LIVING PAVILION/

- OPEN PLAN LIVING ARRANGEMENT WITH PASSIVE SEGREGATION OF SPACES TO PROVIDE SUBTLE PRIVACY THRESHOLDS
- KITCHEN FORMS THE ENTIRETY OF THE EASTERN SIDE WITH DINING AND WINDOW SEAT ENCLOSING VOLUME
- INTEGRATED BAR PORTION CONNECTS TO LOUNGE SPACES
- FIREPLACE CONNECTS & SERVICES BOTH DINING & LOUNGE WITH TV ON WALL (NOT SHOWN)
- OPEN VOLUME WITH RAKED CEILINGS & EXPOSED STRUCTURE

DORMA WINDOW/

- ALLOWS NATURAL LIGHT TO BE CONTROLLED & ALLOWS IT TO FILTER DEEPER INTO SPACES & OPENS VIEWS TO NORTH & SKY
- BOTTOM PORTION TO BE LOUVER TO ALLOW CROSS FLOW VENTILATION
- SPLASH BACK IN KITCHEN IS A GLASS WINDOW TO MAXIMISE VIEWS TO NORTH AND ALLOW LIGHT DEEP INTO SPACE WITH OUT COMPROMISE TO OVERHEAD STORAGE/FUNCTIONALITY

MATERIALS/ WHITE, BLACK, GREY, TIMBER, POLISHED CONCRETE

FBH / 193 FENELEY RD, WHITE HUT

PERSPECTIVES

SCALE @ A3

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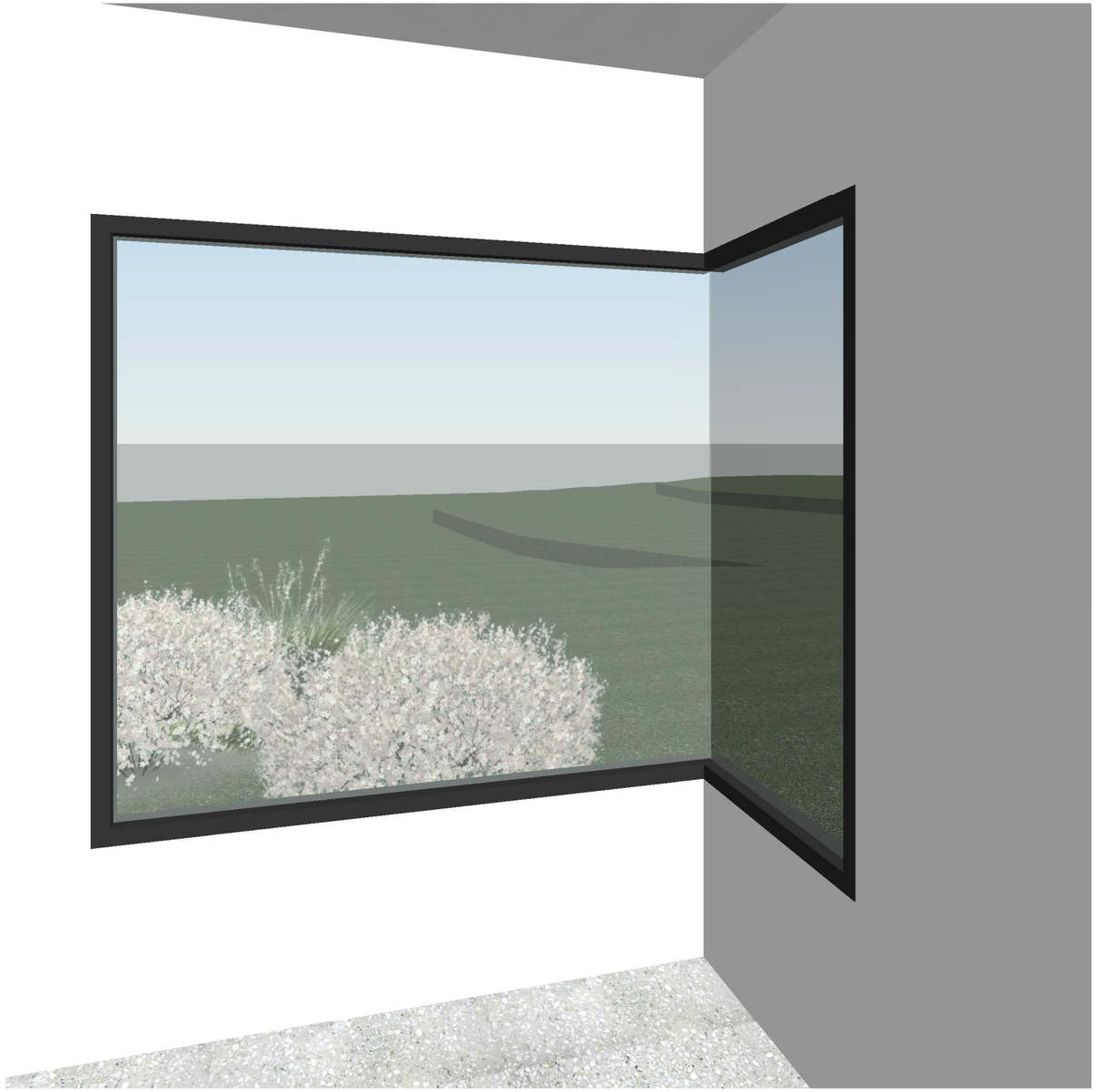
DATE / 21/04/2020

03

PLY

LIVING OVERVIEW/

- LIVING SPACE OVERVIEW CAPTURING TOTAL SPATIAL EXTENT
- PAINT OUT THE EXPOSED STRUCTURE IN DRAKER COLOURS



BEDROOM 03 OR STUDY/

- VIEW OUT TOWARD NORTH THROUGH WINDOW
- ARTICULATION IN BUILDING EDGE ALLOWS DIRECT LIGHT INTO SUN ROOM THROUGH WINTER MONTH - MORNING HOURS
- IN SUMMER THE EAVE OVERHANG PROTECT OPENIGN FROM DIRECT LIGHT

FBH / 193 FENELEY RD, WHITE HUT
PERSPECTIVES

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04

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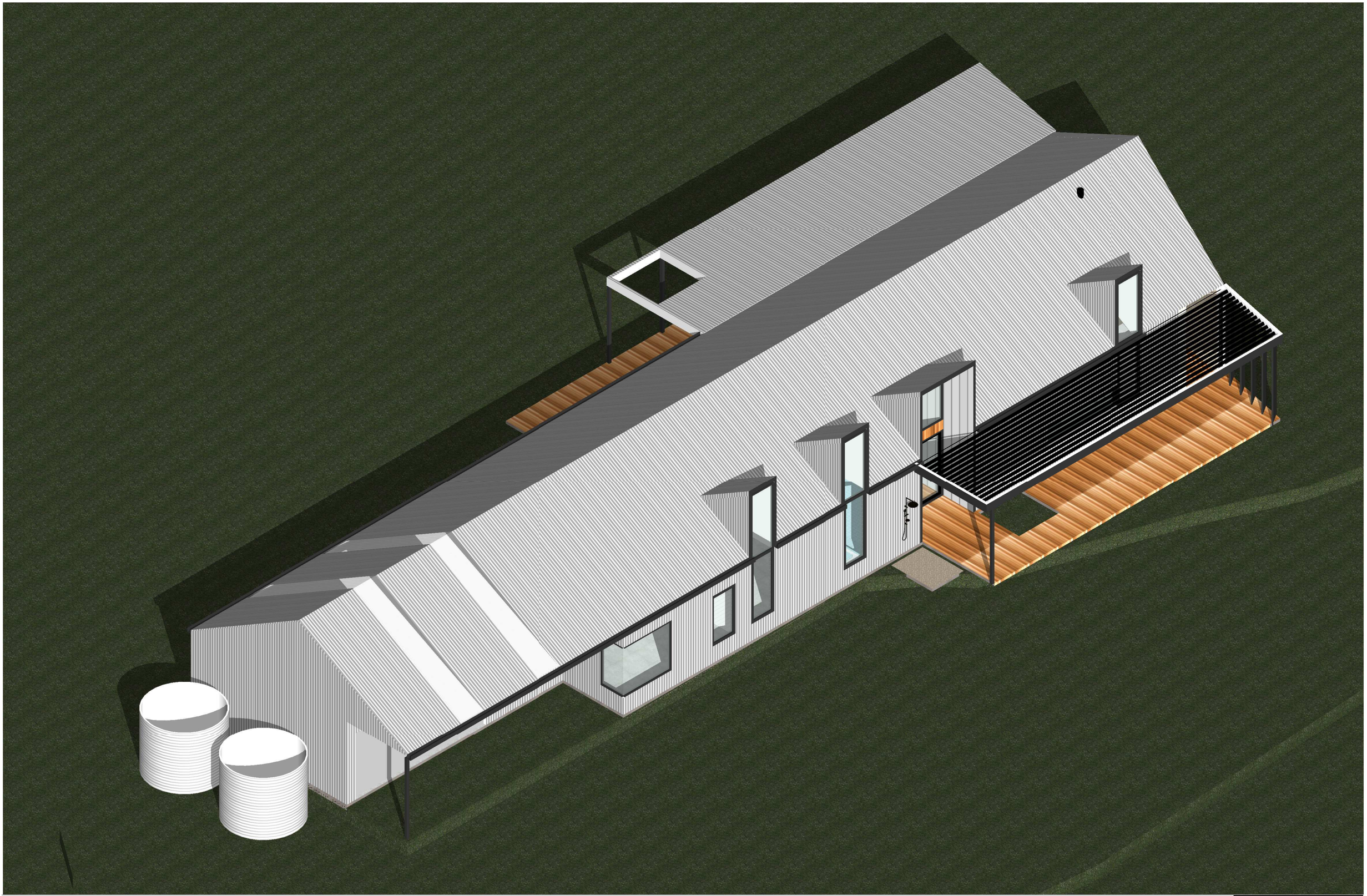

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AXO

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05

PLY

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SITE ANALYSIS

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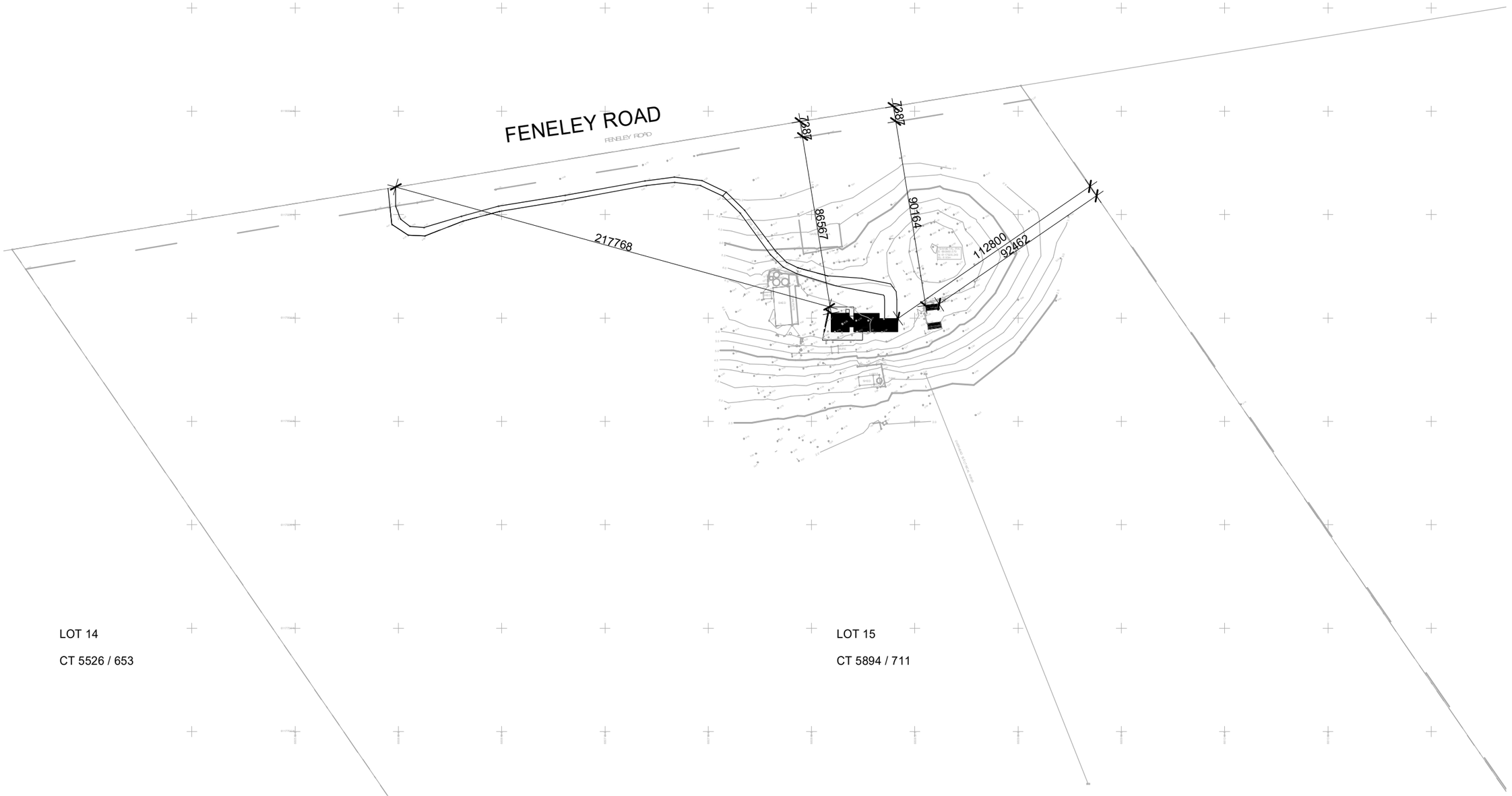

LOT 14

CT 5526 / 653

LOT 15

CT 5894 / 711

FBH / 193 FENELEY RD, WHITE HUT

SITE LOCAILTY PLAN

SCALE 1 : 2000 @ A3

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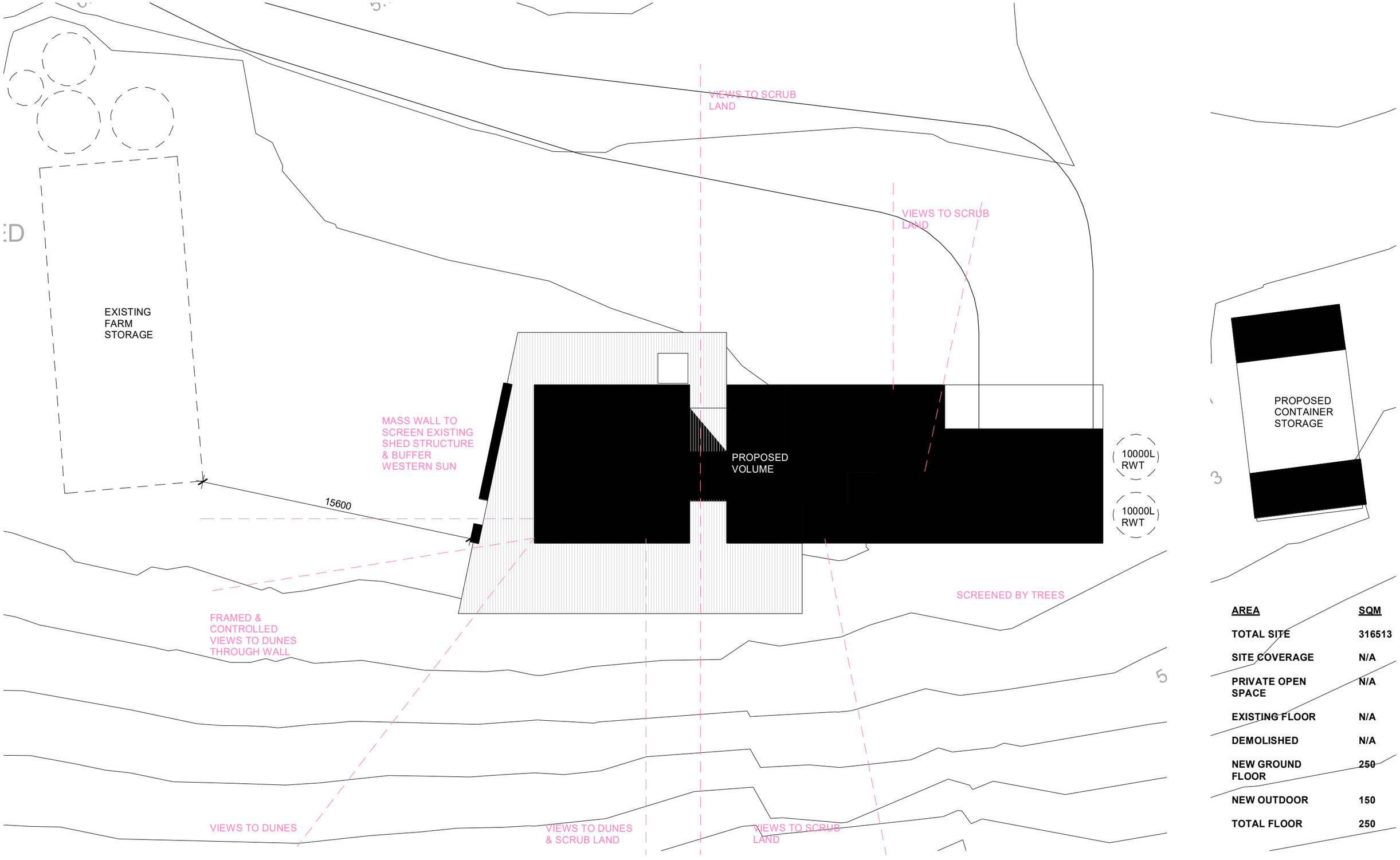
PLY



AREA	SQM
TOTAL SITE	316513
SITE COVERAGE	N/A
PRIVATE OPEN SPACE	N/A
EXISTING FLOOR	N/A
DEMOLISHED	N/A
NEW GROUND FLOOR	250
NEW OUTDOOR	150
TOTAL FLOOR	250

FBH / 193 FENELEY RD, WHITE HUT

SITE PLAN

SCALE 1 : 200 @ A3

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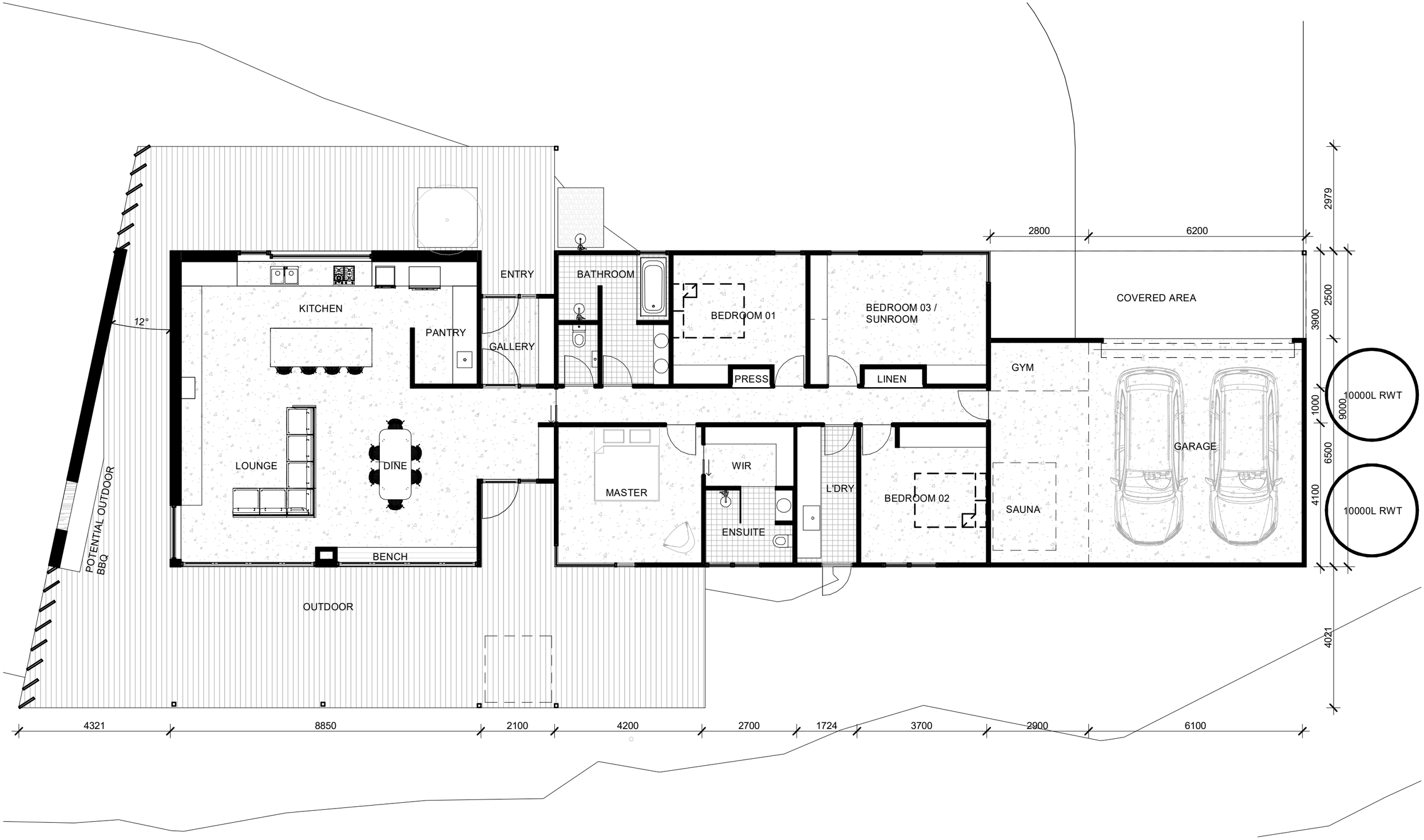
DATE / 21/04/2020

09

PLY



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FLOOR PLAN

SCALE 1 : 100 @ A3

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10

PLY

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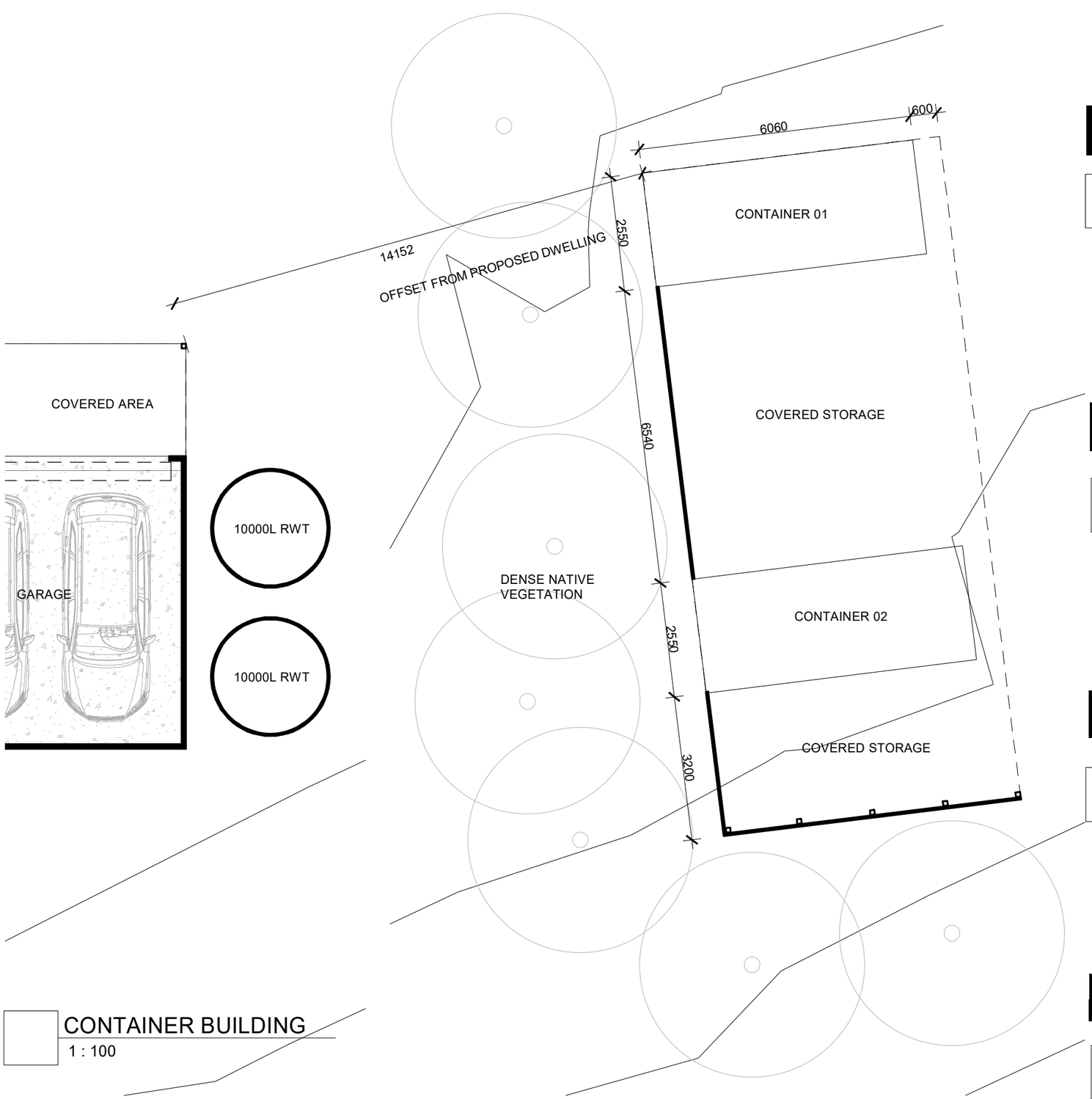
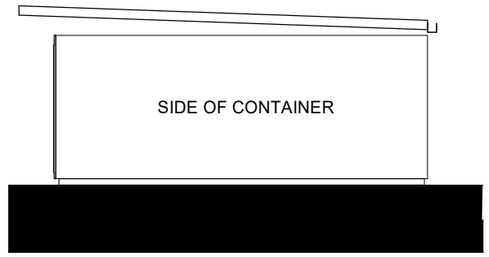
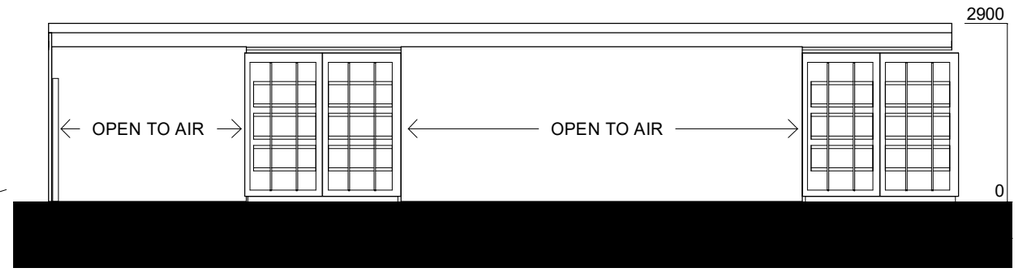
THIS DRAWING TO BE READ IN CONJUNCTION WITH ALL OTHER INFOMATION, INCLUDING OTHER DRAWINGS, SPECIFICATIONS & SCHEDULES



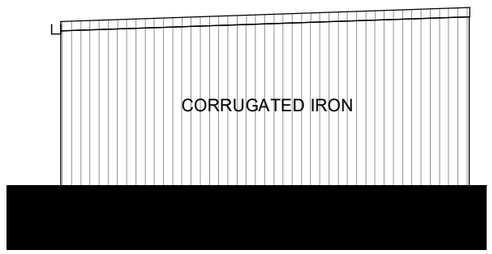
CONTAINER BUILDING
1 : 100



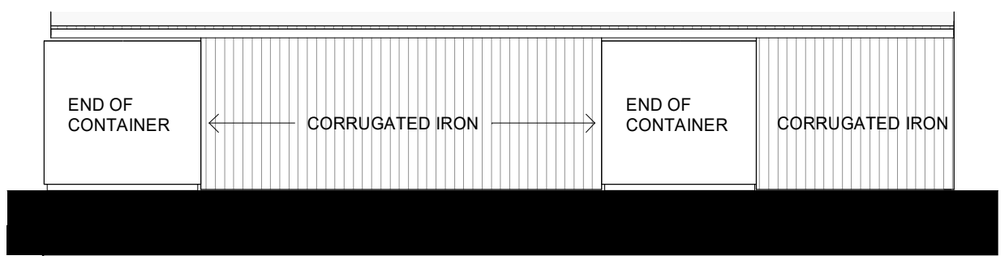
CONTAINER BUILDING / NORTH
1 : 100



CONTAINER BUILDING / EAST
1 : 100



CONTAINER BUILDING / SOUTH
1 : 100



CONTAINER BUILDING / WEST
1 : 100

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CONTAINER BUILDING

SCALE 1 : 100 @ A3

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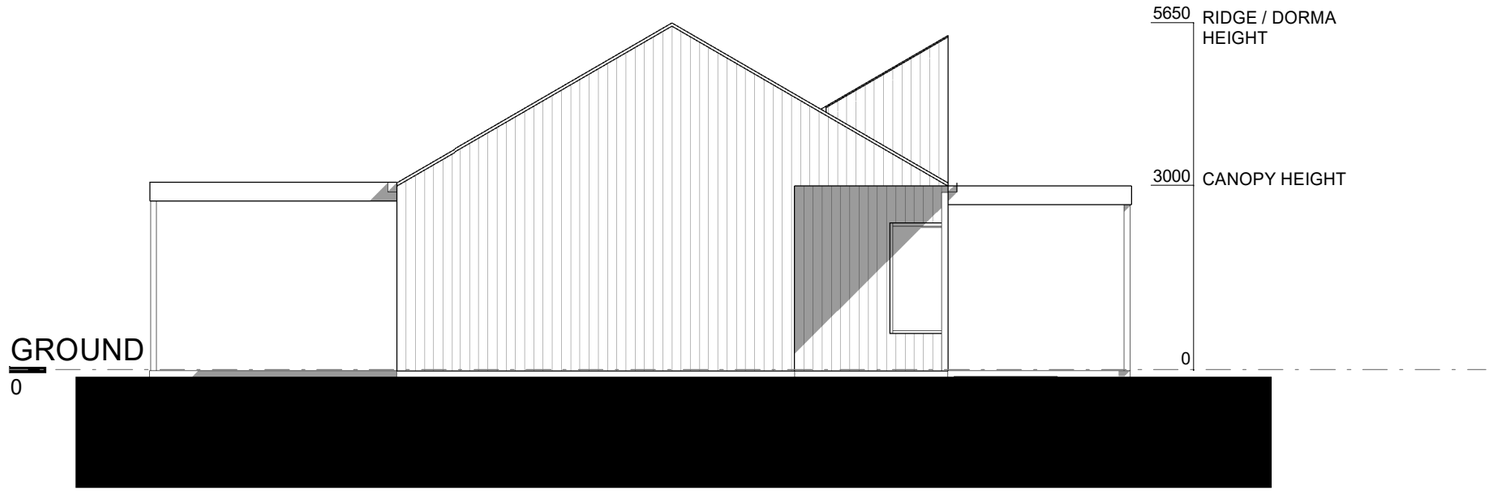
11

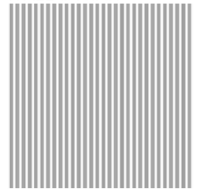
PLY

NORTH
1 : 100



EAST
1 : 100

WALL & ROOF



CORROGATED METAL CADDING MID GREY

WALL & ROOF

POLYCARBONATE OBSCURED

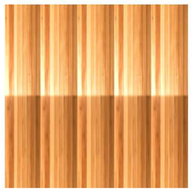
MASS WALL

RAMMED EARTH SAND

DETAIL ITEMS

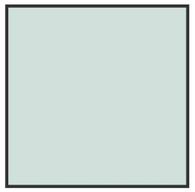
PAINT FINISH DARK GREY

TIMBER



HARWOOD SILVER TOP ASH

WINDOW & DOORS



DARK GREY FRAME CLEAR GLASS

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ELEVATIONS

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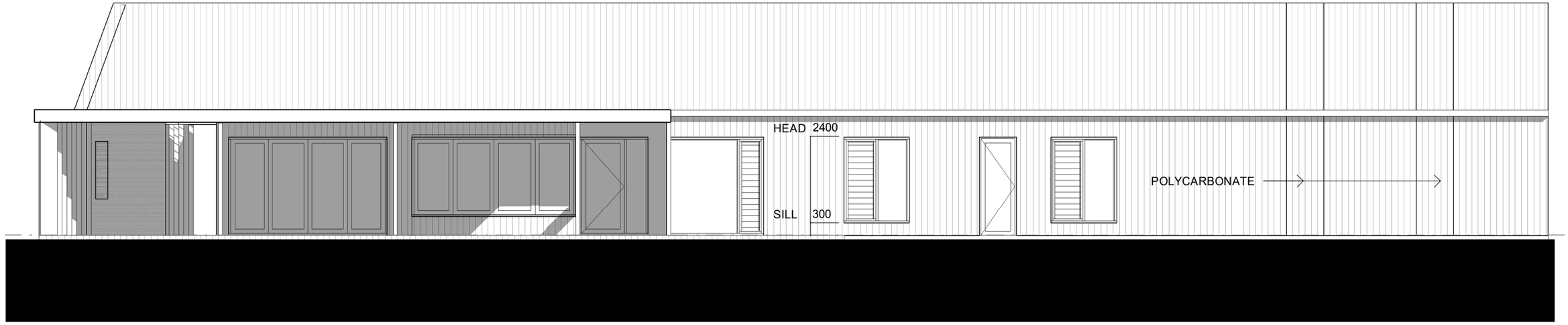
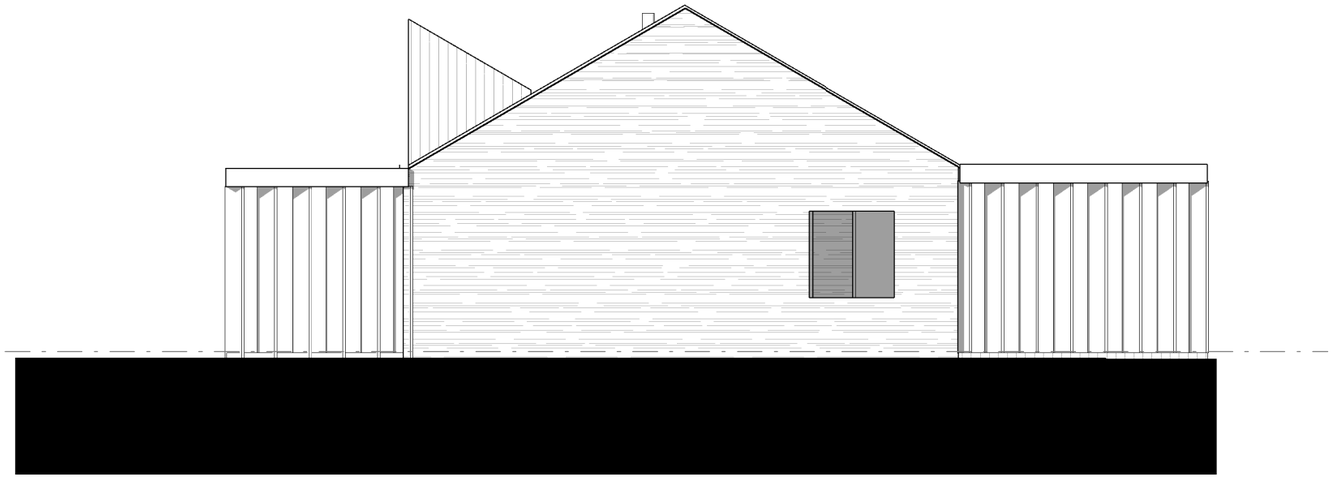
40

PLY



GROUND
0

SOUTH
1 : 100



GROUND
0

WEST
1 : 100

WALL & ROOF
CORROGATED
METAL CADDING
MID GREY

WALL & ROOF
POLYCARBONATE
OBSCURED

MASS WALL
RAMMED EARTH
SAND

TIMBER
HARDWOOD
SILVER TOP ASH

WINDOW & DOORS
DARK GREY FRAME
CLEAR GLASS

FBH / 193 FENELEY RD, WHITE HUT
ELEVATIONS

SCALE 1 : 100 @ A3

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41

PLY

DA 544/2019

STATEMENT OF EFFECT

5 June 2020

193 Feneley Road
White Hut SA 5575

PLANNING CHAMBERS
TOWN PLANNING

CONTACT LIST

PROJECT TEAM:

Client: Mark Harris
C/- Planning Chambers Pty Ltd

Project Planner: Damian Dawson

Planning Chambers Pty Ltd
PO Box 6196
Halifax Street SA 5000

T 08 8211 9776
E damian@planningchambers.com.au

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1 DETAILS OF THE APPLICATION

1.1 SITE DETAILS

Property Description	Allotment 15 in Filed Plan 37
Certificate of Title	Volume 5894 Folio 711
Address	193 Feneley Road White Hut
Area	Carribie
Owner	Mark Harris
Local Government Authority	Yorke Peninsula Council
Development Plan Zoning and Policy Area Designation	Water Protection Zone

1.2 APPLICATION DETAILS

Development Type	Non-Complying
Category of Assessment	Category 3
Applicant	Mark Harris
Applicant's Representative	Planning Chambers Pty Ltd Po Box 6196 Halifax Street, SA 5000 P: (08) 8212 9776 E: damian@planningchambers.com.au
Relevant Plan(s)	N/A

2 BACKGROUND

2.1 OVERVIEW

The proposal is for the construction of a single storey detached dwelling and associated storage shed at 193 Feneley Road, White Hut. A dwelling is listed as a non-complying development within the Water Protection Zone, except where it is used to administer the *National Parks and Wildlife Act 1972* or *Wilderness Protection Act 1992*.

Given the dwelling does not meet the above exemptions, it is non-complying within the Zone.

This Statement of Effect has been prepared in response to the correspondence from Council dated 15 May 2020 confirming the determination to proceed with a full assessment of the application and addresses the requirements of Regulation 17(5) of the Development Regulations, 2008.

The storage shed is existing upon the subject land and is to be assessed for retrospective approval as part of this application.

3 SUBJECT LAND & LOCALITY

3.1 SUBJECT LAND

The subject land is described in Certificate of Title 5894 Folio 711 as being Allotment 15 in Filed Plan 37. The land is subject to an easement in favour of ETSA over the land marked 'E' in Filed Plan 44213; a copy of the plan is attached. The easement is located across the central and southern portions of the allotment and has a width of 17 metres.

The land has a frontage of approximately 494 metres to Feneley Road along the length of the northern boundary, a maximum depth of approximately 806 metres and a total area of approximately 31.6 hectares. Three (3) storage sheds (including the one for which retrospective approval is sought) and several rainwater tanks are currently located within the northern portion of the subject land. Vehicle access is via an existing access gate to Feneley Road located approximately 180 metres from the western boundary and 350 metres from the eastern boundary.

Native vegetation is scattered across the subject land including along the property boundaries. Dense plantings of native shrubs and trees are located within the central and northern portion of the land as seen in **Figure 1** below.

Figure 1: *Subject land*

Subject Land

3.2 LOCALITY

The locality consists of a mixture of native vegetation, low-intensity rural uses and rural living allotments. Several dwellings are located on large allotments with considerable setbacks from the primary road frontage. The subject land is located adjacent similar-sized allotments to the east, west and south; the majority of which contain dwellings and associated outbuildings. The subject land is also adjacent to a large vacant allotment to the north on the opposite side of Feneley Road.

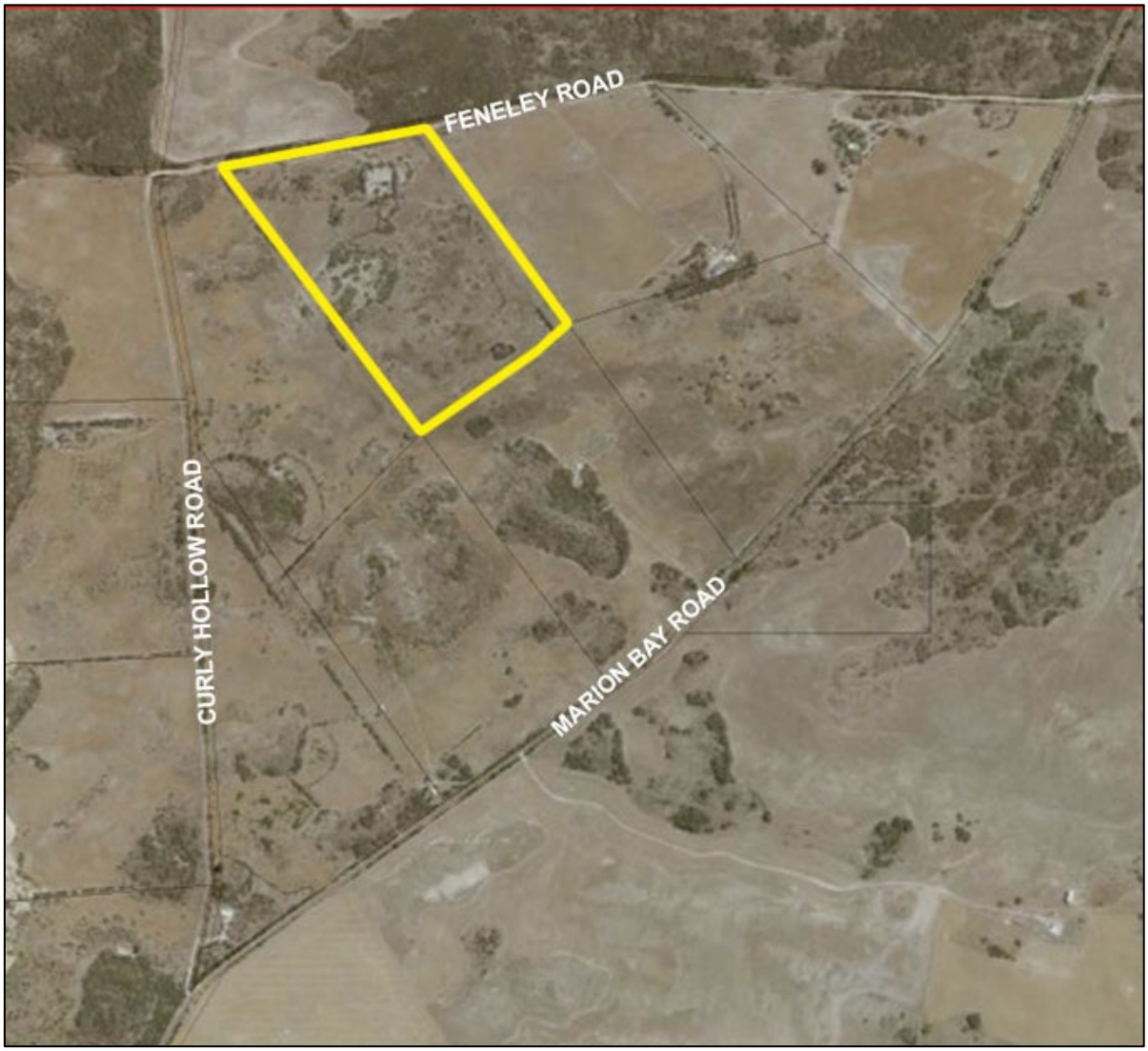


Figure 2: *Subject land and locality* Subject Land

4 PROPOSAL

The proposal seeks the construction of a single storey dwelling with a double garage and retrospective approval for the associated storage shed. The proposal plans prepared by PLY Architecture are attached.

The dwelling will contain a master bedroom with walk-in robe and ensuite, two additional bedrooms, a bedroom/sunroom, a bathroom, laundry, pantry and a large open plan living area with kitchen, lounge and dining. A gallery is located between the living area and sleeping areas which will provide access to and from the glassed entry. The garage will be set in from the northern façade and will contain two car parking spaces as well as a gym and sauna located against the western wall. The proposed dwelling, including the garage, will have an approximate area of 255m^2.

A deck will be located around the western portion of the dwelling along the northern, western and southern façades. The total area of the deck will be approximately 260m^2. The deck will provide access to the entry of the dwelling and to the rear of the property with access along the western façade.

The proposed dwelling will have a general eave height of 3 metres and a maximum height of 5.65 metres.

The proposed dwelling is setback approximately 94 metres from the northern boundary adjacent Feneley Road, approximately 135 metres from the eastern boundary, 370 metres from the western boundary and 540 metres from the southern boundary.

The proposed dwelling will primarily comprise of profiled metal cladding on the external walls and roofing, black window frames, rammed earth and timber hardwood decking.

The storage shed will comprise of two separate shipping containers over which a roof has been constructed to create two undercover storage areas. The shed will be used for domestic storage and the keeping of equipment associated with the maintenance of the subject land.

5 DEVELOPMENT ASSESSMENT

5.1 DEVELOPMENT PLAN PROVISIONS

I have undertaken an assessment of the proposal against the relevant provisions of the Yorke Peninsula Council Development Plan, consolidated 29 November 2019.

Zone Map YoP/12 shows the subject land is located within the Water Protection Zone.

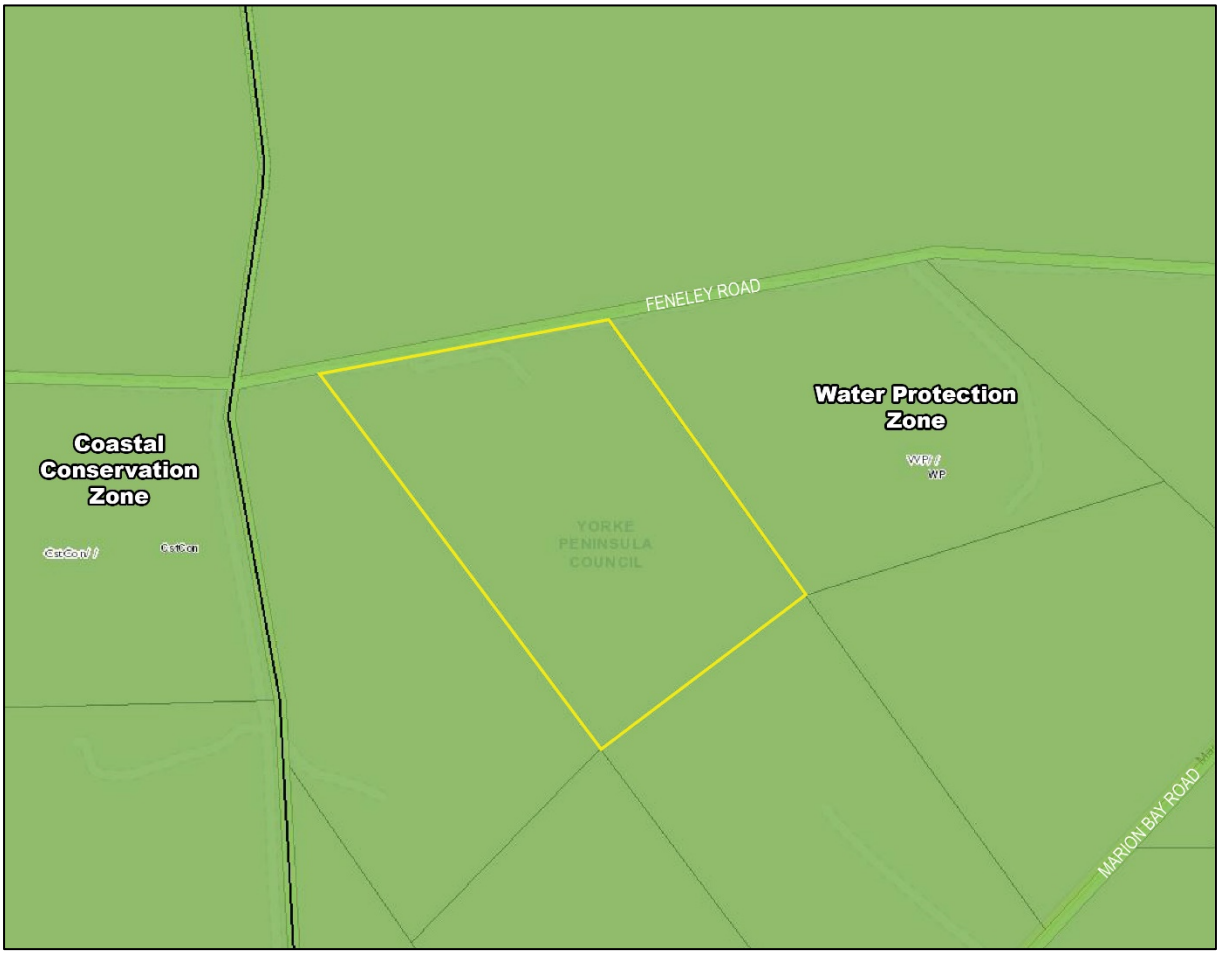


Figure 3: *Subject zoning* Subject Land

The provisions of the Development Plan considered to be of most relevance to the assessment of the proposal are:

Zone Provisions

Water Protection Zone
Objectives: 1-3, 6
Principles of Development Control: 2 & 4

Council Wide Provisions

Design and Appearance
Objective: 1
Principles of Development Control: 1-3, 6, 19

Hazards
Principles of Development Control: 18,19

Residential Development
Objectives: 1 & 2
Principles of Development Control: 1, 3, 11-14, 17, 18, 19, 30, 31

Transportation and Access
Objective: 2
Principles of Development Control: 22, 23, 28, 31, 32

Waste
Objectives: 1 & 2
Principles of Development Control: 1-4, 7, 11-14

5.2 ASSESSMENT

Water Protection Zone
Objectives: 1-3, 6
Principles of Development Control: 2 & 4

The Water Protection Zone covers a large portion of the Yorke Peninsula Council area. The objectives and desired character of the zone focus on the protection of groundwater, specifically within the Carribie, Para Wurlie and Marion Basins. Local indigenous plant species should be established and retained to safeguard the catchment and recharge characteristics of the water resource.

Principle of Development Control (PDC) 4 identifies that development should not:

(a) prejudice the protection of the water catchment
(b) affect the quality and quantity of the catchment's water resources
(c) inhibit the potential of the aquifer to recharge
(d) involve the storage or disposal of hazardous substances
(e) involve the storage of chemicals in quantities that require a licence under the Environment Protection Act 1993
(f) generate waste of a quantity that affects surface or underground water resources.

The proposed dwelling is located on the edge of the Water Protection Zone and the Carribie Basin, approximately 150 metres east of the Coastal Conservation Zone. There are several existing dwellings within the locality that are located within the Water Protection Zone, including:

1. 107 Feneley Road;
2. Allotment 14 Curly Hollow Road;
3. 57 Feneley Road;
4. 2006 Marion Bay Road;
5. 2078 Marion Bay Road; and
6. 183 Curly Hollow Road.

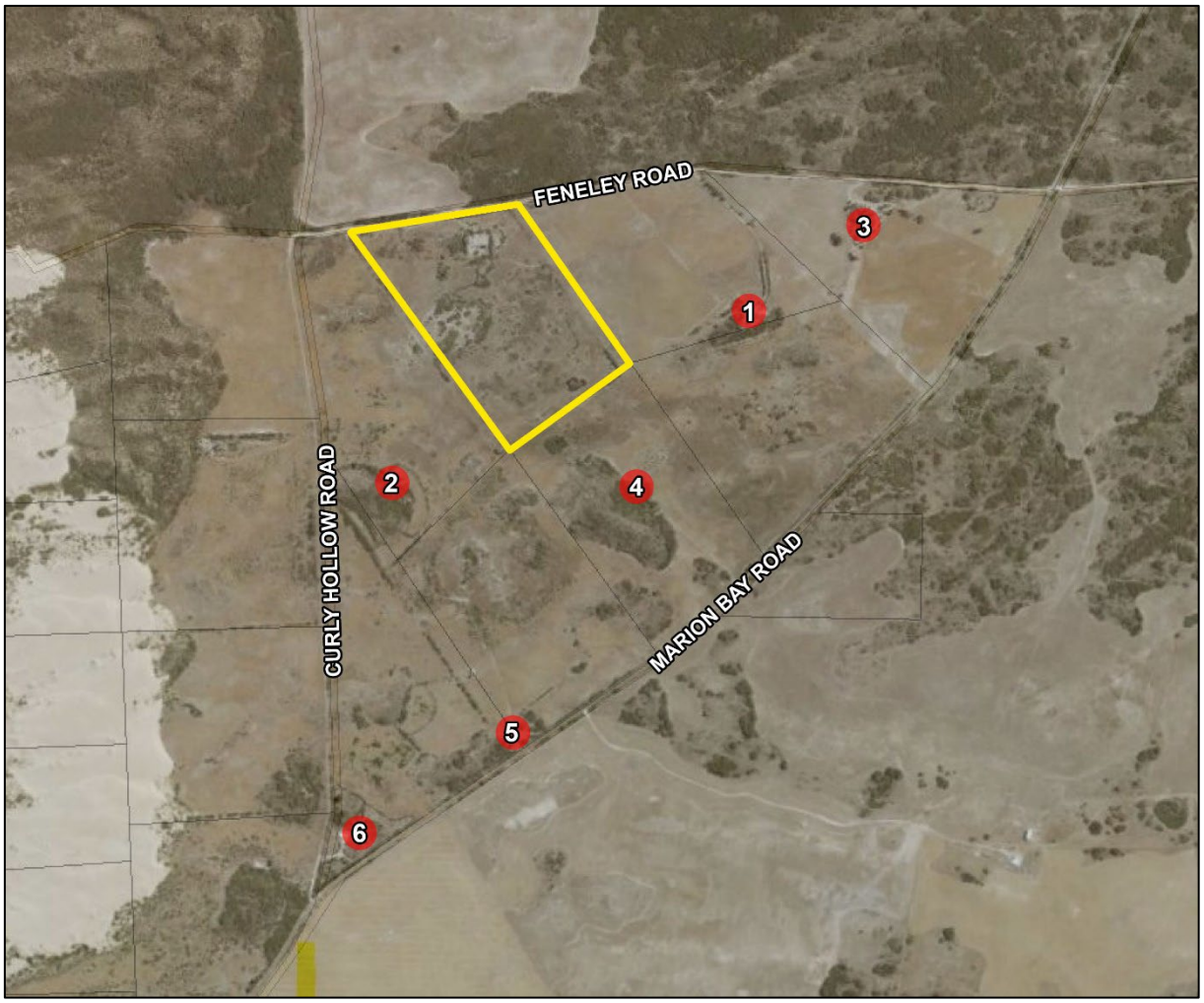


Figure 6: *Location of surrounding dwellings*

The neighbouring allotment at 107 Feneley Road, to the south-east of the proposal, contains a single storey dwelling and associated farm buildings and storage sheds located adjacent the dwelling to the west as seen in **Figure 5** below**.**

Figure 5: *Single storey dwelling and associated sheds at 107 Feneley Road as viewed from Feneley Road looking south*

The portion of land upon which the dwelling will be situated is cleared and largely devoid of native vegetation as seen in F**igure 6** below.

The construction and occupation of the proposed dwelling is unlikely to contaminate or pollute groundwater resources. The only likely cause of contamination would be through the incorrect disposal of wastewater upon the land. Any septic system associated with the dwelling will be installed and operated as per Council, SA Health and the manufacturer's requirements so as to not release any harmful pollutants into the groundwater.

The applicant wishes to construct a dwelling and the associated shed to enable a place of residence upon the subject land to continue the ongoing revegetation and restoration of the natural environment including the management of weeds. The applicant has already planted a significant degree of landscaping around the proposed dwelling site and the property more broadly and will continue to plant native species to revegetate the land.

Having a dwelling upon the land will allow for greater hands-on management of the land and an improved natural environment which will ultimately result in improvements to the broader catchment area and underground water resource.

The dwelling will have a high level of residential amenity and will not impact upon surrounding dwellings or upon the ability of neighbouring land from achieving the objectives of the zone.

Figure 6: *View of the proposed dwelling site as taken upon the subject land looking north-west*

Design and Appearance
Objective: 1
Principles of Development Control: 1-3, 6, 19

The principles of the Design and Appearance section seek development of a high design standard which responds to and reinforces positive aspects of the local environment and built form. Buildings should be of a contemporary design and of a scale that is sympathetic to the locality. Buildings within the Water Protection Zone should be setback 30 metres from the road boundary as stated within *Table YoP/2 – Building Setbacks from Road Boundaries.*

The proposed dwelling will be of a simple rectangular design, with symmetrical facades and a low gable roof. The low scale nature of the dwelling will complement the height of the existing native vegetation and associated storage sheds located upon the land. Whilst of a contemporary form and style, the dwelling will utilise appropriate materials such as corrugated metal cladding, rammed earth and hardwood. The use of non-reflective materials will further ensure an overall unobtrusive design and integration with the natural environment. The façades will have an appropriate level of articulation and detailing including the covered canopy in front of the garage, dorma windows, fin wall, slatted pergola and glassed entry. The dwelling will be oriented towards Feneley Road and will be setback approximately 94 metres to the edge of the roadway.

The subject land contains a significant degree of landscaping around the site of the proposed dwelling and along the Feneley Road frontage as seen in **Figure 7** and **Figure 8** below. As such, the visual impact of the dwelling will not be unreasonable when viewed from the roadway as it will be predominantly obscured by native vegetation.

Figure 7: *Access gate to the subject land as taken from Feneley Road looking south with native screening vegetation in the background*

Figure 8: *View towards Feneley Road as taken from the approximate location of the dwelling looking north with native screening vegetation in the foreground*

Hazards
Principles of Development Control: 18,19

The provisions of the Hazards section identify that development should not increase the potential for, or result in an increase in, soil or water salinity. The preservation, maintenance and restoration of locally indigenous plant species should be encouraged in areas affected by dry land salinity

As mentioned above, any septic system that is to be installed and operated on-site will be in accordance with the appropriate requirements to not release any harmful pollutants into the groundwater.

The applicant has undertaken and will continue to undertake the replanting and restoration of native vegetation species throughout the site and will appropriately manage the land to improve the broader catchment area and underground water resource.

Residential Development
Objectives: 1 & 2
Principles of Development Control: 1, 3, 11-14, 17, 18, 19, 30, 31

The Residential Development section focuses on the creation of healthy living environments and diverse dwelling types that can cater to changing demographics. Allotments should be of a size and configuration to cater for the construction of a dwelling with functional private open space, convenient and safe vehicle access and passive energy design. The number of vehicle crossovers should be limited and appropriate on-site car parking should be provided. Outbuildings should not be constructed unless in association with an existing dwelling.

The proposal will create a healthy living environment and be of a scale that complements the size and topography of the land and the surrounding landscape. The dwelling will be sited appropriately upon the subject land, incorporating functional private open space and appropriate setbacks from the existing outbuildings and adjacent allotments. The dwelling has been designed and oriented to benefit from passive solar heat gain from the north, relief from the sun to the west and a reduced impact from prevailing winds from the west and south-west. The large dorma windows will provide light deep into the open living space allowing the building to be passively heated with natural light while remaining low scale.

The double garage will be located under the main roofline of the dwelling and will provide 2 undercover car parks in accordance with *Table YoP/3 – Off Street Vehicle Parking Requirements*. The dwelling will utilise the existing crossover from Feneley Road and driveway located upon the land for access to the dwelling.

As mentioned above, the proposed storage shed will be associated with the dwelling to provide domestic storage and safekeeping of equipment related to the ongoing maintenance of the land.

Transportation and Access
Objective: 2
Principles of Development Control: 22, 23, 28, 31, 32

The Transport & Access section seeks the provision of safe vehicle movement, access and sufficient car parking on site. A detached dwelling with 4 or more bedrooms should have space for 3 car parks one of which is to be covered as per *Table YoP/3.*

As mentioned above, the proposed development will utilise the existing crossover from Feneley Road and the driveway located upon the land to provide access to the dwelling.

The proposal will provide sufficient parking on-site to accommodate for 3 vehicles, 2 of which will be undercover in accordance with *Table YoP/3*.

Waste

Objectives: 1 & 2
Principles of Development Control: 1-4, 7, 11-14

The provisions of the Waste section seek the disposal of waste in an environmentally sound manner.

The proposed dwelling will be connected to a wastewater treatment system which is to be installed on the subject land. As mentioned above, the septic system will be installed as per Council, SA Health and the manufacturer's requirements.

6 REGULATION 17 OF THE DEVELOPMENT REGULATIONS 2008

6.1 SOCIAL, ENVIRONMENTAL AND ECONOMIC EFFECTS

Regulation 17, 5d) of the *Development Regulations 2008* requires an assessment of the expected social, economic and environmental effects of the development on its locality.

The development of a dwelling upon the land is likely to have a positive impact on the locality in terms of social and economic effects as it will allow additional residents to live and socialise within the local community. This can lead to lead to positive economic effects on surrounding businesses. The dwelling will facilitate positive environmental effects as it will assist the applicant in the ongoing revegetation and restoration of the natural environment resulting in improvements to the broader catchment area and underground water resource.

6.2 OTHER INFORMATION SPECIFIED BY THE RELEVANT AUTHORITY

Council has not advised of any additional information it may require to facilitate the assessment of the application as per Regulation 17, 5e) of the Development Regulations 2008.

7 CONCLUSION

7.1 SUMMARY

The construction of a dwelling is a non-complying form of development within the Water Protection Zone as it fails to meet the exemptions for dwellings within the non-complying table.

Notwithstanding the non-complying nature of the application, the proposal is considered to sufficiently satisfy the intent of the Development Plan by establishing a dwelling that is of an appropriate scale, a high-quality design and that assists in the restoration and maintenance of the land in accordance with the intent of the Water Protection Zone.

The proposed development is considered to be consistent with the following provisions of the Development Plan.

Zone Provisions

Water Protection Zone
Objectives: 1-3, 6
Principles of Development Control: 2 & 4

Council Wide Provisions

Design and Appearance
Objective: 1
Principles of Development Control: 1-3, 6, 19

Hazards
Principles of Development Control: 18,19

Residential Development
Objectives: 1 & 2
Principles of Development Control: 1, 3, 11-14, 17, 18, 19, 30, 31

Transportation and Access
Objective: 2
Principles of Development Control: 22, 23, 28, 31, 32

Waste
Objectives: 1 & 2
Principles of Development Control: 1-4, 7, 11-14

7.2 RECOMMENDATION

In summary, I am satisfied the proposed development is not seriously at variance with the requirements of the Yorke Peninsula Council Development Plan (Consolidated 29 November 2018).

The proposal demonstrates a significant degree of merit without offending the relevant provisions of the Development Plan and so warrants the grant of consent by Council and concurrence from the State Commission Assessment Panel (SCAP).

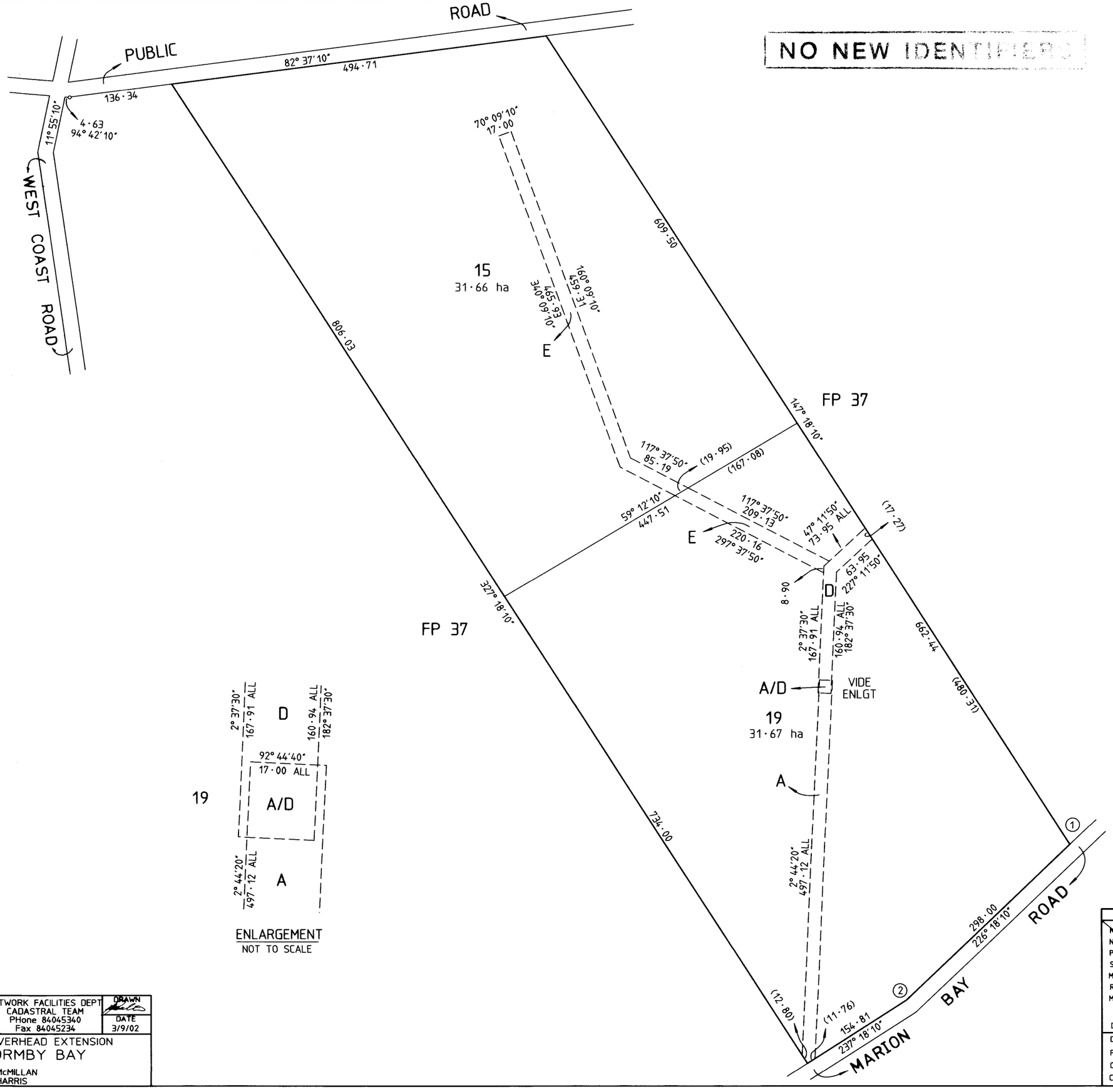
Yours sincerely,

Damian Dawson
Associate (MPIA)

Enc. *Proposed Plans*
Filed Plan 44213

FPX 44213

NO NEW IDENTITIES



ENLARGEMENT
NOT TO SCALE

PLAN NUMBER
FPX 44213

THIS IS SHEET 1 OF 1 SHEETS

~~DEPOSITED~~
ACCEPTED FOR FILING 20 / 11 / 2002 PRO REGISTRAR GENERAL

MAP REF 6227-1	DEV NO
TITLE SYSTEM REAL PROPERTY ACT	
TITLE REFERENCE	CT VOL 5226 FOL 102 CT VOL 5759 FOL 492
OB / LAST PLAN REF	TOTAL AREA
DOCKET No	
FIELD BOOK No	

CLOSURE CHECKED	PLAN EXAMINED	PLAN APPROVED	PMS APPROVED
B.C.	B.C.	20·11·02	

IRRIGATION AREA —— DIVISION ——
HUNDRED CARRIBIE
AREA WHITE HUT
COUNCIL D.C. OF YORKE PENINSULA

PLAN FOR EASEMENT

ALLOTMENTS 15 AND 19 IN FP 37
OF PT SECTION 133

SCALE METRES
0 50 100 150 200 300

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS

PORTION OF ALLOTMENT 19 MARKED A IS SUBJECT TO AN EASEMENT TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO L 8890000) (TG 8441946)

PORTION OF ALLOTMENT 19 MARKED D IS SUBJECT TO AN EASEMENT TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO L 8890000) (TG 8823283)

PORTION OF ALLOTMENTS 15 AND 19 MARKED E IS TO BE SUBJECT TO AN EASEMENT FOR ELECTRICITY SUPPLY PURPOSES

ALL DISTANCES ARE GROUND DISTANCES

~~COMBINED SCALE FACTOR~~ ..... ~~ZONE~~ ..... ~~MGA 94~~
BEARING DATUM (1)-(2) 226°18'10" ~~DISTANCE~~
DERIVED FROM F.P. 39507. ADOPTED

I, ...
licensed ~~surveyor~~ of South Australia do hereby certify –

1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992

2) That the field work was completed on the
.....day of .....
excepting for the final placement of survey marks (strike out if not applicable)

Date..... .....Licensed Surveyor

LEGEND

NETWORK PSM		FD
NETWORK STATION		FD
PERMANENT PLACED		
SURVEY FOUND		FD
MARK GONE		GONE
REFERENCE MARKS	PLACED	MP OR RM
	FOUND	SPK FD
	GONE	BT GONE
DRILL HOLE & WING		
DIRECTION CHANGE		
PART DISTANCES		(20.32)
CALCULATED DATA		20.35 CALC
COPIED DATA		100.35

ETSA UTILITIES
NETWORK FACILITIES DEPT
CADASTRAL TEAM
PHone 84045340
Fax 84045234
DRAWN
DATE 3/9/02

19kV OVERHEAD EXTENSION
FORMBY BAY

REF 20020088
S.J. McMILLAN
M.J. HARRIS