



15 February 2010

Ref. 5148 report (DA 822/089/09)

Chief Executive Officer
District Council of Robe
PO Box 1
ROBE, SA 5276

ATTENTION: Michelle Gibbs

Dear Michelle,

**RE: ALTERATIONS AND ADDITIONS TO EXISTING STATE HERITAGE LISTED BUILDING (BUSH INN) TO BE USED FOR RESIDENTIAL PURPOSES (NON-COMPLYING)
SECTION 557, MAIN ROAD, ROBE
DA 822/089/09**

As instructed, the following is a general planning assessment of the abovementioned development application.

In preparing this report I have reviewed the council file on the application and generally familiarised myself with the relevant provisions of the Development Plan and the subject land.

1.0 DEVELOPMENT DETAILS

Proposed Development:	Alterations and additions to existing building to be used for residential purposes
Development Application Number:	822/089/09
Applicant:	Jamie Burzacott (Builder)
Owner:	Andrew Cain
Property Address:	Section 557, Hundred of Waterhouse, Main Road, Robe
Certificate of Title(s):	Volume 6031 Folio 557
Land Use:	Vacant
Zone:	Conservation
Public Notification:	Category 1 – Non-Complying

TOWN PLANNING CONSULTANTS

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Authorised Development Plan: Robe (DC), Consolidated 11 January 2007, Map Ro/11

2.0 SUBJECT LAND AND LOCALITY

The subject land consists one rectangular shaped allotment located on the southern side of Main Road, Robe. The land comprises a total area of approximately 4000m² and a frontage to Main Road of approximately 90 metres.

The land contains an existing building sited intimately (1 metre setback) from Main Road. The building is State Heritage listed and has been previously used as the former “Bush Inn” and as an art and craft community centre. The building is presently vacant and in poor condition throughout. An access driveway (rubble) is located centrally across the frontage, which also includes a vehicle parking and turn-around area.

The land is located within the Conservation Zone. Native Mallee woodland vegetation densely covers much of the subject land and land surrounding the site.

The locality is dominated by the dense Mallee native vegetation along the southern side of Main Road. The northern side of Main Road is zoned Residential and comprises a residential character derived from primarily detached dwellings. The intersection of Main Road and Kingston-Robe Road is located some 130 metres to the southeast.

Main Road and Kingston-Robe Road are arterial roads with approximately 1300 and 800 daily traffic movements two-way flow, respectively¹.

The subject land and locality is depicted below in Figures 1 and 2.

¹ DTEI, 26 July 2009, Annual Average Daily Traffic Estimates 24 hour two-way flows, Government of South Australia www.transport.sa.gov.au

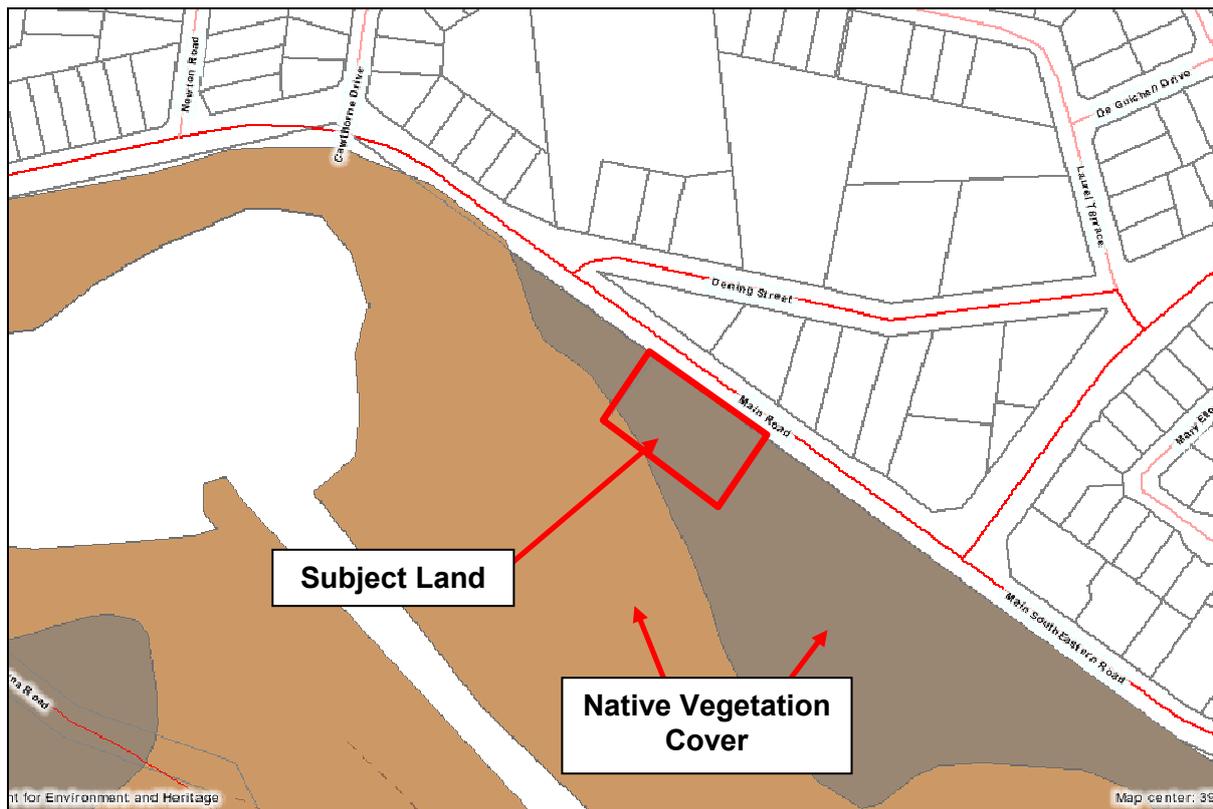


Figure 1: Subject Land and Locality
Source: Nature Maps, 2010. www.naturemaps.sa.gov.au



Figure 2: Subject Land and Locality (Aerial Photograph)
Source: Nature Maps, 2010. www.naturemaps.sa.gov.au

3.0 PROPOSED DEVELOPMENT

The proposed development consists of alteration and additions to the former Bush Inn building, to be used for future residential purposes.

The proposal incorporates the following:

- Demolish existing timber framed wall at rear of building;
- Construct rear addition to existing building to create the following internal spaces throughout for residential purposes:

Existing Building

- Three bedrooms;
- Living room;
- Family / games room;
- Meals area.

Proposed Addition

- Open plan family / kitchen area;
- Bathroom and laundry.

The proposed additions will be constructed from weatherboard external cladding with Pale whitewash paint finish. The pitched roof will be clad with galvanized iron custom orb sheeting.

Extensive restoration and upgrade works are proposed throughout the existing building including wall, floor, window, door and ceiling treatments. Details of these treatments are shown on the proposed plans.

As the existing building and subject land has not been used for specifically residential purposes in the past, the proposal to convert the building into a residence also constitutes a formal change in use of the land.

Existing access will be maintained by the proposal. A 5000 Gallon rain water tank will be proposed at the rear of the existing driveway.

4.0 CONSULTATION WITH GOVERNMENT AGENCIES

Pursuant to section 37 of the Development Act 1993 and Schedule 8 of the Development Regulations the application was referred to the Department of Environment and Heritage (DEH). The following comments from DEH were received:

The proposed development is considered acceptable for the following reasons:

- Residential use is compatible with the State Heritage Value of the Bush Inn;
- Repairs to original building fabric as documented are in accordance with established conservation principles. Materials and methods are appropriate to ensure that original fabric and finishes are retained wherever possible;
- Siteworks and site drainage improvements will help protect the building from damp and ensure its long-term conservation;

- Extensions are located at the rear, and are sympathetic in form and materials. The extension will not dominate the heritage building.

No conditions were recommended for any Planning Consent issued.

5.0 NATURE OF DEVELOPMENT

“Dwelling, other than a caretaker’s residence” is listed as a non-complying development in the Conservation Zone.

The existing building and proposed additions will be used as a residence in the future. As such, the proposed development will be non-complying in nature.

6.0 PUBLIC NOTIFICATION

Whilst the proposal is non-complying in nature, the proposal involves the change in use of the land and construction work which will maintain and enhance the integrity of the existing State Heritage Place. Furthermore, the subject land is immediately surrounded by land used for conservation purposes.

Given the above, the proposed development has been treated as Category 1, being of a minor nature only and will not reasonably impact on the owners or occupiers of land in the locality of the site (pursuant to Clause 2(g) of the 9th Schedule of the Development Regulations 2008). No public notification was undertaken during the assessment process.

7.0 DEVELOPMENT ASSESSMENT

In assessing the development proposal I have had regard to the Conservation Zone and the Council Wide provisions of the Development Plan, consolidated 11 January 2007.

Those provisions which are considered to be relevant to the proposal and my assessment of them are as follows:

CONSERVATION ZONE

Objectives: 1, 2, 4 and 5

Principles: 1, 2, 3, 5, 6, 8, 11 and 12

COUNCIL WIDE

Form of Development

Objectives: 4

Residential Development

Objectives: 18

Principles: 18 and 55

Movement of People and Goods

Objective: 9

Principle: 74 and 75

Bushfire Protection

Objective: 29 and 30

Principle: 180 and 185

Cultural and Built Heritage

Objectives: 31, 32 & 33

Principles: 166, 168 and 172

Natural Resource Management

Objective: 53

Principles: 147, 152

7.1 CONSERVATION ZONE

Objective 1: *A zone in which land and features of conservation significance, including areas of native vegetation, wildlife habitat and coastal lakes are conserved.*

Objective 2: *Protect and enhance surface and underground water resources.*

Objective 4: *Conservation of buildings and items of historic significance.*

Objective 5: *The preservation and management of areas which form an attractive background and vistas to urban and tourist areas.*

PDC 1 *Development should not be undertaken unless it is consistent with the desired character for the zone.*

PDC 2 *The zone should be conserved in its natural state.*

PDC 3 *Development should be compatible with the function and character of the locality.*

PDC 5 *Buildings and structures should be erected only for purposes consistent with the recreational, conservation or existing tourist use of the zone. Such buildings and structures should be of a high standard of design with particular emphasis on their external appearance and choice of materials, colours and siting, to ensure that they blend with the surroundings having regard to the particular conservation values of the zone.*

PDC 6 *A single caretakers dwelling and ancillary outbuildings may be developed in suitable locations to the management and assist with conservation of the property.*

PDC 8 *Streetscapes and vistas including individual trees, stands of trees, settings of historic building or items should be retained and carefully conserved.*

PDC 11 *Development should not result in pollution of or damage to, Lake Fellmongery, Lake Battye and Drain L.*

PDC 12 *Development for human habitation should utilise an aerobic wastewater or similar environmentally sensitive wastewater treatment system.*

The Desired Character for the Conservation Zone promotes the conservation and maintenance of the visual and ecological qualities of the area, including extensive vegetation and ecosystems which support habitats for various animal species. It is noted that Objective 4 promotes the conservation of buildings and items of historic significance.

The existing building on the subject land (former Bush Inn) is identified as a State Heritage Place within Table Ro/3 of Council's Development Plan.

The proposed development involves significant restoration and upgrade works to the existing building, which will enhance the buildings appearance, heritage value and improve long-term conservation protection. These works are in keeping with the "conservation" theme of the Zone. The proposed addition has been designed in a manner that will be visually sympathetic to the existing building, particularly when viewed from Main Road. It can therefore be said that the proposal exhibits a high standard of design, consistent with Principle 5.

Whilst "dwellings" are generally not envisaged in the Zone, the conversion of the former Bush Inn to a private residence is considered an appropriate adaptive use that will not hinder the ecological function and characteristics of the Zone. Some clearance of native vegetation to the rear of the existing building will be required to accommodate the addition. However, this vegetation clearance is considered an acceptable trade-off for the restoration and maintenance of the subject State Heritage Place. It is noted the majority of vegetation on the site will be maintained by the proposed development.

With reference to Principles 11 and 12, it is noted that the proposed plumbing plan shows all wastewater from the residence being directed into a septic tank located to the west. It is then shown to be directed to the road for future connection to Council's Common Effluent Disposal System. A condition has been recommended as part of any planning consent granted to ensure an approval is gained for the connection to Council's common effluent disposal scheme or alternatively an appropriate environmentally sensitive wastewater treatment system. This will ensure no pollution to the drain and lake catchment system is caused.

Having regard to the above the proposal is largely consistent with the intent of the Conservation zone provisions.

7.2 COUNCIL WIDE

Form of Development

Objective 4: *Orderly and economic development.*

The proposed development seeks to restore, reuse and upgrade an existing State Heritage Place in a manner that will promote its long-term conservation. This is considered to be both orderly and economic development.

Appearance of Land and Buildings

Objective 22: *Harmonious integration of new development with places of State and local heritage value.*

PDC 174 *Development should exhibit a high standard of design with regard to external appearance, building materials, colours, siting and landscaping so as to preserve and enhance the character of the locality.*

Objective 23: *The amenity of localities not impaired by the appearance of land, buildings and objects.*

The proposed addition will be located at the rear of the existing State Heritage Place, which will generally not be visible from Main Road. As such, the new development proposed will have a negligible impact on the visual amenity of the locality.

Furthermore, the existing building will be restored in a manner that clearly enhances its appearance to Main Road, consistent with Principle 174.

In summary, the proposal will be of a high standard of design and has been designed to enhance the heritage value of the site and appearance of the locality generally.

Residential Development

Objective 18: *Preservation and enhancement of the character and amenity of distinctive residential areas.*

PDC 18 *Dwellings should be provided with a minimum of two vehicle parking spaces, one of which is undercover.*

PDC 55 *All forms of residential development, excluding aged care accommodation should:*

- (a) not cover more than 50 percent of the site of the development with dwelling, carports, outbuildings and garages; and*
- (b) have private open space with:*
 - (i) a minimum dimension of 2.5 metres for ground level or roof top space;*
 - (ii) a minimum dimension of 2.0 metres for upper level balconies or terraces;*
 - (iii) a minimum area of 20% of the site;*
 - (iv) directly accessible from a habitable room; and*
 - (v) a maximum grade of one in ten.*

Whilst the subject land is not located in a Residential Zone or a cohesive residential area, the proposed development will involve the conversion of the existing building into a private residence. It is therefore important that the proposed additions and residence arrangement is satisfied the necessary Council Wide performance standards for residential development.

The majority of provisions for Council Wide residential development require development that respects its contextual relationships with other buildings in the locality and minimize impacts that would be experienced on adjoining properties. Given the subject land does not have any immediate to abuttal to residential land, it can be said that no unreasonable visual or overshadowing impact will be experienced on adjoining land.

It is important to consider the needs of future occupants of the proposed residence such as the provision of function private open space and adequate off-street car parking. In this regard, it is noted that the proposed open plan family/meals/kitchen area of the addition will have french doors opening to the west, providing a significant connection to the adjoining open space. This open space is considered private and suitable for recreational and outdoor entertaining purposes for future occupants. Given the subject land is approximately 4000m² in area, the majority of which being covered in vegetation, the proposed residence will have adequate access to open space which is private.

With reference to Principle 18, there will be ample space for the parking of two vehicles on the existing rubble driveway and turn around area.

Cultural and Built Heritage

Objective 31: *Conserve land, buildings, structures and other items of historical, social, architectural, scientific or cultural heritage significance.*

Objective 32: *Conserve Robe township's historic character, scenic appeal and natural setting.*

Objective 33: *Places of State and local heritage value conserved and enhanced.*

PDC 166 *Buildings and structures should be conserved which are of historic, social, architectural, cultural or other heritage significance.*

PDC 168 *Alterations or adaptations of existing buildings or structures which are of:*
(a) *architectural merit or significance;*
(b) *historical significance; or*
(c) *scientific or visual importance, should wherever possible involve the restoration of such buildings and should be undertaken so as not to detract from the character and architectural or historical significance of the building.*

PDC 172 *Alterations and additions to buildings, sites and places which are of heritage significance should be compatible with the historical and architectural integrity of such items.*

With reference to the comments provided by the Department for Environment and Heritage the proposed development is considered to be consistent with the abovementioned provisions relating to Cultural and Built Heritage provisions as;

- Restoration works to the existing building will be undertaken in accordance with conservation principles;
- Selected materials and treatments for restorative works will use or complement existing materials;
- The proposed residential use is an appropriate adaptive use that will not compromise the heritage value of the site;
- Siteworks and site drainage improvements will help protect the building from damp and ensure its long-term conservation;
- The proposed extension is located at the rear of the existing building and will not detract from the setting of the existing building when viewed from the street;
- The form and materials of the proposed addition will be sympathetic to the existing building.

Movement of People and Goods

Objective 9: *The free flow of traffic on roads by minimising interference from adjoining development.*

PDC 74 *Development should not generate traffic volumes which cannot safely and conveniently be accommodated on the adjoining road system.*

PDC 75 *Access to arterial roads should be minimised and should only occur in safe locations when:*
(a) *alternative access via a local road is not available;*
(b) *adequate sight distance is available;*
(c) *reasonable distance exists from side roads; and*
(d) *all vehicles anticipated to utilise the site can enter and exit the site in a forward direction.*

Main Road is an arterial road. The proposed development will maintain the existing access arrangement from this road, including the turn around area. Given the land has previously

been used for non-residential purposes, it is considered the proposed residential use of the land will generate significantly less traffic movements along Main Road. As such the proposal will satisfy the intent of the above provisions relating to the Movement of People and Goods.

Bushfire Protection

Objective 29: *Development should minimise the threat and impact of bushfires on life and property while protecting the natural and rural character.*

Objective 30: *Buildings and the intensification of non-rural land uses directed away from areas of high bushfire risk.*

PDC 180 *Residential, tourist accommodation and other habitable buildings should:*

- (a) *be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;*
- (b) *be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation;*
- (c) *have a dedicated water supply available at all times for fire fighting which:*
 - (i) *is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles,*
 - (ii) *comprises a minimum of 10 000 litres in areas shown as General or Medium Bushfire Risk on Bushfire Protection Area figures; or*
 - (iii) *comprises a minimum of 22 000 litres in areas shown as High Bushfire Risk on Bushfire Protection Area figures.*

PDC 185 *Vehicle access and driveways to properties and public roads created by land division should be designed and constructed to:*

- (a) *facilitate safe and effective operational use for fire-fighting and other emergency vehicles and residents; and*
- (b) *provide for two-way vehicular access between areas of fire risk and the nearest public road.*

The subject land is located within the “General Bushfire Risk” bushfire protection area as shown on Figure Ro(BPA)/10.

The proposal involves the change in the use of the existing building to residential purposes. The proposed addition will encroach closer to the existing dense vegetation occupying much of the subject land. As such, a building setback of 20 metres from the existing vegetation will not be achieved without clearance. Any clearance of the vegetation, despite the ‘conservation’ zoning of the subject land, will be acceptable given it will minimise the threat of damage from bushfires and assist in the protection of the existing State Heritage Place.

A 5000 gallon (22,000L) rainwater tank is proposed on the existing turn around area of the driveway. This will provide a year round water supply for fire fighting in the event of a bushfire.

The existing turn around area is considered to have sufficient dimensions to promote safe and effective vehicle manoeuvring on the land for fire fighting and other emergency vehicles.

In summary the proposal can satisfy the intent of the above provisions.

Natural Resource Management

Objective 53: *The retention and maintenance of existing native vegetation for its conservation, biodiversity and habitat value and environmental management function.*

PDC 147 *Native vegetation, including the full range of tree, understorey and groundcover species, should be protected and enhanced.*

PDC 152 *No change of land use should occur in or near areas of native vegetation which are likely to adversely impact on the vegetation.*

The subject land is primarily occupied by native vegetation comprising a Mallee woodland character. The subject land adjoins a substantial land parcel containing a water catchment system featuring drains and lakes. It is noted some removal of native vegetation will be required to provide sufficient separation around the proposed addition and existing residence for bushfire protection purposes.

Any vegetation clearance required for the proposed development is considered necessary to promote the long-term conservation of the existing State Heritage Place. Furthermore, the proposal will not set a precedent for native vegetation removal in the Zone, given the subject represents one of the only privately owned land parcels in this section of the Zone.

8.0 CONCLUSION

Having regard to the above assessment of the proposed development against the relevant provisions of the Robe (DC) Development Plan, on balance I consider that the proposal is an appropriate form of development, due to the following;

- The use of the existing building as a residence will not diminish its heritage value;
- The proposed restorative works will enhance the appearance and integrity of the existing building;
- The proposed addition will not dominate the setting of the State Heritage Place and will have a negligible impact on the character and amenity of the locality;
- The proposal will not unreasonably compromise the ecological nature and function of the Conservation Zone.

9.0 RECOMMENDATION

Following consideration and having regard to all relevant matters, it is recommended that the proposed development involving alterations and additions to an existing State Heritage listed building to be used for residential purposes, at Section 557, Main Road, Robe, development application numbered 822/089/09 is not seriously at variance with the provisions of the Development Plan and should be **Granted** Development Plan Consent, subject to the concurrence from the Development Assessment Branch and the following conditions:

1. The development shall be undertaken in accordance with the approved plan, prepared by Alex Starr Building Designs (Drawing Numbers A01-A07) received on 28 January 2010.
2. A separate approval from Council shall be obtained for the connection of the subject land to Council's Common Effluent Disposal Scheme or alternatively an environmentally sensitive on-site wastewater treatment system, prior to the issue of Development Approval.

Should you wish to discuss any aspects of this report please do not hesitate to contact me on 8364 1956. Alternatively, I can be contacted via email at dherrmann@accessplanning.com.au.

Yours Sincerely,



Daniel Herrmann MPIA CPP
ACCESS PLANNING (SA) Pty Ltd