23033406 _ Address_ 11 CLYDE ST MODBU RY SA 5092.html	Email	5 Dec 2023 12:51 PM
FileNotes_planningConsent_teaTreeGully- 6912165 .docx	File Note	13 Nov 2023 12:20 PM
TaxInvoice- Application23033406- PlanningCons ent- 233117- 6912477.pdf	Tax Invoice	13 Nov 2023 12:39 PM
Invoice _233117 Payment Successful - Applicati on ID 23033406 _ Address_ 11 CLYDE ST MODBURY SA 5092.html	Email	13 Nov 2023 12:39 PM
Invoice _233117 Payment Successful - Developme nt application ID_ 23033406 _ Planning Consent is under assessment _ Address_ 11 CLYDE ST MODBURY SA 5092.html	Email	13 Nov 2023 12:39 PM
Development Application Successfully Lodged - Application ID 23033406 _ Address_ 11 CLYDE ST MO DBURY SA 5092.html	Email	13 Nov 2023 12:40 PM
Code Rules - valuation 2813836314 - Assessm ent Start.pdf	P&D Code Rules - at Assessment Start	13 Nov 2023 12:41 PM


Application Created User and Date/Time

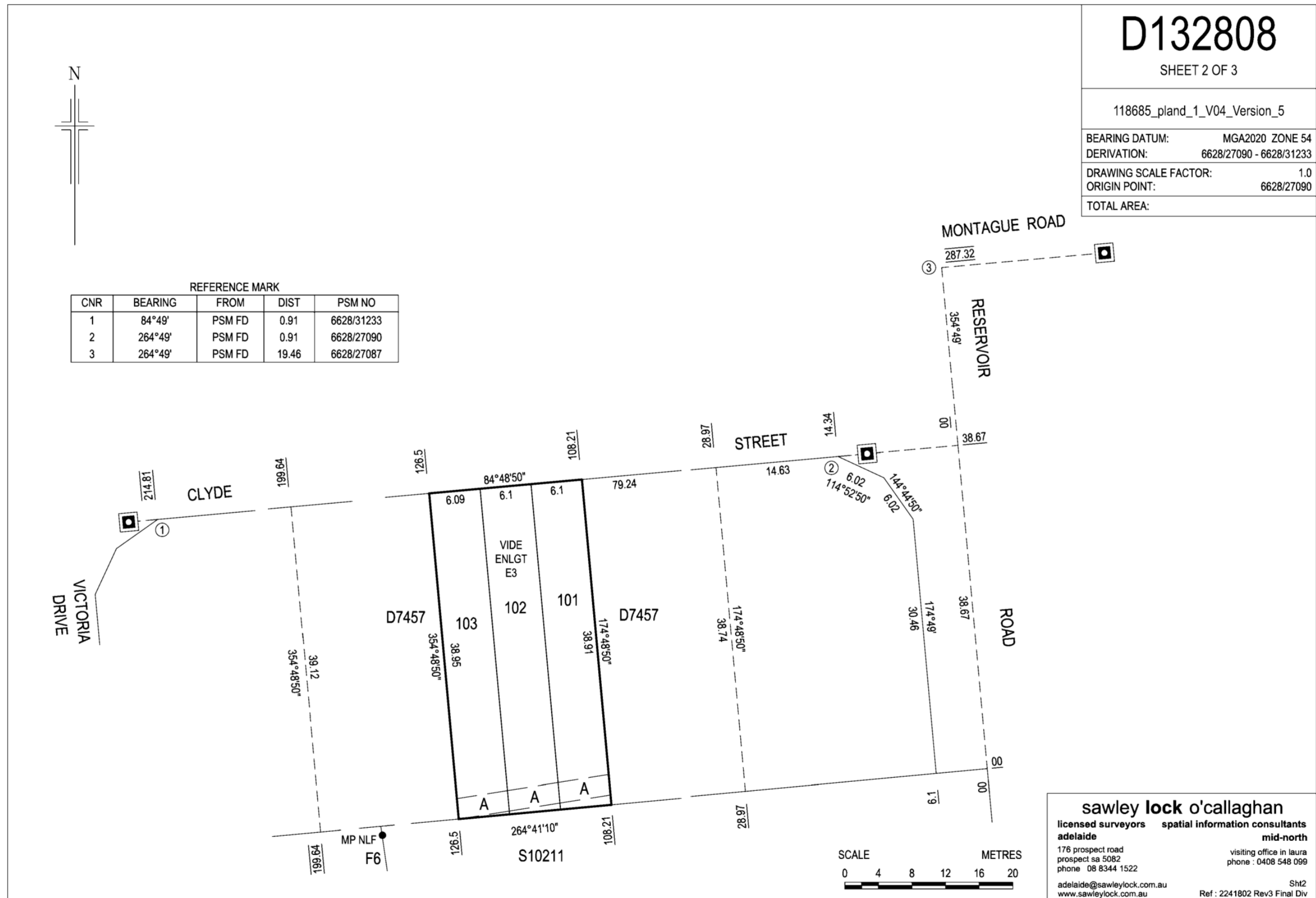
Created User

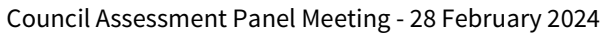
paul.emes

Created Date/Time

10 Nov 2023 12:01 PM

PURPOSE:	DIVISION	AREA NAME:	MODBURY	APPROVED:	<div><div>D132808</div><div>SHEET 1 OF 3</div><div>118685_text_01_v05_Version_5</div></div>					
MAP REF:	6628/32/M	COUNCIL:	CITY OF TEA TREE GULLY	30/08/2023						
LAST PLAN:		DEVELOPMENT NO:	070/D532/22/001/4043	DEPOSITED: 11/09/2023						
AGENT DETAILS:	SAWLEY LOCK O'CALLAGHAN 176 PROSPECT ROAD PROSPECT SA 5082 PH: (08) 83441522 FAX: N/A		SURVEYORS CERTIFICATION:	I SHAUN WILLIAM TURNBULL , a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me and correctly prepared in accordance with the Survey Act 1992. 2) That the field work was completed on the 4th day of July 2023 29th day of August 2023 Shaun William Turnbull Licensed Surveyor						
AGENT CODE:	SLAA									
REFERENCE:	2241802 SWT									
SUBJECT TITLE DETAILS:										
PREFIX	VOLUME	FOLIO	OTHER	PARCEL	NUMBER	PLAN	NUMBER	HUNDRED / IA / DIVISION	TOWN	REFERENCE NUMBER
CT	5550	158		ALLOTMENT(S)	37	D	7457	YATALA		
OTHER TITLES AFFECTED:										
EASEMENT DETAILS:										
STATUS	LAND BURDENED	FORM	CATEGORY	IDENTIFIER	PURPOSE	IN FAVOUR OF			CREATION	
EXISTING	101,102,103	LONG	EASEMENT(S)	A		THE MINISTER FOR INFRASTRUCTURE			T 2793010	
ANNOTATIONS: NO OCCUPATION UNLESS OTHERWISE SHOWN										



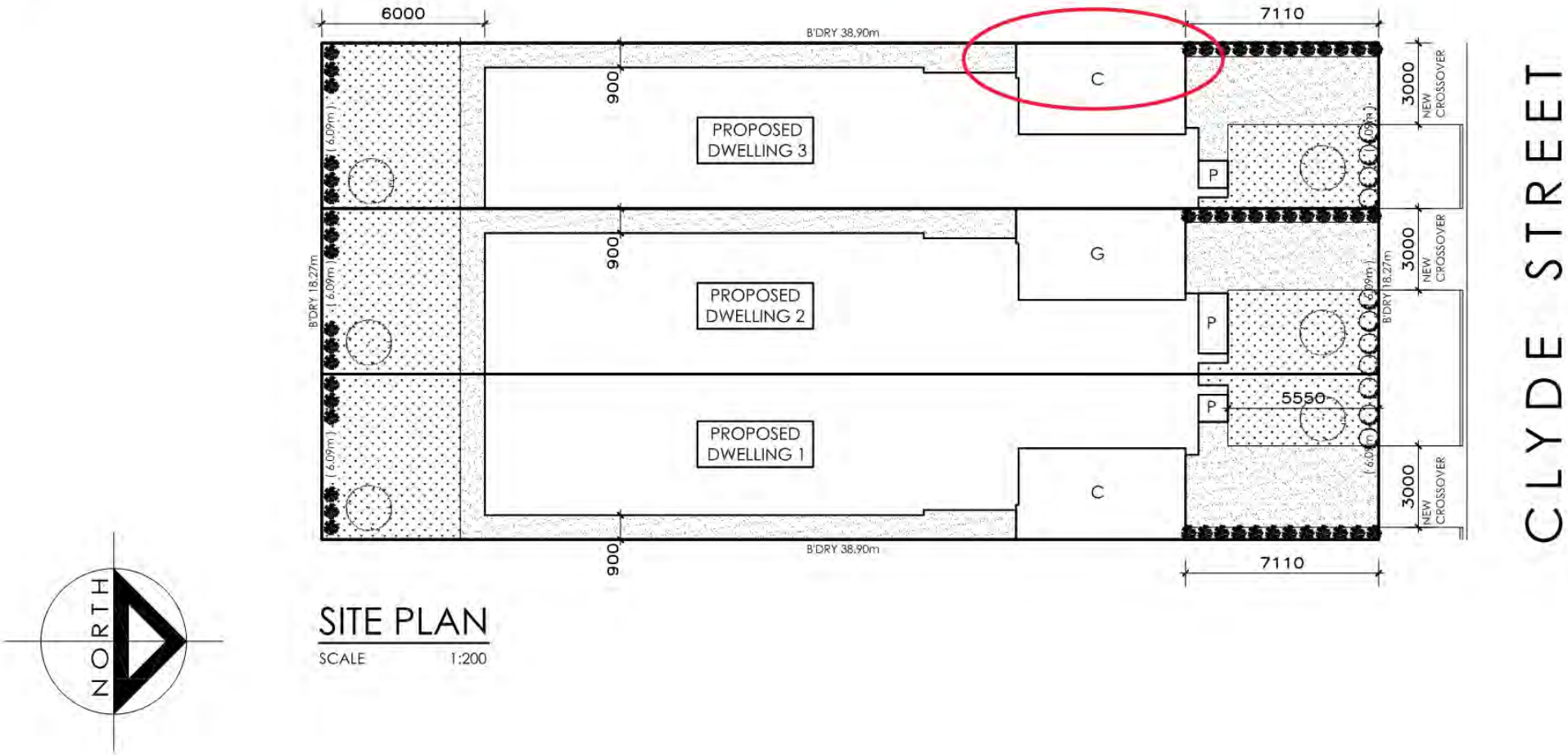


FOR PLANNING

SITE DETAILS:	
TOTAL SITE AREA	711 sqm
DWELLING 1	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%

LANDSCAPING LEGEND:		
LOW SHRUBS (TO 1M HIGH)	• - LOW SHRUBS (BUXUS FAULKNER - JAPANESE BOX)	✱ - ACMENA SMITHII MOONLIGHT FLAME
MEDIUM SHRUBS (TO 2.5M HIGH):	○ - MEDIUM SHRUBS (XANTHOSTEMON LITTLE PENDA)	
SMALL TREES (TO 4M HIGH):	⊙ - SMALL SIZE TREE - 4m MATURE HEIGHT (ACER PLATANOIDES - GLOBOSUM)	
MEDIUM TREES (TO 2M MATURE SPREAD):	○ - MEDIUM SIZE TREE - 2m MATURE SPREAD (ACMENA HEMILAMPRA - BLUSH SATINASH)	
LANDSCAPE COVERING:	L - LAWN	
PATHWAY:	CP - CONCRETE PAVING	

To Be Superseded - Refer to Variation



<div><div>3MT</div><div>SOLUTIONS</div><div>www.3mtsolutions.com.au</div></div>	PROPOSED RESIDENCE FOR	GENERAL NOTES	AMENDMENTS			Job No.	Date
	SYNERGY URBAN DEVELOPMENT	3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.	DATE:	REV.	DESCRIPTION:	664	10/08/23
			12/12/22	1	Planning drawings V1 completed.	Scale	Issue No.
			21/04/23	2	Planning drawings V2 completed - Amended as per council R1.	AS SHOWN	3
			18/08/22	3	Planning drawings V3 completed - Amended as per council R1.	Drawn	
						BK	Sheet No.
						Checked	1 of 4
						-	
	LOT 37 (#11) CLYDE STREET, MODBURY	All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.					
		This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.					
		Figured dimensions to take precedence over scaled dimensions.					

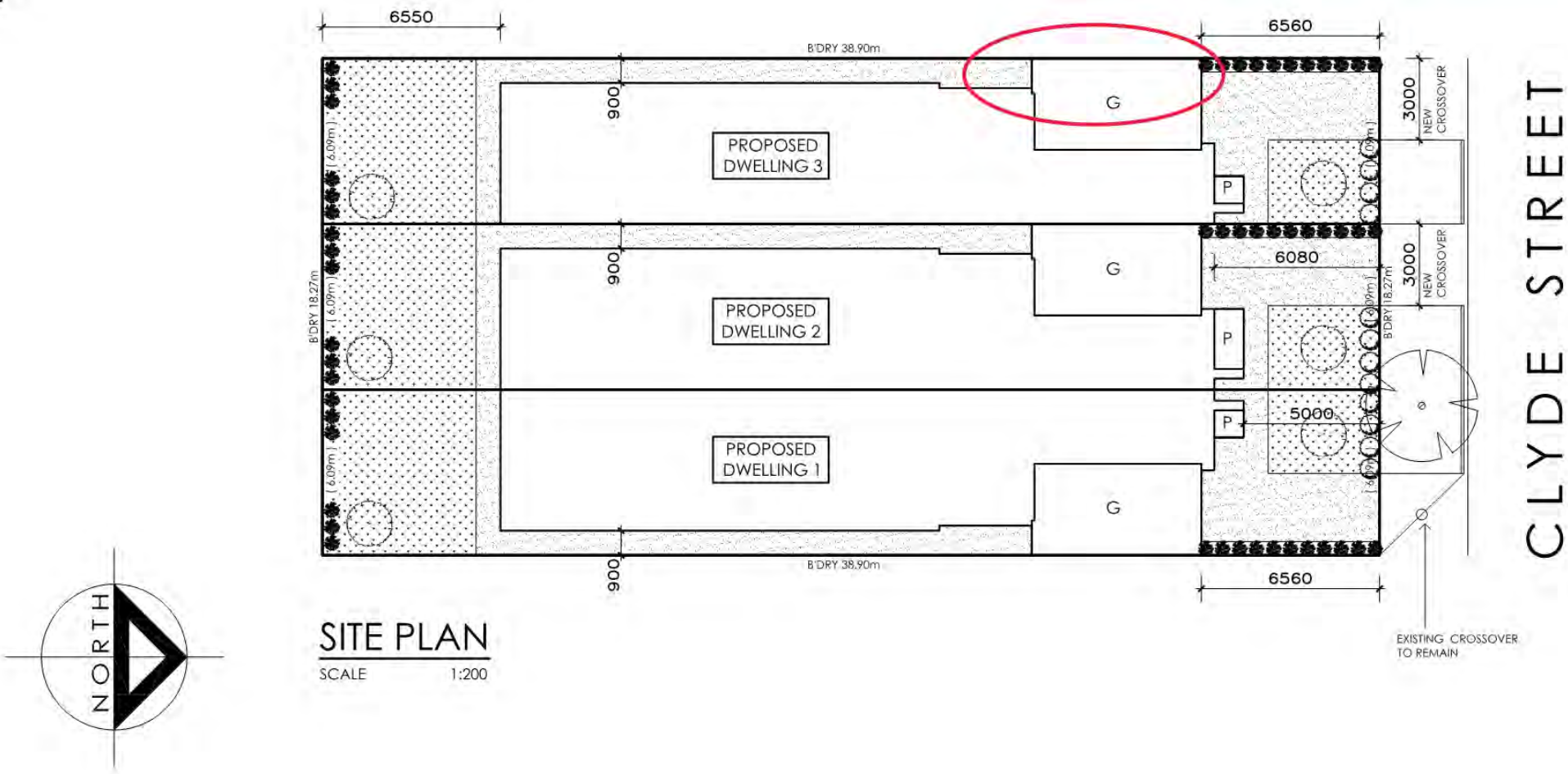
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FOR PLANNING

SITE DETAILS:	
TOTAL SITE AREA	711 sqm
DWELLING 1	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%

LANDSCAPING LEGEND:		
LOW SHRUBS (TO 1M HIGH)	● - LOW SHRUBS (BUXUS FAULKNER - JAPANESE BOX)	✱ - ACMENA SMITHII MOONLIGHT FLAME
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SMALL TREES (TO 4M HIGH):	⊗ - SMALL SIZE TREE - 4m MATURE HEIGHT (ACER PLATANOIDES - GLOBOSUM)	
MEDIUM TREES (TO 2M MATURE SPREAD):	○ - MEDIUM SIZE TREE - 2m MATURE SPREAD (ACMENA HEMILAMPRA - BLUSH SATINASH)	
LANDSCAPE COVERING:	L - LAWN	
PATHWAY:	CP - CONCRETE PAVING	

Proposed Variation



 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No.	Date
			DATE	REV.	DESCRIPTION:	664	12/12/22
			12/12/22	1	Planning drawings V1 completed	Scale AS SHOWN	Issue No.
						Drawn BK	1
						Checked	Sheet No. 1 of 4

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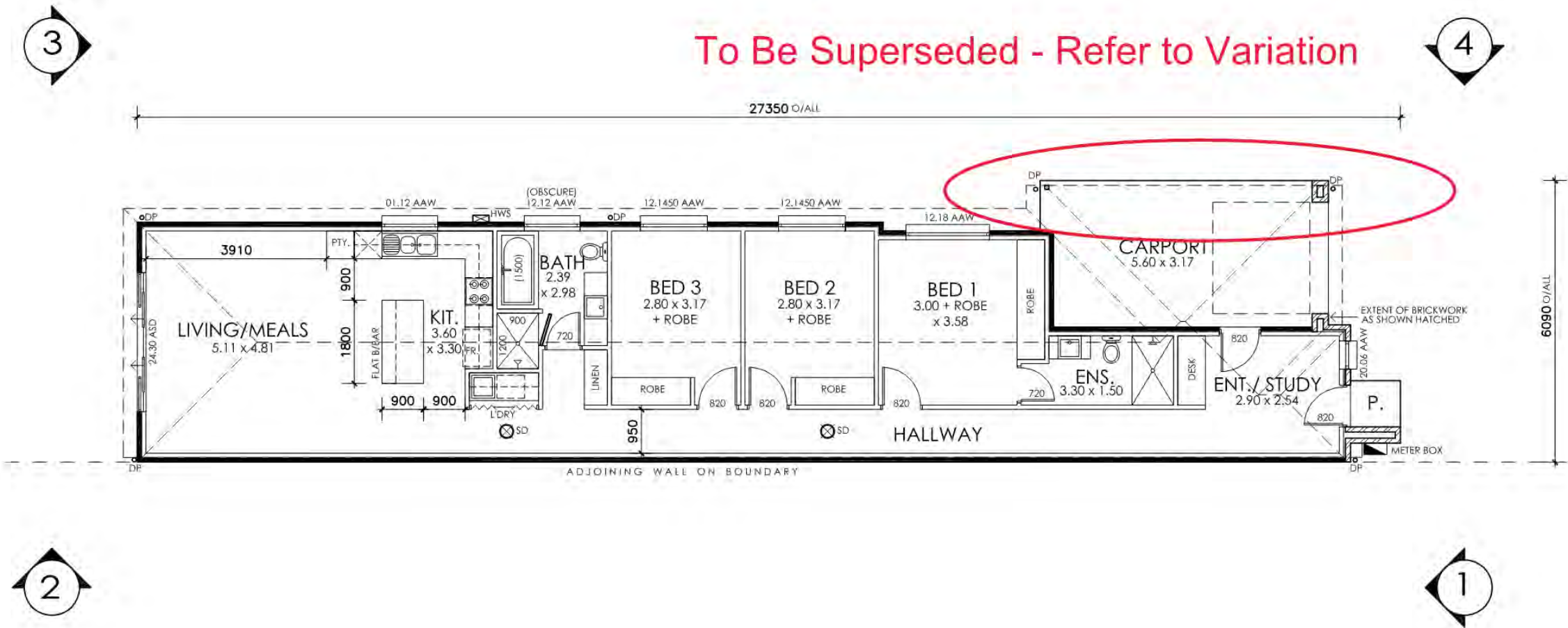
FOR PLANNING

NOTE:
ALL SMOKE DETECTORS MUST BE INTERCONNECTED
& HARDWIRED IN ACCORDANCE WITH AS 3786

NOTE:
ALL INTERNAL DOORS AT 2340H

AREA:	
LIVING	119.76 sqm
GARAGE	20.75 sqm
PORCH	1.08 sqm
TOTAL:	141.59 sqm

- CONSTRUCTION NOTES:
- 190W HEBEL CONSTRUCTION
 - 2720mm CEILING LEVEL
 - CONCRETE REINFORCED SLAB AS PER ENGINEER'S CONSTRUCTION REPORT
 - ASSUME WIND SPEED N2 (TBC BY ENGINEERS)



DWELLING 3
FLOOR PLAN

SCALE 1:100



PROPOSED RESIDENCE FOR
SYNERGY URBAN DEVELOPMENT

LOT 37 (#11) CLYDE STREET,
MODBURY

GENERAL NOTES
3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.

All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.

This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.

Figured dimensions to take precedence over scaled dimensions.

AMENDMENTS		
DATE:	REV.	DESCRIPTION:
15/12/22	1	Planning drawings V1 completed.
21/04/23	2	Planning drawings V2 completed - Amended as per council RM.
16/08/23	3	Planning drawings V3 completed - Amended drawings to comply as per council requirements.

Job No. 664	Date 10/08/23
Scale AS SHOWN	Issue No. 3
Drawn BK	Sheet No. 2 of 4
Checked -	

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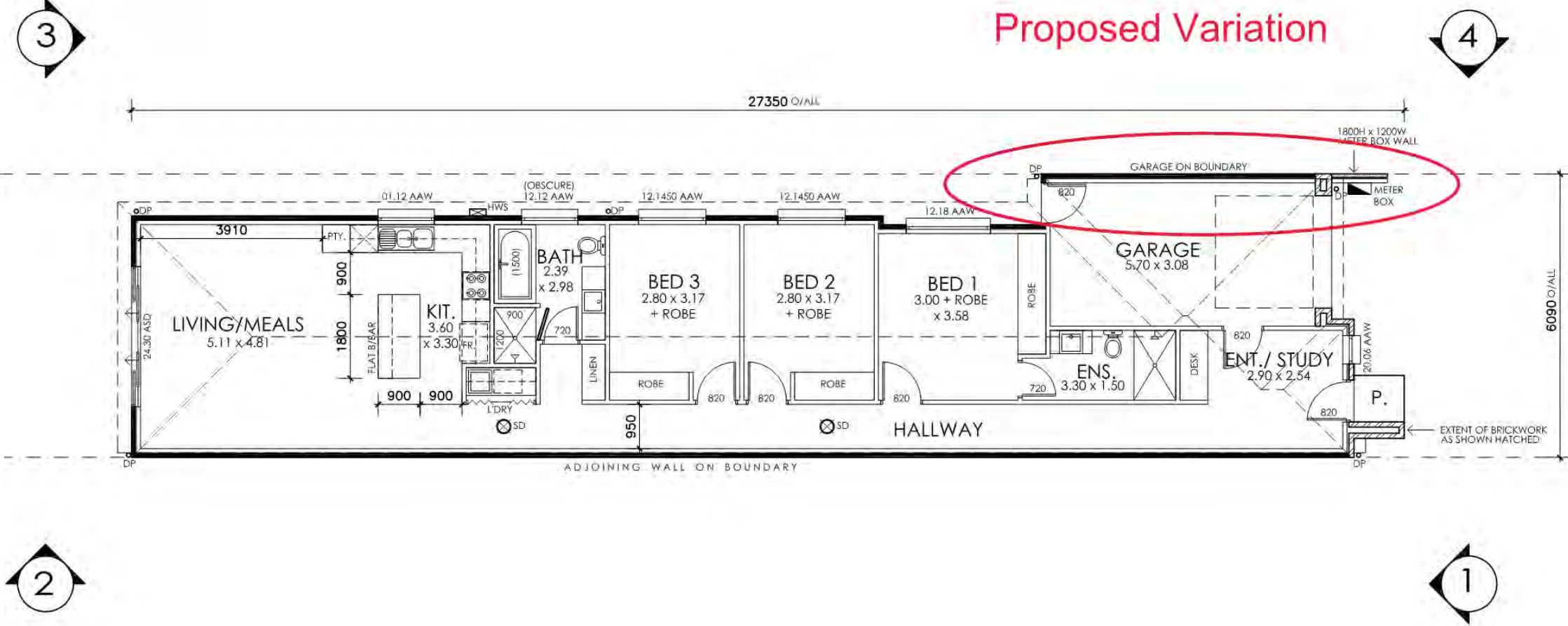
FOR PLANNING

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ALL SMOKE DETECTORS MUST BE INTERCONNECTED
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 - ASSUME WIND SPEED N2 (TBC BY ENGINEERS)



DWELLING 3
FLOOR PLAN

SCALE 1:100



PROPOSED RESIDENCE FOR
SYNERGY URBAN DEVELOPMENT

LOT 37 (#11) CLYDE STREET,
MODBURY

GENERAL NOTES
3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.

All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.

This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.

Figured dimensions to take precedence over scaled dimensions.

AMENDMENTS		
DATE	REV.	DESCRIPTION
12/12/22	1	Revising drawings V1 consistent

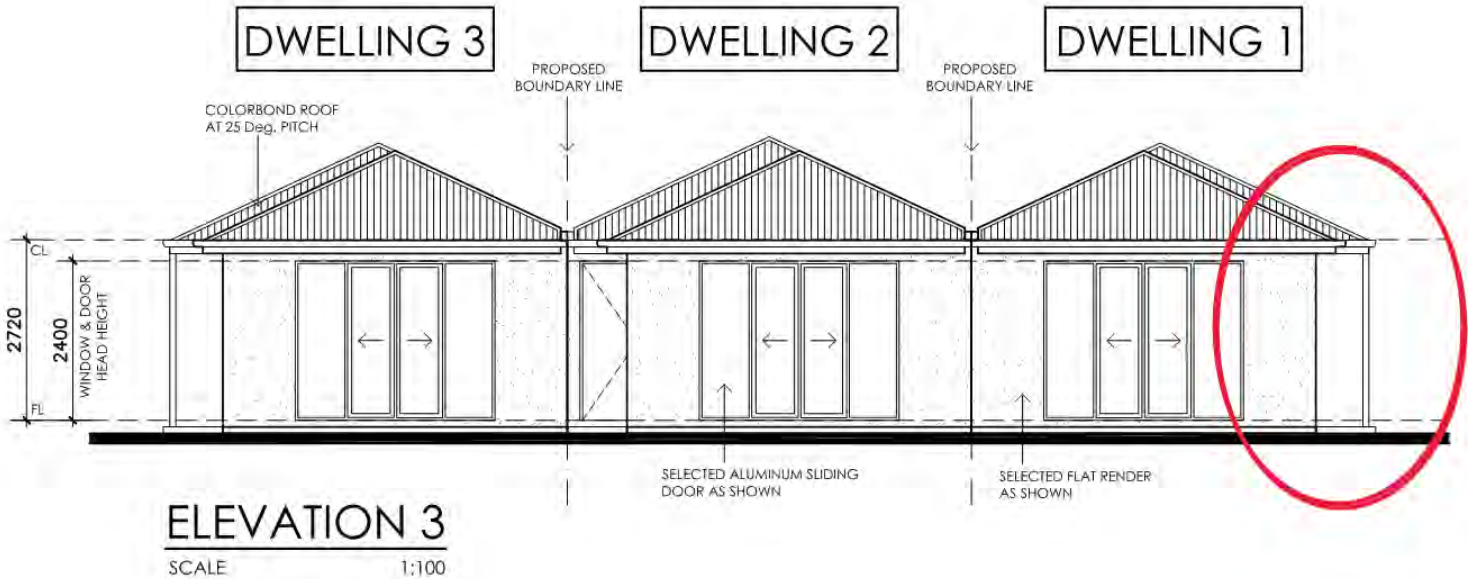
Job No. 664	Date 12/12/22
Scale AS SHOWN	Issue No. 1
Drawn BK	Sheet No. 2 of 4
Checked -	

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FOR PLANNING



To Be Superseded - Refer to Variation



PROPOSED RESIDENCE FOR
SYNERGY URBAN DEVELOPMENT

LOT 37 (#11) CLYDE STREET,
MODBURY

GENERAL NOTES
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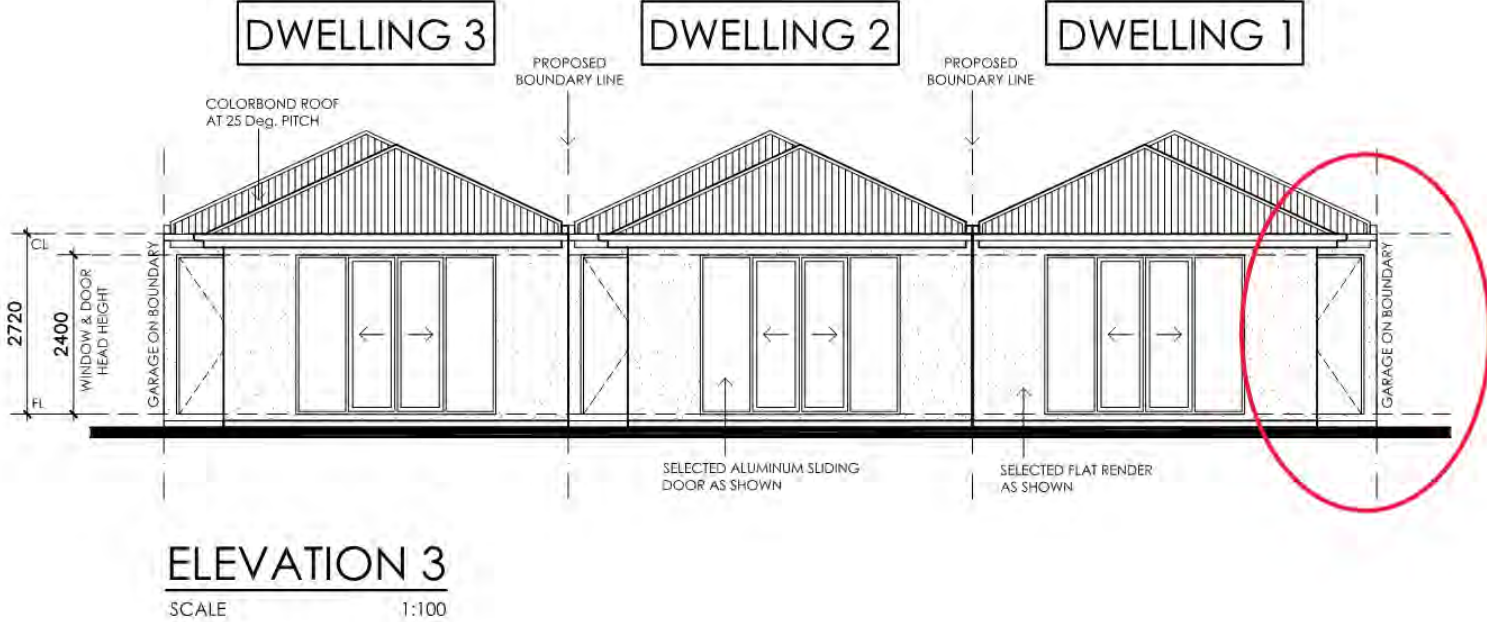
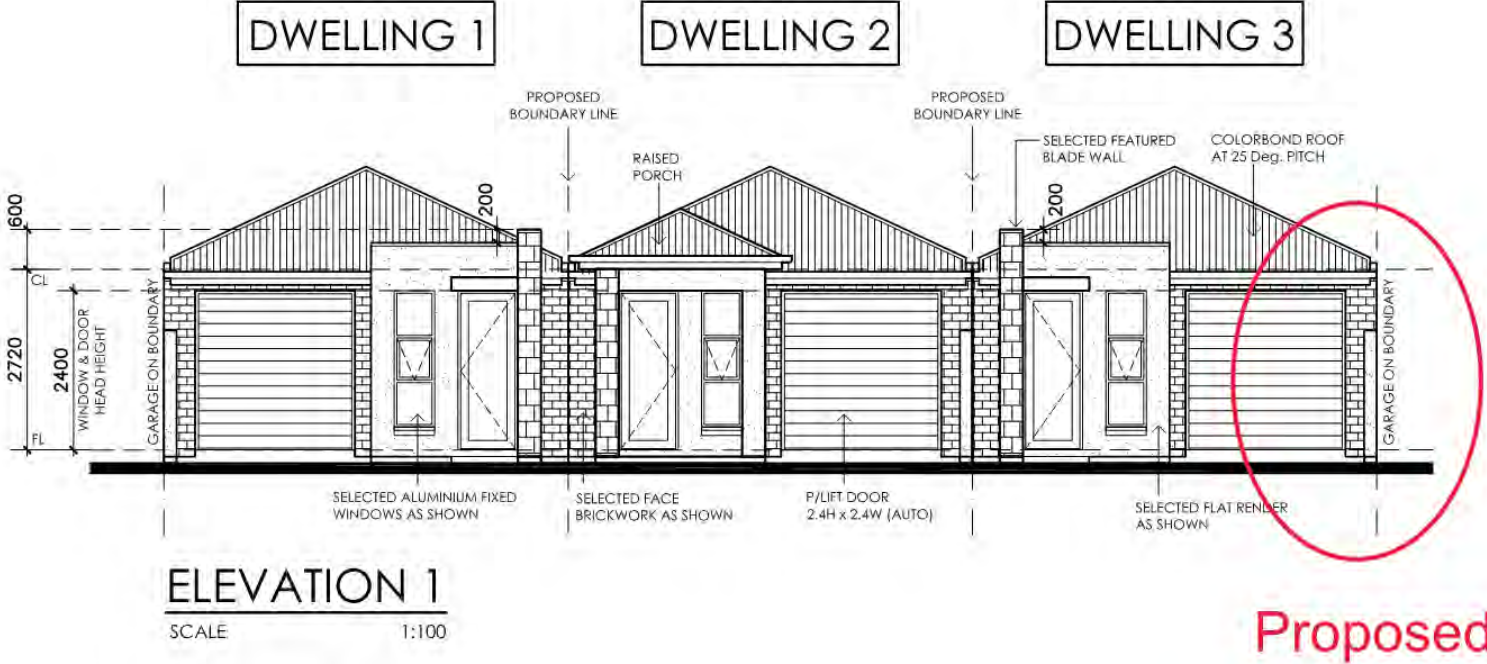
Figured dimensions to take precedence over scaled dimensions.


AMENDMENTS		
DATE:	REV.	DESCRIPTION:
12/12/22	1	Planning drawings V1 completed.
21/04/23	2	Planning drawings V2 completed - Amended as per council RTI.
16/08/23	3	Planning drawings V3 completed - Amended as per council RTI.

Job No. 664	Date 10/08/23
Scale AS SHOWN	Issue No. 3
Drawn BK	Sheet No. 3 of 4
Checked -	

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FOR PLANNING

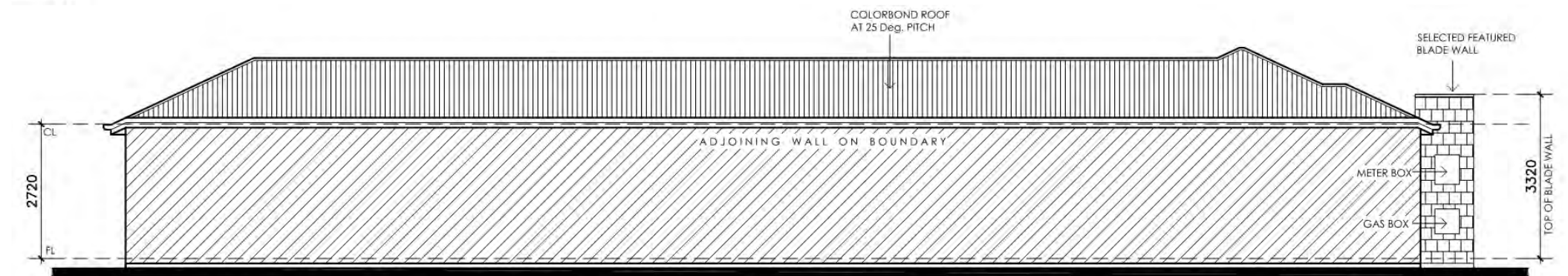


 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No. 664	Date 12/12/22
			DATE	REV.	DESCRIPTION	Scale AS SHOWN	Issue No.
			12/12/22	1	Revised drawings V1 completed	Drawn BK	1
						Checked -	Sheet No. 3 of 4

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FOR PLANNING

DWELLING 3



ELEVATION 2
SCALE 1:100



ELEVATION 4
SCALE 1:100

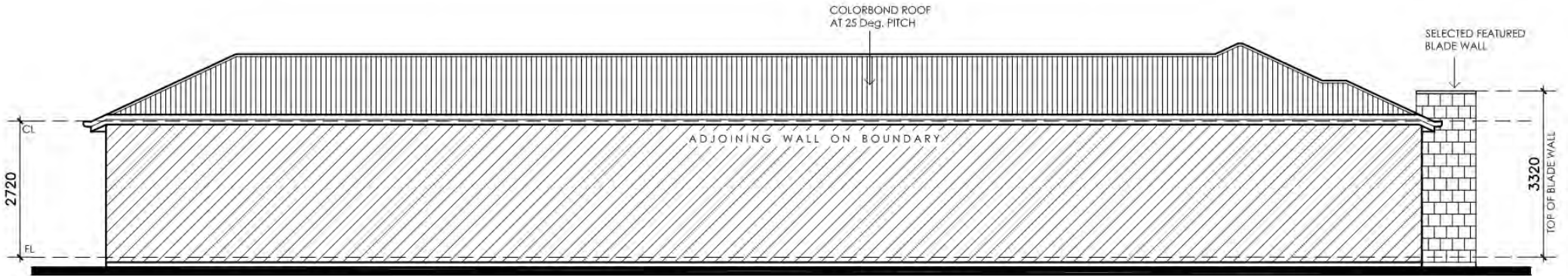
To Be Superseded - Refer to Variation

<div>3MT SOLUTIONS</div> <div>www.3mtsolutions.com.au</div>	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	<p>GENERAL NOTES</p> <p>3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.</p> <p>All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.</p> <p>This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.</p> <p>Figured dimensions to take precedence over scaled dimensions.</p>	AMENDMENTS			Job No.	Date
			DATE:	REV.	DESCRIPTION:	664	10/08/23
			12/12/22	1	Planning drawings V1 completed	Scale AS SHOWN	Issue No. 3
			21/04/23	2	Planning drawings V2 completed - Amended as per council RM		
			16/08/23	3	Planning drawings V3 completed - Amended garage to comply as per client's request		
						Drawn BK	Sheet No. 4 of 4
						Checked -	

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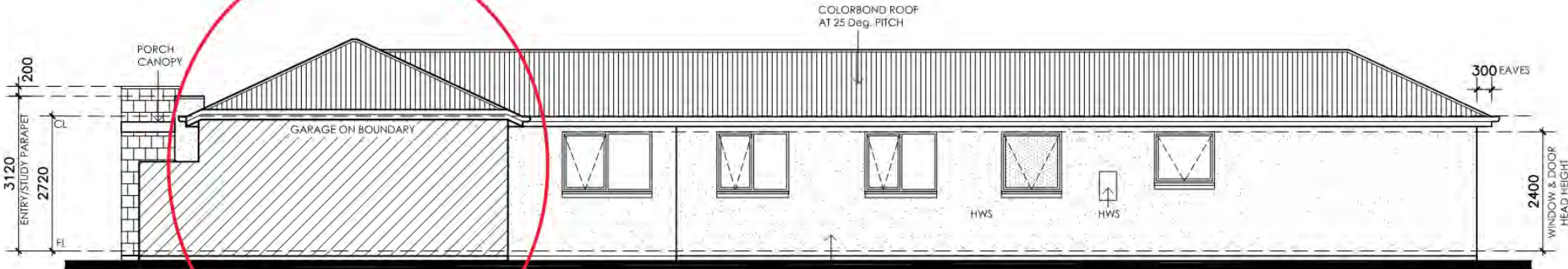
FOR PLANNING

DWELLING 3




ELEVATION 2
SCALE 1:100

Proposed Variation



ELEVATION 4
SCALE 1:100

 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No. 664	Date 12/12/22
	LOT 37 (#11) CLYDE STREET, MODBURY		DATE:	REV.	DESCRIPTION:	Scale AS SHOWN	Issue No.
			12/12/22	1	Planning drawings V1 completed	Drawn BK	1
						Checked	Sheet No.
						-	4 of 4

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M 14145028Lodgement Date: 20 October 2023 12:58:01 PM
2 OF 2

Registered: 25 October 2023 01:03:54 PM



ELN Lodgement Case ID: 902826651

ELN Workspace ID: 10469712

Form M1 v40.4 NMF v1.5

Lodger Details

Lodger Code E100233

Reference 801640937 Purchase B

MORTGAGE**Jurisdiction** South Australia**Privacy Collection Statement**

The information in this form is collected under statutory authority and used for the purpose of maintaining publicly searchable registers and indexes.

Estate and/or interest being mortgaged

FEE SIMPLE

Land Title Reference	Part Land Affected	Land Description
CT 6290/373		

Mortgagor

Given Name(s)	KAITIAN
Family Name	DONG
Address	
Street Number	11
Street Name	CLYDE
Street Type	ST
Locality	MODBURY
State	SA
Postcode	5092

Mortgagee

Name	AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
ACN	005357522
Australian credit licence	234527
Address	
Property Name	ANZ CENTRE
Floor Type	L
Floor Number	9

Reference : 801640937 Purchase B

Page 1 of 2

Street Number	833
Street Name	COLLINS
Street Type	ST
Locality	DOCKLANDS
State	VIC
Postcode	3008

The mortgagor mortgages the estate and/or interest in land specified in this mortgage to the mortgagee as security for the debt or liability described in the terms and conditions set out or referred to in this mortgage, and covenants with the mortgagee to comply with those terms and conditions.

Terms and Conditions of this Mortgage

(a) Document Reference	12904688
(b) Additional terms and conditions	NIL

Mortgagee Execution

The Certifier has retained the evidence supporting this Registry Instrument or Document.
The Certifier has taken reasonable steps to ensure that this Registry Instrument or Document is correct and compliant with relevant law and any Prescribed Requirement.
The Certifier, or the Certifier is reasonably satisfied that the mortgagee it represents,:

- (a) has taken reasonable steps to verify the identity of the mortgagor or his, her or its administrator or attorney; and
- (b) holds a mortgage granted by the mortgagor on the same terms as this Registry Instrument or Document.

Executed on behalf of	AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Signer Name	MANPREET MAAN
Signer	AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED
Signer Role	EMPLOYEE CERTIFIER
Execution Date	20 OCTOBER 2023

This is a representation of an instrument that was electronically lodged

Begin forwarded message:

From: shannon Thompson <shazzahas@gmail.com>

Date: 31 October 2023 at 9:11:30 pm ACDT

To: Mark Warton <mark@synergyud.com>

Subject: 11 Clyde St Modbury

Dear Mark

It was good to meet you on site on the week end and review the revised approved planning consent plans for your development at 11 Clyde St Modbury . As I mentioned to you after reviewing the approved plans I am extremely disappointed and frustrated that the garage wall has been removed from our adjoining boundary which was shown on the original plans and is now replaced with a carport. As the owner of the property next door I would much prefer your garage wall on the boundary as it gives me far greater privacy, protection in my carport , security and it aesthetically looks far better than the open carport as shown on the new plans. I think this is a terrible change and as the adjacent property owner I would much prefer to see a change back to the original design.

Kind regards
Shannon Thompson

ASSESSMENT REPORT

DEVELOPMENT NO.:	23033406
APPLICANT:	Synergy Urban Development Pty Ltd
NATURE OF DEVELOPMENT:	Variation to Development Application DA 23007521 (Carport to Garage - Dwelling 3)
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Housing Diversity Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Building Near Airfields • Hazards (Flooding) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy • Water Resources <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Levels) (Maximum building height is 3 levels)
LODGEMENT DATE:	13 Nov 2023
RELEVANT AUTHORITY:	Assessment panel/Assessment manager at City of Tea Tree Gully
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.16 - 09/11/2023

DETAILED DESCRIPTION OF PROPOSAL:

Variation to Development Application DA 23007521 (Carport to Garage - Dwelling 3)

LOCATION OF DEVELOPMENT:

Location reference: 11 CLYDE ST MODBURY SA 5092

Title ref.: CT
6290/373

Plan Parcel: D132808
AL103

Council: CITY OF TEA TREE
GULLY

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Other - Residential - Variation to Development Application - DA 23033406- (Carport to Garage - Dwelling 3): Code Assessed - Performance Assessed
New housing
Detached dwelling: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
P&D Code

PUBLIC NOTIFICATION

No

- **REASON**
Dwelling is excluded from Public Notification per Table 5 Procedural Matters, and this variation application involves altering a detached dwelling and the proposed boundary wall does not exceed 3m in height and 11.5m length.

AGENCY REFERRALS

Nil

INTERNAL REFERRALS

Nil

PLANNING & DESIGN CODE POLICIES

Housing Diversity Neighbourhood Zone: PO2.1, PO3.1, DTS/DPF3.1, PO4.1, DTS/DPF4.1, PO5.1, DTS/DPF5.1, PO6.1, DTS/DPF6.1, PO6.2, DTS/DPF6.2, PO7.1, DTS/DPF7.1, PO8.1, DTS/DPF8.1.

Hazards (Flooding Evidence Required) Overlay: PO1.1, DTS/DPF 1.1

Stormwater Management Overlay: PO1.1, DTS/DPF 1.1

Urban Tree Canopy Overlay: PO1.1, DTS/DPF 1.1

Design in Urban Areas: PO8.1, DTS/DPF8.1, PO8.2, DTS/DPF8.2, PO8.3, PO8.4, PO8.5, PO10.1, PO17.1, DTS/DPF17.1, PO17.2, PO17.1, DTS/DPF18.1 DTS/DPF18.1, PO20.1, DTS/DPF20.1, PO20.2, DTS/DPF20.2, PO21.1, DTS/DPF21.1, PO21.2, DTS/DPF21.2, PO22.1, DTS/DPF22.1, PO23.1, DTS/DPF23.1, PO23.2, DTS/DPF23.2, PO23.3, DTS/DPF23.3, PO23.4, DTS/DPF23.4, PO23.5, DTS/DPF23.5, PO23.6, DTS/DPF23.6, PO24.1, DTS/DPF24.1.

Interface between Land Uses: PO3.1, DTS/DPF3.1, PO3.2, DTS/DPF3.2, PO3.3

PLANNING ASSESSMENT

The proposed variation aims to modify the originally approved dwelling in terrace arrangements under DA 23007521, changing the carport to a garage. The planned garage will feature a 2.7m solid wall in height on the west boundary of the site. This alteration would result in the original dwellings, arranged in terrace fashion, being built on side boundaries shared with allotments outside the development site.

The development site falls within the Housing Diversity Neighbourhood Zone, supporting medium to high-density development. Despite the subject site being in a zone conducive to such development, the surrounding area primarily consists of detached dwellings with generous separation between buildings. Apart from the subject site, there are only five medium-density developments in this locality. Notably, both sides of Clyde Street have no existing single-storey boundary-to-boundary development pattern. Consequently, constructing single-storey dwellings in a terrace arrangement on both side boundaries does not align with the existing suburban character.

PO 6.2 of the Housing Diversity Neighbourhood Zone mandates that *dwelling in terrace arrangements maintain space between buildings consistent with a suburban streetscape*. While **DPF6.2 of the Housing Diversity Neighbourhood Zone** offers a common approach by requiring a 900mm setback from the western side boundary, the presence of carports with front roller doors allows dwelling walls to achieve the necessary 900mm setback from side boundaries, so while the current carport meets **DPF6.2**, it does not fulfil **PO6.2**. The original DA 23007521 considered carports as a compromise outcome for a balanced assessment, deeming them less bulky than dwellings with garages.

The proposed variation challenges the previously balanced outcome, as the garage wall fails to comply with **DPF6.2** and **PO6.2**.

PO 7.1, Housing Diversity Neighbourhood Zone, necessitates *building walls are setback from side boundaries to provide separation between buildings in a way that complements the established character of the locality*. Additionally, it seeks to ensure *access to natural light and ventilation for neighbours*. Given the boundary-to-boundary development proposed by this variation DA, it does not align with the established suburban character and fails to meet **PO7.1**.

Also, the proposed variation fails to meet the following provisions under general policies section:

DO 1(a), Design in Urban Area, underscores the expectation that development should be considerate of, acknowledge, and thoughtfully respond to its natural surroundings within the built environment. The objective is for the development to make a positive contribution to the character of the locality, thereby enhancing its contextual harmony and overall aesthetic appeal.

Specifically, **Design in Urban Areas PO 20.1** addresses the design of garages, stating that they should be crafted in a manner that does not diminish the streetscape or the overall appearance of a dwelling. This implies that garages should be integrated seamlessly into the design, avoiding any negative impact on the visual appeal of the streetscape.

In the current streetscape scenario where building walls are set back more than 1m from both side boundaries with a carport built on the boundary, a comparison is made. The argument is that when compared to a carport situated on the side boundary, a garage wall on the boundary is seen as not merging effectively with the streetscape. This suggests that the garage, in this context, may not align with the intended design principles outlined in PO 20.1, emphasizing the need for seamless integration into the streetscape and overall dwelling appearance.

Considering the subject site's narrow frontage, unconventional for single-storey dwellings in a terrace arrangement, the council was initially advised to consider a double-storey built form to avoid building on both development site boundaries. The applicant opted for a carport over a garage for a balanced assessment outcome. However, the proposed variation, instead of achieving a balanced outcome, is deemed seriously at variance with the provisions of the Planning and Design Code, as it fails to meet PO6.2, PO7.1, Housing Diversity Neighbourhood Zone, and DO 1, PO 20.1, Design in Urban Area.

RECOMMENDATION

The proposed variation warrants refusal due to its failure to align with key provisions of the Planning and Design Code. The deviation from the originally approved dwelling in terrace arrangements, shifting from a carport to a garage, poses significant challenges. The introduction of a garage with a 2.7m solid wall on the west boundary disrupts the original terrace arrangement, affecting side boundaries shared with allotments outside the development site.

Key concerns include the inability of the proposed variation to meet PO6.2 and PO7.1 in the Housing Diversity Neighbourhood Zone. The intended garage wall does not comply with setback requirements, and the boundary-to-boundary development contradicts the established suburban character. Additionally, the variation fails to adhere to DO1 and PO20.1, Design in Urban Areas, as proposed context, may not align with the intended design principles outlined.

Considering these shortcomings and the serious variance with Planning and Design Code provisions, it is recommended to refuse the proposed variation. This decision ensures alignment with zoning requirements, maintains the established character of the locality, and upholds standards for design in the urban area.

Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is seriously at variance with the provisions of the Planning and Design Code.

CONDITIONS

Planning Consent

The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in the application herein approved, except where varied by any condition(s) listed below.

ADVISORY NOTES

Planning Consent

Advisory Note 1

Pursuant to Section 202 of the Planning, Development and Infrastructure Act 2016, you have the right of appeal to the Environment, Resources and Development Court against either (1) a refusal of consent or (2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (Ph. 8204 0289).

Advisory Note 2

Once development approval is granted, the development must be:

- a) Substantially commenced within 24 months from the date of the decision of this Consent or Approval, otherwise this Consent or Approval will lapse at the expiration of 24 months from this date (unless Council extends this period), and a new development application shall be required; and
- b) Fully completed within 3 years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of 3 years from this date (unless Council extends this period), and a new development application shall be required; and
- c) Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

DECISION AUTHORITY

Relevant Authority: Assessment manager at City of Tea Tree Gully

Consent: Planning Consent

Date: 5/12/2023

Delegation Policy: Instrument D

Delegate Name: Hugh Wang

Delegate Title: Planning Officer



DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

Name: Synergy Urban Development Pty Ltd
Postal address: 13-19 NEW STREET NORTH ADELAIDE SA 5006
Email: info@synergyurbandevelopment.com.au

IN REGARD TO:

Development application no.: 23033406	Lodged on: 13 Nov 2023
Nature of proposed development: Variation to Development Application DA 23007521 (Carport to Garage - Dwelling 3)	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 11 CLYDE ST MODBURY SA 5092		
Title ref.: CT 6290/373	Plan Parcel: D132808 AL103	Council: CITY OF TEA TREE GULLY

DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Refused	5 Dec 2023			Assessment Manager at City of Tea Tree Gully
Building Consent					To be Determined
Development Approval - Planning Consent; Building Consent					City of Tea Tree Gully

FROM THE RELEVANT AUTHORITY: Assessment Manager - Section 96 - Performance Assessed at City of Tea Tree Gully

Date: 5 Dec 2023

REFUSAL REASONS

Planning Consent

The proposed variation, replacing a carport with a garage, does not comply with side setback requirements, deviates from the established suburban character and built form pattern for the street.

In particular, it falls short of the following:

- Housing Diversity Neighbourhood Zone PO 6.2 and PO 7.1
- Design in Urban Areas DO 1(a) and PO 20.1

This form constitutes the form of a decision notification under section 126(1) of the Planning, Development and Infrastructure Act 2016, as determined by the Minister for Planning for the Purposes of regulation 57(1) of the Planning, Development and Infrastructure (General) Regulations 2017. Published: 7 July 2022.



Government of South Australia

Department for Trade and Investment

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

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- c) Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

CONTACT DETAILS OF CONSENT AUTHORITIES

Name: City of Tea Tree Gully	Type of consent: Planning
Telephone: 0883977444	Email: plansaportal@cttg.sa.gov.au
Postal address: PO Box 571, MODBURY SA 5092	

APPLICATION TO ASSESSMENT PANEL¹

Decision Review Request

Prescribed form pursuant to section 202(1) for review of a decision of an Assessment Manager under section 202(1)(b)(i)A of the *Planning, Development and Infrastructure Act 2016* (Act)

Applicant details:	Name: Synergy Urban Development Phone: 81661885 Email: info@synergyurbandevlopment.com.au Postal address: 13-19 New Street, North Adelaide 5006
Development Application Number:	23033406
Subject Land:	11 Clyde Street, Modbury SA 5092 <i>[street number, street name, suburb, postcode]</i> <i>[lot number, plan number, certificate of title number, volume and folio]</i>
Date of decision of the Assessment Manager:	05/12/2023
Decision (prescribed matter²) for review by Assessment Panel:	Planning Consent Refusal of a planning application seeking to make a minor variation to a previously approval.
Reason for review:	Council's oversight of material considerations and failure to appropriately interpret and assess relevant provisions of development control in accordance with established statutory planning conventions, resulting in an incorrect decision to refuse the application for planning consent - Refer to - Appendices A - for further details
Do you wish to be heard by the Assessment Panel?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Date:	29/01/2024
Signature:	<input checked="" type="checkbox"/> If being lodged electronically please tick to indicate agreement to this declaration.

¹ This application must be made through the relevant facility on the SA planning portal. To the extent that the SA planning portal does not have the necessary facilities to lodge this form, the application may be lodged—

(i) by email, using the main email address of the relevant assessment panel; or
(ii) by delivering the application to the principal office or address of the relevant assessment panel.

² **Prescribed matter**, in relation to an application for a development authorisation, means—

- (a) any assessment, request, decision, direction or act of the Assessment Manager under the Act that is relevant to any aspect of the determination of the application; or
- (b) a decision to refuse to grant the authorisation; or
- (c) the imposition of conditions in relation to the authorisation; or
- (d) subject to any exclusion prescribed by the regulations, any other assessment, request, decision, direction or act of the assessment manager under the Act in relation to the authorisation.

This form constitutes the form of an application to an assessment panel under section 202(1)(b)(i)A of the *Planning, Development and Infrastructure Act 2016*, determined by the Minister for Planning and Local Government, pursuant to regulation 116 of the *Planning, Development and Infrastructure (General) Regulations 2017*. Last amended: 31 July 2020



Government of South Australia
Attorney-General's Department

APPENDICES (A)

Background:

The subject development application was originally submitted as three (3) detached dwellings in a terrace arrangement boundary to boundary with enclosed garages.

This application was lodged after a pre-lodgement meeting with Council's Team Leader for Planning whereby he endorsed the boundary to boundary design on the basis that the land was located within a Neighbourhood Diversity Zone that seeks to encourage medium density housing up to 3 levels in height with as little as 3.0m front setbacks. The subject land is also located immediately abutting the Regional Town Centre of the Westfield shopping complex and associated shops and services including bulky goods.

Furthermore, Council's Team Leader also added that if the proposal was for two detached dwellings abutting boundary to boundary with enclosed garages, according to Planning and Design Code, they would be "deemed to satisfy" and approved. Therefore, in the Team Leaders opinion he believed what was being proposed in terms of its Performance Assessment and relevant impact on the character and amenity of the locality would materially be no different to what would be deemed to satisfy and approved. To this end, he opined it would therefore be a nonsense to refuse the subject proposal for three detached dwellings in a terrace arrangement on this basis of boundary to boundary alone.

As such the proponents proceeded to the lodge the application as presented to the Team Leader in the pre-lodgement meeting.

Only after lodging the application in line with the pre-lodgement discussions with Council the Planning Officer now allocated to undertake assessment contrary to the Team Leaders pre-lodgement advice, then advised that the application would be refused based on the proposal having the enclosed garages located boundary to boundary as previously agreed, and all the while meeting the overwhelming majority of all other relevant provisions of development control.

Refusing an development application on the basis of a single element representing a minor digression with no material impact whilst discounting all other relevant provisions of development control goes against both contemporary and long-established statutory planning conventions. Whereby a development application should be assessed against all relevant provisions of development control both quantitative and qualitative, with equal weight being applied to both the waying up pro's and con's of the merits in order to arrive at a balanced and pragmatic planning assessment decision.

This failure to appropriately uphold the advice provided to the proponents by council's Team Leader and then fail to assess the application in accordance with established norms resulted in significant delays and revisions causing significant hardship for the property owner, who is also a longstanding resident and rate payer of the Tea Tree Gully Council.

As result of the inconsistent advice provided by council resulting in delays and the added costs associated with these delays the proponents opted to amend the application removing both the internal side boundary garage walls and with this revision the application was subsequently granted planning consent.

Whilst the proponents opted to remove both side boundary garage walls to ensure the application would be approved, notably the Planning Officer responsible for assessment leading up to these

amendments did indicate he would support the retention of one out of the two garages being located on the boundary.

This among other considerations including the neighbour wanting the side garage boundary wall and raising his disappointment upon learning council had insisted the side boundary garage walls be removed from the plans led to the subsequent decision by the proponents re-include one boundary garage wall as per the variation subsequently lodged with council.

Notwithstanding and again, contrary to previous commitments by council planning staff to support the application for this variation, this application to vary the approved plans has since been refused, and as such this decision is now subject to this request for review.

It again is highlighted; the owner of the neighbouring property fully endorses and is seeking this variation. Stating in a supporting email (refer Attachment A - Email from Neighbour). Notably, this email was provided as part of the plans and details submitted with the planning application seeking the variation.

Failure Discharge Statutory Duties

Putting aside the concerns surrounding councils questionable conduct regarding the preceding application that upon amendment was approved, the refusal of the subsequent minor variation to amend this preceding planning consent, it would appear councils Assessment Manager has failed in his statutory duties, by failing to correctly assess the proposed variation and in complete contradiction to established statutory planning conventions and the legislative framework.

The Assessment Manager appears to have failed to consider the context of the proposal, ignoring all material considerations, and dismissing the overwhelming majority of relevant provisions of development control satisfied by the subject proposal held within the Planning and Design Code.

The refusal for the minor variation relies upon "*Housing Diversity Neighbourhood Zone PO 6.2 and PO 7.1 and Design in Urban Areas DO 1(a) and PO 20.1*"

Diversity Neighbourhood Zone 6.2 seeks to –

...."*maintain space between buildings consistent with a suburban streetscape character.*

In considering aforementioned PO 6.2 the proposed variation exhibits no material or visual impact on the character of the streetscape beyond what has already been approved for planning consent.

Moreover,

Diversity Neighbourhood Zone 7.1 seeks to –

Provide:

1. separation between buildings in a way that complements the established character of the locality
2. access to natural light and ventilation for neighbours.

In this regard council has failed to both recognise the diverse and emerging character of the locality, whereby the locality includes a diverse range of both new and old housing stock including boundary to boundary development and adjacent commercial buildings associated with the Regional Centre located less than 30m from the subject land.

Notably, The applicable Diversity Neighbourhood Zone - Desired Outcome calls for -

"Medium density housing that supports a range of needs and lifestyles, located within easy reach of a diversity of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

Further to this, it would appear that the proposed variation meets the applicable DTS/DPF 7.1 stating referring to development *"Other than walls located on a boundary"* in doing so, recent case law would dictate that in meeting the DTS/DPF the proposal by extension meets the applicable performance outcome.

N refusing the proposed variation council also sites the following council wide provisions relating to urban design.

DO 1

- (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributing to the character of the locality*
- (b) durable - fit for purpose, adaptable and long lasting*
- (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability*
- (d) privacy and equitable access and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors*
- (e) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.*

In council referencing the aforementioned Desired Outcome - DO 1 as a reason for refusal, one can only conclude that council staff are referring to DO 1 (a) and again in terms of the proposed variation in the context of the already approved plans, the variation when viewed from the surrounding locality is not readily visible, and in terms of its impact on the locality remains completely immaterial and unoffensive.

Further to this, council also references PO 20.1 -

"Garaging is designed to not detract from the streetscape or appearance of a dwelling."

When viewed from the street the already approved plans incorporate a roller door and brick pillar to the front situated to the side neighbouring boundary.

To this end, the proposed variation to include a side wall behind the brick pillar and roller door will go largely unseen when viewed from the street. Particularly given it is behind a roller and brick pillar and importantly, the adjoining property already has an enclosed carport located on the boundary of this shared boundary.

As such, council again appears to have failed to take into consideration the contextual circumstances of the locality and recognise the application being assessed is of minor nature, with the proposed variation to an existing and very recent planning consent resulting in minimal change to the look and presentation of the subject dwelling and streetscape.

Further to this, both the approved, and the proposed variation meets PO 20.1 DTS/DPF 20.1. and by extension satisfies the applicable performance outcome.

*DTS/DPF 20.1**Garages and carports facing a street:*

- (a) are situated so that no part of the garage or carport will be in front of any part of the building line of the dwelling*
- (b) are set back at least 5.5m from the boundary of the primary street*
- (c) have a garage door / opening width not exceeding 7m*
- (d) have a garage door / opening width not exceeding 50% of the site frontage unless the dwelling has two or more building levels at the building line fronting the same public street.*

To refuse the proposed variation in the context of the existing planning consent and applicable development policy framework and being of such a minor nature in terms of its material change to these approved plans is illogical. The assessment and refusal of this minor variation appears to rely upon a narrow and nonsensical interpretation of one or two Performance Outcomes resulting in an irrational, and unbalanced planning decision.

In refusing the variation it would appear the Assessment Manager has failed to appreciate that Performance Outcomes applicable to a performance based assessment pathway are not prescriptive.

Instead, as advised by the State Governments Attorney General's Department - Performance Outcomes are *"by definition qualitative, articulating an outcome that could be met by a variety of different techniques.*

The code also - *"provides quantifiable solutions that will generally meet the performance outcome (designated performance features (DPF), but there may be other ways the outcome can be met. This provides greater flexibility to explore different design solutions that can better respond to a location's context and places greater emphasis on built form through a form-based approach."*

(Guide to the Phase Three (Urban Areas) Planning and Design Code, Govt. of South Australia – Attorney General's Department - March 2021)

In summary, the apparent failure to –

- assess the development application in accordance with the aforementioned guidelines provided by the Attorney General
- failing to take into consideration all material considerations in making a balanced decision based upon all relevant provisions of development control
- failing to uphold commitments made and advice given leading up to and throughout the planning assessment process resulting in delays, unnecessary additional costs and revisions

and

- irrational interpretation of relevant provisions of development control leading to a refusal of the proposed minor variations all point to the Assessment Managers apparent failure to discharge council's statutory planning assessment duties.

As such, we hereby request a review of the Assessment Managers decision by CAP.

To further assist in considering this review please refer to the following images showing an extract from the proposal variation plans which were refused highlighting how benign and immaterial this variation is relative to the approved plans and minimal (if any) impact it would pose on streetscape amenity.

Approved Plans



To Be Superseded - Refer to Variation

Variation plans refused by Council



Proposed Variation

APPENDICES B - SUPPORTING LETTER FROM NEIGHBOUR

Begin forwarded message:

From: shannon Thompson <shazzahas@gmail.com>

Date: 31 October 2023 at 9:11:30 pm ACDT

To: Mark Warton <mark@synergyud.com>

Subject: 11 Clyde St Modbury

Dear Mark

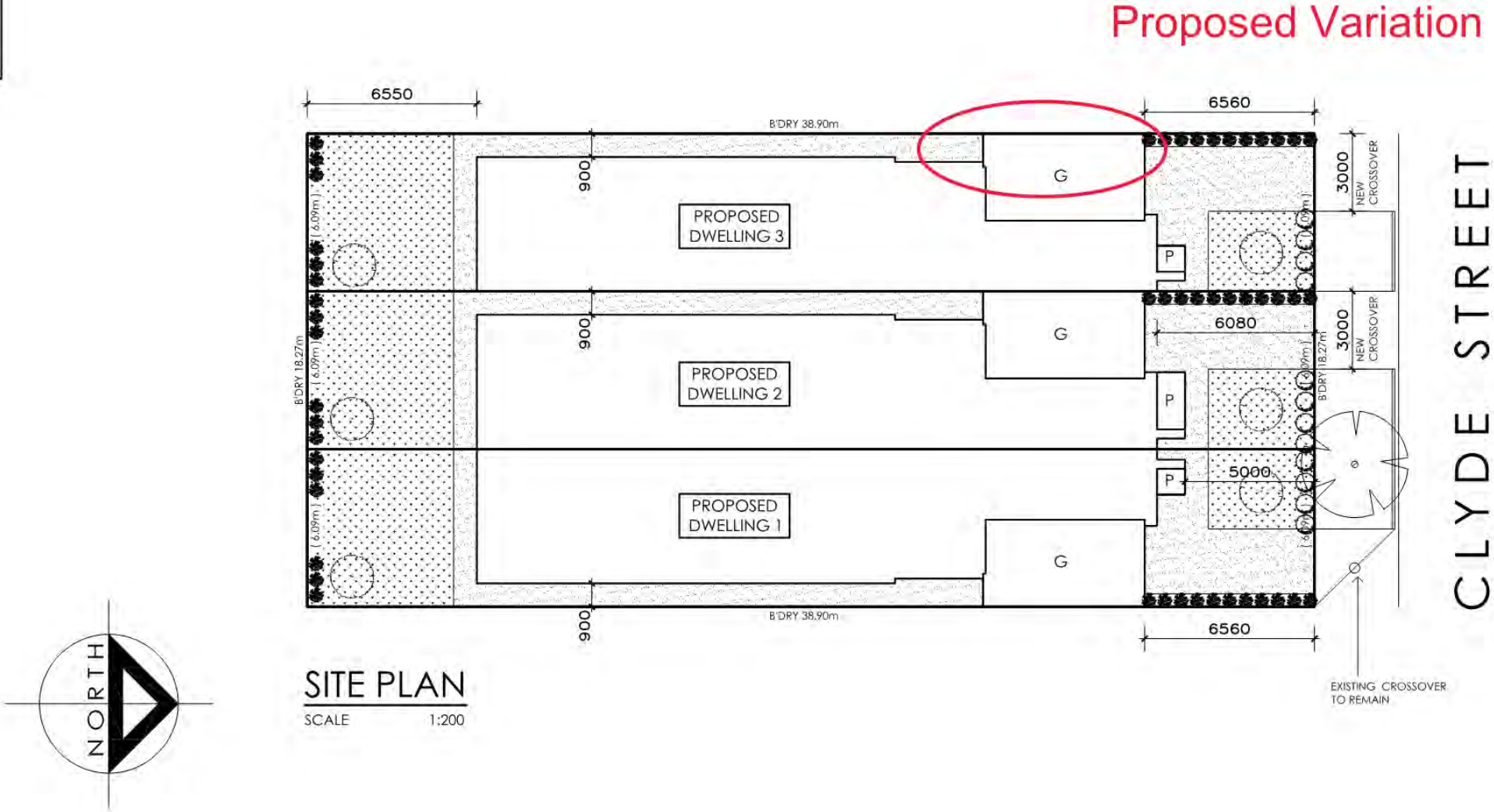
It was good to meet you on site on the week end and review the revised approved planning consent plans for your development at 11 Clyde St Modbury . As I mentioned to you after reviewing the approved plans I am extremely disappointed and frustrated that the garage wall has been removed from our adjoining boundary which was shown on the original plans and is now replaced with a carport. As the owner of the property next door I would much prefer your garage wall on the boundary as it gives me far greater privacy, protection in my carport , security and it aesthetically looks far better than the open carport as shown on the new plans. I think this is a terrible change and as the adjacent property owner I would much prefer to see a change back to the original design.


Kind regards
Shannon Thompson

FOR PLANNING

SITE DETAILS:	
TOTAL SITE AREA	711 sqm
DWELLING 1	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%

LANDSCAPING LEGEND:		
LOW SHRUBS (TO 1M HIGH)	● - LOW SHRUBS (BUXUS FAULKNER - JAPANESE BOX)	✱ - ACMENA SMITHII MOONLIGHT FLAME
MEDIUM SHRUBS (TO 2.5M HIGH):	○ - MEDIUM SHRUBS (XANTHOSTEMON LITTLE PENDA)	
SMALL TREES (TO 4M HIGH):	⊗ - SMALL SIZE TREE - 4m MATURE HEIGHT (ACER PLATANOIDES - GLOBOSUM)	
MEDIUM TREES (TO 2M MATURE SPREAD):	○ - MEDIUM SIZE TREE - 2m MATURE SPREAD (ACMENA HEMILAMPRA - BLUSH SATINASH)	
LANDSCAPE COVERING:	L - LAWN	
PATHWAY:	CP - CONCRETE PAVING	



 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No. 664	Date 12/12/22
			DATE	REV.	DESCRIPTION:	Scale AS SHOWN	Issue No.
			12/12/22	1	Planning drawings V1 completed	Drawn BK	1
						Checked -	Sheet No. 1 of 4

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FOR PLANNING

NOTE:

ALL SMOKE DETECTORS MUST BE INTERCONNECTED & HARDWIRED IN ACCORDANCE WITH AS 3786

NOTE:

ALL INTERNAL DOORS AT 2340H

AREA:

LIVING119.76 sqm

GARAGE20.75 sqm

PORCH1.08 sqm

TOTAL141.59 sqm

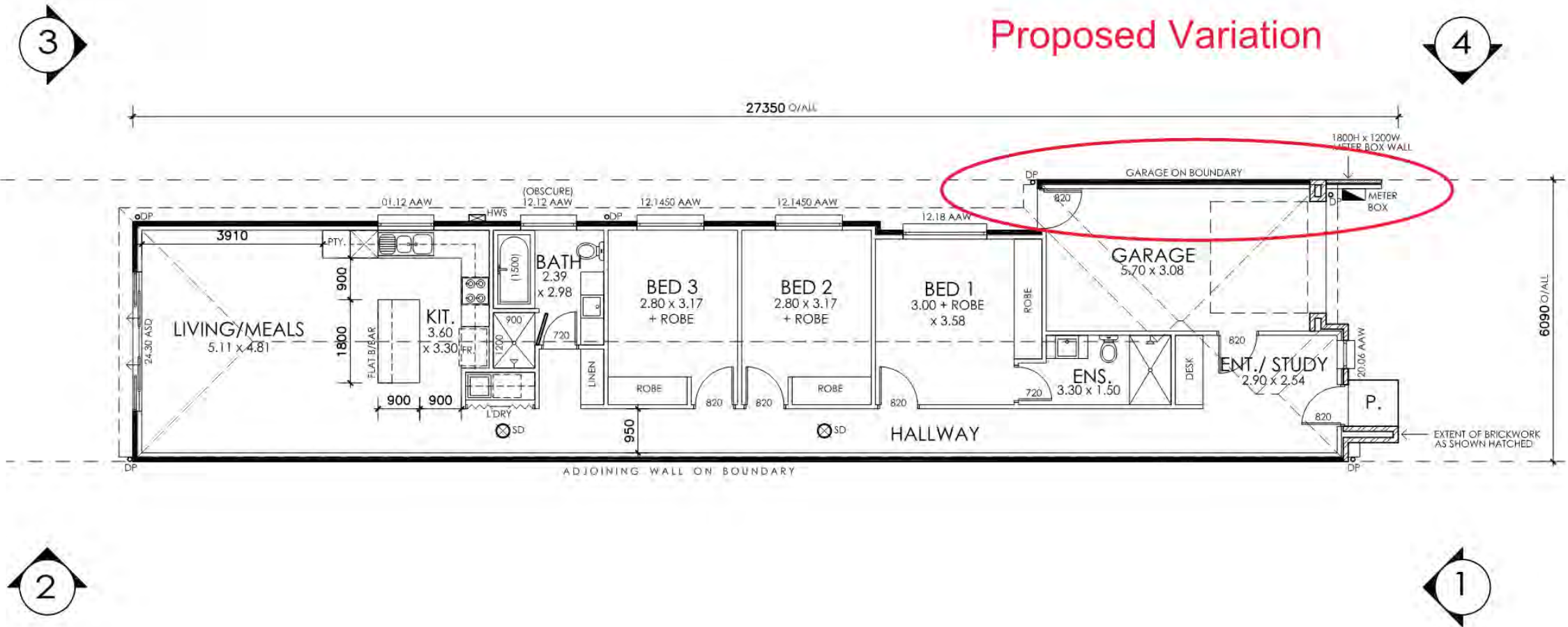
CONSTRUCTION NOTES:

• 190W HEBEL CONSTRUCTION

• 2720mm CEILING LEVEL

• CONCRETE REINFORCED SLAB AS PER ENGINEER'S CONSTRUCTION REPORT

• ASSUME WIND SPEED N2 (TBC BY ENGINEERS)



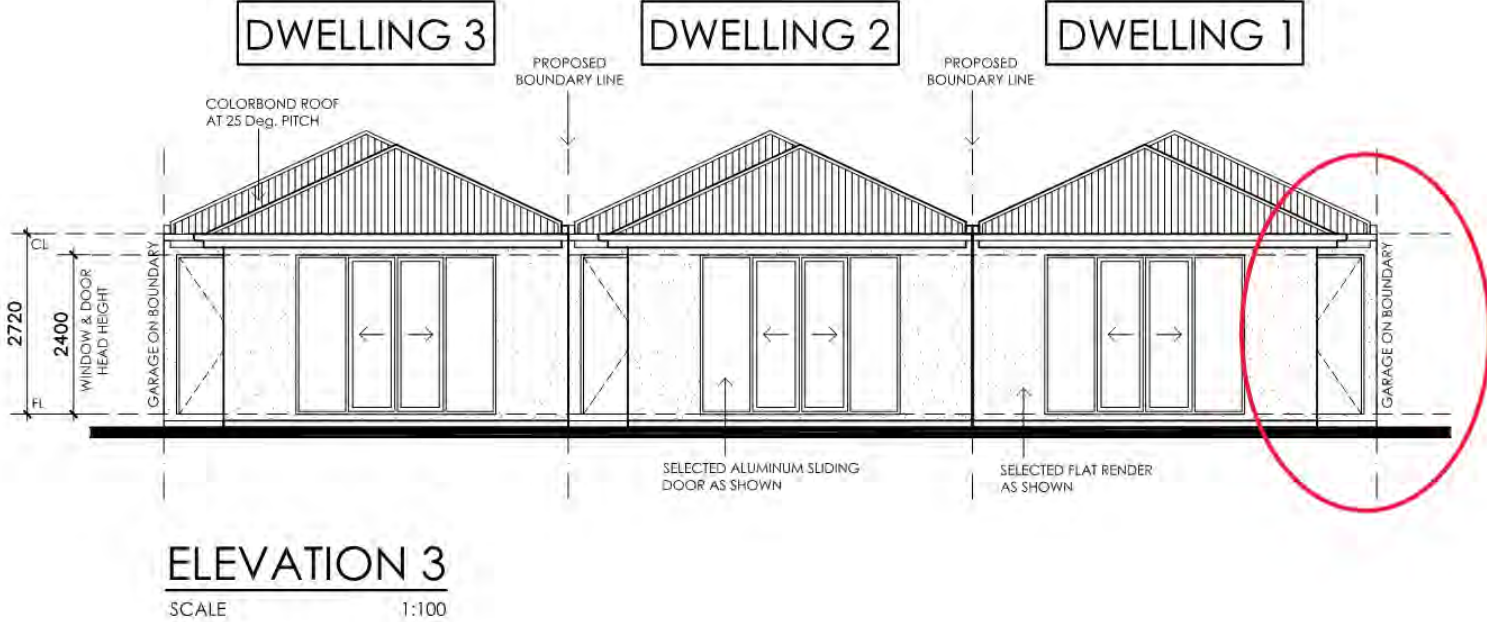
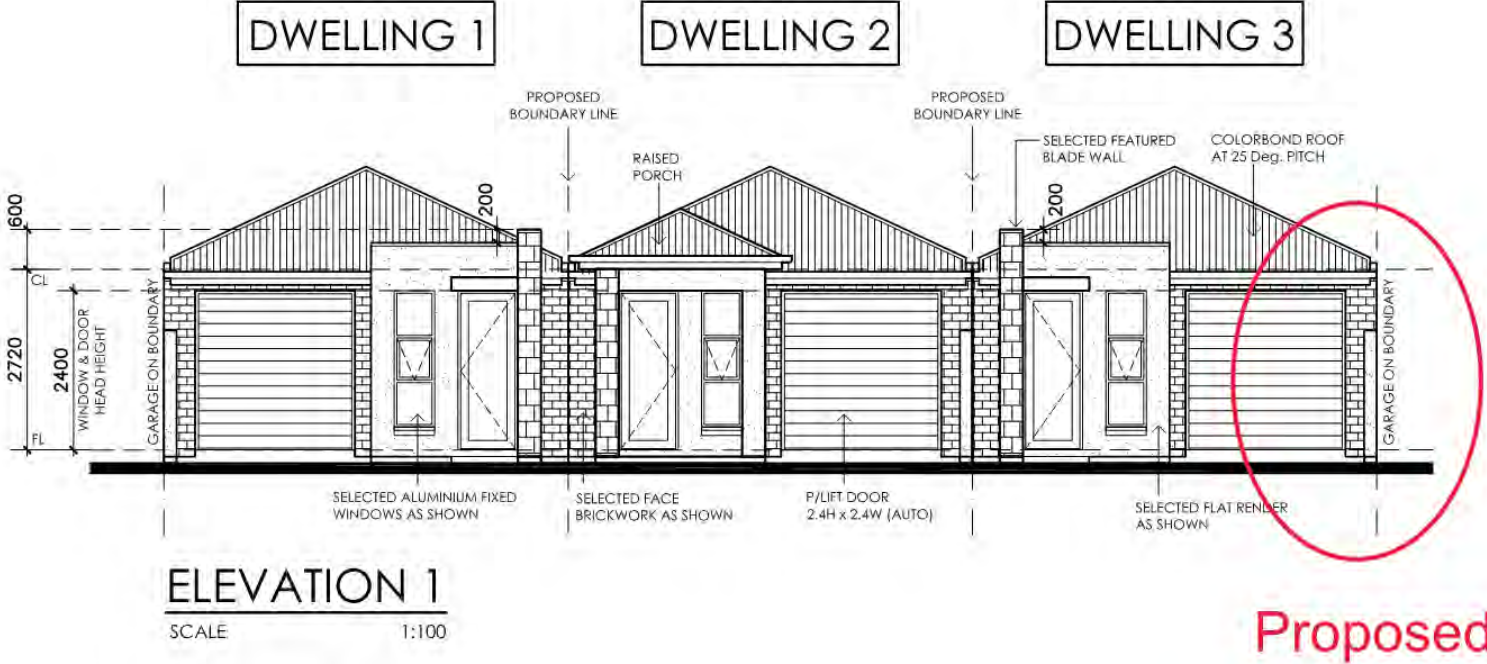
DWELLING 3
FLOOR PLAN


SCALE 1:100

<div>3MT SOLUTIONS</div> <div>www.3mtsolutions.com.au</div>	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	<div>GENERAL NOTES</div> <div>3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.</div> <div>All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.</div> <div>This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.</div> <div>Figured dimensions to take precedence over scaled dimensions.</div>	AMENDMENTS			Job No.	Date
			DATE:	REV.	DESCRIPTION:	664	12/12/22
			12/12/22	1	Planning drawings V1 completed	Scale AS SHOWN	Issue No.
						Drawn BK	1
						Checked -	Sheet No. 2 of 4

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FOR PLANNING

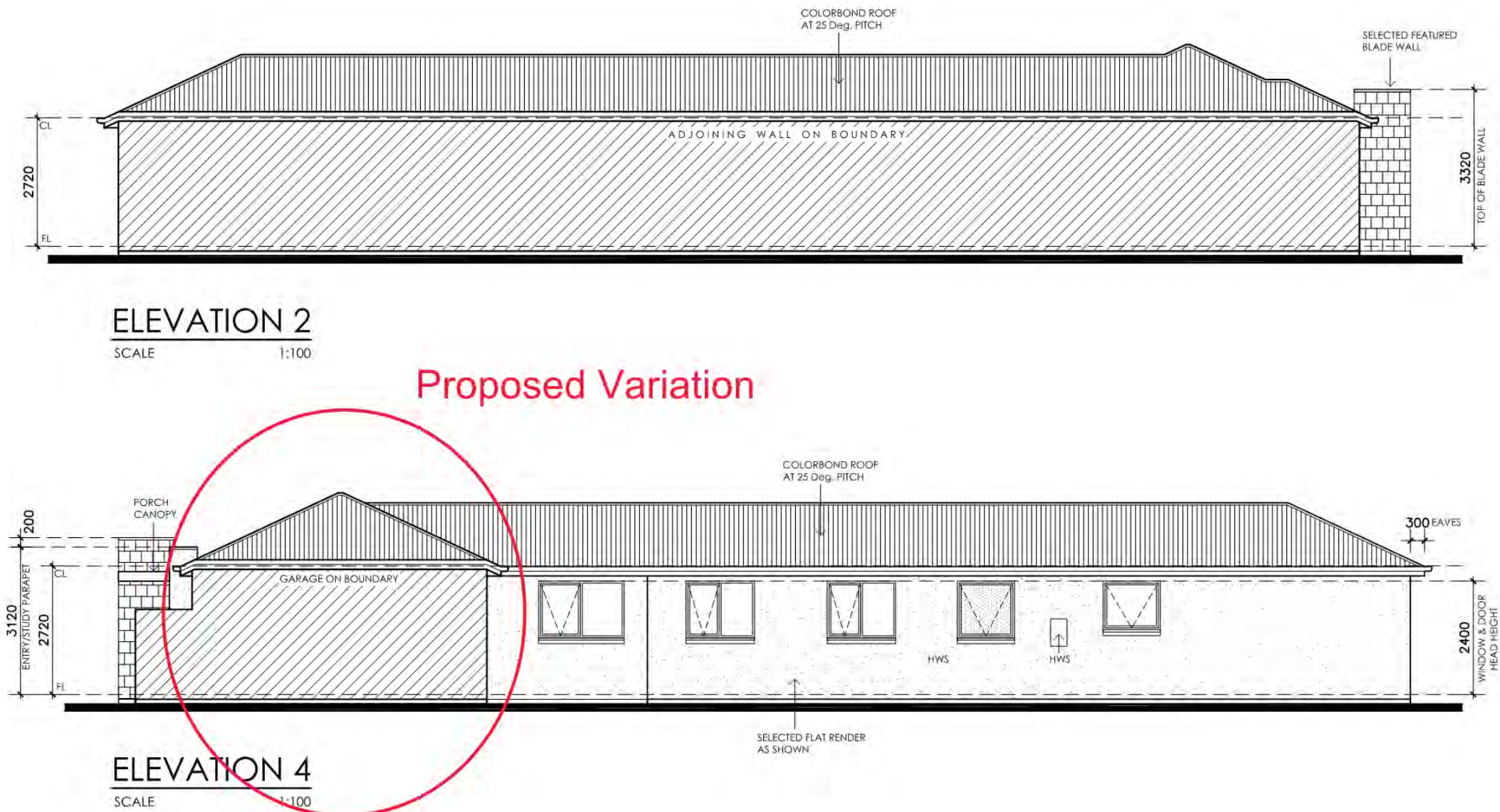



 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No. 664	Date 12/12/22
			DATE	REV.	DESCRIPTION:	Scale AS SHOWN	Issue No.
			12/12/22	1	Revised drawings V1 completed	Drawn BK	1
						Checked -	Sheet No. 3 of 4

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FOR PLANNING

DWELLING 3



 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT LOT 37 (#11) CLYDE STREET, MODBURY	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No.	Date
			DATE:	REV.	DESCRIPTION:	664	12/12/22
			12/12/22	1	Planning drawings V1 completed	Scale AS SHOWN	Issue No.
						Drawn BK	1
						Checked -	Sheet No. 4 of 4

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DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

Name: Synergy Urban Development
Postal address: 13-19 NEW STREET NORTH ADELAIDE SA 5006
Email: info@synergyurbandevelopment.com.au

IN REGARD TO:

Development application no.: 23007521	Lodged on: 20 Mar 2023
Nature of proposed development: Dwelling in Terrace Arrangement (Dwelling 3)	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 11 CLYDE ST MODBURY SA 5092		
Title ref.: CT 5550/158	Plan Parcel: D7457 AL37	Council: CITY OF TEA TREE GULLY

DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Granted	27 Oct 2023	12	0	Assessment Manager at City of Tea Tree Gully
Building Consent	Still Required				To be Determined
Development Approval - Planning Consent; Building Consent	Still Required				City of Tea Tree Gully

FROM THE RELEVANT AUTHORITY: Assessment Manager - Section 96 - Performance Assessed at City of Tea Tree Gully
Date: 27 Oct 2023

CONDITIONS

Planning Consent

Condition 1

The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in the application herein approved, except where varied by any condition(s) listed below.

Condition 2

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

This form constitutes the form of a decision notification under section 126(1) of the Planning, Development and Infrastructure Act 2016, as determined by the Minister for Planning for the Purposes of regulation 57(1) of the Planning, Development and Infrastructure (General) Regulations 2017. Published: 7 July 2022.



Government of South Australia
Department for Trade and Investment

Condition 3

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

Condition 4

The entire structure must be finished in an unobtrusive, natural, earthy colour. The paintwork or pre-coloured steel finish must be maintained in good condition at all times. This condition must be complied with within 2 months of the erection of the dwelling in terrace arrangement.

Reason: To preserve and enhance the amenity of the site and locality.

Condition 5

All driveways, parking and manoeuvring areas must be formed, sealed with concrete, bitumen or paving, and be properly drained. They must be maintained in good condition thereafter.

Reason: To ensure useable and safe carparking.

Condition 6

Free and unrestricted access must be available to the driveway and this area must be available for parking at all times.

Reason: To ensure appropriate off street carparking is provide at all times.

Condition 7

Any existing crossing places not providing vehicle access on the approved plans shall be replaced with kerb and watertable and the verge restored with materials consistent with the surrounding verge to a uniform level free of obstructions.

Reason: To maintain consistency of the streetscape and protect the infrastructure within the road verge.

Condition 8

Except where varied by the approved plans or other conditions listed below, the new or modified crossing place shall meet the minimum standard of design and construction as detailed on City of Tea Tree Gully drawings (as applicable):

- 1/15/SD – 'Concrete Vehicle Crossing Place';
- 2/15/SD – 'Block Paved Vehicular Crossing Place';
- 40/15/SD – 'Property Access Grades;' and/or;
- 45/15/SD – 'Commercial Concrete Vehicular Crossing Place.'

Reason: To maintain consistency of the streetscape and protect the infrastructure within the road verge.

Condition 9

The new crossing place must be constructed and/or modified, as per the approved plans and conditions, within six (6) months of completing the dwelling in terrace arrangement.

Reason: To maintain consistency of the streetscape and protect the infrastructure within the road verge.

Condition 10

Stormwater generated on the site during the construction period and for the life of the development, must be collected, treated as necessary to ensure contaminated stormwater does not discharge directly or indirectly to any waters. Discharged water shall not contain suspended solids in excess of twenty milligrams per litre (20mg/L).

Note: The Environment Protection Authority 'Handbook for Pollution Avoidance on Building Sites' details a range of strategies to collect, treat, store and dispose of stormwater during construction.

Reason: To assist and maintain water quality entering Council's drainage network.

Condition 11

Where stormwater is to be discharged to the street gutter, the stormwater system installation shall meet the minimum requirements of City of Tea Tree Gully drawing:

- 62/15/SD – 'Stormwater Pipe Connection to Council Kerb and Gutter'.

Reason: To maintain consistency of the streetscape and protect the infrastructure within the road verge.

Condition 12

The capacity and design of the sump and pump system shall be based upon the following requirements:

- for a 1 in 100 year Average Recurrence Interval (ARI) and a 10 minute storm duration; and
- on the assumption that a power failure (preventing pumping) occurs during the storm event.

Reason: To minimise the impact of flooding during a major storm event.

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

Pursuant to Section 202 of the Planning, Development and Infrastructure Act 2016, you have the right of appeal to the Environment, Resources and Development Court against either (1) a refusal of consent or (2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (Ph. 8204 0289).

Advisory Note 2

Once development approval is granted, the development must be:

- Substantially commenced within 24 months from the date of the decision of this Consent or Approval, otherwise this Consent or Approval will lapse at the expiration of 24 months from this date (unless Council extends this period), and a new development application shall be required; and
- Fully completed within 3 years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of 3 years from this date (unless Council extends this period), and a new development application shall be required; and
- Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

Advisory Note 3

This consent does not obviate the need to obtain any other necessary approvals from any/all parties with an interest in the land.

Advisory Note 4

The cost of rectifying any damage or conflict with any existing services or infrastructure arising out of this development will be borne by the applicant.

Advisory Note 5

All earthworks must be confined to and contained entirely within the property boundaries and must not encroach on or over the roadside verge/reserve.

Advisory Note 6

The applicant/owner is advised that any driveway crossover works on the Council verge as shown on the stamped plans, have been approved as part of this application. For further information on the specifications and conditions relating to crossovers and stormwater connections, please contact Council's Civil Operations Department on 8397 7444.

Any further works undertaken on Council owned land (including but not limited to stormwater connections, access over Council reserves to construct the development, verge landscaping, and underground electrical and other service connections), requires a separate authorisation from Council.

Further information and/or specific details can be obtained by contacting Council's Civil Operations department on **8397 7444** or accessing the web form at

https://www.teatreegully.sa.gov.au/Council_documents_Landing/Council_documents/Permits/Section_221_Application.

Advisory Note 7

Public services may be present in the road and it is the property owner's responsibility to ensure these services are not damaged as a result of the work. If services require alterations, it is the property owner's responsibility to consult with the particular service agency before performing any works. (Contact "Dial Before you Dig" on telephone **1100** or their website **www.dialbeforeyoudig.com.au**).

At all times during the construction, removal or repair of a crossing place or stormwater pipe, sufficient barricades and signs, visible at night (where work duration exceeds daylight hours), are to be installed and maintained to give adequate warning to the public.

The applicant shall be responsible for all costs associated with:

- The construction, removal or repair of crossing places or stormwater pipes. This may include the repairs and modifications to an abutting footpath as a result of the construction or alteration of the crossing place or stormwater pipe.
- The pruning, removal and replacement of any tree as approved in accordance with Council's Tree Management Policy and the Council's Fees and Charges Register.

Advisory Note 8

You are advised that it is an offence to undertake *tree damaging activity* in relation to a regulated or significant tree without the prior consent of Council.

Tree damaging activity means:

- The killing or destruction of a tree; or
- The removal of a tree; or
- The severing of branches, limbs, stems or trunk of a tree; or
- The ringbarking, topping or lopping of a tree; or
- Any other substantial damage to a tree, (including severing or damaging any roots),

and includes any other act or activity that causes any of the foregoing to occur, but does not include maintenance pruning that is not likely to affect adversely the general health and appearance of a tree.

Advisory Note 9

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

Advisory Note 10

This application involves development located on the boundary or within close proximity to the boundary of the allotment. To ensure that the proposed development is constructed within the allotment, it is recommended that a site survey be undertaken to confirm the location of the relevant boundaries.

Advisory Note 11

You are advised that under the *Fences Act 1975* you are legally required to give notice for the removal of a fence on the common boundary. Please refer to the *Fences Act 1975* for the correct procedural requirements. Further information can be obtained from the Legal Services Commission at www.lsc.sa.gov.au.

Advisory Note 12

Please be advised that your application involves work that may impact on the stability of neighbouring land. Pursuant to **Section 139 of the Planning, Development and Infrastructure (PDI) Act 2016**, you are reminded of your obligations to:

- 20 business days before the building is commenced, caused to be served on the owner of the affected land a notice of intention to perform the building work and the nature of that work; and
- Take precautions as may be prescribed to protect the affected land or premises and carry out work in accordance with the **Section 139 of the Act**.

Advisory Note 13

NBN Co. is responsible for the installation of National Broadband Network (NBN) fibre for all developments in areas where NBN Co. has already rolled out fibre. To ensure services are available when residents move in, developers and builders must register their developments and apply to NBN Co. before building has commenced. To determine if your site is in an NBN area and to register your development, please complete the pre-qualifier forms located at www.nbnco.com.au/newdevelopments. For more information, please contact the NBN Co. New Developments Team on **1800 687 626** or email newdevelopments@nbnco.com.au.

Advisory Note 14

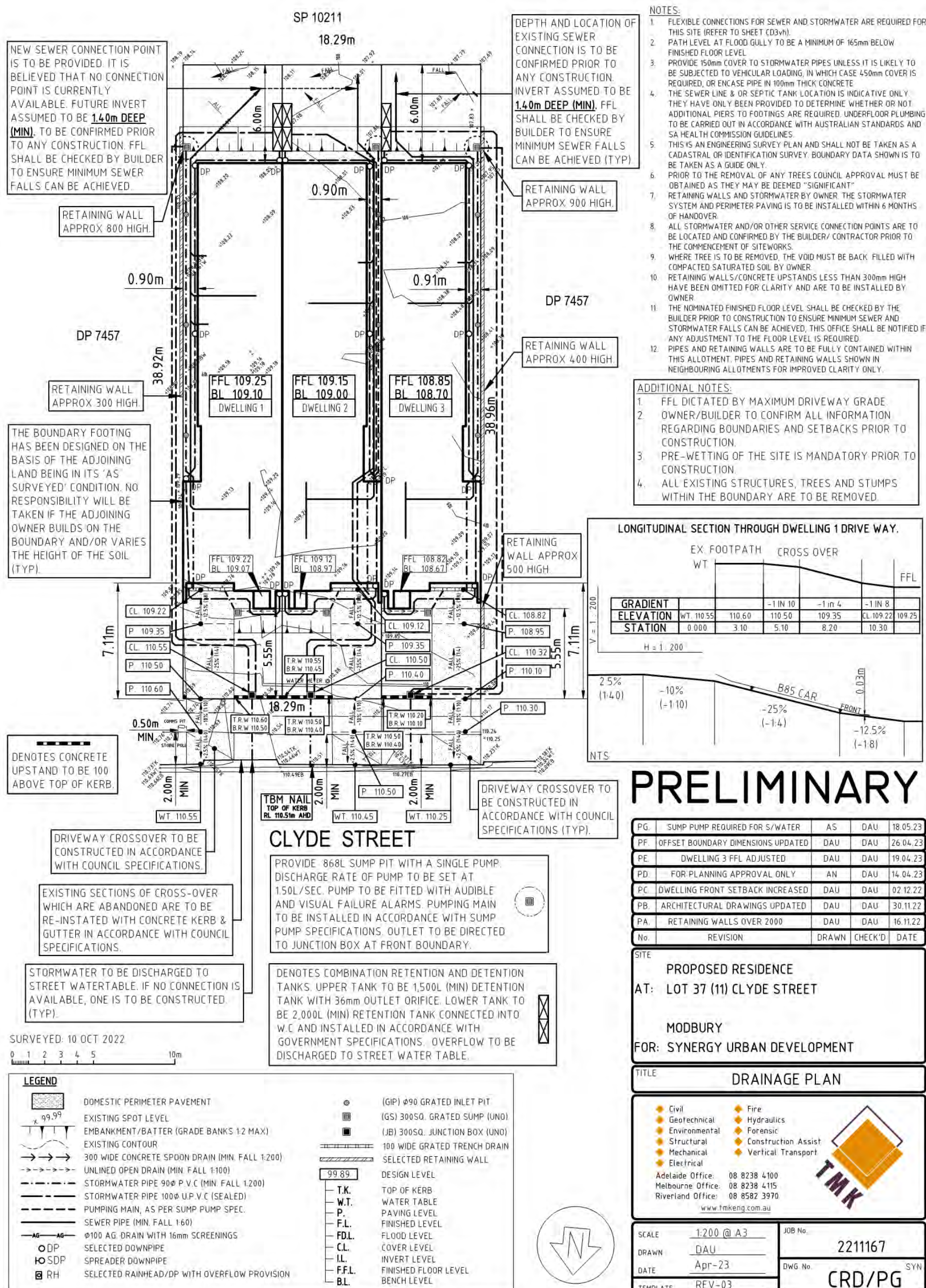
If the approved development involves building over an easement held in the name of any public authority (e.g. SA Water) then building work should not be commenced without the permission of the public authority concerned.

Advisory Note 15

This application has been approved as one of three detached dwellings in a terraced housing arrangement. Each dwelling has been designed having regard to the design of all three houses with respect to appearance, length on boundary and setbacks to ensure the overall development achieves an integrated terraced dwelling outcome, in accordance with the site plan and elevation prepared by 3MT Solution, dated 10/08/2023. This approach emphasizes a harmonious and coordinated development that aligns with the intended terraced housing design.






CONTACT DETAILS OF CONSENT AUTHORITIES

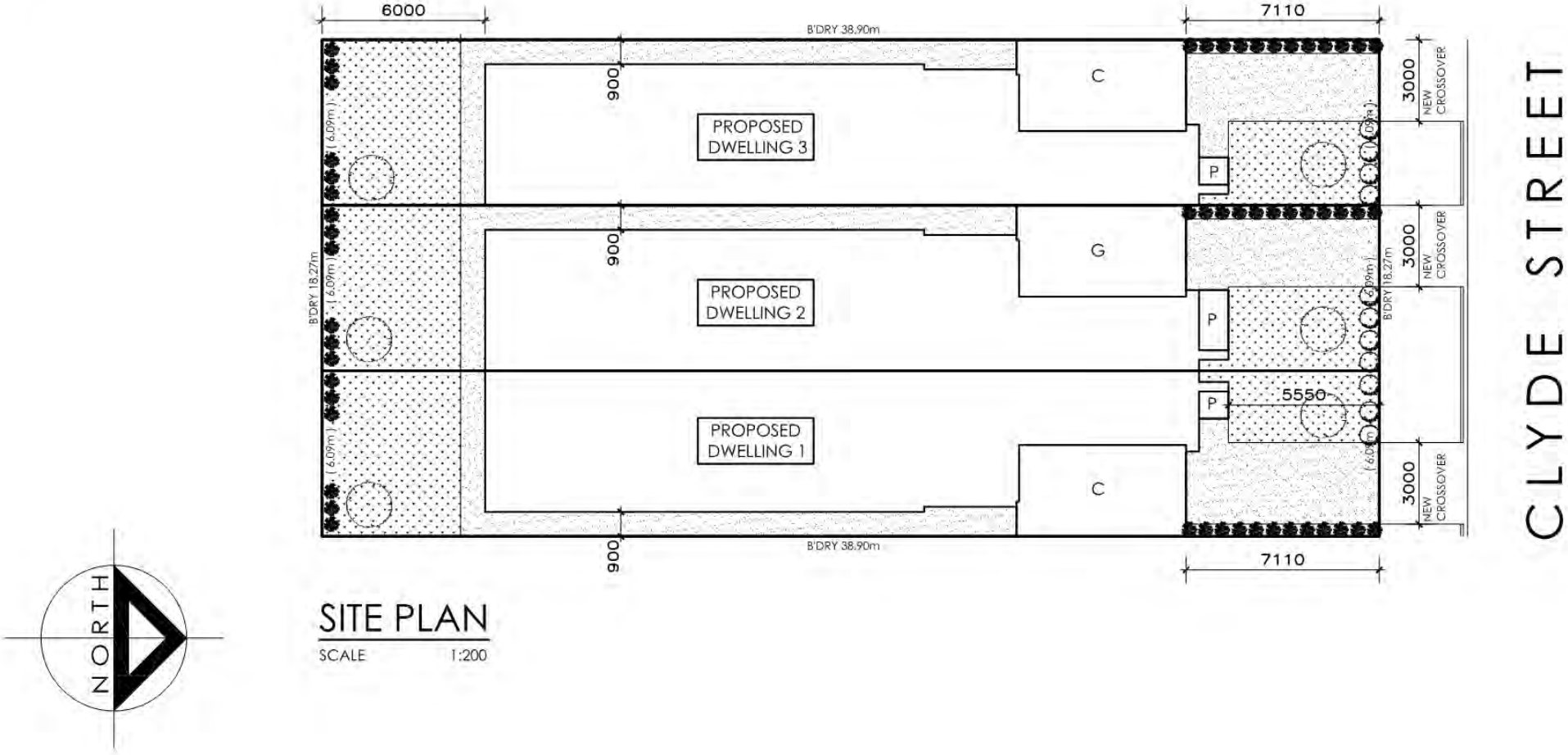
Name: City of Tea Tree Gully	Type of consent: Planning
Telephone: 0883977444	Email: plansaportal@cttg.sa.gov.au
Postal address: PO Box 571, MODBURY SA 5092	




FOR PLANNING

SITE DETAILS:	
TOTAL SITE AREA	711 sqm
DWELLING 1	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 2	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%
DWELLING 3	
SITE AREA	237 sqm
POS	17.39% (41.23 sqm)
SITE COVERAGE	59.41%

LANDSCAPING LEGEND:		
LOW SHRUBS (TO 1M HIGH)	 - LOW SHRUBS (BUXUS FAULKNER - JAPANESE BOX)	 - ACMENA SMITHII MOONLIGHT FLAME
MEDIUM SHRUBS (TO 2.5M HIGH):	 - MEDIUM SHRUBS (XANTHOSTEMON LITTLE PENDA)	
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LANDSCAPE COVERING:	L - LAWN	
PATHWAY:	CP - CONCRETE PAVING	



 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS		Job No. 664	Date 10/08/23
	LOT 37 (#11) CLYDE STREET, MODBURY		DATE:	REV.	Scale AS SHOWN	Issue No. 3
			1/12/22	1	Planning drawings V1 completed	Sheet No. 1 of 4
			21/04/23	2	Planning drawings V2 completed - Amended as per council 8th	
			16/08/23	3	Planning drawings V3 completed - Amended as per council 8th	

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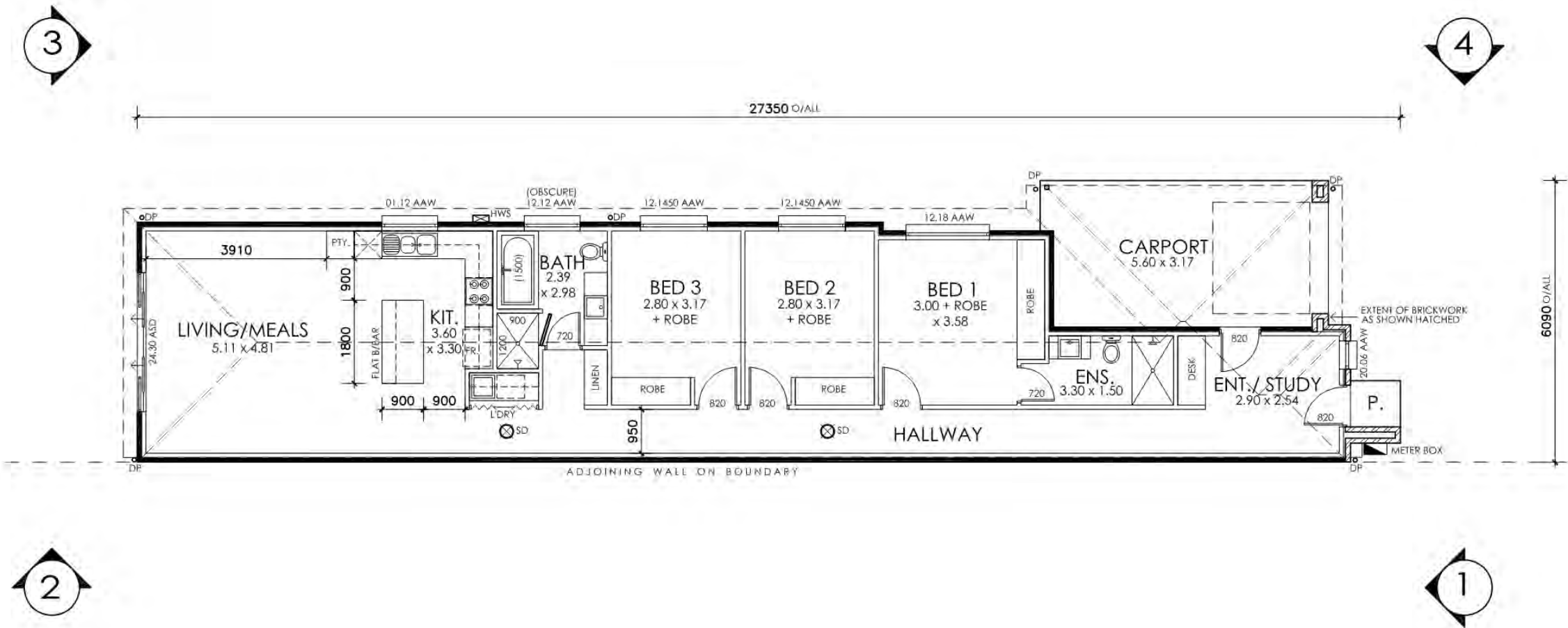
FOR PLANNING

NOTE:
ALL SMOKE DETECTORS MUST BE INTERCONNECTED
& HARDWIRED IN ACCORDANCE WITH AS 3786

NOTE:
ALL INTERNAL DOORS AT 2340H

AREA:	
LIVING	119.76 sqm
GARAGE	20.75 sqm
PORCH	1.08 sqm
TOTAL:	141.59 sqm

CONSTRUCTION NOTES:	
• 190W HEBEL CONSTRUCTION	
• 2720mm CEILING LEVEL	
• CONCRETE REINFORCED SLAB AS PER ENGINEER'S CONSTRUCTION REPORT	
• ASSUME WIND SPEED N2 (TBC BY ENGINEERS)	



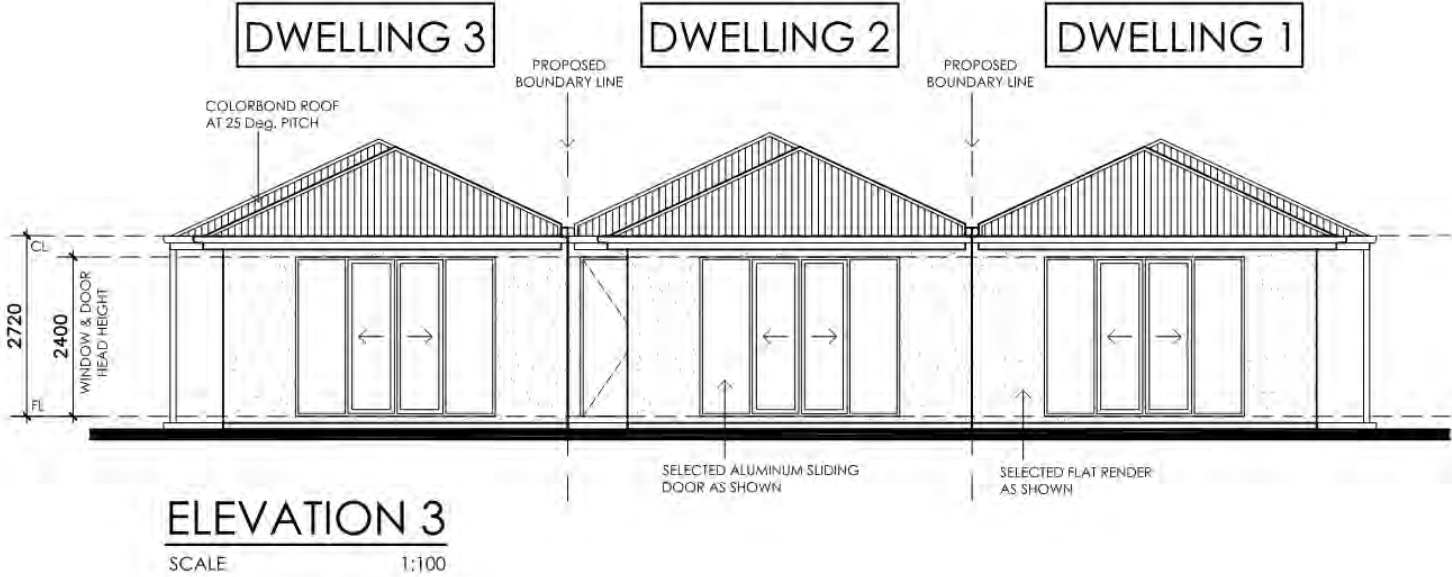
DWELLING 3
FLOOR PLAN


SCALE 1:100

<div><div>3MT</div><div>SOLUTIONS</div><div>www.3mtsolutions.com.au</div></div>	PROPOSED RESIDENCE FOR	GENERAL NOTES	AMENDMENTS			Job No.	Date
	SYNERGY URBAN DEVELOPMENT	3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.	DATE	REV.	DESCRIPTION:	664	10/08/23
			12/12/22	1	Planning drawings V1 completed.	Scale	Issue No.
			21/04/23	2	Planning drawings V2 completed - Amended as per council R1.	AS SHOWN	3
			16/08/23	3	Planning drawings V3 completed - Amended drawings to comply as per client's request.	Drawn BK	
	LOT 37 (#11) CLYDE STREET, MODBURY	All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.				Checked -	Sheet No. 2 of 4
		This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.					
		Figured dimensions to take precedence over scaled dimensions.					

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FOR PLANNING

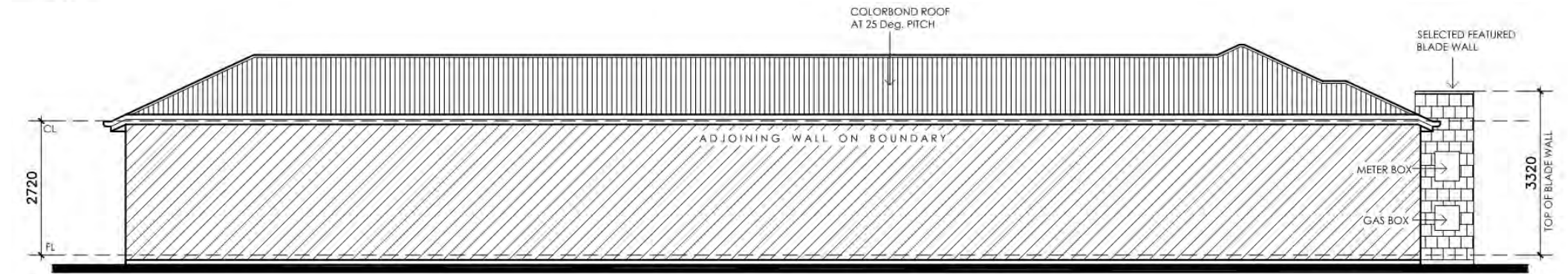


 www.3mtsolutions.com.au	PROPOSED RESIDENCE FOR SYNERGY URBAN DEVELOPMENT	GENERAL NOTES 3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction. All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction. This residence is to be constructed in accordance with all relevant Housing Codes and the BCA. Figured dimensions to take precedence over scaled dimensions.	AMENDMENTS			Job No. 664	Date 10/08/23
	LOT 37 (#11) CLYDE STREET, MODBURY		DATE:	REV.	DESCRIPTION:	Scale AS SHOWN	Issue No.
			12/12/22	1	Planning drawings V1 completed	Drawn BK	3
			21/04/23	2	Planning drawings V2 completed - Amended to per council req.		
			16/08/23	3	Planning drawings V3 completed - Amended to per council req.		
						Checked -	Sheet No. 3 of 4

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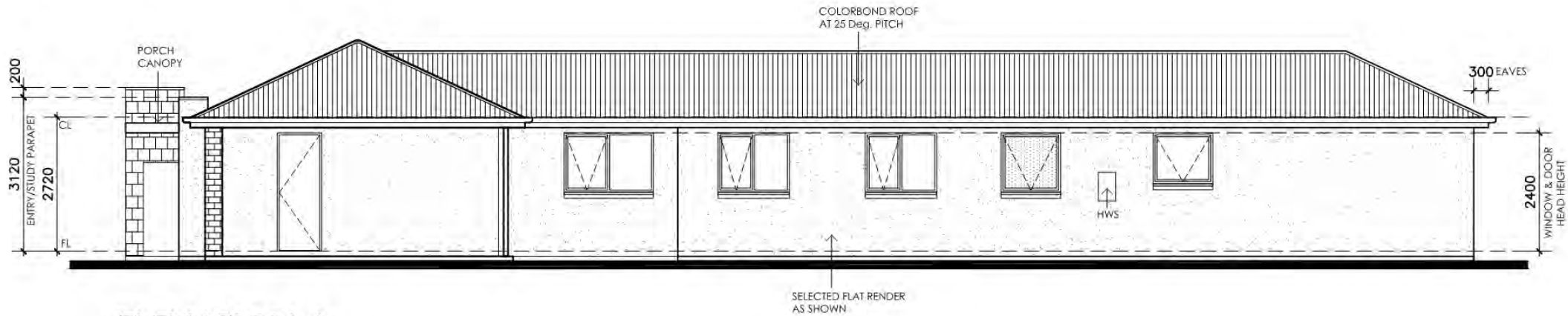
FOR PLANNING

DWELLING 3



ELEVATION 2

SCALE 1:100



ELEVATION 4

SCALE 1:100

<div><div>3MT</div><div>SOLUTIONS</div><div>www.3mtsolutions.com.au</div></div>	PROPOSED RESIDENCE FOR	<div>GENERAL NOTES</div> <div>3MT Solutions Pty. Ltd. hereby take no responsibility for changes of details or structural changes without written consent. It is the Builder/ Contractor's responsibility to check and confirm drawings and details are correct prior to construction.</div> <div>All dimensions and levels to be confirmed by Builder/ Contractor's prior to commencement of shop drawings, excavation, fabrication and construction.</div> <div>This residence is to be constructed in accordance with all relevant Housing Codes and the BCA.</div> <div>Figured dimensions to take precedence over scaled dimensions.</div>	<div>AMENDMENTS</div> <table><thead><tr><th>DATE:</th><th>REV.</th><th>DESCRIPTION:</th></tr></thead><tbody><tr><td>12/12/22</td><td>1</td><td>Planning drawings V1 completed.</td></tr><tr><td>21/04/23</td><td>2</td><td>Planning drawings V2 completed - Amended as per council R11.</td></tr><tr><td>16/08/22</td><td>3</td><td>Planning drawings V3 completed - Amended garage to comply as per client's request.</td></tr></tbody></table>			DATE:	REV.	DESCRIPTION:	12/12/22	1	Planning drawings V1 completed.	21/04/23	2	Planning drawings V2 completed - Amended as per council R11.	16/08/22	3	Planning drawings V3 completed - Amended garage to comply as per client's request.	Job No. 664	Date 10/08/23
	DATE:		REV.	DESCRIPTION:															
	12/12/22		1	Planning drawings V1 completed.															
	21/04/23		2	Planning drawings V2 completed - Amended as per council R11.															
	16/08/22		3	Planning drawings V3 completed - Amended garage to comply as per client's request.															
SYNERGY URBAN DEVELOPMENT		Scale AS SHOWN	Issue No. 3																
		Drawn BK																	
LOT 37 (#11) CLYDE STREET, MODBURY		Checked -	Sheet No. 4 of 4																

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TMK Consulting Engineers
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 Civil • Geotechnical • Environmental
 Structural • Mechanical • Electrical • Fire
 Hydraulics • Forensic • Construction Assist
 Riverland Office: 25 Vaughan Terrace, Berri SA 5343



STORMWATER CALCULATIONS (SWC)

Builder / Agent: SYNERGY URBAN DEVELOPMENT PTY LTD
Owner: SYNERGY URBAN DEVELOPMENT
Project:
Project Location: Lot 37 (11) CLYDE STREET, MODBURY

Job Number: 2211167
Date: 18/05/2023
Order No:

ATTACHMENTS:
 SW1 – SW5

GENERAL NOTES:

- These calculations are to be read in conjunction with the relevant associated Drawings, Footing Construction Report, Civil Drawings and / or details.
- All work is to comply with relevant SAA Standards and Guides.
 - AS 2200: *Design charts for water supply and sewerage*
 - AS/NZS 3500: *Plumbing and drainage*
 - AS 3798: *Guidelines on earthworks for commercial and residential developments*
 - AS 4000: *General conditions of contract*
 - AS 2124:
 - ARRB Special Report 35: *Subsurface drainage of road structures*
 - Australian Rainfall and Run-off Volumes 1 and 2: *A guide to flood estimation*
 - Austroads 2008 – *Guide to pavement technology*
 - NAASRA 1987 – *Pavement design*
 - Storm drainage design in small urban catchments: *A handbook for Australian practice*
 - Water Sensitive Urban Design (WSUD) Engineering Procedure: *Stormwater*
 - Water Services Association of Australia Code (WSAA).

For and on behalf of
TMK Consulting Engineers

GRANT MCCLURE
 Senior Engineer



Ref.: 2211167
 Date: 18-May-23
 Design: AS
 Page: SW1

Item 4.3

Attachment 5

STORMWATER CALCULATIONS - DETERMINATION OF DETENTION TANK SIZES

Design Storm Intensity Table (mm/hr) - (from <http://www.bom.gov.au/cgi-bin/hydro/has/CDIRSWebBasic>)

STORM LOCATION Adelaide Latitude 34°59'S; Longitude 138°44'E

Adelaide							
DURATION	AVERAGE RETURN INTERVAL (YEARS)						
	1	2	5	10	20	50	100
5 mins	52.60	69.00	89.40	104.00	123.00	151.00	175.00
6 mins	49.10	64.50	83.50	96.70	115.00	141.00	163.00
10 mins	39.80	52.00	66.90	77.10	91.30	112.00	129.00
20 mins	28.30	36.80	46.80	53.40	62.80	76.20	87.30
30 mins	22.70	29.40	37.10	42.30	49.50	59.80	68.30
1 hour	15.20	19.70	24.60	27.90	32.50	39.00	44.40
2 hours	10.10	13.00	16.20	18.30	21.20	25.40	28.90
3 hours	7.92	10.20	12.70	14.30	16.60	19.90	22.50
6 hours	5.24	6.75	8.37	9.44	11.00	13.10	14.90
12 hours	3.45	4.44	5.52	6.23	7.23	8.65	9.83
24 hours	2.22	2.86	3.58	4.05	4.72	5.66	6.44
48 hours	1.38	1.78	2.24	2.55	2.98	3.60	4.11
72 hours	1.02	1.32	1.67	1.90	2.23	2.70	3.10

PRE-DEVELOPMENT

Design ARI (yr) 10 yr
 Design Duration (min) 10 min
 Design Storm Intensity (mm/hr) 77.10 mm/hr

Design Parameters	C	Area (m ²)	% Area Detained
Roof	0.90	0	0.00
Paving	0.75	0	0.00
Grass / Landscaping	0.12	237	0.00

Total Area 237 m²

Weighted C (C_w)* 0.12

Max pre-development flow $Q_i = \sum (C_i A_i / 3600)$:

Roof	0.00 L/s
Paving	0.00 L/s
Grass / Landscaping	0.61 L/s

Pre-development flow = 0.61 L/s

Use Max Allowable Flow = 4.00 L/s

Note: The weighted average value of the runoff coefficient, C_w, includes roof, paving, grassed and landscaped areas of the site.

POST-DEVELOPMENT

Design ARI (yr) 100 yr
 Design Duration (min) 10 min
 Design Storm Intensity (mm/hr) 129.00 mm/hr

Design Parameters	C	Area (m ²)	% Area Detained
Roof	0.90	142	100.00
Paving	0.75	46	100.00
Grass / Landscaping	0.12	49	100.00

Total Area 237 m²

Weighted C (C_w)* 0.71

Summary of Design Flows

Undetained flow, $Q_u = \sum (C_i A_i / 3600)$:

Roof	0.00 L/s
Paving	0.00 L/s
Grass / Landscaping	0.00 L/s

Design undetained flow = 0.00 L/s

Max. outflows from detention tanks:

Site water runoff	
Pumped	1.50 L/s
Piped	0.00 L/s
Roof water runoff	
Orifice-restricted	2.10 L/s

Total Max. Design Outflow = 3.60 L/s

< 4.00 L/s Allowed ∴ OK

Document Title: Detention Tank4 Revision Code: 01
 Issue Date: 24-Aug-2012 Approved By: MCT
 2211167_SW1-SW3.xlsm

Checked By:
 Checked Date:/...../.....



Ref.: 2211167

Date: 18-May-23

Design: AS

Page: SW2

STORMWATER CALCULATIONS - STORMWATER RUNOFF DETAINED & PUMPED**Time of Concentration, T_c**

Design Storm ARI (yr) 100 yr (from page SW1)
 Design Storm Duration (mins) 10 mins (from page SW1)
 Design Storm Intensity, i 129.00 mm/hr (from page SW1)
 Design Flow Distance, L 35 m
 Surface Roughness Coefficient, n 0.040
 Average Design Slope, s 0.0100

$$\Rightarrow T_c = 6.94 \times (L \cdot n)^{0.6} / (i^{0.4} \times s^{0.3}) = 4.8 \text{ mins}$$

 $\leq \text{Duration} \therefore \text{Use } T_c = 4.8 \text{ mins.}$

Design Parameters	C	Area (m ²)	% Area Detained
Roof - not pumped	0.90	0	0.00
Paving	0.75	46	100.00
Grass / Landscaping	0.12	49	100.00

Detained flow, $Q_d = \Sigma(C_i A_i / 3600)$:

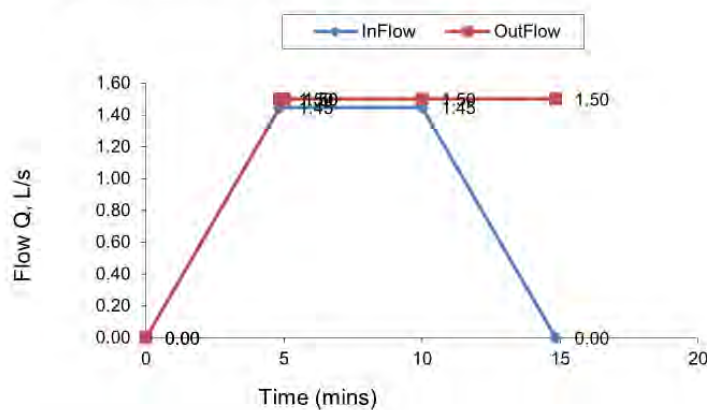
Roof 0.00 L/s
 Paving 1.24 L/s
 Grass / Landscaping 0.21 L/s

Design detained flow = 1.45 L/s $\Rightarrow \text{Try pump rate} = 1.50 \text{ L/s}$ (0.00 L/s is still available for pump outflow)**Graph Time v Flow:**

Time (mins)	InFlow (L/s)	OutFlow (L/s)
0	0.00	0.00
5.0	1.50	1.50
4.8	1.45	1.50
10.0	1.45	1.50
14.8	0.00	1.50

Volume of Water To Be Detained:

$V = \quad \text{L}$
 i.e. $V = 0.00 \text{ m}^3$

 $\Rightarrow \text{USE}$ 

Document Title: Detention Tank4 Revision Code: 01
 Issue Date: 24-Aug-2012 Approved By: MCT
 2211167_SW1-SW3.xlsm

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Checked Date:/...../.....



Ref.: 2211167

Date: 18-May-23

Design: AS

Page: SW3

Item 4.3

Attachment 5

STORMWATER CALCULATIONS - STORMWATER RUN-OFF - ORIFICE-RESTRICTED**Time of Concentration, T_c**

Design Storm ARI (yr) 100 yr (from page SW1)

Design Storm Duration (mins) 10 mins (from page SW1)

Design Storm Intensity, i 129.00 mm/hr (from page SW1)=> For run-off calculations, use $T_c =$ 5.0 mins

Design Parameters	C	Area (m ²)	% Area Detained
Roof	0.90	142	100.00
Paving	0.75	46	0.00
Grass / Landscaping	0.12	49	0.00

Detained flow, $Q_d = \Sigma(CiA_d/3600)$:

Roof 4.58 L/s

Paving 0.00 L/s

Grass / Landscaping 0.00 L/s

Design detained flow = 4.58 L/s

=> Try the following retention tank design parameters:

Max Allowable outflow from storage = 2.50 L/s (0.00 L/s is still available for outflow)

Number of orifice detention tanks 1 Each tank volume above orifice 1,500 L

Max. head allowed above orifice 600 mm => Each Tank Plan Area = 2.50 m²Outlet coefficient, C_o 0.6Orifice diameter, D_o 36 mm => Orifice area, $A_o = \pi(D_o/2)^2$ 1,018 mm²**Graph Time v Flow:**

Time (mins)	InFlow (L/s)	OutFlow (L/s)
0	0.00	0.00
2.3	2.10	2.10
5	4.58	2.10
10	4.58	2.10
15	0.00	2.10

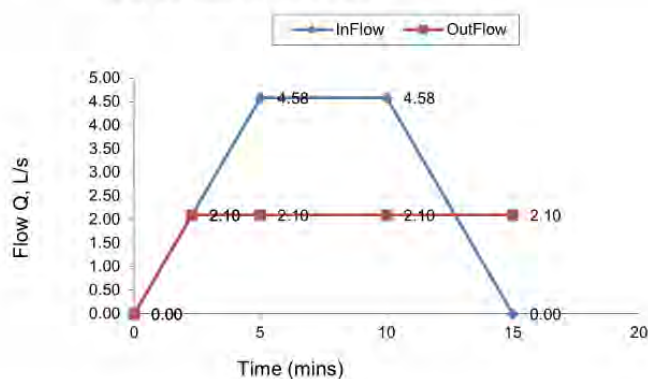
Volume of Water To Be Detained: $V = 1,149 \text{ L}$ i.e. $V = 1.15 \text{ m}^3$

< 1,500 L Max. Tank Volume ∴ OK

=>USE

Max. Calculated Outflow: $Q_{\text{max out}} = 2.10 \text{ L/s}$

< 2.50 L/s Max. Allowed ∴ OK



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 Issue Date: 24-Aug-2012 Approved By: MCT
 2211167_SW1-SW3.xlsm

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Checked Date:



Ref.: 2211167

Date: 18-May-23

Design: AS

Page: SW4

STORMWATER CALCULATIONS - DETERMINATION OF DETENTION TANK SIZESDesign Storm Intensity Table (mm/hr) - (from <http://www.bom.gov.au/cgi-bin/hydro/has/CDIRSWebBasic>)

STORM LOCATION Adelaide Latitude 34°59'S; Longitude 138°44'E

Adelaide							
DURATION	AVERAGE RETURN INTERVAL (YEARS)						
	1	2	5	10	20	50	100
5 mins	52.60	69.00	89.40	104.00	123.00	151.00	175.00
6 mins	49.10	64.50	83.50	96.70	115.00	141.00	163.00
10 mins	39.80	52.00	66.90	77.10	91.30	112.00	129.00
20 mins	28.30	36.80	46.80	53.40	62.80	76.20	87.30
30 mins	22.70	29.40	37.10	42.30	49.50	59.80	68.30
1 hour	15.20	19.70	24.60	27.90	32.50	39.00	44.40
2 hours	10.10	13.00	16.20	18.30	21.20	25.40	28.90
3 hours	7.92	10.20	12.70	14.30	16.60	19.90	22.50
6 hours	5.24	6.75	8.37	9.44	11.00	13.10	14.90
12 hours	3.45	4.44	5.52	6.23	7.23	8.65	9.83
24 hours	2.22	2.86	3.58	4.05	4.72	5.66	6.44
48 hours	1.38	1.78	2.24	2.55	2.98	3.60	4.11
72 hours	1.02	1.32	1.67	1.90	2.23	2.70	3.10

PRE-DEVELOPMENT

Design ARI (yr) 10 yr
 Design Duration (min) 10 min
 Design Storm Intensity (mm/hr) 77.10 mm/hr

Design Parameters	C	Area (m ²)	% Area Detained
Roof	0.90	0	0.00
Paving	0.75	0	0.00
Grass / Landscaping	0.12	237	0.00

Total Area 237 m²Weighted C (C_w)* 0.12Max pre-development flow $Q_i = \sum (C_i A_i / 3600)$:

Roof	0.00 L/s
Paving	0.00 L/s
Grass / Landscaping	0.61 L/s

Pre-development flow = 0.61 L/s

Use Max Allowable Flow = 4.00 L/s

Note: The weighted average value of the runoff coefficient, C_w, includes roof, paving, grassed and landscaped areas of the site.

POST-DEVELOPMENT

Design ARI (yr) 100 yr
 Design Duration (min) 10 min
 Design Storm Intensity (mm/hr) 129.00 mm/hr

Design Parameters	C	Area (m ²)	% Area Detained
Roof	0.90	142	100.00
Paving	0.75	46	100.00
Grass / Landscaping	0.12	49	100.00

Total Area 237 m²Weighted C (C_w)* 0.71**Summary of Design Flows**Undetained flow, $Q_u = \sum (C_i A_u / 3600)$:

Roof	0.00 L/s
Paving	0.00 L/s
Grass / Landscaping	0.00 L/s

Design undetained flow = 0.00 L/s

Max. outflows from detention tanks:

Site water runoff	
Pumped	0.00 L/s
Piped	0.00 L/s
Roof water runoff	
Orifice-restricted	2.10 L/s

Total Max. Design Outflow = 2.10 L/s

< 4.00 L/s Allowed ∴ OK

Document Title: Detention Tank4 Revision Code: 01
 Issue Date: 24-Aug-2012 Approved By: MCT
 2211167_SW4-SW6.xlsm

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Ref.: 2211167
 Date: 18-May-23
 Design: AS
 Page: SW5

Item 4.3

Attachment 5

STORMWATER CALCULATIONS - STORMWATER RUNOFF DETAINED & PUMPED

Time of Concentration, T_c

Design Storm ARI (yr) 100 yr (from page SW4)
 Design Storm Duration (mins) 10 mins (from page SW4)
 Design Storm Intensity, i 129.00 mm/hr (from page SW4)
 Design Flow Distance, L 35 m
 Surface Roughness Coefficient, n 0.040
 Average Design Slope, s 0.0100

$$\Rightarrow T_c = 6.94 \times (L \cdot n)^{0.6} / (i^{0.4} \times s^{0.3}) = 4.8 \text{ mins}$$

\leq Duration \therefore Use $T_c = 4.8$ mins.

Design Parameters	C	Area (m ²)	% Area Detained
Roof - not pumped	0.90	0	0.00
Paving	0.75	46	100.00
Grass / Landscaping	0.12	49	100.00

Detained flow, $Q_d = \Sigma(CiA_d/3600)$:

Roof 0.00 L/s
 Paving 1.24 L/s
 Grass / Landscaping 0.21 L/s

Design detained flow = 1.45 L/s

\Rightarrow Try pump rate = 0.00 L/s (1.50 L/s is still available for pump outflow)

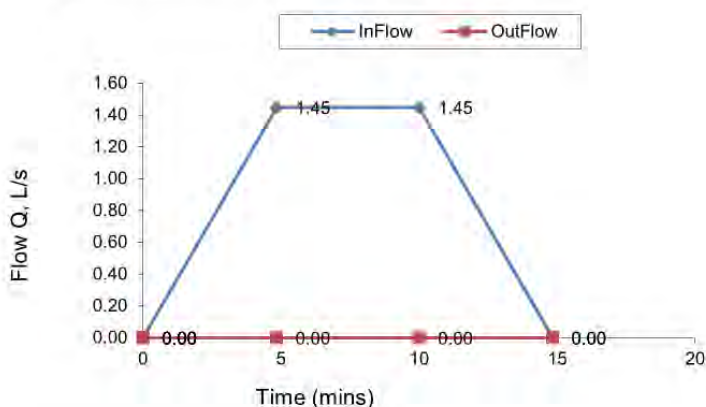
Graph Time v Flow:

Time (mins)	InFlow (L/s)	OutFlow (L/s)
0	0.00	0.00
0.0	0.00	0.00
4.8	1.45	0.00
10.0	1.45	0.00
14.8	0.00	0.00

Volume of Water To Be Detained:

$V = 868 \text{ L}$
 i.e. $V = 0.87 \text{ m}^3$

\Rightarrow USE



Document Title: Detention Tank4 Revision Code: 01
 Issue Date: 24-Aug-2012 Approved By: MCT
 2211167_SW4-SW6.xlsm

Checked By:

Checked Date:



- Urban Planning and Design
- Land Division
- Building Design
- Development Feasibility
- Residential Development
- Project Management
- Environmental Management

16th February 2024

Atten: Chelsea Tully
C/- City of Tea Tree Gully
PO Box 571
Modbury. SA 5092

Dear Chelsea,

RE: Subject Property – 11 Clyde Street, Modbury. SA 5092

Development Application - 23033406

Thank you for your assistance in administering the request for review by Council's Assessment Panel of the decision to refuse the subject application by council's Assessment Manager.

In considering the delay in requesting this review, please refer to the following Statement of Support outlining the reasons for the delay aimed at assisting the panel's decision in respect to hearing the matter.

If you have any questions, please do not hesitate to contact myself on Ph: 8166 1885 or MB: 0401 316 514

Kind regards,

A handwritten signature in black ink, appearing to read "Paul Emes".

Paul Raymond Emes

BA. Env. Sci (Env. Mgt) CPIA, Dip. Proj Mgt, LSS. BB(AU)



Elected 2011 - As an Accredited Full Member of the Planning Institute of Australia
(Urban and Environmental Planning Chapters).

CONTACT:

Paul Raymond Emes
Phone: +61 401 316 514
E: paul@synergyud.com
www.synergyurbandevlopment.com.au

Request for CAP to review decision for refusal:

Development Application No. 23033406

Subject property 11 Clyde Street, Modbury SA 5092

Statement of Support

To assist CAP in considering the request for a review of the subject decision and extension of time please refer to the following statement.

Upon receipt of the Land Use Planning consent in discussions with the new owner of the property (the proponents), and the neighbouring property owner who voiced further concerns regarding the amendment to remove the garage wall from the proposal plans, we were instructed by the proponents to lodge the subject application for variation to reinstate the boundary wall as originally intended.

Upon receiving the refusal for the variation on the 5th of December we sought instructions from the proponents and in doing so legal advice was also provided on the matter.

The oral legal advice provided included advice on the process of requesting a review by council's assessment panel and/or appealing the decision through the ERD Court. What has now become apparent was a miscommunication with the oral advice received whereby it was perhaps either misunderstood or possibly misadvised that the proponents had two (2) months to lodge either the request for an appeal or CAP review.

Notably, complicating matters is the proponents are immigrants, having only recently migrated to Australia, resulting in both language and culture barriers in both understanding and the interpretation of the relevant statutory assessment processes and procedures.

Moreover, the proponents were overseas in December when the refusal was received, making communication, and obtaining instructions even more challenging. Subsequently, following on from the Christmas and new year period, instructions were obtained to request a review by CAP and lodged within the two (2) month timeframe that was also mistakenly understood as the timeframe for this request to be lodged.

Considering the mitigating circumstances, if the request is not granted, we believe the interests of both the proponents and adjoining neighbour who is also championing for this variation will be disadvantaged.

On behalf of all concerned we extend our apologise to the CAP for the delay, and respectfully ask that given the circumstances, the proponents are granted the request for CAP to undertake the review.

Your sincerely,



Paul Raymond Emes

BA, Env. Sci (Env. Mgt) CPIA, Dip. Proj Mgt, LSS. BB(AU)
Synergy Urban Development