

Notice of Council Assessment Panel Meeting



MEMBERSHIP

Mr M Adcock	Independent Member (Presiding Member)
Mr J Rutt	Independent Member
Mr A Mackenzie	Independent Member
Ms B Merrigan	Independent Member
Ms N Taylor	Deputy Independent Member
Mr D Wyld	Elected Member

NOTICE is given pursuant to Sections 87 and 88 of the Local Government Act 1999 that the next **COUNCIL ASSESSMENT PANEL MEETING** will be held in the Council Chambers, 571 Montague Road, Modbury on **TUESDAY 17 OCTOBER 2023** commencing at **10.00am**

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: 11 October 2023

CITY OF TEA TREE GULLY
COUNCIL ASSESSMENT PANEL MEETING
17 OCTOBER 2023

AGENDA

1. Attendance Record:

- 1.1 Present
- 1.2 Apologies
 - Ms B Merrigan

2. Minutes of Previous Meeting

That the Minutes of the Council Assessment Panel Meeting held on 19 September 2023 be confirmed as a true and accurate record of proceedings.

3. Business Arising from Previous Minutes - Nil

4. Reports and Recommendations

- 4.1 CAP.23019316** Animal keeping (4 sheep) on residential land - retrospective
at 19 Church Street Tea Tree Gully **3**

Recommended to refuse Planning Consent

- 4.2 CAP. 23015291** Construction of two warehouses with associated offices and
car parking at 20 Dewar Ave, Ridgehaven **35**

Recommended to grant Planning Consent

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

21 November 2023

REPORT NO: CAP.23019316

RECORD NO: D23/82115

TO: COUNCIL ASSESSMENT PANEL MEETING - 17 OCTOBER 2023

FROM: Blake O'Neil
Senior Planning Officer

SUBJECT: ANIMAL KEEPING (4 SHEEP) ON RESIDENTIAL LAND - RETROSPECTIVE AT
19 CHURCH STREET TEA TREE GULLY - 23019316

SUMMARY

DEVELOPMENT NO.	23019316
APPLICANT	Heath Todd
ADDRESS	19 Church Street, Tea Tree Gully SA 5091
NATURE OF DEVELOPMENT	Animal Keeping (4 Sheep) on Residential Land - Retrospective
ZONING INFORMATION	<p>Zones:</p> <ul style="list-style-type: none"> • General Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing • Hazards (Flooding - Evidence Required) • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy
LODGEMENT DATE	12 July 2023
RELEVANT AUTHORITY	Council Assessment Panel at City of Tea Tree Gully
PLANNING & DESIGN CODE VERSION	2023.9
CODE RULES APPLICABLE AT LODGEMENT	Code Rules at Assessment Start
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed

NOTIFICATION	Yes – Notification Period 16 August 2023 to 5 September 2023
NUMBER OF PROPERTIES NOTIFIED	42
REPRESENTATIONS RECEIVED	10
REPRESENTATIONS TO BE HEARD	3
RECOMMENDING OFFICER:	Blake O’Neil
REFERRALS STATUTORY	None Required
REFERRALS NON-STATUTORY:	None Required
RECOMMENDATION	Refuse Planning Consent

1. DETAILED DESCRIPTION OF PROPOSAL

The application proposes the keeping of livestock (4 Dorper sheep) on an allotment that has an existing residential land use in the General Neighbourhood Zone. The land is on a corner allotment with existing 1.8m high wire fencing and gates to provide security for the sheep. The allotment size is 739m² with a dwelling and shed occupying 197m². In addition, there are several vehicles covering a further 63m² of land, leaving 497m² of space for the 4 animals to graze.

Council was made aware of the sheep by a resident who made a complaint on 19 June 2023, and a further complaint was received on 28 June which resulted in Council Compliance Officers commencing an investigation. In response to the investigation, the applicant submitted the current Development Application on 3 July 2023.

The application proposes no new construction, with food and waste to be kept in bins to protect from vermin and reduce odour. It is proposed by the applicant that the sheep will feed on 90% pasture and 10% feed with the intent that the sheep will keep lawns at a low level. The livestock are not for meat/wool production.

2. SUBJECT LAND & LOCALITY

2.1 Site Description

Location reference: 19 Church Street, Tea Tree Gully SA 5091

Title Reference:
5491/146

Plan Parcel:
D4826 AL3

Council:
CITY OF TEA TREE GULLY

The subject site comprises a single allotment commonly known as 19 Church Street, Tea Tree Gully. The site has a regular shape with a total area of 739m².

The site is a corner allotment with the narrow frontage to Church Street and a secondary frontage to North Street. The land is generally level, sewer infrastructure is located parallel to the western boundary. The certificate of title does not have an easement over the sewer infrastructure.

There is an existing dwelling located centrally on the land and facing North Street, and the ancillary shed is located in the north western corner. The existing structures were likely constructed in the 1960's or 70's. There are no Regulated or Significant Trees on the land.

2.2 Locality

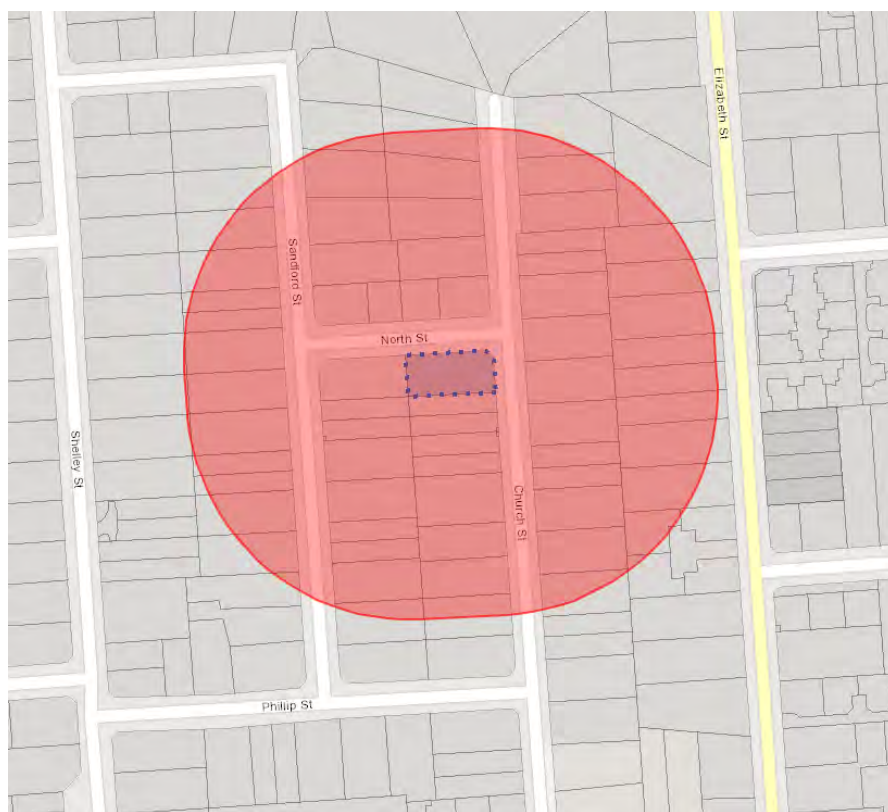


Figure 1: Locality Map and Subject Site in blue

The locality extends 100m from the boundary of the subject land. The locality is entirely in the General Neighbourhood Zone with each allotment having a residential land use. The pattern of development is mixed, with older dwellings on larger allotments having large setbacks and extensive soft landscaping, and newer infill development dividing sites into two and containing new dwellings with smaller front setbacks.

3. CATEGORY OF DEVELOPMENT

PER ELEMENT

Animal Keeping – Performance Assessed

OVERALL APPLICATION CATEGORY

Code Assessed - Performance Assessed

REASON

Planning and Design Code

4. PUBLIC NOTIFICATION**REASON**

General Neighbourhood Zone Table 5 lists development that does not require public notification. As Animal Keeping is not in Table 5 the land use requires public notification.

42 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.

There were 10 representations received, of which 3 were in support, 2 in support with some concerns and 5 representations against the proposal.

LIST OF REPRESENTATIONS

Name	Address	Position	Wishes to be Heard
Stephen Crowsley	14 Sandford Street Tea Tree Gully	Oppose	No
Thomas Veart	13 Sandford Street Tea Tree Gully	Oppose	No
Jack Milder	11 Church St Tea Tree Gully	Oppose	No
Nicko Shinakie	1 Sandford Street Tea Tree Gully	Oppose	Yes
Hanky Panky Stanky Pants	6 North street TEA TREE GULLY	Oppose	Yes
Madeleine Steele	30 Church St TEA TREE GULLY	Support w/concerns	No
Daniel White	30 Sandford Street, TEA TREE GULLY	Support	No
Sarah Erskine	30 Sandford St TEA TREE GULLY	Support	No
Jarryd Day	1 Church Street TEA TREE GULLY	Support	Yes
Bianca Haren	26 Church Street TEA TREE GULLY	Support w/concerns	No



Figure 2: Notified properties in red and Representations received marked in black.

SUMMARY

42 owners or occupiers of the 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 2 above shows the allotments that were notified in red and the locations of the representations received in black. It should be noted that 3 of the representations received are outside the bounds of the map.

Of the 3 representations that wish to be heard, 2 are opposed to the development and 1 is in support. A copy of all representations received can be found in Attachment 5.

The representations that oppose the development have concerns around the wellbeing of the animals, the food supply and if the location is suitable. Those in support like to be able to visit and/or feed the sheep. A response to representations can be found in Attachment 6.

5. AGENCY REFERRALS

No agency referrals were required

6. INTERNAL REFERRALS

No agency referrals were required.

7. PLANNING ASSESSMENT

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

7.1 Land Use

The Applicant has stated that the sheep are not being kept for commercial purposes, as they will not be used for meat or wool production and the like. They are for his enjoyment and while not expressly stated, they are being kept for similar reasons to a cat or dog. The Planning and Design Code (the Code) references several land uses with respect to the keeping of animals. The definitions for 'Low Intensity Animal Keeping' and 'Farming' both require animals to be kept for commercial uses, and are therefore not applicable.

The definition of Animal Keeping: *Means the boarding (short or long term), keeping, breeding or training of animals, except horses and/or commercially kept livestock.* In this case, the animals are not being commercially kept. The Development Application was therefore determined to have a nature of development as 'Animal Keeping'.

General Neighbourhood Zone Desired Outcome (DO) 1 provides overarching guidance that: *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.*

General Neighbourhood Zone Performance Outcome (PO) 1.1 states: *Predominantly residential development with complementary non-residential uses that support an active, convenient, and walkable neighbourhood.* The supporting **General Neighbourhood Designated Performance Feature (DPF) 1.1** provides guidance with envisaged land uses, and it is noted that this does not list 'Animal Keeping'.

The application to keep 4 sheep on a residential allotment will compromise residential amenity, with the sheep having been on the land for a short period of time in the cooler months where traditionally the vegetation is green and lush, the site is currently barren and not akin to a farm property typically suited to the needs of these types of animals. The warmer weather summer months will increase the risk of smells from animal waste. This brings into question of the suitability of keeping sheep in a residential area.

The nature of having sheep, which are farm animals, in itself impacts the visual amenity of the General Neighbourhood Zone as they will impact the aesthetics of the locality.

Notwithstanding the intention to keep these animals similar to a cat or dog, the proposed animal keeping as a land use does not satisfy the provisions of the General Neighbourhood Zone.

7.2 Animal Keeping and Horse Keeping

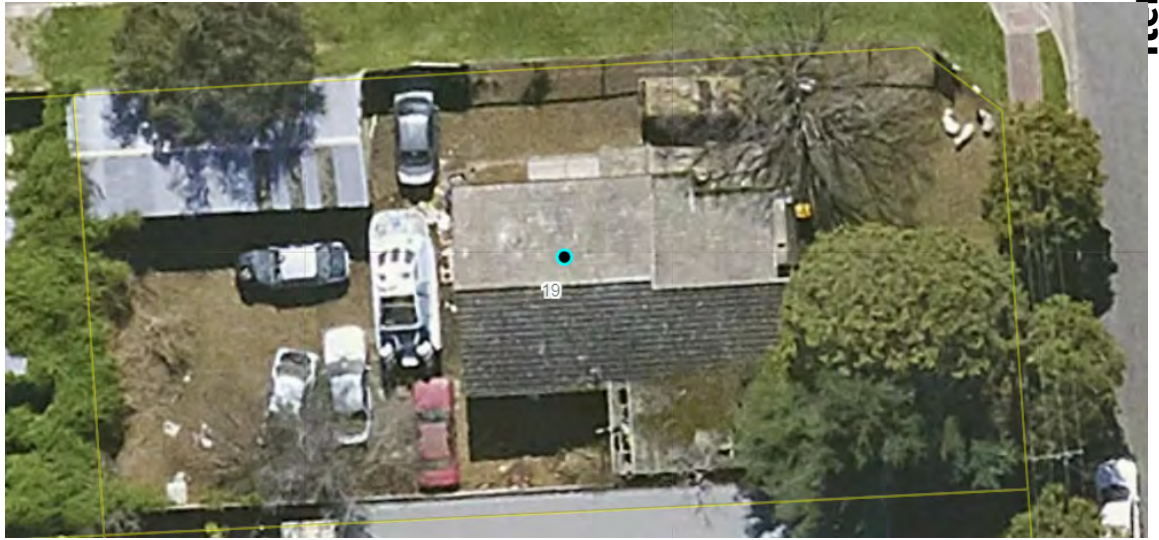


Figure 3: Satellite imagery of subject land showing built form, vegetation and vehicles.

Figure 3 above shows the subject land with the dwelling located centrally on the site and an outbuilding in the north west corner of the allotment. In addition, 7 vehicles can be seen and site inspections indicate that these vehicles have not been moved for some time with flat tires and/or being in poor condition. Of note is the open spaces on the subject land are brown and barren where the surrounding land is green with grasses.

Animal Keeping and Horse Keeping DO1 relates to the carrying capacity of the land not being exceeded and that animal keeping does not have *adverse effects on the environment, local amenity and surrounding development*.

The website for Meat & Livestock Australia provides a stocking calculator to offer guidance on carrying capacity of land. When the details of the subject land are added to this calculator based on the land area less the built form, the carrying capacity is calculated at zero. This does not include the reduced land available due to the vehicles on the site. While not authoritative, as it is difficult to find an answer, it is suggested online that Dorper sheep require $\frac{1}{4}$ acre per animal which converts to 1011m² per animal for grazing.

The owner has stated the intent is for the animals to obtain 90% of their feed from grazing and 10% of their feed supplied by the owner. This strategy does not appear to be working based on the above image, and food storage may need to be increased.

The amenity impacts of animal keeping in the General Neighbourhood Zone have been discussed above and in the Code. **Animal Keeping and Horse Keeping PO1.1** and **PO1.2** specifically relate to the amenity and environmental impacts of animal keeping. Figure 3 demonstrates that the barren land does not improve the amenity of the locality.

Animal Keeping and Horse Keeping PO4.1 states *Storage of manure, used litter and other wastes (other than wastewater lagoons) is designed, constructed and managed to minimise attracting and harbouring vermin.* The applicant has stated that waste will be kept in a bin. This may not be an acceptable storage solution to contain the waste from animals, as it is the collection of waste from 4 sheep in the summer months that raises concerns. There is no waste management plan to specify the frequency of collection from the subject land or the bin collection, noting that green waste is collected on a fortnightly basis.

Based on the above it is considered that the provisions of **Animal Keeping and Horse Keeping** have not been met.

7.3 Environmental Factors

7.3.1 Noise Emissions

The Dorper breed of sheep are commonly known to not make excessive noise when compared to a Marino breed. This supports the breed for the animal keeping land use when considering noise in **General Neighbourhood Zone DO1** and **Animal Keeping and Horse Keeping PO1**.

7.3.2 Site Contamination

It may be worth noting that the change of land use to Animal Keeping, if approved, will have the consequence that when assessed against the provisions of the **Site Contamination** section and **Practice Direction 14**, any future residential development will require investigation for contamination.

Planning practice is to assess an application on its merit, however it is not considered appropriate for a development proposal to compromise the ability of an existing and envisaged land use, in this case dwelling and associated outbuildings, to be compromised or limited in development potential as they are made unsuitable from a site contamination perspective, which is inconsistent with the intent of the Code.

8. CONCLUSION

Animal Keeping is not an expressly envisaged land use in the General Neighbourhood Zone. As discussed the land is overstocked as evidenced by the lack of vegetation on the site from the animals grazing while the surrounding areas have green grasses. The animals are a recent addition to the locality during the cooler months. With summer approaching the odour impacts from wastes will increase and the natural feed from grazing will be reduced.

The Planning and Design Code provides little guidance on Animal Keeping in the General Neighbourhood Zone, however the policies in place are not supportive of the land use and the application therefore warrants refusal.

9. PLANNING & DESIGN CODE POLICIES

General Neighbourhood Zone
DO1, PO1

Animal Keeping and Horse Keeping
DO1, PO1.1, PO1.2, PO4.1

Site Contamination
DO1, PO1.1

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 seriously at variance with the provisions of the Planning and Design Code; and
- B. Development Application Number 23019316, by Mr Heath Todd is refused Planning Consent subject to the following reasons:

REFUSAL REASON

Proposed Animal Keeping does not meet the following provisions of the Planning and Design Code:

- General Neighbourhood Zone
DO1, PO1
- Animal Keeping and Horse Keeping
DO1, PO1.1, PO1.2, PO4.1

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).

Attachments

1.	Aerial Photo	13
2.	Application Snapshot.....	14
3.	Certificate of Title.....	18
4.	Site Plans and information.	20
5.	Representations received	23
6.	Applicants Response to Representations	34

Report Authorisers

Blake O'Neil	
Senior Planning Officer	8397 7331
Nathan Grainger	
Manager City Development	8397 7200
Michael Pereira	
General Manager Community Services	8397 7377

**Contact Details**

571 Montague Road, Modbury SA 5092

T (08) 8397 7444

TTY (08) 8397 7340

E customerservice@cttg.sa.gov.auW www.cttg.sa.gov.au**Disclaimer:**

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Development Locations

Location 1

Location reference

19 CHURCH ST TEA TREE GULLY SA 5091

Title Ref

CT 5491/146

Plan Parcel

D4826 AL3

Additional Location Information**Council**

CITY OF TEA TREE GULLY

Zone Overlays

Zones

- General Neighbourhood

Sub-zones

(None)

Overlays

- Affordable Housing
- Hazards (Flooding - Evidence Required)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Traffic Generating Development
- Urban Tree Canopy

Variations

(None)

Application Contacts

Applicant(s)

Stakeholder info

Mr HEATH TODD
19 CHURCH STREET
TEA TREE GULLY
SA
5091
Tel. 0883969056
Mobile. 0414713569
kinght4.kht@gmail.com

Contact

Stakeholder info

Mr HEATH TODD
19 CHURCH STREET
TEA TREE GULLY
SA
5091

Tel. 0883969056
Mobile. 0414713569
kinght4.kht@gmail.com

Invoice Contact

Stakeholder info

Mr HEATH TODD
19 CHURCH STREET
TEA TREE GULLY
SA
5091
Tel. 0883969056
Mobile. 0414713569
kinght4.kht@gmail.com

Invoice sector type

Land owners

Stakeholder info

Mrs MARGARET HELEN TODD
19 CHURCH STREET
TEA TREE GULLY
SA
5091
Tel. 83969056

Nature Of Development

Nature of development

IN REGARDS TO THE DETAILS
I REQUIRE A PERMIT FOR LOCAL COUNCIL
TO KEEP A SMALL NUMBER OS SHEEP ON PROPERTY.
THANK YOU AND KIND REGARDS

Development Details

Current Use

STANDARD USAGE

Proposed Use

APPROVAL TO KEEP SMALL SHEEP ON PROPERTY

Development Cost

\$200.00

Proposed Development Details

IN REGARDS TO THE DETAILS
I REQUIRE A PERMIT FOR LOCAL COUNCIL
TO KEEP A SMALL NUMBER OS SHEEP ON PROPERTY.
THANK YOU AND KIND REGARDS

Element Details

You have selected the following elements

Animal keeping - \$200.00

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?

Septic/Sewer information submitted by applicant

Does this development require a septic system, i.e. septic tank and/or waste water disposal area?
(Not provided by applicant)

Certificate of Title information submitted by applicant

Does the Certificate of Title (CT) have one or more constraints registered over the property?
(Not provided by applicant)

Consent Details

Consent list:

- Planning Consent

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

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

Consent Order

Recommended order of consent assessments

1. Planning Consent

Do you have a pre-lodgement agreement?

No

Declarations

Electricity Declaration

This development does not involve the construction of, or alteration to, a building to require a statement in accordance with Clause 6(1) of Schedule 8 of the Planning, Development and Infrastructure (General) Regulations 2017

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
NATIONAL SHEEP HEALTH DECLARATION 1.jpg	Preliminary Advice	3 Jul 2023 12:14 PM
NATIONAL VENDOR DECLARATION (SHEEP AND LAMBS) AND WAYBILL1.jpg	Preliminary Advice	3 Jul 2023 12:14 PM

Application Created User and Date/Time

Created User
heath.todd

Created Date/Time
3 Jul 2023 12:13 PM

Item 4.1

Attachment 2



Product Register Search Plus
(CT 5491/146)
Date/Time 03/10/2023 09:02AM
Customer Reference Planning Department
Order ID 20231003000639



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 5491 Folio 146

Parent Title(s) CT 4159/5
Creating Dealing(s) CONVERTED TITLE
Title Issued 14/01/1998 Edition 2 Edition Issued 25/09/2006

Estate Type

FEE SIMPLE

Registered Proprietor

MARGARET HELEN TODD
OF 19 CHURCH STREET TEA TREE GULLY SA 5091

Description of Land

ALLOTMENT 3 DEPOSITED PLAN 4826
IN THE AREA NAMED TEA TREE GULLY
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

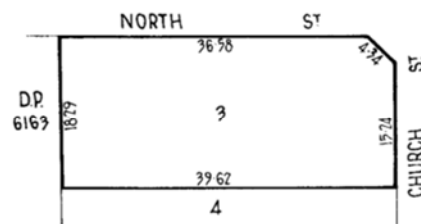
Dealing Number	Description
10542791	MORTGAGE TO BENDIGO & ADELAIDE BANK LTD.

Notations

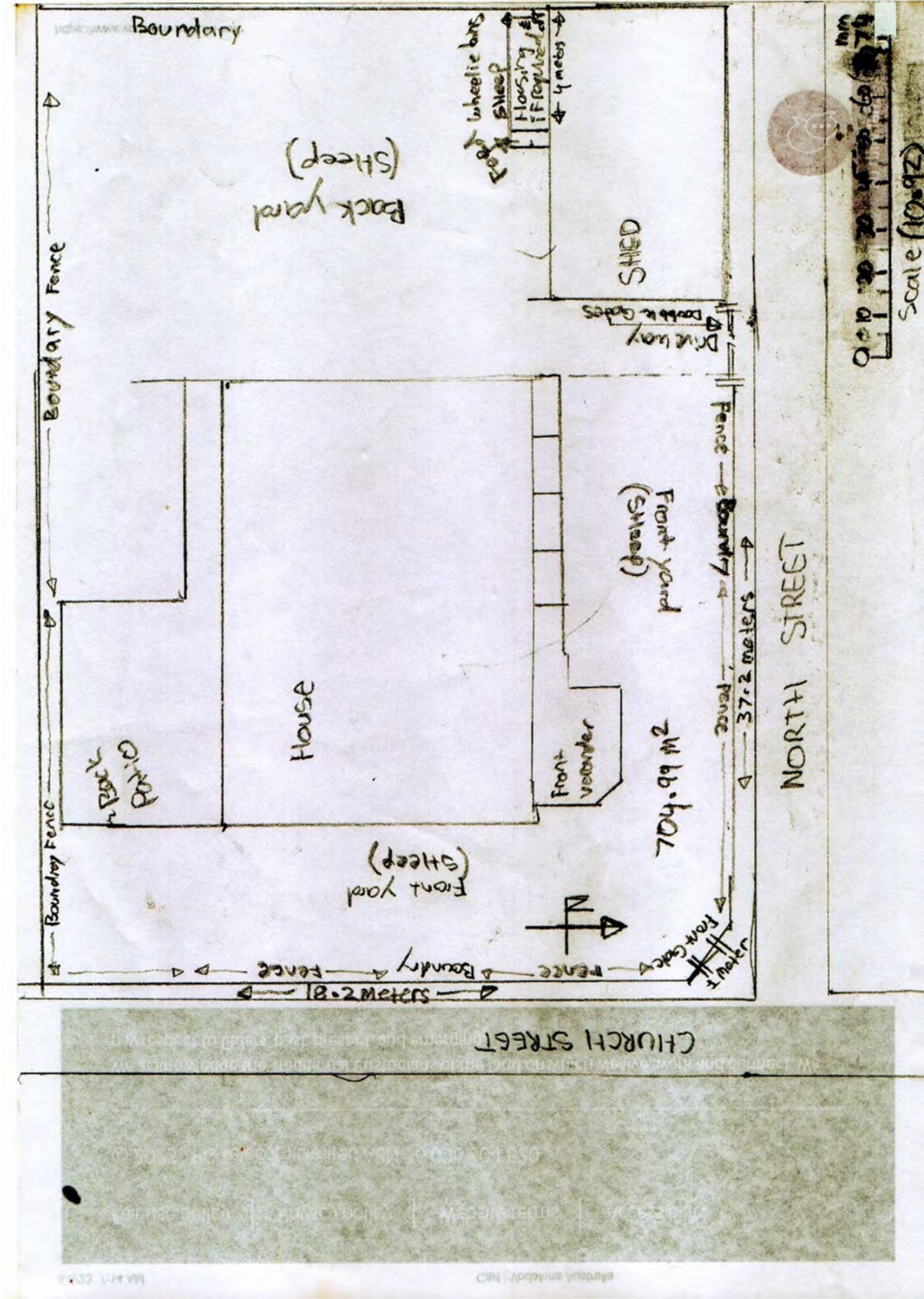
Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product	Register Search Plus (CT 5491/146)
Date/Time	03/10/2023 09:02AM
Customer Reference	Planning Department
Order ID	20231003000639



0 5 10 15 20 Metres



Enclosed

Boundaries/Fences, Front Gate, Double Gates to House and keep sheep from escape of yard/property

1. Boundary Fence Height: 1.8 meters

2. Front Gate Height: 1.85 meters

3. Double Gates Height: 1.97 meters

4. Rear back Fence Height: 1.84 meters / concrete retaining wall 275mm TOTAL Height 2.115 meters

Materials of Fences

1. Boundary Fence: permapine post/with rural HD Fencing wire (sheep)

2. Front Gate: Permapine with lock / stainless hinges located on top of front gate on inside welded to gate of steel construction

3. Double Gates: colour band / with galvanised tubing double lock top and bottom of gates.

4. concrete retaining wall colour band Fence on top of retaining wall

Sheep do not make any noise ie barking ECT and are quiet and will not effect neighbours or cause nuisance or annoyance to any neighbours, as it has spoke to relevant neighbours and all love the sheep and are ok with the sheep being kept on property and all waste & manure will be collected accordingly and disposed of accordingly into a wheelie bin for compost and general gardening purposes.

(Feed) will be kept in wheelie bins with lids to prevent vermin ECT Behind on the side of Shed in back yard, most of the feed consists of 90% Grass/Pasture on property land and 10% Feed

Notes.

In Regards to an emergency or given situation ie Front Gate or double gates in driveway need to remain open Day or night 7-12 HRS. I can erect a portable temporary electric certified Sheep Fence to divide front or back yards to contain the sheep in each section within 7-15 min that is non life threatening to human beings to contain the sheep and dismantled in 7-15 min also.

IN REGARDS TO PROVIDE DETAILS OF THE INTENT FOR KEEPING SHEEP,

The intent for keeping the sheep are to keep the lawn/pasture and vegetation at a low level (not for breeding, wool, meet, or other commercial uses) only for private usage.

I have also read the information provided and understand there is an additional fee for public notification

And adds to the assessment timeframe also.

I am also very happy and willing to pay the fees for the public notification that is not an issue on my behalf, just to clear things up on a good note.

**THANK YOU AND KIND REGARDS,
HEATH TODD.**

Details of Representations

Application Summary

Application ID	23019316
Proposal	Animal Keeping (4 Sheep) on Residential Land - Retrospective
Location	19 CHURCH ST TEA TREE GULLY SA 5091

Representations

Representor 1 - Stephen Crowsley

Name	Stephen Crowsley
Address	14 SANDFORD STREET TEA TREE GULLY SA, 5091 Australia
Submission Date	05/09/2023 02:06 PM
Submission Source	Email
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

I have received a letter about 4 sheep being kept on a residential property I did email the council a few months ago with my concerns. Besides the obvious keeping four sheep on a residential block is cruel to the sheep with hardly no room to move plus the flies they will attract. All you need to do is have a look the way the person living there looks after his own property to see what I mean he had a leaking water meter if it wasn't for me it still be leaking even now they don't get any extra feed or water they have eaten all the grass now they are eating the bark of the trees if you let someone like him keep these poor sheep mark my word someone will be calling the RSPCA

Attached Documents

RepRecievedViaEmail-6393307.pdf

O'Neil, Blake

From: Kerry and Steve Crowsley <thecrowsleys@hotmail.com>
Sent: Wednesday, 30 August 2023 2:19 PM
To: PlanSA Portal
Subject: Application 23019316

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

I have received a letter about 4 sheep being kept on a residential property I did email the council a few months ago with my concerns. Besides the obvious keeping four sheep on a residential block is cruel to the sheep with hardly no room to move plus the flies they will attract. All you need to do is have a look the way the person living there looks after his own property to see what I mean he had a leaking water meter if it wasn't for me it still be leaking even now they don't get any extra feed or water they have eaten all the grass now they are eating the bark of the trees if you let someone like him keep these poor sheep mark my word someone will be calling the RSPCA.

Yours Sincerely Stephen Crowsley 14 Sandford

Street Tea Tree Gully. 0451237070
 Sent from my iPhone

Representations

Representor 2 - Thomas Veart

Name	Thomas Veart
Address	13 sandford street TEA TREE GULLY SA, 5091 Australia
Submission Date	17/08/2023 05:12 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 oppose the development
Reasons It is a residential area. No livestock should be kept in the area and the area in question is not safe for livestock. Numerous cars and litter are in the yard. The house should also be under question as it's a disgrace to its neighbours.	

Attached Documents

Representations**Representor 3** - Jack Milder

Name	Jack Milder
Address	11 church st TEA TREE GULLY SA, 5091 Australia
Submission Date	19/08/2023 05:25 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 oppose the development
Reasons No food in yard House is not looked after	

Attached Documents

Representations**Representor 4** - Nicko Shinakie

Name	Nicko Shinakie
Address	1 Sandford Street TEA TREE GULLY SA, 5091 Australia
Submission Date	21/08/2023 04:08 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 oppose the development
Reasons Sheep has insufficient food, Abhorrent living conditions. Fears of animal torture an inhumane living conditions	

Attached Documents

Representations

Representor 5 - Hanky Panky Stanky Pants

Name	Hanky Panky Stanky Pants
Address	6 North street TEA TREE GULLY SA, 5091 Australia
Submission Date	21/08/2023 04:12 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 oppose the development
Reasons Insufficient food Poor conditions Heath Todd need to be in prison	

Attached Documents

Representations**Representor 6** - Madeleine Steele

Name	Madeleine Steele
Address	30 Church St TEA TREE GULLY SA, 5091 Australia
Submission Date	21/08/2023 06:32 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 We have concerns regarding the welfare of the sheep. They have eaten on green matter in their reach on the property and do not appear to have any supplementary food source. We've been keeping an eye on this and have not seen any evidence of feeding. Apart from this, we feel the size of the yard is too small for four sheep. We have no concerns regarding smell or noise at this stage. Thank you	

Attached Documents

Representations**Representor 7** - Daniel White

Name	Daniel White
Address	30 Sandford Street, TEA TREE GULLY SA, 5091 Australia
Submission Date	24/08/2023 06:27 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
Reasons	

Attached Documents

Representations**Representor 8** - Sarah E

Name	Sarah E
Address	30 Sandford St TEA TREE GULLY SA, 5091 Australia
Submission Date	24/08/2023 06:28 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
Reasons I like the sheep.	

Attached Documents

Representations

Representor 9 - Jarryd Day

Name	Jarryd Day
Address	1 Church Street TEA TREE GULLY SA, 5091 Australia
Submission Date	29/08/2023 10:56 AM
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
Reasons It's a great idea and so unique. Excellent for educating kids in the area and fun for people to walk past and feed them some grass	

Attached Documents

Representations

Representor 10 - Bianca Haren

Name	Bianca Haren
Address	26 Church Street TEA TREE GULLY SA, 5091 Australia
Submission Date	31/08/2023 12:51 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 concerned about the welfare of the animals, there is minimal shelter & room. They have stripped all the grass from the house down to dirt essentially, as well as eaten all the foliage from the trees. The house is full of junk out the back and there is rubbish of some kind in the front corner yard of the house. I have not yet seen the animals be fed by the owner but have seen some small amounts of hay on the ground which I believe has come from neighbours . Where did they come from and why are they not being kept on a rural property? Agree that they have not made any noise but can concerned about potential dog attacks to the animals also.	

Attached Documents

11/9/23

In Regards to response Required to Consultation period

Just to clear things up with all the critics

Responses Starting from 1- (Hey bails were on back order) Just to clear things up
Also take in to account that these critics do not have any idea on sheep keeping and sheep and how they live on rural properties. and is easily miss Judged as from domestic cats/dogs

Representor ① (Stephen Crousty)

In regards to the leaking water meter this is untrue
Extra feed has been given
the RSPCA Has Attended with no issues also Just to clear things up

Representor ② Thomas Veart

In regards to this response the same can be said for his property as it is bikie Related!

Representor ③ Jack Milder

Food is in yard, launs were always mowed and yard looked after

Representor ④ Nicko Shinakie

Food is sufficient, the living conditions are an oasis compared to the paddocks, in regards this critic has no idea and on sheep keeping as from domestic pets dogs/cats.

Representor ⑤ Hanky Panky Stanky pants

In regards to this critic, there is plenty/sufficient food as this critic can not use their real name Due to miss leading information.

Representor ⑥ MADELINE STEEL

The idea of the Sheep is to keep the grass trimmed & green matter which they have done, Supplementary Food source has been given, Sheep are already over fed and feed is kept to a satisfactory standard

Representor ⑦ DAVID L WHITE

100% support of the development

Representor ⑧ SARAH E

01% support of the development

Representor ⑨ Jarryd Day

01% support of the development

Representor ⑩ Bianca Haren

In regards to the shelter the sheep don't have shelter in the paddocks on rural land
it is for the sheep to keep grass/vegetation trimmed Hay has been given accordingly

REPORT NO: CAP.23015291

RECORD NO: D23/79920

TO: COUNCIL ASSESSMENT PANEL MEETING - 17 OCTOBER 2023

FROM: Hugh Wang
Planning Officer

SUBJECT: CONSTRUCTION OF TWO WAREHOUSES WITH ASSOCIATED OFFICES AND CAR PARKING AT 20 DEWER AVE, RIDGEHAVEN - 23015291

SUMMARY

DEVELOPMENT NO.	23015291
APPLICANT	Mr Michael Sheidow
ADDRESS	20 Dewer Avenue Ridgehaven
NATURE OF DEVELOPMENT	Construction of 2x warehouses with associated offices and car parking
ZONING INFORMATION	<p>Zones:</p> <ul style="list-style-type: none"> • Employment <p>Overlays:</p> <ul style="list-style-type: none"> • Affordable Housing • Hazards (Flooding - Evidence Required) • Noise and Air Emissions • Prescribed Wells Area • Regulated and Significant Tree
LODGEMENT DATE	28/05/2023
RELEVANT AUTHORITY	Council Assessment Panel at City of Tea Tree Gully
PLANNING & DESIGN CODE VERSION	2023.4
CODE RULES APPLICABLE AT LODGEMENT	Code rules at assessment start
CATEGORY OF DEVELOPMENT	Code Assessed - Performance Assessed
NOTIFICATION	Yes – Notification Period 02/08/2023 to 22/08/2023

NUMBER OF PROPERTIES NOTIFIED	35
REPRESENTATIONS RECEIVED	1 representation 2 received during notice period however 1 withdrawn
REPRESENTATIONS TO BE HEARD	0
RECOMMENDING OFFICER:	Hugh Wang
REFERRALS STATUTORY	None Required
REFERRALS NON-STATUTORY:	Traffic Engineer
RECOMMENDATION	Grant Planning Consent

1. DETAILED DESCRIPTION OF PROPOSAL

The application proposes to demolish an existing office building and structures to build two warehouses with associated offices and car parking spaces in the Employment Zone.

The existing land use is office, and the proposed development will change the primary land use to warehouse with ancillary office spaces.

The development proposes to construct two warehouse units sited on the side and rear boundaries, having a 7m roof height and a second storey office space projecting forward of the main building line. The walls of the warehouses are to be constructed using concrete panels, and the upper storey office area is clad with a lightweight material to all three sides.

The gross leasable floor area is approximately 580m², with each tenancy consisting of approx. 220m² warehouse and 70m² office area.

The proposed car park provides a total of eight (8) off-street parking spaces with landscaping in the front allotment.

2. SUBJECT LAND & LOCALITY

2.1 Site Description

Location reference: 20 Dewer Av Ridgehaven

Title Reference:
5237/77

Plan Parcel:
D6223 A52

Council:
CITY OF TEA TREE GULLY

The subject site comprises a single allotment commonly known as 20 Dewer Avenue, Ridgehaven. The site has a regular shape with a total area of 771m². The site provides 22.86m single frontage to Dewer Avenue.

The land has an existing flat benched area. The natural topography of the locality shows a slope pattern from east falling to west. The existing building is in the style of a dwelling and has been used as an office with associated shed that is over 200m² in area and currently sited on the rear and side boundary.

2.2 Locality



Figure 1: Locality Map and Subject Site in blue

The locality extends approximately 100m from the boundary of the subject site. The industrial uses are aligned to the northern side of Dewer Avenue, while the residential use aligns to the southern side of Dewer Avenue.

The subject site is situated within the boundary of Employment Zone and adjoins the Housing Diversity Neighbourhood Zone to the south. As a result, the locality comprises a range of light-industrial activities within close proximity to low density residential development.

3. **CATEGORY OF DEVELOPMENT**

OVERALL APPLICATION CATEGORY

Code Assessed - Performance Assessed

REASON

Planning and Design Code

4. PUBLIC NOTIFICATION

REASON

Column B, Table 5 (3) of the Employment Zone Procedural Matters lists the classes of development exempt from public notification. This list includes warehouse development as exempt, except where the site of the development is adjacent to a site used for residential purposes in a neighbourhood-type zone. As the subject site adjoins the Housing Diversity Neighbourhood Zone, the development is excluded from being exempt and as a result public notification was required.

35 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.

Two valid representations were received. There was one representation in support with concern. A second representation was received against the proposal, but it was later withdrawn. Therefore, only one representation remained that needed to be considered as part of this assessment, and can be found in Attachment 9.

LIST OF REPRESENTATIONS

Name	Address	Position	Wishes to be Heard
Alby Rogers	PO Box 20 Surrey Downs, Adelaide SA 5126	Support with concern	No
Sharon Fryar	31a Dewar Ave, Ridgehaven SA 5097	Withdrawn	No

SUMMARY

The remaining representation was received from the rear adjoining property owner. The representation seeks further information regarding the rear retaining wall in respect of the bottom finishing level of the wall.

In response, the applicant provided an amended elevation showing the retaining wall height along the rear boundary. In addition, photos were provided to demonstrate the rear adjoining allotment was not accessible to undertake an accurate levels survey. These details can be found in Attachment 8.

The applicant and representor were not able to reach an agreement regarding the rear boundary levels as part of this process. The representation was therefore not withdrawn and the application is being presented to the Panel for a decision.

5. AGENCY REFERRALS

No mandatory agency referrals were required.

6. INTERNAL REFERRALS

6.1 City Assets – Traffic and Parking

The minimum length for parking spaces required for this application is 5.4m. The car parking spaces closest to the warehouses are confined by the post. As such, a minimum width for parking spaces required is 2.8m. Otherwise, turning circles within the parking aisle are acceptable.

7. PLANNING ASSESSMENT

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

7.1 Land Use

The subject land as a whole is situated within the Employment Zone. The Desired Outcome (DO) for the Employment Zone seeks:

Desired Outcome	
DO 1	A diverse range of low-impact light industrial, commercial and business activities that complement the role of other zones accommodating significant industrial, shopping and business activities.
DO 2	Distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along arterial roads, zone boundaries and public open spaces.

A broad range of light industrial and commercial activities with high visual and environmental amenity along zone boundaries are envisaged in the Employment Zone. Warehouse is also an envisaged land use as listed in **Zone Designated Performance Feature (DPF) 1.1** and **Performance Outcome (PO) 1.1**.

The proposed warehouse with an associated office will occupy 490m² of the 773m² total site area. This application seeks to create two warehouse tenancies facing Dewar Avenue.

The proposed use is considered appropriate as it satisfies the **DPF 1.1, PO 1.1** and **DO 1** and **2** of Employment Zone by being a low-impact light industry activity on a site adjacent to a neighborhood type zone.

7.2 Building Height

No relevant *Maximum building height (Levels) Technical and Numerical Variation layer* apply to the subject site. **Employment Zone DPF 1.1** requires 2 building levels up to a height of 9m, while **Performance Outcome PO 1.1, Employment Zone**, requires generally low-rise built form to complement the existing streetscape.

The proposed warehouses have been designed with a 7m building height, including a second level office as an associated use. The building height and levels are considered to satisfy **Employment Zone PO 1.1** and **DPF 1.1**.

7.3 Setbacks

Employment Zone DPF 3.1 states that new buildings should be setback from the primary street boundary at a distance equaling to the average setback of existing buildings on abutting sites. This DPF is informed by **Zone PO 3.1** which expects new development to contribute to the existing pattern of street setbacks.

The abutting sites provide average front setback of 8m to the primary street Dewer Avenue. The proposed development provides for a 9m front setback. Therefore, the front setback meets both **PO 3.1** and **DPF 3.1**.

7.4 Landscaping

Employment Zone PO 2.1 expects:

“Development achieves distinctive building, landscape and streetscape design to achieve high visual and environmental amenity particularly along zone boundaries”.

Zone PO 5.1 requires landscaping be provided to enhance the visual appearance of development when viewed from public roads. **Zone DPF 5.1** provides more specific details of how it is possible to meet the **PO5.1**, which is minimum 1.5m width landscaping along the street boundary.

Zone PO 5.2 requires landscaping that enhance the overall amenity of the site and locality. The associated **DPF 5.2** provides the following quantitative guidance:

“Landscape areas comprise:

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

The proposed site plan provides landscaping 1.5m in width adjacent the front boundary and 1.98m wide landscaping are along both side boundaries within the carpark area. Landscaping detail is provided under the landscaping legend on the site plan, see Attachment 5. Landscaping consists of large shrubs, small shrubs and groundcover. The total proposed landscaping area is 8.1% of the site area, which is 1.9% short than the minimum requirement detailed in **DPF5.2**.

When compared to the very minimal amount of existing landscaping, the proposed development will increase the amount of landscaping by approx. 50m². The proposed landscaping plan is considered to contribute to the visual amenity of Dewer avenue. **PO2.1, PO 5.1, DPF 5.1** and **PO 5.2** are therefore considered to be met.

7.5 Built Form, Design and Appearance

Employment Zone PO 2.2 requires building façades that face a zone boundary to incorporate multiple building finishes, avoid elevations of solely metal cladding, use low reflective materials, add techniques to add visual interest, and reduce the large expanse of blank walls.

The design of the proposed development has been amended during the course of the assessment to ensure it meets **PO 2.2**. In particular, the original design proposed to extend the large side wall for the full extent of the upper level office area, primarily for structural support. The current plan has removed the concrete panel wall to provide a staged front façade with upper level offices sitting on top of stilts. Multiple material finishes provided including pre-coloured steel, painted concrete wall and black frame aluminum windows. Therefore, **PO 2.2** has been satisfied.

Zone PO 3.8 expects an orderly transition to the built form scale where land is opposite to a neighborhood-type zone. The proposed landscaping, staged frontage and generous front setback is considered to provide reasonable built form transition from the subject site to the nearby neighborhood zone. Therefore, the **PO3.8** has been satisfied.

7.6 Earthworks and Retaining Wall

Design PO 8.1 states that development should minimise the need for earthworks to limit disturbance to the natural topography. Further, the associated **DPF 8.1** requires either excavation or filling to not exceed 1m in vertical height, and the combined excavation and filling vertical height to not exceed 2m.

The subject site is currently benched with concrete surfacing, while the natural topography for the area slightly slopes from east to west. There is no proper retaining wall along the side or rear boundaries of the site. Battered slope applies to surrounding allotment boundary in lieu of any retaining wall structures.

The proposed retaining wall and earthworks seeks to create a flat bench throughout whole site area. The rear and western side boundaries seek to construct retaining of up to 0.6m fill in height. The eastern side retaining wall and earthworks require 0.7m cut. The overall site earthworks and retaining walls are under 1m in height and 2m in combined vertical height, therefore satisfying **PO8.1** and **DPF 8.1**.

7.7 Interface between Land Uses

The DO for this General Development Policy module states:

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Interface between Land Uses PO 1.2 requires Development adjacent to a site containing a sensitive receiver or zone primarily intended to accommodate sensitive receivers be designed to minimise adverse impacts. Specifically, this relates to the proximity of the development to residential development on the southern side of Dewar Avenue.

The subject site is currently used as an office with storage shed. Further, the Employment Zone encourages light industrial activities within the zone. The proposed warehouse is considered to be a land use that will have less of an impact on nearby residential properties compared to other light industrial uses in the locality, and the form is considered to be sympathetic to the scale of development within the locality.

The design, including building height, setbacks, built form and landscaping, is also considered to mitigate the adverse impact to sensitive receiver. Therefore, **PO 1.2** is met.

7.8 Noise Emissions

Performance Outcome (PO) 4.1 and Designated Performance Feature (DPF) 4.1 states the development emitting noise does not unreasonable impact the amenity of a sensitive receiver.

The proposed new warehouses are for storage and business purposes. The applicant has not specified what business or tenant will occupy the spaces and therefore have not specified business operating hours at this stage. Given the land is adjacent to a neighbourhood-type zone where dwellings are sensitive receivers, and the limited space available within the Employment Zone to provide a sufficient buffer between the conflicting land uses, it is important to consider the potential noise impacts resulting from this development. The applicant has not provided an acoustic report however it is noted that adjacent properties within the same zone have existing similar light industrial-type uses such as warehouse and motor vehicle repair. The potential noise level generated by the proposed warehouse use is mainly from vehicle load and offload. The design does not include a vehicle loading area in the front carpark area. The loading area is designed to occur inside the warehouses, with access gained via the 5.2m high roller doors. Further, the concrete wall will provide a certain degree of buffer for the vehicle and loading noise.

The above activities and building design are considered suitable to manage noise levels on site, and have been reinforced by way of condition in the recommendation below. The recommended conditions also include limiting hours of operation and deliveries to typical day time hours so as to avoid unreasonable after-hours noise impacts to nearby sensitive receivers, being the nearby dwellings.

The proposal is therefore considered to meet the above PO in not having an unreasonable impact on local amenity.

7.9 Traffic Impact, Access and Parking

Transport, Access and Parking Table 1 within the General Development Policy section of the Code sets out guidelines for minimum off-street car parking rates for warehouse and office land uses.

The table requires minimum 0.5 spaces per 100m² total floor area, and minimum 4 spaces per 100m² office gross leasable floor area. Based on each tenancy proposing approx. 220m² warehouse and 70m² office space, the overall demand for parking is 3.9 spaces per tenancy and 8 spaces in total. The proposal supplies 8 parking spaces and therefore meets the minimum requirements for this development.

The onsite vehicle movement has been reviewed by Council's Traffic Engineer and they have raised no issue with the design. The width of the spaces under the upper level office have been amended to address the Traffic Engineer's comment, as noted in Section 6.1 of this report.

7.10 Site Contamination

The proposed development includes a change use from office to warehouse which changes to a less sensitive use on the hierarchy as per the State Planning Commission's *Practice Direction 14 – Site Contamination Assessment*.

Therefore, no mandatory site contamination investigation is required as part of this development proposal.

7.11 Signage

The applicant has not included signage as part of this application. Any future advertisement or signage will require a separate development application.

8. **CONCLUSION**

The proposed land use is considered appropriate for this site and locality. It is noted that the existing location of the site and its proximity to dwellings within the Housing Diversity Neighbourhood Zone presents limited opportunity for a buffer to minimise noise impacts on nearby dwellings. However, the proposed nature of the activity is considered a reasonable form of development with an appropriate scale and design, and does not exacerbate the existing unavoidable conflict between land uses already occurring in this locality.

There are no concerns in relation to land use, car parking or built form, and to ensure appropriate operation of activities on the land, the recommendation below has included standard operating hours be conditioned. Having regard to the relevant assessment criteria, on balance the proposal satisfies the Planning and Design Code sufficiently enough to recommend a Planning Consent to the Panel.

9. **PLANNING & DESIGN CODE POLICIES**

Employment Zone PO 1.1, 2.1, 2.2, 3.1, 3.3, 3.4, 3.5, 3.6, 3.8, 5.1, 5.2.

Hazards (Flooding – Evidence Required) Overlay PO 1.1.

Clearance from Overhead Powerlines PO 1.1.

Design PO 1.5, 3.1, 3.2, 5.1, 7.1, 7.2, 7.3, 7.4, 7.5, 7.6, 7.7, 8.1, 31.1, 31.2.

Infrastructure and Renewable Energy Facilities PO 11.1, 12.1.

Interface between Land Uses PO 1.2, 4.1, 4.2, 5.1, 6.1, 7.1.

Transport, Access and Parking PO 1.3, 1.4, 2.1, 2.2, 3.1, 3.5, 5.1, 6.1, 6.2, 6.6.

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 23015291 by Michael Sheidow is granted Planning Consent subject to the following reasons/conditions/reserved matters:

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

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 warehouses.

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

Condition 3

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 4

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 5

A device shall be installed to ensure that all surface run-off, stormwater or other liquid, discharging from the site, must be free of site contaminants. These contaminants include, but are not limited to oils, grease, fuels, rubbish, litter or silt.

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

Condition 6

The hours of operation (including deliveries) herein approved are as follows:

7am to 7pm Monday to Friday.

8am to 5pm; Saturday.

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

Reason: To minimise the impact on adjoining properties.

Condition 7

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 8

The planting and landscaping identified on the proposed ground floor plan (dated 20.06.2023) submitted with the application must be completed in 6 months concurrent with or following commencement of the use of the warehouse. Such planting and landscaping must not be removed nor the branches of any tree lopped and any plants which become diseased or die must be replaced by suitable species.

Reason: To maintain the amenity of the site and locality.

Condition 9

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 10

All off-street carparking spaces must be linemarked, in accordance with the approved plans and Australian Standards AS 2890.1:2004 and 1742.2:2009. The linemarking, signposting and directional arrows must be maintained to a clear and visible standard at all times.

Reason: *To maintain safety for users.*

Condition 11

Free and unrestricted access must be available to both the designated carparking spaces and the vehicle access ways at all times.

Reason: *To ensure useable access and appropriate off-street carparking is provided.*

Condition 12

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.*

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

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.

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*.

Attachments

1.	Aerial Photo	51
2.	Application snapshot	52
3.	Certificate of Title	55
4.	Elevation Plan	59
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Report Authorisers

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

**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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Development Locations

Location 1

Location reference

20 DEWER AV RIDGEHAVEN SA 5097

Title Ref

CT 5237/77

Plan Parcel

D6223 AL52

Additional Location Information**Council**

CITY OF TEA TREE GULLY

Zone Overlays

Zones

- Employment

Sub-zones

(None)

Overlays

- Affordable Housing
- Hazards (Flooding - Evidence Required)
- Noise and Air Emissions
- Prescribed Wells Area
- Regulated and Significant Tree
- Traffic Generating Development

Variations

(None)

Application Contacts

Applicant(s)

Stakeholder info

Mr Michael Sheidow

Tel. 0882440555

mike@theblackrabbit.com.au

Contact

Stakeholder info

Mr Michael Sheidow

Tel. 0882440555

mike@theblackrabbit.com.au

Invoice Contact

Stakeholder info

Mr Michael Sheidow

Tel. 0882440555

mike@theblackrabbit.com.au

Invoice sector type

Land owners

Stakeholder info

Mr Gianni Irranca
22 REIDS ROAD
DERNANCOURT
SA
5075
Tel. 0401750758
gianni@akirabuilders.com.au

Nature Of Development

Nature of development

Demolition of existing structures and construction of two warehouses with associated office and car parking.

Development Details

Current Use

Commercial office building and warehouse.

Proposed Use

Construction of two warehouses with associated office and car parking.

Development Cost

\$700,000.00

Proposed Development Details

Demolition of existing structures and construction of two warehouses with associated office and car parking.

Element Details

You have selected the following elements

Warehouse - \$700,000.00

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
0454_PLANNING APP_01_C_23.05.25.pdf	Floor Plans	25 May 2023 11:46 AM
0454_PLANNING APP_02_C_23.05.25.pdf	Elevations	25 May 2023 11:46 AM
0454_COT.pdf	Certificate of Title	25 May 2023 11:46 AM
2303291- GCP- Civil_Drgs- 20 Dewer Av- P0 2.pdf	Engineering Certification	25 May 2023 11:46 AM
2303291- GCP- Civil_Calcs- 20 Dewer Ave- P00.pdf	Technical Report - Stormwater	25 May 2023 11:46 AM

Application Created User and Date/Time

Created User
michael.sheidow

Created Date/Time
25 May 2023 11:46 AM



Product Register Search Plus
(CT 5237/77)
Date/Time 25/05/2023 11:32AM
Customer Reference 0454
Order ID 20230525003718

REAL PROPERTY ACT, 1986



South Australia

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 5237 Folio 77

Parent Title(s) CT 2639/71
Creating Dealing(s) CONVERTED TITLE
Title Issued 20/12/1994 Edition 9 Edition Issued 15/12/2021

Estate Type

FEE SIMPLE

Registered Proprietor

TONIA MARIA IRRANCA
OF 81 SOLANDRA CRESCENT MODBURY NORTH SA 5092
1 / 3 SHARE

MARIA JOSEPHINE IRRANCA
OF C/- 22 REIDS ROAD DERNACOURT SA 5075
1 / 3 SHARE

GIANNI FULVIO IRRANCA
OF C/- 22 REIDS ROAD DERNACOURT SA 5075
1 / 3 SHARE

Description of Land

ALLOTMENT 52 DEPOSITED PLAN 6223
IN THE AREA NAMED RIDGEHAVEN
HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

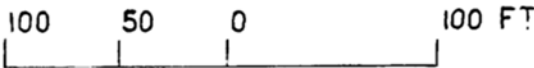
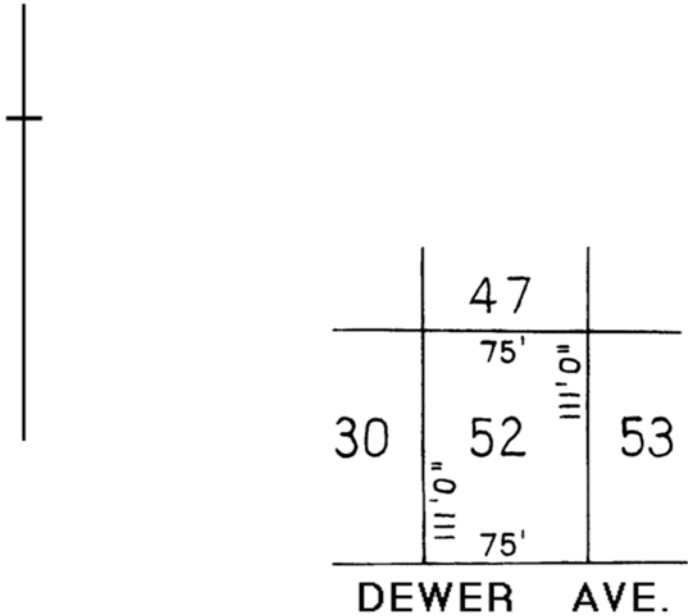
NIL

Notations

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



Product	Register Search Plus (CT 5237/77)
Date/Time	25/05/2023 11:32AM
Customer Reference	0454
Order ID	20230525003718



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



Product Historical Search
 Date/Time 25/05/2023 11:32AM
 Customer Reference 0454
 Order ID 20230525003718

Certificate of Title

Title Reference: CT 5237/77
 Status: CURRENT
 Parent Title(s): CT 2639/71
 Dealing(s) Creating Title: CONVERTED TITLE
 Title Issued: 20/12/1994
 Edition: 9

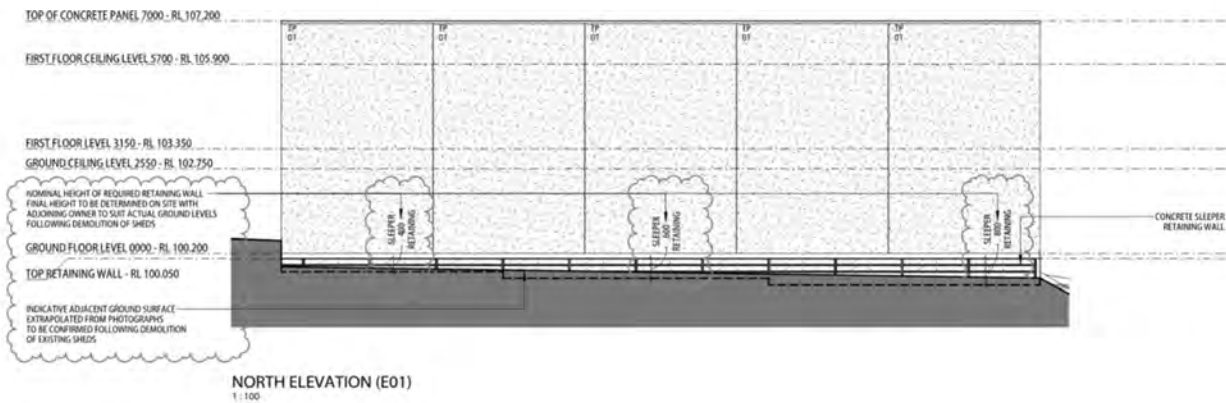
Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
02/12/2021	15/12/2021	13672596	TRANSFER	REGISTERED	TONIA MARIA IRRANCA
02/12/2021	15/12/2021	13672595	TRANSMISSION APPLICATION	REGISTERED	COSTANTINO IRRANCA (DECD), MARIA JOSEPHINE IRRANCA (EXEC)
20/12/2011	13/01/2012	11693339	TRANSFER	REGISTERED	COSTANTINO IRRANCA, MARIA JOSEPHINE IRRANCA, GIANNI FULVIO IRRANCA
20/12/2011	13/01/2012	11693338	TRANSFER	REGISTERED	TOMCOR INVESTMENTS PTY. LTD.
13/09/2007	27/09/2007	10792399	TRANSFER	REGISTERED	STEPHEN ANTHONY MCGRATH, JACQUELINE LORRAINE MCGRATH
30/06/2004	22/07/2004	10017747	TRANSFER	REGISTERED	STEPHEN ANTHONY MCGRATH, JACQUELINE LORRAINE MCGRATH, RUSSELL JAMES BRYAN, JACQUELINE ANN BRYAN
30/06/2004	22/07/2004	10017746	DISCHARGE OF MORTGAGE	REGISTERED	9737834
01/12/2003	11/12/2003	9737834	MORTGAGE	REGISTERED	COMMONWEALTH BANK OF AUSTRALIA
01/12/2003	11/12/2003	9737833	TRANSFER	REGISTERED	DEMUNA PTY. LTD. (ACN: 093 496 390)
01/12/2003	11/12/2003	9737832	DISCHARGE OF MORTGAGE	REGISTERED	7946091
22/06/1995	18/07/1995	7946091	MORTGAGE	REGISTERED	AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.
17/11/1994	13/01/1995	7827986	DISCHARGE OF MORTGAGE	REGISTERED	6993224

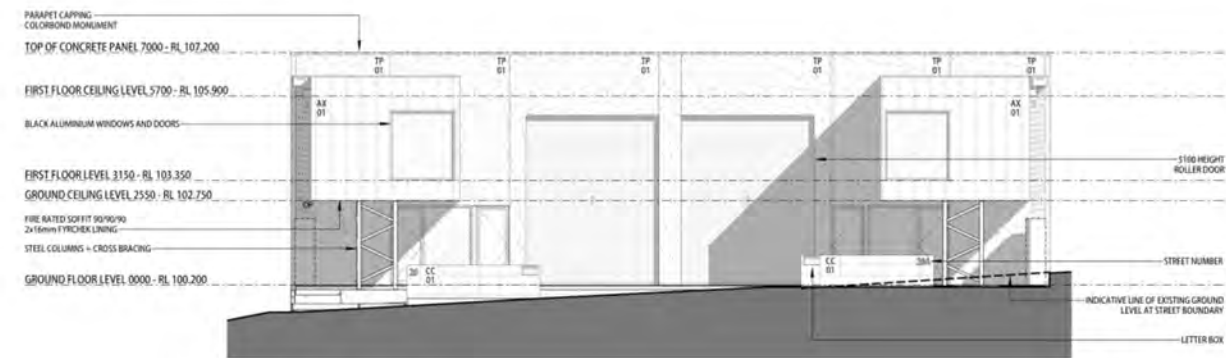


Product Historical Search
Date/Time 25/05/2023 11:32AM
Customer Reference 0454
Order ID 20230525003718

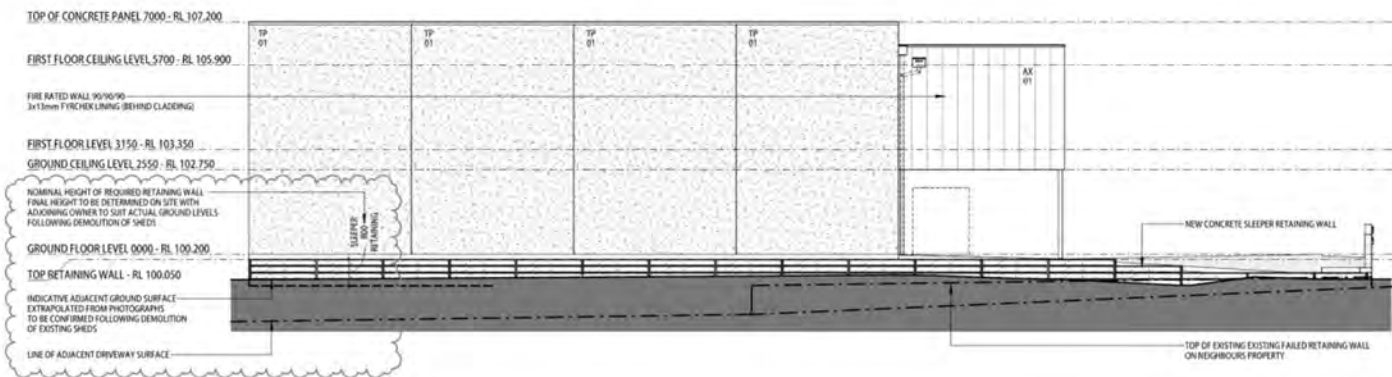
Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
05/10/1990	20/11/1990	6993224	MORTGAGE	REGISTERED	



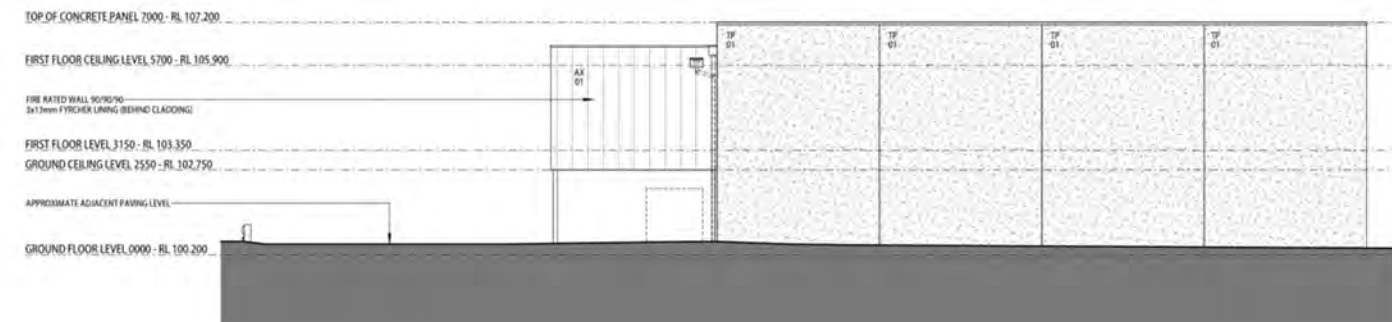
NORTH ELEVATION (E01)
1:100



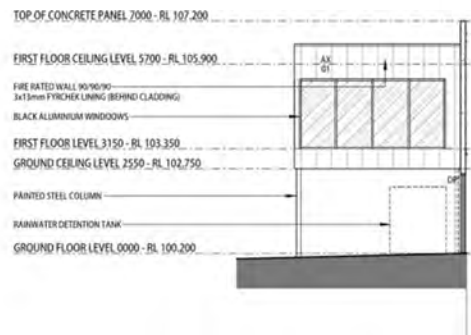
SOUTH ELEVATION (E02)
1:100



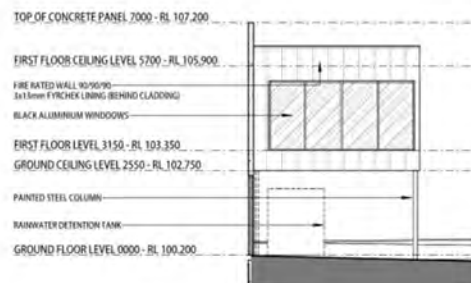
WEST ELEVATION (E03)
1:100



EAST ELEVATION (E04)
1:100

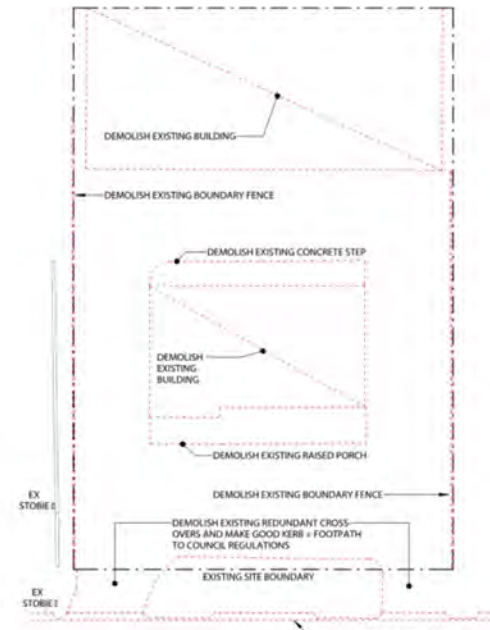


PART OF EAST ELEVATION (E05)
1:100



PART OF WEST ELEVATION (E06)
1:100

MATERIAL LEGEND



DEMOLITION PLAN
1:200



Client / IRRANCA
Address / 20 DEWER AVENUE
Suburb / RIDGEHAVEN State / SA
Postcode / 5097

Stage / PLANNING
Sheet Size / A1
Job Number / Sheet / Rev /
0454 02 E
Issue /
PLANNING APP.

Amendments /	
Rev	Date Description
B	12.04.23 PLANNING ISSUE REVIEW
C	26.04.23 FINAL PLANNING ISSUE
D	20.06.23 PLANNING RFI RESPONSE
E	24.08.23 RETAINING WALLS

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theblackrabbit.com.au /

SCALED DIMENSIONS ARE NOT TO BE USED



Singh, Rhiya

From: Leong, Joshua
Sent: Tuesday, 4 July 2023 2:43 PM
To: Michael Sheidow; Singh, Rhiya
Subject: RE: 0454_23015291_Response to Planning RFI

Hi Michael,

Apologies for the confusion – the drawing that I was reviewing had the hatched area overlapping with access car park 5.

The image attached in your previous email looks good to me – happy to go with that version.

Thank you. Please let me know if you have any questions.

Kind regards,

Joshua Leong | Traffic Engineer
City of Tree Gully
Service Centre, 1100 Golden Grove Road, Golden Grove

M 0435 268 945 | **T** 08 8397 7444

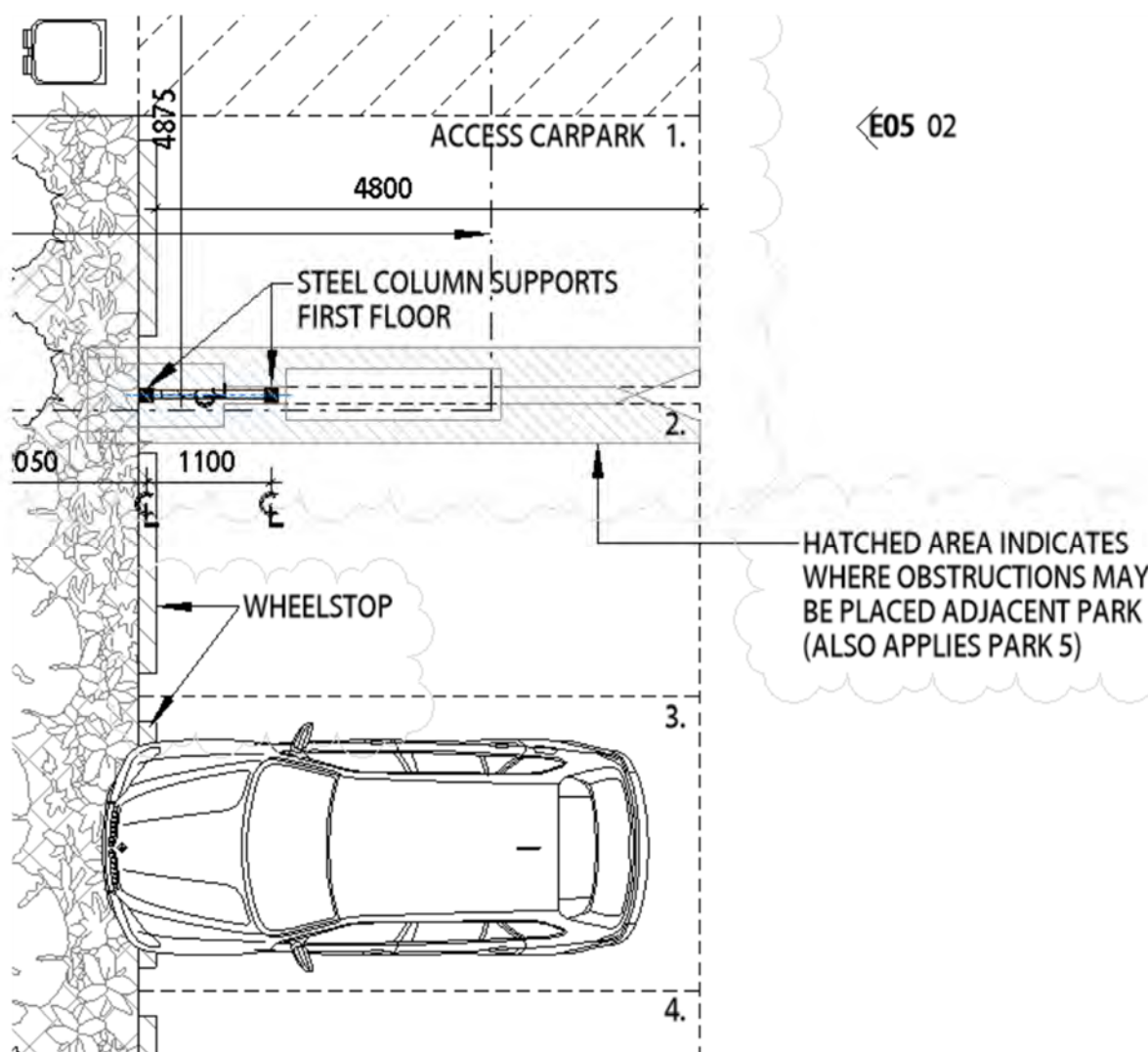
PO Box 571, Modbury, SA 5092
www.teatreegully.sa.gov.au

From: Michael Sheidow <mike@theblackrabbit.com.au>
Sent: Tuesday, 4 July 2023 1:38 PM
To: Leong, Joshua <joshua.leong@cttg.sa.gov.au>; Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>
Subject: RE: 0454_23015291_Response to Planning RFI

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

Sorry Joshua.....I am a little confused.

This screenshot shows a hatch for the unobstructed area for all four carparks. Wheelstops do not encroach. The only obstructions are the columns and they are between the parking spaces and inside the area where obstructions are allowed.



Kind Regards,

michael sheidow
director / architect b.arch(hons) RAlA

From: Leong, Joshua <joshua.leong@cttg.sa.gov.au>
Sent: Tuesday, July 4, 2023 1:29 PM
To: Michael Sheidow <mike@theblackrabbit.com.au>; Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>
Subject: RE: 0454_23015291_Response to Planning RFI

Hi Michael,

Please refer to comments below.

Thank you. Please let me know if you have any questions.

Kind regards,

Joshua Leong | Traffic Engineer
City of Tree Gully
Service Centre, 1100 Golden Grove Road, Golden Grove

M 0435 268 945 | **T** 08 8397 7444

PO Box 571, Modbury, SA 5092
www.teatreegully.sa.gov.au

From: Michael Sheidow <mike@theblackrabbit.com.au>

Sent: Tuesday, 4 July 2023 1:07 PM

To: Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>; Leong, Joshua <joshua.leong@cttg.sa.gov.au>

Subject: RE: 0454_23015291_Response to Planning RFI

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

Hi Joshua

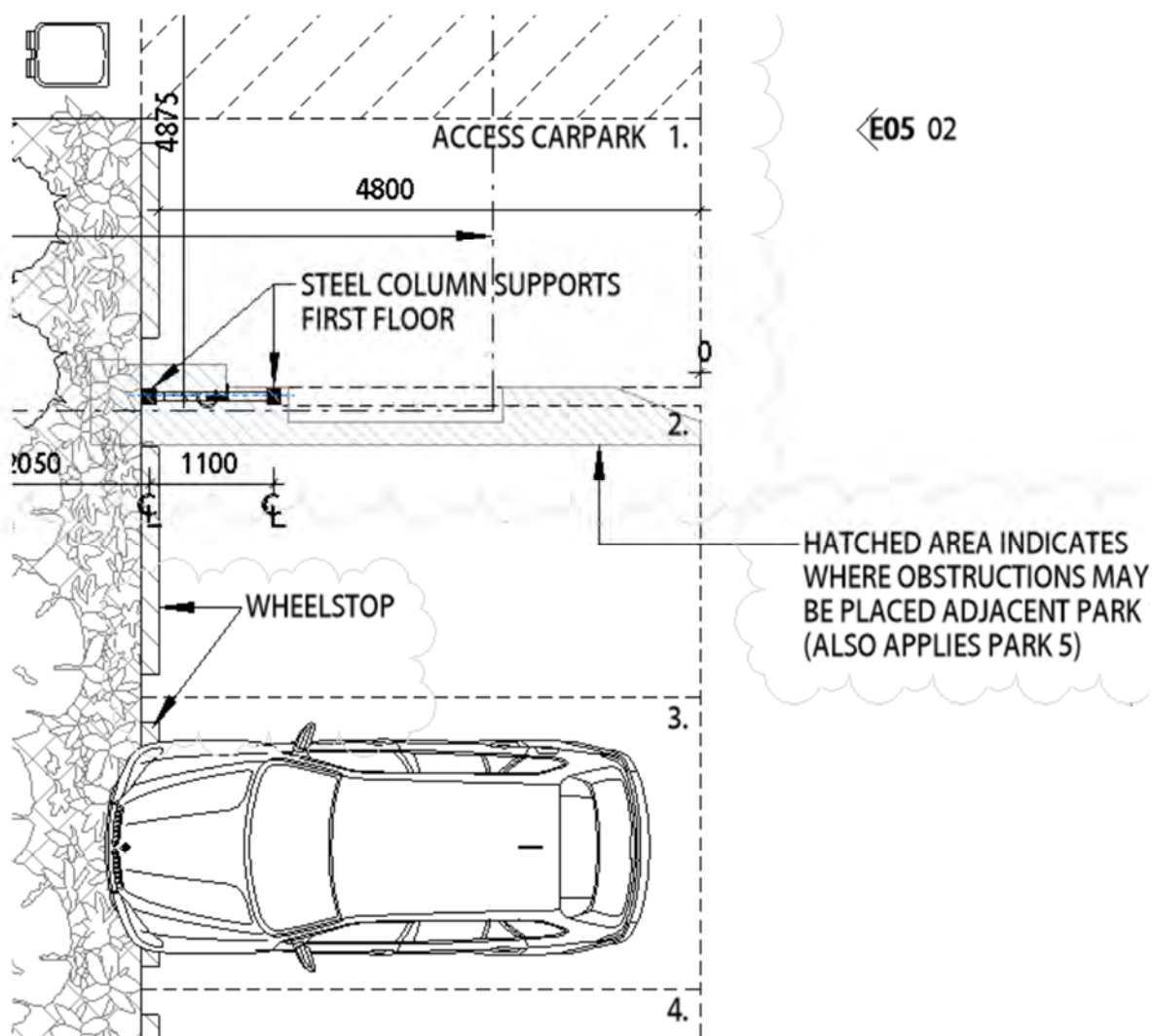
As discussed, I have amended my drawings to clarify that:

1. Parks 3 and 6 will have wheel stops. **[JL] Acknowledged**
2. Wheel stops do not encroach into the unobstructed area. **[JL] Please ensure hatched area where obstructions may be placed adjacent park 6 does not restrict required parking dimensions for access carpark 5.**

Is this what you were looking for? If yes, then I will upload amended drawings to the portal.

Item 4.2

Attachment 6



Kind Regards,

michael sheidow
director / architect b.arch(hons) RAIA

From: Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>
Sent: Thursday, June 29, 2023 1:18 PM
To: Michael Sheidow <mike@theblackrabbit.com.au>
Subject: FW: 0454_23015291_Response to Planning RFI

Hi Michael,

Please see the response from the traffic engineer regarding Item 1.

If any further clarification is required regarding the parking bays, please contact Joshua Leong and joshua.leong@cttg.sa.gov.au.

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

PO Box 571, Modbury, SA 5092
www.teatreegully.sa.gov.au

From: Leong, Joshua <joshua.leong@cttg.sa.gov.au>
Sent: Wednesday, 28 June 2023 10:46 AM
To: Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>
Subject: RE: 0454_23015291_Response to Planning RFI

Hi Rhiya,

Please see below for comments:

Item 1 – Minimum Parking Space Length: As there is a garden bed directly occupying the space within the first 600mm behind the kerb, it is considered to be an obstruction (ref AS2890.1 B4.1). Happy to proceed when there is no garden bed behind first 600mm of kerb, or wheel stops are included for all off-street parking spaces, as spaces 3 and 6 are not apparent.

B4 PARKING SPACES AND PARKING AISLES

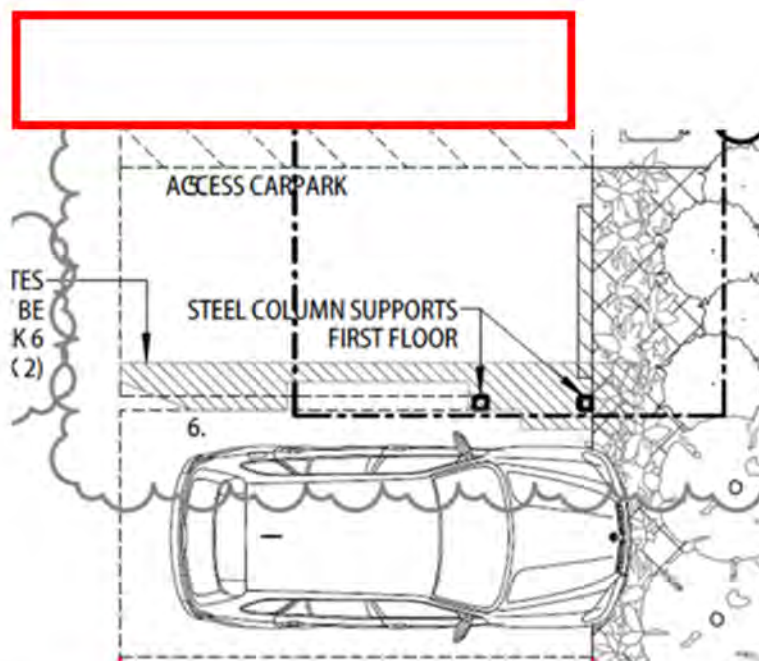
B4.1 Angle parking space design

Angle parking space dimensions are derived from the base dimensions of the vehicle by adding door opening widths to the base width. Minimum door opening width will be sufficient to meet manoeuvring clearance requirements. Different amounts of door opening will be required to provide differing levels of service (i.e. ease of access into a vehicle) for various user classes (see Table 1.1).

Parking space width is based on the B85 vehicle. Table B1 sets out the overall space width requirements for various door openings.

Where there is an obstruction adjacent to a space, e.g. a wall, column, shrubs or landscaped area, an additional 300 mm clearance is to be provided to the obstruction to achieve the designated level of service.

Item 1 – Design Envelop Around Parking Space: Access car park 1 is ok, but access car park 5 needs to be reviewed, as it is currently restricting the overall parking space.



Thank you. Please let me know if you have any questions.

Kind regards,

Joshua Leong | Traffic Engineer

City of Tea Tree Gully

Service Centre, 1100 Golden Grove Road, Golden Grove

M 0435 268 945 | **T** 08 8397 7444

PO Box 571, Modbury, SA 5092

www.teatreegully.sa.gov.au

From: Singh, Rhiya <rhiya.singh@cttg.sa.gov.au>

Sent: Wednesday, 21 June 2023 10:15 AM

To: Leong, Joshua <joshua.leong@cttg.sa.gov.au>

Subject: FW: 0454_23015291_Response to Planning RFI

Hey Josh,

This is one of Hugh's application and I have taken over while he is on leave.

Your comments to the initial proposal were: "You may have to check the Planning Code for the minimum no. of car parking spaces for each warehouse. As you have mentioned, the minimum length for parking spaces required for this application is 5.4m. The car parking spaces closest to the warehouses are confined by the post. As such, a minimum width for parking spaces required is 2.8m. Otherwise, turning circles within the parking aisle are acceptable. Am I right to assume that there is no garbage truck coming in the compound to collect bins?"

The applicant has come back with a response. Is Item 1 acceptable?

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

PO Box 571, Modbury, SA 5092
www.teatreegully.sa.gov.au

From: Michael Sheidow <mike@theblackrabbit.com.au>
Sent: Tuesday, 20 June 2023 3:22 PM
To: Wang, Hugh <haonan.wang@cttg.sa.gov.au>
Cc: Gianni Irranca (Akira) <gianni@akirabuilders.com.au>
Subject: 0454_23015291_Response to Planning RFI

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

Hi Haonan,

Following our conversation last week, and in response to your RFI we submit the following information:

ITEM 1:

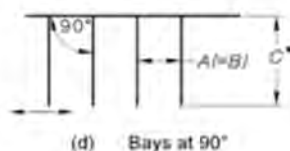
Carpark length at 4800mm allows for an overhang over the garden bed in accordance with AS2890.1 (page 13 + 14)
 See additional notes below for Item 2.

2.4 DESIGN OF PARKING MODULES

2.4.1 Angle parking spaces

Dimensions of angle parking spaces shall be as shown in Figure 2.2 subject to the following exceptions:

- (a) *Length* The nominal length of a parking space in a parking module shall be 5.4 m min except as follows:
- (i) *End overhang* Where a vehicle may overhang the end of a space, e.g. at a kerb, provided the first 600 mm immediately behind it is unobstructed, is not another parking space and is not required as a footway or for some similar purpose, space lengths measured parallel to the parked vehicle may be reduced by 600 mm. Ends of bays shall be provided with wheel stops if the requirements specified in Clause 2.4.5.4 apply.



User class (Note 1)	A (Note 3)	B	C ₁	C ₂	C ₃	Aisle width (Note 4)
1	2.4	2.4	5.4	4.8	5.4	6.2
1A	2.4	2.4	5.4	4.8	5.4	5.8
2	2.5	2.5	5.4	4.8	5.4	5.8
3	2.6	2.6	5.4	4.8	5.4	5.8
3A	2.6	2.6	5.4	4.8	5.4	6.6
3A	2.7	2.7	5.4	4.8	5.4	6.2
4	(See Note 5)					

*Dimension C is selected as follows (see Note 6):

C₁—where parking is to a wall or high kerb not allowing any overhang.

→ C₂—where parking is to a low kerb which allows 600 mm overhang in accordance with Clause 2.4.1(a)(i).

C₃—where parking is controlled by wheelstops installed at right angles to the direction of parking, or where the ends of parking spaces form a sawtooth pattern, e.g. as shown in the upper half of Figure 2.4(b).

For Notes—see over.

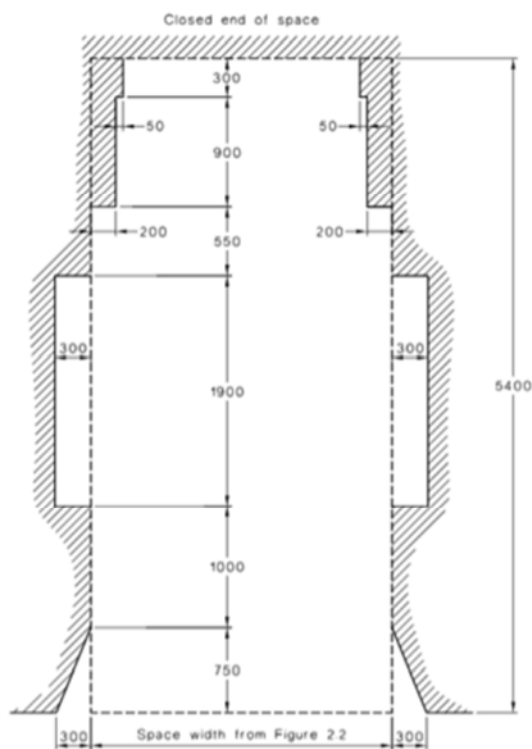
DIMENSIONS IN METRES

FIGURE 2.2 LAYOUTS FOR ANGLE PARKING SPACES

Columns supporting the first floor office are clear of the design envelope as shown in figure 5.2 (page 48).
 The design envelope is now indicated on the ground floor / site plan.

AS/NZS 2898.1:2004

48



NOTE: The design envelope provides for structural elements to be clear of all four side doors.

DIMENSIONS IN MILLIMETRES

FIGURE 5.2 DESIGN ENVELOPE AROUND PARKED VEHICLE TO BE KEPT CLEAR OF COLUMNS, WALLS AND OBSTRUCTIONS

ITEM 2:

The extent of landscaping has been increased from 6% of site area to 8% of site area. A landscaping schedule and layout of selected plants has been shown on the drawings. Plants immediately adjacent to the paving are selected as ground cover to allow cars to overhang. Along the east and west boundaries we have allowed for shrubs, beginning at 3.0m high closer to the building and stepping down to 1.5m and then 1.2m moving towards the street. We are attempting to achieve a balance between more substantial planting for aesthetics while maintaining passive surveillance from the street for security.

ITEM 3:

To improve the visual amenity to the residential neighbours across the street we have re-designed the façade to end the concrete boundary walls at the southern face of the warehouse. The first floor office is moved 600mm clear of the boundary and will be clad on all three sides. This is a reduction of the length of the eastern and western boundary walls of 6450mm each. We submit that the structure will present as less dominating in the streetscape and will be more aesthetically pleasing.

Amended drawings 01_D and 02_D are attached.

I can be contacted on 0403 308 321 if you wish to discuss amendments in more detail.

I will not upload the amended drawings to the Plan SA portal until I have received feedback from you.

Kind Regards,

michael sheidow
director / architect b.arch(hons) RAIA

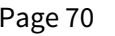


[08] 8244 0555
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Think green - read on the screen

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12.09.2023

Hugh Wang
Planning Officer
City of Tea Tree Gully

**PROPOSED OFFICE + WAREHOUSE DEVELOPMENT FOR CG & MJ IRRANCA AT
24 DEWER AVENUE RIDGEHAVEN SA 5097
DA 23015291**

Dear Hugh,

In response to the representation submitted by the northern neighbour, Mr. Alby Rogers we submit the following response:

I note that Mr. Rogers has offered a position of support for the proposed development. Mr. Rogers requested additional information regarding the height of proposed retaining walls.

A topographic survey of the site was undertaken prior to design work commencing; however, the surveyor wasn't able to get access to the property at the rear, so we only have one level (RL 98.18) to work from. This is on the neighbour's driveway paving approximately 1800mm west of the property boundary.

In order to refine the required heights for retaining walls, this office has extrapolated site levels from photographs taken on site in combination with levels taken by the surveyor.

As can be seen in site photo 0454_IMAGE 0303, the surveyor wasn't able to take site levels along the rear part of the western boundary due to vegetation and the neighbour's property. Regardless, in the image it can be seen that the ground level at the northwest corner is significantly higher than driveway paving.

Site photos 0454_IMAGE 1 + 0454_IMAGE 02 are of the north side of the existing sheds on my clients northern boundary. 0454_IMAGE 02 suggests that ground level at the southwest corner (the lowest point) is approximately 300mm below shed floor level. Shed floor level is RL 99.76, which makes the ground level RL 99.46. The civil engineer, following discussion with council's engineers, set floor level of the new warehouse at RL 100.20. Thus, existing ground level approximately 740mm below proposed floor level. Earthworks during construction may slightly reduce this ground level.

[08] 8244 0555 / hello@theblackrabbit.com.au / theblackrabbit.com.au / ABN: 64 363 134 960

Following this logic, the retained height at the northwest corner would be approximately 800mm.

As we move east along the northern boundary, as seen in *0454_IMAGE 01*, the ground level rises and the height of the retaining wall reduces proportionately.

It must be noted that the final height of the retaining walls will not be known until the existing sheds are demolished and additional site levels can be taken.

We do not expect significant variation to the retaining wall heights shown on elevations.

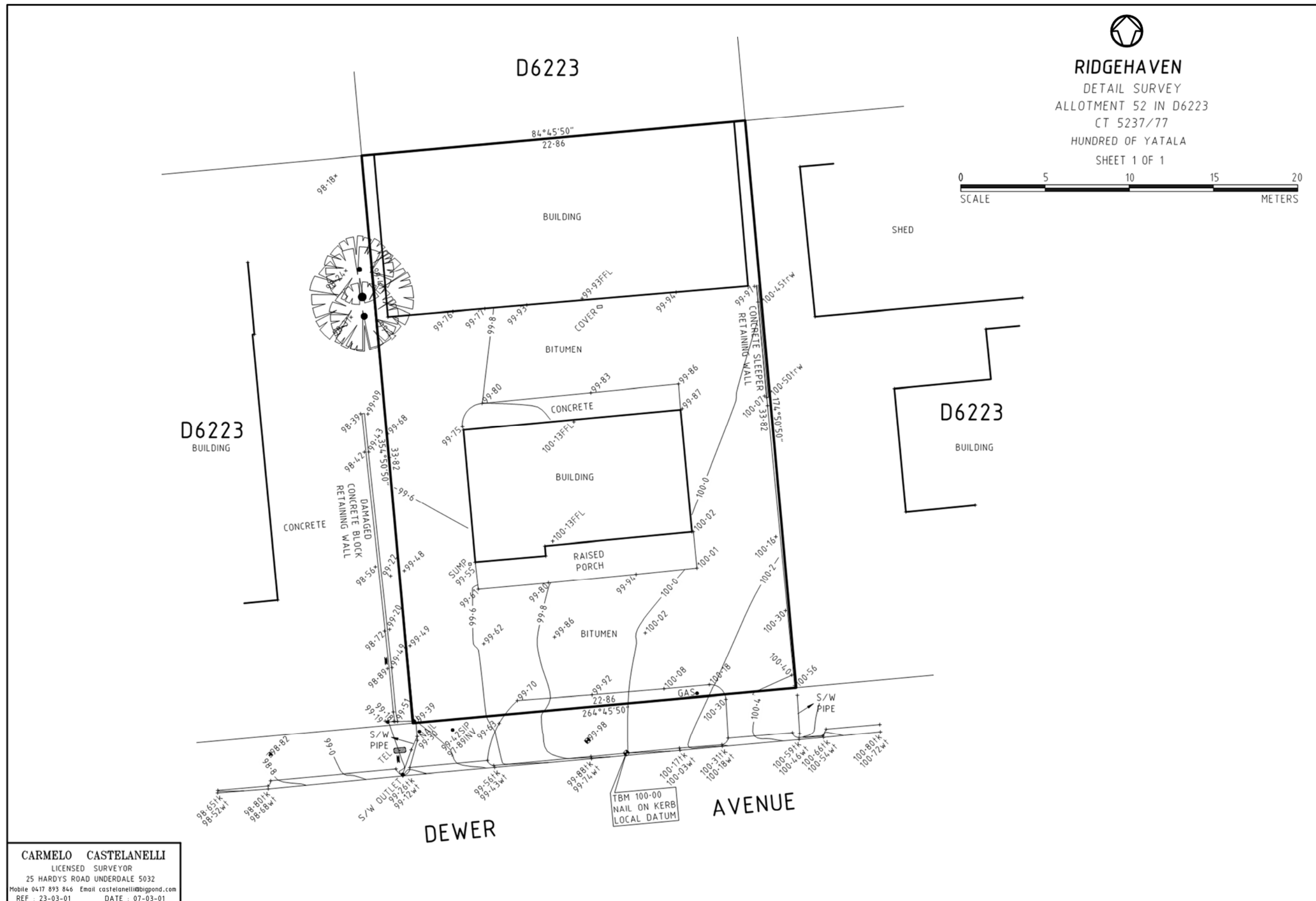
Certainly, retaining wall heights will not exceed 1000mm.

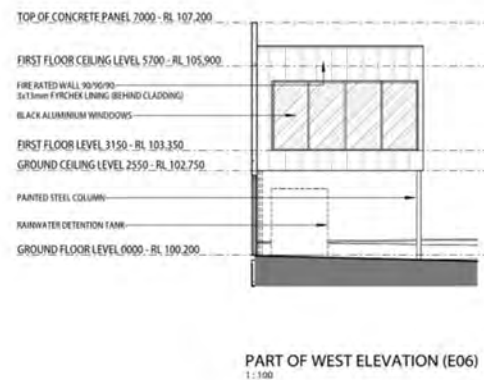
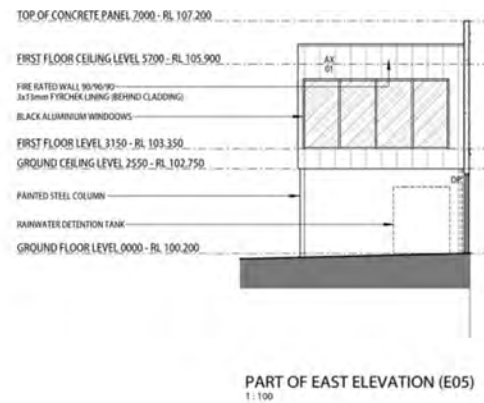
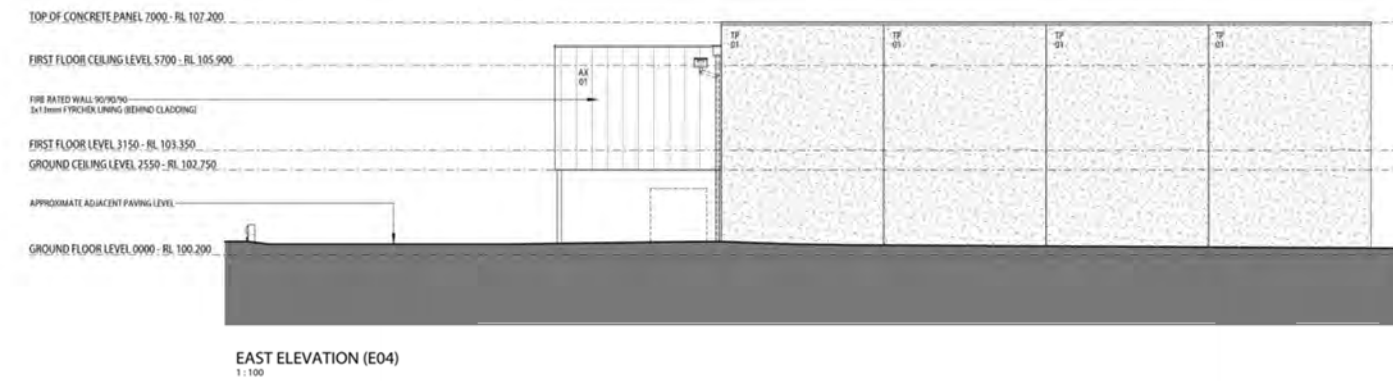
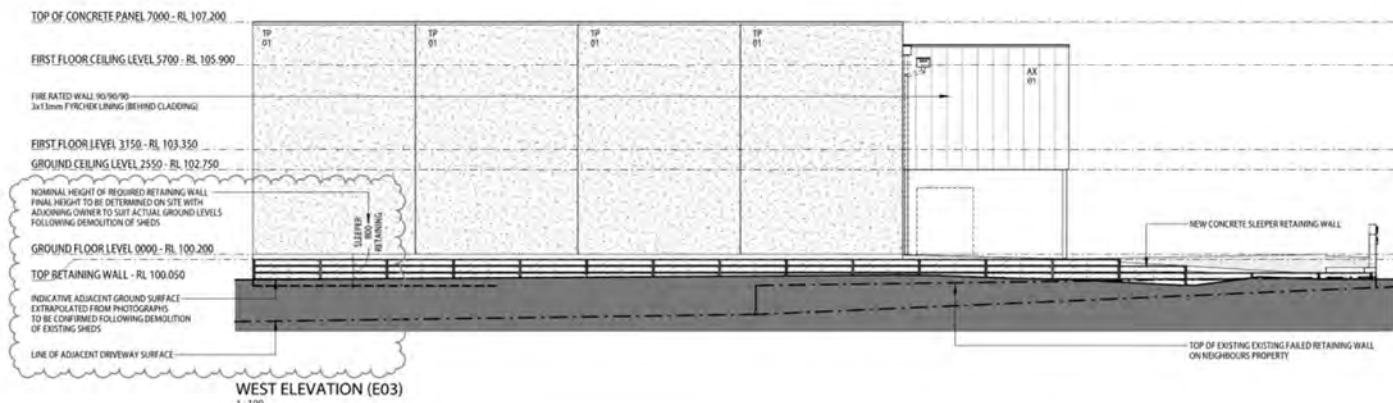
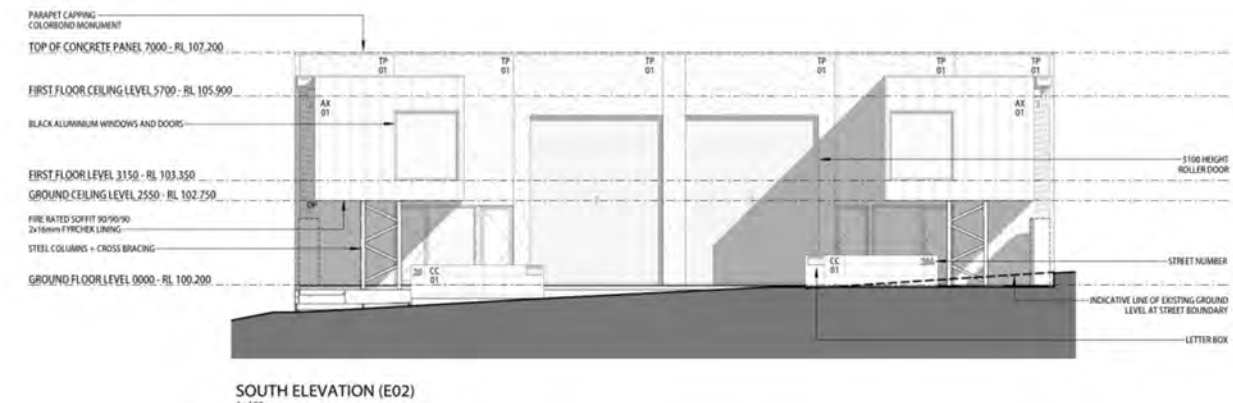
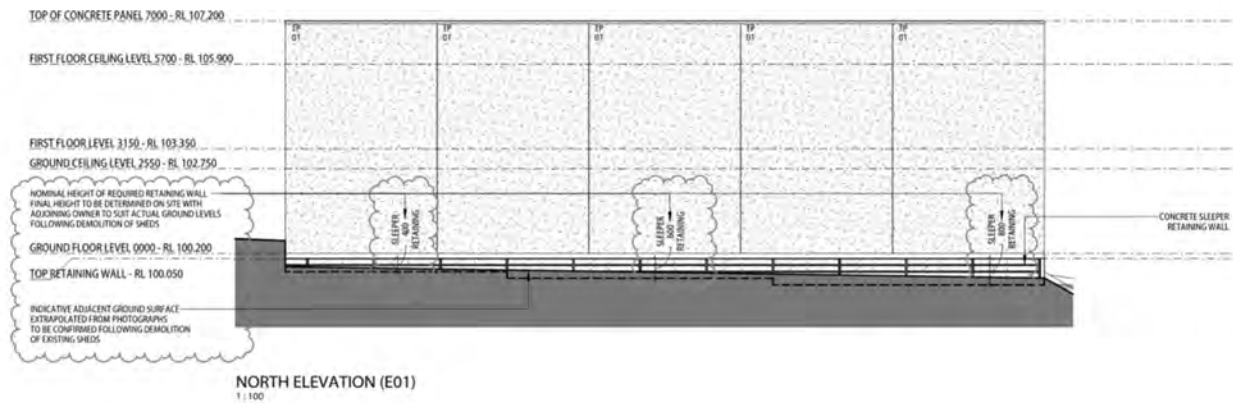
Amended drawings *0454_PLANNING APP_01_E_23.08.24 + 0454_PLANNING APP_02_E_23.08.24* reflect extrapolated adjacent ground levels and the proposed height of retaining walls.

Yours faithfully,

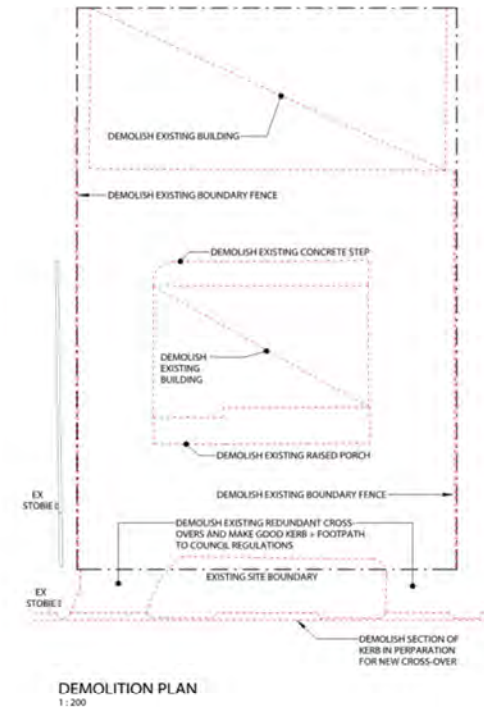
A handwritten signature in black ink, appearing to read 'Michael Sheidow', with a long horizontal flourish extending to the right.

michael sheidow
architect b.arch(hons) RAIA





MATERIAL LEGEND



Client / IRRANCA
Address / 20 DEWEY AVENUE
Suburb / RIDGEHAVEN State / SA
Postcode / 5097

Stage / PLANNING
Sheet Size / A1
Job Number / Sheet / Rev /
0454 02 E
Issue /
PLANNING APP.

Amendments /	
Rev	Date Description
B	12.04.23 PLANNING ISSUE REVIEW
C	26.04.23 FINAL PLANNING ISSUE
D	20.06.23 PLANNING RFI RESPONSE
E	24.08.23 RETAINING WALLS

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SCALED DIMENSIONS ARE NOT TO BE USED









Details of Representations

Application Summary

Application ID	23015291
Proposal	construction of 2x warehouses with associated offices and car parking.
Location	20 DEWER AV RIDGEHAVEN SA 5097

Representations

Representor 1 - Alby Rogers

Name	Alby Rogers
Address	PO Box 20 Surrey Downs ADELAIDE SA, 5126 Australia
Submission Date	08/08/2023 09:34 AM
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 We own the property behind this development (9 Jennifer Avenue Ridgehaven). Can you provide further detail regarding the rear retaining wall in respect of the finishing level of the bottom of retaining wall and other impacts to our land.	

Attached Documents