

COUNCIL ASSESSMENT PANEL MEETING

10 February 2021

AGENDA – 9.1

Applicant: Damian Schultz	Landowner: S J Schultz
Agent: N/A	Originating Officer: Ashleigh Gade
Development Application:	20/894/473
Application Description: Demolition of existing dwelling and outbuilding & construction of replacement two storey detached dwelling, deck (maximum height 2.95m), retaining walls (maximum height 1.6m), fencing & associated earthworks (non-complying)	
Subject Land: Lot:91 Sec: P1022 FP:171040 CT:5324/817	General Location: 33 Yanagin Road Greenhill Attachment – Locality Plan
Development Plan Consolidated : 8 August 2019 Map AdHi/3	Zone/Policy Area: Hills Face Zone
Form of Development: Non-complying	Site Area: 1192m ²
Public Notice Category: Category 3 Non Complying Notice published in The Advertiser on 20 November 2020	Representations Received: 2 Representations to be Heard: 1

1. EXECUTIVE SUMMARY

The purpose of this application is to demolish the existing two storey A-frame dwelling and replace it with a new two storey contemporary style dwelling.

The subject land is located within the Hills Face Zone and the proposal is a non-complying form of development. One representation in opposition and one representation in support of the proposal were received during the Category 3 public notification period. The representation in opposition to the proposal was received from the neighbouring property to the north-west and the representor has identified that they wish to be heard in support of their representation.

The proposal for the construction of a new two storey dwelling involves the retention of the existing swimming pool and a small extension to the existing ground-level decking area and stairs. The eastern extent of the dwelling will require up to 450mm additional excavation which, in addition to the existing excavation on site, will require retaining walls at a maximum of 1.6m in vertical height.

The proposed dwelling will comprise 5 bedrooms, 3 bathrooms (including an ensuite), an open plan kitchen and living area, an office/study space and Juliet balconies to sliding doors on the upper level. The dwelling is to be clad in Colorbond “Single Lok Standing Seam” cladding and roof sheeting in dark grey with select rendered brickwork in grey. The land is not serviced by mains water or sewer and all water supply and wastewater treatment is managed on site.

As per the Council Assessment Panel (CAP) delegations, the CAP is the relevant authority for Category 3 non-complying development where representors wish to be heard.

The main issues relating to the proposal are bulk and scale, siting and overlooking.

Following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending that the proposal be **GRANTED** Development Plan Consent, subject to conditions.

Note, concurrence from SCAP is no longer required for consents to non-complying development effective 15 May 2020 as a result of the COVID-19 Emergency Response (Further Measures) Amendment Bill 2020 and subsequent amendment to Section 35 of the Development Act 1993 to delete the need for concurrence to be obtained.

2. DESCRIPTION OF THE PROPOSAL

The proposal is for the following:

- Demolition of existing two storey dwelling and associated outbuilding.
- Double storey detached dwelling clad in Colorbond roof sheeting and Colorbond standing seam wall cladding in dark grey, comprising 5 bedrooms, 3 bathrooms, 2 living areas and a study/office.
- Extension to existing deck over water tank – maximum height 2.95m from natural ground level.
- Retaining walls – maximum height 1.6m.

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Application Information** and **Attachment – Applicant's Professional Reports**.

3. BACKGROUND AND HISTORY

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
11 July 2017	16/679/473 & 16/680/473	Combined fence (masonry and railing) and utilities structure (6m x .9m x 2.1m above finished ground level) adjacent to front boundary and earthworks (15m ³) & Variation to development authorisation 15/30/473: 1.8m extension of fence on front western boundary, new opening in approved screen on western boundary adjacent deck and enclosing of tank base
3 March 2015	15/32/473	Replace roof of existing concrete tank
7 July 2015	15/31/473	Earthworks - maximum cut 2m and maximum fill 1m on eastern boundary

17 September 2015	15/30/473	Retaining wall (maximum height 2.8m), deck constructed over water tank, pool fence, fences (maximum height 1.8m), combined fence and retaining wall (maximum height 4.6m) & associated earthworks
22 June 2009	09/267/473	Dwelling addition - deck (maximum height of 3 metres)

4. REFERRAL RESPONSES

- CFS**
 The CFS have no objection to the proposal and have recommended a group of standard conditions (refer conditions 8-12).
- AHC EHU**
 Council's Environmental Health Officer has granted approval to install a waste water treatment system (reference 20/W184/473).
- AHC Engineering**
 Council's Engineer has reviewed the proposed stormwater disposal method and has deemed that stormwater overflow to the Greenhill Road verge is supportable. The proposed method of stormwater management involves detention via the existing rainwater tank. Engineering are satisfied the method of stormwater management proposed is appropriate but have requested full detention calculations from a suitably qualified engineer be provided prior to the issuing of full Development Approval that demonstrate flows to the Council verge will be limited to pre-development rates.

 Engineering are satisfied that the proposed sealing of the driveway is appropriate, with a recommended condition that it be completed to Council standards (refer condition 2).

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

5. CONSULTATION

The application was categorised as a Category 3 form of development in accordance with Section 38(2)(c) of the Development Act 1993 requiring formal public notification and a public notice. Two representations were received. One representation was in support of the proposal and was received from a non-adjacent neighbour to the east of the subject land. The other representation received was in opposition to the proposal and was received from neighbours directly adjacent the property to the west. The representor who opposes the proposal has identified that they wish to be heard in support of their representation.

The following representor wishes to be heard:

Name of Representor	Representor's Property Address	Nominated Speaker
Matt and Kylie Johns	31 Yanagin Road, Greenhill	Matt and Kylie Johns

The applicant(s) (or their representative – Brenton Burman) may be in attendance.

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

- The bulk, mass and scale of the proposal and the resulting visual dominance.
- Incapability of the dwelling design with the character of existing buildings in the locality.
- The potential for overlooking from the upper level of the proposed dwelling.
- Perceived discrepancies within application documents.

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

A copy of the submission is included as **Attachment – Representations** and the response is provided in **Attachment – Applicant's Response to Representations**. Note: An additional letter identifying the representor's consultant architect has been provided dated 1 February 2021. This letter is included in the attachments and a copy has been provided to the applicant.

6. PLANNING & TECHNICAL CONSIDERATIONS

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

i. The Site's Physical Characteristics

The subject land is 1192m² in area and rectangular in shape. It has direct frontage to Yanagin Road, a Council-maintained no-through road with access only via Greenhill Road. The subject land is not serviced by mains sewer and water. All wastewater is managed on site. Access to rainwater is via an existing 88,000L rainwater tank. The subject land slopes away from Yanagin Road in the south toward the rear boundary and Greenhill Road to the north. The allotment contains an existing two storey A-frame dwelling which is situated on a balanced site with historic excavation and fill in the section of the allotment closer to Yanagin Road. The rear of the allotment is undeveloped due to the increasing slope of the land, which falls 5 metres over a distance of 19 metres to the rear of the existing decking, down toward the rear boundary. The front gardens are formally landscaped and vegetation along the eastern side boundary is largely exotic species, some of which are to be removed as part of the proposal. A number of native trees are sited to the rear of the allotment and in proximity of adjoining land to the east but none of these are proposed for removal as a result of the development.

ii. The Surrounding Area

Allotments fronting Yanagin Road are somewhat unique in the immediate locality in that they are surrounded predominantly by larger allotments, including the Cleland National Park to the south and primary production land to the north. The allotments fronting Yanagin Road are typically residentially sized allotments, varying in site area from 1,000m² to 1,700m². This does not include Yanagin Reserve which is accessible from the eastern extent of the road, beyond which point the road is unmade and accessible to service vehicles only. The streetscape is defined by rectangular

allotments in a linear pattern, typically containing single or double storey dwellings. As the land slopes toward Greenhill Road it is not uncommon for dwellings to present to Yanagin Road as single or double storey, but utilize the fall of the land to accommodate additional levels to the rear. Yanagin Road is separated from the remainder of residential allotments in the suburb of Greenhill by Greenhill Road, though these allotments are similar in character to the Yanagin Road allotments. Dwellings in the locality are predominantly brick buildings with tiled roofs, though there are isolated examples of more contemporary dwelling designs as a result of more recent redevelopments on established sites.

iii. Development Plan Policy considerations

a) *Zone Provisions*

The subject land lies within the Hills Face Zone and these provisions seek:

- A zone where natural character is preserved, enhanced or re-established in order to provide a natural backdrop to the Adelaide Plain and provide a buffer area between metropolitan districts and the Mount Lofty Ranges.
- That buildings be unobtrusive, sited well below the ridgeline, within valleys or behind spurs and set well back from public roads.
- That development not result in excessive earthworks or be sited on land where the slope poses an unacceptable risk of soil movement, land slip or erosion.

The following are considered to be the relevant Zone provisions:

Objectives: 1

PDCs: 1, 2, 3, 7, 8, 9, 22

Accordance with the Zone

The Hills Face Zone envisages that limited residential development will occur and is considered a non-residential zone without typical residential services. Where residential development does occur, it is envisaged that this development will not necessitate the provision of such services and will be sympathetic to or enhance the natural character of the zone. Development should be sympathetic to the topography of the land, be unobtrusive and sited well below the ridgeline so that it is obscured from view from the Adelaide Plains.

The proposal is to construct a two storey detached dwelling that will replace the existing two storey detached dwelling and associated outbuilding. The proposed dwelling will continue to use existing access from Yanagin Road. The level of resulting earthworks is minimised by utilizing a similar building footprint to the existing dwelling which addresses PDC 2. In accordance with Objective 1 and PDC 7 for the zone, the proposed dwelling will not be visible from the Adelaide Plains. The topography of the locality is such that the land north of Yanagin Road, including the subject site, slopes away from Adelaide.

PDC 8 seeks that buildings be of single storey with a low profile, where the mass is minimised through variations in wall and roof lines. The proposed dwelling is double storey and therefore does not meet the envisaged form in PDC 8. Notwithstanding this the character of the locality, which is discussed further below, is that of an

established residential street and Yanagin Road has other examples of two storey development, including the existing dwelling on the subject land. The existing dwelling has maximum height to the peak of the gable roof of approximately 6.2 metres. The proposed dwelling design has two roof gables at a maximum height of 8.1 metres and 8.75 metres viewed from west to east from Yanagin Road. This will result in the proposed dwelling sitting slightly higher than the comparative peak of the skillion roof at 31 Yanagin Road which is shown on the street elevation plan to have a maximum height of 8 metres. The proposal utilizes much of the footprint of the existing dwelling and outbuilding. However, the proposed dwelling will result in an increase in mass compared to the existing built form. This is partially addressed through design features such as separating the pitched roof and articulation to the façade.

The proposal is considered consistent with the Desired Character for the zone in the choice of colours and materials which complement the natural surrounds and will not be visually obtrusive or unnaturally reflective. All large native trees on the subject land are to be retained, with only exotic planted species and two small non-endemic trees along the eastern boundary to be removed. It is noted that the existing decking is sited in direct proximity to native vegetation on site but this element is to be retained and there will be no further impacts to these trees. A tree on the neighbouring property to the east is of a size to be considered a Significant Tree, however it is sited within 20 metres of the adjacent dwelling and therefore tree-damaging activity is exempt from being considered development. Notwithstanding this, there is no intention to significantly prune or impact on the root zone of this tree as part of the development. All landscaping approved parallel with the front fencing under 16/679 is to be retained as a condition of that consent and is shown as such on the landscape plan.

Appropriateness of Proposal in Locality

There is no Policy Area applicable to the subject land or locality, however the Greenhill area has a notably distinct character within the zone. The locality is characterised by residential allotments typically at least 1,000m² in site area generally running parallel to Greenhill Road. Streets in the locality such as Yarrabee Road, Christopher Avenue and Yanagin Road are residential streets, although none are connected to urban residential services such as sewer or water mains.

As mentioned previously, most dwellings in the locality present as single storey to their primary street frontage, though it is not uncommon for these to be two storey dwellings built into the hillside. Notwithstanding this, two storey dwellings that present to the street are not uncommon, particularly where land falls away from the Adelaide Plains.

The proposed dwelling is notably contemporary in scale and design which is not particularly common within the locality. As viewed from Yanagin Road it will not be dissimilar in height to the adjacent dwelling to the north-east. Despite not being commonplace in the locality, the Zone does not preclude contemporary construction.

b) Council Wide provisions

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

Design and Appearance

Objectives: 1

PDCs: 1, 2, 3, 7, 9, 17, 18, 19, 28

In accordance with PDC 1 the proposed dwelling incorporates contemporary design elements including articulation to the façade, external materials in keeping with the desired character for the zone and eaves and window screens incorporated into the built form.

The existing outbuilding on the site is sited directly on the western side boundary. The proposed dwelling which will replace the outbuilding in this area will be setback 900mm from the boundary which will increase the building setback along this boundary. Notwithstanding this, the proposed dwelling is two storeys in height along this boundary and the increase setback will not wholly account for the increase in wall height. As demonstrated on the submitted plans, the garage of the neighbouring dwelling is sited adjacent this boundary. The adjacent dwelling has a second storey element within the roof space which rises above their garage and faces this elevation. This element however is a solid wall and does not contain any windows. Overshadowing diagrams have been provided demonstrating that on 21 June, the proposed dwelling will primarily cast shadows over the front yards of the subject dwelling and adjacent dwellings, with some shadow impact to the side elevation of the eastern neighbouring dwelling between 11am and 1pm. Both adjacent dwellings will retain access to a minimum of two hours of solar access to living area windows and private open space during winter in accordance with PDC 17.

The siting of the proposed dwelling largely within the footprint of the existing dwelling reduces the need for extensive earthworks in association with the proposal which is in accordance with PDC 9. A maximum of 450mm excavation to the west of the existing swimming pool is to be undertaken to align the finished floor level of the proposed dwelling and the existing swimming pool deck. To the rear of the existing building footprint the land falls away and 40m³ of fill will be introduced to level this section to accommodate the proposed dwelling and the extension to the existing decking and stairs.

As per PDC 18 the proposal incorporates screening elements to reduce overlooking. It is noted that the existing dwelling and the significant second storey decking create overlooking issues demonstrated in the submitted documentation. The proposed dwelling incorporates windows at a sill height of 1750mm above finished floor level on the eastern and western elevations. On the western elevation the large in-set hallway windows are to be screened with fixed louvres directed away from the neighbouring allotment, consistent with the intent of PDC 19. The rear elevation includes two sets of sliding doors that open to Juliet balconies, neither of which can be stepped out onto. The built form of the dwelling extends beyond the façade by 900mm on the rear elevation, preventing direct views to the side of the sliding doors but opening up views to the rear of the allotment which is well screened by and vegetated with native trees. The proposal is therefore considered to appropriately

obscure any direct views into neighbouring habitable room windows or private open space.

In accordance with PDC 28 the dwelling is sited in keeping with the setbacks of the adjacent dwellings. The dwellings fronting Yanagin Road have a fairly uniform setback pattern in this area and are sited further forward than the existing dwelling on the subject site. The proposed dwelling is to be sited closer to the road than the existing, generally in line with the surrounding dwellings at 10.2 metres. The proposal is considered to be in accordance with the above provisions for design and appearance.

Hazards

Objectives: 2, 5

PDCs: 6, 7, 8, 9

The subject land is located within a high bushfire risk area and the development is required to comply with the Minister's Code: Undertaking Development in Bushfire Protection Areas. As identified previously in the report, the proposal required referral to the Country Fire Service (CFS) in accordance with Schedule 8 of the *Development Regulations 2008*. The CFS had no objections to the proposal, subject to standard conditions. The proposal is considered to be in accordance with the above provisions for bushfire hazard.

Orderly and Sustainable Development

Objectives: 4, 9

PDCs: 1, 9

In accordance with PDC 9 it is considered the proposal is sited on land which already forms part of an immediate locality intended for and utilized for residential development. In its context the land is suitable for ongoing residential use and the proposal does not contravene the intent of Objective 9 in creating any encroachment of urban style development over and above what is already existing.

The proposed dwelling will not be visible from the Adelaide Plains and in situ will be visible only when viewed directly from Yanagin Road and its immediate surrounds. As such it is considered the proposal does not prejudice the intended purpose of the zone, which is to retain a natural interface and visual separation between metropolitan Adelaide and the Mount Lofty Ranges. The proposal is therefore in accordance with the above provisions for orderly and sustainable development.

Residential Development

Objectives: 1

PDCs: 1, 3, 4, 5, 8, 9, 10, 17, 18, 28

In accordance with Objective 1 and PDC 3 for the zone, the proposed dwelling is sited on an existing residential street within an established residential locality. The proposal does not significantly increase the capacity of the site for residential purposes and replaces an existing two storey dwelling of a comparable footprint with

another two storey dwelling. It is considered that Yanagin Road and the township of Greenhill in general already accommodates this form of development. There is not considered to be an introduced risk that the proposal would create additional or undue demand on local roads or public utilities.

The dwelling utilizes rainwater for water supply and has an on-site wastewater disposal system. An associated waste application was submitted to and approved by Council's Environmental Health Unit concurrent with planning assessment. In accordance with PDC 5, the proposal includes basic stormwater management details with overflow from the rainwater tank to be directed to the Greenhill Road verge for disposal. Council's Engineering Department have reviewed the stormwater plan and are supportive of the method of management, subject to detention calculations being provided prior to full Development Approval. This is included as a condition in the recommendation below (refer condition 2).

Existing formal landscaping has been established forward of the existing dwelling through previous developments and will be retained in association with the proposed dwelling, with further landscaping along both side boundaries proposed to be established. As per the landscaping plan provided, small native trees will be planted forward of the dwelling along the eastern side boundary, in keeping with the established trees along the western side boundary. To the rear of the proposed garage, small shrubs will be planted along the eastern side boundary. Ample private open space is accessible from the living areas of the proposed dwelling, at the rear of the allotment. The dwelling overlooks Cleland Conservation Park to the south. The entrance to the proposed dwelling is easily identifiable from Yanagin Road. The proposal is therefore considered to adequately address PDCs 8, 10 and 18.

The existing swimming pool and associated decking are to be retained as part of this proposal. The built form of the proposed dwelling includes a pool plant room with roller door to provide discrete and sound attenuated storage for pool equipment associated with the existing pool, in accordance with PDC 28. The proposal is therefore in accordance with the above provisions for residential development

Siting and Visibility

Objectives: 1

PDCs: 1, 3, 4, 5, 6, 7, 10

In accordance with Objective 1 and PDCs 1 and 3, the proposal will be screened from surrounding views to the locality. The subject site and those surrounding on Yanagin Road and not visible from the Adelaide Plain, from Greenhill Road, nor from walking tracks and trails within adjacent reserves. The earthworks required in association with the proposed dwelling will not exceed 1.5m vertical height but will, in conjunction with existing excavation on site, result in a maximum 1.6m retaining wall setback 900mm from the eastern side boundary. The maximum height of retaining is considered consistent with the intent of PDCs 4 and 5, and will be partially screened by landscaping and the built form of the dwelling.

The proposed dwelling is to be clad in non-reflective materials in dark grey tones that will assist to blend with the natural surrounds, consistent with PDC 7. As sought in PDC 6 the proposal uses variation of roof and wall lines to provide visual interest and incorporate large eaves into the building design. It is not considered that the building design as viewed from Yanagin Road is low profile, however within the wider locality viewed from beyond the immediate road frontage the profile of the dwelling will not be readily visible. The visual impacts of the proposed dwelling as viewed from Yanagin Road will be softened through the use of landscaping, consistent with existing landscaping forward of the dwelling established through previous development. The retention of native vegetation to the rear of the proposed dwelling will retain existing vegetative screening from Greenhill Road. It is therefore considered the proposal appropriately addresses PDC 10.

Sloping Land

PDCs: 1, 3, 7

The proposed dwelling is to be sited toward the Yanagin Road frontage of the subject land both to utilize the footprint of the existing dwelling and limit earthworks and to site the dwelling away from the steeper land to the rear of the allotment. The siting also prevents the need for an extended driveway for access. The siting does reduce the opportunity for the proposed dwelling to utilize a split-level design or excavate the dwelling into the slope, however in this instance the limiting of associated earthworks is considered a better overall outcome in accordance with PDCs 1 and 3. As addressed above, the siting of the proposed dwelling does not preclude it from being well screened from viewpoints beyond Yanagin Road.

In accordance with PDC 7, an associated wastewater application has been approved that demonstrates adequate siting for an effluent system in association with the proposed dwelling.

Parking

Table AdHi/4 seeks the provision of 3 car parking spaces with at least one of those spaces being a covered space, for dwellings comprising 3 or more bedrooms. The proposed dwelling has the capacity to provide 3 covered parking spaces within the attached double garage. There is capacity for at least 1 further parking space on the driveway.

7. SUMMARY & CONCLUSION

This application seeks to demolish an existing two storey dwelling and outbuilding at 33 Yanagin Road, Greenhill and construct a replacement two storey dwelling of a contemporary design.

The subject land is located within the Hills Face Zone and due to the two storey dwelling proposed, the proposal is a Non-Complying form of development. In response to the public notification period, two representors submitted to Council. One representor, from the neighbouring property to the east, responded in support of the proposal. One representor, from the neighbouring property to the west, responded in opposition to the proposal. The representation received in objection to the proposal was predominantly concerned with the resulting bulk, scale and visual impact of the proposal including incompatibility with surrounding

development in the locality. As addressed previously in the report, while contemporary dwelling design is not common in the locality, there are examples within the Greenhill township, and the Zone provisions do not speak against contemporary design. Overshadowing diagrams have been provided to demonstrate that the scale of the proposed dwelling will not introduce unreasonable shadowing to neighbouring habitable room windows or private open space. The concern regarding overlooking has been addressed through design elements such as extension of the built form beyond the rear doors and windows, incorporation of windows with sill heights to a minimum of 1750mm above finished floor level, and external louvers directed away from adjacent land. Maintenance of these screening methods including ensuring that external louvers are adequately oriented away from neighbouring private open space and habitable room windows will form a condition of consent (refer condition 6).

The proposed dwelling is to be constructed of Colorbond “Single Lok Standing Seam” wall cladding in Monument (dark grey) with select rendered brickwork in grey. Though contemporary in design considering the existing dwellings in the locality, the proposal addresses the general zone provisions relating to the obscuring of dwellings as viewed from the Adelaide Plains and the retention of native vegetation. The proposed design also addresses key principles from the Council-wide provisions of the Development Plan with respect to overshadowing, overlooking, reduction of earthworks and appropriate siting.

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

8. RECOMMENDATION

That the Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 20/894/473 by Damian Schultz for Demolition of existing dwelling and outbuilding & construction of replacement two storey detached dwelling, deck (maximum height 2.95m), retaining walls (maximum height 1.6m), fencing & associated earthworks (non-complying) at 33 Yanagin Road Greenhill subject to the following conditions:

(1) Development In Accordance With the Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Existing Site Plan prepared by Damian Schultz Sheet 001 Revision B dated 1 November 2020 and received by Council 2 November 2020
- Demolition Plan prepared by Damian Schultz Sheet 002 Revision B dated 1 November 2020 and received by Council 2 November 2020
- Proposed Site Plan prepared by Damian Schultz Sheet 003 Revision B dated 1 November 2020 and received by Council 2 November 2020
- Proposed Landscape Plan prepared by Damian Schultz Sheet 004 Revision C dated 26 January 2021 and received by Council 26 January 2021
- Ground Floor Plan prepared by Damian Schultz Sheet 005 Revision A dated 9 July 2020 and received by Council 2 November 2020

- First Floor Plan prepared by Damian Schultz Sheet 006 Revision A dated 9 July 2020 and received by Council 2 November 2020
- Roof Plan prepared by Damian Schultz Sheet 007 Revision B dated 1 November 2020 and received by Council 2 November 2020
- North/South Elevations prepared by Damian Schultz Sheet 008 Revision A dated 9 July 2020 and received by Council 2 November 2020
- East/West Elevations prepared by Damian Schultz Sheet 009 Revision B dated 1 November 2020 and received by Council 2 November 2020
- Planning Submission dated 19 August 2020 and received by Council 2 November 2020
- Planning Statement prepared by Brenton Burman dated 24 August 2020 and received by Council 31 August 2020

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

(2) Prior to Building Rules Consent Being Granted – Requirement for Stormwater Calculations

Prior to Building Rules Consent being granted all hydrological and hydraulic stormwater calculations shall be provided together with the final drainage plan for approval by the Council. All roof runoff to be directed to the existing 80,000 L rainwater tank. A portion of the tank is to be set aside for stormwater detention, and the discharge from the tank is to be limited to pre-development flows.

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

(3) Rural Verge Access Points – SD24

The vehicle access point(s) and cross over shall be constructed in accordance with Adelaide Hills Council standard engineering detail SD24 – piped entrance and installed within 3 months of occupation of the development.

REASON: For safe and convenient movement of vehicles and for efficient drainage of stormwater within the road verge.

(4) External Finishes

The external finishes to the building herein approved shall be as follows:

WALLS: Colorbond Standing Seam Cladding in Monument, Rendered Brickwork in Grey, or similar

ROOF: Colorbond Standing Seam Roof Sheeting in Monument or similar

REASON: The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.

(5) Residential Lighting

All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.

REASON: Lighting shall not detrimentally affect the residential amenity of the locality.

(6) Privacy Screening

Prior to occupation of the approved development, the western upper level windows of the dwelling shall be fitted with fixed louvre screening as shown on East/West Elevations - West Façade to a minimum height of 1.7m above the finished floor level. The screening shall be fixed in such a way that it prevents direct overlooking into neighbouring habitable room windows or private open space. The screening shall be maintained in good condition at all times.

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

(7) Soil Erosion Control

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

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

(8) CFS Access Requirements

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

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- The 'T' shaped turning area, (utilising the public road) shall be a minimum formed length of 11 metres with minimum internal radii of 9.5 metres on bends, including bends connecting private access to public roads.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
- Driveway should be at right angle to the road (must meet minimum internal radii 9.5m).
- Turning radii cannot be obstructed (fence, retaining walls, vegetation, power poles etc).
- Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.

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

(9) CFS Water Supply

A supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting water supply shall be pressurised by a pump that has:
 - i. a minimum inlet diameter of 38mm AND
 - ii. is powered by a petrol or diesel engine with a power rating of at least 3.7kW (thp) OR
 - iii. a pumping system that operates independently of mains electricity and is capable of pressuring the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the dwelling to ensure occupants safety when operating the pump during a bushfire. An “Operations Instruction Procedure” shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the dwelling).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and maximum length of 36 metres.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

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

(10) CFS Access to Dedicated Water Supply

Access to a dedicated and accessible water supply shall be made available at all times for fire-fighting. SA CFS has no objection to the existing water supply being utilised as the dedicated supply, providing an outlet can be positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwelling.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.

REASON: To provide safe access to water supply in the event of a bushfire.

(11) CFS Vegetation/Landscaping Zone

Landscaping shall include bushfire protection features which will prevent or inhibit the spread of bushfire and minimise the risk of life and/or damage to buildings and property.

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the dwelling (or to the property boundaries – whichever comes first) as follows:
 - i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 - ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - iii. Trees and shrubs shall not be planted closer to the buildings than the distance equivalent to their mature height.
 - iv. Trees and shrubs shall not overhang the roofline of the building, touch walls, windows or other elements of the building.

- v. Shrubs shall not be planted under trees and shall be separated by at least 1.5 times their mature height.
- vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- vii. No understorey vegetation shall be established within 1 metre of the dwelling (understorey is defined as plants and bushes up to 2 metres in height).
- viii. Flammable objects such as plants, mulches and fences shall not be located adjacent to vulnerable parts of the building such as windows, decks and eaves.
- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

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

(12) CFS Conditions To Be Completed Prior To Occupation

The Country Fire Service (CFS) Bushfire Protection Conditions 8 through 11 shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

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

(13) Timeframe for Landscaping to be planted

Landscaping detailed on the Proposed Landscape Plan shall be planted in the planting season following occupation and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.

REASON: To maintain and enhance the visual amenity of the locality in which the subject land is situated and ensure the survival and maintenance of the vegetation.

NOTES

(1) Development Plan Consent Expiry

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

(2) Erosion Control during Construction

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

(3) CFS Bushfire Attack Level

Compliance with the fire protection requirements is not a guarantee the dwelling will not burn, but its intent is to provide a “measure of protection” from the approach, impact and passing of a bushfire.

The Bushfire hazard for the area has been assessed as BAL 29.

The buildings shall incorporate the construction requirements for buildings in Bushfire Prone areas in accordance with the Building Code of Australia Standard AS3959 “Construction of buildings in bushfire prone areas”.

(4) Department of Environment and Water (DEW) - Native Vegetation Council

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:

www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

(5) EPA Environmental Duty

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

(6) Works on Boundary

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

9. ATTACHMENTS

Locality Plan
Proposal Plans
Application Information
Applicant’s Professional Reports
Referral Responses
Representation
Applicant’s response to representations

Respectfully submitted

Concurrence

Ashleigh Gade
Statutory Planner

Deryn Atkinson
Assessment Manager



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representations regarding the use, or results of use of the information contained herein as to its correctness, accuracy, currency or otherwise. In particular, it should be noted that the accuracy of property boundaries when displayed over aerial photography cannot be considered to be accurate, and that the only certain method of determining boundary locations is to use the services of a licensed Surveyor. The Adelaide Hills Council, its

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Scale = 1:752,220

20 m



Annotations

- Representor (Supports)
- Representor (Does Not Support)
- Subject Land

Planners Summary

- PlanningSummary

AHC Core

- Parks
- Townships
- RoadsStreetView
 - ADJOINING LGA RD
 - AHC & PRIVATE
 - AHC RD
 - DPTI RD
 - PRIVATE RD
 - SHARED RD

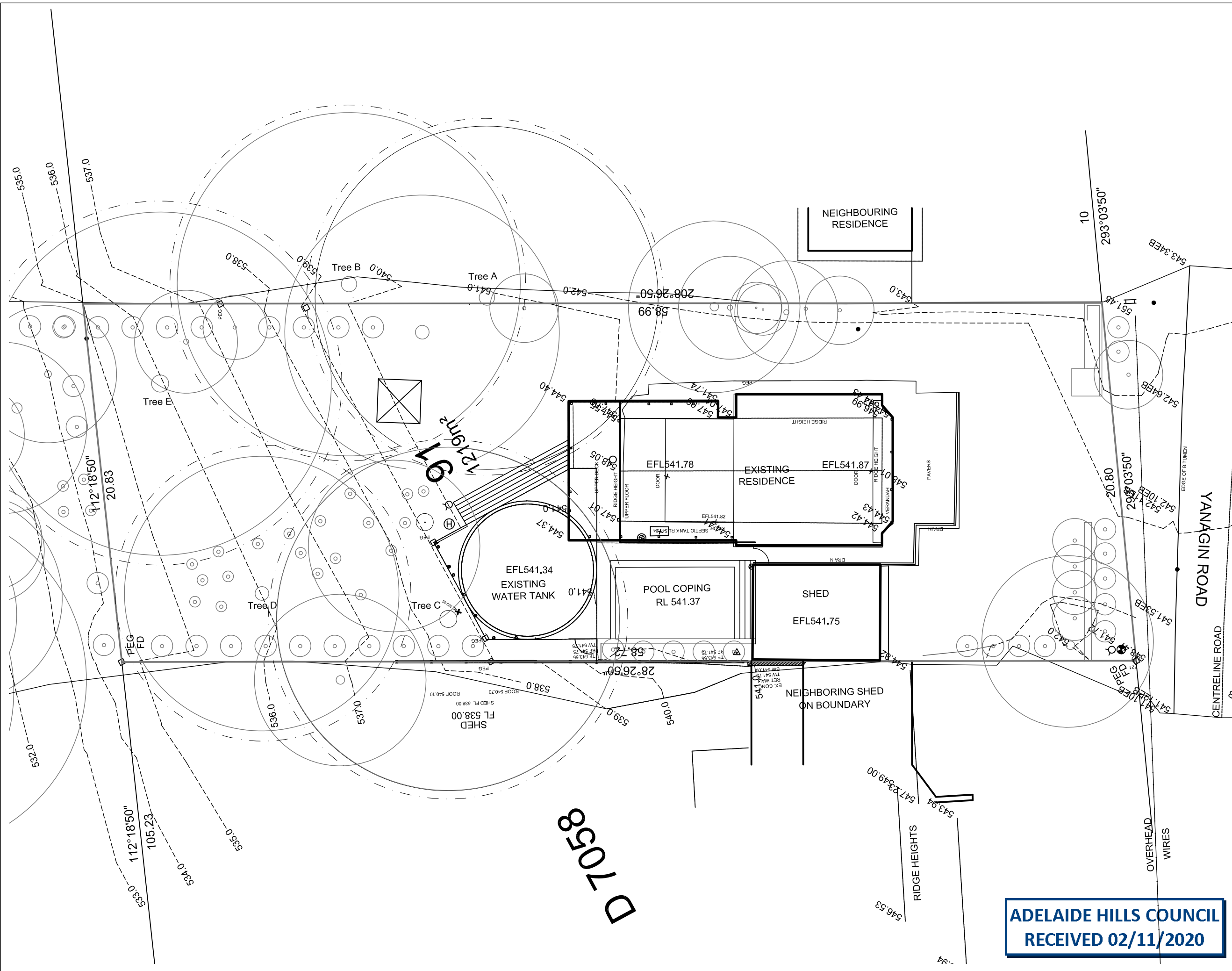
- PropertyOwner
- Parcels
- Roads
- Suburbs
- Rivers
 - River
 - Creeks
 - Streams

Burnt Area Cudlee Creek

- CudleeCreekBurntArea

Flood Study Data

- Flood 17
- Flood 20
- Flood 22
- Flood 24
- Flood 26
- Flood 28
- Flood 30
- Flood 32
- Flood 34
- Flood 36
- Flood 38
- Flood 40
- Flood 42
- Flood 44
- Flood 46
- Flood 48
- Flood 50
- Flood 52
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- Flood 88
- Flood 90
- Flood 92
- Flood 94
- Flood 96
- Flood 98
- Flood 100



011120 Regulated / Significant Trees added

090720 FOR PLANNING APPROVAL

080808

DS DS DS

DS DS DS

DS DS DS

FOR PLANNING APPROVAL

NOT FOR CONSTRUCTION

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Schultz Residence

33 Yanagin Road

Greenhill, SA 5140

Existing Site Plan

Designated DS

Drawing File Number

Drawn DS

Date 09.07.20

Checked DS

Drawing Scale 1:200 @ A3

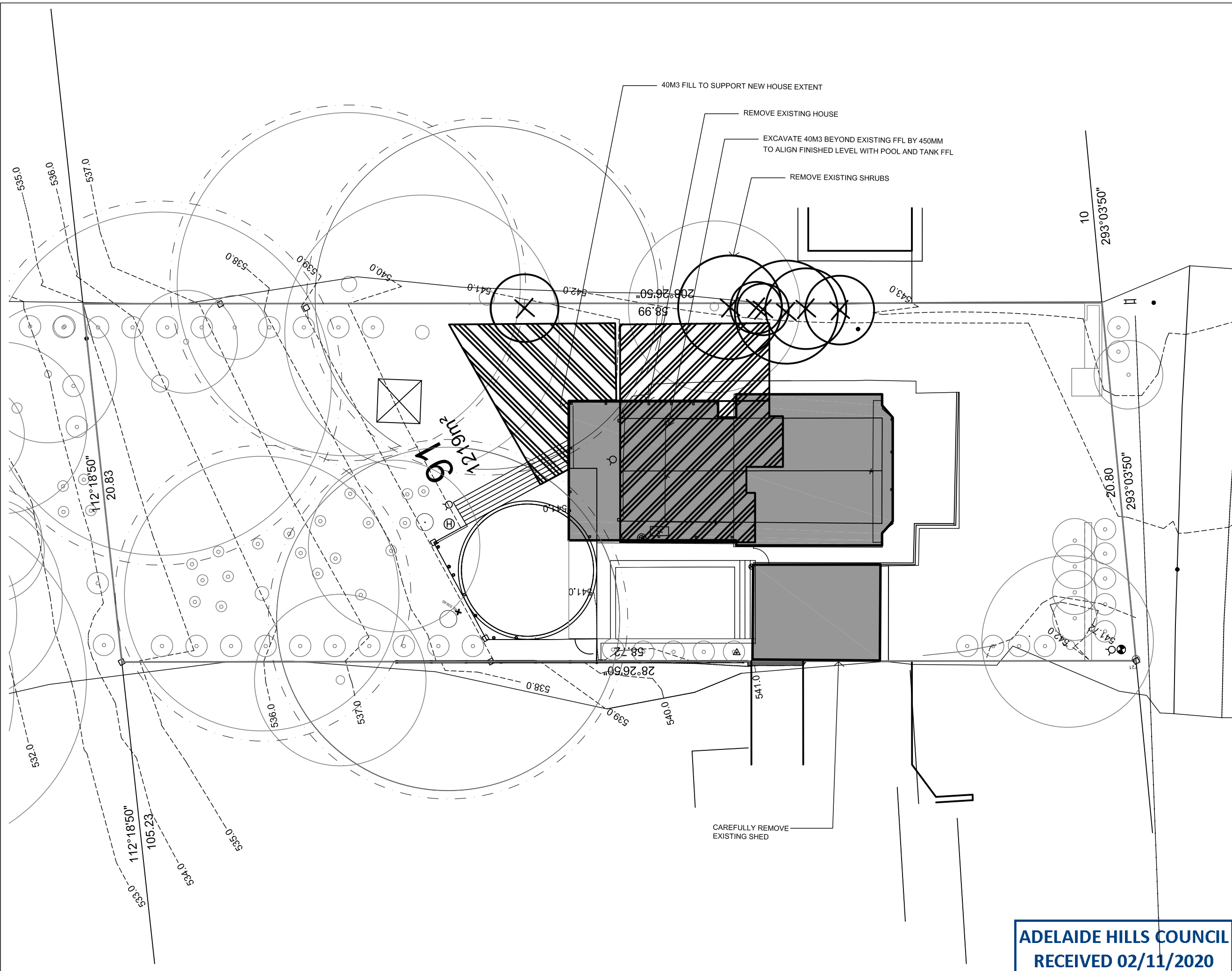
Approved DS

Sheet Number 001


Date 01.11.20

Revision B

ADELAIDE HILLS COUNCIL
RECEIVED 02/11/2020



0 10 50 mm


North

Sheet Scale 1:1 @ A3

Notes

1. Remove all dead trees and limbs within the extents of the property

2. Remove existing septic tank with demolition of existing house and cap pipes.

Rev

Date

Revision Description

B

01.11.20

Minor Earthworks Added

A

09.07.20

FOR PLANNING APPROVAL

DS

DS

DS

FOR PLANNING APPROVAL

NOT FOR CONSTRUCTION

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Schultz Residence

33 Yanagin Road

Greenhill, SA 5140

Drawing Title

Demolition Plan

Designed

DS

Drawing File Number

Drawn

DS

Date

09.07.20

Checked

DS

Drawing Scale

1:200 @ A3

Approved

DS

Sheet Number

002

Revision

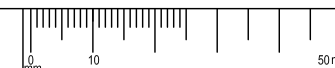
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01.11.20

09.07.20

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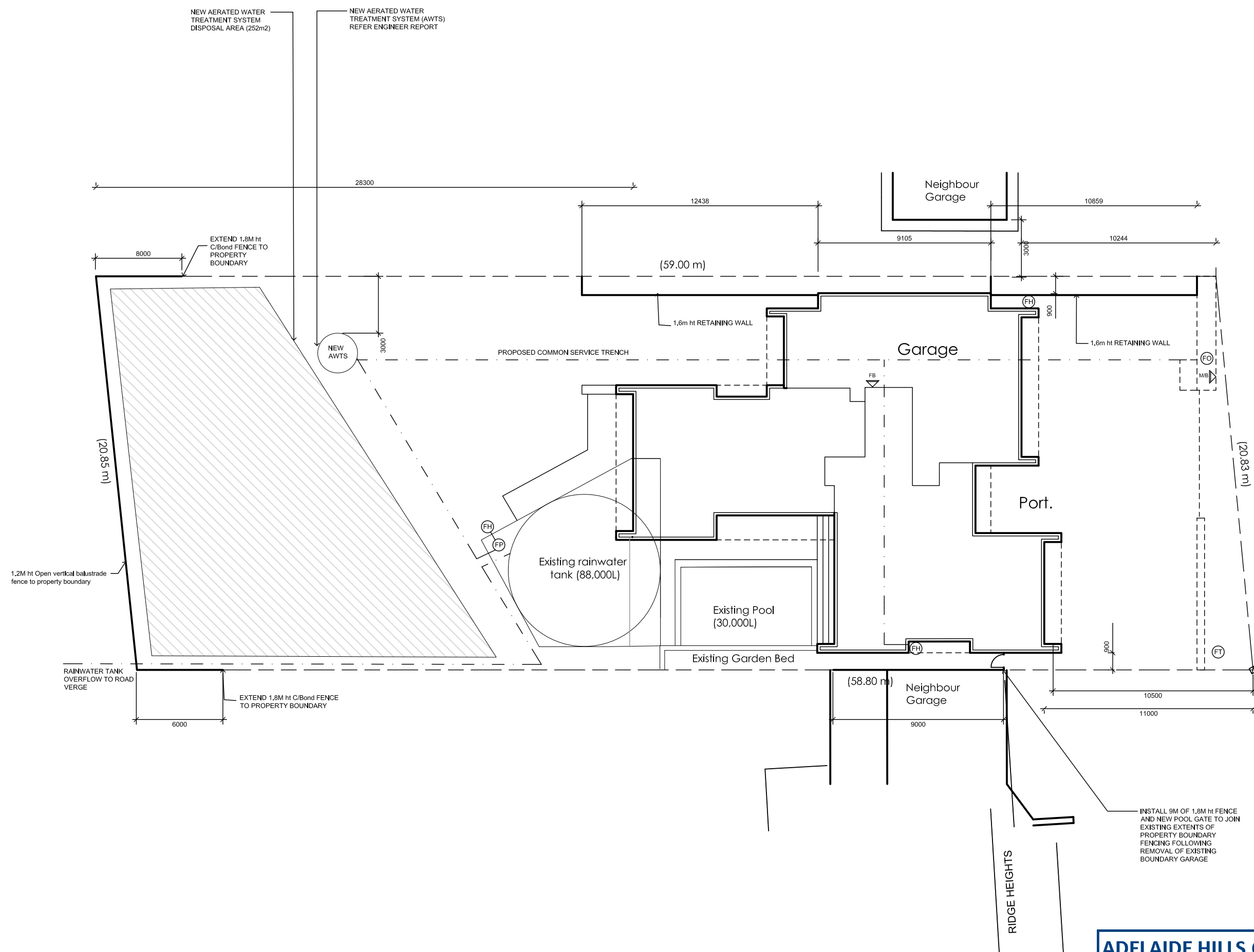
North

Notes

- House to be equipped with fire sprinkler system to meet requirements of Ministers Specification SA78
- Trees not shown for clarity

Legend

- (FO) Proposed Fire water outlet
- (FP) Existing Fire pump
- (FH) Proposed Fire Hose
- (FT) Existing tap to Community Fire water tank
- M/B Electrical Meter Board
- F/B Electrical Fuse Board



B 01.11.20 Stormwater overflow added DS DS DS
A 09.07.20 FOR PLANNING APPROVAL DS DS DS
Rev Date Revision Description DS DS DS

**FOR PLANNING APPROVAL
NOT FOR CONSTRUCTION**

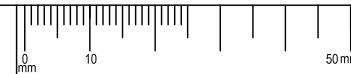
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**Schultz Residence
33 Yanagin Road
Greenhill, SA 5140**

Drawing Title
Proposed Site Plan

Designed	DS	Drawing File Number	
Drawn	DS	Date	09.07.20
Checked	DS	Drawing Scale	1:200 @ A3
Approved	DS	Sheet Number	Revision
Date	01.11.20	003	B

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Sheet Scale 1:1 @ A3

North

Notes

1. House to be equipped with fire sprinkler system to meet requirements of Ministers Specification SA78

Legend

- Proposed Fire water outlet
- Existing Fire pump
- Proposed Fire Hose
- Existing tap to Community Fire water tank
- Existing vegetation
- Sm Shrub
- Sm Tree (Euc. sp)

C	26.01.21	Planting Legend	DS	DS	DS
B	01.11.20	Regulated & Significant Trees Shown	DS	DS	DS
A	09.07.20	FOR PLANNING APPROVAL	DS	DS	DS
Rev.	Date	Revision Description	By	CHK	APP

**FOR PLANNING APPROVAL
NOT FOR CONSTRUCTION**

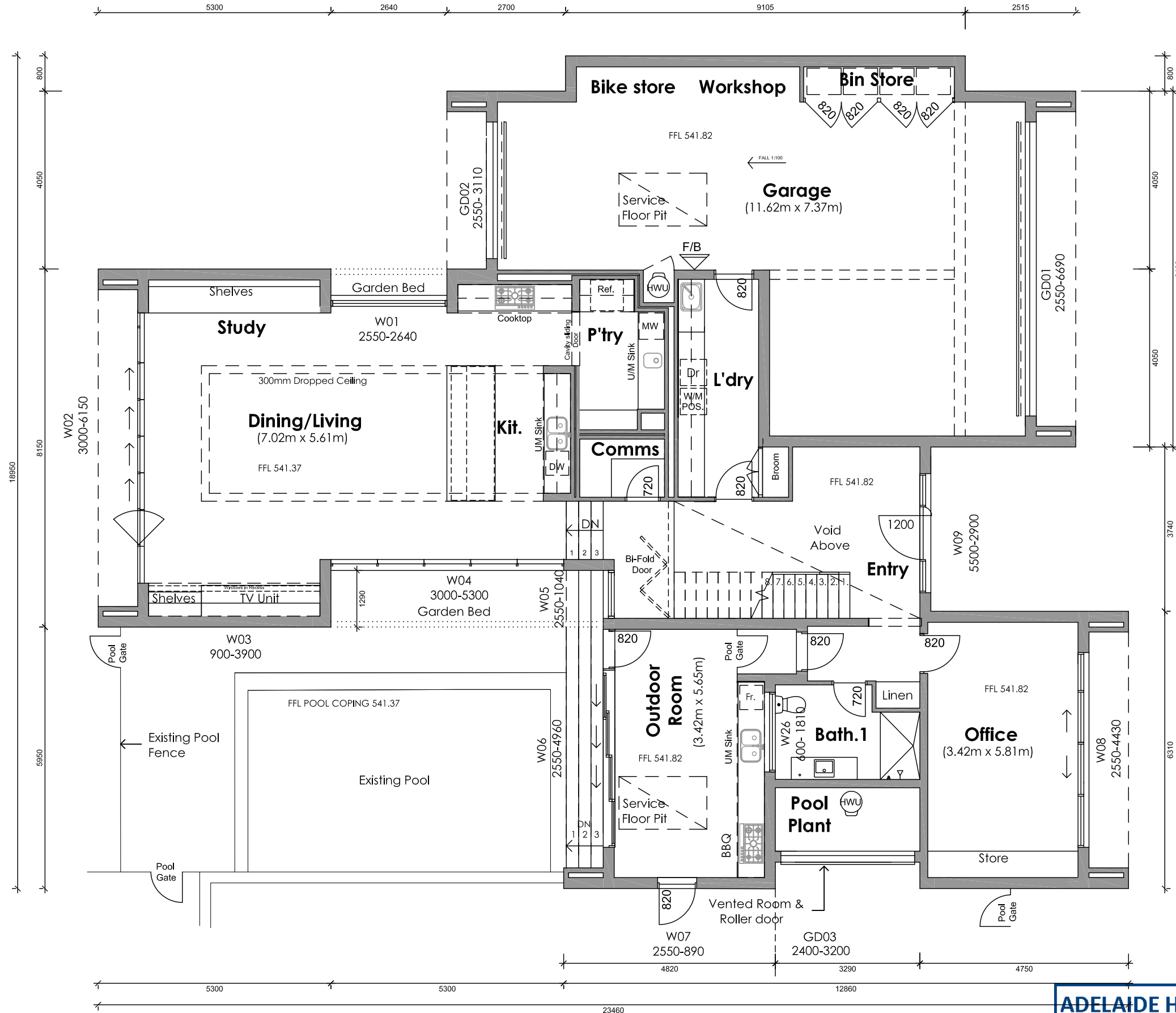
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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

Drawing Title:
Proposed Landscape Plan

Designed	DS	Drawing File Number	
Drawn	DS	Date	09.07.20
Checked	DS	Drawing Scale	1:200 @ A3
Approved	DS	Sheet Number	004
Date	26.01.21	Revision	C

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01 | Ground Floor Plan
Plan Scale 1:100

0 mm1050 mm

North

Sheet Scale 1:1 @ A3

Ground Floor
WINDOW SCHEDULE

No.	Window Size
W01	2640 (W) x 2550 (Ht) mm
W02	6150 (W) x 3000 (Ht) mm
W03	3900 (W) x 900 (Ht) mm
W04	5300 (W) x 3000 (Ht) mm
W05	1040 (W) x 2550 (Ht) mm
W06	4960 (W) x 2550 (Ht) mm
W07	890 (W) x 2550 (Ht) mm
W08	4430 (W) x 2550 (Ht) mm
W09	2900 (W) x 5500 (Ht) mm
W26	1810 (W) x 600 (Ht) mm

GARAGE DOOR SCHEDULE

No.	Garage Door Size
GD01	6690 (W) x 2550 (Ht) mm
GD02	3310 (W) x 2550 (Ht) mm
GD03	3200 (W) x 2400 (Ht) mm

A09.07.20FOR PLANNING APPROVALDS DS DS

Rev. Date Revision Description By

FOR PLANNING APPROVAL
NOT FOR CONSTRUCTION

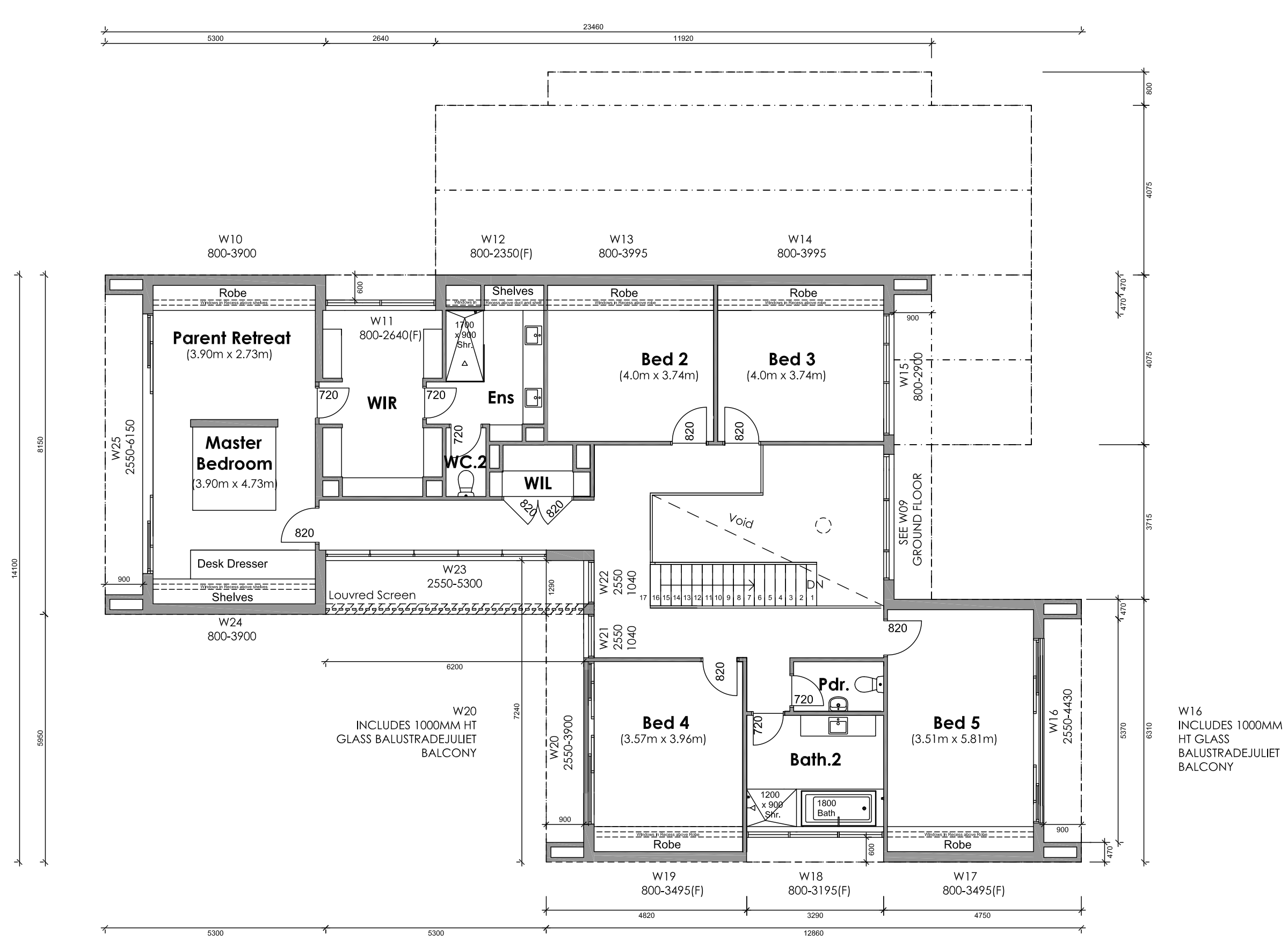
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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

Ground Floor Plan

Designed	DS	Drawing File Number
Drawn	DS	Date09.07.20
Checked	DS	Drawing Scale1:100 @ A3
Approved	DS	Sheet Number
Date	09.07.20	005A

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RECEIVED 02/11/2020



First Floor
WINDOW SCHEDULE

No.	Window Size
W10	3900 (W) x 800 (Ht) mm
W11	2640 (W) x 800 (Ht) mm (F)
W12	2350 (W) x 800 (Ht) mm (F)
W13	3995 (W) x 800 (Ht) mm
W14	3995 (W) x 800 (Ht) mm
W15	2900 (W) x 800 (Ht) mm
W16	4430 (W) x 2550 (Ht) mm
W17	3495 (W) x 800(Ht) mm (F)
W18	3195 (W) x 800 (Ht) mm (F)
W19	3495 (W) x 800 (Ht) mm (F)
W20	3900 (W) x 2550 (Ht) mm
W21	1040 (W) x 2550 (Ht) mm
W22	1040 (W) x 2550 (Ht) mm
W23	5300 (W) x 2550 (Ht) mm
W24	3900 (W) x 800 (Ht) mm
W25	6150 (W) x 2550 (Ht) mm

(F) = Frosted Finish Glass

A

09.07.20

FOR PLANNING APPROVAL

DS DS DS

Rev.

Date

Revision Description

By

Drawn

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NOT FOR CONSTRUCTION

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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

First Floor

Designed

DS

Drawing File Number

Drawn

DS

Date

09.07.20

Checked

DS

Drawing Scale

1:100 @ A3

Approved

DS

Sheet Number

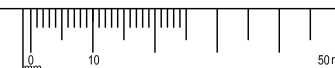
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Resubmit

A

Date

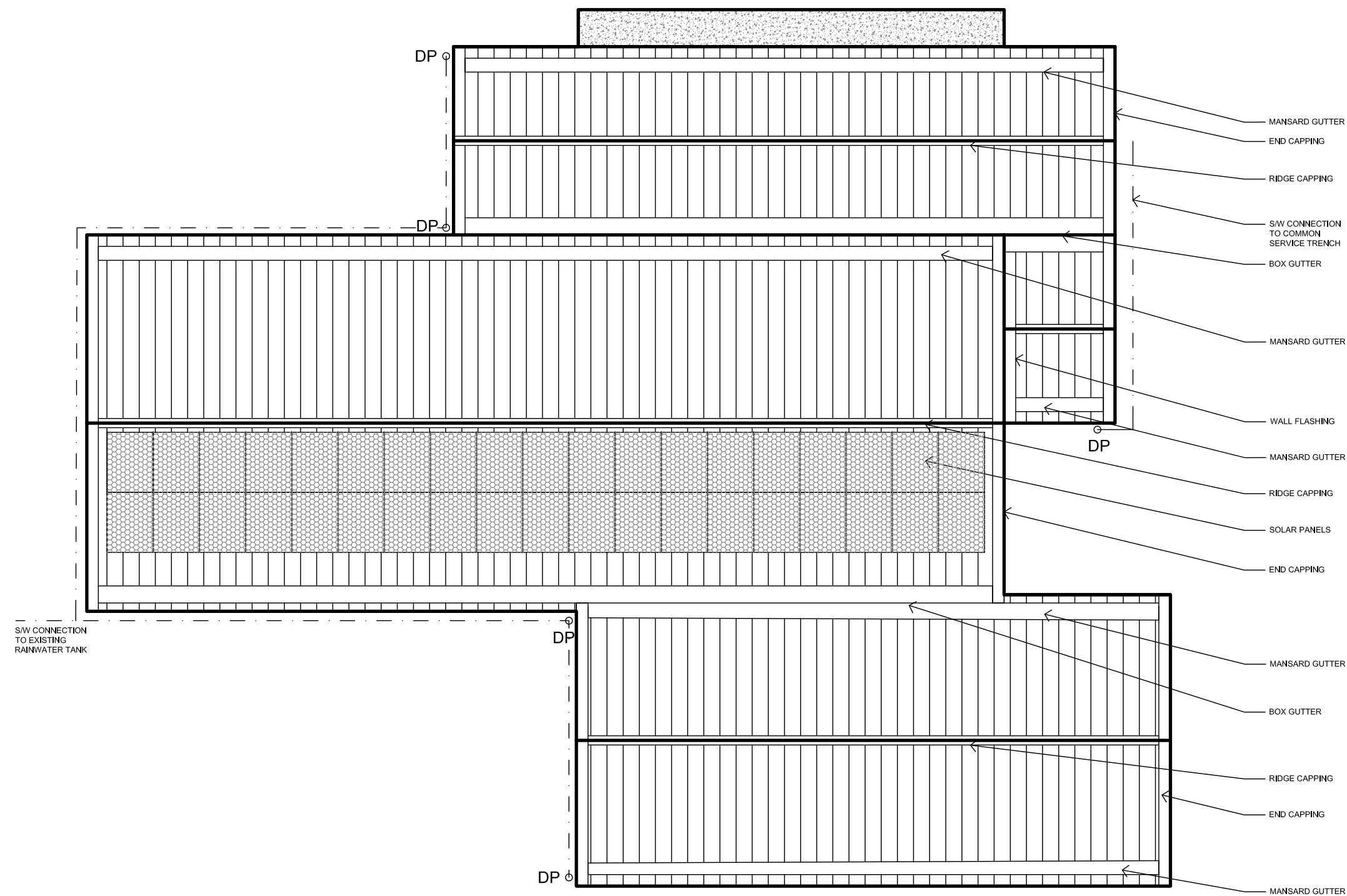
09.07.20



Sheet Scale 1:1 @ A3

North

Legend



01 | Roof Plan
Plan Scale 1:100

01.11.20 Additional SW pipe added DS DS DS
09.07.20 FOR PLANNING APPROVAL DS DS DS

FOR PLANNING APPROVAL
NOT FOR CONSTRUCTION

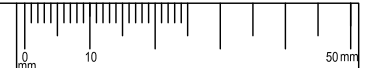
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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

Drawing Title
Roof Plan

Designed	DS	Drawing File Number	
Drawn	DS	Date	09.07.20
Checked	DS	Drawing Scale	1:100 @ A3
Approved	DS	Sheet Number	007
Date	01.11.20	Revision	B

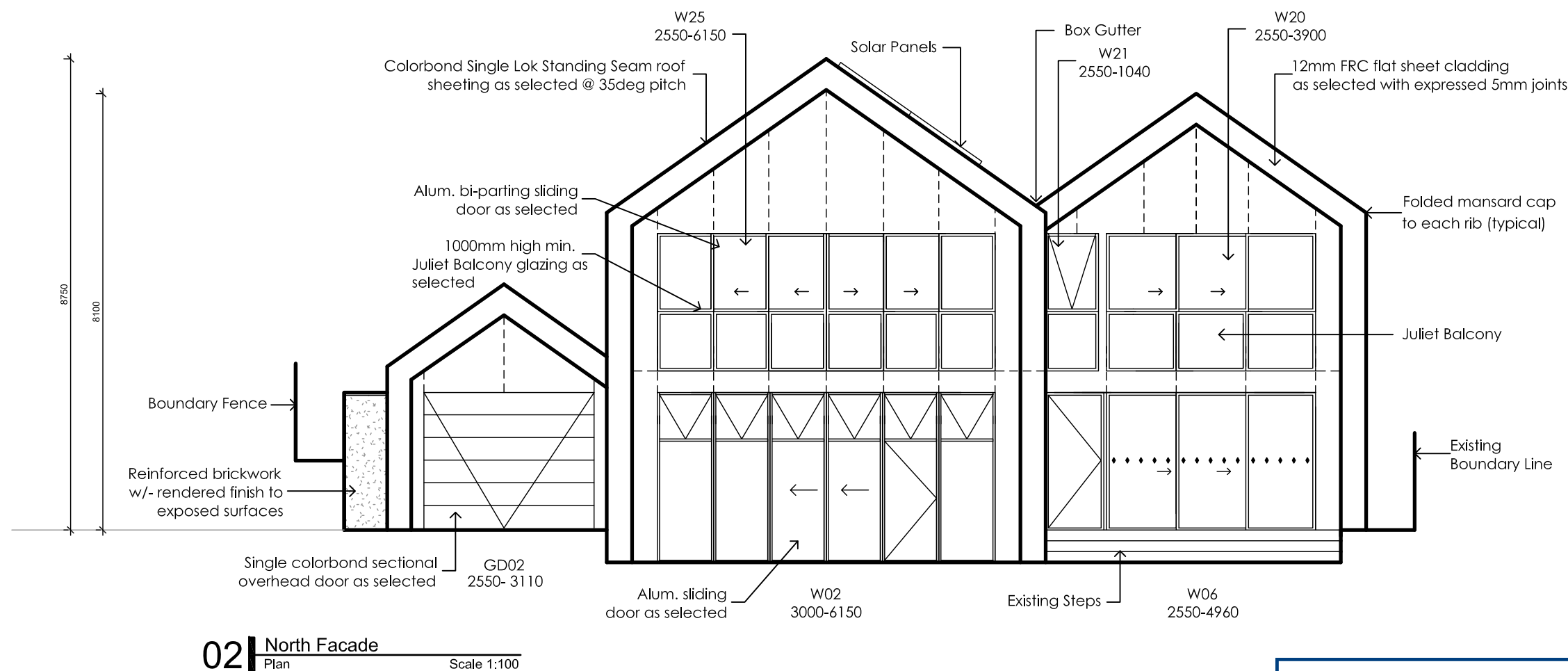
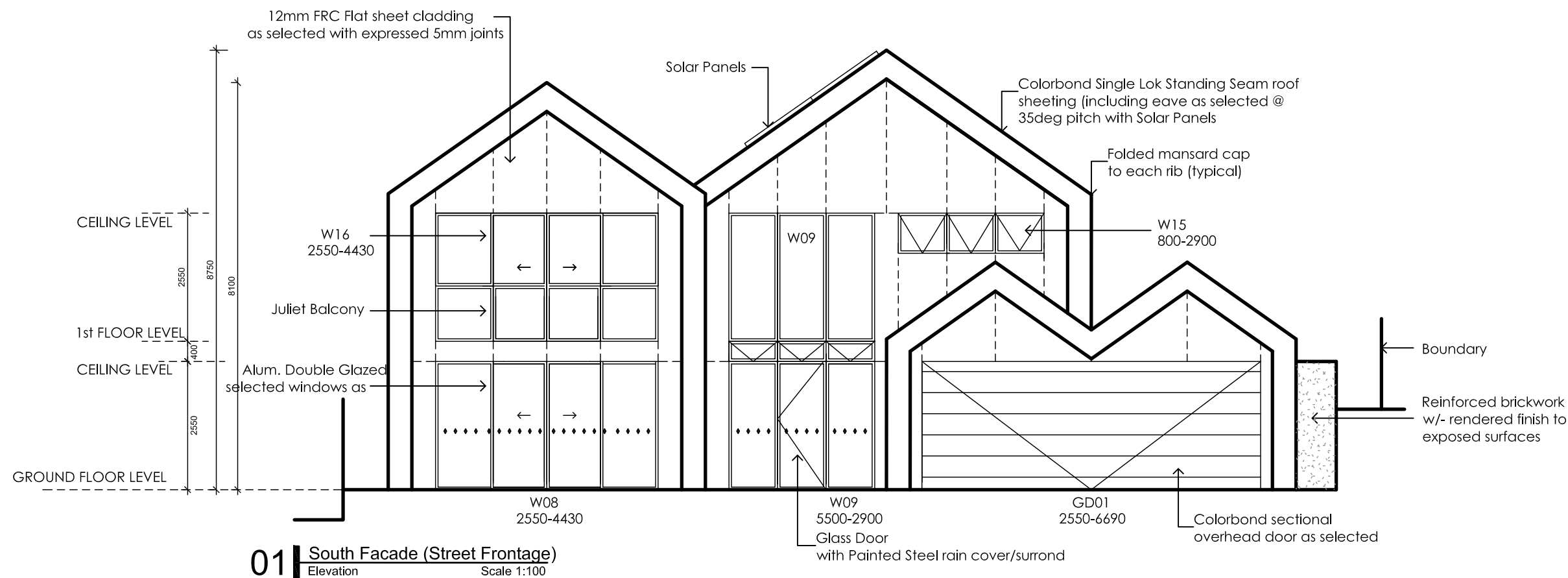
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Sheet Scale 1:1 @ A3

Notes

1. Wall and Roof Cladding, Window frames, Louvres, Rendered finishes and Garage Doors to be Colorbond Monument or Night Sky
2. Retaining walls to be Hanson Autumn Gold/Country Tan Moonscape



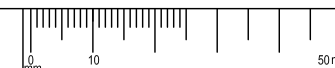
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Rev. Date Revision Description By
FOR PLANNING APPROVAL
NOT FOR CONSTRUCTION
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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

North / South Elevations

Designed	DS	Drawing File Number	
Drawn	DS	Date	09.07.20
Checked	DS	Drawing Scale	1:100 @ A3
Approved	DS	Sheet Number	008
Date	09.07.20	Revision	A

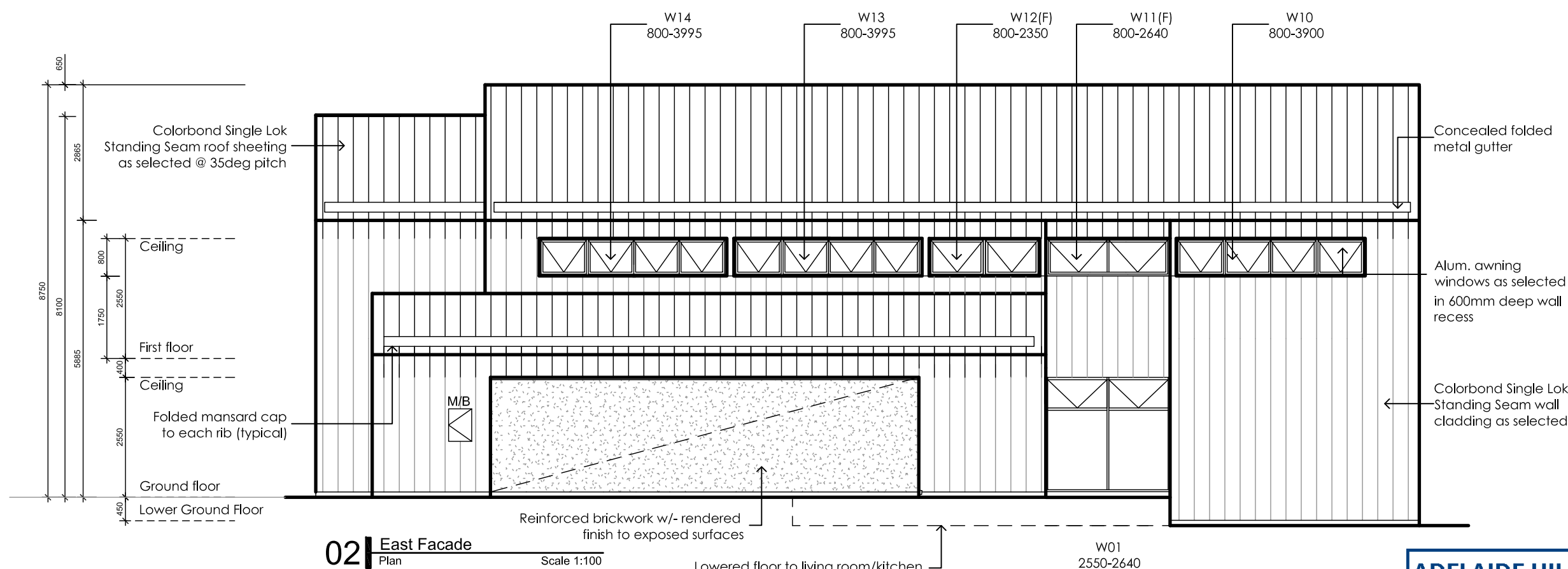
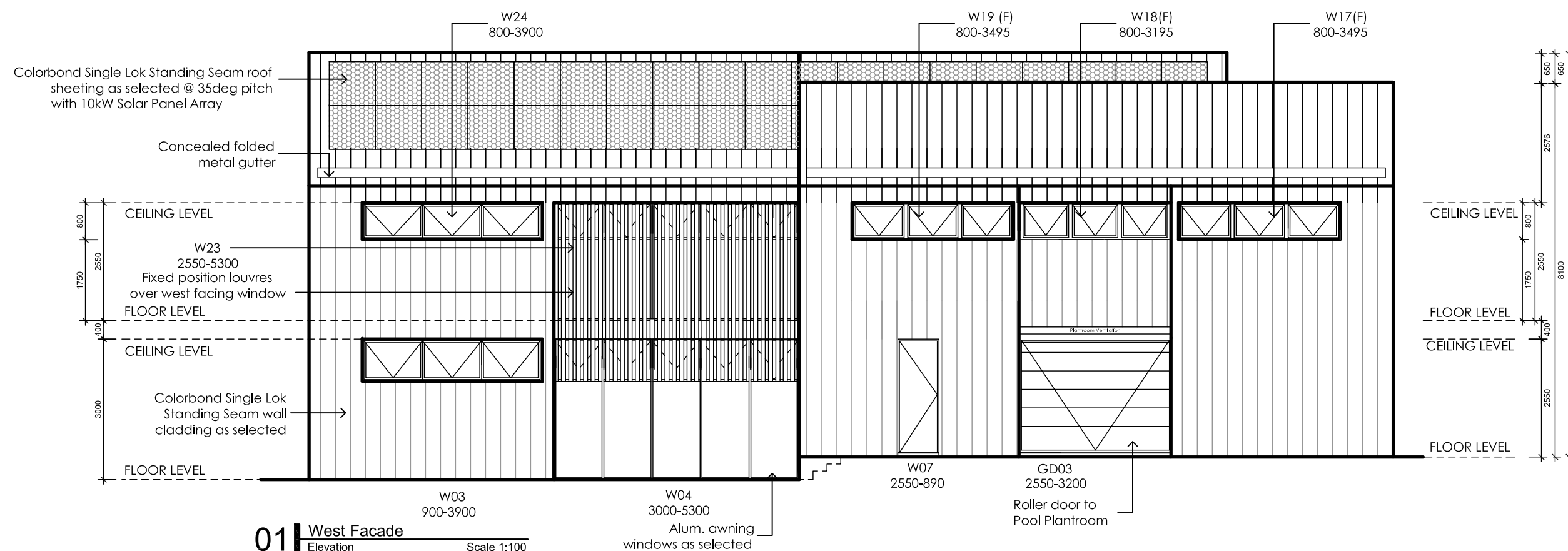
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Sheet Scale 1:1 @ A3

Notes

1. Wall and Roof Cladding, Window frames, Louvres, Rendered finishes and Garage Doors to be Colorbond Monument or Night Sky
2. Retaining walls to be Hanson Autumn Gold
3. Louvre blades orientated north south to prevent views to west & limit western sun solar access.



01.11.20 Additional dimensions added DS DS DS
06.07.20 FOR PLANNING APPROVAL DS DS DS
Rev: Date Revision Description DS DS DS

FOR PLANNING APPROVAL
NOT FOR CONSTRUCTION

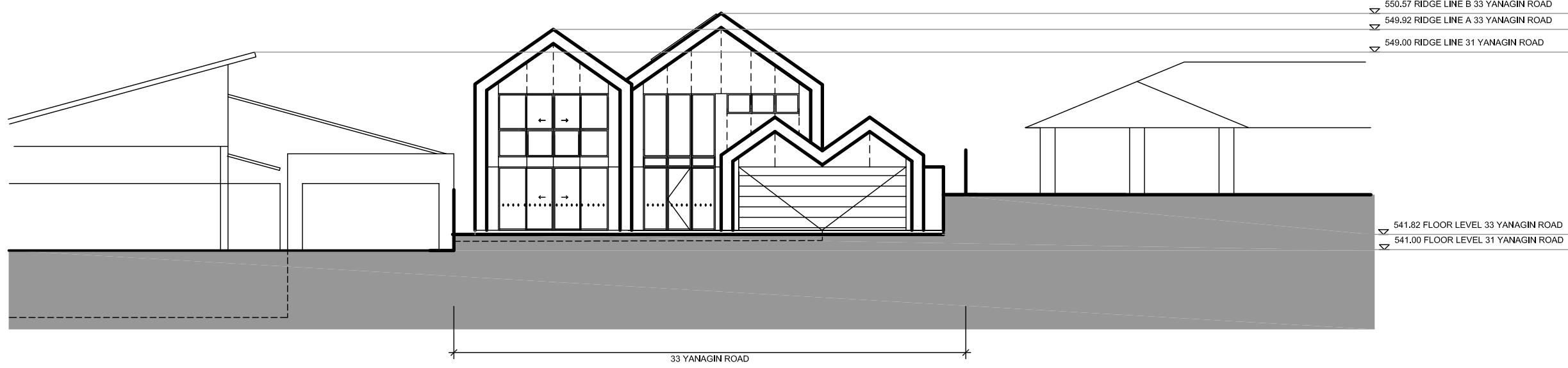
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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

Drawing Title
East / West Elevations

Designed	DS	Drawing File Number	
Drawn	DS	Date	09.07.20
Checked	DS	Drawing Scale	1:200 @ A3
Approved	DS	Sheet Number	Revision
Date	DS	009	B
		01.11.20	

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01 | CONTEXTUAL STREET ELEVATION
Approx. Elevation Scale 1:100

0 mm1050 mm

Sheet Scale 1:1 @ A3

Legend

Rev.

Date

Revision Description

By

DS

DS

A09.07.20FOR PLANNING APPROVALDS DS

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Schultz Residence
33 Yanagin Road
Greenhill, SA 5140

Street Context

DesignedDS

Drawing File Number

DrawnDS

Date09.07.20

CheckedDS

Drawing Scale1:200 @ A3

ApprovedDS

Sheet Number010

Revised

Date09.07.20

A

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Planning Submission

SCHULTZ RESIDENCE

33 Yanagin Road

Greenill SA 5140

19th August 2020

33 Yanagin Rd – Demolition and New Building Application

SUBMISSION PARTICULARS

This submission provides the following documents for consideration with the application;

- Written Submission
 - Planning and Technical Considerations
 - The surrounding area
 - The sites Physical Characteristics
 - Existing Structures
 - Development Plan Policy considerations and Zone Provisions
 - Design objectives and Overview
 - Key Design Objectives
 - Development Overview
 - Material Selection
 - Shadow Analysis
 - Building Renders
- Drawing List
 - 001 Existing Site Plan
 - 002 Demolition Plan
 - 003 Proposed Site Plan
 - 004 Proposed Landscape Plan
 - 005 Proposed Dwelling – Ground Floor Plan
 - 006 Proposed Dwelling – Level 1 Plan
 - 007 Roof Plan
 - 008 Proposed Dwelling – North South Elevations
 - 009 Proposed Dwelling – East West Elevations
 - 010 Street Context Elevation
- Water Disposal Report (separate application)
- Planning Brief statement in support of the application (Brenton Burman, Planning Consultant)
- BAL (Bushfire Attack Level) Assessment Report (**Assumed to be referred by Council**)

PLANNING & TECHNICAL CONSIDERATIONS

This application has been provided recognising the following considerations:

The Surrounding Area

The subject land is located on a pocket of land between Greenhill Road and Yanagin Road divided into smaller holdings with the majority of the allotments being approximately rectangular shaped and of similar size. All of the allotments are utilised for residential purposes containing either single or two storey dwellings with the exception of 1 three storey building. Additional modifications such as domestic outbuildings or water storage tanks are located at the rear of the dwellings. To the north are large rural holdings predominantly utilised for grazing purposes and immediately to the south on the opposite side of Yanagin Road is Cleland National Park.

The Site's Physical Characteristics

The subject land is 1219m² in area and a paralelogram in shape with the allotment facing both Greenhill Road to the north and Yanagin Road to the south. The land slopes down towards Greenhill Road from Yanagin Road. The highest point on Yanagin Road is situated at 37 Yanagin Road. The adjacent properties include a 3 storey residence at 31 Yanagin Road and a single storey residence at 35 Yanagin Road.

Existing Structures and Site

There is an existing 2 storey dwelling consisting of a Gambrel A Frame structure built in the late 1960's adjoining a 2 storey conventional rectangular extension built in the 1980's. West facing windows and a deck currently overlook lower properties.

To the west of the dwelling there is a single storey steel sheet double garage built to the boundary adjoining a garage at 31 Yanagin Road also built to the boundary. Adjoining the north façade of the shed is a swimming pool that holds approx. 36000L which forms part of the site fire protection strategy. Adjacent the pool is a concrete rainwater tank that holds approx. 85,000 litres.

The tank structure houses two small storage cabinets and provides an external entertaining area on its surface. The entertaining area provides a significant privacy screen to the western boundary to prevent overlooking.

The property is bound by existing colorbond fencing on both the east and west boundaries to enable site privacy. The fencing stops short of the North boundary by up to 8m on the east and 6m on the west.

There is extensive revegetation that has occurred in the lower, northern portions of the site, and along east, west and southern property boundaries.

The front boundary is characterized by a stone wall and small structure to house a gate and small header tank, which is partially constructed.

The tank works, boundary retaining walls, fencing and earthworks are all approved works from previous development applications and will be retained as part of this application.



Front Elevation of existing residence



Rear Elevation of existing residence



Side Elevation of existing residence

Development Plan Policy considerations and Zone Provisions

THE HILLS FACE ZONE

The subject land lies within the Hills Face Zone and these provisions seek:

Preservation and enhancement of natural character of the zone - A zone accommodating low intensity agricultural activities and public/private open spaces where the visual intrusion of development shall be limited, particularly when viewed from roads.

RESPONSE: The building is not visible from the city and is on the back slope of the hills face zone that faces the city.

8 Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:

- (a) buildings should be of a single storey; Consolidated - 8 August 2019 Adelaide Hills Council Zone Section Hills Face Zone 153

RESPONSE: This submission is consistent with other dwellings on Yanagin Road. 6 out of 17 residential properties in the street are 2 storey buildings, (including the existing 2 storey building as part of this application) The property adjacent to this application is a three storey residence.



- (b) the profile of buildings should be low and the roof lines should complement the natural form of the land;
RESPONSE: The development reinterprets strong architectural forms recognizable throughout the district



- (c) the mass of buildings should be minimized by variations in wall and roof lines and by floor plans which complement the contours of the land;

RESPONSE: The mass of the building is split between three different length and height gable pavilions. The roofline is made up of multiple gables so that the roof is not a large and wide continuous pitched roof. The pitch of the gables is optimized for solar panel performance (35degrees for Adelaide to avoid visually obtrusive brackets that do not align with roof sheeting). Long walls have wide, full height indents and windows provided with deep insets to reduce summer solar gain. Overall this reduces visual mass provides shape variation in wall alignments.

- (d) large eaves, verandahs and pergolas should be incorporated into designs to create shadowed areas which reduce the bulky appearance of buildings; and

RESPONSE: Deep eaves (900mm) are provided to the north and south elevations with deep indents and window insets provided along the east and west facades.

- (e) the mass of buildings should be minimized by having separate vehicle storage areas.

RESPONSE: Vehicle storage areas have been incorporated into the building utilizing previously levelled site and building footprint, removing the need to dramatically excavate/fill the north of the site.

9 Buildings should have a:

- (a) year round water supply and a safe and efficient effluent disposal system which will not pollute watercourses or underground water resources or be a risk to health; and

RESPONSE: The existing rainwater tank and pool are utilized for water supply and fire protection. A new AWTS is proposed as part of this submission replacing the existing outdated and undersized unit. The AWTS disposal zone is located to the north of the property.

- (b) safe, clean, tidy and unobtrusive area for the storage and disposal of refuse so that the desired natural character of the zone is not adversely affected.

RESPONSE: Refuse storage is concealed from view.

26 The following kinds of development are non-complying in the Hills Face Zone, including alterations and additions to an existing building on its existing site:

Detached Dwelling or additions to, or conversion of, an existing detached dwelling where:

- (b) the scale and design is such that:

(i) the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall exceeds three metres, other than gable ends of the dwelling where the distance exceeds five metres; or

RESPONSE: Whilst exceeding the above criteria, the development is consistent with 30% of other properties within a small residential street with 17 residential properties.

SIGNIFICANT TREES OBJECTIVES

2 The conservation of significant trees in balance with achieving appropriate development.

RESPONSE: The site has multiple new Eucalypt plantings and has retained existing remnant Microcarpa woodland. It is proposed to remove dead trees on the property which pose a fire and safety risk within 20m of the development.

SITING AND VISIBILITY OBJECTIVES

1 Protection of scenically attractive areas, particularly natural and rural landscapes

RESPONSE: The proposed building is located within a similar footprint of existing structures on the property. Materials have been selected that are of natural tones, blending with a bush landscape. Existing vegetation on the north of the property screens the built form from Greenhill Road.

SLOPING LAND OBJECTIVES

1 Development on sloping land designed to minimise environmental and visual impacts and protect soil stability and water quality

RESPONSE: The proposed building is located on the existing building footprint at similar levels to the existing structures on the property. Existing vegetation that currently provides screened views and minimizes visual intrusion will not be disturbed by the development

DETACHED DWELLING (within the Residential 1 Zone, Residential 2 Zone and Residential 1D Zone)

4 The detached dwelling in the Residential 1 Zone or Residential 2 Zone being designed in such a way that the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall does not exceed six metres, other than gable ends of the dwelling where the distance does not exceed eight metre.

RESPONSE: The overall wall height is 5.9m. The roof consists of 3 gable ridgelines. Ridgeline A has a height of 8.1m and Ridgeline B 8.75m, and Ridgeline C 4.6m, all incorporating a consistent 35 degree pitch to optimize performance of a 10Kw solar panel system. The form is consistent with other strong Architectural buildings in the district.

7 The erection, addition or alteration of the detached dwelling being at least two metres from side boundaries.

RESPONSE: The existing Western Boundary currently has two garages sharing the property line. This is proposed by the new development to be removed to improve visual amenity and includes 900mm offsets from both side boundaries. This is consistent with some properties within Yanagin and Yarabee Road in Greenhill which in some instances have very close alignments.



(IMAGES: Boundary of 15 & 17 Yanagin Road)



(IMAGE: Existing Boundary of 31 & 33 Yanagin Rd)

DESIGN OBJECTIVES AND OVERVIEW

Key Design Objectives

The design seeks to address the following Design Objectives;

- Construct works on existing modified landscape and consolidate multiple structures into one built form to avoid requirement for additional structures, and substantial modification of the sloped topography to the north of the property.
- Improve sustainability outcomes and overall energy efficiency of the dwelling in particular addressing;
 - o Waste and use of AWTs water
 - o Energy generation through solar panels for electricity, hot water and pool heating
 - o Reduce energy loss by use of Reverse brick construction, insulation and double/triple glazing
 - o Maintain and enhance the existing bush landscape
- Improve fire protection systems to property to meet current standards SA78
- Minimize overlooking of adjacent properties on east and west boundaries whilst maximizing solar gain and cross ventilation opportunities on north and south elevations responding to the local micro climate
- Construct a simple “Barn” aesthetic that visually responds to the rural setting, and other strong architectural forms of the district
- Being mindful of scale and mass to visually integrate structure between an existing 3 storey dwelling on the west and single storey dwelling on the east to improve street appeal
- Observe a setback on both boundaries to improve the built form of the street context
- Construct a new building of colour that recedes into the surrounding bush setting, and matches or compliments the existing boundary fencing (Colorbond Monument or Night Sky)

Development Overview

The development undertakes the following demolition activities;

- Demolition of the existing garage on the western boundary
- Decommission existing Septic and Soakage Trench
- Removal of small shrubs and dead trees
- Demolition of the existing Residence


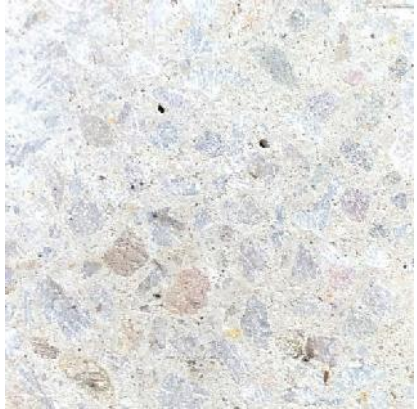







The site will retain boundary conditions and vegetation, the existing pool and rainwater tank.

The proposed development seeks to;

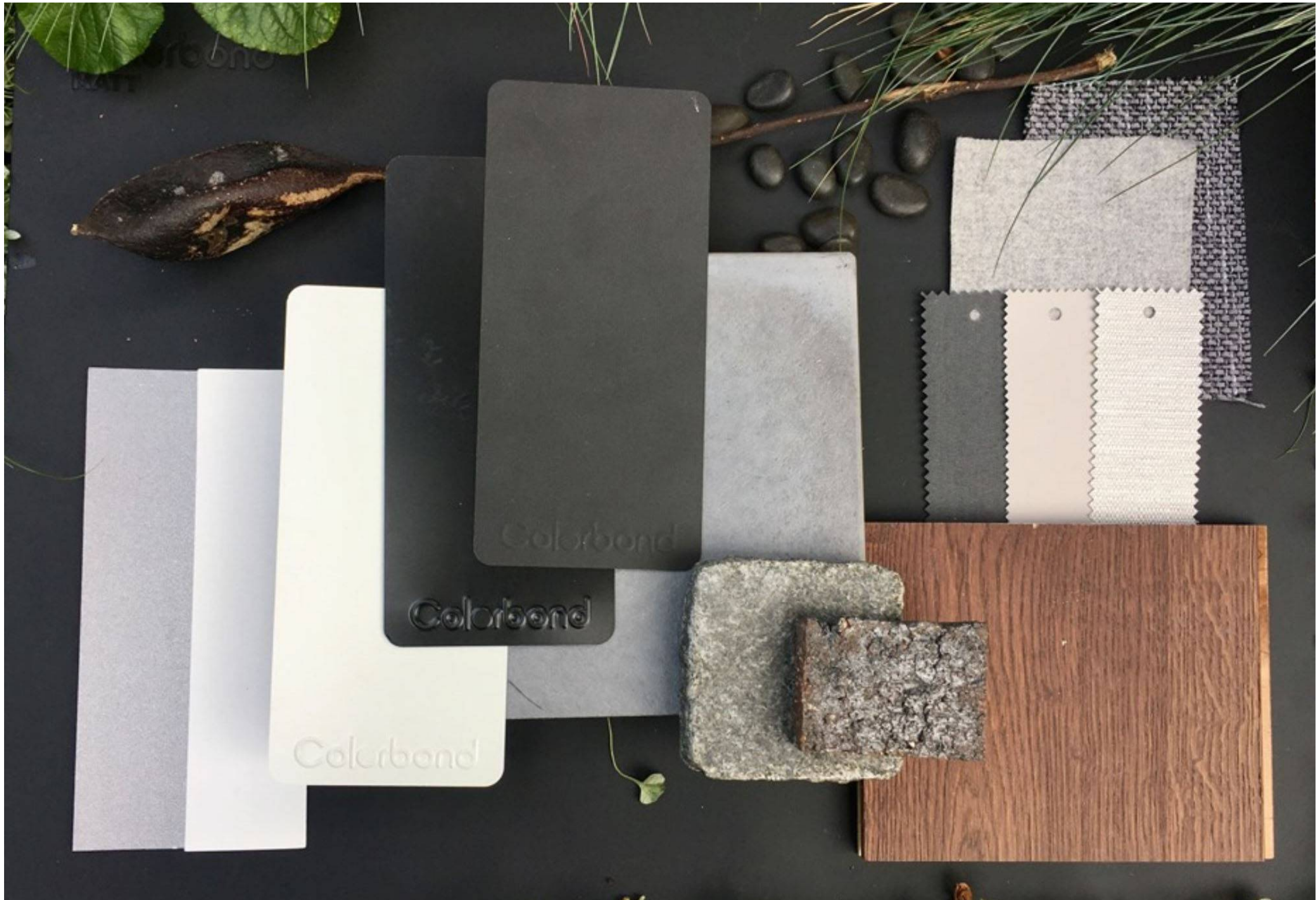
- Construct a new 2 storey dwelling of maximum height 8.75m
- Construct a dwelling with setbacks from each boundary of 900mm
- Construct two boundary retaining walls of 1.6m in height up to 12.5m in length
- Upgrade and install a new aerated wastewater treatment system (AWTS) with disposal on the lower northern aspect of the site.
- Install an optimised 10kW Solar panel system on a 35 degree pitch roof of the dwelling with a north western orientation
- Install C/Bond corrugated Fence extensions in length by 6m and 8m at the north end of the east and west boundary
- Install a fence between two sections of existing fence once the existing garage is removed to match the existing alignment and finish
- Install an open balustrade fence 1200mm height along the north boundary, C/Bond monument in colour

Material Selection

- The walls and roof of the new Dwelling is proposed to be clad with Standing Seam Colourbond sheeting in Colorbond “monument or night sky” matching/complimenting the existing fencing.
- Boundary retaining wall colour to be Hanson Autumn Gold/ Country Tan Moonscape
- Driveway in Hanson CCS Cactus concrete with Kanmantoo stone features

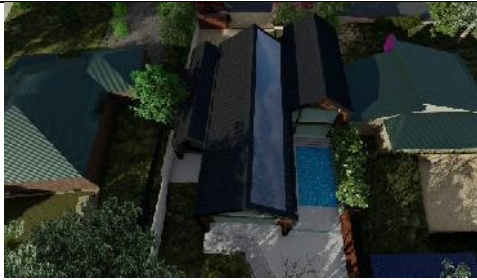
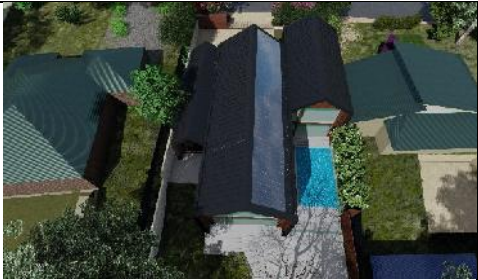
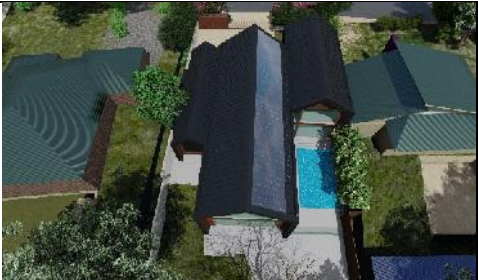

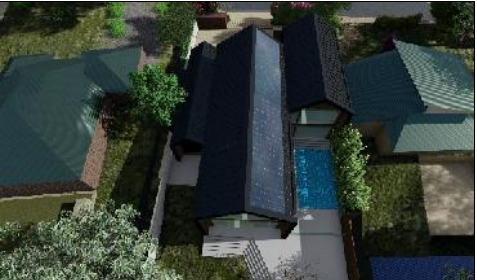








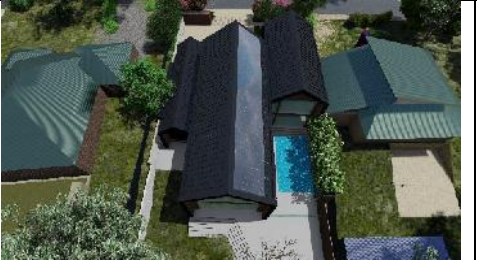

		
Carey Gully Stone		
		
Hanson Autumn Gold / Country Tan Moonscape Concrete (Honed/washed)		Colorbond Monument Standing Seam
		
Hanson CCS Cactus Concrete	Rusted Mild Steel	Colorbond Night sky
		
Spotted Gum	Kanmantoo stone	

Interior / Exterior Material Selection



Shadow Analysis

The following solar study shows that the new development does not overshadow either of its neighbours at critical times of the year, and solar panels maintain full solar access throughout the year.

EQUINOX March 21st September 23rd					
	9am	11am	1pm	3pm	5pm
WINTER SOLSTICE June 21st					
	9am	11am	1pm	3pm	5pm
SUMMER SOLSTICE Dec 22nd					
	9am	11am	1pm	3pm	5pm

Building Renders



View from (Yanagin Road)



View from East



View from North



Aerial View from South East



Aerial View from North West

REAL PROPERTY ACT, 1986



South Australia

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



Certificate of Title - Volume 5324 Folio 817

Parent Title(s) CT 3346/3
Creating Dealing(s) CONVERTED TITLE
Title Issued 16/02/1996 **Edition** 7 **Edition Issued** 09/01/2018

Estate Type

FEE SIMPLE

Registered Proprietor

SALLY JAYNE SCHULTZ
OF 33 YANAGIN ROAD GREENHILL SA 5140

Description of Land

ALLOTMENT 91 FILED PLAN 171040
IN THE AREA NAMED GREENHILL
HUNDRED OF ADELAIDE

Easements

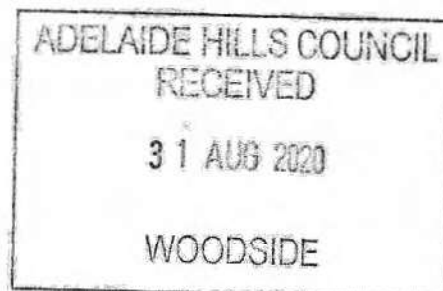
NIL

Schedule of Dealings

Dealing Number	Description
12845442	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)

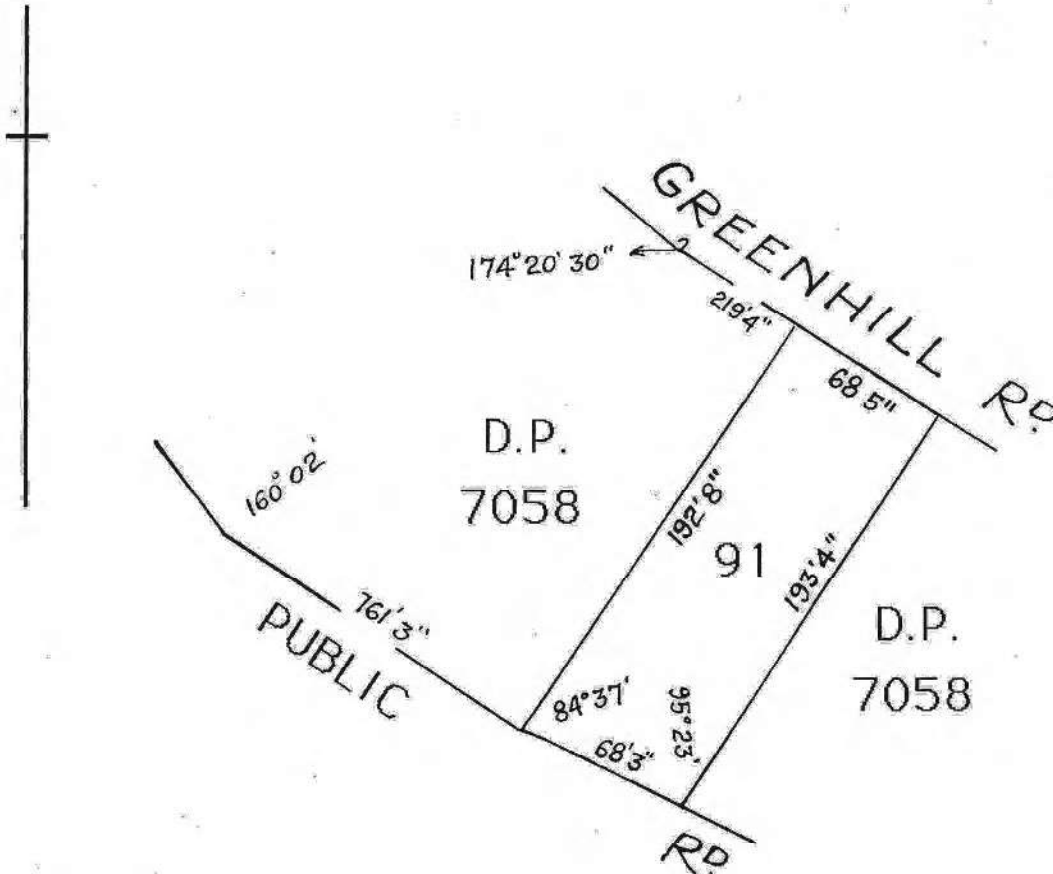
Notations

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



This plan is scanned for Certificate of Title 3346/3

LAST PLAN REF : D.P. 7058



100 50 0 100 FT

DISTANCES ARE IN FEET AND INCHES
FOR METRIC CONVERSION

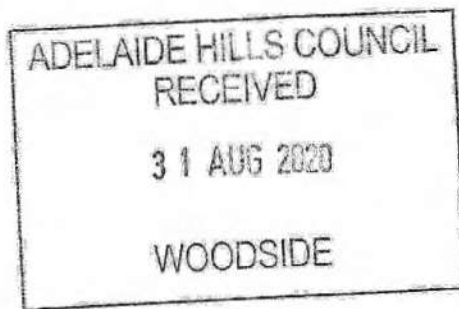
1 FOOT = 0.3048 metres
1 INCH = 0.0254 metres

ADELAIDE HILLS COUNCIL
RECEIVED

31 AUG 2020

WOODSIDE

Note : Subject to all lawfully existing plans of division



Brenton Burman
Planning Consultant
68 Third Avenue
FORESTVILLE SA 5035

24 August 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTENTION: Melanie Scott

Dear Melanie

RE: DEVELOPMENT APPLICATION – 33 YANAGIN ROAD, GREENHILL

I have been engaged by Sally and Damian Schultz, the owners of the above property to provide planning consultancy assistance in relation to the above development application.

Sally and Damian are proposing to demolish an existing two storey detached dwelling on the subject land, and replace it with a new two storey dwelling.

The subject land is located within the Hills Face Zone of the Adelaide Hills Development Plan, consolidated on 8 August 2019.

Principle of Development Control 26 of the Hills Face Zone list kinds of development that are non-complying. A Detached Dwelling is listed as non-complying if the scale and design is such that:

- i. *"The vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall exceeds three metres, other than gable ends of the dwelling where the distance exceeds five metres; or*
- ii. *There is a floor level directly above another floor level, except where the upper floor level is located wholly at or below finished ground level ..."*

The proposed development involves the replacement of the existing two storey dwelling with a new two-storey dwelling in approximately the same location, resulting in an exceedance of the above. Therefore, the proposed development is for a non-complying development within the Hills Face Zone.

Pursuant to Section 39(2)(d) of the Development Act 1993 and Regulation 17(1) of the *Development Regulations 2008*, a brief statement in support of the application is required for a non-complying development. Regulation 17(5) of the *Development Regulations 2008* outlines matters to be addressed in the Statement of Effect.

The following brief statement addresses these matters.

1. Description of the nature of development

As previously stated, the proposed development involves the demolition of an existing two storey detached dwelling, and replacement with a two storey detached dwelling (of slightly larger proportions) in a similar location to the existing dwelling.

The subject land has a frontage of approximately 20.8 metres to Yanagin Road, an average depth of 58.9 metres, and a total site area of approximately 1,219 square metres. The site slopes to the north from Yanagin Road. Whilst having a frontage to its northern boundary to the Greenhill Road road reserve, there is a densely planted landscape buffer from the property boundary to the to the Greenhill Road carriageway.

The table summarises the existing and proposed development:

	Existing Dwelling	Proposed Dwelling
Floor area		
- Ground Floor	- 115m2 (internal) 42m2 (Garage)	- 162m2 (internal) 5m2 (Pool Plant) 75m2 (Garage)
- First Floor	- 91m2 (internal) 41m2(balcony/verandah)	- 165m2 (Internal)
- Total	- 289m2	- 407m2
Boundary Setbacks		
- Front (south-west)	- 14.6m	- 11.0m
- Side (north-west)	- 0.0m (Garage)	- 0.90m
- Side (south-east)	- 5.27m	- 0.90m
- Rear (north-east)	- 27.5m	- 27.6m
Heights		
- Side wall height	- 5.12m	- 5.9m
- Gable height	- 6.14m	- 4.5, 8.1 & 8.75m
Materials and finishes		
- Walls	- C/bond Shale Grey	- C/Bond Monument
- Roofing	- Bright Green Tiles	- C/Bond Monument
- Trim	- C/Bond Monument	- C/Bond Night Sky
- Fencing	- C/Bond Monument	- C/Bond Monument

The existing swimming pool, water tanks and deck areas, which were the subject of an approval from an earlier development application (DA150/30/473) These elements, along with existing boundary fencing and site landscaping are proposed to be retained as part of this application.

It is also important to note that, due to existing on-site wastewater treatment arrangements, this limits the potential to extend the dwelling (or any built form) towards the rear of the allotment.

2. Description of the locality

Whilst it is recognised that the subject land and locality are within the Hills Face Zone, the area exhibits exceptional circumstances. Yanagin Road generally runs parallel to Greenhill Road, close to the top of the east-west running ridge line and contains 17 allotments on the north-eastern side of Yanagin Road.

Such allotments are generally rectangular in size (of similar dimensions to the subject land), with their rear boundaries generally being Greenhill Road (noting that there is no vehicle access to Greenhill Road).

North of this section of Greenhill Road are large rural allotments, while to the south of Yanagin Road is Cleland National Park.

A detailed review of existing development within this subdivision on Yanagin Road highlights the diversity of dwelling form, with dwellings ranging in scale from single storey to three stories in height. Five of the 17 allotments presently contain two storey dwellings, with the existing dwelling immediately north-west of the subject land being a three-storey dwelling.

Setbacks to the Yanagin Road property boundary are all relatively consistent, generally around the 8.0 to 10.0 metres setback. Due to the topography sloping down to Greenhill Road and the need to retain the rear of allotments for on-site wastewater treatment, most dwellings have not been designed to extend towards the rear of the allotments.

3. Development Plan provisions and assessment of the proposed development

The focus of this section of this brief statement is on the relevant provisions of the Hills Face Zone and the assessment of the proposed development against such provisions.

Hills Face Zone Principle of Development Control	Planning Commentary
<p>1. <i>Development should not be undertaken unless:</i></p> <p>a) <i>it is associated with a low intensity agricultural activity, a public open space area or a private use of an open character, or is a <u>detached single storey dwelling</u>, including outbuildings and structures normally associated with such dwellings, <u>on a single allotment</u>; and</i></p> <p>b) <i>together with associated native landscaping, it <u>preserves and enhances the natural character of the zone</u> or assists in the re-establishment of a natural character.</i></p>	<ul style="list-style-type: none">• The proposed development is for the replacement of an existing two-storey detached dwelling with a new two-storey detached dwelling• The development will result in only one dwelling on the existing allotment• Development within the immediate locality consists of dwellings ranging from single to three-storey, with the immediate adjacent dwelling to the north-west being three stories in height• The proposed development will generally be located on the footprint of the existing dwelling on the subject land, resulting in the preserving of the existing natural character of the zone

Hills Face Zone Principle of Development Control	Planning Commentary
<p>2. <i>The excavation and/or filling of land should:</i></p> <ul style="list-style-type: none"> a) <i>be kept to a minimum so as to preserve the natural form of the land and native vegetation;</i> b) <i>only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment; and</i> c) <i>result in stable scree slopes which are covered with top soil and landscaped so as to preserve and enhance the natural character or assist in the re-establishment of the natural character of the zone.</i> 	<ul style="list-style-type: none"> • Due to the location of the benching of the existing dwelling on the subject land, no significant excavation or fill is required for the proposed development. Minor earthworks may be required in the north-eastern portion of the site of the new dwelling
<p>7. <i>Buildings, including structures, should be located in unobtrusive locations and, in particular, should:</i></p> <ul style="list-style-type: none"> a) <i>be located well below the ridge line;</i> b) <i>be located within valleys or behind spurs;</i> c) <i>be located not to be visible against the skyline when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain;</i> d) <i>be set well back from public roads, particularly when the allotment is on the high side of the road;</i> e) <i>have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road;</i> f) <i>be sited on an excavated rather than a filled site in order to reduce the vertical profile of the building;</i> g) <i>be screened by existing native vegetation when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain;</i> h) <i>not be located in areas subject to inundation by a 100 year return period flood event nor be sited on land fill which would interfere with the flow of such flood waters;</i> i) <i>not have a septic tank drainage field located to pollute watercourses; and</i> j) <i>be located to maximize retention of existing native vegetation and retain watercourses in their natural state.</i> 	<ul style="list-style-type: none"> • The proposed development is located well below the ridge line, and is not visible from the metropolitan area and the Adelaide Plain • Whilst the development is visible from Yanagin Road, limited visibility of the existing and proposed dwelling is available from Greenhill Road due to current topography and existing vegetation • No significant fill or excavation is proposed, with the new dwelling primarily utilising the footprint of the existing dwelling • The location of the existing septic tank drainage system for the existing dwelling will form the basis for the new dwelling. A new system has been designed to ensure compliance with updated standards • Aside from direct views from Yanagin Road, the proposed dwelling is screened by existing native vegetation • Aside from the removal of limited vegetation within 20 metres of the existing dwelling, for fire protection purposes, the development results in the retention of on-site existing native vegetation
<p>8. <i>Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:</i></p> <ul style="list-style-type: none"> (a) <i>buildings should be of a single storey;</i> (b) <i>the profile of buildings should be low and the roof lines should complement the natural form of the land;</i> 	<ul style="list-style-type: none"> • The proposed development replaces an existing two-storey detached dwelling • The locality is characterised by a diversity of dwelling styles, ranging in height from single to three storeys, with the adjacent dwelling to immediately north-west of the subject land being a three-storey dwelling

Hills Face Zone Principle of Development Control	Planning Commentary
<p>(c) <i>the mass of buildings should be minimized by variations in wall and roof lines and by floor plans which complement the contours of the land;</i></p> <p>(d) <i>large eaves, verandahs and pergolas should be incorporated into designs to create shadowed areas which reduce the bulky appearance of buildings; and</i></p> <p>(e) <i>the mass of buildings should be minimized by having separate vehicle storage areas.</i></p>	<ul style="list-style-type: none"> Whilst no variation in wall height is proposed, the applicant has proposed to reinterpret the strong architectural forms throughout the district, including barns and churches The mass of the building is split between three different length and height gable pavilions The roofline comprises multiple gables to reduce the overall roof pitch The pitch of the gables has been optimised to improve solar panel performance Long walls have been designed with full height indents and windows to provide deep insets to reduce summer solar gain, providing a variation in wall alignments Deep eaves (900mm) are provided to the north and south elevations with deep indents and window insets provided along the east and west facades Vehicle storage areas have been incorporated into the building design utilising the previously levelled site
<p>9. <i>Buildings should have a:</i></p> <p>(a) <i>year round water supply and a safe and efficient effluent disposal system which will not pollute watercourses or underground water resources or be a risk to health; and</i></p> <p>(b) <i>safe, clean, tidy and unobtrusive area for the storage and disposal of refuse so that the desired natural character of the zone is not adversely affected.</i></p>	<ul style="list-style-type: none"> No change is proposed to the existing water supply arrangements to the subject land The location of the existing septic tank drainage system for the existing dwelling will form the basis for the new dwelling. A new system has been designed to ensure compliance with updated standards
<p>13. <i>Retaining walls should be constructed as a stepped series of low walls constructed of dark, natural coloured materials and screened by landscaping.</i></p>	<ul style="list-style-type: none"> No significant fill or excavation or retaining walls are proposed, with the new dwelling primarily utilising the footprint of the existing dwelling
<p>14. <i>Driveways and access tracks should follow contours of the land to reduce their visual impact and erosion from water runoff and be surfaced with dark materials. Excavation/filling of land should be kept to a minimum to preserve the natural form of the land and native vegetation.</i></p>	<ul style="list-style-type: none"> No change to the current access and driveway arrangements is proposed
<p>15. <i>Fences, if required, should be located to minimize their visual impact and should be of post and wire or other materials which can be seen through. Obtrusive gateways, particularly of brick or masonry, should not be constructed.</i></p>	<ul style="list-style-type: none"> Fencing on Yanagin Road was approved as a separate and previous approval Fencing on the north boundary is proposed to be completed, connecting the side boundary fences Fencing will replace the void in boundary fencing once the existing garage is demolished

Whilst not a typical design for a detached dwelling in the Hills Face Zone, it must be recognised that this section of the Hills Face Zone exhibits unique characteristics, with limited views available of the subject land from surrounding areas, the proposal replacing an existing two storey dwelling and being adjacent to a three storey dwelling.

4. Expected social, economic and environmental effects of the development

The proposed development, being the replacement of an existing detached dwelling with a new detached dwelling, will have limited social, economic and environmental impact.

Use of the footprint of the existing dwelling for the siting of the new dwelling will minimise the impacts of the development on the environment, and not require extensive site works or loss of existing native vegetation.

5. Summary

Whilst acknowledging that the proposed dwelling represents a non-complying development within the Hills Face Zone, the current development application demonstrates sufficient merit to warrant the favourable support of the relevant planning authority. Specifically:

- The proposal is for the replacement of an existing two storey dwelling in the same (or substantially the same) as the site of the existing dwelling
- The locality is not your 'traditional' Hills Face Zone, being a small subdivision of 17 allotments with dwellings varying in scale from single to three storeys, with the three storey dwelling being located immediately to the north-west of the subject land
- The proposed dwelling has been designed with multiple gables and dark materials – to minimise overall bulk and scale and to blend with the natural environment
- The proposed development will have minimal adverse impacts on the adjacent dwellings and to the general locality

I would be pleased to provide any further information that Council may need in support of this application.



Brenton Burman

Planning Consultant

Fellow PIA

BA Planning

Grad. Dip. Environmental Planning

Grad. Dip. Local Government Management

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/894/20
Our Ref: ADELAIDE HILLS DA
Please refer to: 20201224-01ap

24 December 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTN: ASHLEIGH GADE

Dear Ashleigh,

**RE: BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT – SCHULTZ
LOT 91 (33) YANAGIN ROAD, GREENHILL**

An officer of the SA Country Fire Service (SA CFS) Development Assessment Service, has assessed the proposed development site, allotment and adjoining areas.

A site bushfire attack assessment was conducted in accordance with the National Construction Code of Australia [NCC] and Australian Standard™3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas".

This report shall not be considered as SA CFS endorsement of any subsequent development.

This BAL report is considered relevant at the date of assessment.

ASSESSMENT DETAILS:

Category of Bushfire Attack	BAL 29
------------------------------------	---------------

BUILDING CONSIDERATIONS

Please refer to the NCC, relevant standards and state provisions for construction requirements and performance provisions.

Compliance with the fire protection requirements is not a guarantee the dwelling will not burn, but its intent is to provide a '*measure of protection*' from the approach, impact and passing of a bushfire.

Should there be any need for further information please contact the undersigned at the SA CFS Development Assessment Service on (08) 8115 3372.

Yours sincerely,



ANNIE POMEROY

BUSHFIRE SAFETY OFFICER
DEVELOPMENT ASSESSMENT SERVICE

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/894/20
Our Ref: ADELAIDE HILLS DA
Please refer to: 20201224-01ap

24 December 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTN: ASHLEIGH GADE

Dear Ashleigh,

**RE: DEVELOPMENT APPLICATION (PLANNING ASSESSMENT) – SCHULTZ
LOT 91 (33) YANAGIN ROAD, GREENHILL**

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) as published under Regulation 106 of the *Development Regulations 2008* applies.

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.1 states *"When submitting an application it is important to remember that the information provided with an application forms the basis upon which the application will be assessed. If the information is inadequate or insufficient (incomplete, incorrect), the application may be delayed."*

An officer of the SA Country Fire Service [SA CFS] Development Assessment Service has assessed the proposed development site, allotment and adjoining areas.

The Bushfire Protection Zone for the area has been designated as **HIGH**

The SA Country Fire Service has no objection to the proposed development.

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) provides mandatory Bushfire Protection planning requirements as conditions of consent for the development as follows:

ACCESS TO HABITABLE BUILDING

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.3.1 describes the mandatory provision for 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large Bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres.

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres.

- The 'T' shaped turning area, (utilising the public road) shall be a minimum formed length of 11 metres with minimum internal radii of 9.5 metres on bends, including bends connecting private access to public roads.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
- Driveway should be at right angle to the road (must meet minimum internal radii 9.5m),
- Turning radii cannot be obstructed (fence, retaining walls, vegetation, power poles etc)
- Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.

ACCESS (to dedicated water supply)

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

SA CFS has no objection to the existing water supply being utilised as the dedicated supply, providing an outlet can be positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwelling.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.

WATER SUPPLY

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 prescribes the mandatory provision of a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA78 provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with Minister's Specification SA78:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting water supply shall be pressurised by a pump that has –
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the habitable building).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

VEGETATION

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:

CFS Mission

An integrated and trusted fire and emergency service, contributing to safer and more resilient communities.

- i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
- ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
- iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
- iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
- v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
- vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- vii. No understorey vegetation shall be established within 1 metre of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
- viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

Compliance with the fire protection requirements is not a guarantee the habitable building will not burn, but its intent is to provide a '*measure of protection*' from the approach, impact and passing of a bushfire.

Should there be any need for further information, please contact the undersigned at the Development Assessment Service on (08) 8115 3372.

Yours sincerely,



ANNIE POMEROY

BUSHFIRE SAFETY OFFICER
DEVELOPMENT ASSESSMENT SERVICE

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

Development Number: 20/894/473

My Name: Albert Barelds

Postal Address: 37 Yanagin Rd, Greenhill 5140

Contact No:

Email:

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

This representation is in relation to the application by: **Damian Schultz**

Nature of Development: **Demolition of existing dwelling & construction of replacement two storey detached dwelling, deck (maximum height 2.95m), retaining walls (maximum height 1.6m), fencing & associated earthworks (non-complying)**

Proposed to be located at: **33 Yanagin Road Greenhill SA 5140**

My representation: ☒ supports the proposed development OR ~~opposes the proposed development~~
(cross out whichever does not apply)

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

The address of the property affected is:

37 Yanagin Rd, Greenhill Postcode: 5140

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

Appropriate design and fitting beautifully in the local environment.

My objections (if any) could be overcome by:

No objections

(cross out whichever does not apply)

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

OR

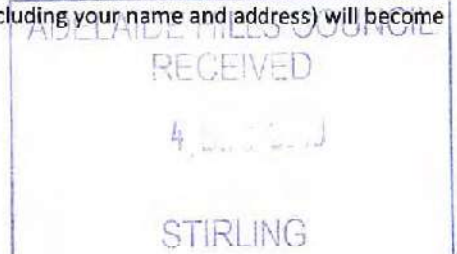
I do not wish to be heard in support of my representation.

Date: 4/12/2020

Signature: 

The closing time and date for Representations is 5.00pm on 04 December 2020 & Representations can only be received during the period 20 November 2020 to 04 December 2020

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



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4 December 2020

Ashleigh Gade
Statutory Planner
Adelaide Hills Council
BY EMAIL: mail@ahc.sa.gov.au

Dear Ashleigh,

Re: Development 20/894/473 at 33 Yanagin Road, Greenhill

Thank you for the opportunity to comment on the proposed development application above.

We understand and agree with the need for two storey houses to be replaced, and for good development. However, we have some concerns about the proposed development application as presented – in particular the projecting western dominant structure close to our boundary.

We have consulted with an Architectural firm regarding the proposed development. Their view is that:

- the height, mass and scale is unacceptable,
- the design is not compatible with the character of existing buildings in the locality,
- roof lines do not complement the land form, and
- there are a number of drawing and Revitt discrepancies in the application.

1. Two storey projecting western dominant structure close to our boundary

- 1.1. We oppose the two storey projecting western dominant structure close to our boundary.
- 1.2. The height, mass and scale of this element is visually dominant in the streetscape, protrudes in front of our garage, and is a high overbearing structure next to our garage roofline. It:
 - 1.2.1. is adjacent our single storey set back garage,
 - 1.2.2. is 6m high to the pitching point adjacent our boundary, and has a ridgeline of 8.1m, and
 - 1.2.3. protrudes some 3m in front of our garage, and is 12.86m long (and 6.31m wide).
- 1.3. Our consultant has approximated the outline of the bulk of this structure onto a photo view taken from our front yard. **See Appendix**
- 1.4. The existing adjacent properties on both sides of the proposal are very horizontal forms, which will be next to the proposed vertical, tall, mass and bulk.
- 1.5. The transitioning up of the applicant's central two-storey structure from the eastern neighbour's boundary shows a better approach; that helps to reduce the height, mass and scale from their side.
- 1.6. We would support a single storey construction near our boundary, transitioning up to a two-storey structure in the middle of the applicant's property, such as the approach on the eastern side.

2. Our garage

- 2.1. Construction issues adjacent our garage require further detail.
- 2.2. Regarding the path between our garage and the proposed construction, clarity is needed so that water does not drain into our garage:
 - 2.2.1. RL's for the path have not been provided. The path can be no higher than the applicant's existing shed floor level so that our garage damp proof course is not breached.
 - 2.2.2. There is no stormwater management plan, particularly adjacent our garage where the applicants land is higher than ours is.
 - 2.2.3. Is the path permeable?
 - 2.2.4. When our garage was built in 2006, our builder replaced the applicant's existing retaining wall and underpinned the applicant's existing shed with concrete at our cost. It was not possible to install an ag-drain underneath the existing shed and behind our new retaining wall. This has not presented any problem whilst the existing shed is in situ.

Should the shed be approved to be demolished, an ag-drain is required to be installed.

- 2.3. When our garage was built, our builder installed termimesh between the applicant's existing shed concrete slab and our garage. This termite barrier will not survive demolition of the shed because it is glued to the existing shed concrete slab, and cast into our retaining wall.

The proposed path between the new construction and our garage therefore requires a set down of at least 75mm to avoid the risk of ingress of termites.

Jack hammering / partial demolition of the underpin part of the concrete retaining wall will be required, and we are concerned about damage to our boundary wall structure.

- 2.4. There is no set down rebate on our retaining wall for the external brick leaf, so if the shed is demolished then our trades will require access with reasonable notice to install an additional DPC flashing similar to that which is installed at the front of our garage to prevent rain ingress.
- 2.5. If the applicant's existing shed is demolished then our trades will also require access with reasonable notice to ensure that the rear of our garage retaining wall is appropriately water proofed.
- 2.6. The plans include '*install 9m of 1.8M ht fence and new pool gate to join existing extents of property boundary fencing*'. This creates a further leaf and vermin trap, and makes it impossible to inspect for termites – which is concerning. Leaf build up over time will create a fire hazard in a bushfire zone. The fence also reduces the width of the path. A fence should only be installed up to the face of the garage as originally documented previously, and to the rear face of the garage, and not against / along the boundary wall as proposed by the applicant.
- 2.7. Our consultant has requested that a section be provided between the proposed construction and our existing garage to explain the treatment for our consultant's review and to address the concerns raised above.

3. Design concerns

- 3.1. Overlooking – the louvered screens require further detail:
- 3.1.1. North facing louvered screens do not prevent overlooking into our backyard, which the Revitt images (North and North West) also show.
 - 3.1.2. The detail is not clear whether fixed full chevron is proposed:
 - 3.1.2.1. If fixed full chevron, with a plan detail that prevents overlooking, we would support second floor level louvres that provide ‘total’ block out of overlooking to 1.8m, and open to the sky above.
 - 3.1.2.2. If not fixed full chevron, the windows should be frosted to 1.8m.
- 3.2. Overlooking – the Juliette balconies require further detail:
- 3.2.1. There are notes regarding Juliette balconies, and wide openable second floor doors, but the Juliette balconies are missing from the plans.
 - 3.2.2. The Juliette balconies are also missing on all of the detailed Revitt images. **See Appendix**
 - 3.2.3. There are no details including length, construction material of the floor, and depth i.e. do they protrude past the extrusions creating even further mass, bulk and overlooking.
- 3.3. There is no Revitt image from the South West in front of our house. This view is amongst the most dominant impact showing the significant height, mass, scale and overlooking of the proposed structure. A North West aerial view has been provided, and an accurate South West (non-aerial) view should also be provided; to compare to our consultant’s approximation. **See 1.3**
- 3.4. The North West Revitt image appears to show the projecting western structure in line with the front of our garage. This conflicts with the plans that show it projecting forward. **See Appendix**
- 3.5. Height, mass and scale – roof structure:
- 3.5.1. Our consultant advised that the proposed massing bulk and lack of good design articulation are out of scale with the context of the streetscape in Greenhill, and is at clear odds with the intent of the Development Plan such as in relation to the expressed eaves.
 - 3.5.2. Our consultant also advised that the chunkiness of the north and south soffit extrusions create another level of massing. These extrusions are 470mm wide (*Plan 006*).
 - 3.5.3. Our house has a sweeping skillion roof. It does not have high-pitched gables.
 - 3.5.4. High-pitched gables are not a predominant form in Greenhill.
 - 3.5.5. The documents state the centre two-storey construction has a ridgeline of 8.75m. On the north side, the ridgeline is 9.2m high from ground level. The ridgeline is even higher if you incorporate the steps immediately adjacent to the north. **See Appendix**
- 3.6. The suspended concrete water tank, which the new construction is built over, has a RL of 541.37. The rear of the construction has the same RL of 541.37. Our consultant advised that a slab of some thickness, perhaps 300mm, would be structurally required over the suspended tank slab. This would have the effect of raising the floor levels, and does not appear to have been considered in the application. We are concerned this may make the proposed construction even higher.

- 3.7. Two of the Revitt images ('View from North' and 'Aerial View from north west') appear to show a shiny / reflective composite cladding material facing west.
- 3.8. The size and scale of some parts of the plans and Revitt images appear oversized, including:
- 3.8.1. our front nib wall shown as purple in the Revitt 'Aerial View from South East',
 - 3.8.2. tree C in drawing 001B, and
 - 3.8.3. foliage in the Revitt drawings generally.

4. Applicant's Planning Submission

HILLS FACE ZONE

The subject land lies within the Hills Face Zone and these provisions seek:

Preservation and enhancement of natural character of the zone - A zone accommodating low intensity agricultural activities and public/private open spaces where the visual intrusion of development shall be limited, particularly when viewed from roads.

Applicant's response *"The building is not visible from the city and is on the back slope of the hills face zone that faces the city".*

Our response

- 4.1. The wording from the Development Plan (August 2019) is
"2(b) limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plain."
- 4.2. The applicant's response does not address at all the visual intrusion when viewed from Yanagin road (main street frontage) which appears to show it is not a compatible form of development.

8 Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:

(a) buildings should be of a single storey; Consolidated - 8 August 2019 Adelaide Hills Council Zone Section Hills Face Zone 153.

Applicant's response *This submission is consistent with other dwellings on Yanagin Road. 6 out of 17 residential properties in the street are 2 storey buildings, (including the existing 2 storey building as part of this application). The property adjacent to this application is a three storey residence.*

Our response

- 4.3. We support the replacement of the applicant's two-storey dwelling with a well-designed two-storey dwelling of a form that is sympathetic to the streetscape; including a transitional design approach where a middle two-storey element transitions down with respect to the side boundaries.
- 4.4. The applicant incorrectly states that our house is a three-storey residence. [See 6.2](#)

(b) the profile of buildings should be low and the roof lines should complement the natural form of the land;

Applicant's response *"...development reinterprets strong architectural forms recognizable throughout the district".*

Our response

- 4.5. In the locality of Greenhill, and in particular Yanagin road, we believe that the applicant's response is not correct.
- 4.6. The images provided in the application are two old churches and a colorbond shed with windows. They are all in the neighbouring town of Summertown, which is 3km away.
- 4.7. Our consultant advised that traditional old churches, by their nature, are an expression of a tall, steep pitched roof to accentuate the vertical. We are not aware of any church forms in Greenhill. We understand a single level colorbond shed with windows is not a strong architectural form.
- 4.8. Taking photos of buildings in Summertown is not relevant to our local context in Greenhill.
- 4.9. The proposed roof form does not follow the landform.

(c) the mass of buildings should be minimized by variations in wall and roof lines and by floor plans which complement the contours of the land.

Applicant's response *this is solved by "...three different length and height gable pavilions. The roofline is made up of multiple gables so that the roof is not a large and wide continuous pitched".*

Our response

- 4.10. The tall projecting western two-storey structure is proposed on the lower contour of the land, and the lower single storey garage is proposed on the higher contour (*Plan 010*).
- 4.11. The design does not complement the contours of the land.

(d) large eaves, verandahs and pergolas should be incorporated into designs to create shadowed areas which reduce the bulky appearance of buildings

Applicant's response *"Deep eaves (900mm) are provided to the north and south elevations with deep indents and window insets provided along the east and west facades".*

Our response

- 4.12. As previously discussed, our consultant advised that the chunkiness of the north and south soffit extrusions add to the bulk and mass of the construction, and there are no proper eaves in the design.

See 3.5.2

26 The following kinds of development are non-complying in the Hills Face Zone, including alterations and additions to an existing building on its existing site:

Detached Dwelling or additions to, or conversion of, an existing detached dwelling where:

(b) the scale and design is such that:

- (i) the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall exceeds three metres, other than gable ends of the dwelling where the distance exceeds five metres; or

Applicant's response *"Whilst exceeding the above criteria, the development is consistent with 30% of other properties within a small residential street with 17 residential properties".*

Our response

4.13. 30% of 17 residential properties on Yanagin road is five properties.

4.14. We are not aware of any properties on Yanagin road, or in all of Greenhill, where two gable pavilions of the same dwelling rise to ridgelines of 8.1m and 8.75m at the front; and higher at the rear.

SITING AND VISIBILITY OBJECTIVES

1 Protection of scenically attractive areas, particularly natural and rural landscapes

Applicant's response *"The proposed building is located within a similar footprint of existing structures on the property".*

Our response

4.15. As measurements of the existing house were not provided, we have scaled off the plans.

4.16. The overall width across the front has increased from approx. 8.5m wide, plus 5m wide detached painted steel shed (approx. 13.5m total) to 18.95m wide.

4.17. The overall length of the house has increased from approx. 15m long to 23.46m long.

4.18. We were unable to scale the increased height of the proposed development relative to the existing house height, because the existing house elevation was not drawn onto the applicant's elevations.

4.19. The applicant's drawing from a previous Development Application in 2013 shows a clearer footprint of the existing house, as it does not have dark lines around the open elevated decks. [See Appendix](#)

DETACHED DWELLING (within the Residential 1 Zone, Residential 2 Zone and Residential 1D Zone)

4 The detached dwelling in the Residential 1 Zone or Residential 2 Zone being designed in such a way that the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall does not exceed six metres, other than gable ends of the dwelling where the distance does not exceed eight metre.

Applicant's response *"...The form is consistent with other strong Architectural buildings in the district".*

Our response

4.20. We are not aware of any properties in Greenhill with double high gables that both exceed the maximum height of eight metres.

4.21. As previously discussed, old churches in Summertown are not relevant to properties in Greenhill.

5. Planning concerns

We understand there are a number of Council Wide provisions that the proposal does not appear to achieve, including:

Objective 87

The amenity of localities not impaired by the appearance of land, buildings and objects.

Objective 88

Buildings or structures unobtrusively sited and of a character and design which blends naturally with the landscape.

PDC 231

The appearance of land, buildings and objects should not impair the amenity of the locality in which they are situated.

PDC 233

Buildings should be sited unobtrusively and be of a character and design which will blend naturally with the landscape.

PDC 245

Development should be compatible with the character of existing buildings in the locality, and exhibit a high standard of design and external appearance, which takes into account the scale, mass and siting of buildings, the materials to be used (including their texture and colour), and elements of building detail.

6. Other comments

- 6.1. Taking a photo of our home and private rear yard, without our permission, is not relevant to the streetscape and current planning regulations.
- 6.2. We understand our existing underground lower level was constructed in around 1982. Our house, constructed in 2006 predominantly on the existing concrete slab plus garage, presents to the street as a single storey with a transitional approach yielding an unobtrusive roof loft mezzanine set back from the front and sides within the roof structure. Our house is not a three-storey residence.
- 6.3. The high point of our house is in the middle of our block.
- 6.4. With our country living aspects, including Cleland Conservation Park opposite our properties, the form of the development should follow the form of the land with gentle pitch slopes of roofs.
- 6.5. We believe the design is a very 'urban' approach more fitting with the Adelaide plains down the hill.
- 6.6. We wish to be heard in support of our submission.

Respectfully submitted,



Matt Johns



Kylie Johns

Appendix

- 1.3 Size and scale of the western structure approximated by our consultant from our driveway. Any Juliette balcony will totally overlook our front yard.

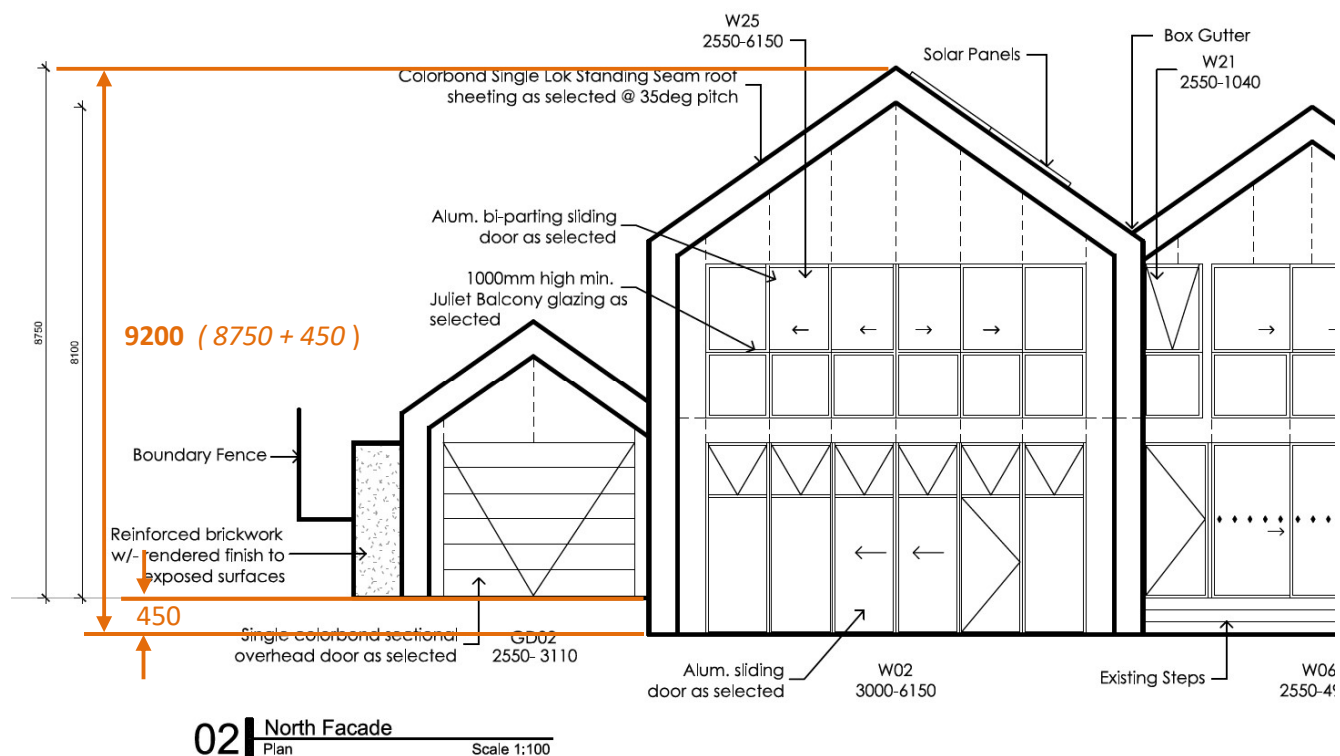


- 3.2.2 The Revitt image does not show the Juliette balconies.

- 3.4 The Revitt image does not appear to show the proposed western construction projecting forward in front of our garage as per the plans – even allowing for perspective (orange circle).



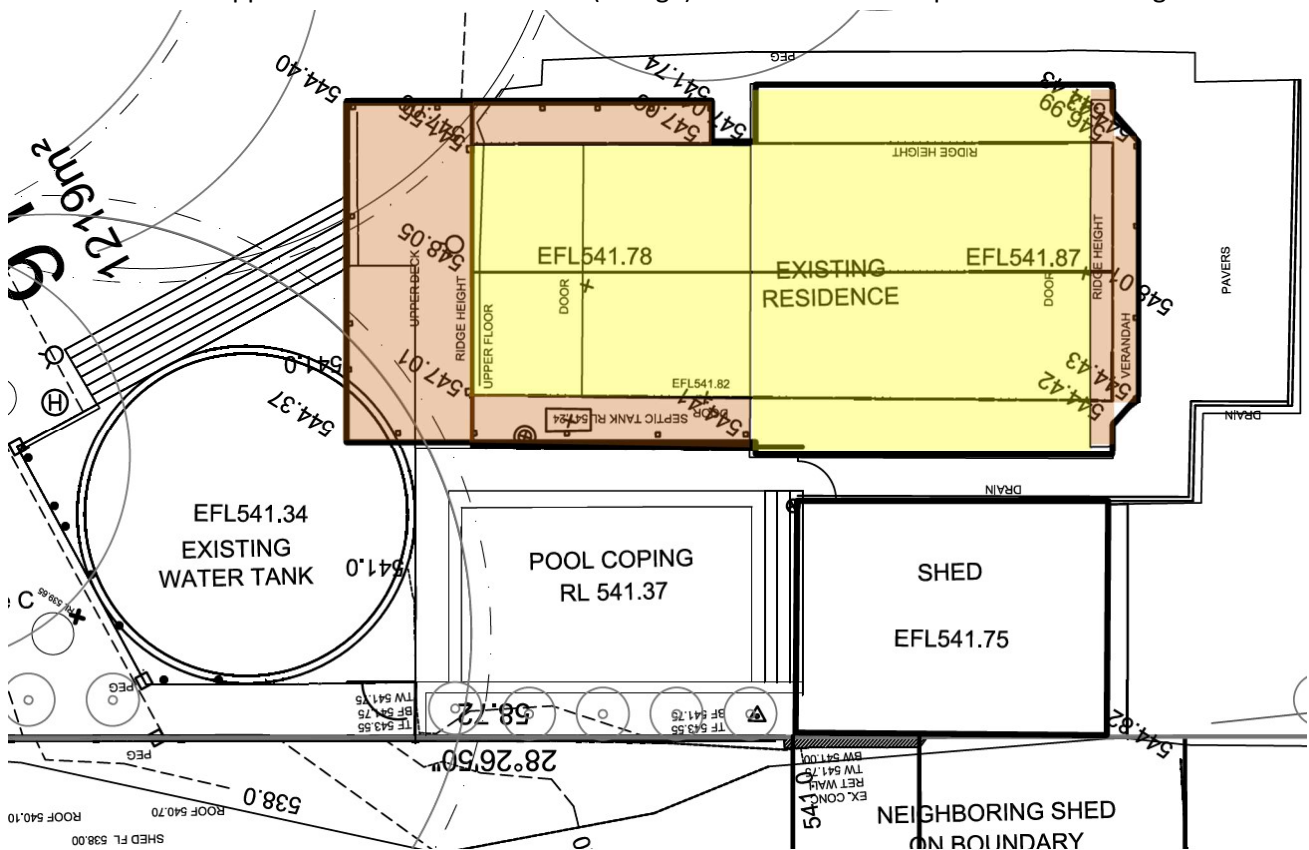
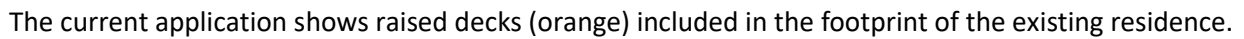
3.5.5 The ridgeline of 9.2m at the rear (North)



The ridgeline at the rear is over 10m high if the steps immediately adjacent to the north are included



The 2013 plan shows the downstairs footprint of the existing residence in a darker outline.
Note: shading by us for clarity to include the upper enclosed floor.



01 02 2021

ADELAIDE HILLS COUNCIL

Attention: Ashleigh Gade, Statutory Planner



Dear Ashleigh,

RE: DEVELOPMENT APPLICATION 20/894/473
33 Yanagin Road, Greenhill

162 Flinders St
Adelaide 5000
t +61 8 8232 4400
f +61 8 8232 4399
design@arkvale.com.au
www.arkvale.com.au
ABN 76 118 503 085

Arkvale Architects is a registered practicing Architectural firm with extensive experience in many sectors including the private residential sector where its principal, Craig Vale has completed award winning houses.

In November 2020 Mr and Mrs Johns, the neighbours at 31 Yanagin Road (31YRd), engaged Arkvale Architects to review the above mentioned proposal in terms of the impacts on the amenity and character of the existing locality.

We note the applicant does not appear to be registered with The Architectural Practice Board of South Australia for professional building design. In some national council jurisdictions this is a mandatory requirement.

In reviewing the application we have acted impartially and considered key architectural and visual aspects of the application carefully in terms of Mr and Mrs Johns' representation, and note the applicants' response.

Our assessment is that there are key design faults, in regard to the building design, namely we find that the applicant's building design copies a current 'trend' dark big shed type aesthetic and does not suit the locality in terms of its impact on the streetscape caused by issues with its bulk, mass, height, form and scale. Additionally the west side tall two storey gable extends forward and forms a dominant impact on the neighbour's amenity at 31 YRd.

Bulk and Mass: the proposal is dominant in its bulk and mass because it comprises tall two storey high gables with steep pitched roofs. The height and length of the proposal also contributes to the size of the building mass which in turn is therefore out of character for the locality.

Height: the applicant's proposal, in streetscape, presents multiple high steep two storey gables which creates an overall impact of a high facade for this locality. The first floor level is approximately the height of the top of the parapet of the garage at 31YRd. The upper floor roof pitching point of the two storey high gable form, which is located adjacent to the garage of 31YRd, creates a vertical tall form which is located 900mm from the adjoining boundary. Furthermore the western most two storey gable form extends well forward of the adjacent garage. The form of this extension is a large two storey gable in comparison to the adjacent single storey hipped shallower pitched roof forms. The applicant's extended two storey gable form with its steep roof pitches highlights the inconsistency of this applicants building design. A suitable solution could be to simply make this extended west side two storey dominant element into a single storey form of development.

Form and Scale: the form of the proposal is a two storey tall steep roofed urban-like form that is not consistent with this locality. Churches in Summertown are not a justification for this form on Yanagin Road, Greenhill. Furthermore, the two storey tall and steep roof gable forms also comprise visually 'thick' roof fascias coupled with the tall two storey roof gable forms has resulted in a building design that is overbearing in terms of scale in comparison to the finer shallow pitch roof forms of other dwellings in this locality. The applicant's justification from a couple of gable forms 'down the road' are not a suitable justification for this proposal especially given that when we reviewed these 'examples' we found that they were not a suitable like for like comparison. These examples were different gable forms in

ADELAIDE HILLS COUNCIL
RECEIVED 02/04/2021

that they were either a single storey form or in the case of the two storey example we found it was of a shallow pitched roof on a broader footprint.

The applicant's proposal is at odds with the development plan which encourages sweeping roof forms and a clear expression of eaves and fascias as part of the building's composition roof form. For example, the roof form of 31YRd is not, as the applicant asserts 'a stacked pyramid', whatsoever, for in fact the roof forms of 31YRd are a shallower 17.5 degree pitch composition of hipped and eave expressed roof forms, compared to the applicant's 35 degree steep roof proposal which is also forming high two storey gables.

The proposed bulk, height, scale, mass and form are clearly at odds with the natural character of the area.

We take exception to the applicant's assertion that we do not know what a Juliet balcony is. We have simply reviewed the applicant's drawings which do not show the extent of the Juliet balconies. The drawings are vague and not complete. They do not show clear extents in plan, elevation, or section in terms of accurate sizing of this building element and profile. This aspect of the applicant's proposal is not drawn clearly.

Further, we take exception to the applications misrepresentation and 'distortion' of our drawing showing an approximation of the applicant's roof line adjacent 31YRd. We have further added to our drawing in red – showing the floor and ridgeline – providing further evidence that it is as close to accurate as possible. See attachment.

The Bed 4 floor to ceiling glass (008A W20) creates an overlooking issue of the private family outdoor space of 31YRd irrespective of any green screen which may be pruned/cut down at any time. Furthermore, the vagueness of the Juliet balconies on the applicant's drawings also raises concerns of overlooking which needs to be clearly addressed. The front extending tall bulky west side two storey form also overlooks the front spaces of 31YRd. The existing deciduous trees offer no privacy screening during the winter months obviously.

It is unambiguously clear that the application is clearly at odds with the Development Plan and the character of this locality. Therefore, with respect, we request that Council refuse the applicant's proposal, in its current form, and request that the applicant make sensible modifications to the proposal in addition to more accurately detailing elements, such as the proposed balconies, so that Council can in clear conscience approve a modified application that will be more consistent and compatible with the built form of this unique locality, and reflects the intent of the development plan. As a minimum, Council needs to require the applicant reduce the height of the western pavilion to single storey.

Yours faithfully



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Arkvale Architects - yellow line submitted, red line showing formation of the linework.



Applicant's distorted copy of our image.



Damian & Sally Schultz
33 Yanagin Road
Greenhill SA 5140

Ashleigh Gade
Statutory Planner
Adelaide Hills Council
PO Box 44
Woodside SA 5244

5th January 2020

Re: DA 20/894/473 33 Yanagin Road Greenhill

Following receipt of the public notification responses, we recognise that there is one letter of support from the owners of no. 37 and no response from the neighbour at no. 35 (but we are aware from our conversations with them regarding the plans that they have no objections). There is one objection from our neighbour at no. 31. This objection did not come as surprise as each of our past development applications have been objected at great length and effort by this party.

The objection states that the main issue is "the projecting western dominant structure close to our boundary". The letter comments that they have consulted with an Architectural firm regarding the proposed development. Their view is that:

- the height, mass and scale is unacceptable,
- the design is not compatible with the character of existing buildings in the locality,
- roof lines do not complement the land form, and
- there are a number of drawing and Revit discrepancies in the application."

Our response to this is that the owners of 31 Yanagin Road are not qualified in planning, architecture or urban design, and consulting an un-named Architectural firm does not add credibility to their complaint (and is merely here say). From my professional experience, any credible consultant would be reluctant to make statements without justifying their claims - so these repetitive points throughout their complaint are simply generalised opinions of which we see no merit. We have responded to all the numerous numbered bullet points, as below.

1. 2 storey projecting western dominant structure close to our boundary

- 1.1. We oppose the two storey projecting western dominant structure close to our boundary.
- 1.2. The height, mass and scale of this element is visually dominant in the streetscape, protrudes in front of our garage, and is a high overbearing structure next to our garage roofline. It:
 - 1.2.1. is adjacent our single storey set back garage,
 - 1.2.2. is 6m high to the pitching point adjacent our boundary, and has a ridgeline of 8.1m, and
 - 1.2.3. protrudes some 3m in front of our garage, and is 12.86m long (and 6.31m wide).

RESPONSE

The new structure aligns with the primary structure and roofline of the neighbouring house, including the nib wall as shown on dwg 003 Rev B. It is important to note that the new structure is significantly more than 8m from the southern property boundary. The western pavilion is not located adjacent to any windows or living spaces of the adjacent property. *A single storey garage is not considered a habitable structure and therefore is not relevant when considering the set back of this garage as overlooking and overshadowing in the likes of development standards are NA. Upper*

level windows on the western wall of the western pavilion are frosted and meet the required window heights avoiding overlooking.

1.3. Our consultant has approximated the outline of the bulk of this structure onto a photo view taken from our front yard. See Appendix

RESPONSE

The projected view by the unnamed consultant is far from accurate as shown in the image below. Considerable expense and effort has been made on our property to plant advance trees and although they are yet to form a full screen for the new building, they will in the not too distant future. Unfortunately, our neighbour at (31 Yanagin) has chosen to build against the boundary and so has minimal landscaping opportunities and consequently they will always be susceptible to clearly view any form of development (including landscaping) of our property.



The above image used by the respondents at 31 Yanagin Road is not a correct interpretation of scale, position or elevation of the proposed dwelling at 33 Yanagin Road. This supports our previous statement that the unnamed consultant does not appear credible and the owners themselves are not qualified architects. The neighbour and their consultant claim that the new building is demonstrated by the yellow linework tracing – which is obviously far from accurate. It should also be noted the image showing the actual extent of new development demonstrates the expected planting growth in 2-4 years. This highlights the limited landscaping by 31 Yanagin over last 14 years which does not contribute to mitigate the mass of their own property or screen the size of their building from the street or neighbours.

1.4. The existing adjacent properties on both sides of the proposal are very horizontal forms, which will be next to the proposed vertical, tall, mass and bulk.

RESPONSE

A non-sensical statement, the structure at no. 31 is by no means considered a horizontal form with its stacked pyramid design evidenced by the street elevation on Dwg 10 Rev A

1.5. The transitioning up of the applicant's central two-storey structure from the eastern neighbour's boundary shows a better approach; that helps to reduce the height, mass and scale from their side.

1.6. We would support a single storey construction near our boundary, transitioning up to a two-storey structure in the middle of the applicant's property, such as the approach on the eastern side.

RESPONSE

Noted - but with due respect we do not desire or value any unprofessional building design advice from our neighbour about the requirements of our house. The tallest section of the proposed building is already in the middle of the property.

2. Our garage

2.1. Construction issues adjacent our garage require further detail.

2.2. Regarding the path between our garage and the proposed construction, clarity is needed so that water does not drain into our garage:

2.2.1. RL's for the path have not been provided. The path can be no higher than the applicant's existing shed floor level so that our garage damp proof course is not breached.

2.2.2. There is no stormwater management plan, particularly adjacent our garage where the applicants land is higher than ours is.

2.2.3. Is the path permeable?

2.2.4. When our garage was built in 2006, our builder replaced the applicant's existing retaining wall and underpinned the applicant's existing shed with concrete at our cost. It was not possible to install an ag-drain underneath the existing shed and behind our new retaining wall. This has not presented any problem whilst the existing shed is in situ.

Should the shed be approved to be demolished, an ag-drain is required to be installed.

2.3. When our garage was built, our builder installed termimesh between the applicant's existing shed concrete slab and our garage. This termite barrier will not survive demolition of the shed because it is glued to the existing shed concrete slab, and cast into our retaining wall.

The proposed path between the new construction and our garage therefore requires a set down of at least 75mm to avoid the risk of ingress of termites.

Jack hammering / partial demolition of the underpin part of the concrete retaining wall will be required, and we are concerned about damage to our boundary wall structure.

2.4. There is no set down rebate on our retaining wall for the external brick leaf, so if the shed is demolished then our trades will require access with reasonable notice to install an additional DPC flashing similar to that which is installed at the front of our garage to prevent rain ingress.

2.5. If the applicant's existing shed is demolished then our trades will also require access with reasonable notice to ensure that the rear of our garage retaining wall is appropriately water proofed.

2.6. The plans include 'install 9m of 1.8M ht fence and new pool gate to join existing extents of property boundary fencing'. This creates a further leaf and vermin trap, and makes it impossible to inspect for termites – which is concerning. Leaf build up over time will create a fire hazard in a bushfire zone. The fence also reduces the width of the path. A fence should only be installed up to the face of the garage as originally documented previously, and to the rear face of the garage, and not against / along the boundary wall as proposed by the applicant.

2.7. Our consultant has requested that a section be provided between the proposed construction and our existing garage to explain the treatment for our consultant's review and to address the

concerns raised above.

RESPONSE

We note this application and the content provided as part of the submission is for planning approval only.

We do not intend to drain stormwater off our site onto a neighbouring property. We are aware as per building certifications and development approval no part of our neighbours retaining wall or house past, or future should extend beyond the property boundary and it should not be physically attached to our structures (past or present) in any way or form on our property. If any of these matters are found it will be dealt with appropriately.

The existing boundary fence in its current alignment and installation (set entirely, footings and all on our own land) has been previously approved by Adelaide Hills Council as well as the Environment, Resources and Development Court.

Appropriate construction drawings will be undertaken as part of Building Certification approvals.

We have no issues reviewing a detailed procedure of works as an application from our neighbour to undertake works to their property from within our grounds. Any works undertaken will need full compliance with guidelines and work procedures set out by the superintendent of our building site. All built infrastructure shall only be located on our neighbours' land.

3. Design concerns

3.1. Overlooking – the louvered screens require further detail:

RESPONSE

We have no interest in looking into our neighbour's property. See also 3.1.1.

Fixed position louvered screens have been included in the design of the new development to minimise any potential for overlooking into the neighbour's backyard, whilst still allowing natural light into the rooms. There is no potential for over-looking into any of the neighbouring windows/living space. The position of the louvered screens has been designed to direct the sight line due north, into the carefully designed outdoor environment, whereby there are no views of the adjoining property at 31 Yanagin Road. Over the last 4 years we have invested significantly in screen planting to all our 4 boundaries with advanced trees, providing significant privacy from our side (and vice versa). Fencing has been installed on the east and west boundary at completely our own expense to secure privacy and avoid over-looking. This investment of both fencing and advanced vegetation already minimises visual intrusion of the building works at our property, and with the addition of louvres on new works completely removes any view of the adjoining property as demonstrated in 3.1.1.

3.1.1. North facing louvered screens do not prevent overlooking into our backyard, which the Revitt images (North and North West) also show.

RESPONSE



This is the image from our current upper storey where the installation of louvres is proposed – louvres will limit these current over-looking issues that are directed to the west. On our boundary we have juvenile advanced trees planted 2 years ago and are at approximately 50% of expected full size. The trees at full height alone will remove the overlooking issue, supported by louvres as a built fixture which on its own will completely remove any view of the adjoining property.



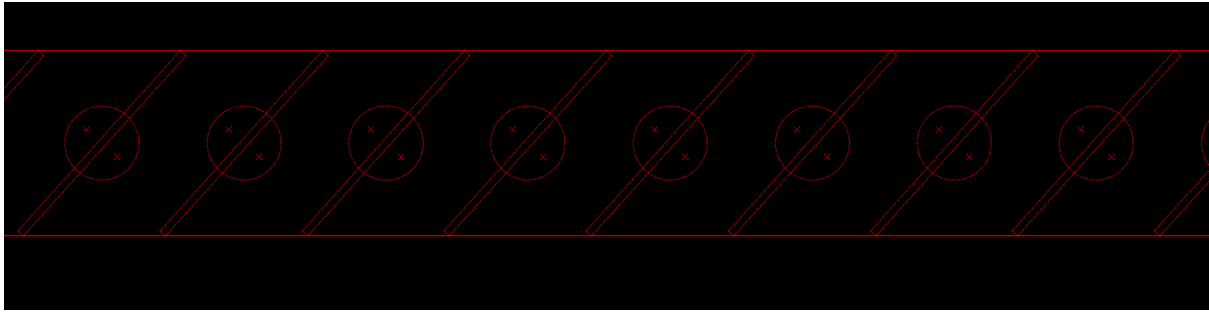
Image from upper storey facing North (at location of the proposed fixed louvres) showing no view of the yard at 31 Yanagin Rd - due to existing trees along boundary and existing screen wall.



Image from new dwelling looking West & West West North through louvres.



Rendered digital model image from new dwelling looking north through louvre.



Plan of Louvre screen, noting;

A – Each louvre in fixed position with blade aligned North / South allowing north light into new development

B – Each louvre overlaps in length the adjoining louvre preventing views to 31 Yanagin Road paved outdoor yard space adjacent house

3.1.2. The detail is not clear whether fixed full chevron is proposed:

3.1.2.1. If fixed full chevron, with a plan detail that prevents overlooking, we would support second floor level louvres that provide 'total' block out of overlooking to 1.8m, and open to the sky above.

3.1.2.2. If not fixed full chevron, the windows should be frosted to 1.8m.

RESPONSE

A full chevron is not required - Images shown in response to 3.1.1 demonstrate there is no overlooking issues, compared to the minimal issue of the existing situation. A fixed single blade (shown on Dwg 09 Rev B) louvres sufficiently screens western sun and blocks views to 31 Yanagin and is softened by existing vegetation. This sensible and integrated approach as a solution still allows views of landscape, promoting healthy living outcomes and valuable northern light to enter the core of the new development - significantly reducing heating and lighting, energy use and costs and thereby increasing environmental sustainability of the new dwelling.

3.2. Overlooking – the Juliette balconies require further detail:

RESPONSE



Image above shows portrayal of contemporary "Juliette Balcony" without a deck or substantial protrusion from window alignment and has zero impact on overlooking. The location of such balconies is shown on submitted plans and elevations integrated into the glazing / window design.

3.2.1. There are notes regarding Juliette balconies, and wide openable second floor doors, but the Juliette balconies are missing from the plans.

RESPONSE

Not Relevant -See 3.2

3.2.2. The Juliette balconies are also missing on all of the detailed Revitt images. See Appendix

RESPONSE

Not Relevant -See 3.2 (these are not “Revit” plans as suggested by the respondent)

3.2.3. There are no details including length, construction material of the floor, and depth i.e. do they protrude past the extrusions creating even further mass, bulk and overlooking.

RESPONSE

Not Relevant -See 3.2

3.3. There is no Revitt image from the South West in front of our house. This view is amongst the most dominant impact showing the significant height, mass, scale and overlooking of the proposed structure. A North West aerial view has been provided, and an accurate South West (non-aerial) view should also be provided; to compare to our consultant’s approximation. See 1.3

RESPONSE

Repeated commentary - see 1.3 response (these are not “Revit” plans as suggested by the respondent)

3.4. The North West Revitt image appears to show the projecting western structure in line with the front of our garage. This conflicts with the plans that show it projecting forward. See Appendix

RESPONSE

The same digital model is shown as in the plans as is also shown on Dwg 03 Rev B and IMAGE included in our response to 1.3 (these are not “Revit” plans as suggested by the respondent)

3.5. Height, mass and scale – roof structure:

RESPONSE

The Hills Face Zone planning policies discourage two storey development and buildings of large mass/scale. The policies encourage single storey buildings that follow the contours of the land. We acknowledge this but have recognised the unique nature of the site and the replacement of an existing two-storey dwelling on the subject land. This is why the application is being processed as a non-complying form of development. The Planning statement that accompanied the development application has addressed this issue.

3.5.1. Our consultant advised that the proposed massing bulk and lack of good design articulation are out of scale with the context of the streetscape in Greenhill, and is at clear odds with the intent of the Development Plan such as in relation to the expressed eaves.

RESPONSE

This is a personal judgement and aesthetic choice is subjective to each individual. A conventional house with eaves, standard skillion roof and veranda does not represent the only way to articulate a building and “reduce its mass”, nor does it guarantee any form of architectural merit or “good design”.

The mass of a building can equally be articulated with variations in wall profile by extrusions or indents creating an interplay with light and shadow. Similar styled developments (large and small) have been approved by AHC.

The street context elevation on Dwg 010 Rev A of the new dwelling clearly shows gables reflecting the skillion roof and gables of the properties to the east and the west.

3.5.2. Our consultant also advised that the chunkiness of the north and south soffit extrusions create another level of massing. These extrusions are 470mm wide (Plan 006).

RESPONSE

This is a personal judgement and aesthetic choice – other similar styled developments (large and small) have been approved by AHC on their own merit. 470mm is a common width for extruded plinths on many “project homes” and evident in recent renovations at 21 Yanagin Rd.

3.5.3. Our house has a sweeping skillion roof. It does not have high-pitched gables.

RESPONSE

Superfluous comment - Not Relevant to this application

3.5.4. High-pitched gables are not a predominant form in Greenhill.

RESPONSE

The 35 degree pitch is the preferred and optimal angle for the performance of solar panels in Adelaide, South Australia, increasing sustainability of the dwelling – which we consider an important/essential element in considering building design, and following AHC leadership in an energy reduction program by installation of Solar PV cells.



Example includes: Steeply Pitched gable roof with deep inset at 88 Yarabee Road, Greenhill SA 5140.

3.5.5. The documents state the centre two-storey construction has a ridgeline of 8.75m. On the north side, the ridgeline is 9.2m high from ground level. The ridgeline is even higher if you incorporate the steps immediately adjacent to the north. See Appendix

RESPONSE

The ridgeline of 8.75m only minimally exceeds the 8m standard, due to our desire to maximise solar panel efficiency on the roof. This has been clearly stated in our application and is partly why this is a non-complying submission requiring council consideration. The 9.2m ridgeline on the north side is due to its split-level floor plan – responding to the slope of the land. During design development we have reduced internal wall heights from 3m and 2.7m, to both levels at 2.55m, and maintained roof pitch – to accommodate council height requirements as much as possible.

31 Yanagin Road is 3 storey dwelling from the north elevation that is shown on the survey to be 10m from ridgeline to floor level. The statement saying that incorporating the steps regarding the overall height is NA as backyard steps are not part of the height of the dwelling, these steps are relevant for landscaping access as we reside on a sloped block grading from Yanagin Road to Greenhill Road.

3.6. The suspended concrete water tank, which the new construction is built over, has a RL of 541.37. The rear of the construction has the same RL of 541.37. Our consultant advised that a slab of some thickness, perhaps 300mm, would be structurally required over the suspended tank slab. This would have the effect of raising the floor levels, and does not appear to have been considered in the application. We are concerned this may make the proposed construction even higher.

RESPONSE

Not Relevant - Building Certification from an Engineer is a separate approval process. The tank is an approved structure under a previous application and the design and construction of the concrete water tank has taken into consideration the potential for our new home to be built over the top of the tank structure. Therefore, the engineering of the tank has been designed to ensure that no additional significant structural elements will be required, and the overall height of the development will not be affected.

3.7. Two of the Revitt images ('View from North' and 'Aerial View from north west') appear to show a shiny / reflective composite cladding material facing west.

RESPONSE

These are not "Revit" plans or images as suggested by the respondent.

The cladding is a matt colorbond sheeting in Monument as stated. The render shows a reflection of the glass pool fence which is an unrealistic effect from digital software and should be disregarded.

3.8. The size and scale of some parts of the plans and Revitt images appear oversized, including:

3.8.1. our front nib wall shown as purple in the Revitt 'Aerial View from South East',

3.8.2. tree C in drawing 001B, and

3.8.3. foliage in the Revitt drawings generally.

RESPONSE

Not relevant to the application content. These are not Revit images. Dimensions on plans are based on actual measurements. As per the drawing notes "Do not scale off drawings".

HILLS FACE ZONE

The subject land lies within the Hills Face Zone and these provisions seek:

Preservation and enhancement of natural character of the zone - A zone accommodating low intensity agricultural activities and public/private open spaces where the visual intrusion of development shall be limited, particularly when viewed from roads.

Applicant's response "The building is not visible from the city and is on the back slope of the hills face zone that faces the city".

Our response (31 Yanagin)

4.1. The wording from the Development Plan (August 2019) is

"2(b) limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plain."

4.2. The applicant's response does not address at all the visual intrusion when viewed from Yanagin road (main street frontage) which appears to show it is not a compatible form of development.

RESPONSE

The proposed development is not visible from the Adelaide Plains and the development is replacing an existing two-storey dwelling on the subject land. The form and scale of the proposed new dwelling is generally consistent with the existing dwelling on the subject land. In addition to our original response in the application, the house is and will also be obscured by planting along its boundaries, minimising any visual intrusion from the street.

8 Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:

(a) buildings should be of a single storey; Consolidated - 8 August 2019 Adelaide Hills Council Zone Section Hills Face Zone 153.

Applicant's response: This submission is consistent with other dwellings on Yanagin Road. 6 out of 17 residential properties in the street are 2 storey buildings, (including the existing 2 storey building as part of this application). The property adjacent to this application is a three storey residence.

Our response (31 Yanagin)

4.3. We support the replacement of the applicant's two-storey dwelling with a well-designed two storey dwelling of a form that is sympathetic to the streetscape; including a transitional design approach where a middle two-storey element transitions down with respect to the side boundaries.

4.4. The applicant incorrectly states that our house is a three-storey residence. See 6.2

RESPONSE

This is a subjective statement. The neighbour's opinion does not guarantee good design or a sympathetic approach to a streetscape and does not optimise environmental sustainability. The respondents house is clearly 3 storeys on its North Elevation.

(b) the profile of buildings should be low and the roof lines should complement the natural form of the land;

Applicant's response "...development reinterprets strong architectural forms recognizable throughout the district".

Our response (31 Yanagin)

4.5. In the locality of Greenhill, and in particular Yanagin road, we believe that the applicant's response is not correct.

RESPONSE

The Hills Face Zone extends far beyond Yanagin Road in Greenhill. There are multiple dwellings within the Hills Face Zone with similar orientated roof lines to that submitted in our application. The proposed development has core elements that are consistent with other development designs around the immediate locality.

4.6. The images provided in the application are two old churches and a colorbond shed with windows. They are all in the neighbouring town of Summertown, which is 3km away.

4.7. Our consultant advised that traditional old churches, by their nature, are an expression of a tall, steep pitched roof to accentuate the vertical. We are not aware of any church forms in Greenhill. We understand a single level colorbond shed with windows is not a strong architectural form.

4.8. Taking photos of buildings in Summertown is not relevant to our local context in Greenhill.

RESPONSE

Personal comments/opinions are not relevant to the assessment of this application

4.9. The proposed roof form does not follow the landform.

RESPONSE

The roof form matches the existing dwelling we will be replacing with a much more sustainable and well-designed property. No 1 and 9 in Yanagin road and multiple properties on Yarabee Road have a similar roof form.

(c) the mass of buildings should be minimized by variations in wall and roof lines and by floor plans which complement the contours of the land.

Applicant's response this is solved by "...three different length and height gable pavilions. The roofline is made up of multiple gables so that the roof is not a large and wide continuous pitch".

Our response (31 Yanagin)

4.10. The tall projecting western two-storey structure is proposed on the lower contour of the land, and the lower single storey garage is proposed on the higher contour (Plan 010).

4.11. The design does not complement the contours of the land.

RESPONSE

This is a contradictory statement considering the design/structure of 31 Yanagin Rd clearly has their single storey garage on the higher contour of the land and their two-storey structure (as seen from the road) on the lower contour of their land. 31 Yanagin Road appears to have constructed their garage on eastern side of their property to maintain access to their backyard – the same reason for the garage being located on the eastern boundary of this application, avoiding conflict with the existing pool and rainwater tank at 33 Yanagin Rd.

(d) large eaves, verandas and pergolas should be incorporated into designs to create shadowed areas which reduce the bulky appearance of buildings

Applicant's response "Deep eaves (900mm) are provided to the north and south elevations with deep indents and window insets provided along the east and west facades".

Our response (31 Yanagin)

4.12. As previously discussed, our consultant advised that the chunkiness of the north and south soffit extrusions add to the bulk and mass of the construction, and there are no proper eaves in the design. See 3.5.2

RESPONSE

Repeated in letter - See 3.5.1 & 3.5.2 Response

26 The following kinds of development are non-complying in the Hills Face Zone, including alterations and additions to an existing building on its existing site:

Detached Dwelling or additions to, or conversion of, an existing detached dwelling where:

(b) the scale and design is such that:

(i) the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall exceeds three metres, other than gable ends of the dwelling where the distance exceeds five metres; or

Applicant's response "Whilst exceeding the above criteria, the development is consistent with 30% of other properties within a small residential street with 17 residential properties".

Our response (31 Yanagin)

4.13. 30% of 17 residential properties on Yanagin road is five properties.

4.14. We are not aware of any properties on Yanagin road, or in all of Greenhill, where two gable pavilions of the same dwelling rise to ridgelines of 8.1m and 8.75m at the front; and higher at the rear.

RESPONSE

This is a superfluous point that has already been addressed with numerous examples. It is unclear what the neighbour is trying to convey since the purpose of this non-complying development application is to seek Council approval for a 2 storey dwelling.

SITING AND VISIBILITY OBJECTIVES

1 Protection of scenically attractive areas, particularly natural and rural landscapes

Applicant's response "The proposed building is located within a similar footprint of existing structures on the property".

Our response (31 Yanagin)

4.15. As measurements of the existing house were not provided, we have scaled off the plans.

4.16. The overall width across the front has increased from approx. 8.5m wide, plus 5m wide detached painted steel shed (approx. 13.5m total) to 18.95m wide.

4.17. The overall length of the house has increased from approx. 15m long to 23.46m long.

4.18. We were unable to scale the increased height of the proposed development relative to the existing house height, because the existing house elevation was not drawn onto the applicant's elevations.

4.19. The applicant's drawing from a previous Development Application in 2013 shows a clearer footprint of the existing house, as it does not have dark lines around the open elevated decks. See Appendix

RESPONSE

The new dwelling does not extend beyond the cleared footprint of level ground associated with the original 1960's dwelling with the 1980's extension.

DETACHED DWELLING (within the Residential 1 Zone, Residential 2 Zone and Residential 1D Zone)

4 The detached dwelling in the Residential 1 Zone or Residential 2 Zone being designed in such a way that the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall does not exceed six metres, other than gable ends of the dwelling where the distance does not exceed eight metre.

Applicant's response "...The form is consistent with other strong Architectural buildings in the district".

Our response (31 Yanagin)

4.20. We are not aware of any properties in Greenhill with double high gables that both exceed the maximum height of eight metres.

4.21. As previously discussed, old churches in Summertown are not relevant to properties in Greenhill.

RESPONSE

The design is compliant with all wall heights not exceeding 6m. The overall height (8.1m and 8.75m) is beyond 8m due to a gable angle of 35 degrees which allows optimal efficiency of solar panels on the roof. (As stated in the original submission)

We understand there are a number of Council Wide provisions that the proposal does not appear to achieve, including:

Objective 87

The amenity of localities not impaired by the appearance of land, buildings and objects.

Objective 88

Buildings or structures unobtrusively sited and of a character and design which blends naturally with the landscape.

PDC 231

The appearance of land, buildings and objects should not impair the amenity of the locality in which they are situated.

PDC 233

Buildings should be sited unobtrusively and be of a character and design which will blend naturally with the landscape.

PDC 245

Development should be compatible with the character of existing buildings in the locality, and exhibit a high standard of design and external appearance, which takes into account the scale, mass and siting of buildings, the materials to be used (including their texture and colour), and elements of building detail.

RESPONSE

The respondent has not provided reasoning against any of these criteria.

The proposed development meets the following requirements thereby conforming with the above criteria;

- The materials and colours selected for the property blend naturally with the landscape
- The design form is a contemporary and simple gable interpreting typical residential dwellings and historic homesteads as well as stone fronted rural buildings found throughout the Adelaide Hills region and within the local district
- The dwelling is sited appropriately and set back from the road
- The dwelling is appropriately landscaped to blend naturally with the landscape and minimise any visual intrusion to the surrounding landscapes

6. Other comments

6.1. Taking a photo of our home and private rear yard, without our permission, is not relevant to the streetscape and current planning regulations.

RESPONSE

There are numerous two-storey dwellings (including our existing two-storey dwelling) as well as the 3-storey dwelling at 31 Yanagin Road that form part of the overall character of the locality. The new 2-storey dwelling has been designed to complement the area and minimise any adverse impacts on the surrounding neighbours.

6.2. We understand our existing underground lower level was constructed in around 1982. Our house, constructed in 2006 predominantly on the existing concrete slab plus garage, presents to the street as a single storey with a transitional approach yielding an unobtrusive roof loft mezzanine set back from the front and sides within the roof structure.

RESPONSE

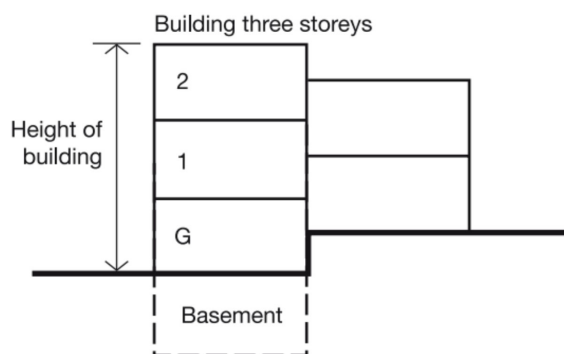
The design approach of the adjacent property is not relevant to this application

Our house is not a three-storey residence.

RESPONSE

See Diagram below: Calculating the number of building Storeys

To count the number of storeys in a building, or in a separated part of a building, count only at the position which gives the greatest number and exclude any basement storeys.



6.3. The high point of our house is in the middle of our block.

RESPONSE

Comment is not relevant to this application

6.4. With our country living aspects, including Cleland Conservation Park opposite our properties, the form of the development should follow the form of the land with gentle pitch slopes of roofs.

RESPONSE

The pitch of the skillion roof of 31 Yanagin is not considered gentle.

The proposed design with this application follows the roof form of the existing dwelling and of that at 9 Yanagin Rd. The new design also maximises solar capabilities which should be an essential concern in any living aspect. We clearly appreciate the country living aspects by planting mature native species to complement the environment.

6.5. We believe the design is a very 'urban' approach more fitting with the Adelaide plains down the hill.

RESPONSE

Not Relevant – this is a Personal Opinion regarding style which we clearly disagree with.

6.6. We wish to be heard in support of our submission.

Respectfully submitted,

Matt Johns Kylie Johns

Appendix

1.3 Size and scale of the western structure approximated by our consultant from our driveway. Any Juliette balcony will totally overlook our front yard.

3.2.2 The Revitt image does not show the Juliette balconies.

3.4 The Revitt image does not appear to show the proposed western construction projecting forward in front of our garage as per the plans – even allowing for perspective (orange circle).

3.5.5 The ridgeline of 9.2m at the rear (North)

The ridgeline at the rear is over 10m high if the steps immediately adjacent to the north are included

RESPONSE

Location of the Juliette balconies are clearly indicated on the drawings attached to the development application. It is clear that the respondent at 31 Yanagin Road and his consultant do not understand what a Juliette balcony is. (The submission has not used Revit images). Regarding comments about the Ridgeline, please see 5.4.4 as above and the site survey data showing the ridgeline of 31 Yanagin is at least 10m.

4.19 Comparison of the footprint from a 2013 Development Application, and the current application. The 2013 plan shows the downstairs footprint of the existing residence in a darker outline.

Note: shading by us for clarity to include the upper enclosed floor.

The current application shows raised decks (orange) included in the footprint of the existing residence.

Comments on this element of a previously approved development application are not relevant. The rear deck on the northern elevation of the existing dwelling is structurally supported by columns within the existing footprint of the existing approved dwelling on the site.

All things considered, we believe that given the challenges in working on the site, complementing existing structures (pool and concrete water tank and septic requirements) the proposed new development is our preferred design to create a sustainable structure, optimising solar panel capabilities, and providing north facing frontages to living areas. We have addressed over-looking concerns and have been conscious of implementing a complementary landscaping plan over recent years to minimise visual intrusion and provide a harmonious setting for the new building recognising colour and texture of the local environment. We refer council to the letter of support by professionally accredited planner Brenton Burman who has addressed council criteria in his letter that was provided with our original submission.

Best regards,

Damian and Sally Schultz

33 Yanagin Road, Greenhill

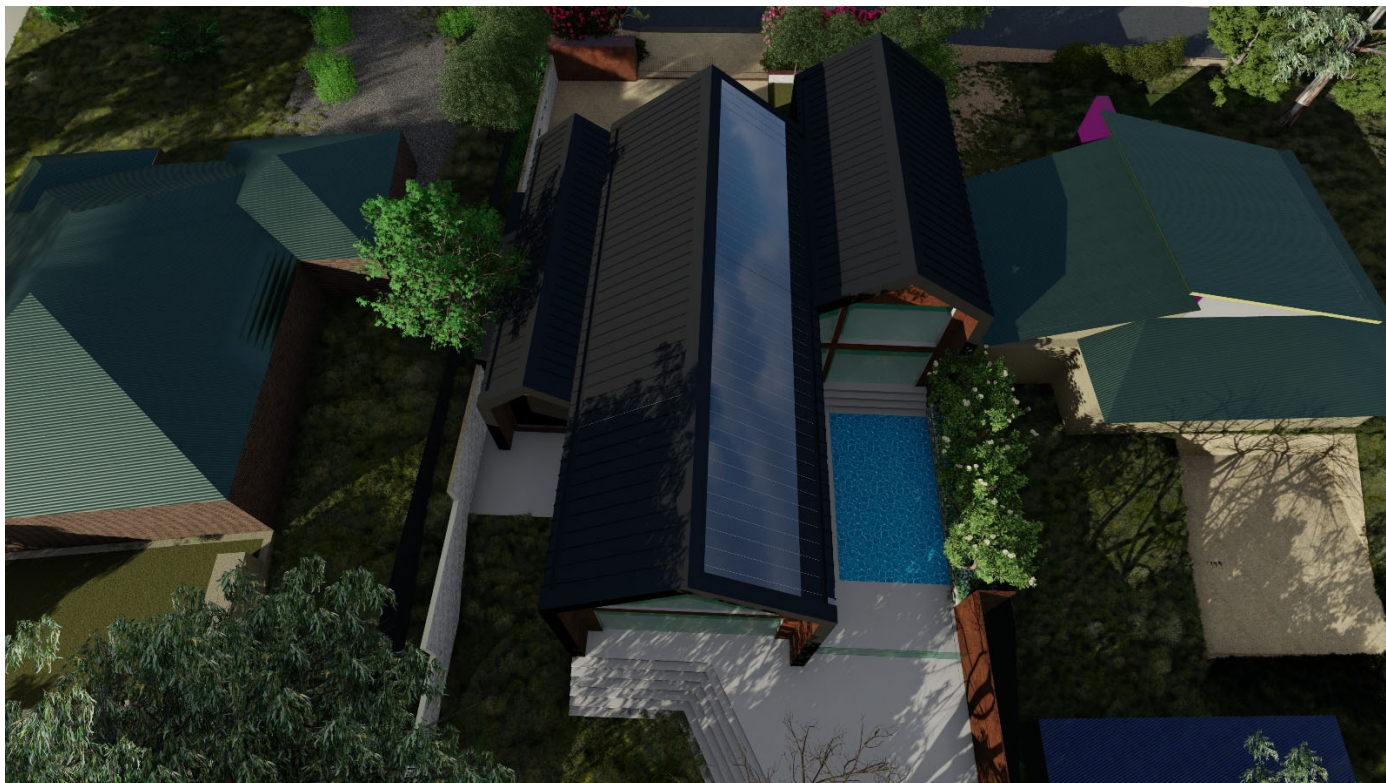
Sun and Moon Azimuth & Elevation

Criteria

Location	Latitude	Longitude	Date
Glenhill	34° 57' S	138° 41' E	21/06/2020 09:00 UTC+9.5

Results

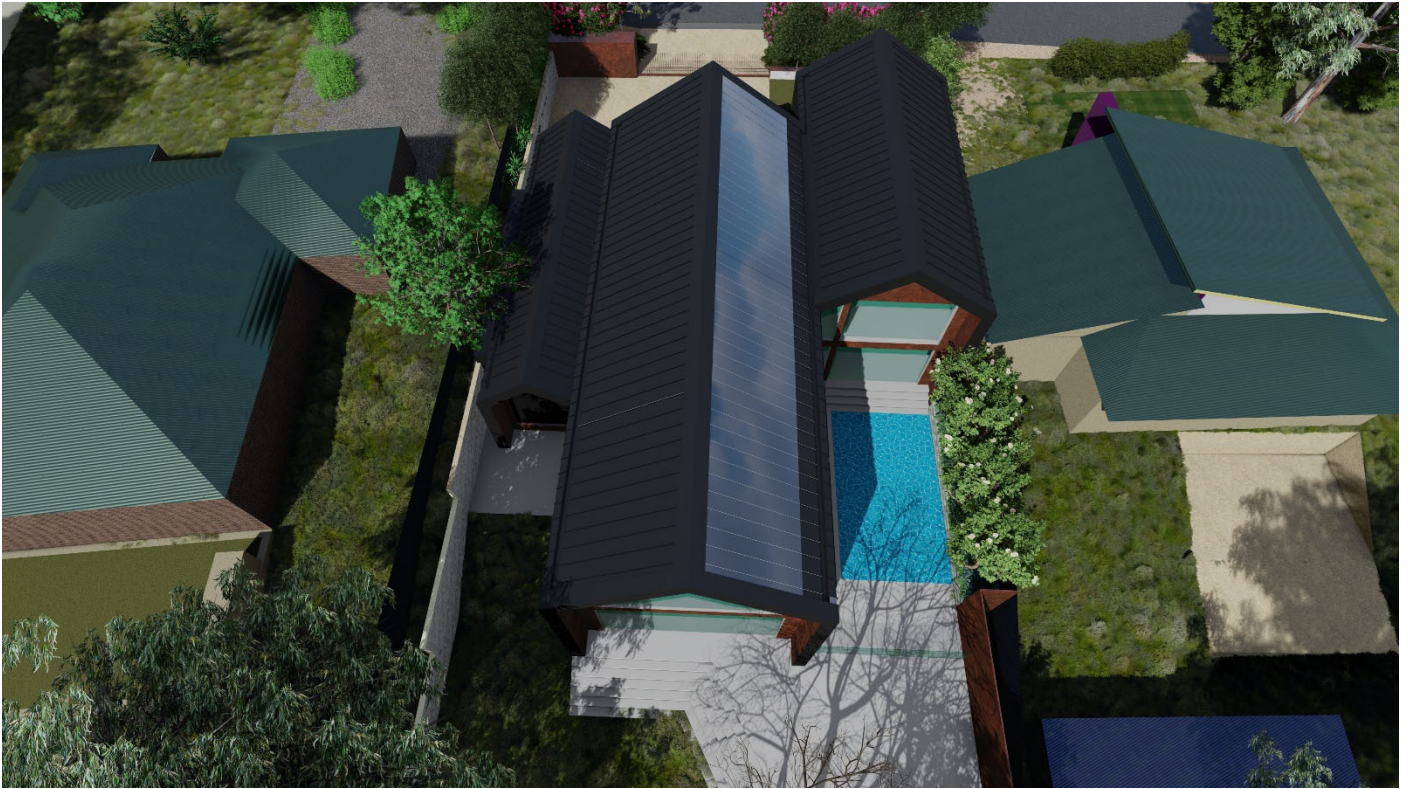
Event	Altitude	Azimuth	Refraction
Position Of The Sun	15° 17' 45"	46° 06' 22"	00° 03' 34"



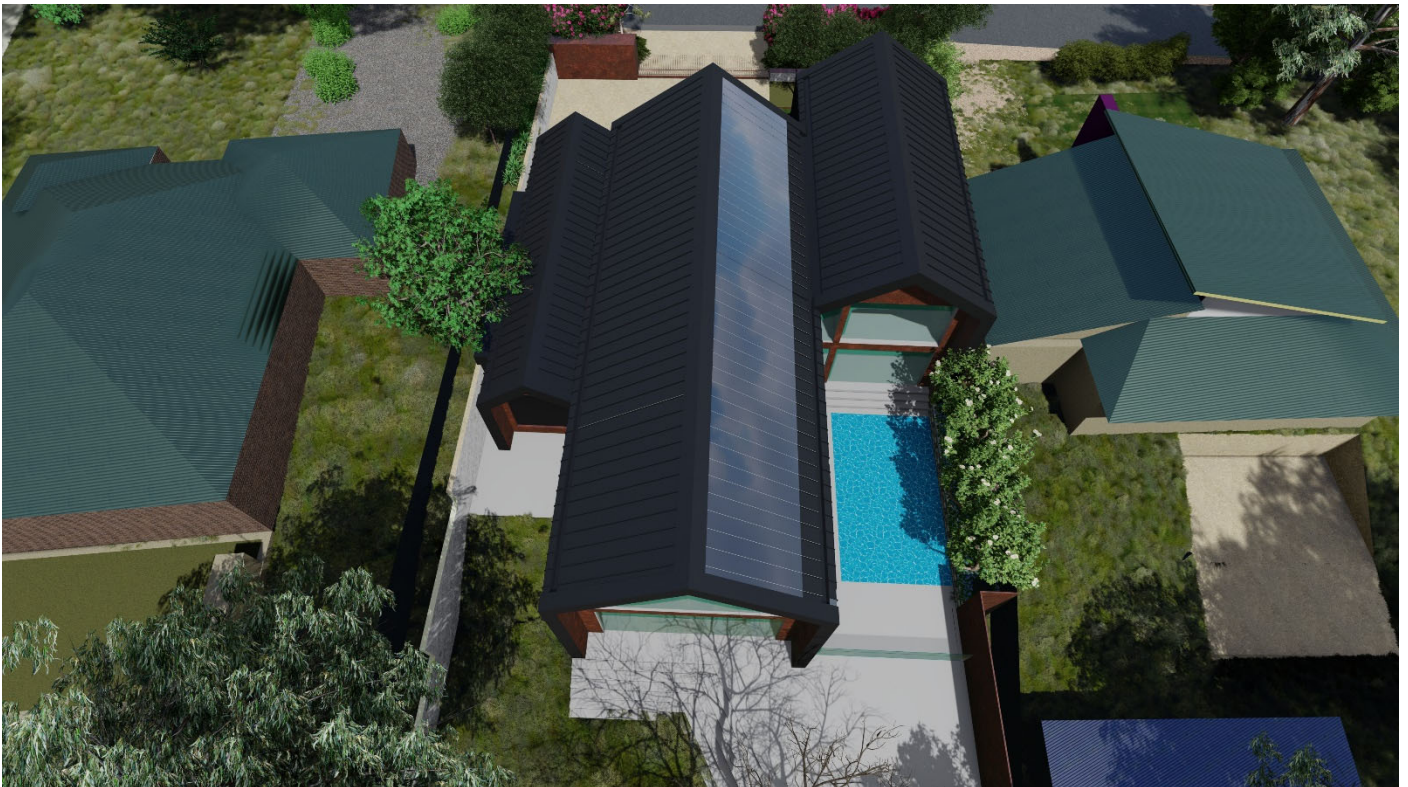
Winter Solstice 9am 21st June 2020



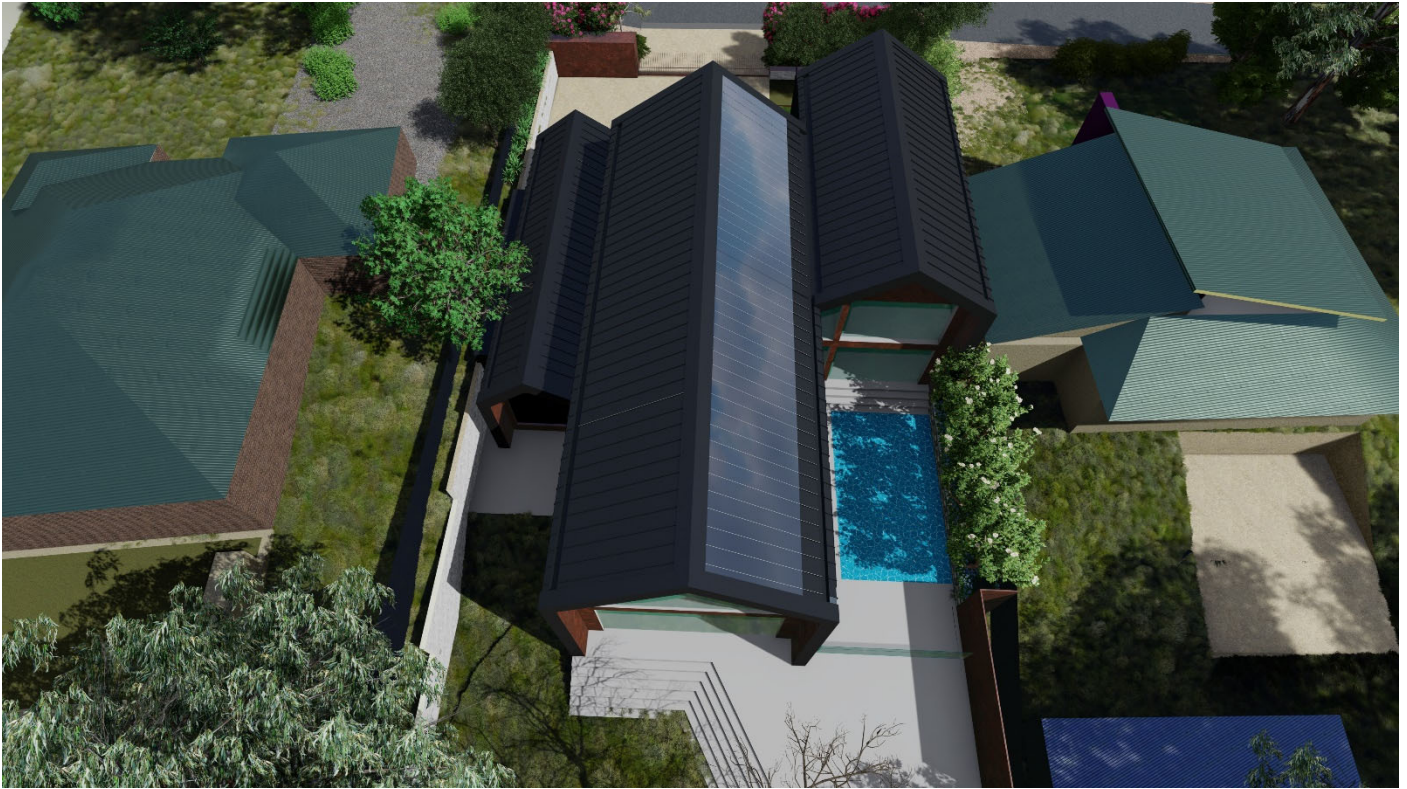
ADELAIDE HILLS COUNCIL
RECEIVED 26/01/2021



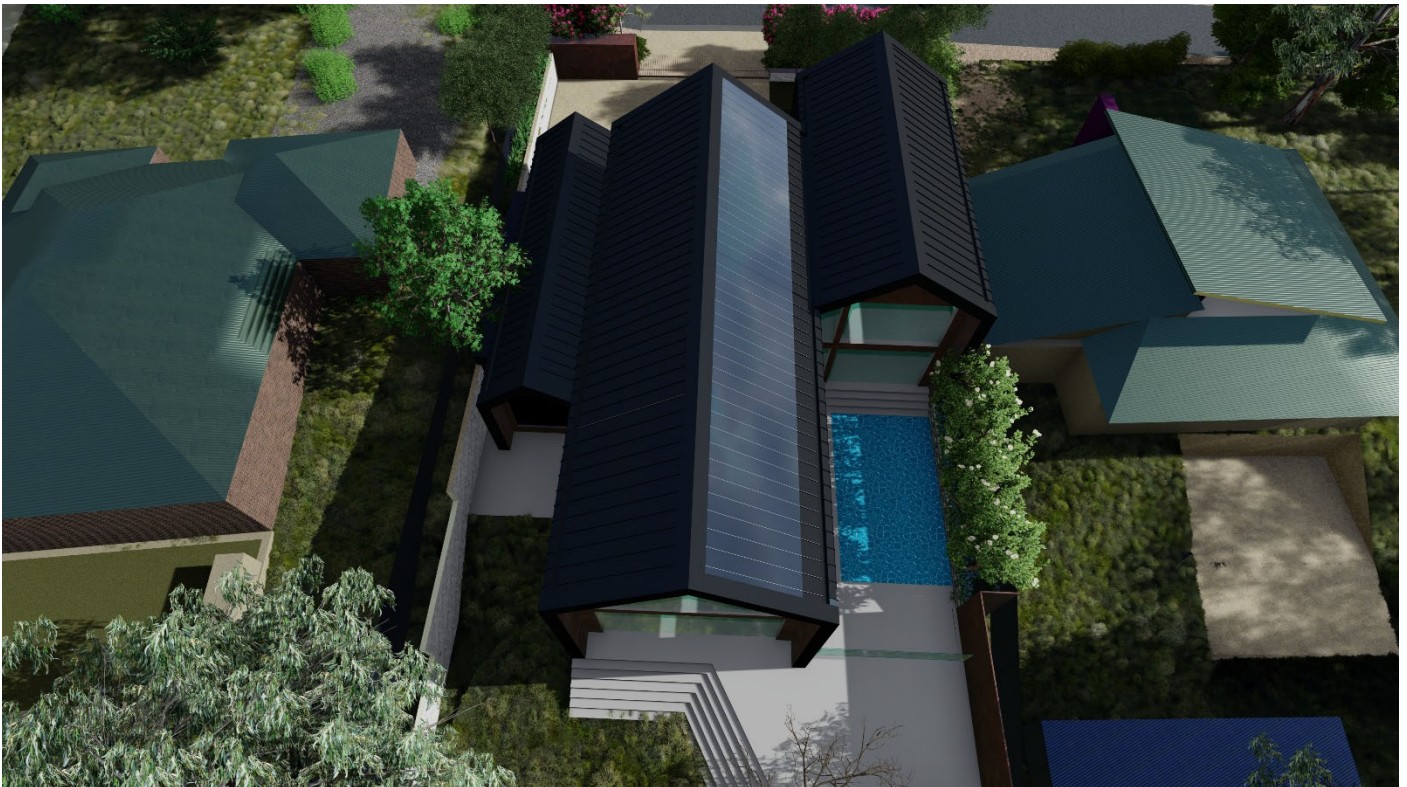
Winter Solstice 11am 21st June 2020



Winter Solstice 1pm 21st June 2020



Winter Solstice 3pm 21st June 2020



Winter Solstice 5pm 21st June 2020