

CAP Meeting Agenda

Presiding Member: Mr Brenton Burman

I write to advise of the Council Assessment Panel Meeting to be held on Tuesday 15 April 2025 at 6:00pm in the Unley Council Chambers, 181 Unley Road Unley.



Tim Bournier
Assessment Manager

Dated: 02/04/2025

Members: Mr Brenton Burman, Ms Colleen Dunn, Mr David Brown, Mr Terry Sutcliffe, Ms Yvonne Svensson

KAURNA ACKNOWLEDGEMENT

Ngadlurlu tampinhi, ngadlu Kurna yartangka inparrinhi. Ngadlurlu parnuku tuwila yartangka tampinhi.

*Ngadlurlu Kurna Miyurna yaitya yarta-mathanya Wama Tarntanyaku tampinhi. Parnuku yaitya, parnuku tapa purruna yalarra puru purruna.**

We would like to acknowledge this land that we meet on today is the Traditional Lands for the Kurna people and that we respect their spiritual relationship with their Country.

We also acknowledge the Kurna people as the Traditional Custodians of the Adelaide region and that their cultural and heritage beliefs are still as important to the living Kurna people today.

*Kurna Translation provided by Kurna Warra Karrpanthi

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ITEM 4.1**DEVELOPMENT APPLICATION – 24018265 – 13 RALDON GROVE MYRTLE BANK**

DEVELOPMENT NO:	24018265
APPLICANT:	Peter Jones Ryan Horsnell
ADDRESS:	13 RALDON GR MYRTLE BANK SA 5064
NATURE OF DEVELOPMENT:	Alterations and additions to the existing dwelling, including partial demolition, the removal of two regulated trees and construction of a carport, verandah, deck and swimming pool and associated safety barriers.
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Historic Area • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 6m) • Minimum Frontage (Minimum frontage for a detached dwelling is 12.5m) • Minimum Site Area (Minimum site area for a detached dwelling is 400 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	2 Jul 2024
RELEVANT AUTHORITY:	Assessment manager at City of Unley
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.11 20/06/2024
CATEGORY OF DEVELOPMENT:	<p>Code Assessed - Performance Assessed</p> <ul style="list-style-type: none"> • PER ELEMENT: <ul style="list-style-type: none"> Dwelling alteration or addition Swimming pool or spa pool and associated swimming pool safety features: Accepted Demolition Carport or garage Verandah: Code Assessed - Performance Assessed Dwelling addition: Code Assessed - Performance Assessed Building Alterations: Accepted Partial demolition of a building or structure: Code Assessed - Performance Assessed Carport: Code Assessed - Performance Assessed

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	<ul style="list-style-type: none">• OVERALL APPLICATION CATEGORY: Code Assessed - Performance Assessed• REASON P&D Code
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Amelia DeRuvo Senior Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Nil
RECOMMENDATION:	Support with conditions
ATTACHMENTS:	Attachment 1 – Planning drawings and supporting documentation Attachment 2 – Representations Attachment 3 – Applicant response to representations

DETAILED DESCRIPTION OF PROPOSAL:

This application proposes the demolition of existing ancillary structures, partial demolition of an existing semi-detached dwelling, removal of two regulated trees, the construction of a two-storey dwelling addition, carport, verandah, in-ground swimming pool with associated safety features and boundary fencing. The proposed plans for consideration are contained in **Attachment 1**. Further details of each element are described below.

The proposal seeks to demolish the existing outbuilding within the rear of the allotment. Demolition of this structure will allow for the construction of the dwelling addition.

Partial demolition of the lean-to at the rear of the existing dwelling is also required in order to accommodate the proposed dwelling addition. The lean-to is a non-original addition to the dwelling.

Two regulated trees in the rear yard are proposed for removal to accommodate the footprint of the proposal. These trees are an Atlas cedar (*Cedrus atlantica*) and a Silky oak (*Grevillea robusta*).

The proposed dwelling addition is to be directly connected to the rear of the dwelling and incorporates a living/dining/kitchen area and outdoor alfresco area on the ground level with a bedroom and ensuite on the upper level. The addition is to be a contemporary style design with a low angled skillion roof form and a combination of rendered or weatherboard walling and steel cladding in a variety of natural earthy colours.

The existing dwelling is to have relatively minor alterations with the creation of a pantry/laundry within the existing floor plan and minor rear wall alterations.

An in-ground swimming pool is proposed to the rear of the additions and will be a small plunge pool set off the boundaries by a minimum of 2.4m. The pool pump equipment is to be located in a small structure to the side of the carport.

The carport and verandah are to be located to the side of the existing dwelling and additions and will be open sided 600mm from the western boundary.

The proposal will incorporate pre-coloured steel fencing along portions of the side and rear boundaries of the site 1.8m – 2.1m high.

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SUBJECT LAND & LOCALITY:

Location reference: 13 RALDON GR MYRTLE BANK SA 5064

Title ref.: CT 5441/43 **Plan Parcel:** F25668 AL50 **Council:** CITY OF UNLEY

Site Description:

The subject land is a regular shaped allotment with a total site area of approximately 399m², a depth of 35m and a width of 11.4m. The land is relatively flat with an approximate rise of 180mm towards the rear of the site.

The site currently holds a single storey semi-detached character dwelling. The dwelling is a bungalow style dwelling built in the interwar period. The site is accessed by a single width crossover.

The site is currently landscaped with a significant tree in the front yard and the two aforementioned regulated trees in the rear yard.

Locality

The locality, taking into the account the general pattern of development and likely impacts of the proposal, is shown in **Figure 1**. The locality is located predominantly within the Established Neighbourhood Zone with the western section within the Urban Renewal Zone.

The locality is entirely residential with a generally consistent pattern of large, regular shaped allotments with some smaller allotments in the southern section of the locality. Allotments are generous sized and have sizes that range between 400 – 1400m².

Dwellings in the locality are generally single storey with a wide variety of styles, with both character dwellings and younger post World War II dwellings. Whilst not widespread within the locality, there are some second storey elements evident.

The locality is well vegetated in the public realm with mature trees on street verges, predominantly Jacaranda trees. There are numerous large private trees interspersed throughout the locality.

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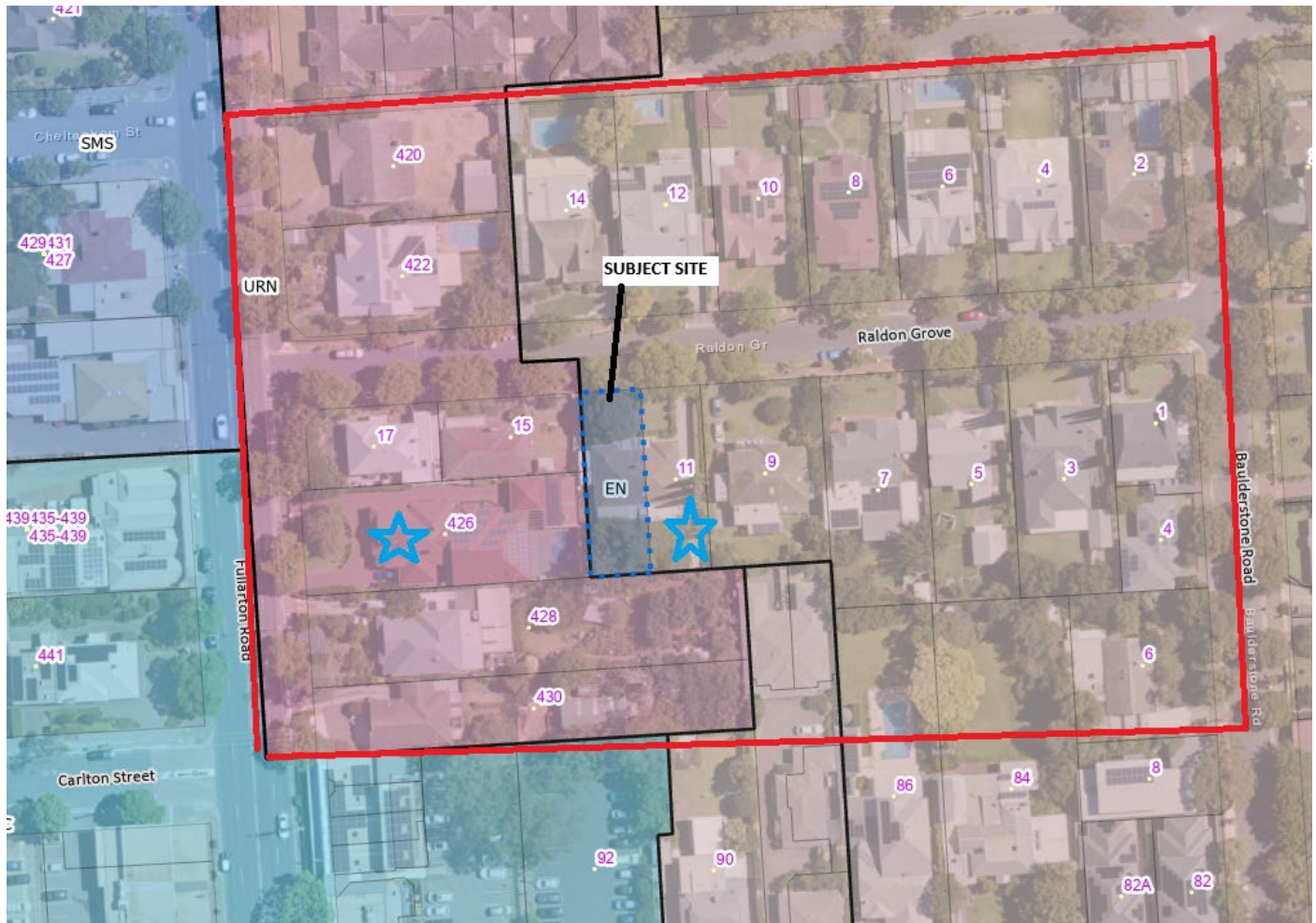


Figure 1 – Site, Locality and Representors (Blue Star)

SERIOUSLY VARIANCE ASSESSMENT

The Planning, Development and Infrastructure Act 2016, Section 107(2)(c) states that *the development must not be granted planning consent if it is, in the opinion of the relevant authority, seriously at variance with the Planning and Design Code (disregarding minor variations).*

The **Established Neighbourhood Zone Desired Outcome** states:

DO 1 – *A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.*

The proposal is for a double storey dwelling addition that is sympathetic to the built form character and development pattern of the locality.

The **Established Neighbourhood Zone Performance Outcome** states:

PO 1.1 – *Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*

The proposal is for the construction of a dwelling addition which maintains the established development pattern of the neighbourhood.

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As seen in the following planning assessment, the proposal is considered to satisfy the intent of the desired outcomes and performance outcomes with only minor variations noted against the respective designated performance features. Therefore, the proposal is not considered to be seriously at variance with the Planning and Design Code.

PUBLIC NOTIFICATION

- **REASON**

In accordance with Table 5 – Procedural Matters, the development exceeds the maximum building height specified in DPF 4.1 of the Established Neighbourhood Zone and incorporates boundary development that either exceeds a length of 8m or a height of 3.2m.

As part of the public notification process, 28 owners and/or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject land for the duration of the notification period. A copy of the representations can be found in **Attachment 2**.

During the notification period, Council received two representations, one of which entered their representation 7 times. One representation was in support of the development but with and one representation does not support the development. Both representors have requested to be heard by the Council Assessment Panel.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	Support the development with some concerns	Yes	Self
[REDACTED]	Do not support the development	Yes	Self

Summary:

The representors raised the following the concerns:

- Setbacks
- Damage to private tree
- Overshadowing
- Privacy

The applicant provided a response to the representations which can be found in **Attachment 3**. This response was provided to the representors. The only amendment made to the plans in response to the representations were increased privacy screening on the western elevation.

AGENCY REFERRALS

The application was not subject to any external referrals.

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INTERNAL REFERRALS

The application was not subject to any internal referrals.

RULES OF INTERPRETATION

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcomes (DOs).

In order to interpret Performance Outcomes, the policy includes a standard outcome that generally meets the corresponding performance outcome (Designated Performance Feature or DPF). A DPF provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

Demolition and partial demolition

Historic Area Overlay Performance Outcomes (PO) state:

PO 7.2 – Historic Area Overlay

Partial demolition of a building where that portion to be demolished does not contribute to the historic character of the streetscape.

PO 7.3 – Historic Area Overlay

Buildings or elements of buildings that do not conform with the values described in the Historic Area Statement may be demolished.

The site is located within the **Residential Spacious Malvern Highgate Fullarton and Myrtle Bank (South) Historic Area Statement (Un25)** which includes development from 1880 to 1940 and identifies dwelling styles such as Victorian, Turn-of-Century and Inter-War.

In order to accommodate the proposed dwelling addition, the existing outbuilding and ancillary structures within the rear of the site are to be demolished in their entirety, with the rear lean-to of the existing dwelling also to be demolished.

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The existing outbuilding and ancillary structures are not considered to conform with the values described in the Historic Area Statement. The attached rear lean-to is a more recent addition to the dwelling and is not considered to contribute to the historic character of the streetscape.

Therefore, the structures proposed for demolition or partial demolition can be demolished in accordance with PO 7.2 and 7.3 of the Historic Area Overlay.

Regulated And Significant Tree Impacts

One representor raised concerns regarding a large tree in their rear yard, a Chinese Pistache tree. The applicant has identified that this tree is within 3 metres of the dwelling and is therefore not regulated. The applicant states that they will ensure a suitably qualified arborist will consult with the owner of the tree for any pruning and will respect the neighbour's concerns.

Regulated and Significant Tree Overlay PO's state:

DO 1 – Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

PO 1.1 - Regulated trees are retained where they:

- a) make an important visual contribution to local character and amenity*
- b) are indigenous to the local area and listed under the National Parks and Wildlife Act 1972 as a rare or endangered native species and/or*
- c) provide an important habitat for native fauna.*

The proposal includes the removal of two regulated trees in the rear yard to accommodate the proposed dwelling additions and swimming pool.

When assessed against PO 1.1 a tree must meet one of the above criteria to justify retention. Neither tree is indigenous and rare or endangered nor were they found to provide important habitat for native fauna. As such it must be determined if the trees make an **important** contribution to the character and amenity.

The two trees are an Atlas cedar (*Cedrus atlantica*) and a Silky oak (*Grevillea robusta*). The Atlas cedar tree is located the south-eastern corner of the rear yard and has been assessed as being in good health. The Silky Oak is located 1.1m from the rear boundary in the centre of the rear yard and has been assessed to be in fair health.

The locality is generally well vegetated with established street trees and a range of medium to large trees in private land. The most notable trees on private land are located in a commercial car park to the south of the subject site. The subject site has a significant tree in the front yard and the two subject trees in the rear yard.

A site visit observed that the two subject trees have minimal visibility to the streetscape and locality with views limited to Raldon Grove directly in front of the site and from the two sites either side of the subject land. There are minor views attained from Fullarton Road to the west. The site is dominated by the significant tree in the front yard and the locality is dominated by the large established street trees.

The applicant provided a report from Oxigen Landscape Architects assessing the contribution both trees provide to the local character and amenity. In this report it was identified that:

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“The landscape character of the locality is influenced by the adjacent allotments with, mostly, single dwellings, established gardens with extensive tree canopy, and the large, mature street trees in Raldon Grove.”

Further, when assessed against the relevant PO, it was noted in the report that:

“...whilst the trees contribute towards local character and amenity, they do not make an important contribution.”

“Given their location in the rear garden of the subject land, the presence of existing vegetation on the subject land and adjacent properties, the limited visibility of the subject trees from the streets within the locality, I do not consider the subject trees as significant landmarks within the locality.”

“...the subject trees are not of significant amenity value and could be replaced by trees as part of the proposed new works at the property.”

Based on onsite observations it is agreed that the trees do contribute to the character and amenity of the locality however, their restricted visibility limits their value when balanced against the other notable trees both on the private land and in the public realm.

As such the trees do not satisfy PO 1.1 as they do not make an **important** contribution to the local character and amenity and can be supported for removal.

Dwelling Additions and Alterations

Land Use

Established Neighbourhood Zone Desired Outcomes (DO) and PO's are as follows:

DO 1 – *A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.*

DO 2 – *Maintain the predominant streetscape character, having regard to key features such as roadside plantings, footings, front yards, and space between crossovers.*

PO 1.1 – *Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*

The proposal seeks to construct dwelling additions and alterations to the existing dwelling located on the site. A carport, verandah, boundary fencing and an in-ground swimming pool are also proposed. A dwelling is an envisaged use within the Established Neighbourhood Zone. The proposed works to the dwelling itself and associated ancillary works are considered to be compatible with the established development pattern of the neighbourhood and therefore, meets the desired and performance outcomes of the Established Neighbourhood Zone.

Built Form

Historic Area Overlay DO and PO's state:

DO1 – *Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that response to existing coherent patterns of*

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land division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

PO 1.1 – *consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.*

PO 2.2 – *Development is consistent with the prevailing building and wall heights in the historic area.*

PO 2.3 – *Design and architectural detailing of street-facing buildings (including but not limited to roof pitch and form, openings, chimneys and verandahs) complement the prevailing characteristics in the historic area.*

PO 2.4 – *Development is consistent with the prevailing front and side boundary setback pattern in the historic area.*

PO 2.5 – *Materials are either consistent with or complement those within the historic area.*

PO 3.1 – *Alterations and additions complement the subject building, employ a contextual design approach and are sited to ensure that they do not dominate the primary façade.*

Established Neighbourhood Zone PO's state:

PO 4.1 – *Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.*

PO 4.2 – *Additions and alterations do not adversely impact on the streetscape character.*

PO 7.1 – *Walls on boundaries are limited in height and length to manage visual and overshadowing impacts on adjoining properties.*

PO 8.1 – *Buildings 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.*

PO 9.1 – *Buildings are set back from rear 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*
- c) *private open space*
- d) *space for landscaping and vegetation.*

PO 10.1 – *Garages and carports are designed and sited to be discreet and not dominate the appearance of the associated dwelling when viewed from the street.*

PO 10.2 – *The appearance of development as viewed from public roads is sympathetic to the wall height, roof forms and roof pitches of the predominant housing stock in the locality.*

The proposed dwelling additions are to be two levels and overall height of 6m above natural ground level. These building heights meet the physical desired height but exceed the desired number of building levels as sought by the Established Neighbourhood Zone PO 4.1's associated DPF.

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Dwellings in the locality are generally single storey with pronounced rooflines approximately 6m or greater in height. The upper level of the dwelling additions is to be setback 18.5m from the front boundary and due to the limited overall height will have minimal visibility to the street and locality. The overall height of 6m also ensures the development has limited visual impact to the adjoining properties as it is no higher than many of the existing single storey dwellings in the locality. Given this, the inclusion of a second storey that does not exceed the desired maximum building height is acceptable.

The proposed setbacks of the dwelling additions are broadly consistent with the existing pattern of development with the exception of the eastern setbacks. This wall is located on the boundary abutting the adjoining semi-detached dwelling. The wall extends for 3.5m beyond the adjoining wall and will be a maximum height of 3.1m from ground level. The visual impact of this wall is considered to be acceptable with the wall to be rendered in consultation with the adjoining neighbour.

The desired upper-level setback is 3m with the proposal demonstrating a setback of 740mm at the closest point of the eastern boundary. The applicant has sought to mitigate this shortfall by angling the upper-level wall in such that the upper part of the wall is setback 1.6m. Further mitigating the shortfall is the projection of the upper level beyond the existing boundary development on the adjoining property by just 3.5m. Whilst the upper level will be visible to the adjoining property to the east, the visual impact is not considered unreasonable given the limited building height, design elements and materials.

The two-storey form, the siting and design of the dwelling addition is considered sympathetic to the site and locality and satisfies PO 1.1, 2.2 and 3.1 of the Historic Area Overlay and PO 4.1, 4.2, 7.1, 8.1 and 10.1 of the Established Neighbourhood Zone.

Site Coverage

Established Neighbourhood Zone PO 3.1 states:

***PO 3.1** – Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation*

The post-development site coverage will be 52.88%. This is over the desired site coverage sought by DPF 3.1 of the Established Neighbourhood Zone which seeks a maximum site coverage of 50%. The site coverage is 11m² over the desired amount which is considered to be a minor exceedance. Further, the extent of built form proposed and its siting within the subject land is consistent with other similar sites in the locality and the minor exceedance will not detrimentally impact the locality and satisfies the above noted PO.

Overlooking and Overshadowing

General Development Policies – Design in Urban Areas PO 10.1 states:

***PO 10.1** – Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.*

General Development Policies – Interface between Land Uses PO's state:

***PO 3.1** – Overshadowing of habitable room windows of adjacent residential land uses in:*
a) *a neighbourhood-type zone is minimised to maintain access to direct winter sunlight*
b) *other zones is managed to enable access to direct winter sunlight*

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PO 3.2 – Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in:

- a) *a neighbourhood type zone is minimised to maintain access to direct winter sunlight*
- b) *other zones is managed to enable access to direct winter sunlight*

PO 3.3 – Development does not unduly reduce the generating capacity of adjacent rooftop solar energy

The representors raised concerns regarding privacy and overshadowing. The applicant responded to these concerns with sightline diagrams and overshadowing diagrams demonstrating the extent of both matters.

The proposal incorporates first floor habitable room windows to all four elevations. The windows to the east and west are high level windows with sill heights 2m from the upper floor level bar one window facing west. This western facing window opens to the stair well and is located above the void of the stairs. The sightline diagrams demonstrate that the views through this window are from the landing some 4.5m from the window and only enable views to the roof of the adjoining outbuilding. The northern windows are facing the street and have no views over rear yards or adjoining dwelling windows. The southern windows are full height with privacy timber battens proposed. These timber battens are arranged horizontally with no more than 25% transparency. This method of privacy screening is consistent with DPF 10.1 of the Design in Urban Areas.

The applicant has provided overshadowing diagrams that demonstrate the extent of overshadowing from the proposal on the Winter Solstice (21 June). Due to the site's north-south axis, the overshadowing impacts are largely limited to the directly adjoining property to the east of the subject site. The overshadowing diagrams demonstrate that the adjoining property to the east will be provided with at least two hours of unencumbered solar access to their private open space areas. The site to the west will be largely unimpacted due to the setback from the side boundary and the existing structures on this site.

Overall, the proposed development is considered to meet the performance outcomes relating to overlooking and overshadowing. The proposed development is not expected to result in significant off-site amenity impacts to adjoining properties.

Private Open Space and Landscaping

General Development Policies – Design in Urban Areas PO's state:

PO 21.1 – Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.

PO 21.2 – Private open space is positioned to provide convenient access from internal living areas.

PO 22.1 – Soft landscaping is incorporated into development to:

- a) *minimise heat absorption and reflection*
- b) *contribute shade and shelter*
- c) *provide for stormwater infiltration and biodiversity*
- d) *enhance the appearance of land and streetscapes.*

The proposal provides 104m² of private open space within the rear of the site. This includes a covered terrace and in-ground swimming pool, as well as a landscaped area. The private open space is located behind the building line of the dwelling and is accessible from the living areas of the dwelling. This is considered to satisfy both PO 21.1 and PO 21.2

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The post-development soft landscaping retained on site will have an area of 103m², which constitutes 25.8% of the site area. This satisfies DPF 22.1 of Design in Urban Areas which seeks soft landscaping to cover 25% of the site. The site retains the existing front landscaping and retains a large portion of the rear yard. The applicant has provided a comprehensive landscaping plan noting the inclusion of four trees to be planted compensating for the loss of the two regulated trees.

It is considered that the provided landscaping will continue to minimise heat absorption, provide stormwater infiltration and enhance the appearance of the site. The soft landscaping is considered to be acceptable satisfying PO 22.1.

Swimming Pool And Associated Safety Features

General Development Policies – Design in Urban Areas PO 19.3 states:

***PO 19.3** – Fixed plant and equipment in the form of pumps and/or filtration systems for a swimming pool or spa positioned and/or housed to not cause unreasonable noise nuisance to adjacent sensitive receivers.*

The application includes the proposed construction of an in-ground swimming pool and associated safety features. The swimming pool will be in the south-western corner of the site behind the dwelling.

The swimming pool will have a setback of 2.3m and 2.7m from the southern and western boundaries respectively. The pool pump equipment is to be located in an enclosure on the western boundary. This is adjacent the neighbouring properties large outbuilding. Whilst the enclosure is not noted as being acoustically treated, a condition will be included as part of the recommendations to ensure no adverse impacts.

Fencing

Historic Area Overlay PO's state:

***PO 1.1** – All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.*

***PO 4.4** – Fencing and gates closer to a street boundary (other than a laneway) than the elevation of the associated building are consistent with the traditional period, style and form of the associated building.*

General Development Policies – Design in Urban Areas PO 9.1 states:

***PO 9.1** – Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

The proposed fencing will be located along the eastern, southern and western boundaries. The fencing is to be constructed of pre-coloured steel 1.8m high with the fencing to the eastern boundary to remain. Whilst technically not development in its own right the fencing will maintain the privacy of respective open spaces of the subject site and adjoining residential properties.

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CONCLUSION

Whilst the development does not satisfy some of the Designated Performance Features set out within the relevant Performance Outcomes, these shortfalls are not considered to be detrimental to the established character of the locality.

The matters raised by the representors have been considered in the course of this assessment. Having considered all the relevant assessment provisions, the proposal is considered to satisfy the intent of the Desired Outcomes and Performance Outcomes of the Planning and Design Code for the following reasons:

- On balance the proposed development satisfies the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies.
- The proposal has been sympathetically designed with consideration given to the predominant built form character and development pattern of the locality and is consistent with the adjacent development.
- The proposal's use of materials and materials is complementary to both the existing dwelling and the streetscape.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24018265, by Peter Jones and Ryan Horsnell is GRANTED Planning Consent subject to the following reasons/conditions/reserved matters:

CONDITIONS

Planning Consent

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

The permanently fixed privacy screening as shown on the approved plans and elevation drawings forming part of this consent, must be installed prior to the commencement of use of the building. The permanently fixed privacy screening must be maintained in good condition and must be maintained as effective privacy controls thereafter.

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Condition 4

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

Condition 5

That wastewater from the swimming pool shall be discharged to the sewer and not be allowed to flow onto adjoining properties or the street water table under any circumstances.

Condition 6

Noise generated from ancillary pool and/or spa equipment must not exceed specified noise levels to limit loss of amenity to adjoining properties. For this purpose, noise generated from ancillary pool / spa equipment shall not exceed 52 db(a) between 7am and 10pm and 45 db(a) between 10pm and 7am on any day, measured from a habitable room window or private open space of an adjoining dwelling.

Condition 7

Tree Protection Zones shall be provided for the significant tree on the adjoining site that are to be retained. The development must be undertaken in accordance with the recommendations of the arborist report prepared by Adelaide Arb Consultants, dated 28 January 2025, and any pruning of regulated or significant trees should be undertaken under the guidance of a qualified arborist.

Additionally:

- No major trenching shall occur within the Tree Protection Zone and no services shall traverse the Tree Protection Zone.
- All works within the Tree Protection Zone shall be undertaken using tree sensitive methodologies.
- Signage shall be erected indicating that no building materials shall be stored or disposed of within the Tree Protection Zone and vehicles shall not traverse over the area or be stored within the Tree Protection Zone.
- Nothing shall be attached to the canopy of the trees by any means.
- It is recommended that the dead wood in the canopy be removed prior to construction and absolutely no live wood is to be removed.

Condition 8

Replacement trees must be planted within 12 months of completion of the development at the following rates:

- i. if the development relates to a regulated tree—2 trees to replace a regulated tree; or
- ii. if the development relates to a significant tree—3 trees to replace a significant tree.

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 3 metres of an existing dwelling or inground swimming pool.

ADVISORY NOTES

Planning Consent

Advisory Note 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.

ITEM 4.1

DEVELOPMENT APPLICATION – 24018265 – 13 RALDON GROVE MYRTLE BANK

Advisory Note 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.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 5

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environmental (Noise) Policy 2007*.

Advisory Note 6

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Advisory Note 7

That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

ATTACHMENT 1



LOCATION PLAN

DRAWING SCHEDULE - PLANNING

NO	ARCHIECTURAL DRAWING NAME	DATE	I
00	DRAWING SCHEDULE/ LOCATION PLAN	14.11.2024	PR3
01	EXISTING/ DEMOLITION PLAN	20.06.2024	PR1
02	SITE PLAN	20.06.2024	PR1
03	GROUND FLOOR PLAN	20.06.2024	PR1
04	FIRST FLOOR PLAN	14.11.2024	PR2
05	ROOF PLAN	28.06.2024	PR2
06	ELEVATIONS	14.11.2024	PR3
07	SECTIONS	28.06.2024	PR2
08	MATERIALS BOARD	20.06.2024	PR1

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0 20m 40m 100m
Scale 1: 2000

ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

**DRAWING SCHEDULE/
LOCATION PLAN**

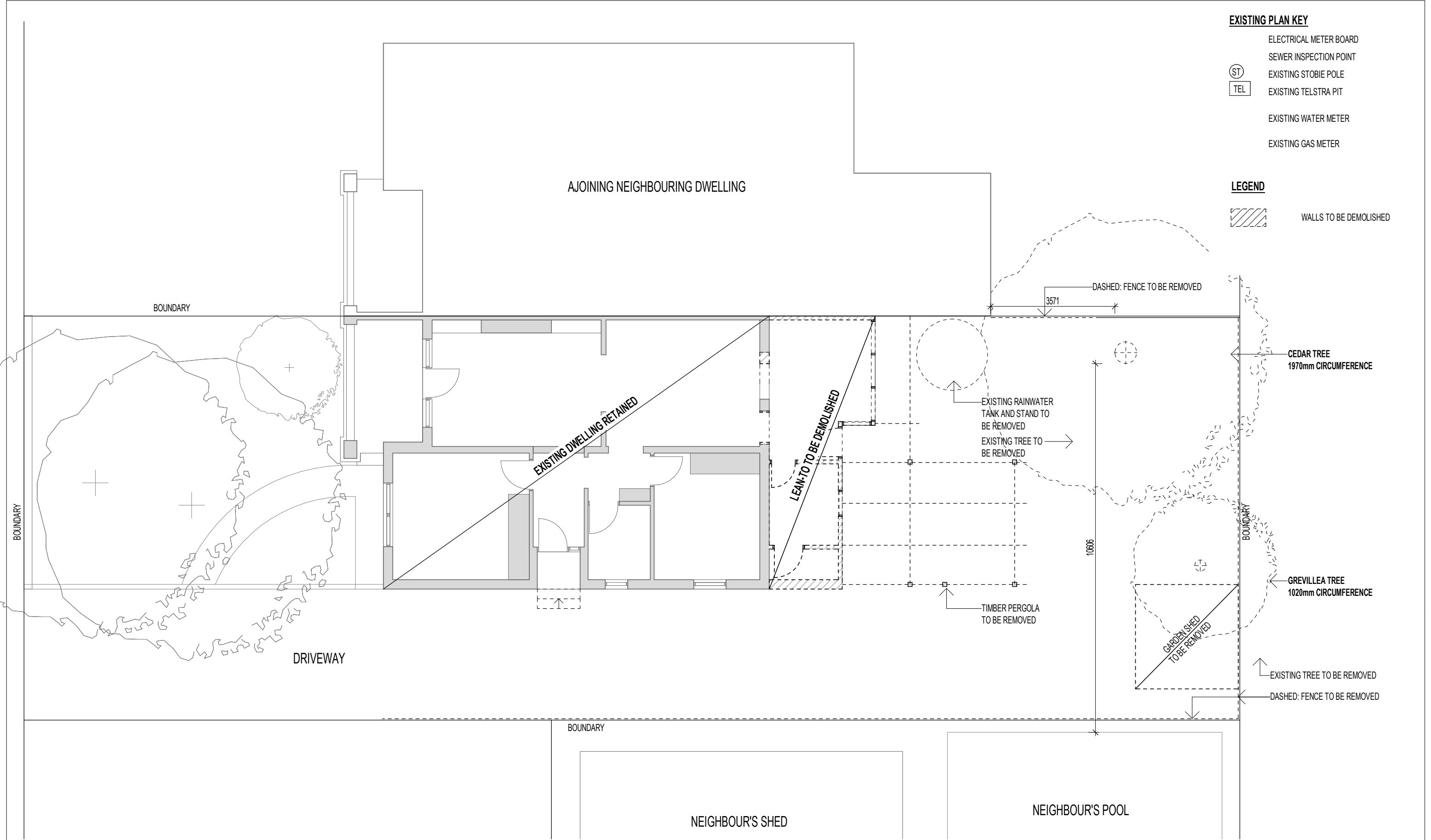
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			Job No: 670	Issue: PR3
			Scale: 1 : 2000 @ A3	
			Issue Date: 14.11.2024	Dwg No: 00
PR3	14.11.2024	REVISIONS AS CLOUED	Drawn: DF	Checked: 19
PR2	28.06.2024	REVISIONS AS CLOUED		
PR1	20.06.2024	PLANNING ISSUE		
ISSUE	DATE	AMENDMENT		

EXISTING PLAN KEY

- ELECTRICAL METER BOARD
- SEWER INSPECTION POINT
- EXISTING STOBIE POLE
- EXISTING TELSTRA PIT
- EXISTING WATER METER
- EXISTING GAS METER

LEGEND

- WALLS TO BE DEMOLISHED



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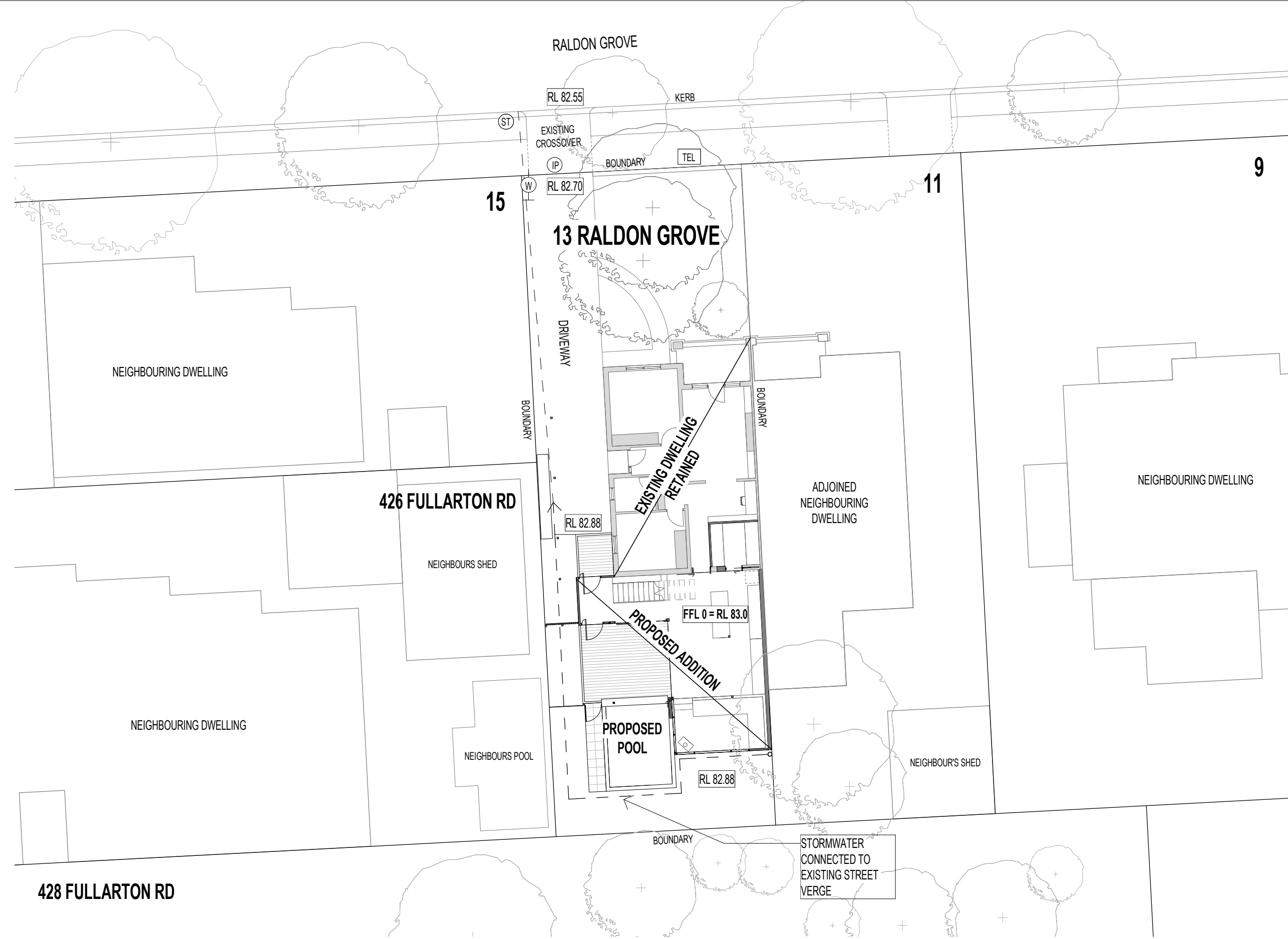


ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

EXISTING/ DEMOLITION PLAN

			Job No:	670	Issue:
			Scale:	1 : 100 @ A3	PR1
			Issue Date:	20.06.2024	Dwg No:
			Drawn:	DF	Checked:
PR1	20.06.2024	PLANNING ISSUE			20
ISSUE	DATE	AMENDMENT			01



SITE PLAN KEY

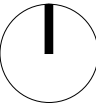
- IP SEWER INSPECTION POINT
- ST EXISTING STOBIE POLE
- TEL EXISTING TELSTRA PIT
- W EXISTING WATER METER

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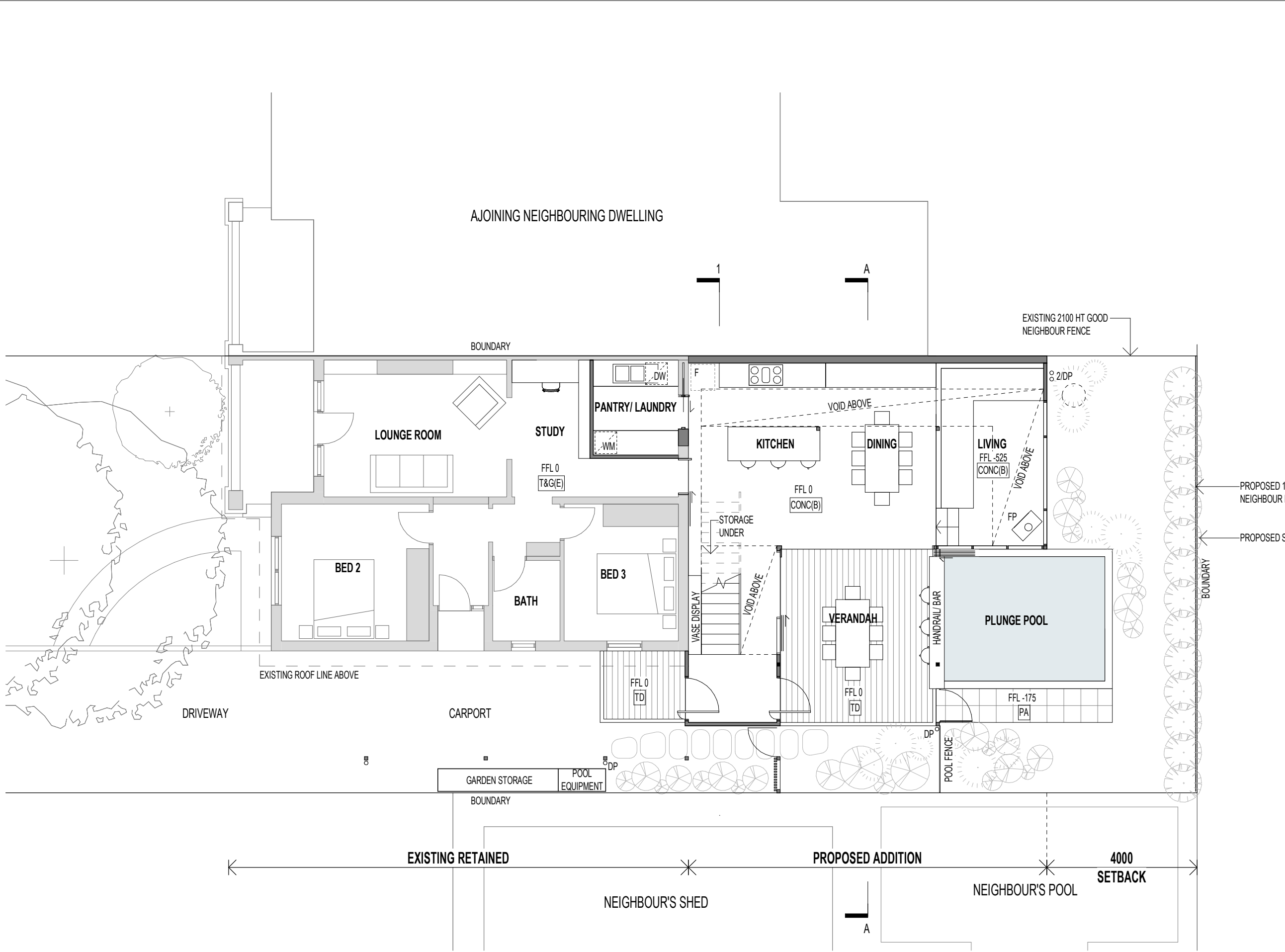
ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

SITE PLAN

PR1	20.06.2024	PLANNING ISSUE
ISSUE	DATE	AMENDMENT

Job No:	670	Issue:	PR1
Scale:	1 : 200 @ A3		
Issue Date:	20.06.2024	Dwg No:	02
Drawn:	DF	Checked:	21



PLAN KEY

DP	100mm DIA ZINC. DOWNPIPE TO CONNECT TO EXISTING STORMWATER SYSTEM
DW	DISHWASHER LOCATION
F	FRIDGE LOCATION
FP	FIREPLACE
RH	RAIN HEAD
SDP	NOM 100 DIA ZINC. STUB DOWNPIPE TO ROOF BELOW
TS	TIMBER SLATS/ SCREEN AS DETAILED
WM	WASHING MACHINE LOCATION

FLOOR MATERIALS KEY

CONC(B)	BURNISHED CONCRETE
PA	PAVING
T&G	TONGUE & GROOVE HW FLOOR BOARDS AS SPEC.
T&G(E)	EXISTING TONGUE & GROOVE FLOORBOARDS RETAINED
TD	TIMBER DECKING BOARDS AS SPEC.

WALL LEGEND

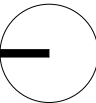
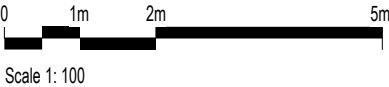
	NEW TIMBER STUD WALLS TO STRUCT. ENG. DOCS.
	EXISTING MASONRY WALLS

PLANNING ISSUE

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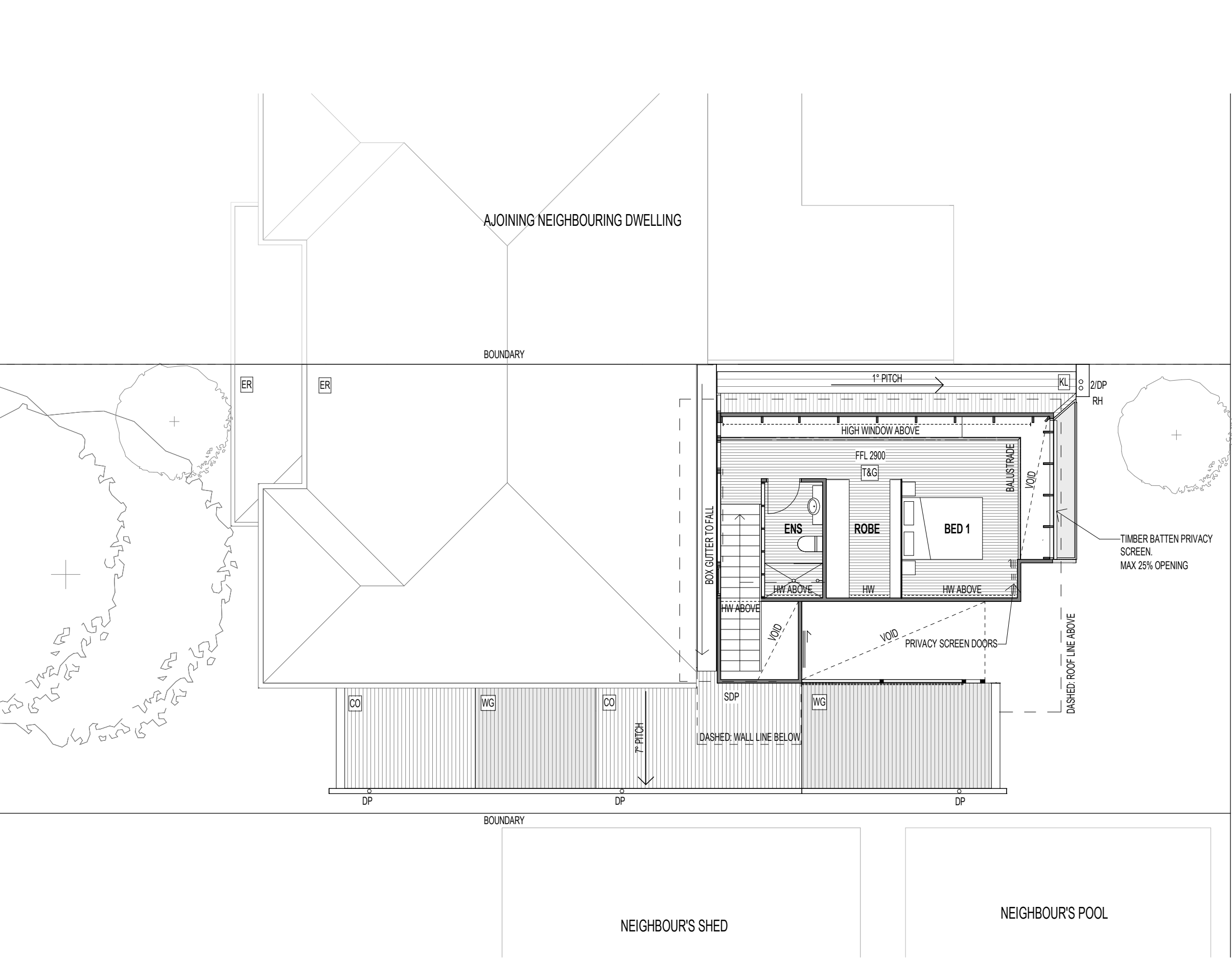
ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

GROUND FLOOR PLAN

PR1	20.06.2024	PLANNING ISSUE
ISSUE	DATE	AMENDMENT

Job No:	670	Issue:	PR1
Scale:	1 : 100 @ A3	Dwg No:	03
Issue Date:	20.06.2024	Drawn:	DF
		Checked:	22



PLAN KEY

- DP 100mm DIA ZINC. DOWNPIPE TO CONNECT TO EXISTING STORMWATER SYSTEM
- DW DISHWASHER LOCATION
- F FRIDGE LOCATION
- FP FIREPLACE
- RH RAIN HEAD
- SDP NOM 100 DIA ZINC. STUB DOWNPIPE TO ROOF BELOW
- TS TIMBER SLATS/ SCREEN AS DETAILED
- WM WASHING MACHINE LOCATION

FLOOR MATERIALS KEY

- CONC(B) BURNISHED CONCRETE
- PA PAVING
- T&G TONGUE & GROOVE HW FLOOR BOARDS AS SPEC.
- T&G(E) EXISTING TONGUE & GROOVE FLOORBOARDS RETAINED
- TD TIMBER DECKING BOARDS AS SPEC.

WALL LEGEND

- NEW TIMBER STUD WALLS TO STRUCT. ENG. DOCS.
- EXISTING MASONRY WALLS

PLANNING ISSUE

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01m2m5m

Scale 1: 100

ALTERATIONS AND ADDITIONS

FOR PETER JONES AND
13 RALDON GROVE, MYRTLE BANK SA

FIRST FLOOR PLAN

PR2	14.11.2024	REVISIONS AS CLOUDED
PR1	20.06.2024	PLANNING ISSUE
ISSUE	DATE	AMENDMENT

Job No: 670

Scale: 1 : 100 @ A3

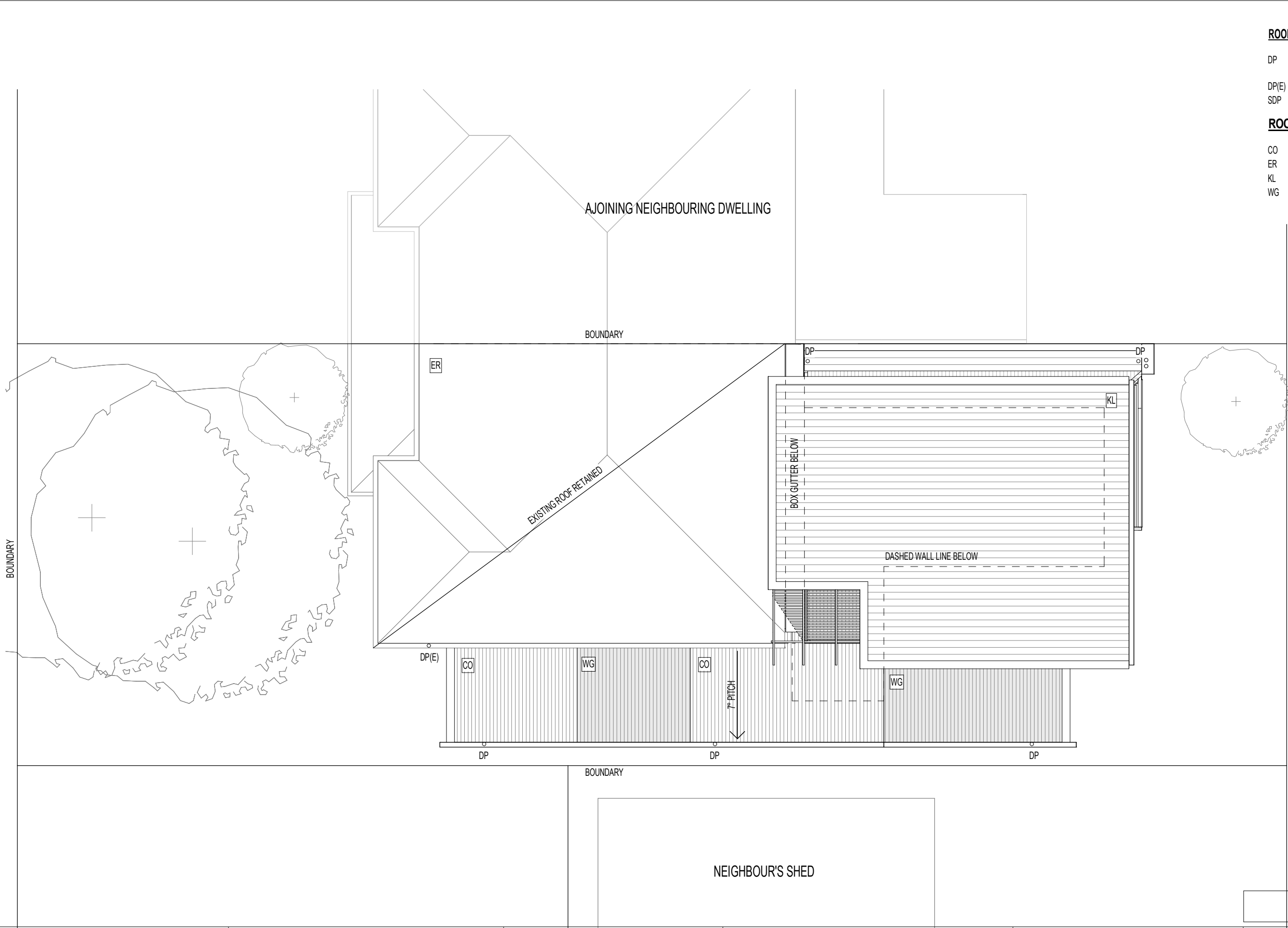
Issue Date: 14.11.2024

Drawn: DF

Checked: 23

Issue: PR2

Dwg No: 04



ROOF PLAN KEY

- DP 100mm DIA ZINC. DOWNPIPE TO CONNECT TO EXISTING STORMWATER SYSTEM
- DP(E) EXISTING DOWNPIPE
- SDP NOM 100 DIA ZINC. STUB DOWNPIPE TO ROOF BELOW

ROOF MATERIAL KEY

- CO ZINC. CUSTOM ORB ROOF SHEETING AS SPEC.
- ER EXISTING ROOF RETAINED
- KL ZINC. KILPLOCK ROOF SHEETING
- WG WONDERGLAS ROOF SHEETING, COLOUR AS SPEC

PLANNING ISSUE

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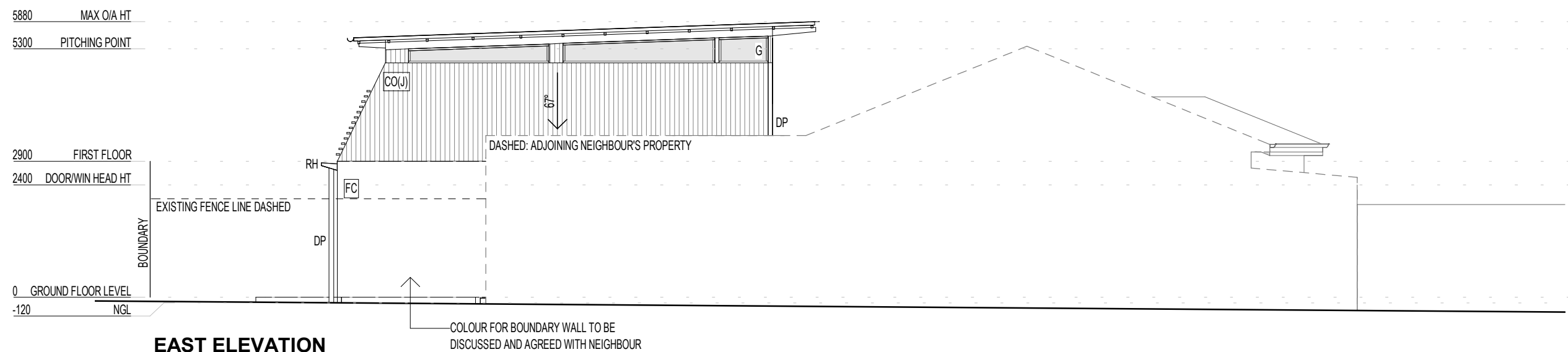
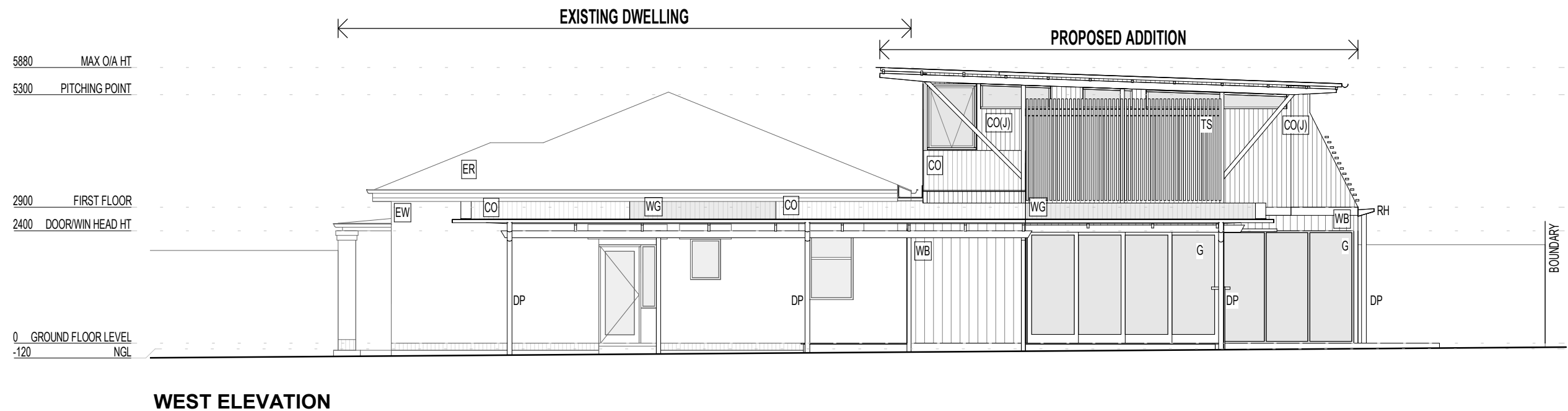
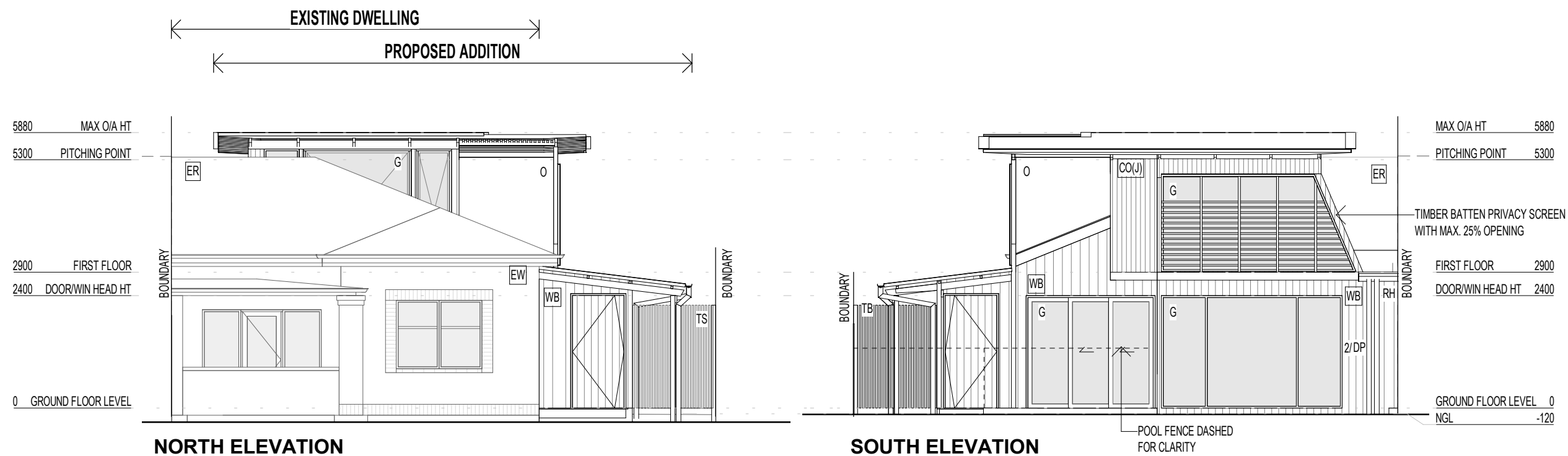
ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

ROOF PLAN

PR2	28.06.2024	REVISIONS AS CLOUDED
PR1	20.06.2024	PLANNING ISSUE
ISSUE	DATE	AMENDMENT

Job No:	670	Issue:	PR2
Scale:	1 : 100 @ A3		
Issue Date:	28.06.2024	Dwg No:	05
Drawn:	DF	Checked:	24



WALL MATERIAL KEY

CO(J)	COLORBOND 'JASPER' CUSTOM ORB ROOF SHEETING
EW	RETAIN AND MAKE GOOD EXISTING WALL
FC	RENDERED CEMENT SHEETING AS SPEC
WB	HARDWOOD WEATHERBOARDS, FINISH AS SPEC.
WG	WONDERGLAS ROOF SHEETING, COLOUR AS SPEC

ROOF MATERIAL KEY

CO	ZINC. CUSTOM ORB ROOF SHEETING AS SPEC.
ER	EXISTING ROOF RETAINED
KL	ZINC. KILLOCK ROOF SHEETING
WG	WONDERGLAS ROOF SHEETING. COLOUR AS SPEC.

ELEVATIONS KEY

DP	100mm DIA ZINC. DOWNPIPE TO CONNECT TO EXISTING STORMWATER SYSTEM
FP	FIREPLACE
G	GLAZING
O	OPEN
RH	RAIN HEAD
TB	TIMBER BATTEN SCREEN
TS	TIMBER SLATS/ SCREEN AS DETAILED

PLANNING ISSUE

PR3	14.11.2024	REVISIONS AS CLOUDED
PR2	28.06.2024	REVISIONS AS CLOUDED
PR1	20.06.2024	PLANNING ISSUE
ISSUE	DATE	DESCRIPTION

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ALTERATIONS AND ADDITIONS
FOR PETER JONES AND [REDACTED]

13 RALDON GROVE, MYRTLE BANK SA

ELEVATIONS

Job No: 670		Issue: PR3
Scale: 1 : 100 @ A3		
Issue Date: 28.10.2024		Dwg No: 06
Drawn: DF	Checked: R	

WALL MATERIAL KEY

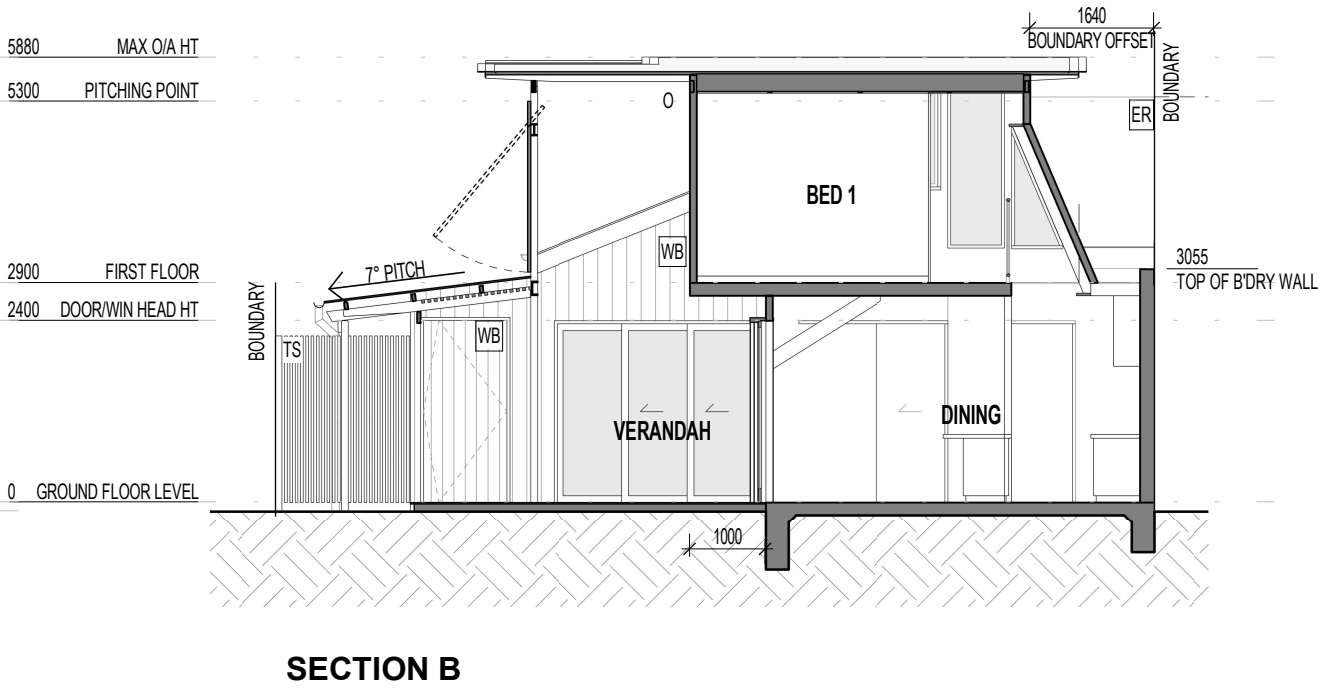
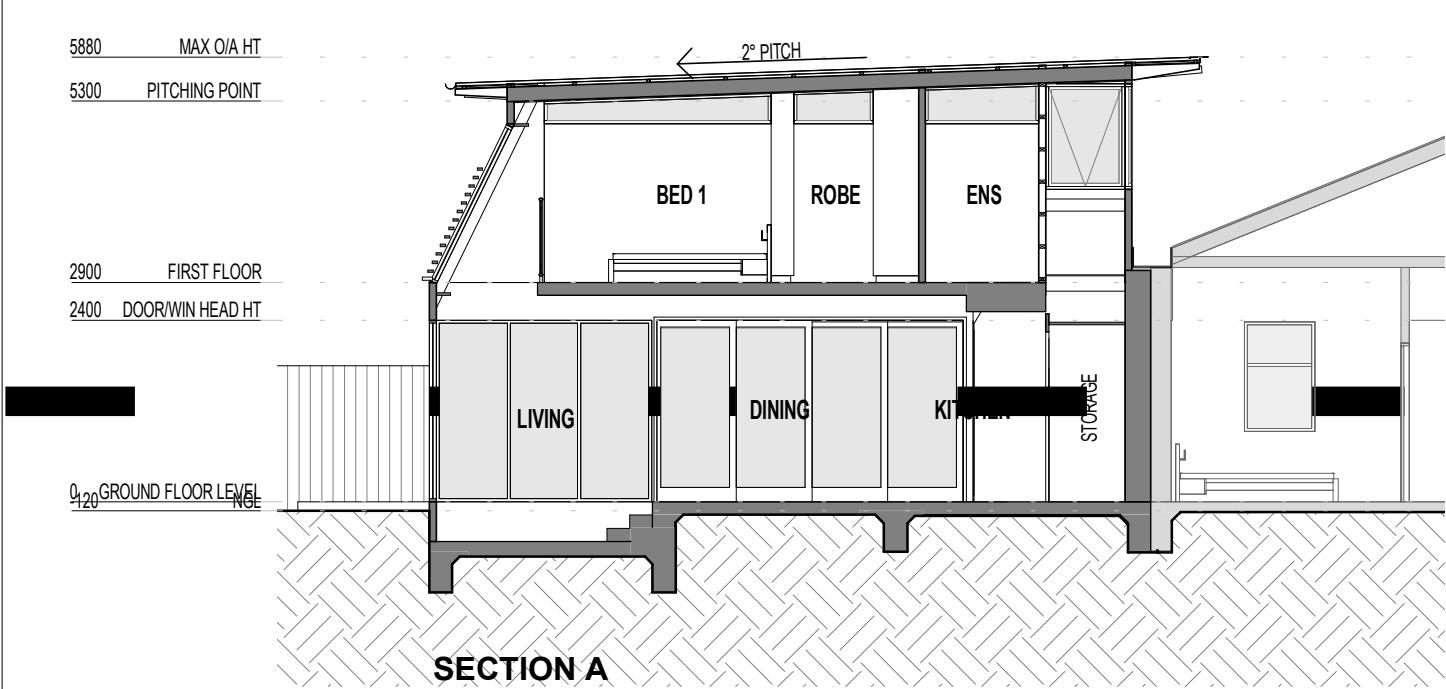
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EW	RETAIN AND MAKE GOOD EXISTING WALL
FC	RENDERED CEMENT SHEETING AS SPEC
WB	HARDWOOD WEATHERBOARDS, FINISH AS SPEC.
WG	WONDERGLAS ROOF SHEETING, COLOUR AS SPEC

ROOF MATERIAL KEY

CO	ZINC. CUSTOM ORB ROOF SHEETING AS SPEC.
ER	EXISTING ROOF RETAINED
KL	ZINC. KILPLOCK ROOF SHEETING
WG	WONDERGLAS ROOF SHEETING, COLOUR AS SPEC

SECTIONS KEY

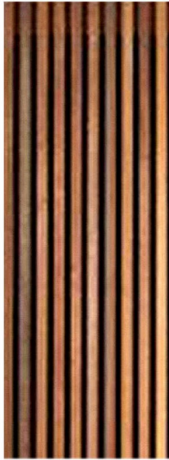
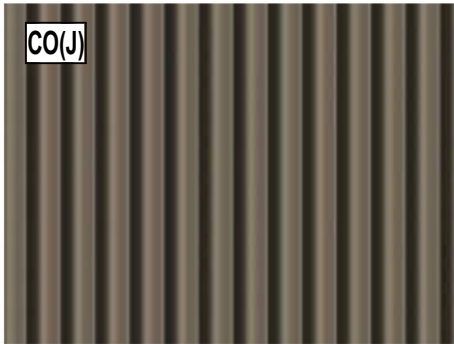
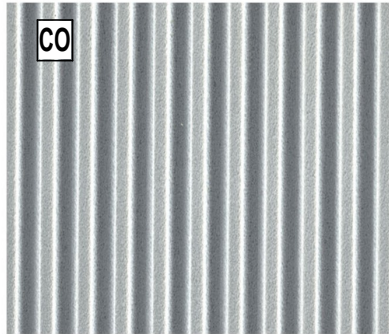
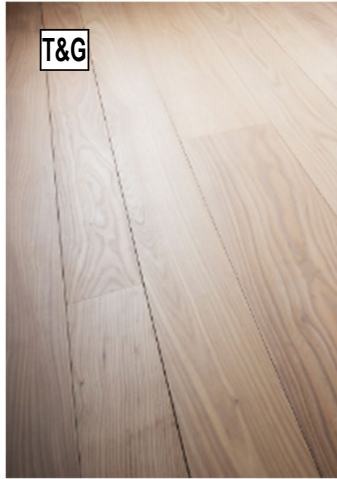
G	GLAZING
O	OPEN
TB	TIMBER BATTEN SCREEN
TS	TIMBER SLATS/ SCREEN AS DETAILED



PLANNING ISSUE

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							Scale: 1 : 100 @ A3	
							Issue Date: 28.06.2024	Dwg No: 07
							Drawn: DF	Checked: 26
				PR2	28.06.2024	REVISIONS AS CLOUDED		

PR1	20.06.2024	PLANNING ISSUE
ISSUE	DATE	AMENDMENT



ROOF MATERIAL KEY

CO	ZINC. CUSTOM ORB ROOF SHEETING AS SPEC.
ER	EXISTING ROOF RETAINED
KL	ZINC. KILLOCK ROOF SHEETING
WG	WONDERGLAS ROOF SHEETING, COLOUR AS SPEC

WALL MATERIAL KEY

CO(J)	COLORBOND 'JASPER' CUSTOM ORB ROOF SHEETING
EW	RETAIN AND MAKE GOOD EXISTING WALL
FC	RENDERED CEMENT SHEETING AS SPEC
WB	HARDWOOD WEATHERBOARDS, FINISH AS SPEC.
WG	WONDERGLAS ROOF SHEETING, COLOUR AS SPEC

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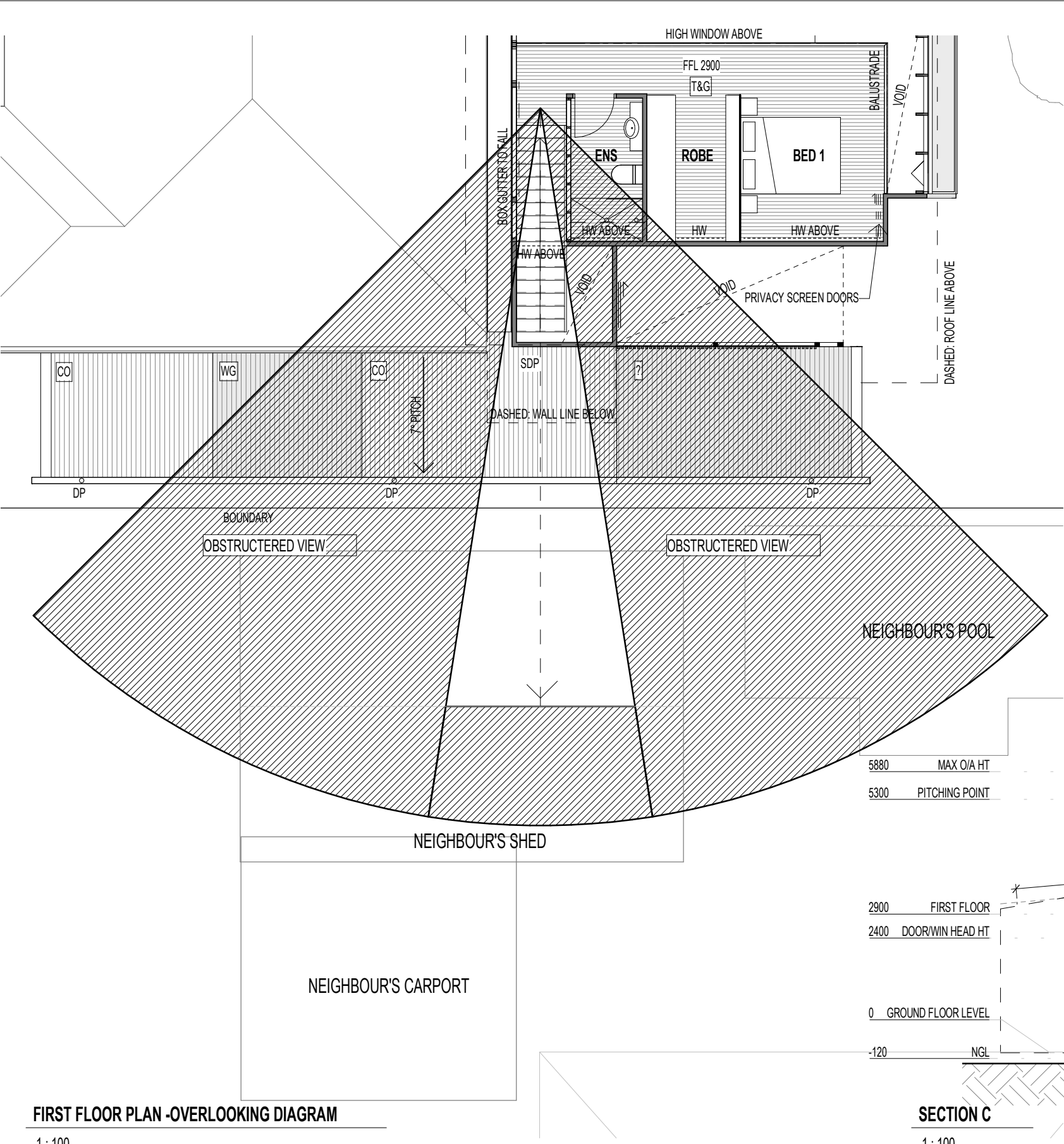
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ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

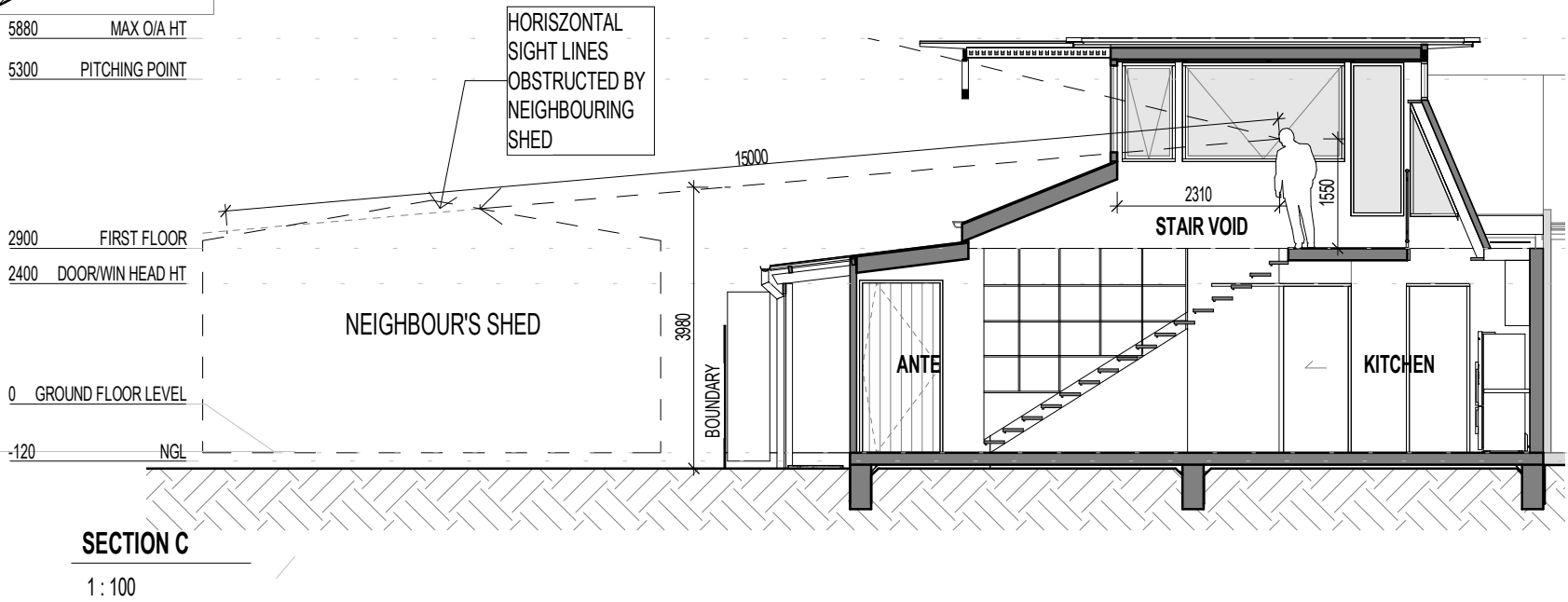
MATERIALS BOARD

			Job No:	670	Issue:
			Scale:	@ A3	PR1
			Issue Date:	20.06.2024	Dwg No:
PR1	20.06.2024	PLANNING ISSUE	Drawn:	DF	Checked: 27 PR1
ISSUE	DATE	AMENDMENT			08



FIRST FLOOR PLAN -OVERLOOKING DIAGRAM

1 : 100



SECTION C

1 : 100

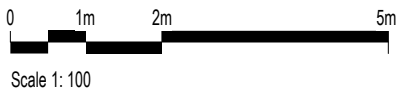
NEIGHBOUR'S DWELLING

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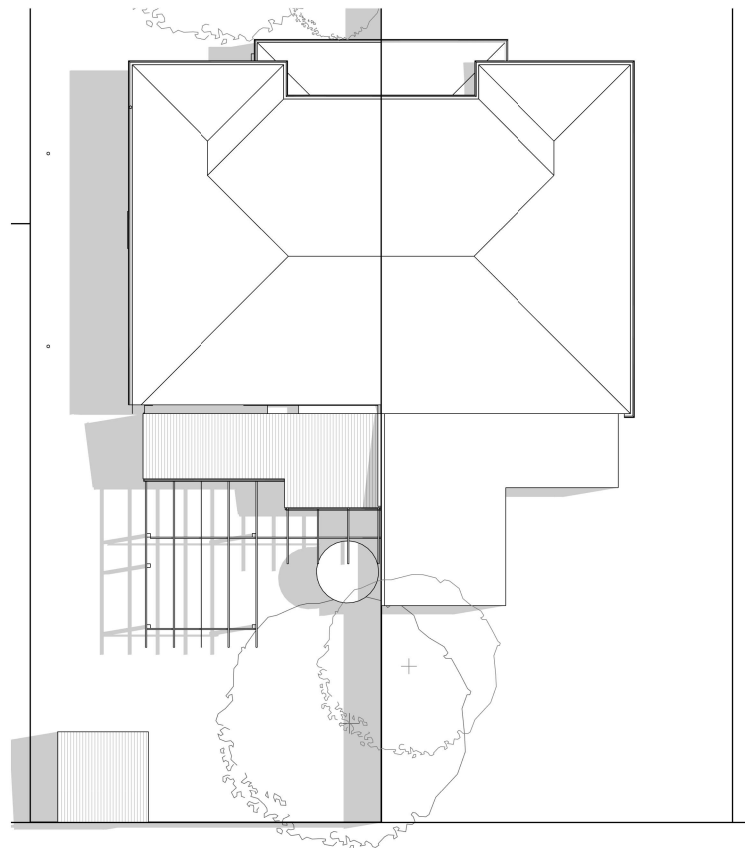


ALTERATIONS AND ADDITIONS

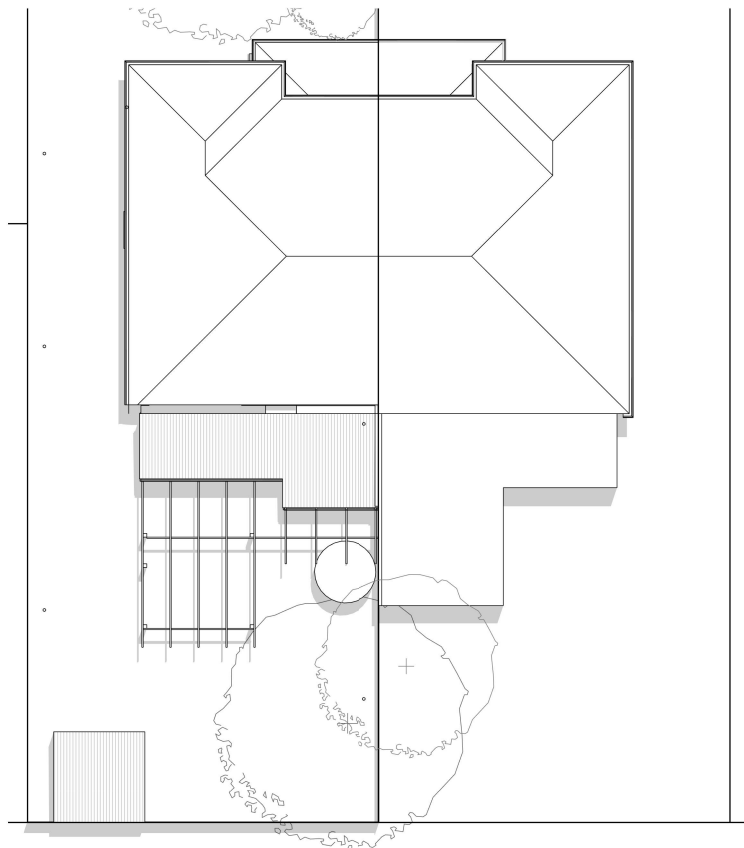
FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

VOID WINDOW OVERLOOKING

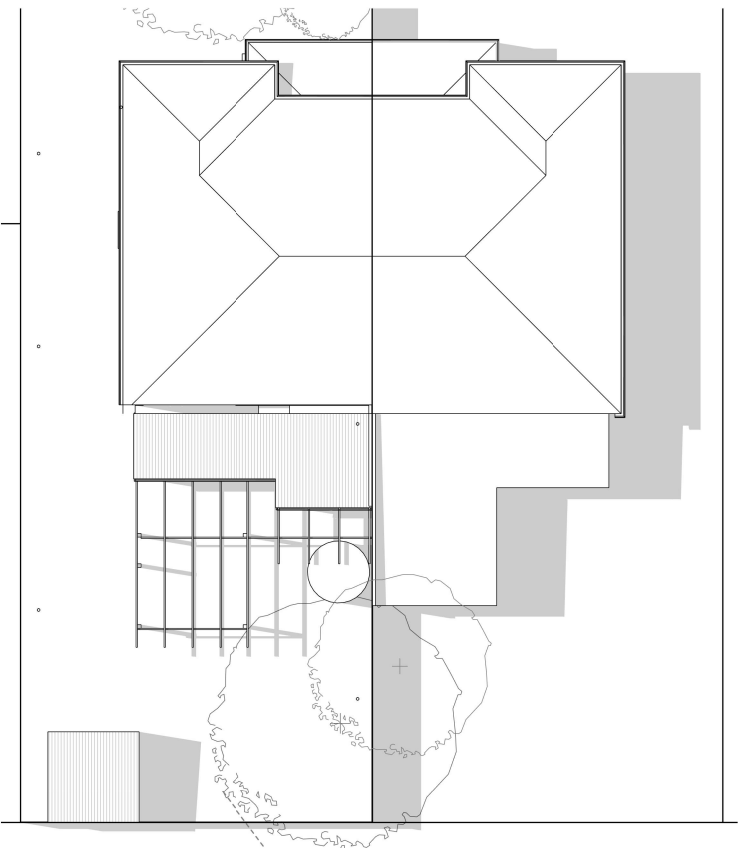
			Job No:	670	Issue:
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PR1	14.11.2024	REVISIONS AS CLOUDED	Drawn:	Author	Checked: 28
ISSUE	DATE	AMENDMENT			FD01



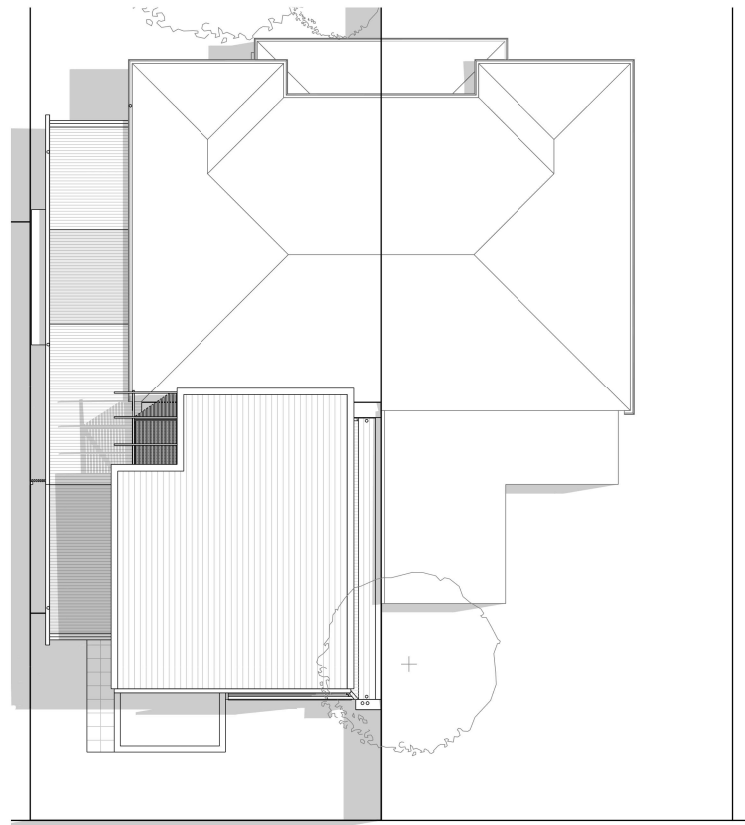
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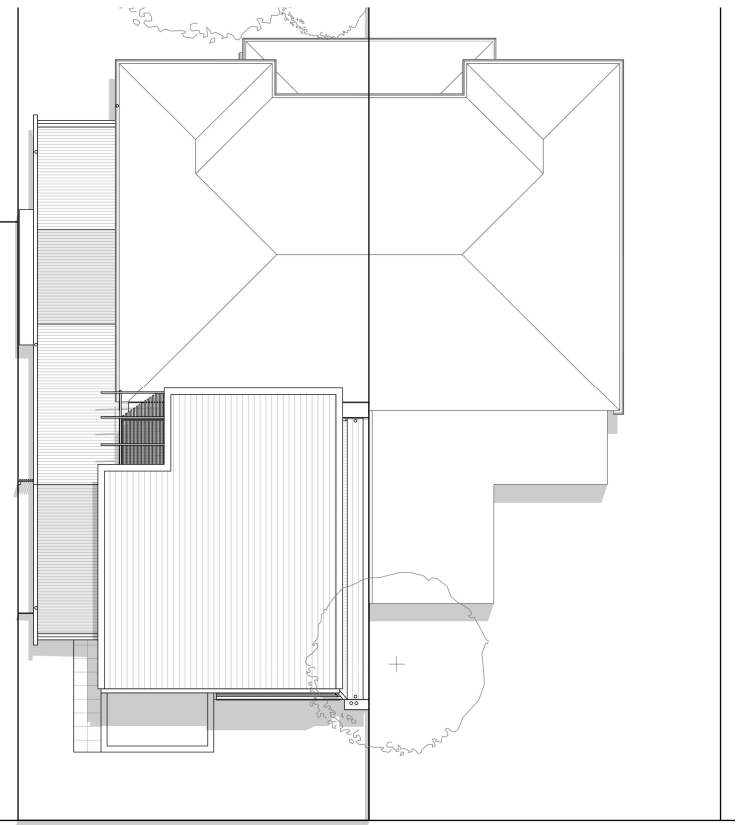
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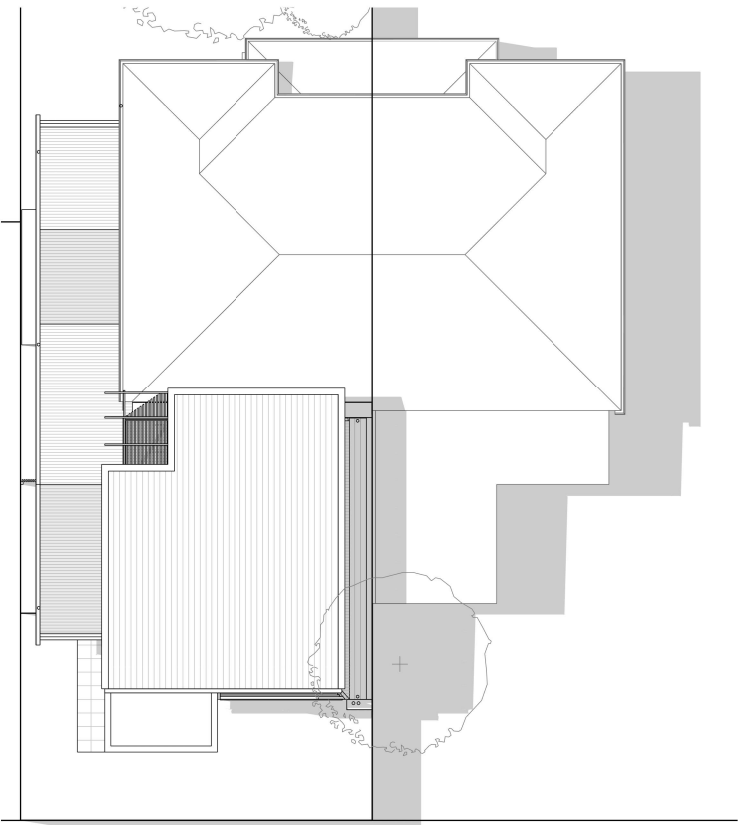
3PM EXISTING



10AM PROPOSED



12PM PROPOSED

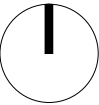
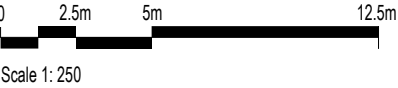


3PM PROPOSED

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ALTERATIONS AND ADDITIONS

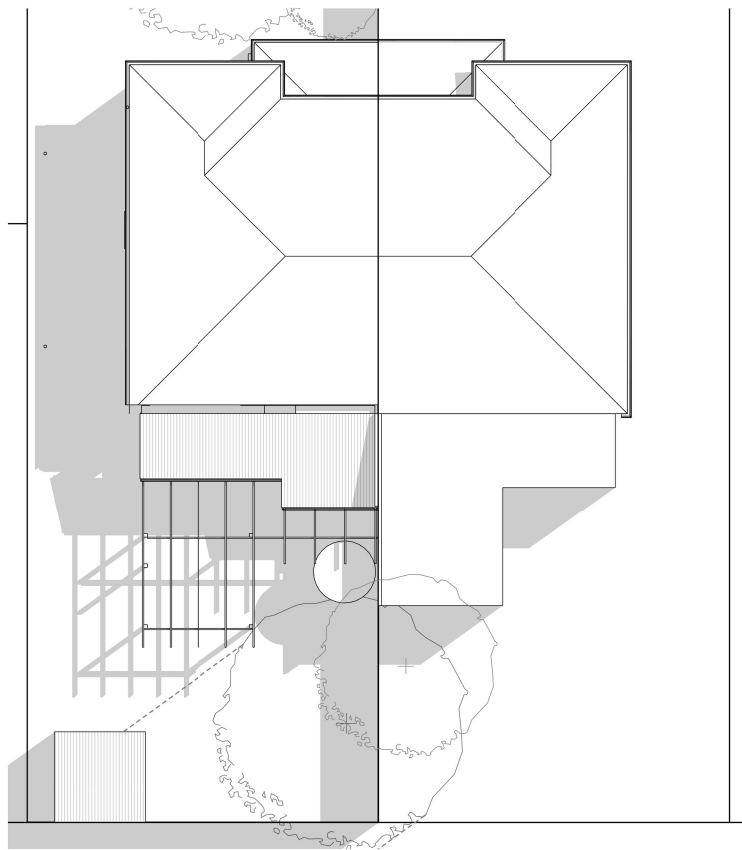
FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

**SHADOW DIAGRAMS - SUMMER
SOLSTICE - 21st DECEMBER**

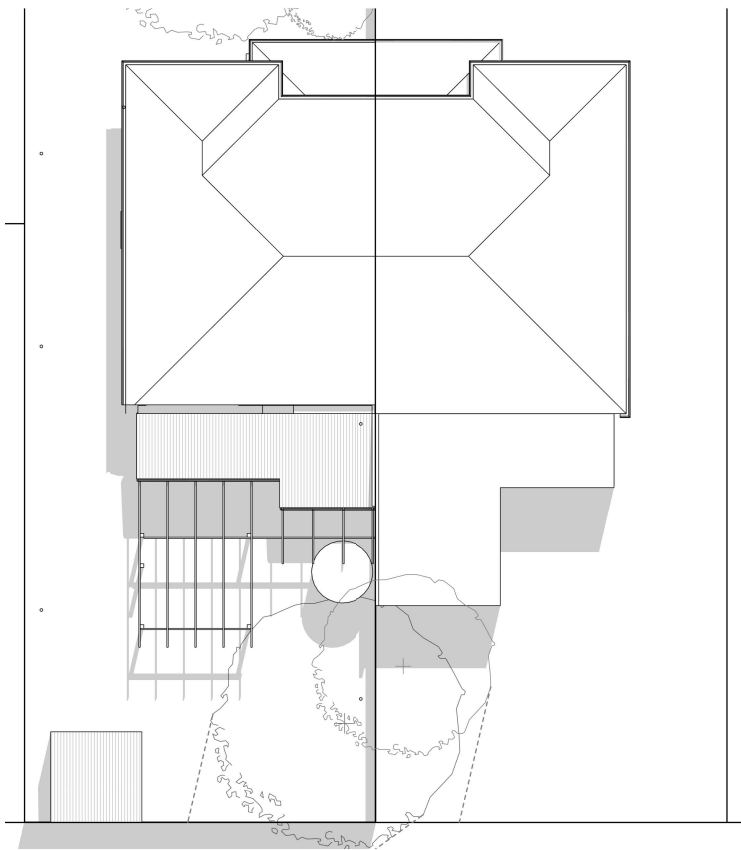
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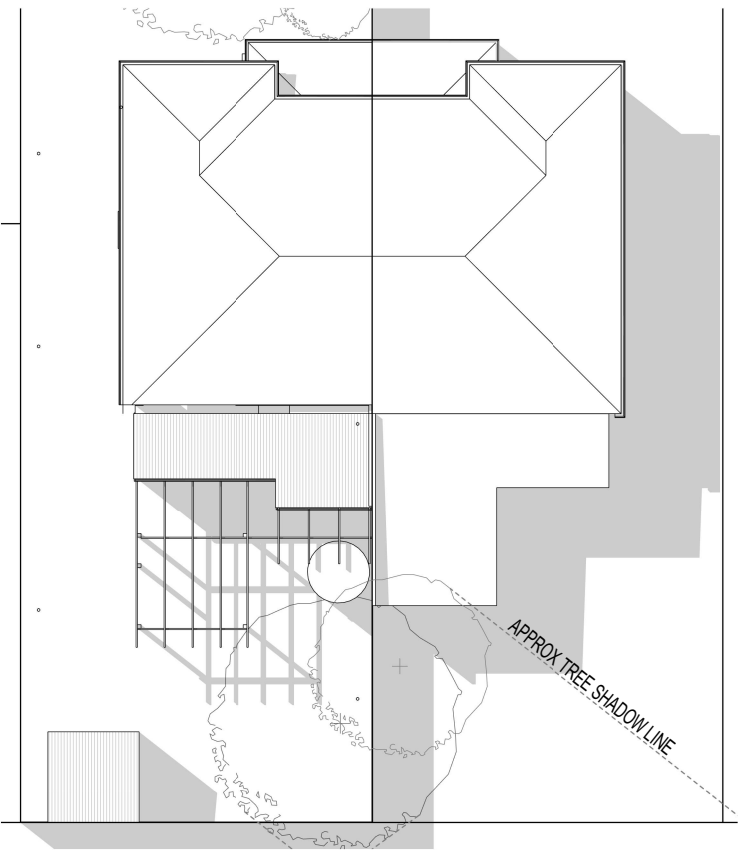
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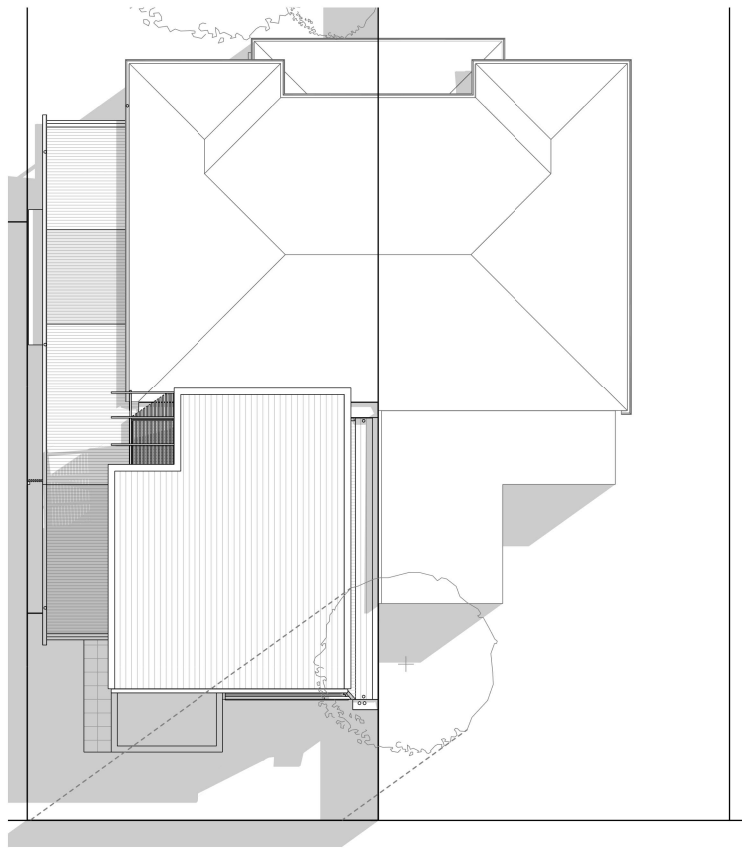
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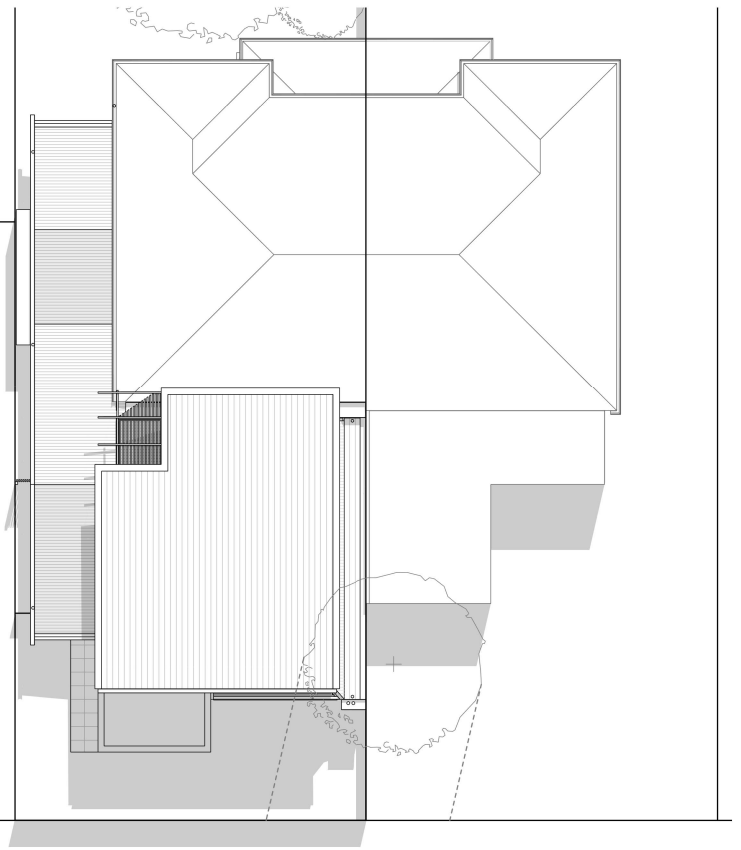
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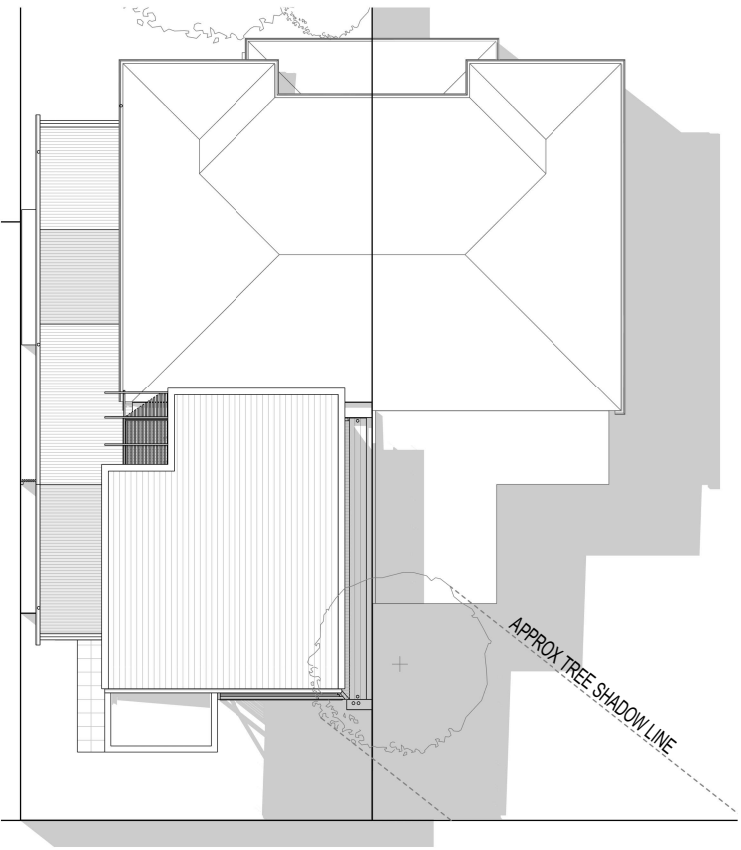
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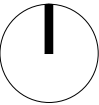
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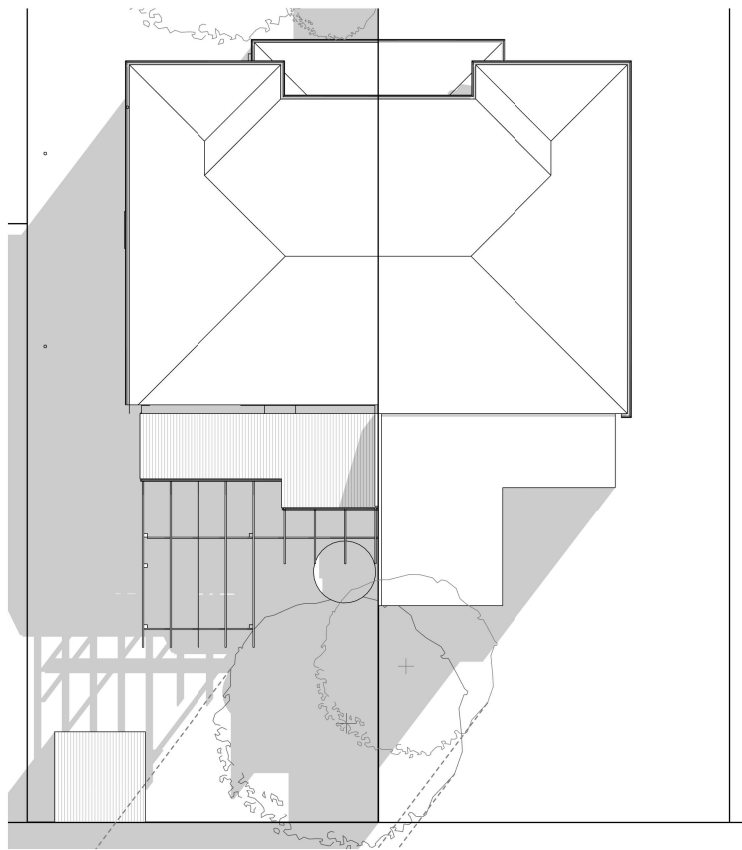
ALTERATIONS AND ADDITIONS

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13 RALDON GROVE, MYRTLE BANK SA

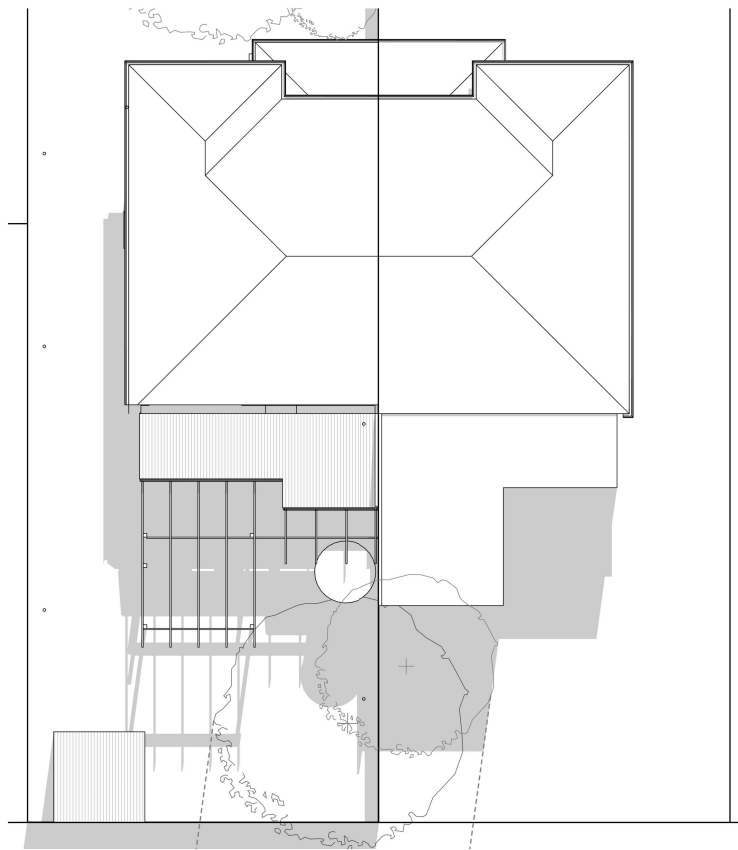
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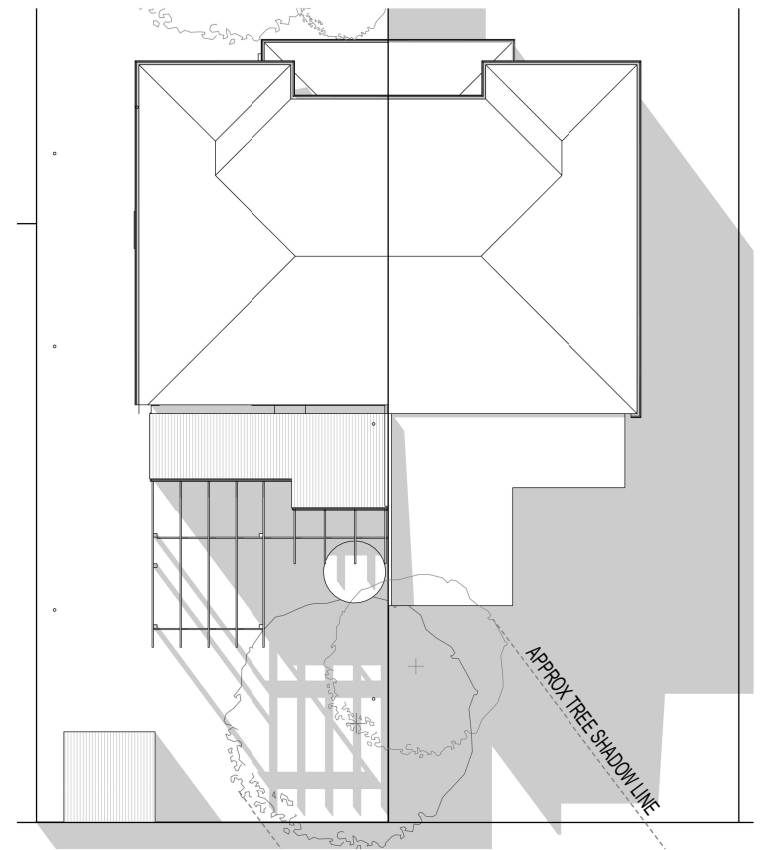
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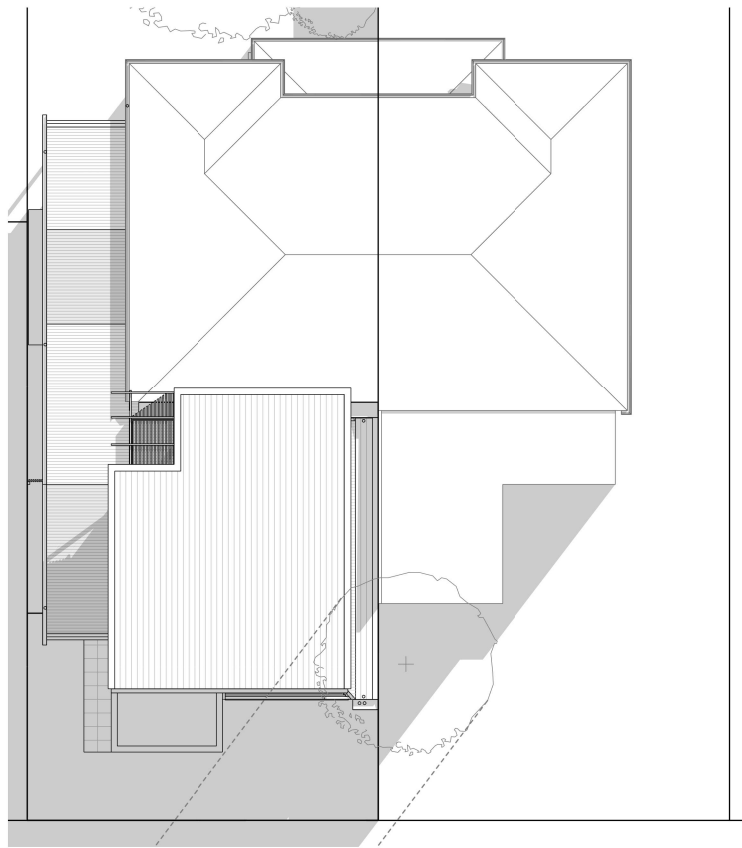
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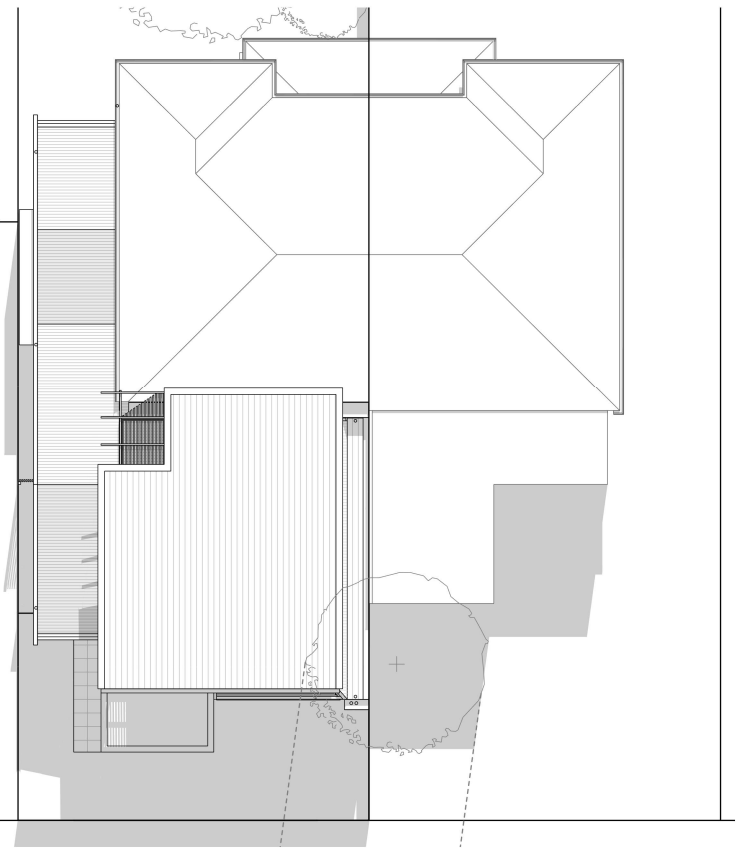
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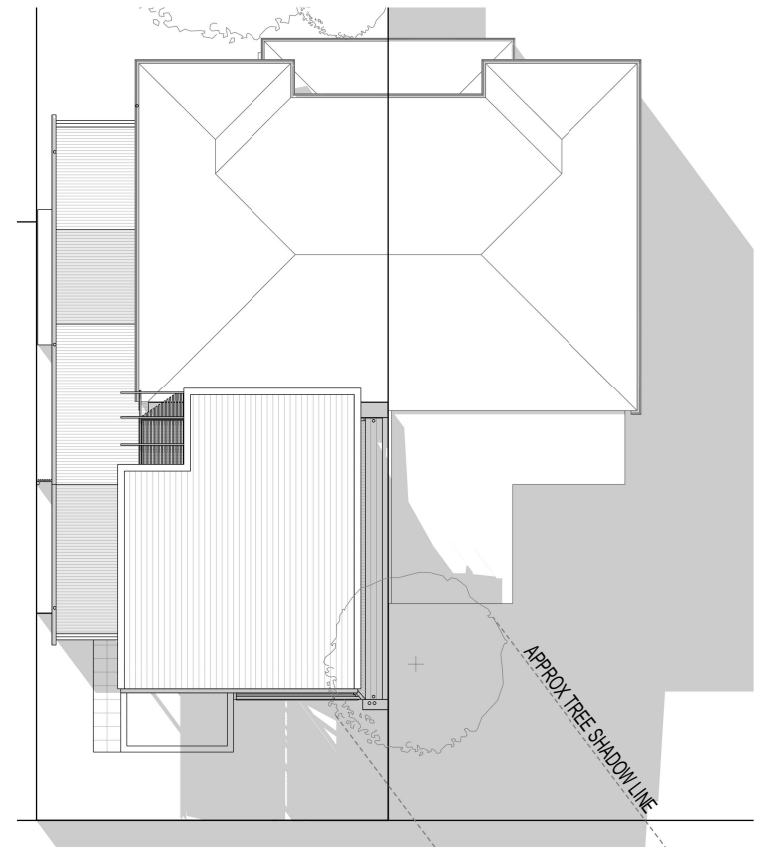
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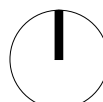
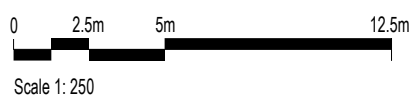
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ALTERATIONS AND ADDITIONS

FOR PETER JONES AND [REDACTED]
13 RALDON GROVE, MYRTLE BANK SA

**SHADOW DIAGRAMS - WINTER
SOLSTICE - 21st JUNE**

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			Scale:	1 : 250 @ A3	PR1
			Issue Date:	12.12.2024	Dwg No:
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ISSUE	DATE	AMENDMENT	Checked:		

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[REDACTED] and Peter Jones
13 Raldon Grove
Myrtle Bank SA 5064
Date: 28th January 2025

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15/15 Fullarton Road
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Arboricultural Impact Assessment Report

13 Raldon Grove, Myrtle Bank



Prepared for
[REDACTED]
Peter Jones

Compiled by
Michael Palamountain
Adelaide Arb Consultants

Executive Summary

- Adelaide Arb Consultants assessed three mature trees at 13 Raldon Grove, Myrtle Bank on the 14th of January 2025 in relation to a proposed development.
 - Tree 1 is a *Corymbia ficifolia* - red flowering gum and is located within the front garden of the site.
 - Tree 2 is a *Cedrus atlantica* – atlas cedar and is located within the rear garden of the site.
 - Tree 3 is a *Grevillea robusta* – silky oak and is located within the rear garden of the site.
- The trees are controlled under the current provisions of the *Planning, Development & Infrastructure Act 2016* as follows.
 - Tree 1 is a significant tree.
 - Tree 2 is a regulated tree
 - Tree 3 is a regulated tree
- Trees 1 and 2 have a useful life expectancy in excess of 20 years. Tree 3 has a useful life expectancy of 5-10 years.
- The ISA – TRAQ risk assessment process has demonstrated that all trees currently have a low risk rating.
- An Arboricultural Impact Assessment was undertaken, and the proposed development is not likely to have an adverse impact on Tree 1. The proposed development is likely to have an adverse impact on Trees 2 and 3.
- Due to the small land area available to extend the dwelling and the constraints posed by the tree protection zones of Trees 2 and 3, there are no alternative design solutions available to develop the site
- Tree removal is required to facilitate the current proposal.
- A Tree Protection Plan is attached to provide guidelines to the various construction teams to ensure the remaining Tree 1 is adequately protected during the construction phase.

Date: 28th January 2025

Thank you for the opportunity to provide you with this advice. Should you require any further assistance or clarification, please do not hesitate to call, or email me.

Yours sincerely,



Michael Palamountain
Senior Consulting Arboriculturist
Bachelor of Science
Diploma of Arboriculture
International Society of Arboriculture – Certified Arborist AU-007A

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Introduction

Brief

Adelaide Arb Consultants were commissioned by [REDACTED] and Peter Jones of 13 Raldon Grove, Myrtle Bank to conduct a comprehensive tree assessment of three trees located within the allotment of 13 Raldon Grove, Myrtle Bank.

The purpose of the requested assessment was to undertake the following.

- Identify the legislative controls that apply to the trees.
- Assess the potential impacts (if any) of the proposed development on the subject trees.
- Provide feedback relating to the likelihood that tree damaging activity may occur as a result of the development proposal construction.
- Provide tree pruning specification for those trees to be retained on site.

Tree Report Scope

The assessment criteria included the following attributes:

- Trees within the subject land that may be affected by the proposed development.
- The trees' current health, structure, and sustainability within 'their current environmental conditions.
- The tree's control status under the current provisions of the *Planning, Development and Infrastructure Act 2016*, including an assessment against the relevant *Planning & Design Code* Performance Outcomes.
- Assess the potential impacts from the proposed development on the trees with reference to the guidance outlined in AS 4970-2009 *Protection of trees on development sites*.
- Provide relevant tree protection requirements under the current guidelines of Australian Standard AS 4970-2009 *Protection of trees on development sites* to maintain suitable tree/s in their current condition during development and construction activities.
- Crown management options that conform to the current guidelines of Australian Standard AS 4373-2007 *Pruning of amenity trees* to reduce the risk of potential branch failure and prolong the Useful Life Expectancy of the tree where relevant.

Provided Information

The following documents and plans were provided to assist in the assessment process.

- A set of architectural plans for the proposed development prepared by Troppo Architecture including the following:
 - *Existing/Demolition Plan* dated 20/6/2024 Issue PR1.
 - *Site Plan* dated 20/6/2024 Issue PR1.
 - *Ground Floor Plan* dated 20/6/2024 Issue PR1.

During the assessment, I met with Peter Jones, property owner, to discuss his history and experiences with the subject trees and the nature of the proposed development. I was advised of the following:

- Peter has been involved with the property since 1988. The property has been tenanted for varying periods during this time. Peter and [REDACTED] have recently moved back in to the residence.
- Tree 1 and Tree 2 were present at the site, prior to 1988. Tree 3 was planted by Peter sometime in the 1990s.
- The trees have had some, but limited pruning in the past.
- Peter does not recall any notable branch failure from any of the trees.
- Peter and [REDACTED] are concerned with the structural integrity of Tree 1.
- Peter and [REDACTED] propose a modest addition to the existing dwelling, within the land area available to them.

Date: 28th January 2025

Site Access and Assessment

Site Visit Details

An assessment of the three trees was conducted on the 14th of January 2025.

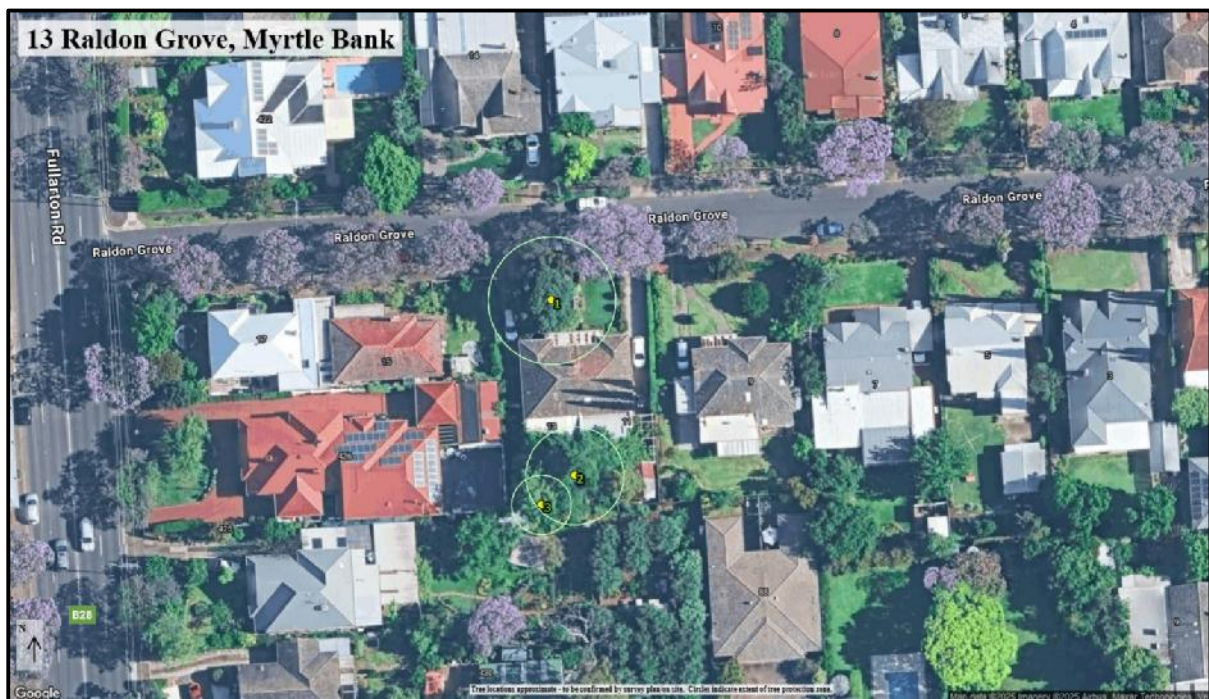
The weather at the time of the assessment was calm and overcast.

This involved a Level 2 Visual Tree Assessment¹, carried out from ground level. All measurements are noted as measured within the report and measurements relating to the tree's location, crown projection or root zone extent are taken from the centre of the tree at ground level.

Data collection describes observations noted during the assessment from within the land allotment, and from the street frontage to the north.

Site Description

The property is located at 13 Raldon Grove, Myrtle Bank. The vegetative character of the area consists of a mixture of planted Australian native and exotic ornamental trees. The site is not linked to wildlife corridors or intact areas of remnant vegetation.



There is an existing pair of maisonette buildings at the site, with modest rear gardens containing several trees and shrubs.

Date: 28th January 2025

Tree Observations

There are three regulated trees at the site, summarised as follows. Details and imagery of each tree is set out in Appendix A.

Tree number	Species	Trunk Circumference at 1m	Health	Structure	Useful Life Expectancy
Tree 1	<i>Corymbia ficifolia</i> Red flowering gum	2.82m Significant	Good	Good	>20 years
Tree 2	<i>Cedrus atlantica</i> Atlas cedar	1.96m Regulated	Good	Good	>20 years
Tree 3	<i>Grevillea robusta</i> Silky oak	1.22m Regulated	Fair	Fair	5-10 years

Development Proposal

The development activities proposed at the site include the following, based on the plans provided to me.

- Demolition of the rear portion of the existing dwelling, 7.1m from Tree 2 and 9.2m from Tree 3.
- Removal of a small garden shed ~1m from Tree 3.
- Construction of a new addition to the rear of the dwelling, 0.8m from Tree 2 and 3.3m from Tree 3.
- Construction of a new plunge pool to the rear of the dwelling, 4.1m from Tree 2 and 1.2m from Tree 3.
- Existing underground services are proposed to be retained to service the addition and pool, unless determined inadequate by the relevant tradesperson.
- New landscaping.

Date: 28th January 2025

Arboricultural Impact Assessment

To ensure suitable trees are retained and protected from potentially damaging activities during the development of the site, a Tree Protection Zone (TPZ) is required. The TPZ aims to protect a sufficient proportion of the root zone, as well as protecting the above ground parts of the tree to ensure the tree remains a viable asset at the site. An Arboricultural Impact Assessment is necessary at the design stage to ensure any potential tree impacts are identified and resolved before finalising the plans.

The Tree Protection Zone for this tree is calculated as follows.

Protection Zone Type	Protection Zone Extent Tree 2	Protection Zone Extent Tree 3
The TPZ radius from the centre of the trunk	7.3m	4.4m
The TPZ area around tree	168m ²	62m ²
The Structural Root Zone (SRZ) radius from the centre of the trunk	2.9m	2.3m

It may be possible to encroach into or make variations to the standard TPZ². The proposed development activities at the site encroach into this TPZ area as follows. (Refer to the Arboricultural Impact Assessment Plan attached at the end of the report.)

Encroachment Type	Tree 2 Encroachment	Tree 3 Encroachment
Existing dwelling	~2m ² (<1%)	None
Neighbouring dwelling	10m ² (6%)	None
Proposed addition	35m ² (20.8%)	1.4m ² (2.3%)
Proposed pool and paving works	14m ² (8.3%)	13.5m ² (21.8%)
Trenching for underground services	None	Pool pipes possible
Total encroachment	59m ² (35.1%)	14.9m ² (24.1%)
Works within structural root zone (SRZ)	Yes	Yes
Encroachment level	Major	Major

The proposed development is not in the vicinity of Tree 1 at the front of the property. It is anticipated that the existing underground services for the proposed addition and pool will be retained to service the new addition. No trenching is anticipated within the tree protection zone of Tree 1.

Date: 28th January 2025

The total level of TPZ encroachment for both Tree 2 and 3 is major (>10% of the TPZ area and/or within the SRZ) and cannot be sufficiently compensated for by the remaining area around the tree which will remain undeveloped.

When determining the potential impacts of encroachment into the TPZ, the project arborist³ should consider the following, as outlined in Section 3.3.4 TPZ encroachment considerations of Australian Standard AS 4970-2009 *Protection of trees on development sites*.

- a) Location and distribution of the roots to be determined through non-destructive investigation methods (pneumatic, hydraulic, hand digging or ground penetrating radar). Photographs should be taken, and a root zone map prepared.

NOTE: Regardless of the method, roots must not be cut, bruised, or frayed during the process. It is imperative that exposed roots are kept moist, and the excavation back filled as soon as possible.

No specific root investigations have been undertaken. It is anticipated the root system of Trees 2 and 3 will be exploiting open garden areas within the rear garden and on adjacent land to the east and south.

- b) The potential loss of root mass resulting from the encroachment: number and size of roots.

The level of root loss for Trees 2 and 3 is likely to be substantial. Tree health is likely to be adversely affected. In addition, root loss within the structural root zone of both trees is likely to adversely affect tree stability.

- c) Tree species and tolerance to root disturbance.

Atlas cedar (Tree 2) is moderately tolerant to reasonable root loss but will not be tolerant of the level of root loss in this proposal. Silky oak (Tree 2) has a poor tolerance to root loss and will not be tolerant of the level of root loss in this proposal.

- d) Age, vigour, and size of the tree.

The Atlas cedar (Tree 2) is currently in good health. Tree health is likely to be adversely affected by this proposal. The silky oak (Tree 3) is currently in fair health. Tree health is likely to be adversely affected by this proposal.

- e) Lean and stability of the tree.

NOTE: Roots on the tension side are likely to be most important for supporting the tree and are likely to extend for a greater distance.

Neither Tree 2 nor Tree 3 have notable leans. Tree stability is likely to be adversely affected as works are proposed within their structural root zones.

- f) Soil characteristics and volume, topography, and drainage.

The trees currently enjoy relative open garden areas, favourable to root growth. The soil volume available after the proposed addition will be reduced.

- g) The presence of existing or past structures or obstacles affecting root growth.

The existing dwelling within the site does not significantly occupy the tree protection zone of Tree 2 or Tree 3.

Date: 28th January 2025

h) Design factors.

I am advised by the architect and property owners that due to the small land area available to extend the dwelling and the constraints posed by the tree protection zones of Trees 2 and 3, there are no alternative design solutions available to develop the site.

After considering these factors, the proposed development design in its current form is likely to have an adverse impact on Trees 2 and 3. I am advised that there are no alternative design solutions available to develop the site in an effort to preserve the trees. Tree removal is required to facilitate the current proposal.

Site specific Tree Protection Measures

- The following tree protection measures are provided to protect Tree 1 (located at the front of the property) during the proposed development of the site.
- Protective fencing should be erected along the eastern side of the driveway in the front garden to ensure the root zone is adequately protected.
- Existing underground services along the driveway within the tree protection zone of Tree 1 should be retained and utilised. If determined to be unsuitable, they should be replaced using non-destructive excavation techniques, such as hydro-excavation or directional drilling.

Tree removal, retention, and management

Approved tree removal and pruning should be carried out before the installation of tree protection measures. The removal of regulated and significant trees cannot occur without development approval. Failure to do so may constitute tree damaging activity⁴.

Trees 2 and 3 at the rear of the site can only be removed if approved by the City of Unley Planning Authority.

The following is recommended for Tree 1 in the front garden.

- All pruning must conform to the Australian Standard AS 4373 – 2007 *Pruning of amenity trees*.
- All pruning should be carried out or supervised by qualified arborists⁵.
- Minor pruning could occur to lift the lower crown by up to 2m to increase sunlight into the lower garden area.
- As this pruning is not adversely affecting the overall appearance of the tree, the long-term health of the tree or the structural integrity of the tree, planning consent is not required.
- Tree management priority - Low - Within 4 years

Tree Protection Plan

General

To protect suitable trees during the development process, a range of tree protection features and measures are required. The tree protection zone is usually a restricted area delineated by fencing.

The following activities are restricted within the specified TPZ. Some of these works may be permitted by the determining authority and must be supervised by the project arborist.

- a) machine excavation including trenching;
- b) excavation for silt fencing;
- c) cultivation;
- d) storage;
- e) preparation of chemicals, including preparation of cement products;
- f) parking of vehicles and plant;
- g) refuelling;
- h) dumping of waste;
- i) wash down and cleaning of equipment;
- j) placement of fill;
- k) lighting of fires;
- l) soil level changes;
- m) temporary or permanent installation of utilities and signs, and
- n) physical damage to the tree.

Prior to any site works commencing, the site/project manager and relevant sub-contractors should meet on site with the project arborist to review work procedures, access routes, storage areas, parking areas and tree protection measures.

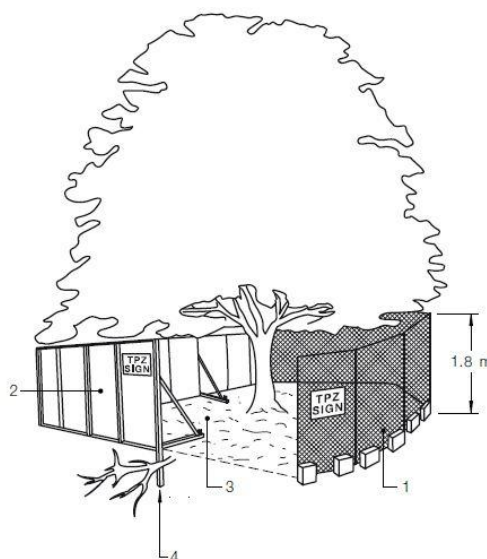
Tree Protection Guidelines

To be applied where specified within the Site specific Tree Protection Measures.

Tree Protection Zone establishment

Fencing should be erected around Tree 1 before any machinery or materials are brought onto the site and before the commencement of works, including demolition. Once erected, protective fencing must not be removed or altered without approval by the project arborist. The TPZ should be secured to restrict access. The Tree Protection Zone should be established and managed as follows. Please refer to the attached Tree Protection Plan.

- Identify the tree/s within the subject allotment that are to be retained and protected during the development process. This may include trees on adjoining land and Council owned street trees and reserve trees.
- The Tree Protection Zone radius is to be equivalent to that calculated and noted in the Tree Observations and the attached Tree Protection Plan.
- Identify and mark the alignment of protective fencing as indicated on the Tree Protection Plan. This may vary from the actual TPZ radius after considering areas of acceptable encroachment (determined in consultation with the project arborist) and site access requirements. Fencing is only required within the subject allotment (provided boundary fencing is in place).
- Erect/construct protective fencing as indicated in the image below. AS 4687 *Temporary fencing and hoardings* specifies applicable fencing requirements. Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter, and liquids into the protected area.



LEGEND:

- 1 Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
 - 2 Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
 - 3 Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
 - 4 Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.
- Right: Australian Standard AS 4970-2009 *Protection of trees on development sites*, p16.

FIGURE 3 PROTECTIVE FENCING

- All visible faces of the Tree Protection Zones to the construction area must be signed with appropriate Tree Protection Zone signage as shown below. A copy of such is attached as an addendum to this report and may be duplicated as required without permission. No alterations to the Tree Protection Zone sign are permitted without written consent from the author.



Site establishment

The establishment of the site should occur in conjunction with the establishment of the Tree Protection Zone structures and features. This may include site access, storage areas, construction huts, waste management areas etc.

1. Refer to the previous section on Tree Protection Zone establishment which outlines some of the essential Tree Protection Zone requirements.
2. All ancillary zones required for construction purposes should be located outside the Tree Protection Zone. This includes, but is not limited to:
 - Site access routes for various vehicles and machinery.
 - Areas to receive and store construction materials.
 - Areas for skip bins and waste management.
 - Wash out areas.
 - Site huts and toilets.
 - Storage of chemicals.
 - Car parking areas.
3. Where site constraints prevent this, and any of these activities are necessary within a Tree Protection Zone, suitable ground protection measures are required set out in the previous section on Tree Protection Zone establishment.

Demolition and site clearing activities

The demolition of existing structures, surfaces and vegetation will require heavy machinery to move about on the site. If these works occur within any TPZ area, they can potentially compact the soil and damage tree roots, trunks, and branches. The Tree Protection Zone for trees to be retained on site must be established prior to demolition and site work activities commencing as outlined in the previous sections. Demolition and site clearing works should follow these guidelines.

1. Ensure Tree Protection Zone fencing and other tree protection measures are in place prior to demolition works commencing.
2. All vegetation proposed to be removed within or adjacent to a Tree Protection Zone must be removed using suitable tools in a manner that will not cause harm to remaining trees or disturbing their root zone.
 - Herbicides can be used to remove unwanted turf, weeds, or groundcovers at the site. Herbicides should be applied by appropriately experienced contractors according to the manufacturer's product label recommendations. Apply herbicides with care to avoid accidental applications to surrounding vegetation.
3. The project arborist should be on site during demolition activities within a Tree Protection Zone.
4. No stockpiling of building rubble, demolition material, soil, or any other material within the Tree Protection Zone. These materials must be removed from site immediately, or stockpiled piled outside of the Tree Protection Zone area for later disposal.
5. No Grade Changes within the TPZ. Lowering or raising of the grade (cut and fill) within the TPZ is not acceptable without specific Council approvals.
6. The demolition of structures within a Tree Protection Zone shall be carried out by machinery as carefully as possible to avoid damage to surrounding trees.
 - Demolition machinery should stand outside the Tree Protection Zone wherever possible to avoid soil compaction.
 - Demolition machinery can work on existing hard surfaces where present (e.g., existing driveways), or be placed inside the building/structure to pull material in and down, away from the trees.
 - Where machinery must work within a Tree Protection Zone, suitable ground protection measures must be put in place as outlined in the section on Tree Protection Zone establishment.
7. Existing underground services should not be removed within a Tree Protection Zone as there is a risk of damage to a tree's root system. These services should be de-commissioned and left in place where possible. If they must be removed, please consult with the project arborist.

Date: 28th January 2025

8. Existing hard surfaces (concrete/paving/bitumen/compacted gravel etc.) should be retained where possible to act as ground protection from demolition machinery where possible. These surfaces can be removed after demolition works as required.
9. When removing hard surfaces (concrete/paving/bitumen/compacted gravel etc.) within a Tree Protection Zone, it is expected that there will be some root growth below the hard surface being removed.
 - Hand tools should be used to remove these hard surfaces adjacent to the trunk (within the structural root zone).
 - Demolition machinery should be used to carefully pull these surfaces up and away from the tree. The wheels of the machinery should be standing outside the Tree Protection Zone, or on any existing hard surfaces, or on established ground protection areas away from the tree. The works should proceed in a retreating manner, away from the tree.
 - Any roots that are exposed below the hard surfaces shall be wet down by hand and covered with a 50-100mm layer of mulch as soon as possible after being exposed.
 - Alternatively, exposed roots could be protected from desiccation by placing Hessian cloth (or similar) on top that is kept moist by periodic wetting. This must remain in place until the new surfaces are put into place.

Construction activities

Construction activities may include (but are not limited to); installation of building footings, concrete slabs, frame construction, installing brickwork or other wall cladding materials, crane lifting operations, scaffolding, roofing, interior fitting, waste disposal etc. If these activities are not appropriately managed within a tree protection zone, there may be adverse impacts for the trees and their growing environment. Construction activities must be well supervised and adhere to the following guidelines.

1. Ensure Tree Protection Zone fencing, and other tree protection measures are in place prior to construction works commencing.
2. Tree Protection Fencing shall not be removed or repositioned to facilitate construction activities. Consult with the project arborist if access to a Tree Protection Zone is required.
3. Ensure the ancillary construction zones are established prior to construction works commencing. This may include site access, storage areas, parking areas, construction huts, waste management areas etc. Refer to the previous section on Site Establishment.
4. Scaffolding for construction activities and crane operations should not interfere with trees to be retained on site.
 - Minor pruning may be permitted to facilitate the installation of scaffolding and crane operations.
 - Any required pruning works should be confirmed with the project arborist and performed by qualified arborists, not construction staff.
5. Parking areas for building staff and sub-contractor vehicles must be clearly defined, well away from tree protection zones.
6. A defined delivery and storage area for building materials and hazardous chemicals should be marked out well away from any TPZ as required. If a storage area is to be set up within a TPZ (due to site limitations), then ground protection measures are required. Refer to the previous section on Tree Protection Zone establishment.
7. Areas for waste disposal and skip bins must be clearly defined, well away from the tree protection zone. If skips are to be set up within a TPZ (due to site limitations), then ground protection measures are required.
8. A wash out area should be defined well away from any TPZ and waste appropriately managed. These should be outside of the TPZ and/or 10m from the trunk of any tree, whichever is greater. Contaminated water must not be allowed to drain into the TPZ area.

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Installation of underground services

A range of underground services may be required to service a new development. These may include but are not limited to:

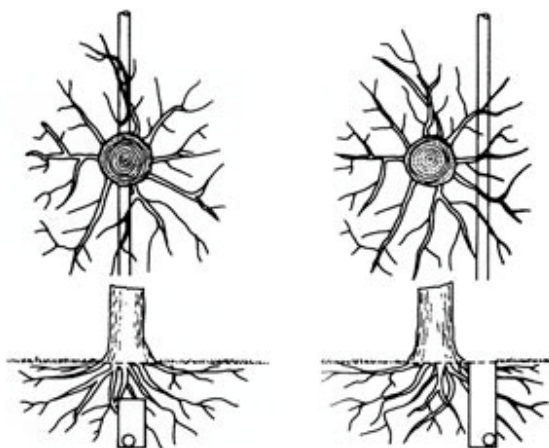
- Gas supply
- Electricity supply
- Water supply
- Sewer drainage
- Septic tank connections
- Stormwater drainage
- Irrigation pipes
- Fire mains
- Telephone and communication cables

Open trenching to install these services within a Tree Protection Zone has the potential to sever roots which can adversely affect tree health and stability. Unless otherwise approved, underground services should be installed according to the following guidelines.

1. All services should be routed outside the Tree Protection Zone where possible. If underground services must pass through a Tree Protection Zone, consult with the project arborist. These services should be installed by directional drilling or in manually excavated trenches.
2. Directional drilling.
 - The directional drilling bore should be at least 600mm deep (below the tree's root plate). The project arborist should assess the likely impacts of boring and bore pits on retained trees.
 - Entry, exit points, connection points and inspection points should be located outside the Tree Protection Zone where possible.
3. Manual excavation
 - For manual excavation of trenches, the project arborist should advise on roots to be retained and should monitor the works. Manual excavation may include the use of pneumatic and hydraulic tools.
 - Excavate the soil using hand tools and hydro excavation down to the required depth for the entire length of the service required within the TPZ.
 - Use the lowest pressure possible to carry out the excavations whilst avoiding damage to the outer bark on tree roots.
 - When tree roots are encountered, the operator should avoid damaging the protective layer by directing high pressure water away from tree roots.
 - Smaller tree roots (<20mm in diameter) may be damaged by the process, as this is generally unavoidable.
 - Tree roots greater than 30mm in diameter shall left intact and undamaged.

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4. Root pruning:
 - Retain as many roots as possible extending across the trench.
 - Any root pruning should be carried out in consultation with the project arborist.
 - Roots smaller than 50mmØ may be pruned back (preferably to a side branching root) using sharp pruning tools (such as secateurs or tree pruning handsaws).
 - Roots larger than 50mmØ should only be pruned after consultation with the project arborist.
5. Insert the underground service into the trench by weaving between exposed tree roots.
6. Backfill the trench as soon as possible after the service is installed to avoid root desiccation. If a trench is to remain exposed for more than 2 hours, the exposed roots and surrounding soil must be kept moist by hand irrigation and/or use of shading materials (hessian or boards). These roots must not be allowed to dry out.



Less damage is done to tree roots if utilities are tunneled under a tree (left, top and bottom) rather than across the roots (right, top and bottom).



- Above: Examples of directional drilling (left) and manual excavation with hydro-excavation (right).

Paving within a Tree Protection Zone

Paving treatments and other hard surfaces include concrete paths and driveways, unit pavers, bitumen etc. Paving within a Tree Protection Zone can create an impervious surface, limiting gas exchange and water infiltration into the root zone, and may adversely affecting tree health. In addition, compaction works can increase soil density, impairing root development and growth. There is also a risk of root damage from grade changes (cut) when preparing for paving works. To ensure paving works do not adversely affect trees to be retained on site, the following guidelines should be followed.

1. The following guidelines are indicative only and may require consultation with permeable paving specialists and civil engineers.
2. Paving and surface sealing should be excluded from the Tree Protection Zone where possible. Surface sealing of the root zone should not exceed 20% of the Tree Protection Zone area⁶.
3. If hard surfaces are required within a Tree Protection Zone, paving materials and methods should aim to avoid damage to the root system and use permeable materials.
4. Consider the finished paving levels in relation to the levels of surrounding structures in the design phase of the project. Adjust finished floor levels to ensure paving works do not lower grade by more than 50-80mm.
5. Tree root investigations may be required prior to designing and installing paver systems.
6. Consider future growth of tree roots and how they may impact on the paved surface. Paving works should remain outside the Structural Root Zone to reduce the likelihood of surface disruption in the future.
7. The project arborist should supervise any pavement installation work within a Tree Protection Zone.
8. Grade changes
 - No lowering of grade (cut) within a Tree Protection Zone for paving works without approval. The soil surface can be skimmed by removing loose organic matter, turf or old gravel surfaces carefully using hand tools or with a straight edge trimming bucket of an excavator standing outside the Tree Protection Zone (or on suitable ground protection). Skimming of the surface should cease when fine tree roots are encountered and should not exceed 50-80mm below the original level.
 - Any increase in grade (fill) must use permeable base layers that allow air and water to infiltrate.
9. Root damage
 - Damage to woody tree roots is not permitted. If woody tree roots are encountered, consult with the project arborist.

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10. The natural soil structure and density within the Tree Protection Zone should be maintained when installing hard surfaces. The natural soils below paved surfaces should not be compacted unless absolutely necessary (e.g., trafficable loads). Compaction of natural soils should not be necessary for pedestrian or light traffic paving applications.

11. Base layer

- The depth of the base layer will vary depending on the intended load. Trafficable areas will require a deeper preparation while pedestrian areas can be shallower.
- Base layer materials should allow air and water to infiltrate and consist of a graded material with no fines, such as 2-5mm graded particle size (or larger).
- Sand should not be used in the paving system due to its high clogging potential.
- A geotextile layer can be used between the base layer and subgrade to prevent fine particles migrating up from below.
- A three-dimensional cellular confinement system (such as 'EcoCell' or 'Geoweb') can be used for the base layer where required. This is a system of cells into which the base material is placed.
- The base layer material can then be compacted. Compaction should be to the minimum level required to support the intended load.

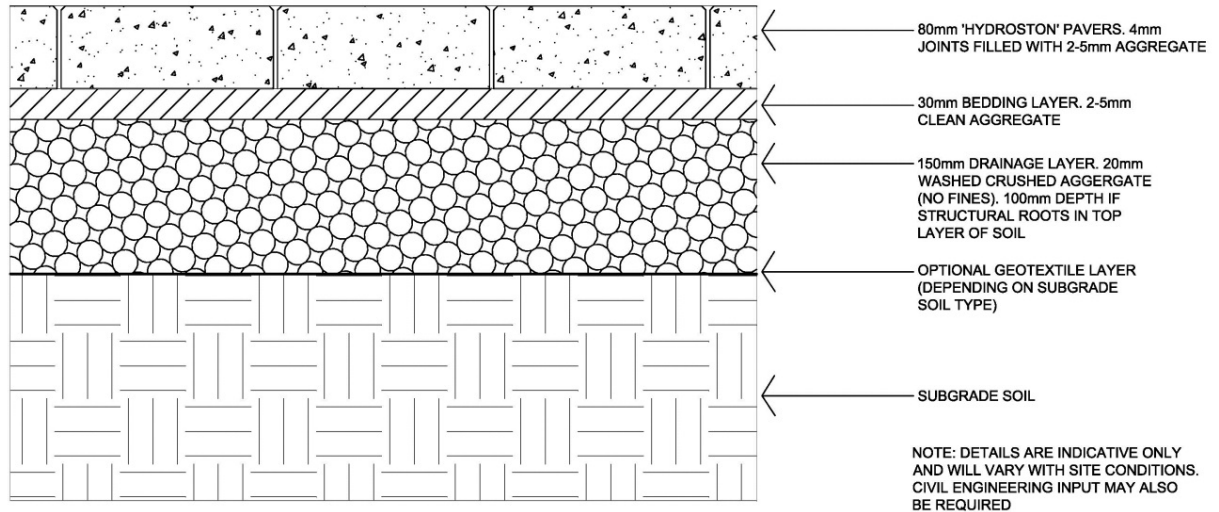
12. Bedding layer

- The bedding layer should be applied directly on top of the base layer.
- The bedding layer should use a single-graded material to provide good porosity and permeability.
- Regular paving sand is not recommended for this application.

13. Surface treatments

- Final surface treatments should allow air and water to infiltrate into the root zone. There are two main types of permeable surface treatments:
- Systems in which the unit pavers are impervious but contain permeable joins where air and water can pass between pavers (e.g., Ecotrihex, Hydrapave).
- Systems in which the paver material is porous, and air and water can pass through the paver (e.g., HydroSTONE).
- The unit pavers should have a single-graded aggregate swept in to fill in the gaps between pavers to allow air and water to infiltrate. Regular paving sand is not suitable for this application.

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- Above: An example of a permeable paving system (Dr Martin Ely)

Landscaping around established trees

Care is required when landscaping around established trees. Damage can occur from a range of activities, including soil compaction, soil contamination, physical damage to the tree during landscaping works, damage to the root system from trenching and level changes, root disturbance from paving works, planting works and lawn installation etc. The following guidelines should be followed when landscaping around established trees.

To minimise the possible adverse impacts from these activities during landscaping activities, a tree protection zone (TPZ) is required. The TPZ roughly equates to the drip line of the tree but is accurately calculated in the body of the tree report. All potentially adverse activities must not occur within this zone or must be modified to minimise the impacts.

Landscaping guidelines

1. The landscape design should be reviewed by the project arborist prior to being finalised.
2. Landscaping contractors should observe the guidelines set out in the previous sections on Tree Protection Zone establishment and Site Establishment.
3. The growing environment for mature trees should be optimised with the use of mulches. Mulches should be organic in origin, semi composted and contain a mixture of coarse and fine particles. Mulches should be 75-100mm thick and applied out to the drip line of trees or further, if possible, without coming into contact with the trunk. Mulches should be topped up every 1-2 years as required.
4. Irrigation systems around established trees should be set up as follows.
 - Drip irrigation systems are an effective way of applying water to the root zone of trees.
 - Connect the system to a reliable water source, preferably using a battery-operated programmable timer.
 - Use pressure reducers and relief valves as required.
 - Irrigation main lines should be radially arranged in relation to the root system rather than traversing the root system. Deep trenching across the drip line of trees must be avoided.
 - Install in-line dripper hose that emits ~3L of water per drip emitter per hour.
 - A parallel row pattern or a spiral pattern are simple installation methods to use with lines installed at 0.5m – 1.0m apart.
 - Irrigation should be applied during hotter months by providing one good soaking per week (2-3 hours at a time). Less water can be applied during cooler and wetter months.
 - Irrigate in the early morning. Avoid watering during the middle of the day.
 - Irrigation requirements should be adjusted according to species, soil type and climatic conditions.

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5. Paving works should be kept to a minimum within a Tree Protection Zone. If paving must occur, it must utilize a no dig method, use permeable base preparations to minimum soil compaction requirements and utilise permeable unit pavers or permeable concrete. Refer to the previous section on paving within a Tree Protection Zone.
6. Use caution when applying herbicides in the vicinity of established trees. Target the unwanted plants carefully and follow manufacturer's recommendations.
7. Pruning of established trees should be carried out by qualified arborists (Certificate III in Arboriculture).
8. Retaining walls should not be installed within the Tree Protection Zone. If required, consult with the project arborist.
9. Fences on the boundaries of the property must be installed without damaging the root system of established trees.
 - o Fencing must not use continuous strip footings.
 - o Lightweight fencing panels attached to concrete pads and posts are recommended.
 - o Concrete pads should be located outside the Structural Root Zone.
 - o Grade changes (cut and fill) must be avoided during fence installation.

Other planting considerations

- o Care is required when planting new vegetation within the drip line of established trees. Cultivation of the area under the tree should be kept to a minimum and undertaken with hand tools.
- o Grade changes (cut or fill) within the drip line of established trees should be avoided. Do not build up soil levels by more than 100mm.
- o The use of competitive plants should be kept to a minimum. Minimise the use of turf, and dense groundcovers etc.
- o The mature size of larger plants and trees should be considered. Plants should be well spaced to allow them to reach their mature size.
- o Select the largest trees for the size available. Larger trees provide greater benefits than smaller trees.
- o Provide adequate growing area for the trees to grow in. Small openings in paved areas are usually inadequate for healthy tree growth.
- o Species diversity is important in a sustainable garden (and urban forest). While monoculture plantings may provide a desired aesthetic, they are generally more vulnerable to pest and disease outbreaks.
- o Consider when to use shade trees or deciduous trees in relation to building orientation, private open space, the movement of the sun and the placement of windows.
- o The use of locally indigenous vegetation should be considered for their habitat, biodiversity, and wildlife corridor value.

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Development Monitoring and Certification

Through various stages of development, compliance certification provided in writing by a suitably qualified AQF Level 5 Arboriculturist is required.

These are outlined as follows with compliance recommended to be supplied to council as a condition of Development Approval:

Indicative Stages in Development and the Tree Management Process

Stage in development	Tree management process	
	Matters for consideration	Actions and certification
Planning (AS 4970-2009 Section 2 and 3)		
Site acquisition	Legal constraints	
Detail surveys	Council plans and policies Planning instruments and controls Heritage Threatened species	Existing trees accurately plotted on survey plan
Preliminary tree assessment	Hazards/risks Tree retention value	Evaluate trees suitable for retention and mark on plan Provide preliminary arboricultural report and indicative TPZs to guide development layout
Preliminary development design	Condition of trees Proximity to buildings Location of services Roads Level changes Building operations space Long-term management	Planning selection of trees for retention Design review by proponent Design modifications to minimise impact to trees
Development submission	Identify trees for retention through comprehensive Arboricultural impact assessment of proposed construction Determine tree protection measures Landscape design	Provide Arboricultural impact assessment including tree protection plan (drawing) and specification
Development approval	Development controls Conditions of consent	Review consent conditions relating to trees

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Preconstruction (AS 4970-2009 Section 4 and 5)		
Initial site preparation	State based OHS requirements for tree work Approved retention/removal Refer to AS 4373 for the requirements on the pruning of amenity trees Specifications for tree protection measures	Compliance with conditions of consent Tree removal/tree retention/transplanting Tree pruning Certification of tree removal and pruning Establish/delineate TPZ Install protective measures Certification of tree protection measures
Site establishment	Temporary infrastructure Demolition, bulk earthworks, hydrology	Locate temporary infrastructure to minimize impact on retained trees Maintain protective measures Certification of tree protection measures
Construction work	Liaison with site manager, compliance Deviation from approved plan	Maintain or amend protective measures Supervision and monitoring
Implement hard and soft landscape works	Installation of irrigation services Control of compaction work Installation of pavement and retaining walls	Remove selected protective measures as necessary Remedial tree works Supervision and monitoring
Practical completion	Tree vigour and structure	Remove all remaining tree protection measures Certification of tree protection
Post construction (AS 4970-2009 Section 5)		
Defects liability / maintenance period	Tree vigour and structure	Maintenance and monitoring Final remedial tree works Final certification of tree condition

Conclusions

- Adelaide Arb Consultants assessed three mature trees at 13 Raldon Grove, Myrtle Bank on the 14th of January 2025 in relation to a proposed development.
 - Tree 1 is a *Corymbia ficifolia* - red flowering gum and is located within the front garden of the site.
 - Tree 2 is a *Cedrus atlantica* – atlas cedar and is located within the rear garden of the site.
 - Tree 3 is a *Grevillea robusta* – silky oak and is located within the rear garden of the site.
- The trees are controlled under the current provisions of the *Planning, Development & Infrastructure Act 2016* as follows.
 - Tree 1 is a significant tree.
 - Tree 2 is a regulated tree
 - Tree 3 is a regulated tree
- Trees 1 and 2 have a useful life expectancy in excess of 20 years. Tree 3 has a useful life expectancy of 5-10 years.
- The ISA – TRAQ risk assessment process has demonstrated that all trees currently have a low risk rating.
- An Arboricultural Impact Assessment was undertaken, and the proposed development is not likely to have an adverse impact on Tree 1. The proposed development is likely to have an adverse impact on Trees 2 and 3.
- Due to the small land area available to extend the dwelling and the constraints posed by the tree protection zones of Trees 2 and 3, there are no alternative design solutions available to develop the site
- Tree removal is required to facilitate the current proposal.
- A Tree Protection Plan is attached to provide guidelines to the various construction teams to ensure the remaining Tree 1 is adequately protected during the construction phase.

Endnotes

¹ ISA TRAQ – Levels of Assessment - Tree and risk assessments can be conducted at different levels of detail, each employing varying methods and providing the client with varied options for reporting and recommendations. The level selected should be appropriate for the assignment.

Level 1 - Limited Visual Assessment

- Visual assessment of an individual tree or population of trees near specified targets
- Conducted from a specified perspective.
- To identify certain obvious defects or specified conditions.
- Typically focusses on identifying trees with imminent and/or probable likelihood of failure.
- Typically, one or two of the three factors is/are considered as a constant.
- This is the fastest, but least thorough, means of assessment and are intended primarily for managing large populations of trees when time and resources are limited.
- This can be carried out as a walkover, drive-by or fly-over inspection.

Level 2 – Basic Assessment

- A level 2 or basic assessment is a detailed visual inspection of a tree and its surrounding site.
- This is the level of assessment that is commonly performed by arborists in response to client's requests for individual tree risk assessments.
- It is ground based and requires the arborist to inspect completely around the tree – looking at the site and visible buttress roots, trunk, and branches.
- The use of simple tools may be required (measuring tools, Binoculars, magnifying glass, mallet, probe, hand digging tools, compass, camera)
- Often a basic assessment is adequate for assessing risk and making recommendations, but it sometimes reveals the need for more advanced assessment measures.
- The primary limitation of a basic assessment is that it only includes conditions that can be detected from a ground based visual inspection. Internal, below-ground, and upper-crown factors may be impossible to see or difficult to assess.

Level 3 - Advanced Assessment

- Advanced assessments are performed to provide detailed information about specific tree parts, defects, targets or site conditions.
- An advanced assessment may be conducted in conjunction with or after a basic assessment if additional information is needed and the client approves the additional service.
- Specialised equipment, data collection and analysis and/or expertise are usually required for advanced assessments.
- The assessments are generally more time intensive and expensive.
- There are many types of advanced assessments that can be conducted (aerial inspection, detailed target analysis, detailed site evaluation, decay testing, health evaluation, root inspection, tree stability monitoring and load testing).

(Dunster, J et.al. (2017), *Tree Risk Assessment Manual – Second Edition* – International Society of Arboriculture, Champaign, Illinois, pp. 15-34.)

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² Variations to the TPZ

It may be possible to encroach into or make variations to the standard Tree Protection Zone (TPZ). Encroachment includes excavation, compacted fill and machine trenching.

Minor encroachment - If the proposed encroachment is less than 10% of the area of the TPZ and is outside the SRZ, detailed root investigations should not be required. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ. Variations must be made by the project arborist considering relevant factors listed in Clause 3.3.4. The figures in Appendix D demonstrate some examples of possible encroachment into the TPZ up to 10% of the area.

Major encroachment - If the proposed encroachment is greater than 10% of the TPZ or inside the SRZ (see Clause 3.3.5), the project arborist must demonstrate that the tree(s) would remain viable. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ. This may require root investigation by non-destructive methods and consideration of relevant factors listed in Clause 3.3.4.

(From Australian Standard AS 4970 – 2009 *Protection of trees on development sites*, section 3.3.)

³ Project arborist - The person responsible for carrying out the tree assessment, report preparation, consultation with designers, specifying tree protection measures, monitoring and certification. The project arborist will be suitably experienced and competent in arboriculture, having acquired through training, qualification (minimum Australian Qualification Framework (AQF) Level 5, Diploma of Horticulture (Arboriculture)) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by this Standard.

(AS 4970 – 2009 *Protection of trees on development sites*)

⁴ Tree damaging activity meaning

Planning, Development and Infrastructure Act 2016

Part 1 – Preliminary

Section 3 – Interpretation

tree-damaging activity means

- (a) the killing or destruction of a tree; or
- (b) the removal of a tree; or
- (c) the severing of branches, limbs, stems or trunk of a tree; or
- (d) the ringbarking, topping or lopping of a tree; or
- (e) any other substantial damage to a tree,

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 or that is excluded by regulation from the ambit of this definition.

Planning, Development and Infrastructure (General) Regulations 2017

Section 3F (6)

For the purposes of the definition of *tree damaging activity* in section 3(1) of the Act, pruning—

- (a) that does not remove more than 30% of the crown of the tree; and
- (b) that is required to remove—
 - (i) dead or diseased wood; or
 - (ii) branches that pose a material risk to a building; or
 - (iii) branches to a tree that is located in an area frequently used by people and the branches pose a material risk to such people,

is excluded from the ambit of that definition.

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⁵ Certificate Level 3 in Arboriculture The person with training to AQF Level 3 in Arboriculture, or above, or equivalent recognized and relevant experience that enables the person to perform the tasks required by AS 4373 – 2007 *Pruning of amenity trees*.

Certificate Level 5 (Diploma of Arboriculture) The person responsible for carrying out the tree assessment, report preparation, consultation with designers, specifying tree protection measures, monitoring and certification. The project arborist will be suitably experienced and competent in arboriculture, having acquired through training, qualification (minimum Australian Qualification Framework (AQF) Level 5, Diploma of Horticulture (Arboriculture)) and/or equivalent experience, the knowledge and skills enabling that person to perform the tasks required by AS 4970-2009 *Protection of trees on development sites*.

⁶ British Standards – BS 5837 – 2005 *Trees in Relation to Construction – Recommendations*

Document: # - RJ002122-013RalGrCficCatIGrob – Appendix A
[REDACTED] and Peter Jones
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Myrtle Bank SA 5064
Date: 28th January 2025

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Arboricultural Impact Assessment Report

13 Raldon Grove, Myrtle Bank

Appendix A – Individual Tree Observations




Prepared for



Peter Jones

Compiled by

Michael Palamountain
Adelaide Arb Consultants

Tree 1		<i>Corymbia ficifolia</i> - red flowering gum	
Species Origin	Introduced Native		
Height	8-13m		
Spread (Diameter)	8-13m		
Age	Mature		
Useful Life Expectancy	>20 years		
Basic Health	Good		
Basic Structure	Good		
Form	Good		
Trunk Circumference	282cm		
Legislative Control	Significant ¹	<p>Above: The subject tree when viewed from the north.</p>	
Root Protection Zones			
Diameter @ Breast Height	79cm	Diameter @ Root Buttress	93cm
Tree Protection Zone	Radius = 9.5m Area = 285m ²	Structural Root Zone	Radius = 3.2m

Above: The subject tree when viewed from the north.

General Observations

The tree is centrally located in the front garden of the property.

This tree has a single trunk, dividing into two co-dominant stems at 0.6m of ground level, with primary branches² starting at 2.5m to form a compact dense crown, which is typical of the species.

Tree health is good. Foliage colour, density and distribution are very good. There are a small number of small diameter dead branches scattered throughout the crown.

Tree structure is good. The codominant stems at 0.6m are well attached to each other. The main upright stem is sound with no notable wounding or defects. The western stem has a wound on the eastern face starting at the stem union at 0.6 metres and extending up to 2.0m. This is an historic wound with dead heartwood visible. The internal wood has evidence of termite activity, which is normal and expected for most mature trees. There is good tension wood development³ on the sides of the wound providing sufficient support for this western stem. The likelihood of whole stem failure is low.

The remaining secondary branches are all well attached and free of visible defects. Low foliage is drooping down on the western side, restricting sunlight into the garden area.

I found no evidence of, nor was I advised of, any notable branch failure from the crown of this tree. There is evidence of minor pruning to remove lower branches. I was advised that this tree has had minimal pruning over the last few decades.

Tree Risk Assessment – ISA TRAQ Model

Risk component	Value	Notes
Risk Assessment Timeframe	3 years	
Target Impact Likelihood	Medium	Driveway Ornamental Garden
Likelihood of Failure	Possible	Secondary branches
Likelihood Failure & Impact	Unlikely	
Consequence of Failure & Impact	Minor	Smaller branch failures are likely to result in minor garden or vehicle damage.
TRAQ Risk Rating	Low	

Recommendations


The following management recommendations are provided to enable the sustainable retention of the tree:

Pruning

- All pruning must conform to the Australian Standard AS 4373 – 2007 *Pruning of amenity trees*.
- All pruning should be carried out or supervised by a qualified and experienced arborists.
- Tree removal is not warranted or recommended.
- The removal of the western stem is not warranted or recommended.
- Minor pruning could occur to lift the lower crown by up to 2m to increase sunlight into the lower garden area.
- As this pruning is not adversely affecting the overall appearance of the tree, the long-term health of the tree or the structural integrity of the tree, planning consent is not required.
- Tree management priority - Low - Within 4 years

Reinspection

This tree should be reinspected in 3 years to reassess tree condition, risk, and management options. A reinspection should occur sooner if there has been a noticeable change in the tree or the surrounding environment.

Tree 2		<i>Cedrus atlantica</i> - Atlas cedar	
Species Origin	Exotic		
Height	14-20m		
Spread (Diameter)	14-20m		
Age	Mature		
Useful Life Expectancy	>20 years		
Basic Health	Good		
Basic Structure	Good		
Form	Good		
Trunk Circumference	196cm		
Legislative Control	Regulated tree		
<p>Above: The subject tree when viewed from the northwest.</p>			
Root Protection Zones			
Diameter @ Breast Height	61cm	Diameter @ Root Buttress	74cm
Tree Protection Zone	Radius = 7.3m Area = 168m ²	Structural Root Zone	Radius = 2.9m

General Observations

The subject tree is located in the southeastern corner of the rear garden as follows.

- 1.1m from the side boundary to the east.
- 3.2m from the rear boundary to the south.
- 7.1m from the rear of the existing dwelling to the north.
- 3.6m from the rear of the dwelling to the northeast on the adjoining property.

This tree has a single upright trunk with primary branches from 4m to form an upright pyramid shaped crown which is typical of the species.

This tree is in good health. Foliage colour, density and distribution are normal. There are several small to medium sized dead branches scattered throughout the crown. There is evidence of previous ivy growing up the trunk (partially removed).

Tree structure is good. The lower trunk is solid and sound and free of visible wounding or defects. Primary branches are well attached and are not excessively long or heavy. Low branches to the north are drooping down and are in contact with the roof of the existing dwelling.

I found no evidence of recent notable branch failure from the crown of this tree.

There is evidence of minor pruning to remove lower branches to provide suitable clearances around garden areas and structures.

Tree Risk Assessment – ISA TRAQ Model

Risk component	Value	Notes
Risk Assessment Timeframe	3 years	
Target Impact Likelihood	Medium	Building Ornamental Garden
Likelihood of Failure	Possible	Primary or secondary branch
Likelihood Failure & Impact	Unlikely	
Consequence of Failure & Impact	Minor	Branch tips containing foliage are likely to impact a target first, resulting in minor damage.
TRAQ Risk Rating	Low	

Recommendations

This tree is required to be removed to facilitate the current proposed addition.

If retained, this tree is required to be protected with a tree protection zone with a radius of 7.3m.

If retained, the following pruning may be required to accommodate the second storey.

Pruning

- All pruning must conform to the Australian Standard AS 4373 – 2007 *Pruning of amenity trees*.
- All pruning should be carried out or supervised by a qualified and experienced arborists.
- Pruning would be required to remove lower branches on the northern side to accommodate a two-story addition.
- Additional pruning could occur to remove dead branches greater than 50mm in diameter and to remove dead Ivy stems from the mid trunk.
- Tree management priority - Low - Within 4 years

Reinspection

This tree should be reinspected in 3 years to reassess tree condition, risk, and management options. A reinspection should occur sooner if there has been a noticeable change in the tree or the surrounding environment.

Planning and Design Code – (Regulated and Significant Tree Overlay)

Desired Outcomes (DO)

DO 1. Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

The subject tree provides moderate aesthetic benefit to the local area. As an introduced species that is segmented from wildlife corridors, it has reduced environmental value.

Performance Outcomes (PO) – Tree Retention and Health

PO 1.1 Regulated trees are retained where they [achieve any of the following attributes]:

a) make an important visual contribution to local character and amenity.

Yes - This is a large tree, visible from the street frontage, providing a range of human benefits in the locality.

b) are indigenous to the local area and listed under the *National Parks and Wildlife Act 1972* as a rare or endangered native species.

No - This species is not indigenous to South Australia.

c) provide an important habitat for native fauna.

No - As an introduced exotic tree species, it offers limited habitat opportunities for local fauna.

PO 1.3 A tree damaging activity not in connection with other development satisfies (a) or (b):

(a) Tree damaging activity is only undertaken to:

(i) remove a diseased tree where its life expectancy is short.

No - This tree is currently in acceptable health with a useful life expectancy in excess of 20 years.

(ii) mitigate an unacceptable risk to public and private safety due to limb drop or the like.

No - The risk assessment identified that this tree currently has a low risk rating.

(iii) rectify or prevent extensive damage to a building of value as comprising any of the following:

A. a Local Heritage Place

No - The application does not relate to or involve a Local Heritage Place.

B. a State Heritage Place

No - The application does not relate to or involve a State Heritage Place.

C. a substantial building of value

No - I found no evidence of, nor was I advised of, any extensive damage to surrounding buildings that could be attributed to the presence of this tree.

and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity.

N/A

(iv) reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire.

No – This tree is not demonstrated to pose an unacceptable fire hazard.

(v) treat disease or otherwise in the general interests of the health of the tree.

N/A

(vi) maintain the aesthetic appearance and structural integrity of the tree.

N/A

(b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.

N/A

PO 1.4 A tree-damaging activity in connection with other development satisfies the following:

(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible.

Yes – the current design proposal forms major encroachment into the tree protection zone (35%) and is within the structural root zone. The proposed development is not achievable if the tree is retained.


(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.

Yes – as a regulated tree with a large tree protection zone, there is limited scope to adjust the design to reduce encroachment to a minor level. As this is a regulated tree, alternative design solutions are not mandatory.

Performance Outcomes (PO) – Ground work affecting trees

PO 2.1 Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.

No - the current design proposal forms major encroachment into the tree protection zone (35%) and is within the structural root zone. The required ground work will adversely affect the tree. The tree will not be sustainable as part of the current development proposal.

Tree 3		<i>Grevillea robusta</i> - silky oak	
Species Origin	Introduced Native		
Height	14-20m		
Spread (Diameter)	8-13m		
Age	Mature		
Useful Life Expectancy	5-10 years		
Basic Health	Fair		
Basic Structure	Fair		
Form	Fair		
Trunk Circumference	122cm		
Legislative Control	Regulated tree		
Root Protection Zones			
Diameter @ Breast Height	37cm	Diameter @ Root Buttress	42cm
Tree Protection Zone	Radius = 4.4m Area = 62m ²	Structural Root Zone	Radius = 2.3m

Above: The subject tree when viewed from the north.

Above: The subject tree when viewed from the north.

Date: 28th January 2025

General Observations

This tree is centrally located on the rear boundary as follows:

- 1.1m from the rear boundary to the south.
- 6.6m from the side boundary to the east.

Tree form consists of a single trunk with slender primary branches from 5m to form a sparse and irregular crown. This is fairly typical for this species growing in the local dry conditions, and immediately adjacent to a larger tree (Tree 2).

Tree health is fair. The tree has reduced foliage density throughout.

Tree structure is fair. The primary and secondary branches are well attached and free of visible defects. The tree has developed a pattern of small to medium diameter branch failure. This is likely related to the tree's poor suitability to the local climatic conditions.

This tree is not well suited to the local soil and climatic conditions and is showing early signs of decline. It has a short life expectancy at the site of less than 10 years.

Tree Risk Assessment – ISA TRAQ Model

Risk component	Value	Notes
Risk Assessment Timeframe	3 years	
Target Impact Likelihood	Medium	Ornamental Garden
Likelihood of Failure	Possible	Secondary branch
Likelihood Failure & Impact	Unlikely	
Consequence of Failure & Impact	Minor	Secondary branch failure is most likely to impact a fence or garden plant causing minor damage.
TRAQ Risk Rating	Low	

Recommendations

This tree is required to be removed to facilitate the current proposed addition.

If retained, this tree is required to be protected with a tree protection zone with a radius of 4.4m.

No pruning works are currently required.

Reinspection

This tree should be reinspected in 3 years to reassess tree condition, risk, and management options. A reinspection should occur sooner if there has been a noticeable change in the tree or the surrounding environment.

Planning and Design Code – (Regulated and Significant Tree Overlay)

Desired Outcomes (DO)

DO 1. Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

The subject tree provides moderate aesthetic benefit to the local area. As a planted Australian native species that is segmented from wildlife corridors, it has reduced environmental value.

Performance Outcomes (PO) – Tree Retention and Health

PO 1.1 Regulated trees are retained where they [achieve any of the following attributes]:

a) make an important visual contribution to local character and amenity.

Yes - This is a tree with irregular form, visible from the street frontage, and provides a range of human benefits in the locality.

b) are indigenous to the local area and listed under the *National Parks and Wildlife Act 1972* as a rare or endangered native species.

No - This species is not indigenous to South Australia.

c) provide an important habitat for native fauna.

No - As a planted Australian native species, it offers some, but habitat opportunities for local fauna, but not as important when compared to a locally indigenous tree species.

PO 1.3 A tree damaging activity not in connection with other development satisfies (a) or (b):

(a) Tree damaging activity is only undertaken to:

(i) remove a diseased tree where its life expectancy is short.

Yes - This tree is not well suited to the local soil and climatic conditions. It has a useful life expectancy of <10 years.

(ii) mitigate an unacceptable risk to public and private safety due to limb drop or the like.

No - The risk assessment identified that this tree currently has a low risk rating.

(iii) rectify or prevent extensive damage to a building of value as comprising any of the following:

A. a Local Heritage Place

No - The application does not relate to or involve a Local Heritage Place.

B. a State Heritage Place

No - The application does not relate to or involve a State Heritage Place.

C. a substantial building of value

No - I found no evidence of, nor was I advised of, any extensive damage to surrounding buildings that could be attributed to the presence of this tree.

and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity.

N/A

(iv) reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire.

No – This tree is not demonstrated to pose an unacceptable fire hazard.

(v) treat disease or otherwise in the general interests of the health of the tree.

N/A

(vi) maintain the aesthetic appearance and structural integrity of the tree.

N/A

(b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.

N/A

PO 1.4 A tree-damaging activity in connection with other development satisfies the following:

(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible.

Yes – the current design proposal forms major encroachment into the tree protection zone (24%) and is within the structural root zone. The proposed development is not achievable if the tree is retained.

(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.

Yes – as a regulated tree with a moderate tree protection zone, there is limited scope to adjust the design to reduce encroachment to a minor level. As this is a regulated tree, alternative design solutions are not mandatory.

Performance Outcomes (PO) – Ground work affecting trees

PO 2.1 Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.

No - the current design proposal forms major encroachment into the tree protection zone (24%) and is within the structural root zone. The required ground work will adversely affect the tree. The tree will not be sustainable as part of the current development proposal.

Endnotes

¹ Regulated and significant tree meaning (Updated 16/5/2024)

Planning, Development and Infrastructure Act 2016

Part 1-Preliminary

Section 3 – Interpretation

regulated tree means—

- (a) a tree, or a tree within a class of trees, declared to be regulated by the regulations (whether or not the tree also constitutes a significant tree under the regulations); or
- (b) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, under the Planning and Design Code (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations).

significant tree means—

- (a) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, under the Planning and Design Code (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or
- (b) a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

Planning, Development and Infrastructure (General) Regulations 2017

Part 1—Preliminary

3F—Regulated and significant trees

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of regulated tree in section 3(1) of the Act, namely trees within a designated regulated tree overlay that have a trunk with a circumference of 1 m or more or, in the case of trees that have multiple trunks, that have trunks with a total circumference of 1 m or more and an average circumference of 310 mm or more, measured at a point 1 m above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of significant tree in section 3(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 2 m or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 2 m or more and an average circumference of 625 mm or more, measured at a point 1 m above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.
- (3) For the purposes of subregulations (1) and (2), the measurement of the circumference of the trunks of a tree with multiple trunks is to be undertaken on the basis of the actual circumference of each trunk and without taking into account any space between the trunks.

² Branching order describes the divisions between successively smaller branches in a tree. The main trunk/s is/are what emerge/s from the ground and are not considered branches. First order branches (or primary branches) emerge from the main trunk or stems and are the main scaffold branches of the tree. Second order branches (or secondary branches) emerge from these first order branches, followed by third order branches (tertiary branches) and so on. Successive branching is usually characterised by a reduction in branch diameter at each division.

(Draper, D., and Richards, P., (2009) *Dictionary for Managing Trees in Urban Environments* CSIRO Publishing and Institute of Australian Consulting Arborists.)

A lateral is a branch arising from another branch (Australian Standard AS 4373 – 2007 *Pruning of amenity trees*.)

³ Tension wood - Reaction wood formed in dicotyledonous Angiosperms as additional wood growth on the upper side of a stem opposing a lean, reacting to the loading stimulus to pull the stem upwards.

(Draper, D., and Richards, P., (2009) *Dictionary for Managing Trees in Urban Environments* CSIRO Publishing and Institute of Australian Consulting Arborists.)

25 March 2025

Development Application

Proposed Removal of 2 Regulated Trees at 13 Raldon Grove, Myrtle Bank

Council area: City of Unley

Zone: Established Neighbourhood Zone

Overlay: Historic Area Overlay

1.0 INTRODUCTION

This report is prepared in response to a request from Ryan Horsnell at Troppo Architects for a visual assessment of two regulated trees located at 13 Raldon Grove, Myrtle Bank. Specifically, I have considered:

1. Do the subject trees make an important contribution to the character or amenity of the local area?
2. Are the trees of value as a significant landmark?
3. Are the trees of significant amenity value of a kind which would not be adequately replaced by new plantings?
4. Do they contribute significantly to landscape or streetscape quality, or the objectives of the relevant provisions of the Planning and Design Code?
5. Do they make an important contribution to the character or amenity of the local area?

2.0 BACKGROUND

In forming the opinion contained within this report, I have considered the context and locality in which the subject trees are located. The report includes a brief summary of the local landscape character.

The report also includes my opinion in relation to the Assessment Provisions in the Regulated and Significant Tree Overlay of the Planning and Design Code:

PO 1.1

Regulated trees are retained where they:

(a) make an important visual contribution to local character and amenity

The statutory requirements relating to trees where the Regulated and Significant Tree Overlay in the Planning and Design Code applies are:

A regulated tree has:

- *a single trunk with a circumference of 1 metre or more - when measured 1 metre above natural ground level*
- *multiple trunks with a total circumference of 1 metre or more and an average circumference of 310 millimetres or more - when measured at 1 metre above natural ground level*

3.0 METHODOLOGY

Inspection

I inspected the site and locality on 10 March 2025 prior to completing this report. I viewed the subject site only from publicly-accessible areas; that is, the roads and road verges within the locality. I have not viewed or considered the visual impact of removal of the tree from private land.

I chose to carry out my analysis from evidence on-site rather than purely a desk-top study. I consider the former more reliable given the complexity of viewing an object and the effect existing buildings and vegetation have on views.

Visual assessment

The analysis within this report includes:

Location - the location from which I viewed the subject trees.

Existing landscape quality – a description of the landscape quality within the locality.

Visual assessment - opinion on the tree's visibility from the viewpoint.

4.0 DEVELOPMENT PROPOSAL

The subject trees are identified as Regulated Trees in the Project Adelaide ARB Arborist's Report as a *Cedrus atlantica* (Atlantic Cedar) and a *Grevillea robusta* (Silky Oak). The subject trees sit within the rear garden of the property.

From my own observation and measurements, I note:

Species: *Cedrus atlantica*

Size: Approximately 15m in height.

Previous Pruning: Minor evidence of previous pruning.

Tree structure and canopy: Upright canopy habit with single leader.

Species: *Grevillea robusta*

Size: Approximately 14m in height.

Previous Pruning: Minor evidence of previous pruning.

Tree structure and canopy: Minor dead wood. Single trunk.

Locality

The subject trees are located within the rear garden of a property at 13 Ralton Grove, Myrtle Bank. Ralton Grove is a tree lined street within, mostly, older-style residences facing onto the street.

The locality is shown in figure 01. The locality is defined in general terms by the potential visibility of the tree from the surrounding streets. I conclude that from within the locality, the trees are generally visible from points within the block bordered by Fullarton Road, Randon Grove, Baulderstone Road and Ferguson Avenue. Given the density of built form, vegetation within allotments and presence of mature street trees along these roads, these views are static views from a single viewpoint rather than continuous views.



Figure 01: Locality bounded by Fullarton Road, Raldon Grove, Boulderstone Road and Ferguson Avenue. Note the presence of mature street trees in Raldon Grove, Boulderstone Road and Ferguson Avenue, and the presence of a mature tree canopy within the locality contributing towards neighbourhood amenity.

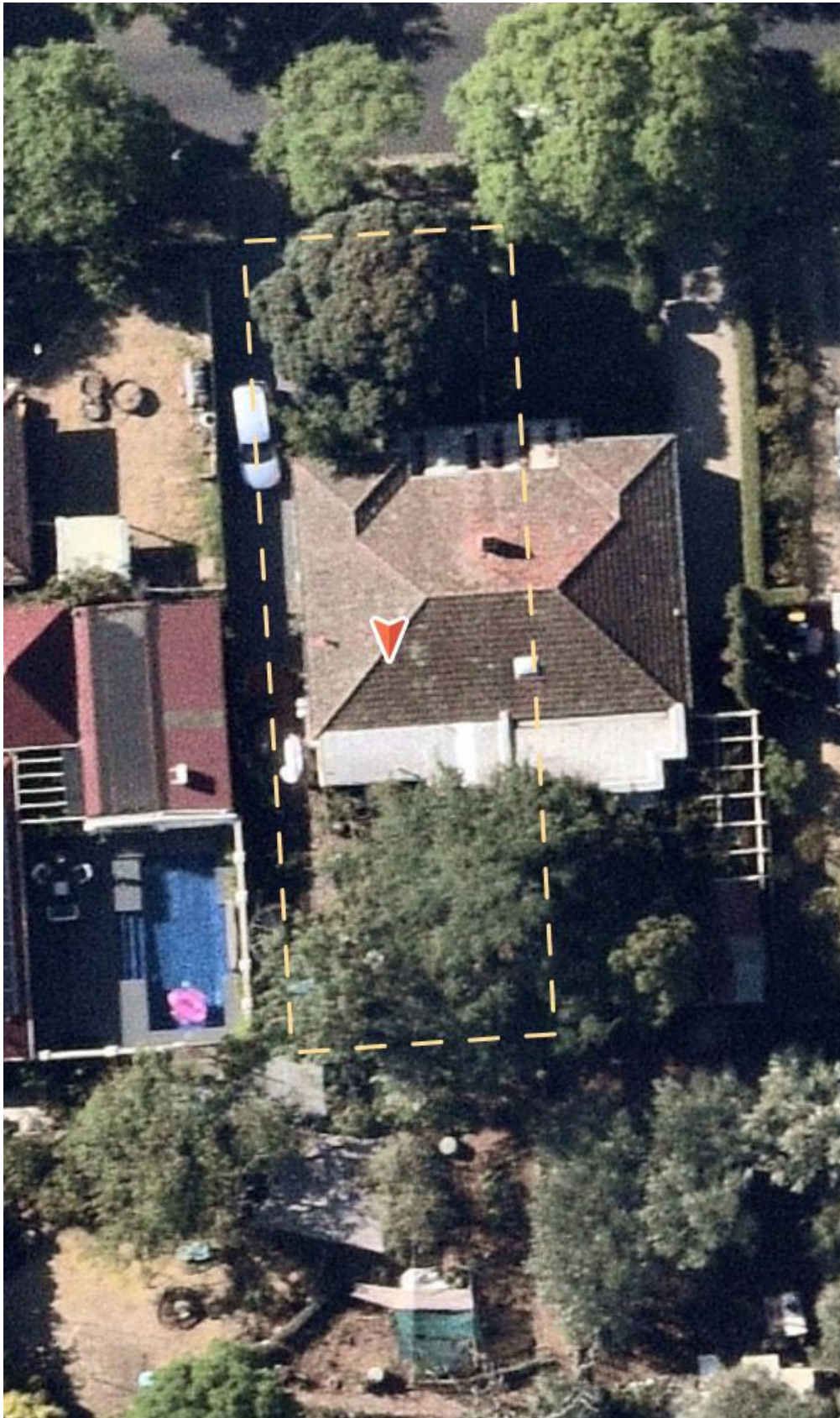


Figure 02: Subject site at 13 Raldon Grove, Myrtle Bank. Note the 2 subject trees proposed for removal in the rear garden, the retention of a mature Red Flowering Gum in the front garden, the presence of mature street trees in Raldon Grove, and a mature tree canopy in the allotment to the south of the subject site.

Subject trees

The Cedar proposed for removal currently sits adjacent to the allotment's east and southern boundaries. This tree has a well-formed canopy and single trunk characteristic of the species. The tree appears in good condition with a well-formed canopy and healthy growth. The tree is proposed for removal to make way for building additions to the rear of the existing dwelling.

The Silky Oak proposed for removal currently sits in the rear garden to the allotment again close to the southern boundary. The tree has a single trunk and relatively thin canopy for this species. Again, the tree is proposed for removal to make way for building additions.

Existing landscape quality

The landscape character of the locality is influenced by the adjacent allotments with, mostly, single dwellings, established gardens with extensive tree canopy, and the large, mature street trees in Raldon Grove.

The landscape character of the locality is well established and attractive, comprising a mix of introduced and native trees within established gardens and as street trees. Front fences facing onto Raldon Grove comprise a variety of types, some incorporating hedging, or just hedges. Car access is generally off Raldon Grove and garaging is usually set back from the front property line.

The existing mature canopy of multiple trees within the locality contributes towards the overall amenity and attractiveness of the area. Despite the presence of overhead power lines on the northern side of Raldon Grove and the effect of pruning these trees clear of the wires, the mature street trees lining this street make a strong contribution to the overall tree canopy and amenity within the locality.

Visual Assessment

To gauge the visual impact of the subject trees, photographs were taken from the closest viewpoints in Raldon Grove, viewpoints identified as 03 and 04 in this report.



Figure 03: View towards the subject trees from Raldon Grove just east of the subject site. The Cedar is visible but not the Silky Oak. Note the visually dominant pair of Cypress Pines in the foreground.



Figure 04: View towards the subject trees from Raldon Grove just west of the subject site. Both the Cedar and the Silky Oak are visible in the rear garden. Note the mature street tree in Raldon Grove in the foreground.

ASSESSMENT AGAINST THE PLANNING AND DESIGN CODE

Regulated trees are retained where they:

(a) make an important visual contribution to local character and amenity

Do the subject trees make an important contribution to the character or amenity of the local area?

From the visual assessment carried out and summarised in this report, I conclude that whilst the trees contribute towards local character and amenity, they do not make an important contribution.

Are the trees of value as a significant landmark?

Given their location in the rear garden of the subject land, the presence of existing vegetation on the subject land and adjacent properties, the limited visibility of the subject trees from the streets within the locality, I do not consider the subject trees as significant landmarks within the locality.

Are the trees of significant amenity value of a kind which would not be adequately replaced by new plantings?

Both the Cedar and the Silky Oak are relatively common trees in Adelaide. The Cedar is an exotic species and the Silky Oak, whilst a native species, is not local to SA and not really suited to our soils and climate. I therefore conclude that the subject trees are not of significant amenity value and could be replaced by trees as part of the proposed new works at the property.

Do they contribute significantly to landscape or streetscape quality?

Overall, I consider the contribution of the subject trees to the landscape generally and the adjacent streetscapes to be low.

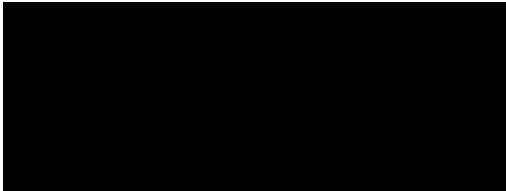
Do they make an important contribution to the character or amenity of the local area?

For the reasons given above, I do not consider that the subject trees make an important contribution to the character or amenity of the local area.

Please let me know if I can provide any further commentary or opinion in respect to this matter.

Sincerely

oxygen



James Hayter

Registered Landscape Architect AILA | Member No. 265
 Registered Architect AIA | Member No. 2337
 Accredited Professional - Planning Level 2 Registration No. APP20230018
 Adjunct Professor, School of Architecture and Civil Engineering, University of Adelaide
 Director, Oxygen | Landscape Architects, Architects and Urban Designers

ATTACHMENT 2

Details of Representations

Application Summary

Application ID	24018265
Proposal	Alterations and additions to the existing dwelling, including partial demolition and construction of a carport, verandah, deck and swimming pool and associated safety barriers.
Location	13 RALDON GR MYRTLE BANK SA 5064

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2024 03:04 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

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 2 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2024 03:12 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

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 3 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2024 03:12 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

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 4 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2024 03:17 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

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 5 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2024 03:23 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

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 6 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	27/11/2024 03:27 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

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 7 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	03/12/2024 09:32 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 oppose the development

Reasons

We are very concerned about the impact that the 2nd story component of the application will have on our amenity in our back yard. We note that the application proposes; : No set back at ground level (the first building level) : A set back from our common boundary of 1640mm to the building line at the upper level (the secondary building level), but approx. half that (800mm) to the roof eaves line at this level (no exact dimension has been provided in the submission) We believe this modest setback will adversely affect our amenity due to its sheer size and bulk so close to the common boundary, together with the resultant impact on light and overshadowing to our site. : We note the PlanSA portal calls up a minimum side boundary set back of 1 metre for the first building level, and 3 metres for any secondary (or higher) buiding levels. We accept these guidelines may not specifically apply to a duplex development such as ours with respect to the first building level. However, we do believe this design parameter should apply to the proposed secondary level. Of further concern to us is possible damage to our existing "Chinese Pistache" tree, which is located approx. 1 metre from the proposed boundary wall. (nb: classed as a regulated tree). We are also of the opinion that further analysis of the proposed removal of a significant tree on the site should be considered. (ie: is pruning/shaping an option?) Our concerns would be addressed if; : Adherence to the side boundary setback requirements for the secondary level were followed as per "Plan Parcel F25668 AL51" : Consideration of how damage to the root zone of our tree will be avoided. : We request sun-path diagrams be produced with any revised application documentation.

Attached Documents

Representations

Representor 8 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	07/12/2024 09:13 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 with some concerns

Reasons

We have concerns over the proposed first floor addition and the Western Elevation (aspect). The windows that are proposed do they have viewing into the backyard of [REDACTED] and the existing dwellings entertaining and family room areas? The property at [REDACTED] looks to lose its privacy with this proposed first floor addition. We purchased the property because of the rear living spaces and the privacy created by the property boundaries. We are conscious of keeping our privacy as this is our whole living area and entertaining area around the pool and externals facades. The whole back of [REDACTED] is glass cafe doors and windows built around being open and presenting entertaining. We would also like to know specifics regards proposed additions dimensions in relation to the backyard and more. Planning document does not show specifics around dimensions and the impact on visuals etc.

Attached Documents

ATTACHMENT 3

Amelia De Ruvo
City of Unley
181 Unley Rd
Unley SA 5061

19.12.2024

Dear Amelia,

**Re: APPLICATION 24018265
AT 13 RALDON GROVE, MYRTLE BANK**

In response to your letter dated 12th December and the representation made by the neighbours, we advise item by item as follows...

Response to Representation from [REDACTED]. We note that

We appreciate the feedback from the owners of [REDACTED] and wish to address the points raised in their representation with respect to our proposed development

Item 1: Building Setbacks

Given the constraints of the existing site, particularly the shared party wall with the neighboring property, we have taken a thoughtful and iterative approach to the design, ensuring that any alterations meet the requirements while also enhancing the livability of the dwelling.

A. Ground Floor Setback:

As noted, the existing maisonette shares a party wall with number 11; and we are mindful of the existing extension already undertaken at number 11, which projects 3.5m from the rear of number 13. The proposed ground floor boundary wall setback adheres to the requirements set out in DTS/DPF 7.1 B.

B. First Floor Setback:

We understand that the first-floor setback is a significant concern. To achieve the required 3m offset from each boundary, we would need to alter the roof structure, which we believe could have a negative impact on the neighboring residence. Additionally, the narrowness of the site would either result in unusable spaces or an increased plot ratio.

To mitigate these A & B, we have made substantial adjustments to the design:

- **First Floor Adjustment:** The entire first floor has been shifted 1,000mm to the west, with a sloping wall towards the eastern boundary. This change achieves a 1,640mm offset while improving the kitchen area with a void space and a new northern window for enhanced natural light. The design also incorporates rationalised high-level windows to address concerns of overlooking to the east.

- **Southern Building Wall:** We have reduced the bulk on the southern void by introducing a sloped wall with a glazing element and privacy battens on the south side to address privacy concerns and to limit the visual impact of the building.

We believe that these design considerations demonstrate a careful and respectful approach to minimising bulk and ensuring privacy for the adjoining property.

Item 1.2: Overshadowing

We have provided the attached **Diagram FD02 – Shadowing Diagrams**, which illustrate the sun angles at 10am, 12pm, and 3pm on the equinoxes, as well as during the winter and summer solstices. These diagrams show that there will be no measurable overshadowing impact on [REDACTED] between 10am and 3pm during these periods of the year. This analysis demonstrates that the proposed design will not create an additional shadowing impact beyond the current overshadowing caused by the existing boundary fence. We also note that the Cedar tree currently on the property, which is proposed for removal, will further increase the light penetration to [REDACTED]

Item 1.3: Damage to Neighbours Chinese Pistache tree

As per the current tree legislation (16th May 2024), the Chinese Pistache tree located within 3m of the dwelling is *not* classified as a regulated or significant tree. However, we propose that a suitably qualified arborist consult with the neighbour to trim any branches overhanging the fence line. This approach ensures that the tree is cared for in accordance with current regulations while respecting the neighbour's concerns.

Item 1.4: Regulated tree removal

The tree in question has a circumference under 2m, meaning it is not classified as a significant it is classified as regulated tree under current legislation. A suitably qualified arborist has been engaged to provide further support for the removal of the tree in accordance with the **Regulated and Significant Tree Overlay**. An arborist report will be submitted to the Council for approval in due course.

Finally

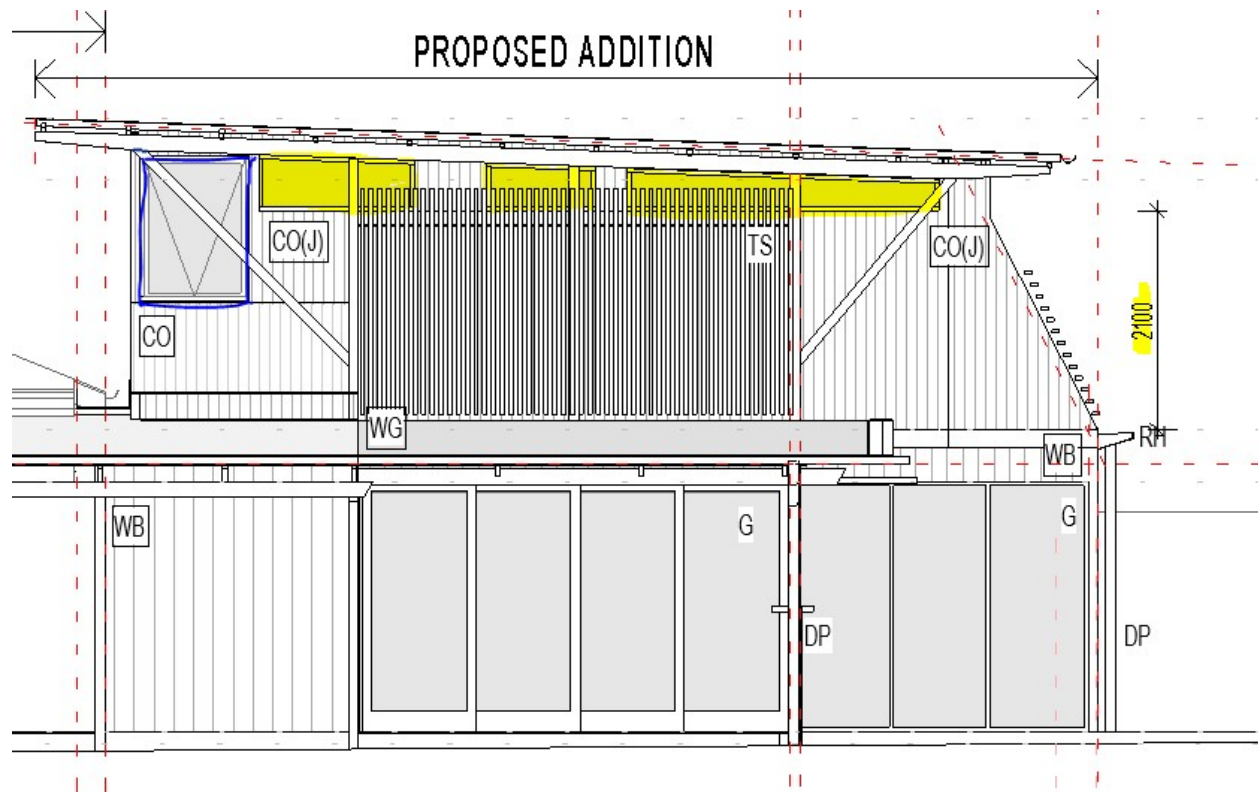
We acknowledge that seven out of the eight representations received are from [REDACTED] We have carefully considered their feedback and believe that our current proposal, through thoughtful design adjustments, along with the explanations provided in this response, has effectively addressed these concerns.

Response to representation from [REDACTED]

We appreciate the concerns raised by the owner of [REDACTED], particularly with regard to overlooking.

Item 2.1 Overlooking

To address concerns regarding overlooking from the first-floor western windows, we have ensured that the sill height of these windows is 2.1m, which exceeds the minimum requirement of 1.5m above finished floor level as stipulated in **DTS/DPF10.1.B**. (please refer below high level windows highlighted yellow)

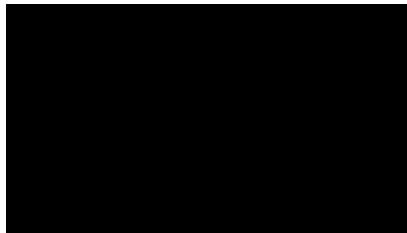


The only exception to this is the void stair window (highlighted blue above), which is located at a height that would require a person to be standing on the landing in order to view through it. Even then, the line of sight would be purely horizontal, and the view is further obstructed by the neighbouring shed roof, creating a natural barrier that prevents any direct line of sight into the neighbouring properties or areas. This view is further obstructed by the neighbouring shed roof. This fixed barrier effectively prevents any direct line of sight to neighbouring properties or areas.

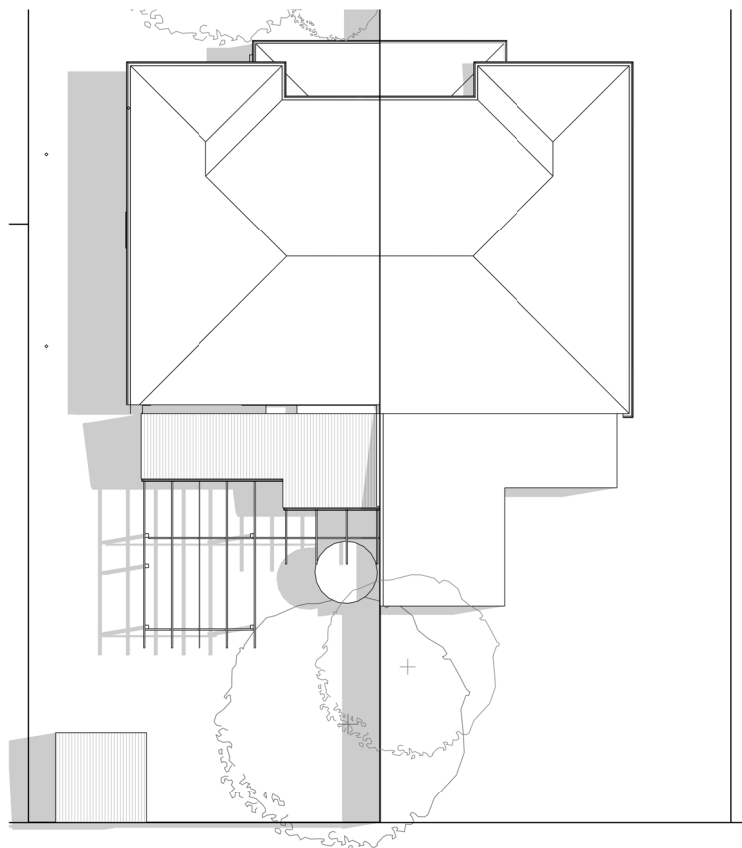
We trust that these clarifications address the concerns raised in the representations, and we remain committed to working collaboratively with neighbours and the council to ensure that the development is well-considered and respectful of the surrounding properties

Please feel free to reach out if you would like to discuss any of the above points further.

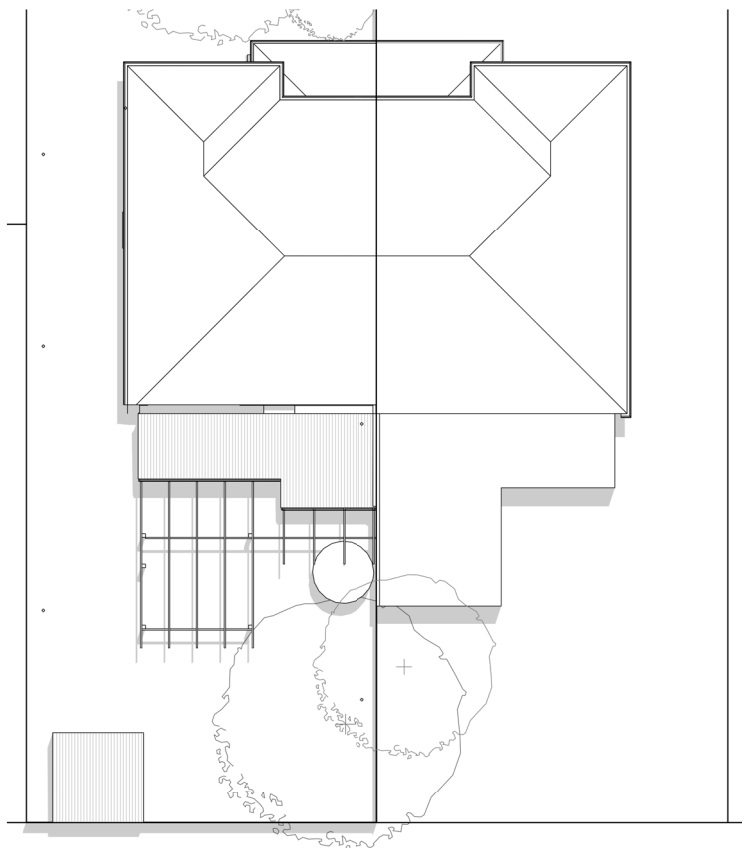
Kind regards,



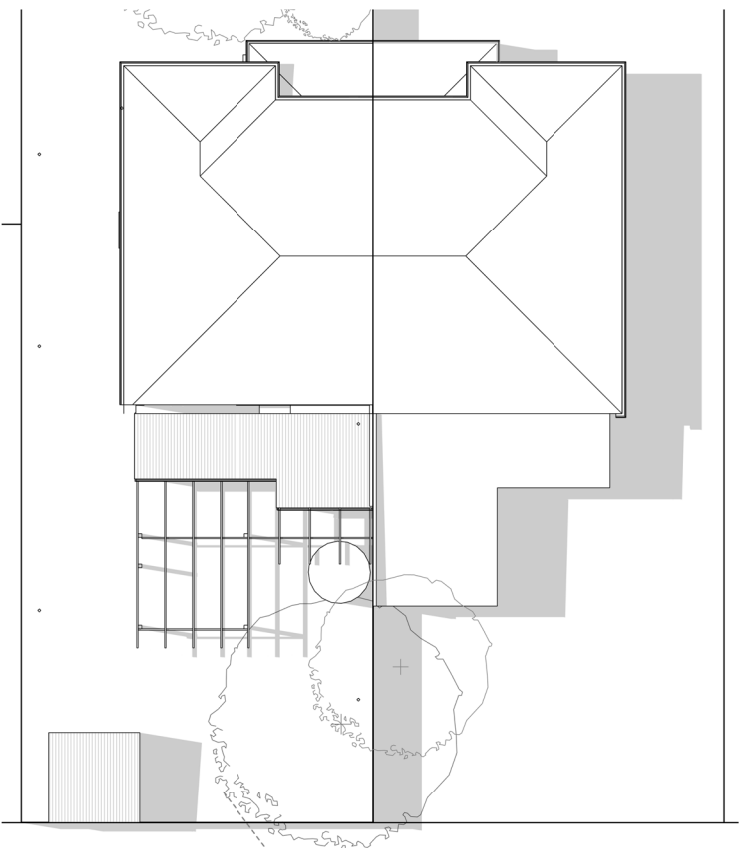
Ryan Horsnell
Senior Architect at Troppo Architects



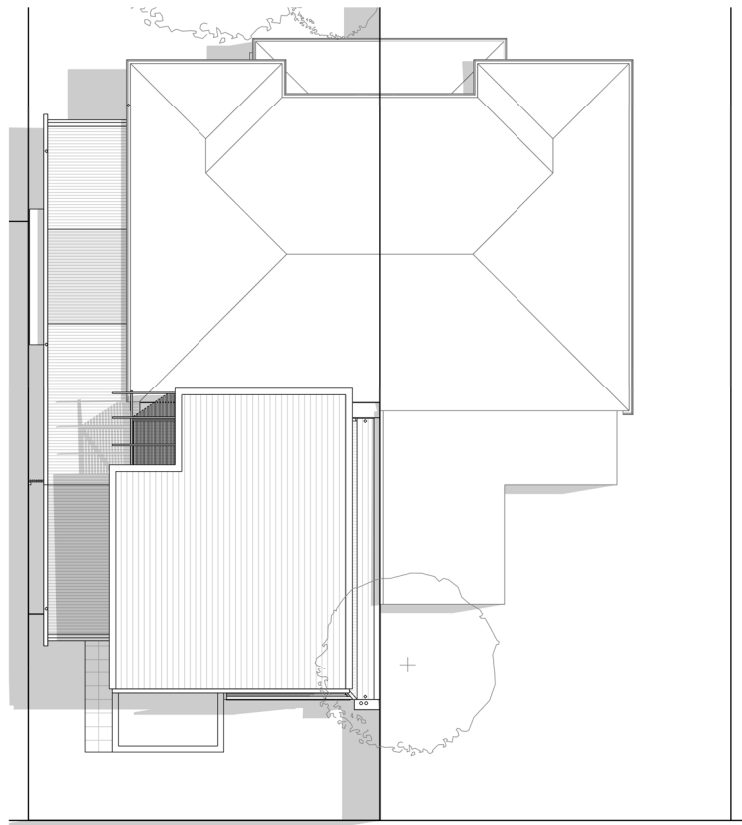
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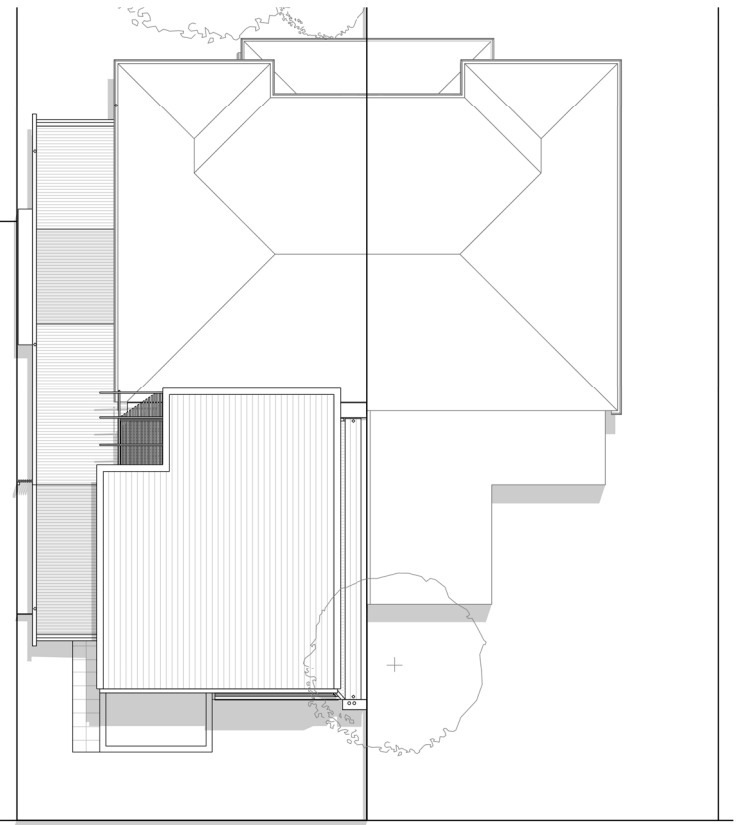
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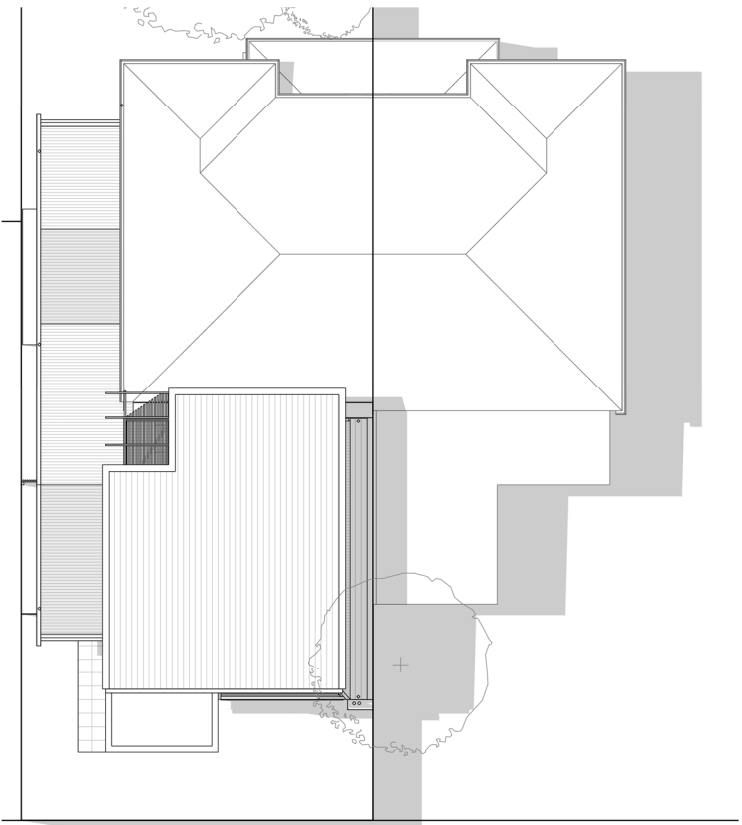
3PM EXISTING



10AM PROPOSED



12PM PROPOSED



3PM PROPOSED

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E: adelaide@tropo.com.au

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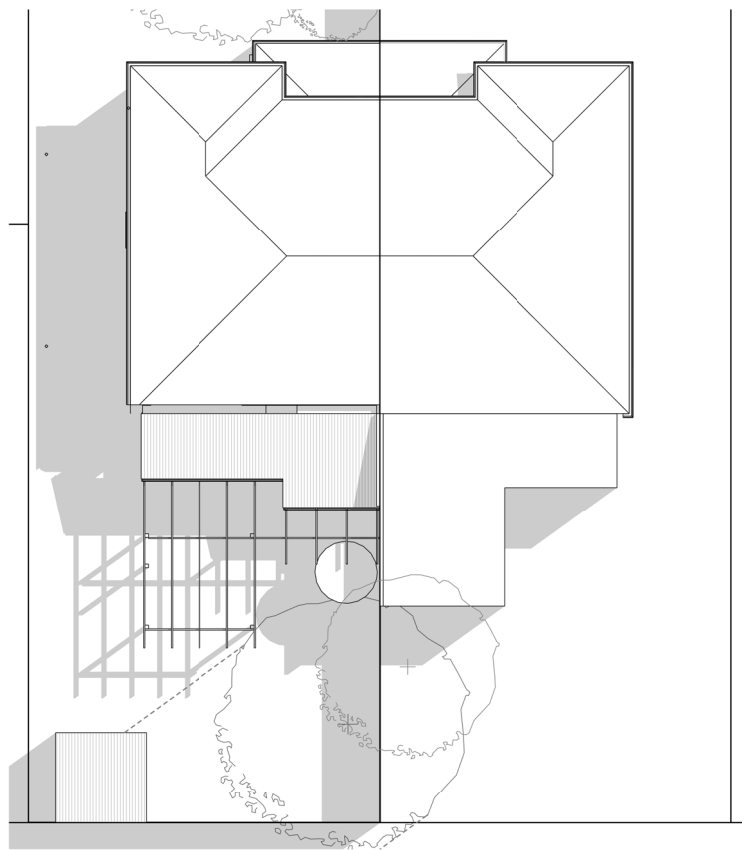
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ALTERATIONS AND ADDITIONS

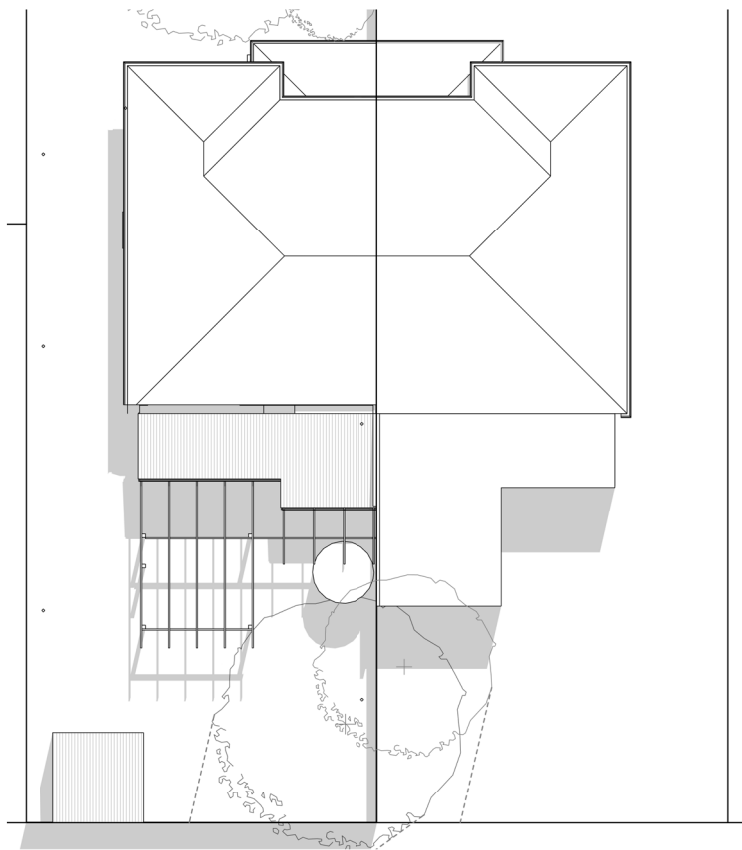
FOR PETER JONES AND
13 RALDON GROVE, MYRTLE BANK SA

**SHADOW DIAGRAMS - SUMMER
SOLSTICE - 21st DECEMBER**

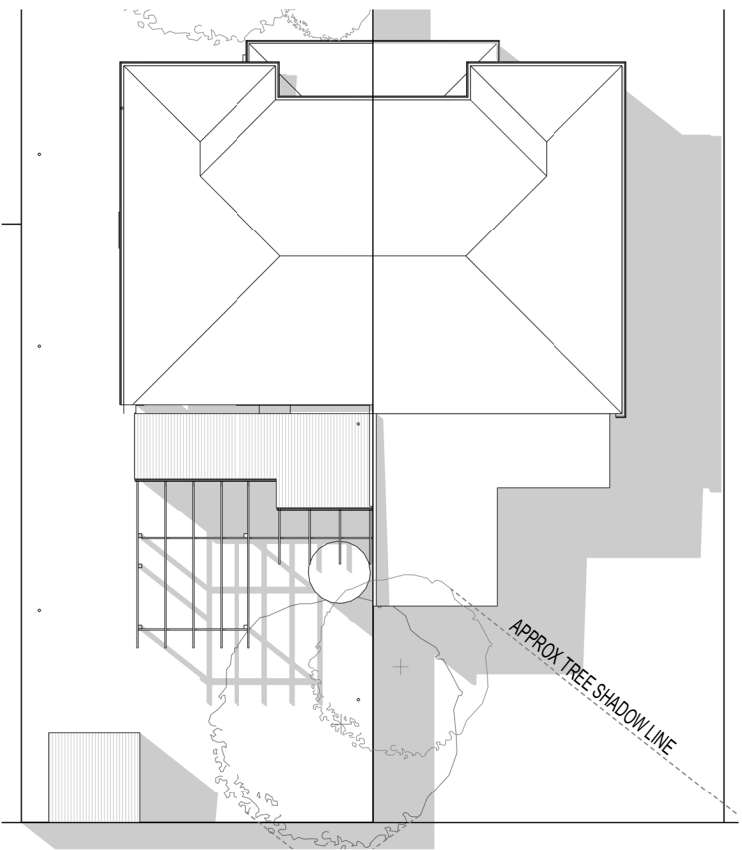
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Job No:		670	Issue:
Scale:		1 : 250 @ A3	PR1
Issue Date:		12.12.2024	Dwg No:
Drawn:		DF	Checked: 101
PR1		12.12.2024	FD02
ISSUE		DATE	AMENDMENT



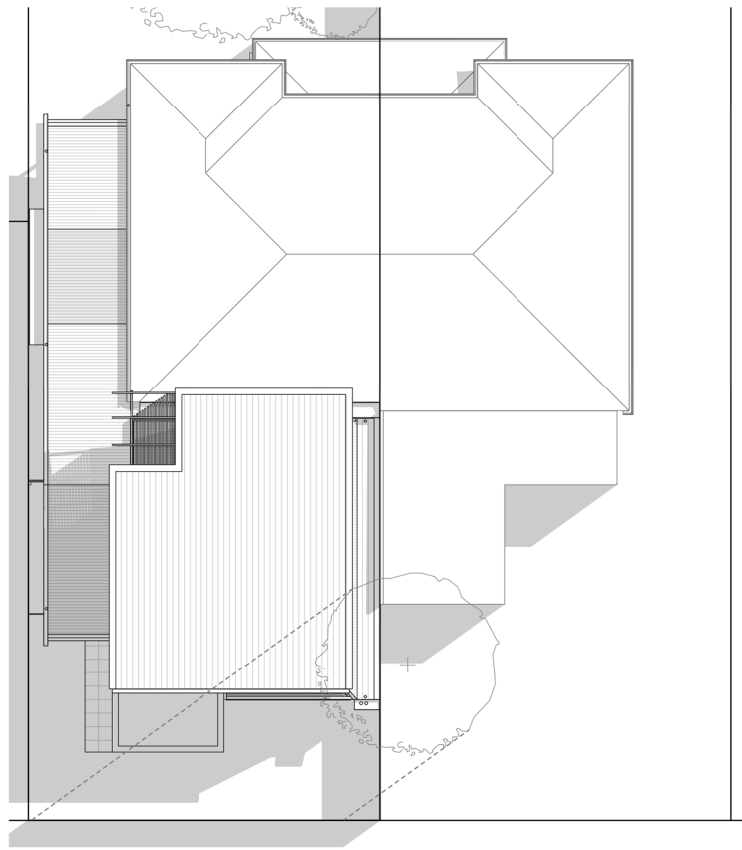
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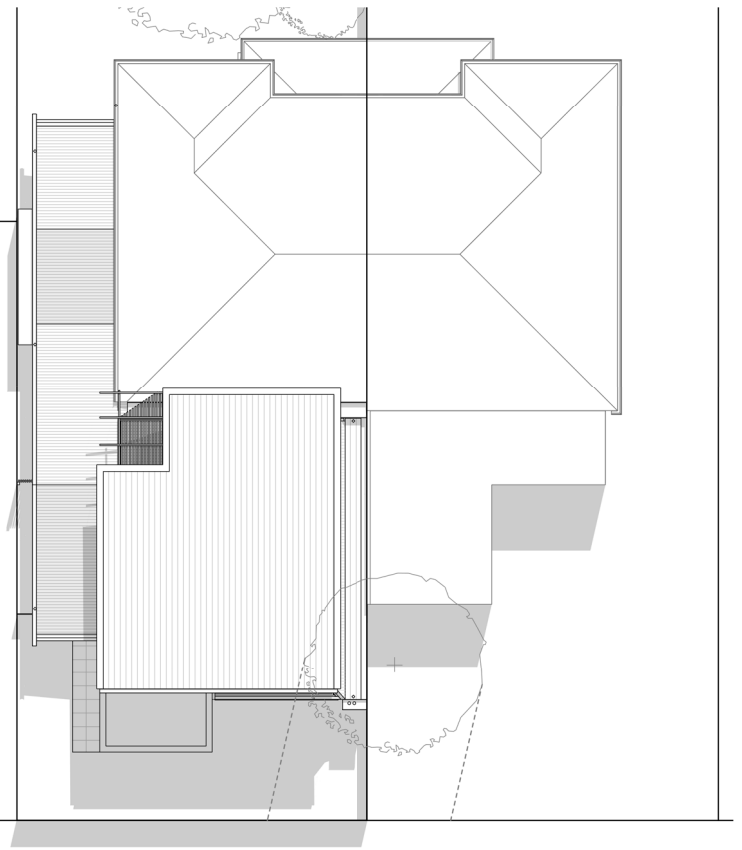
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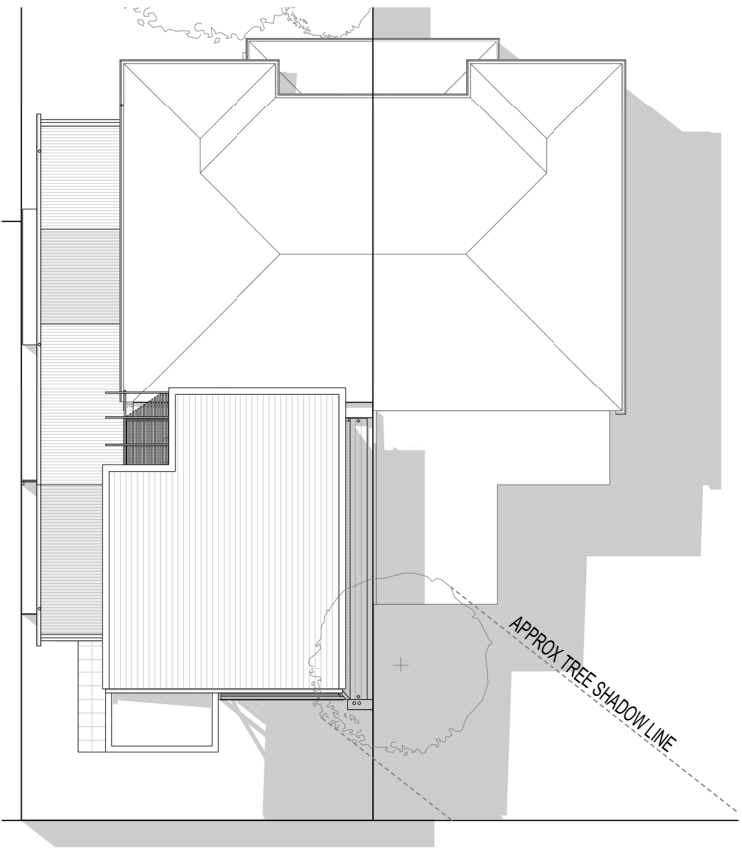
3PM EXISTING



10AM PROPOSED



12PM PROPOSED



3PM PROPOSED

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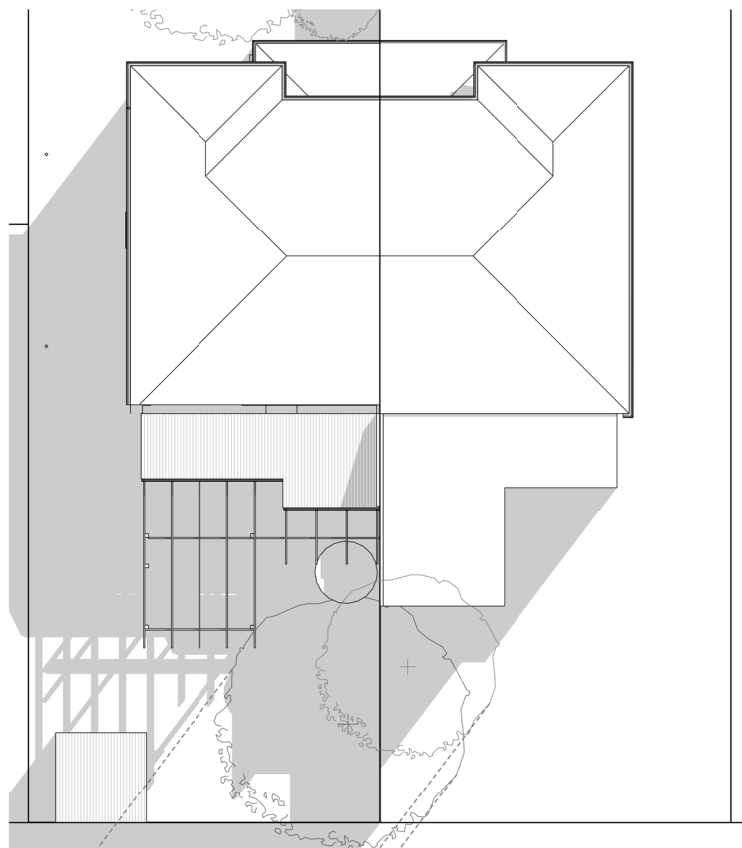
SETTING OUT OF WORK IS THE RESPONSIBILITY OF THE CONTRACTOR. VERIFY ALL DIMENSIONS ON SITE PRIOR TO COMMENCEMENT OF WORKS. WORK TO FIGURED DIMENSIONS AND REPORT ANY DISCREPANCIES IMMEDIATELY TO THE SUPERINTENDANT BEFORE PROCEEDING. THIS DRAWING SHALL BE READ IN CONJUNCTION WITH THE SPECIFICATION.

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ALTERATIONS AND ADDITIONS
FOR PETER JONES AND
13 RALDON GROVE, MYRTLE BANK SA

SHADOW DIAGRAMS - EQUINOX
21st MARCH

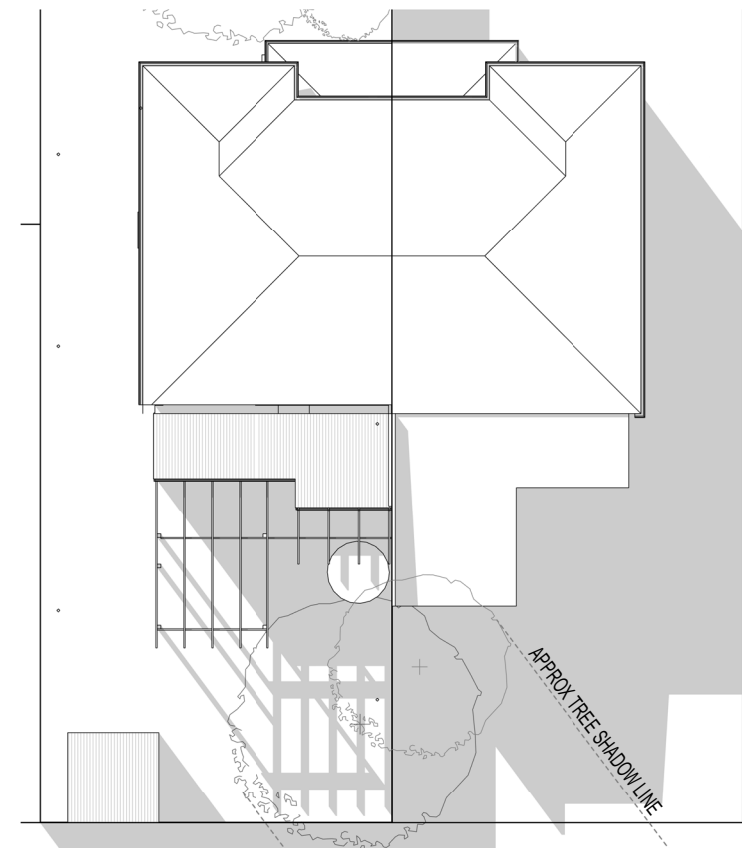
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PR1	12.12.2024	REVISIONS AS CLOUDED		Drawn:	DF	Checked: 102	FD03
ISSUE	DATE	AMENDMENT					



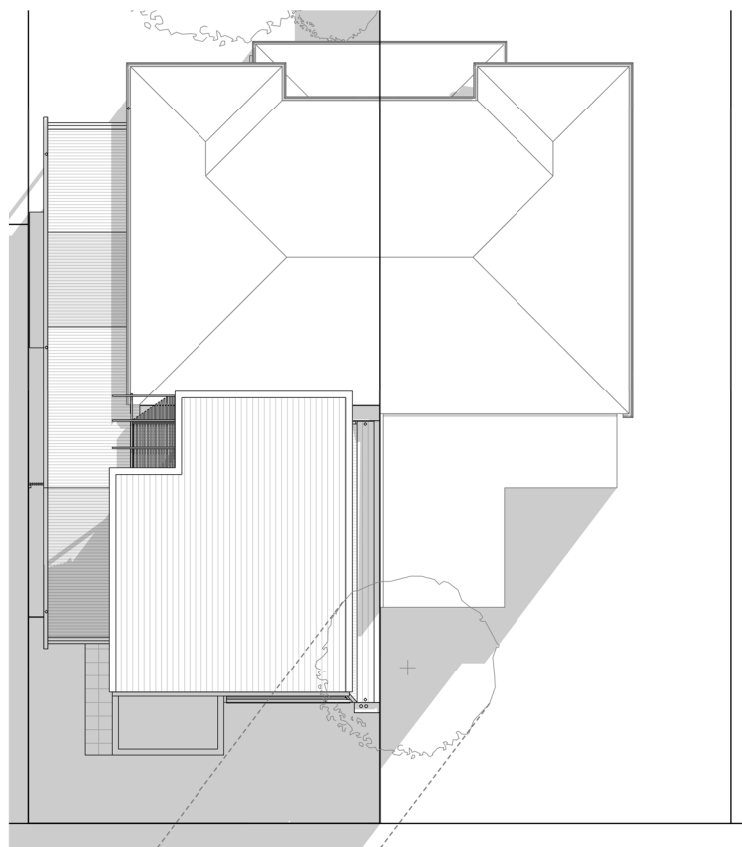
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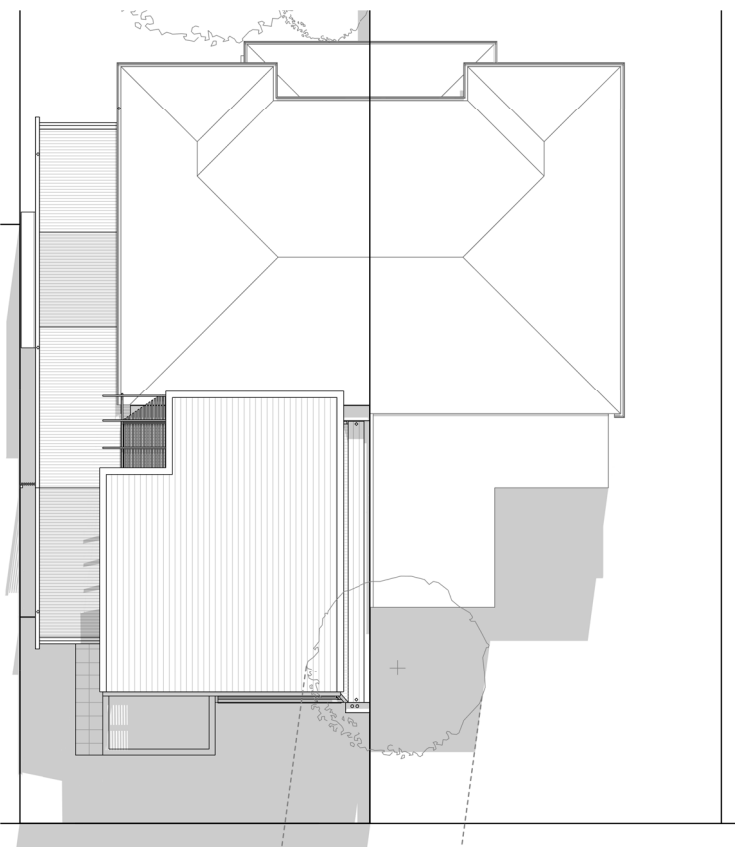
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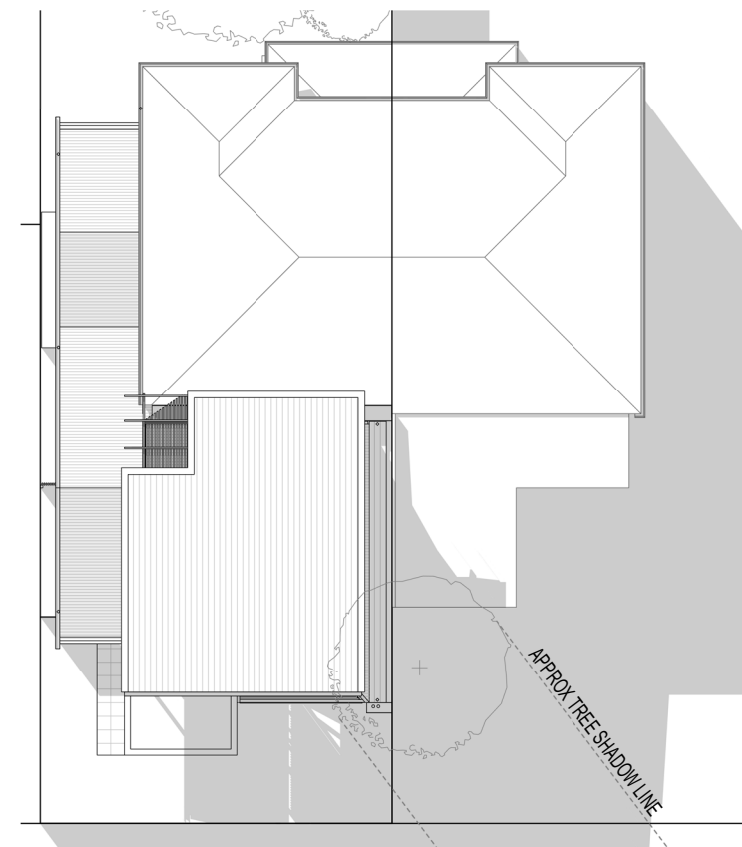
3PM EXISTING



10AM PROPOSED



12PM PROPOSED



3PM PROPOSED

PLANNING ISSUE

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ALTERATIONS AND ADDITIONS

FOR PETER JONES AND
13 RALDON GROVE, MYRTLE BANK SA

SHADOW DIAGRAMS - WINTER
SOLSTICE - 21st JUNE

			Job No:	670	Issue:
			Scale:	1 : 250 @ A3	PR1
			Issue Date:	12.12.2024	Dwg No:
PR1	12.12.2024	REVISIONS AS CLOUDED	Drawn:	DF	103 FD04
ISSUE	DATE	AMENDMENT			

ITEM 4.2**DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK**

DEVELOPMENT NO:	24020214
APPLICANT:	Behrooz Jafari
ADDRESS:	45 GLENFORD AV MYRTLE BANK SA 5064
NATURE OF DEVELOPMENT:	Construction of a two storey detached dwelling, fencing and retaining walls
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Established Neighbourhood <p>Overlays:</p> <ul style="list-style-type: none"> • Airport Building Heights (Regulated) • Affordable Housing • Historic Area • Major Urban Transport Routes • Prescribed Wells Area • Regulated and Significant Tree • Stormwater Management • Traffic Generating Development • Urban Tree Canopy <p>Technical Numeric Variations (TNVs):</p> <ul style="list-style-type: none"> • Maximum Building Height (Metres) (Maximum building height is 6m) • Minimum Frontage (Minimum frontage for a detached dwelling is 12.5m) • Minimum Site Area (Minimum site area for a detached dwelling is 400 sqm) • Maximum Building Height (Levels) (Maximum building height is 1 level) • Minimum Side Boundary Setback (Minimum side boundary setback is 1m for the first building level; 3m for any second building level or higher) • Site Coverage (Maximum site coverage is 50 per cent)
LODGEMENT DATE:	5 Sept 2024
RELEVANT AUTHORITY:	Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.16 29/8/2024
CATEGORY OF DEVELOPMENT:	<p>Code Assessed - Performance Assessed</p> <ul style="list-style-type: none"> • PER ELEMENT: New housing Fences and walls Detached dwelling: Code Assessed - Performance Assessed Fence: Code Assessed - Performance Assessed Retaining wall: Code Assessed - Performance Assessed • OVERALL APPLICATION CATEGORY: Code Assessed - Performance Assessed • REASON P&D Code
NOTIFICATION:	Yes

ITEM 4.2

DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

RECOMMENDING OFFICER:	Amelia De Ruvo Senior Planning Officer
REFERRALS STATUTORY:	Nil
REFERRALS NON-STATUTORY:	Heritage Consultant
RECOMMENDATION:	Support with Conditions
ATTACHMENTS:	Attachment 1 – Plan Set Attachment 2 – Representations Attachment 3 – Response to representations

DETAILED DESCRIPTION OF PROPOSAL:

The proposal is seeking to construct a two-storey detached dwelling with associated retaining walls and fencing.

The proposed dwelling is designed with a simple modern architectural style and form that features an upper level within the roof space (i.e. loft), a framed portico, double garaging and a series of hipped roofs. The external material palette includes a rendered concrete panel and brick veneer wall cladding, aluminium frame windows and doors, and Colorbond roofing. The materials will be finished in light and dark colour tones (surfmist, monument and night sky).

The floor level of the dwelling is 6.81 metres above existing ground level at its highest point.

The main front wall of the dwelling is setback 8 metres from the road boundary, excluding the corner cut-off. The sides are setback 1.5 metres from both boundaries with the exception of the garage wall that is sited on the northern boundary. The rear alfresco is setback 11 metres from the eastern boundary.

Retaining walls up to 0.6 metres in height are proposed along sections of the side boundaries and within the rear yard to stabilise the cut and fill. Fencing of 1.8 metre in height will be located on top of the retaining walls.

The proposal also includes a 1.5 metre high front tubular fence.

SUBJECT LAND & LOCALITY:

Location reference: 45 GLENFORD AV MYRTLE BANK SA 5064

Title ref.: CT 6261/422 **Plan Parcel:** D128325 AL4 **Council:** CITY OF UNLEY

Site Description

The subject land is a vacant residential allotment located at 45 Glenford Avenue, Myrtle Bank.

The allotment is a rectangular shape with a frontage of 13.29 metres, a depth of up to 42.98 metres and a total site area of 566.5m². The land comprises a single allotment that is formally described as Allotment 4 in Deposited Plan 128325, Certificate of Title Volume 6261 Folio 422. There are no registered interests on the land title, such as easements, encumbrances or Land Management Agreements.

The land has a crossfall of around 2 metres from the rear to the front southwestern corner of the site.

The land is devoid of vegetation and there are no Regulated trees on adjoining land that would be affected by the development.

ITEM 4.2

DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

Locality

The locality comprises an established residential area that interfaces with grounds of The University of Adelaide Waite Campus on the southern side of Cross Road. The residential area is characterised by mostly single storey detached dwellings at low density.

Original housing styles such as cottages and bungalows are interspersed with modern interpretations and recent contemporary buildings that have resulted in a mixed streetscape character.

Street boundary setbacks along Glenford Avenue are mostly consistent at around 8 metres with some new dwellings having slightly reduced setbacks.

The locality has a reasonably pleasant living environment that is of moderate amenity.

The site abuts Cross Road, which is a main transport route with frequent bus services.

Locality Plan

The representors live within the locality of the subject land



Subject Land



Locality



Representor

ITEM 4.2

DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

SERIOUSLY AT VARIANCE ASSESSMENT

The PDI Act 2016, Section 107 (2)(c) states that *the development must not be granted planning consent if it is, in the opinion of the relevant authority, seriously at variance with the Planning and Design Code (disregarding minor variations).*

The **Established Neighbourhood Zone Desired Outcome** states:

DO 1 – *A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.*

The proposal is for a two-storey dwelling that is sympathetic to the built form character and development pattern of the locality. The proposal is consistent with DO 1.

The **Established Neighbourhood Zone Performance Outcome** states:

PO 1.1 – *Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*

The proposal is a form of low-density housing that is consistent with the established development pattern of the neighbourhood.

As seen in the following planning assessment, the proposal is considered to satisfy the intent of the **Desired Outcomes** and **Performance Outcomes** with only minor variations noted against the respective **Designated Performance Features**. Therefore, this proposal is not considered to be seriously at variance with the Planning and Design Code.

PUBLIC NOTIFICATION

- **REASON**

Established Neighbourhood Zone – Table 5 – Procedural Matter (PM) – Notification – Clause 3 (1) and (2)(a)&(b) the dwelling exceeds the maximum building height of DPF 4.1.

The application was on public notice from 23 January to 13 February 2025. As part of the public notification process 16 owners and/or occupiers of adjacent land were directly notified and a sign detailing the proposal was placed on the subject land for the duration of the notification period. A copy of the representations can be found in **Attachments 2**.

During the notification period, Council received one (1) representation with the representor requesting to be heard by the Panel.

Representations:

Representor Name / Address	Support / Support with Concerns / Oppose	Request to be heard	Represented by
[REDACTED]	Oppose	Yes	Self

Summary:

The matters of concern raised by the representors are as follows:

- Impact on neighbourhood character due to two-storey scale;
- Overshadowing;
- Overlooking;

ITEM 4.2

DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

- Noise and disturbance; and
- Property devaluation.

The applicant provided a response to the representations which can be found in **Attachment 3**.

AGENCY REFERRALS

None required

INTERNAL REFERRALS

- **Heritage Consultant**
Prior to verifying the application, Council administration, with our heritage consultant, met with the applicant to seek alterations to the built form, specifically to the façade. Through negotiations with the applicant, the roof form, fenestration and the framed portico were altered into what is before you today. Council's heritage consultant was supportive of the altered façade.
- **Traffic Engineer**
I have reviewed the plans, and the proposed fence line is significantly offset from the Cross Road kerb line, resulting in minimal (if any) impact to sightlines when existing Glenford Ave.

RULES OF INTERPRETATION:

The application has been assessed against the relevant provisions of the Planning & Design Code (the Code). The Code outlines zones, subzones, overlay and general provisions policy which provide Performance Outcomes (POs) and Desired Outcome (DOs).

In order to interpret Performance Outcomes, the policy includes a standard outcome that generally meets the corresponding performance outcome (Designated Performance Feature or DPF). A DPF provides a guide as to what will satisfy the corresponding performance outcome. Given the assessment is made on the merits of the standard outcome, the DPF does not need to be satisfied to meet the Performance Outcome and does not derogate from the discretion to determine that the outcome is met in another way, or from discretion to determine that a Performance Outcome is not met despite a DPF being achieved.

Part 1 of the Code outlines that if there is an inconsistency between provisions in the relevant policies for a particular development, the following rules will apply to the extent of any inconsistency between policies:

- the provisions of an overlay will prevail over all other policies applying in the particular case;
- a subzone policy will prevail over a zone policy or a general development policy; and
- a zone policy will prevail over a general development policy.

PLANNING ASSESSMENT

The application has been assessed against the relevant policies of the **Planning & Design Code (the Code)**, which are found at the following link:

[Planning and Design Code Extract](#)

Form of Development / Desired Outcome

The subject land is situated within the Established Neighbourhood Zone of the Code where the **Desired Outcome (DO)** of the **Historic Area Overlay** and **Established Neighbourhood Zone** seeks:

DO 1 – Historic Area Overlay

Historic themes and characteristics are reinforced through conservation and contextually responsive development, design and adaptive reuse that responds to existing coherent patterns of land

ITEM 4.2

DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

division, site configuration, streetscapes, building siting and built scale, form and features as exhibited in the Historic Area and expressed in the Historic Area Statement.

DO 1 – Established Neighbourhood Zone

A neighbourhood that includes a range of housing types, with new buildings sympathetic to the predominant built form character and development patterns.

Established Neighbourhood Zone Performance Outcome's (PO) state:

PO 1.1 - *Predominantly residential development with complementary non-residential activities compatible with the established development pattern of the neighbourhood.*

With the corresponding **Designated Performance Feature (DPF)** seeking the following:

DPF 1.1 - *Development comprises one or more of the following:*

- a. Ancillary accommodation*
- b. Community facility*
- c. Consulting room*
- d. Dwelling*
- e. Office*
- f. Recreation area*
- g. Shop*

The proposal is to construct a detached dwelling on an existing residential allotment which is a desirable form of development from a land use perspective. As the site is within a Historic Area Overlay, new development is also required to reinforce and contextually respond to the historic themes and characteristics of the area. As considered below, the proposed built form is supported from a heritage perspective as it has been designed to be sympathetic to the predominant built form character and development pattern of the locality. **DO 1** and **PO 1.1** of the **Established Neighbourhood Zone** and **DO 1** of the **Historic Area Overlay** are satisfied.

Built Form and Historic Character

The proposed dwelling is of a simple modern design that features a loft-style upper level that is within the roof space, a framed portico, and a series of hipped roofs. A double garage is located under the main roof.

PO 1.1 – Historic Area Overlay

All development is undertaken having consideration to the historic streetscapes and built form as expressed in the Historic Area Statement.

PO 2.1 – Historic Area Overlay

The form and scale of new buildings and structures that are visible from the public realm are consistent with the prevailing historic characteristics of the historic area.

The Historic Area Overlay requires new buildings to be sympathetic to the streetscape attributes identified in the **Residential Spacious Malvern Highgate Fullarton and Myrtle Bank (South) Historic Area Statement**. Whilst the Historic Area Statement identifies certain attributes that contribute to the area's historic character, the Desired and Performance Outcomes for the Historic Area Overlay are seeking new development that is "consistent with the prevailing historic characteristics of the historic area".

The prevailing streetscape along Glenford Avenue comprises a mix of building styles, with several contemporary buildings and modern interpretations on both sides of the street. These dwellings do not display the built form attributes of the Historic Area Statement and therefore are not considered to contribute positively to the historic area. While there are more traditional housing styles such as cottages and bungalows in the locality, the historic streetscape character has been disturbed significantly by the many modern building interpretations. It is also noted that there are no Heritage Places or Representative buildings in the immediate locality.

ITEM 4.2

DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

Given the distinct mix of building styles and the limited historic value of the streetscape in the locality, the contemporary design and form of the proposed dwelling would be consistent with the prevailing built form character as sought by **DO 1** and **PO 1.1** and **2.1** of the **Historic Area Overlay**.

Building Height, Scale and Streetscape

Historic Area Overlay PO's state:

PO 2.2 – Historic Area Overlay

Development is consistent with the prevailing building and wall heights in the historic area.

PO 4.1 – Established Neighbourhood Zone

Buildings contribute to the prevailing character of the neighbourhood and complements the height of nearby buildings.

With the corresponding **Designated Performance Feature (DPF)** seeking the following:

DPF 4.1(a) – the following:

Maximum Building Height (Metres): 6m

Maximum Building Height (Levels): 1 level

The representor is concerned that the two-storey scale of the dwelling will impact on the existing neighbourhood character. While the dwelling has a second floor that comprises a bedroom, living room and bathroom, this upper level is fully contained within the roof space and thus the dwelling presents to the street as a single storey building with a relatively tall roof.

Although **DPF 4.1** of the zone recommends a maximum building height of 6 metres and one building level, the proposed building height of approximately 7 metres above the existing ground level is acceptable in this instance. Given the containment of the upper storey within the roof space, the pitched roof form and the single-story appearance of the dwelling, the built form will not overwhelm the site and the roof of the dwelling will be a relatively minor building element when viewed from street level. For these reasons, the overall height and scale of the proposed dwelling will reasonably complement the height of nearby buildings and not detract from the prevailing character of the area. The proposal is considered to satisfy the intent of **PO 2.2** of **Historic Area Overlay** and **PO 4.1** of the **Established Neighbourhood Zone**.

Site Coverage

Established Neighbourhood Zone **PO 3.1** states:

PO 3.1 - Building footprints are consistent with the character and pattern of the neighbourhood and provide sufficient space around buildings to limit visual impact, provide an attractive outlook and access to light and ventilation.

The corresponding **DPF 3.1** of the **Established Neighbourhood Zone** recommends a maximum site coverage of 50%. The proposed dwelling has a site coverage of 46%, which is acceptable. There is also adequate space around the curtilage of the dwelling for light and ventilation, access, private open space and landscaping. The proposal is considered to satisfy **PO 3.1** of the **Established Neighbourhood Zone**.

Boundary Setbacks

The **Established Neighbourhood Zone PO 5.1** seeks:

PO 5.1 - Buildings are set back from primary street boundaries consistent with the existing streetscape.

PO 5.1 of the **Established Neighbourhood Zone** requires new buildings to be setback from the primary street, so they are consistent with the existing streetscape. One way of achieving this is for the proposed dwelling to be setback at distance that is equal to average setback of the adjoining dwellings. The main front wall of the dwelling is setback 8 metres from the road boundary, which is consistent with the two

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DEVELOPMENT APPLICATION – 24020214 – 45 GLENDORD AVENUE, MYRTLE BANK

recently constructed dwellings immediately to the north. The siting of the dwelling will therefore maintain the existing streetscape pattern in accordance with the **PO 5.1** of the **Established Neighbourhood Zone**.

Established Neighbourhood Zones PO's state:

PO 6.1 - Established Neighbourhood Zone

Buildings are set back from secondary street boundaries (not being a rear laneway) to maintain the established pattern of separation between buildings and public streets and reinforce streetscape character.

PO 7.1 - Established Neighbourhood Zone

Walls on boundaries are limited in height and length to manage visual and overshadowing impacts on adjoining properties.

PO 8.1 - Established Neighbourhood Zone

Buildings 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.*

DPF 6.1, 7.1 and 8.1 of the **Established Neighbourhood Zone** recommends a minimum setback of one metre from a secondary street or a side boundary. Apart from the garage wall, the dwelling has provided a setback of 1.5 metres from both the secondary street and side boundary, which maintains the established pattern of development as viewed from the streetscape, satisfying the intent of **PO 6.1 and 8.1** of **Established Neighbourhood Zone**. The garage will be sited on the northern boundary for a length of 6.33m with a wall height of 3.355m (measured from natural ground). Given the natural slope of the land, north-east to the south-west, the overall height when viewed from the adjoining property will be reduced as the northern property is located on the higher side of the land. Additionally, the boundary wall is located on the northern boundary, therefore the shadows cast by the boundary wall will be contained within the subject land. For the reasons detailed above, the garage wall height and boundary length is considered reasonable to satisfy the intent of **PO 7.1** of the **Established Neighbourhood Zone**.

The **Established Neighbourhood Zone PO 9.1** seeks:

PO 9.1 - Established Neighbourhood Zone

Buildings 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;*
- c) private open space*
- a) space for landscaping and vegetation.*

The rear setbacks are more than 6 metres as sought by DPF 9.1. The rear offset provides adequate space for landscaping and private open space to residents, as well as maintaining the separation between buildings, consistent with established development pattern, satisfying the intent of **PO 9.1** of **Established Neighbourhood Zone**.

Overlooking and Overshadowing

Design in Urban Areas PO 10.1 states:

PO 10.1 - Development mitigates direct overlooking from upper level windows to habitable rooms and private open spaces of adjoining residential uses in neighbourhood-type zones.

The proposal will not result in any direct overlooking of neighbouring properties as the upper level has only Velux windows that are fixed to the roof and angled skywards with the lowest sections being 2m above the

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upper-level finished floor level. These windows are designed to provide solar access and ventilation. **PO 10.1** of the **General Development Policies (Design in Urban Areas)** is satisfied.

The representor raised concerns over overshadowing. The subject site abuts a large allotment to the east with the common boundary being adjacent the front yard of this dwelling. Overshadowing to the adjoining dwelling and its front yard is unlikely to be of a concern. The dwelling is to be located 11.08m from the eastern boundary set down some 500mm from the site to the east and has a modest 6.8m building height ensuring that the adjoining dwelling to the east will not be overshadowed whatsoever.

Vehicle Access and Car Parking

Major Urban Transport Routes Overlay PO 4.1 states:

***PO 4.1** - New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.*

Design in Urban Areas PO's state:

***PO 23.3** -Driveways and access points are located and designed to facilitate safe access and egress while maximising land available for street tree planting, pedestrian movement, domestic waste collection, landscaped street frontages and on-street parking.*

***PO 23.4** - Vehicle access is safe, convenient, minimises interruption to the operation of public roads and does not interfere with street infrastructure or street trees.*

Transport, Access and Parking PO 5.1 states:

***PO 5.1** - Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:*

- a) availability of on-street car parking*
- b) shared use of other parking areas*
- c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared*
- d) the adaptive reuse of a State or Local Heritage Place.*

A new vehicle crossover will be provided at the northern end of the road frontage. The location and design of the crossover will provide adequate separation to the tangent point of the Cross Road intersection and lines of sight in both directions. There is no conflict with any street infrastructure. The proposed vehicle access is safe and convenient in accordance with **PO 23.3** and **23.4** of **General Policies (Design in Urban Areas)**.

When assessed against **Table 1 – General Off-Street Car Parking Requirements**, there is a requirement for at least two car parking spaces per dwelling, with one space to be covered. The dwelling is provided with two garage spaces and one tandem visitor space. The on-site car parking provision is acceptable.

Retaining Walls and Fencing

Historic Area Overlay PO 4.4 states:

***PO 4.4** – Fencing and gates closer to a street boundary (other than a laneway) than the elevation of the associated building are consistent with the traditional period, style and form of the associated building.*

Major Urban Transport Routes Overlay PO 10.1 states:

***PO 10.1** - Development is located and designed to maintain sightlines for drivers turning into and out of public road junctions to contribute to driver safety.*

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Design in Urban Areas PO's state:

***PO 9.1** - Fences, walls and retaining walls of sufficient height maintain privacy and security without unreasonably impacting visual amenity and adjoining land's access to sunlight or the amenity of public places.*

***PO 9.2** - Landscaping is incorporated on the low side of retaining walls that are visible from public roads and public open space to minimise visual impacts.*

The proposal included retaining walls to the side and rear boundaries with fencing to be included on top of these walls. Front fencing is also proposed. The walls vary in height from 200mm to 600mm with the fencing being 1.8m high. The walls are to be concrete sleeper walls retaining a modest degree of cut and fill. The fencing is to be solid Hebel Power Fencing in a white colour to the secondary street frontage and pre-coloured steel fencing in Monument colour to the rear and northern side boundary. The front fence is to be 1.5m high tubular fencing.

The site is located within the **Historic Area Overlay** with the associated **Historic Area Statement** seeking fencing to be typical of the historic area. The locality is a mixed locality with numerous contemporary buildings with character dwelling interspersed. The fencing in the immediate locality is predominately solid fencing with timber, steel and masonry being the predominant materials. The fencing styles are generally not consistent with the historic area nor especially complementary of the dwellings. The proposed solid fencing on the secondary street frontage and tubular fencing to the front will not detract for the character of the area despite not being of a more characterful design.

Given the above considerations, the proposed retaining walls and fencing are supportable.

Private Open Space, Trees and Landscaping

Design in Urban Areas PO's state:

***PO 21.1** - Dwellings are provided with suitable sized areas of usable private open space to meet the needs of occupants.*

***PO 21.2** - Private open space is positioned to provide convenient access from internal living areas.*

***PO 22.1** - Soft landscaping is incorporated into development to:*

- a) minimise heat absorption and reflection*
- b) contribute shade and shelter*
- c) provide for stormwater infiltration and biodiversity*
- d) enhance the appearance of land and streetscapes.*

Urban Tree Canopy Overlay PO 1.1 states:

***PO 1.1** - Trees are planted or retained to contribute to an urban tree canopy.*

The dwelling will be provided with approximately 185m² private open space comprising of a rear yard and covered alfresco area. The amount of private open space satisfies the requirements of the Table 1 of the **General Policies - (Design in Urban Areas)** and is directly accessible to living areas as required by **PO 21.2**. Suitable private open space for entertaining, clothes drying and other domestic functions is therefore provided for occupants of the dwelling.

The applicant has provided basic landscaping details that include two small trees, some shrubs and ground cover. The number and size of the proposed trees satisfies **DPF 1.1** of the **Urban Tree Canopy Overlay**. As recommended by **PO/DPF 22.1 Design in Urban Areas**, the amount of soft landscaping will exceed 20% of the site and enhance the overall appearance and amenity of the development and minimise heat loads.

There are no Regulated or Significant trees on the site or on adjoining land.

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Stormwater and Flood Management

Stormwater Management Overlay PO 1.1 states:

PO 1.1- Residential development is designed to capture and re-use stormwater to:

- a) maximise conservation of water resources*
- b) manage peak stormwater runoff flows and volume to ensure the carrying capacities of downstream systems are not overloaded*
- c) manage stormwater runoff quality.*

The proposal includes a site plan which incorporates the required stormwater management including adequate detention and retention and the required internal connections. The mandatory conditions will be added to any approval.

CONCLUSION

Whilst the development does not satisfy some of the Designated Performance Features set out within the relevant Performance Outcomes, these shortfalls are not considered to be detrimental to the established character of the locality.

The matters raised by the representors have been considered in the course of this assessment. Having considered all the relevant assessment provisions, the proposal is considered to satisfy the intent of the Desired Outcomes and Performance Outcomes of the Planning and Design Code for the following reasons:

- On balance the proposed development satisfies the relevant Performance Outcomes of the Established Neighbourhood Zone, Overlays and General Development Policies.
- The dwelling has been designed with a form, scale and materials that responds appropriately to the prevailing historic characteristics of the local area
- It has been demonstrated that adequate provision is made for private open space, landscaping and on-site car parking and that any increase in traffic movements would not adversely impact upon traffic or pedestrian safety on the adjacent road network.
- The proposal's use of materials and materials is complementary to both the existing dwelling and the streetscape.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

1. The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
2. Development Application Number 24020214 by Behrooz Jafari is GRANTED Planning Consent subject to the following reserved matter and conditions:

Planning Consent Conditions

Condition 1

The approved development shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

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Condition 2

The materials used on the external surfaces of the building and the pre-coloured steel finishes or paintwork must be maintained in good condition at all times to the satisfaction of Council.

Condition 3

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

Condition 4

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 5

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.

Condition 6

The establishment of all landscaping shall occur no later than the next available planting season after substantial completion of the development. Such landscaping shall be maintained in good health and condition to the reasonable satisfaction of Council at all times. Any dead or diseased plants or trees shall be replaced with a suitable species.

Condition 7

A watering system shall be installed at the time landscaping is established and thereafter maintained and operated so that all plants receive sufficient water to ensure their survival and growth.

Planning Consent Advisory Notes

Advisory Note 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.

Advisory Note 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.

Advisory Note 3

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 4

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

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Advisory Note 5

Any works undertaken on Council owned land (including but not limited to works relating to reserves, crossing places, landscaping, footpaths, street trees and stormwater connections and underground electrical connections), shall require a separate authorisation from Council. Further information and/or specific details can be obtained by contacting Council's Asset Management department on 8272 5111.

Advisory Note 6

That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

Advisory Note 7

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Advisory Note 8

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' must be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 9

Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.

Advisory Note 10

The development (including during construction) must not at any time emit noise that exceeds the relevant levels derived from the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

ATTACHMENT 1

COUNCIL: CITY OF UNLEY
PROPOSAL: CONSTRUCTION OF A DWELLING
SITE AREA: 566.5 m²
BUILDING AREA: 261.18 m²
BUILDING COVERAGE: 46.1 %
ROOF COVERED AREA: 300 m²
SITE TO ROOF COVERAGE: 53 %
LANDSCAPING AREA: 171.4 m²
CONCRETE AREA: 124.8 m²

PROPOSED
DWELLING : 184.92 m²
GARAGE : 38.46 m²
ALFRESCO: 30.87 m²
PORCH: 6.93 m²

TOTAL: 261.18 m²

RWT - RAINWATER TANK (5000L),
RETENTION TANK 4000L
DETENTION TANK 1000L

- NO SIGNIFICANT/REGULATED
TREES ON SITE OR ADJOINING LAND. ALL
TREES ON THE STREET TO REMAIN.




- NO BRUSH FENCE WILL BE ERECTED WITHIN
3m OF THE DWELLING.


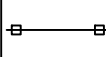

STORMWATER NOTES:
STORMWATER DRAINAGE WITH MIN. 90Ø PVC
DOWNPIPES FOR DWELLING IN NEW
STORMWATER SYSTEM DRAINING TO STREET
WATER TABLE.

RAINWATER TANK TO BE PLUMBED &
CONNECTED TO AT LEAST A WATER CLOSET &
EITHER LAUNDRY HOT OR COLD SERVICE.





EXCESS WATER USED FOR IRRIGATION. (RWT
OVERFLOW TO BE CONNECTED TO STREET
WATER TABLE)

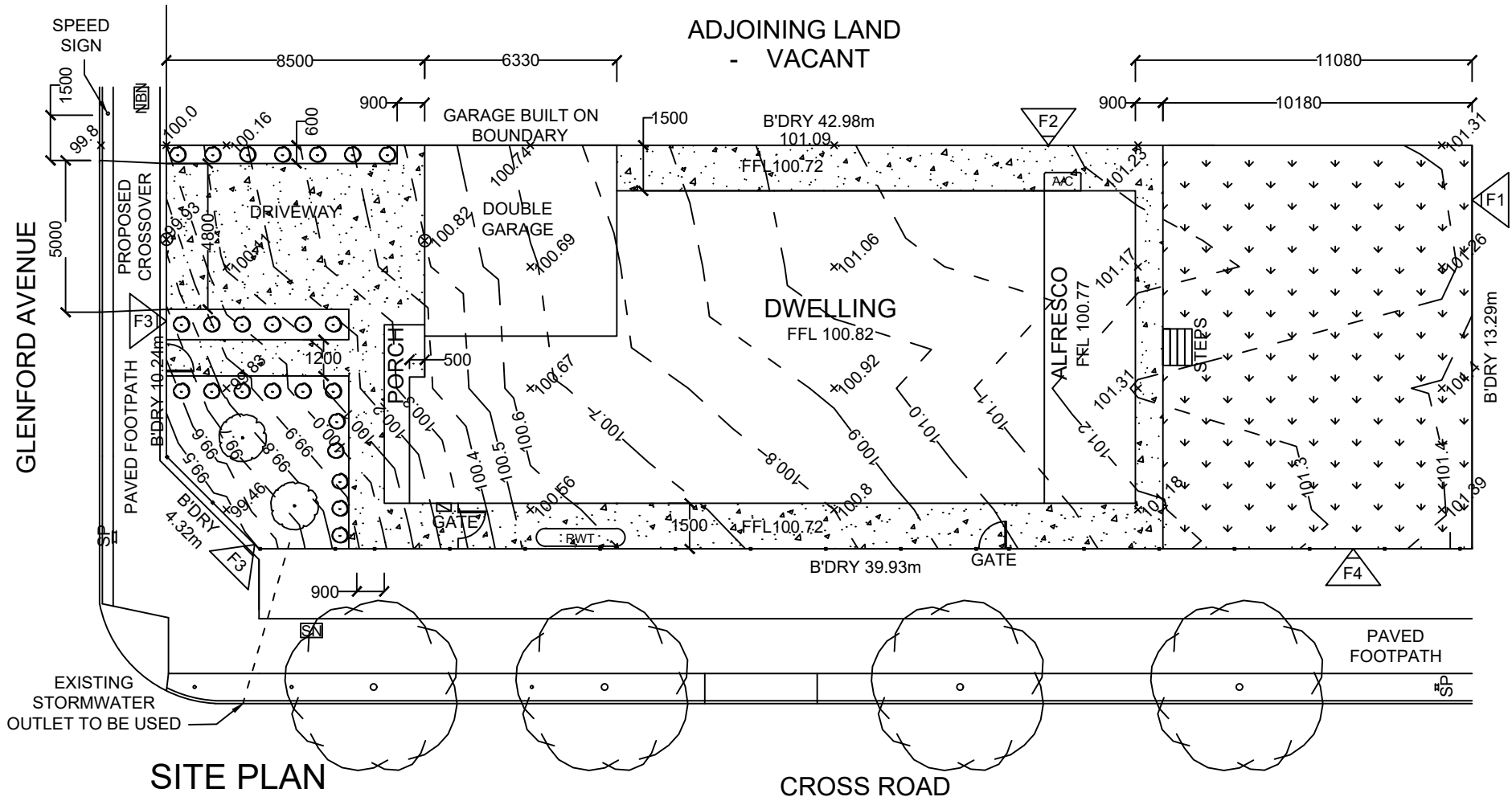
SITE SIZE PER DWELLING (m ²)	TREE SIZE AND NUMBER PER DWELLING
<450	1 SMALL TREE
450-800	1 MEDIUM TREE OR 2 SMALL TREES
>800	1 LARGE TREE OR 2 MEDIUM TREES OR 4 SMALL TREES

LANDSCAPING LEGEND :	
	CAPE MYRTLE
	HEBE
	GRASS LAWN

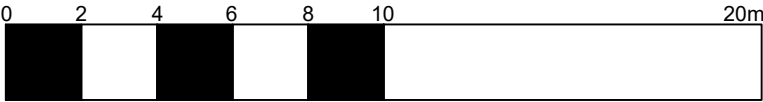
SITE PLAN LEGEND :	
	CONCRETE
	NEW 2m HEBEL POWER FENCE
	METERBOX



SN - SABRENET
SP - STOBIE POLE

	EXISTING FENCE
	NEW 1800H. CUSTOM ORB GOOD NEIGHBOUR FENCE. COLOUR 'COLORBOND MONUMENT'.
	NEW 1500H. TUBULAR FENCE
	NEW 1800H. HEBEL POWER FENCE

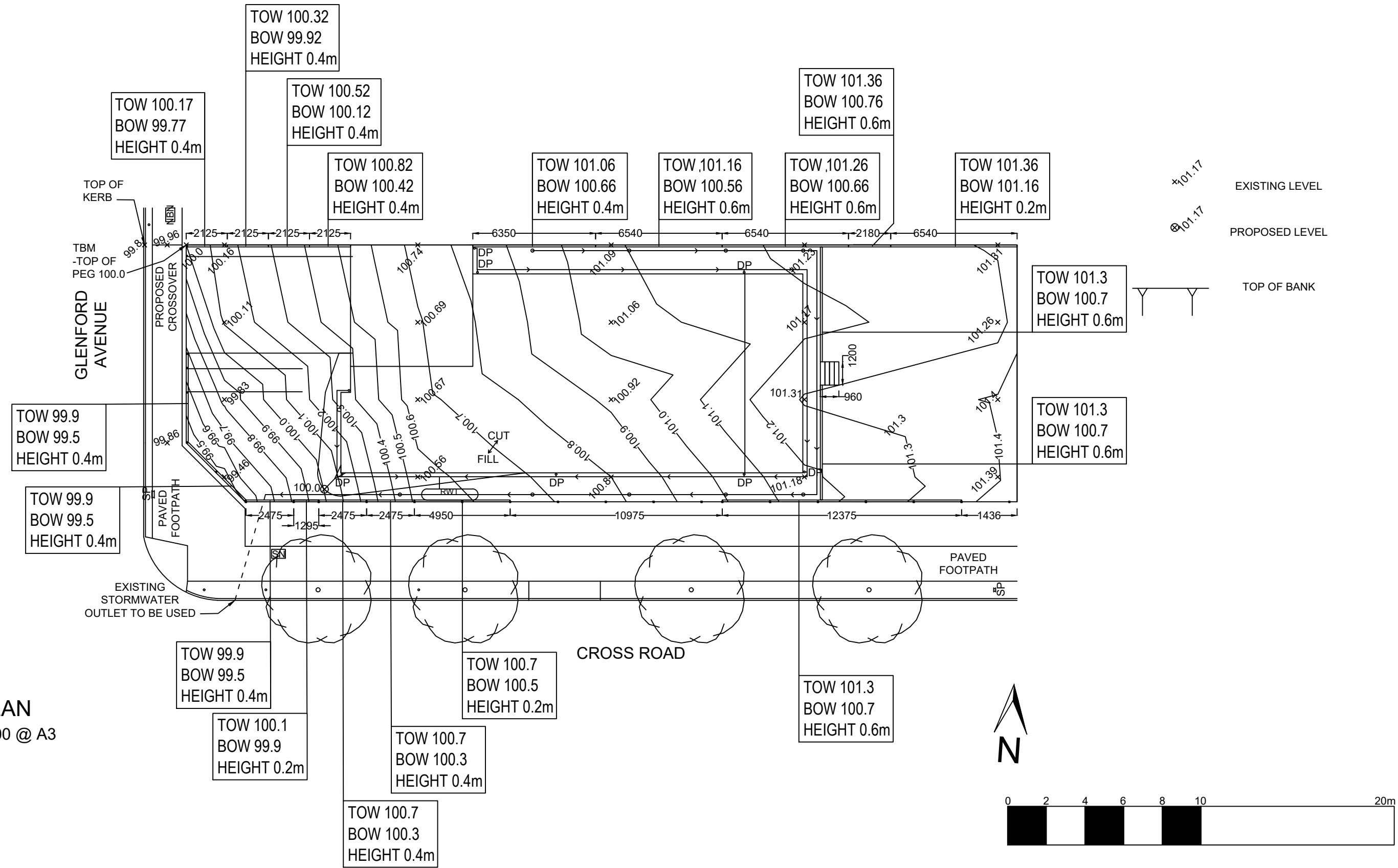


SITE PLAN
SCALE 1:200 @ A3



DRAWING TITLE SITE PLAN	SITE 45 GLENFORD AVENUE, MYRTLE BANK SA 5064		SHEET A3 DATE 09/01/25	SCALE 1 : 200 SHEET NO 1	JAFARI DESIGN BEHROOZ JAFARI	M 0433 005 807 E BEHROOZ@JAFARIDESIGN.COM.AU	 Jafari Design
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NO RETAINING WALL HIGHER THEN 1m



DRAWING TITLE CIVIL PLAN	SITE 45 GLENFORD AVENUE, MYRTLE BANK SA 5064		SHEET A3 DATE 09/01/25	SCALE 1 : 200 SHEET NO 2	JAFARI DESIGN BEHROOZ JAFARI	M 0433 005 807 E BEHROOZ@JAFARIDESIGN.COM.AU	Jafari Design 120
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2980 6110 3590

4200 1900

BIR

FAMILY
6.11 x 4.2
(CARPET)
FFL 104.27

BED 4
3.6 x 4.8
(CARPET)

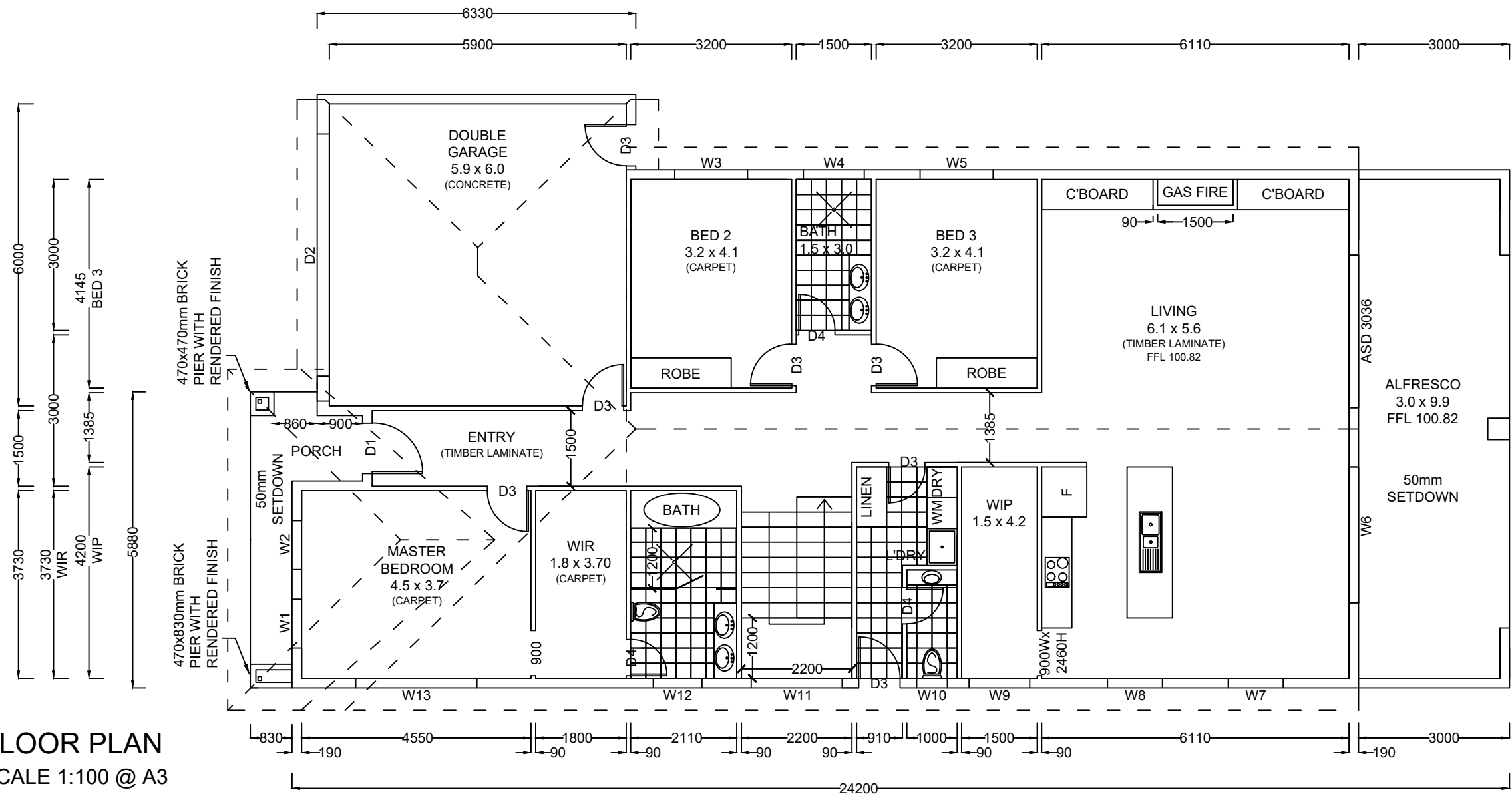
BED 3
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(CARPET)

D4

D3

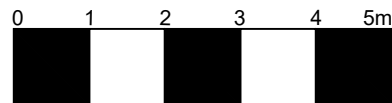
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D1 - 1020W SOLID CORE ENTRY DOOR
D2 - PANEL DOOR 5050(W) x 2400(H)
D3 - DOOR 820(W) x 2100(H)
D4 - DOOR 720(W) x 2100(H)



SCALE 1:100 @ A3



FLOOR PLAN

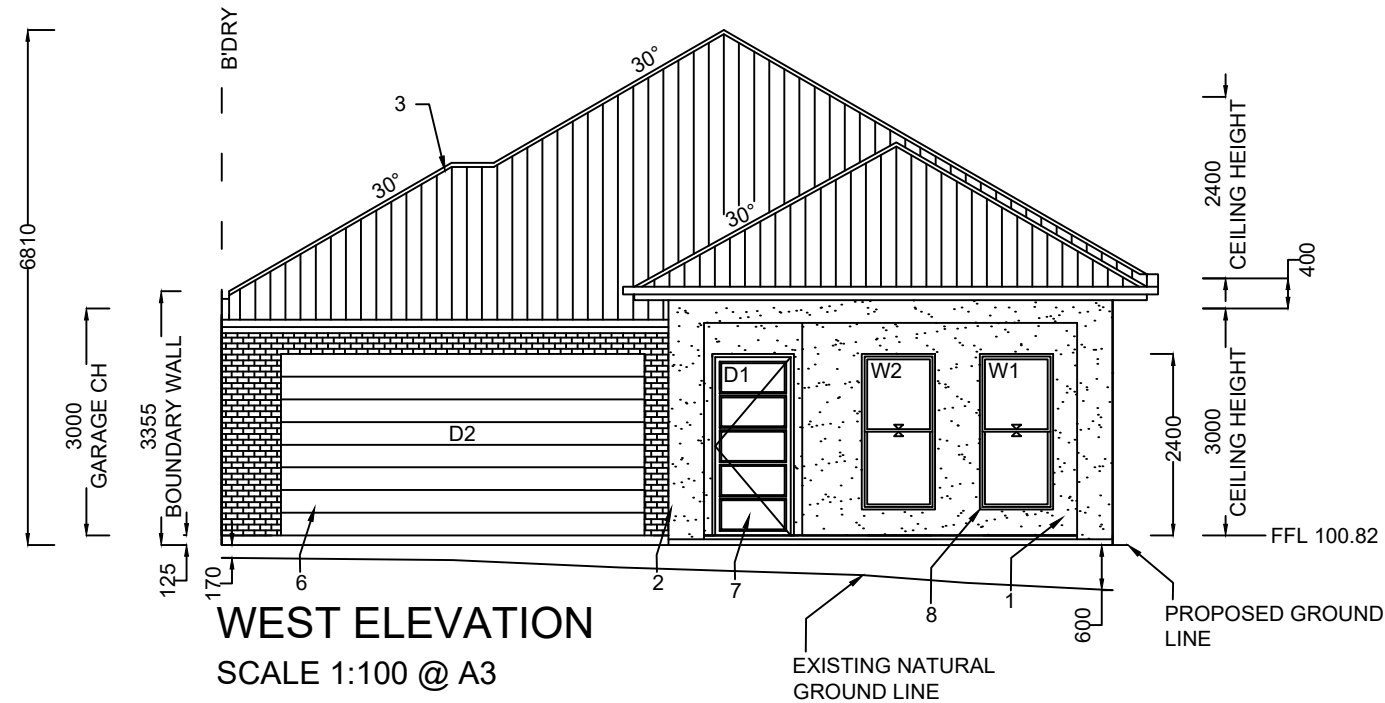
SCALE 1:100 @ A3



DRAWING TITLE FLOOR PLAN	SITE 45 GLENFORD AVENUE, MYRTLE BANK SA 5064		SHEET A3 DATE 09/01/25	SCALE 1 : 100 SHEET NO 3	JAFARI DESIGN BEHROOZ JAFARI	M 0433 005 807 E BEHROOZ@JAFARIDESIGN.COM.AU	 Jafari Design 121
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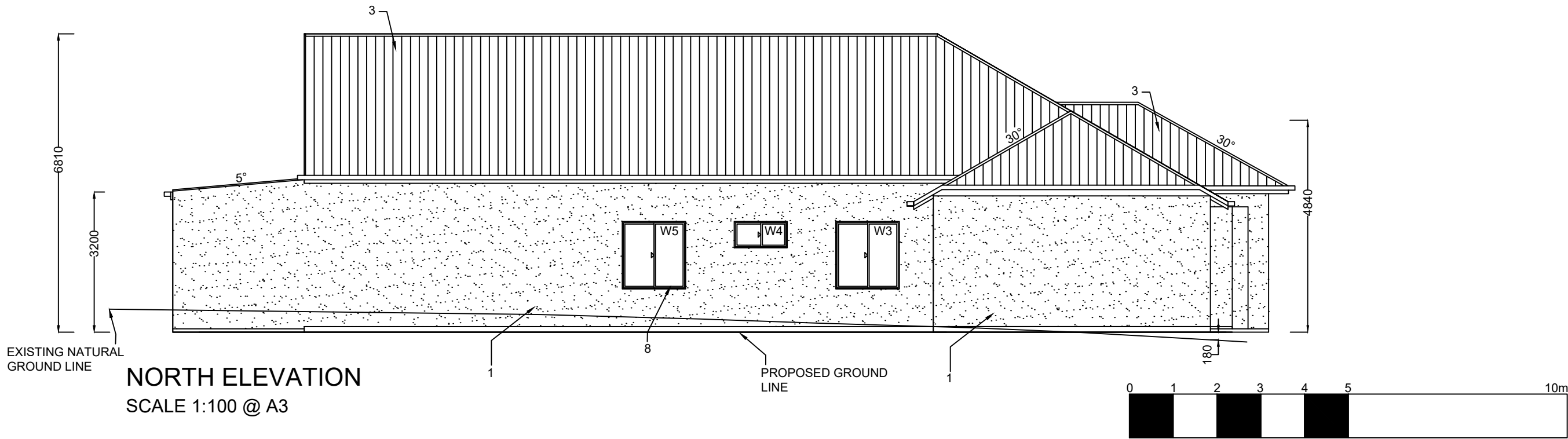
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W2 - ALUMINIUM DOUBLE HUNG WINDOW WINDOW 970(W) x 2058(H)
W3 - ALUMINIUM SLIDING WINDOW 1450(W) x 1540(H)
W4 - ALUMINIUM SLIDING WINDOW 1210(W) x 600(H)
W5 - ALUMINIUM SLIDING WINDOW 1450(W) x 1540(H)
W6 - ALUMINIUM FIXED WINDOW 2700(W) x 3000(H)
W7 - ALUMINIUM FIXED WINDOW 1090(W) x 1800(H)
W8 - ALUMINIUM FIXED WINDOW 1090(W) x 1800(H)
W9 - ALUMINIUM FIXED WINDOW 1200(W) x 600(H)
W10 - ALUMINIUM SLIDING WINDOW 610(W) x 600(H)
W11 -ALUMINIUM FIX WINDOW 1810(W) x 1200(H)
W12 - ALUMINIUM SLIDING WINDOW 970(W) x 1800(H)
W13 - ALUMINIUM SLIDING WINDOW 2410(W) x 600(H)

ASD - ALUMINIUM SLIDING DOOR 3036(W) x 3000(H)
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D2 - PANEL DOOR 5050(W) x 2400(H)
D3 - DOOR 820(W) x 2100(H)
D4 - DOOR 720(W) x 2100(H)



MATERIAL SCHEDULE			
CODE	DESCRIPTION	SPECIFICATION	FINISH
1	AERATED CONCRETE PANEL WALL	190mm AAC VENEER WALL	RENDER FINISH 'SURFMIST'
2	MASONRY BRICK FINISH	AUSTRAL "WHITEHAVEN"	OFF-WHITE MORTAR, FACEBRICK FINISH
3	SHEET ROOF	LYSAGHT CUSTOM ORB 0.42BMT OR SIMILAR	COLORBOND 'BASALT'
4	GUTTER	LYSAGHT CUSTOM ORB 0.42BMT OR SIMILAR	COLORBOND 'MONUMENT'
5	FASCIA	LYSAGHT NOVALINE OR SIMILAR	COLORBOND 'NIGHT SKY'
6	B&D PANELIFT SECTIONAL DOORS	TURINO PANEL TYPE	TIMBER LOOK 'TIMBAGRAIN-CAOBA'
7	SOLID CORE TIMBER FRAMED DOOR	1000mm WIDE TIMBER ENTRY DOOR	STAINED FINISH
8	ALUMINIUM FRAMED GLASS DOOR AND WINDOWS	STATEMAN ESSENTIAL SERIES OR SIMILAR	POWDERCOATED FINISH 'NIGHT SKY' OR SIMILAR

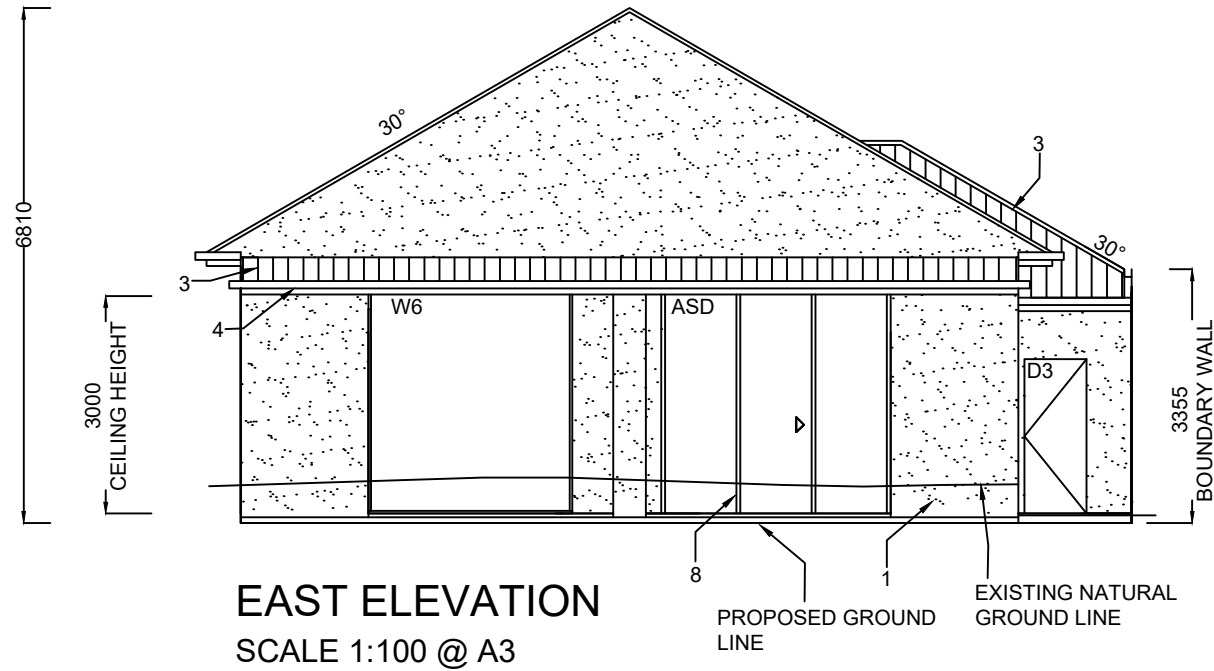
SITE PLAN LEGEND :	
	OBSCURE GLAZING



DRAWING TITLE ELEVATIONS	SITE 45 GLENFORD AVENUE, MYRTLE BANK SA 5064		SHEET A3 DATE 09/01/25	SCALE 1 : 100 SHEET NO 4	JAFARI DESIGN BEHROOZ JAFARI	M 0433 005 807 E BEHROOZ@JAFARIDESIGN.COM.AU	
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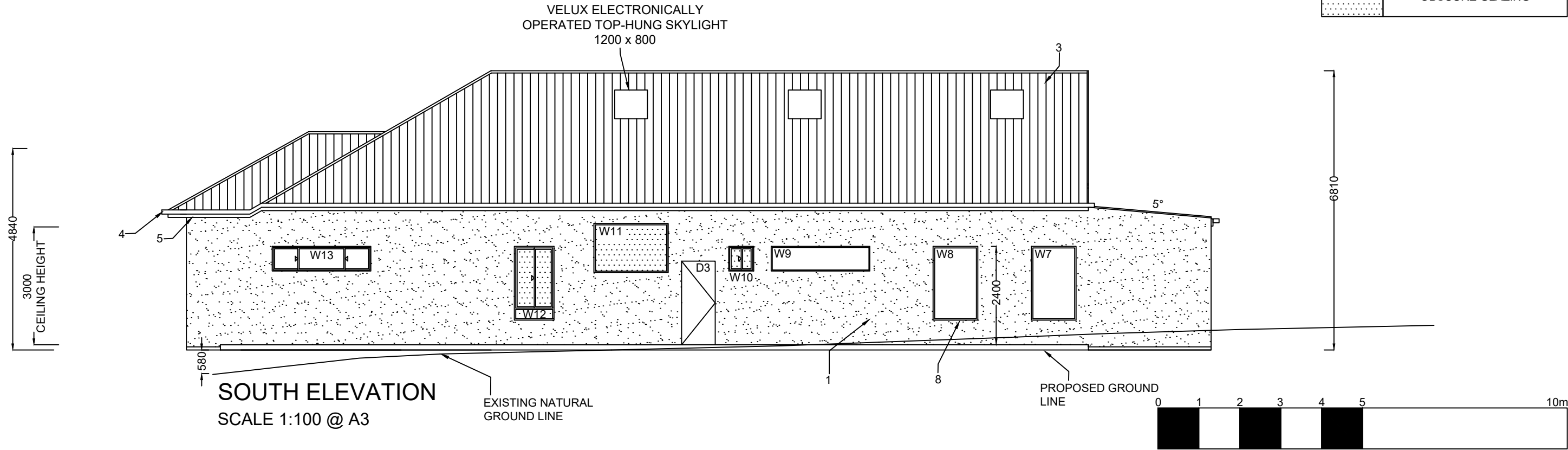
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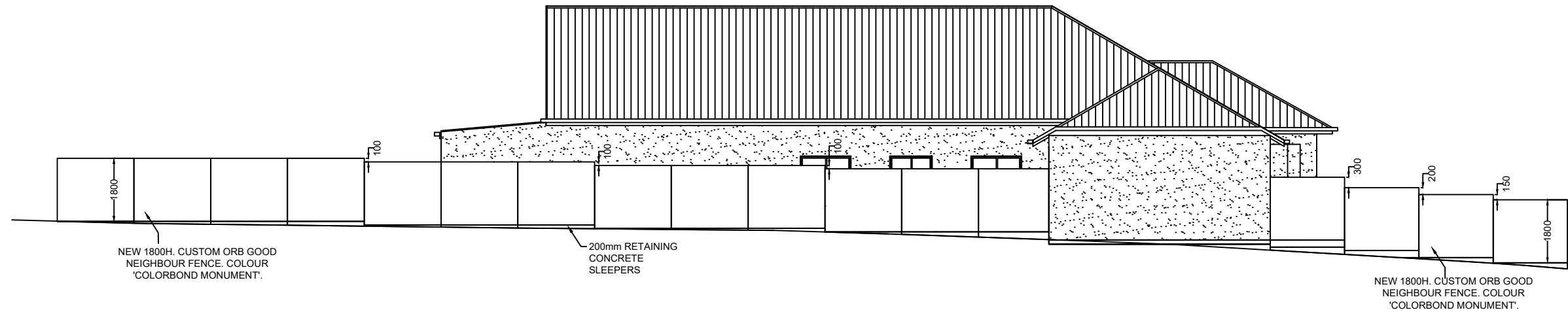


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6	B&D PANELIFT SECTIONAL DOORS	TURINO PANEL TYPE	TIMBER LOOK 'TIMBAGRAIN-CAOBA'
7	SOLID CORE TIMBER FRAMED DOOR	1000mm WIDE TIMBER ENTRY DOOR	STAINED FINISH
8	ALUMINIUM FRAMED GLASS DOOR AND WINDOWS	STATEMAN ESSENTIAL SERIES OR SIMILAR	POWDERCOATED FINISH 'NIGHT SKY' OR SIMILAR

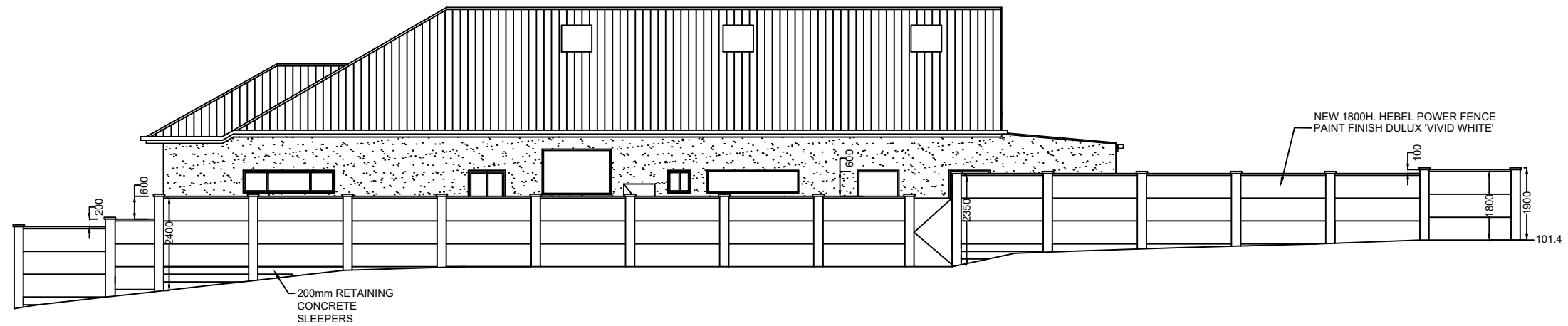
SITE PLAN LEGEND :	
	OBSCURE GLAZING



DRAWING TITLE ELEVATIONS	SITE 45 GLENFORD AVENUE, MYRTLE BANK SA 5064		SHEET A3 DATE 09/01/25	SCALE 1 : 100 SHEET NO 5	JAFARI DESIGN BEHROOZ JAFARI	M 0433 005 807 E BEHROOZ@JAFARIDESIGN.COM.AU	
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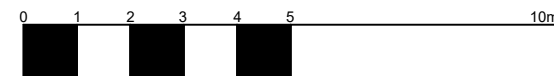
OVERALL NORTH ELEVATION
SCALE 1:100 @ A3



OVERALL SOUTH ELEVATION
- CROSS ROAD
SCALE 1:100 @ A3



OVERALL WEST ELEVATION
- GLENFORD AVENUE
SCALE 1:100 @ A3



DRAWING TITLE ELEVATIONS	SITE 45 GLENFORD AVENUE, MYRTLE BANK SA 5064		SHEET A2 DATE 09/01/25	SCALE 1 : 100 SHEET NO 6	JAFARI DESIGN BEHROOZ JAFARI	M 0433 005 807 E BEHROOZ@JAFARIDESIGN.COM.AU	<div> <div>124</div> <div>Jafari Design</div> </div>
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ATTACHMENT 2

Details of Representations

Application Summary

Application ID	24020214
Proposal	Construction of a two storey detached dwelling, fencing and retaining walls
Location	45 GLENFORD AV MYRTLE BANK SA 5064

Representations

Representor 1 - [REDACTED]

Name	[REDACTED]
Address	[REDACTED]
Submission Date	07/02/2025 10:31 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 oppose the development

Reasons

I am writing to formally object to the proposed construction of a two-story building at 45 Glenford Ave, Myrtle Bank, SA 5064, as outlined in Planning Application ID: 24020214. As an immediate neighbor, I have serious concerns regarding the impact this development will have on my property and the surrounding community.

1. Impact on Neighborhood Character The area predominantly consists of single-story homes. A two-story building would be inconsistent with the existing streetscape, altering the character of the neighborhood.

2. Loss of Privacy The proposed second story will create direct sightlines into my home and front yard, significantly reducing my privacy. This will particularly affect my bedrooms, living area, and garden.

3. Overshadowing and Loss of Natural Light The increased height of the proposed building will cast excessive shadows over my property, reducing the natural light available to my home and negatively affecting my living conditions.

4. Potential Devaluation of Property The inconsistency in building height and style, along with the loss of privacy and sunlight, may negatively impact the value of surrounding properties.

5. Noise and Disruption The construction process will likely cause prolonged noise, dust, and traffic disruptions. Additionally, the increased height of the completed building may contribute to greater ongoing noise levels.

Given these concerns, I respectfully request that the council reject or amend the current proposal to minimize these impacts. I would appreciate the opportunity to discuss this matter further and request that my objection be formally considered in the planning decision. Thank you for your time and consideration. I look forward to your response. Sincerely, [REDACTED]

Attached Documents

objection-letter-1464483.pdf

To Whom It May Concern,

I am writing to formally object to the proposed construction of a two-story building at 45 Glenford Ave, Myrtle Bank, SA 5064, as outlined in Planning Application ID: 24020214. As an immediate neighbor, I have serious concerns regarding the impact this development will have on my property and the surrounding community.

1. Impact on Neighborhood Character

The area predominantly consists of single-story homes. A two-story building would be inconsistent with the existing streetscape, altering the character of the neighborhood.

2. Loss of Privacy

The proposed second story will create direct sightlines into my home and front yard, significantly reducing my privacy. This will particularly affect my bedrooms, living area, and garden.

3. Overshadowing and Loss of Natural Light

The increased height of the proposed building will cast excessive shadows over my property, reducing the natural light available to my home and negatively affecting my living conditions.

4. Potential Devaluation of Property

The inconsistency in building height and style, along with the loss of privacy and sunlight, may negatively impact the value of surrounding properties.

5. Noise and Disruption

The construction process will likely cause prolonged noise, dust, and traffic disruptions. Additionally, the increased height of the completed building may contribute to greater ongoing noise levels.

Given these concerns, I respectfully request that the council reject or amend the current proposal to minimize these impacts. I would appreciate the opportunity to discuss this

matter further and request that my objection be formally considered in the planning decision.

Thank you for your time and consideration. I look forward to your response.

Sincerely,

A solid black rectangular box used to redact a signature.

ATTACHMENT 3

Response to Objection by [REDACTED]

Re: Application ID 24020214 – Proposal for the Construction of a Two-Storey Detached Dwelling, Fencing, and Retaining Walls at 45 Glenford Avenue, Myrtle Bank SA 5064

1. Impact on Neighbourhood Character

The proposed dwelling has been carefully designed to integrate with the existing neighbourhood character. The second level is contained within the roof area to maintain the streetscape's aesthetic integrity. Meetings with the council planner and heritage advisor have been conducted to ensure the proposal aligns with the neighbourhood's existing character and zoning requirements.

Several comparable dwellings have been constructed within the same zoning area (Established Neighbourhood – EN), demonstrating that the proposal is consistent with the existing neighbourhood:

- 60 Cross Road, Myrtle Bank (EN)
- 62 Cross Road, Myrtle Bank SA 5064 (EN)
- 22 Hexham Avenue, Myrtle Bank SA 5064 (EN)
- 20 Hexham Avenue, Myrtle Bank SA 5064 (EN)
- 18 Hexham Avenue, Myrtle Bank SA 5064 (EN)
- 16 Hexham Avenue, Myrtle Bank SA 5064 (EN) – Recently built
- 16A Hexham Avenue, Myrtle Bank SA 5064 (EN) – Recently built
- 1 Myrtle Avenue, Myrtle Bank (EN) – Recently built



LOCATION: 1 Myrtle Avenue, Myrtle Bank



LOCATION: 22 Hexham Avenue, Myrtle Bank SA 5064

2. Loss of Privacy

The proposed design ensures that no windows face neighbouring properties, thereby eliminating any potential privacy concerns. Additionally, the three skylights included in the design face upwards and towards Cross Road, further ensuring privacy for neighbouring residences.

3. Overshadowing and Loss of Natural Light

Attached photographic evidence demonstrates that the proposed construction will not cause any overshadowing on [REDACTED]. The design takes into account sunlight pathways and ensures that there is no significant impact on the natural light received by neighbouring properties.

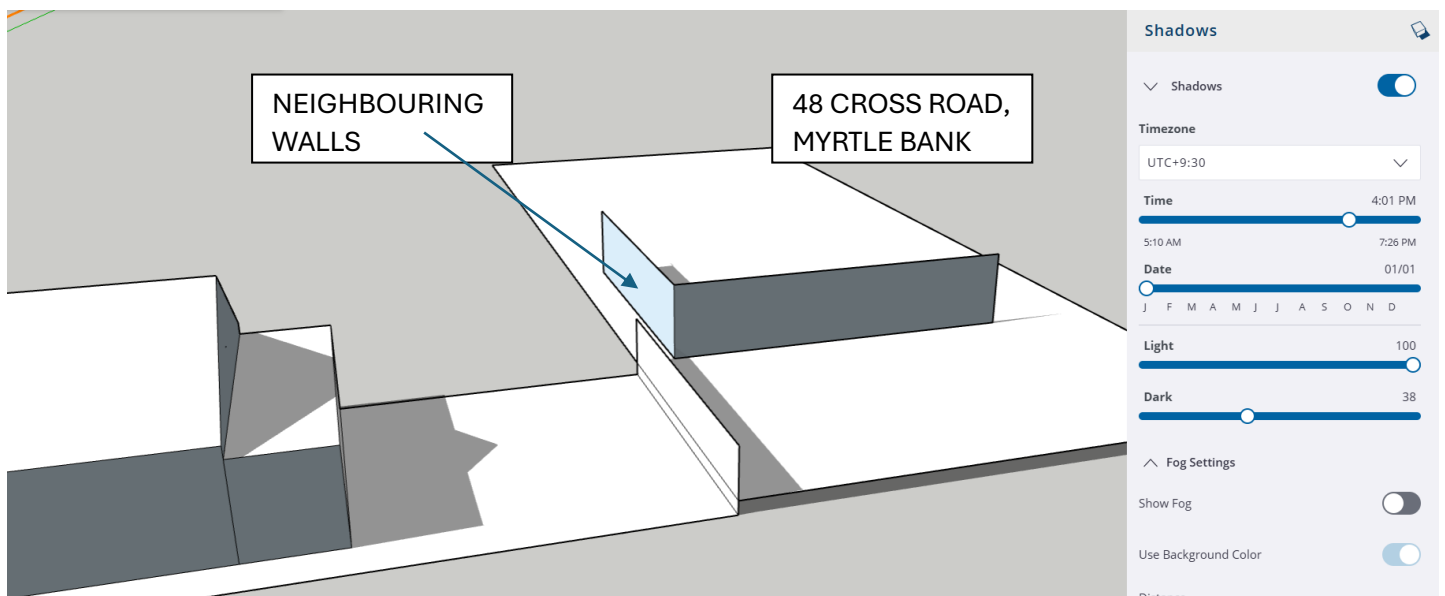


IMAGE 1 - SHADOW IN JANUARY AROUND 4PM

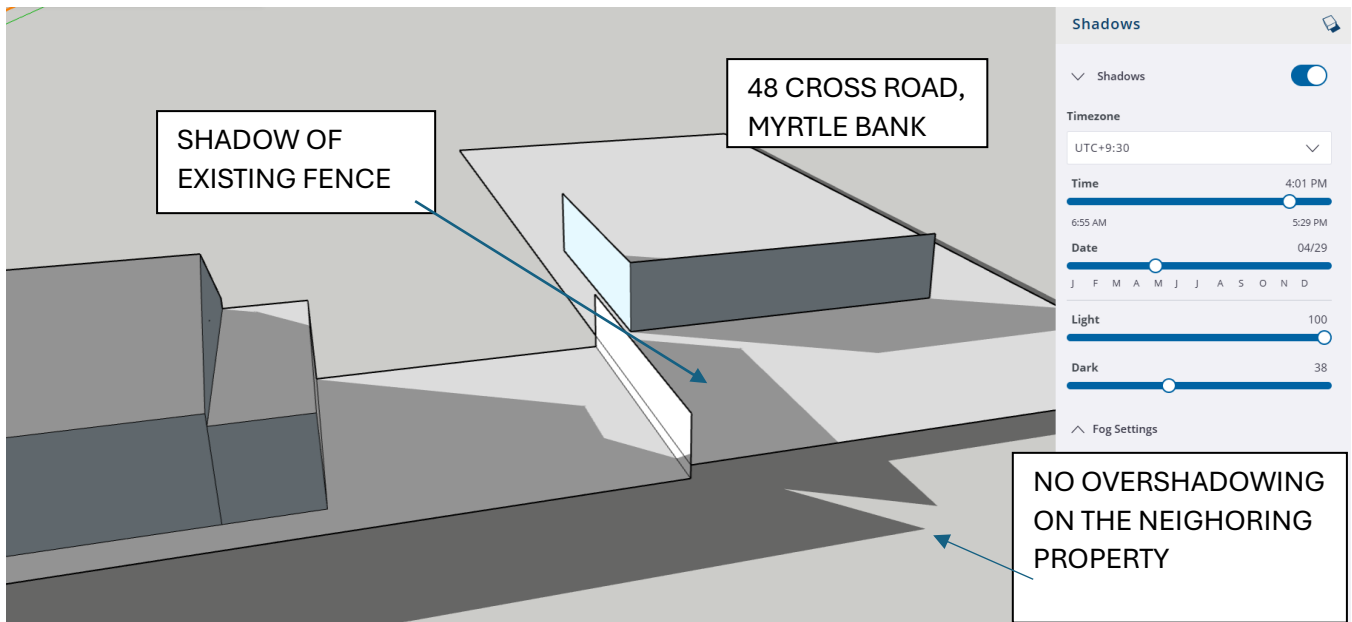


IMAGE 2 - SHADOW IN MARCH AROUND 4PM

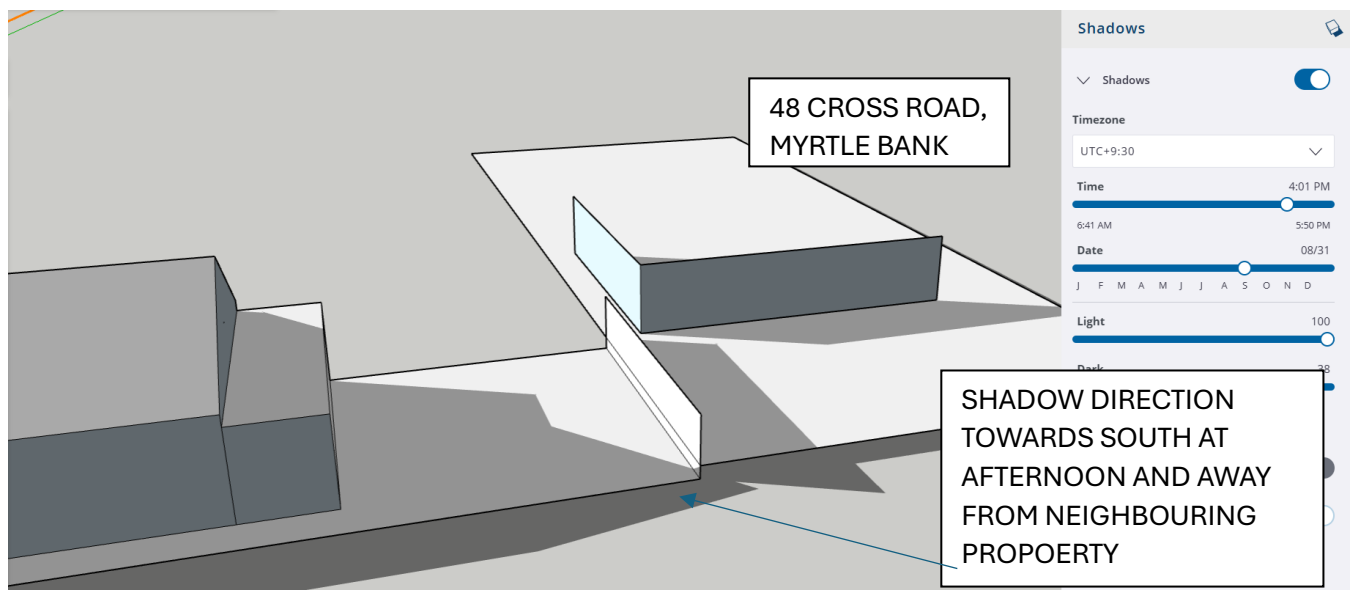


IMAGE 3 – SHADOW IN SEPTEMBER AROUND 4PM

4. Potential Devaluation of Property

The proposal maintains the existing architectural style of the neighbourhood and ensures that there is no loss of privacy or sunlight for neighbouring properties. As a result, there is no reasonable basis to suggest that the proposed development will negatively impact property values in the area.

5. Noise and Disruption

As with any construction project, standard industry methods will be employed to minimize noise, dust, and traffic disruptions. Best practices will be followed to ensure that construction activities have the least possible impact on the surrounding residents.

The proposed development has been carefully planned to align with the neighbourhood's character, protect the privacy of surrounding residents, and minimize any potential disruptions. We trust that these responses adequately address the concerns raised.

ITEM 6.1**APPLICATIONS BEFORE THE ERD COURT - SUMMARY OF ERD COURT APPEALS**

TO: City of Unley Council Assessment Panel

FROM: Tim Bournier, Assessment Manager

SUBJECT: Summary of ERD Court Appeals

MEETING DATE: April 15th 2025

APPEALS - 1

Development Application / Subject Site	Nature of Development	Decision authority and date	Current status
NIL			